

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JANUARY 6, 2009**

The Vanderburgh County Board of Commissioners met in session this 6th day of January, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex.

Call to Order

Commissioner Tornatta: Good evening. We would like to call the Vanderburgh County Board of Commissioners meeting to order.

Attendance Roll Call

Commissioner Tornatta: Attendance roll call.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Pledge of Allegiance

Commissioner Tornatta: Leading us in the Pledge of Allegiance today is Susan and Steve Harp. Is Steve here? Okay, there you are, and Evie, the dog.

(The Pledge of Allegiance was given.)

Overview of Keep Evansville Beautiful's EVIE Program

Commissioner Tornatta: Yeah, Susan, if you don't mind coming up? Just kind of breaking away from our priorities right now. We would just like to, tell us a little bit about what Evie's done and what you're doing, and Steve's doing—

Susan Harp: Okay.

Commissioner Tornatta: —and then, without giving away too much.

Susan Harp: Okay, we're glad to be here, because it's a nice way to start out 2009, because we want to have a litter-free community. That's what Evie's job has been the last, well, she'll be two years old Monday. But, her job has been to go around to the area schools and educate the children about why litter is wrong and how it harms our community. At this time last year Mary Scheller, Keep Evansville Beautiful staff member, and my husband, Steve, and Evie have visited over 22 schools, public, private and parochial. They have seen around 2,700 children, and that's just within the schools. There is a curriculum that we have given to the schools, they have a song that they sing with Evie, they are given litter bags, book marks to

encourage them to pick up litter and to remember to pick it up and to keep it up. The other events that Evie has been to, she's been to every community event that has an opportunity for us to meet children and adults, to encourage them not to litter. She was a recipient of the Hero of the Year award from the Red Cross, and Leadership of Evansville. So, we're really doing a great job with the Evie program. She will be turning two years old next Monday, and I'm going to let Ann Ennis tell you a little bit about that.

Commissioner Tornatta: Okay.

Ann Ennis: Hello, I'm Ann Ennis, I'm the Executive Director of Keep Evansville Beautiful. Thanks so much for inviting us here today to have Evie lead the pledge. As Susan said, Evie is celebrating her second birthday next Monday at 3:00 with the song being sung at 3:30 at Fifth Third national, or Fifth Third bank downtown on the 15th floor. This is suitable because Fifth Third is the sponsor of Evie and is the entity that has made this puppy possible for the community. Because Keep Evansville Beautiful doesn't get any government money, and we're unique in the United States as agencies like this to be functioning totally with private money, it's really important to have mascot's like Evie, people like the Harp's, and sponsors to help us get this litter cleaned up and get the sense of civics instilled in our students in the community. It's been a great year. We've got a very big announcement that we're going to be making next Monday, so we hope you can join us for the birthday party.

Commissioner Tornatta: Alright, Monday at what time again?

Ann Ennis: 3:00.

Commissioner Tornatta: Okay.

Ann Ennis: With the cake being cut at 3:30.

Commissioner Winnecke: That would be at Fifth Third bank.

Ann Ennis: Fifth Third. I'm sorry.

Commissioner Tornatta: Susan, one question. You've been contacted from other communities—

Susan Harp: Yes.

Commissioner Tornatta: —trying to find out about Evie. Tell us what Evie stands for?

Susan Harp: Okay, Evie, E-V-I-E. I originally named her short Evie for Evansville, but then when I got to the end of writing the book, I realized that I could make a, it's called a backronym, because you're working backwards of her name. E stands for every, V stands for volunteer, I stands for is, E for essential. Every volunteer is essential in keeping our community beautiful. When we were at this place, a very prominent place in the Nation, to get an award, people were thrilled with what they saw. Forty states were represented, and people from all over have come to us wanting to copy a program like us. Las Cruces, New Mexico has just purchased, or someone donated a little Labrador puppy, and they are starting the program. Theirs is combined with animal control, DMD, the police department, and the Las Cruces, Keep Las Cruces Beautiful, all four, this guy heads like four, he holds four positions with those organizations. They are going to do this program there. So, and we've

been asked to come different places and share what we do, because everybody thinks it's a winner.

Commissioner Tornatta: You're keeping Steve on the road?

Susan Harp: Yes, we're keeping him busy.

Commissioner Tornatta: Okay, good.

Susan Harp: So, he doesn't have anything, you know.

Commissioner Tornatta: Well, thanks for sharing the pledge with us.

Susan Harp: Thank you for inviting us. Okay, and don't litter. We could, real quick, just real quick, we could just hide a little piece of litter behind Mr. Fluty here. Not that you would litter, Mr. Fluty. But, just wad up a little piece of paper and drop it back there.

Commissioner Tornatta: He's a natural.

Susan Harp: I'll let her (Inaudible). She was deputized. Sheriff Eric Williams—

Commissioner Tornatta: Oh, she was deputized by Sheriff Eric Williams?

Susan Harp: She's an honorary Deputy. She will (Inaudible).

Bill Fluty: I'm waiting.

(Evie proceeded to move around the room looking for the litter.)

Commissioner Tornatta: Okay, we're clear there. I bet that cameraman is having a tough time following her.

(Applause as Evie finds the litter and retrieves it.)

Susan Harp: Thank you, Sheriff.

Bill Fluty: I need that back.

Ann Ennis: I'm sorry. This has been the most amazing adventure with this puppy, and what this family has done for the community. You're going to see a lot more of Evie in the next year.

Commissioner Tornatta: Thank you very much.

**Approval of Prior Meetings Minutes:
December 16, 2008 Commission Meeting
December 23, 2008 Special Joint Meeting with BPW
December 23, 2008 Special Commission Meeting**

Commissioner Tornatta: Alright, we're going to start our action items. Let's see, we're going to approve the prior meetings minutes of 12/16/08 Commission meeting, 12/23/08 special joint meeting with Board of Public Works, and 12/23/08 special

Commissioners meeting. Since, it's a special case, I'm going to make the motion, second it, and roll call vote, Madelyn.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes. Thank you. Okay.

(Motion approved.)

Election of Officers for 2009

Commissioner Tornatta: Alright, we have election of officers. Election of President?

Commissioner Melcher: I would like to move that Troy Tornatta be President for the year 2009.

Commissioner Winnecke: Second.

President Tornatta: Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, I would like to appoint Steve Melcher as Vice President for the year 2009.

Commissioner Winnecke: Second.

President Tornatta: Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Appointment of Legal Firm for 2009

President Tornatta: Alright, appointment of a legal firm.

Commissioner Winnecke: Mr. President, at this time I would move that we name David Miller and the firm of Ziemer Stayman Weitzel and Shoulders to be the County Attorney.

President Tornatta: I have a motion.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any discussion? Roll call.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**First and Final Reading of Ordinance CO.01-09-001:
An Ordinance Setting 2009 Meeting Dates**

President Tornatta: Alright, the, we're going to have a first and final reading on CO.01-09-001, an ordinance setting 2009 meeting dates. I need a motion to waive the second reading.

Commissioner Winnecke: Mr. President, at this time I would make a motion that we waive the second reading.

Commissioner Melcher: I'll second it.

President Tornatta: Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: I vote yes. It passes.

(Motion approved 3-0)

President Tornatta: Okay, we need a motion to approve the ordinance.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: Any discussion? Roll call vote, please. Oh, sorry.

Commissioner Melcher: Is there any public....okay.

President Tornatta: With no public comment. Roll call.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Second and Final Reading of Ordinance CO.12-08-022
An Ordinance Amending Ordinances Regarding Licensing,
Certification, Administration and Enforcement of Construction
Businesses and Occupations**

President Tornatta: Okay, we're going to skip the ordinance, to make room for the amended smoking ordinance, and go down to the second and final reading of CO.12-08-022, ordinance amending ordinances regarding licensing, certification, administration and enforcement of construction businesses and occupations. Let's get a motion on the floor and then we can have discussion.

Commissioner Winnecke: So moved.

President Tornatta: I take—

Commissioner Melcher: Second.

President Tornatta: Yeah. Alright, a motion and a second.

Dave Balew: Thank you. I am Dave Balew, representing the Building Commission. I was really hoping Roger would be here.

President Tornatta: Sorry, Dave.

Dave Balew: What you have before you is an ordinance amending fees for permits, setting up a standard for the citations, on page three there, I believe. Do you just want to go into, when we go into court, you know, we have a set standard.

President Tornatta: Okay.

Dave Balew: I think the employees are, amend wording for the, allowing a building contractor, commercial contractor to be able to do roofing. Also, a roofing contractor would not be able to do building, but somebody holding a general permit, same way with the residential contractor, would also be able to do roofing.

President Tornatta: Dave, did Roger say anything about maybe ways to deal with the contractors if they did not pay their fine?

Dave Balew: No, nothing was mentioned to me about it. You know, we do go to court and just, you know, take them in front of a judge.

President Tornatta: Right, but we have a group of contractors, maybe not local, that have not paid their fines, is that correct?

Dave Balew: I'm sure there are some, yes.

President Tornatta: Okay.

Dave Balew: I apologize, you know, for the county I haven't seen a whole lot of issues on that. So, I personally follow up with the city more.

President Tornatta: Okay. This is open to Commissioners, but one thing I would like to see is that we have a measure by which we can hold people's feet to the fire if they have overstepped, or have a code on them and a fine against them, that they pay that fine before we give that building or sign off on the building. You would give, actually you give a checklist or a punch list weeks in advance—

Dave Balew: Well—

President Tornatta: —of taking a building? Just depending on what the timing is?

Dave Balew: Yeah, it's not always weeks in advance, but, you know, as soon as we can, you know, we get it, and, you know, like most construction work, everybody wants it done yesterday. So, but, we will hold up, you know the C of O until all the proper fines have been paid. You know, that's one way we do our little system of checks and balances on that.

President Tornatta: To your knowledge there's nothing in this ordinance that would lead us to think that we could hold their feet to the fire and not sign off on a building?

Dave Balew: Not more than what we're doing now, per policy.

Ted C. Ziemer, Jr.: Commissioner Tornatta, that was not one of the amendments made. It could, you know, there could be a future amendment to the ordinance.

President Tornatta: Could be a future amendment?

Ted C. Ziemer, Jr.: Certainly.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: But, we just need to determine, you know, to what extent we want to amend it, and how we want to go about enforcing those. But, none of the amendments addressed in this current ordinance deal with the subject that you're talking about.

President Tornatta: I have no problem with a future amendment, if that is something that we would like to address with Roger.

Commissioner Winnecke: I think that merits further discussion with the Building Commissioner.

Dave Balew: He's going to probably be here in about ten minutes.

President Tornatta: Okay.

Dave Balew: If you have any further questions, or I can talk to him afterwards.

President Tornatta: We can either hold it and amend it now, or set it up for amendment at a later date, which is probably the better way to do it.

Commissioner Winnecke: I would suggest that we go ahead and act on this proposed amendment to the ordinance, and if we need to circle back and offer further amendments later, we can have it drafted properly and bring it back before us.

President Tornatta: Commissioner?

Commissioner Melcher: I agree. I just looked at the attorney when he jumped in. Because I was going to get his opinion.

President Tornatta: Alright, we have a motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Dave.

Dave Balew: Thank you.

David Miller: Mr. President?

President Tornatta: Yes?

David Miller: I might say that there is probably a way for the Commissioners to seek, or the Building Commission to seek contempt of court, failure to pay the fine, and that would not require any amendment to the ordinance. If the fine is levied and not paid, there are ways to pursue that.

President Tornatta: Okay. Maybe what we could do is work with Roger to try and address one of the two ways, to make sure that we're getting our fines, if that's the case, and we're taking care of the people who are not doing business correctly, by our code.

Dave Balew: We are doing that now. You know, if we do not, you know, excuse me, if we have proper service, you know, and they don't show up to court or something like that—

Commissioner Melcher: There's Roger.

Dave Balew: Oh, now you come in. But, yeah, that is being followed up with that.

President Tornatta: Okay, we'll address that. If you could convey that to Roger, okay?

Dave Balew: Okay.

President Tornatta: Thank you.

<p>Requests for Extension for Payment of Back Taxes: 1318 N. Second Avenue 214 S. New York Avenue & 206 S. Grand Avenue</p>
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President Tornatta: A request for extension for the payment of back taxes. The first one is 1318 North Second Avenue, the second one is 214 South New York Avenue, and the third is 206 South Grand Avenue. All these taxes, if they are extended would be paid before March 1, 2009.

Commissioner Winnecke: Mr. President, I would move that we grant the extensions to the aforementioned date for those three properties.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: It passes.

**2009 Agreement with WNIN for Televising County Meetings (Tabled)
JE Shekell Semi-Annual OCH HVAC Maintenance Agreement
2009 County Attorney Contract with ZSWS
2009 Purdue Extension Contractual Services Agreement**

President Tornatta: Okay, we're going to go to contracts, agreements and leases. Keep in mind all these contracts, agreements and leases have been approved by the County Attorney.

Commissioner Melcher: Mr. President, I would like to hold the one for WNIN until next week.

President Tornatta: Okay.

Commissioner Melcher: I just want to check on a couple of items. So, if we need to have a motion, I'll make that a motion.

President Tornatta: Okay, let's just do the Commissioners agreement with WNIN televising county meetings. This is just to make sure, since Commissioner Melcher is new on the scene, that he is comfortable with the contract. So, he wants to have a motion to table.

Commissioner Winnecke: Second.

President Tornatta: Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright.

Ted C. Ziemer, Jr.: Excuse me, Mr. President. Commissioner Melcher, if you would let us know, you know, early what your concerns are, if this is something we can help you with, you know, we'll be happy to do that.

Commissioner Melcher: Yeah, basically it's the fee.

Ted C. Ziemer, Jr.: There may not be anything we can do about that.

Commissioner Melcher: Well, might not be, but I believe we can.

Ted C. Ziemer, Jr.: No, no, I meant the attorneys. I'm sure you can do something about it, but I don't think we can.

President Tornatta: Okay, number two, Commissioners semi-annual Old Courthouse HVAC maintenance agreement with J.E. Shekell.

Commissioner Winnecke: Mr. President, I move approval.

Commissioner Melcher: I'll second it.

President Tornatta: Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Right, number three, 2009 County Attorney's contract with Ziemer, Stayman, Weitzel and Shoulders.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: I'll second.

President Tornatta: Any discussion? Roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Our fourth, the Commissioners, extension contractual services agreement, amendment number one. And, I believe that's with the Purdue Extension for \$72,934, and that was approved by the County Council.

Commissioner Melcher: That's what was in the County Council e-mail from the attorneys?

Ted C. Ziemer, Jr.: Yes.

Commissioner Melcher: I'll move for do pass.

Commissioner Winnecke: Second.

President Tornatta: Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Engineer

President Tornatta: Alright, department head reports. John Stoll, County Engineer, is he around? Good evening, John.

John Stoll: Good evening. I've got one item this evening. It's a change order on the Cross Pointe Boulevard project. This is for an increase of \$1,076.74. It covers various increases and decreases for 11 different items in the contract. There is sufficient funds to cover the \$1,100 increase.

President Tornatta: Alright. Do I have a motion?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Anything else?

John Stoll: That's it.

President Tornatta: Have a great day.

John Stoll: Thank you.

Commissioner Winnecke: Thanks, John.

Board Appointments

President Tornatta: Alright, board appointments. I'm going to list, very quickly, the board appointments of the Commissioners. These have all been approved by the Commissioners. I will take Central Dispatch, Coalition to End Homelessness, Domestic and Sexual Violence and the Economic Development Commission. Commissioner Melcher will take Evansville MPO, the Mayor's Educational Roundtable, Disaster Resistance Community Corp and Community Corrections and the Public Defenders Office. Commissioner Winnecke will take the Old Courthouse Foundation, ITAC, GAGE, and Area Plan. We also, let's take the rest of them and then we'll make a motion on all, if that's okay? The Alcoholic Beverage Commission, Frank Daugul will serve for us; the Building Authority Board of Trustees, Dan Tuley; Domestic and Sexual Violence, Holly Dunn Pendleton, Lori Hahn Cornelison, and Laura Symon; EARC, our trusty friend Bill Nix will serve on that, an extension from last year; Four Rivers RC&D, David Ellison; Human Relations Commission, Erika Taylor; Library Board of Trustees, Dr. Bob Reed; Polling Place Advisory Committee, Bill Bennett, Mark Foster, Roberta Heiman, Connie Carrier, Tony Bushrod, Ken Lefler and Rob Faulkner; Redevelopment Commission, Dave Abbott, Chuck Whobrey, Jim Wills, Sr., Kirk Knight, and Bob Musgrave. I believe we have one other one that's not on this list and that's the—

Commissioner Winnecke: The Electrical Board, and I would add, nominate Jim Rexing, Jerry Goedde and Randy Breivogel.

President Tornatta: And will somebody make that in the form of a motion?

Commissioner Melcher: I will. I'll make a motion we accept them.

Commissioner Winnecke: Second.

President Tornatta: Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**First Reading of Ordinance CO.01-09-002:
An Ordinance Amending the Ordinance Entitled
Smoking Prohibited in Work Places and in Public Places**

President Tornatta: Okay, any, let's go back up to the top here. First reading, CO.01-09-002, ordinance amending non-smoking ordinance. Alright, section one provides for deleting the sunset date of January 2, 2009 for the exemptions regarding bars or taverns and certain businesses and clubs. Section two amends the exemption for vehicles used by employees while in service of an employer when the vehicle is occupied only by the employee by providing that the exemption does not apply to buses and taxi cabs. This would eliminate the driver of the cab or bus smoking in the cab or bus when there are no passengers, ie: no one could smoke in taxi cabs or buses. This is the first reading, if we could get a motion.

Commissioner Melcher: I'll make a motion to approve.

President Tornatta: And I will second it. We will have discussion from the board. We can come back to the board if you would like to? Okay. We're going to take public comment on this particular ordinance and would welcome anybody. We will have a two minute limit, not only for the audience members, but for the Commissioners today. We will also, when this comes back out, which I believe is next Tuesday, on the 13th, we will allow for public comment on that date as well. We will have a minute, you'll be down to a minute, then you'll be down to 30 seconds, and then there will be something held up to tell you stop. If we can all be orderly, and, obviously, we're going to have people on both sides, just respect one another's efforts, why they came out here, as we want to hear you. We hope that there's mutual respect, not only from this Board to the public, but throughout the public. So, if that's all understood, we'd ask that the, if somebody wants to start, come up here, give your name and address. We would enjoy hearing from you.

Gene Maxwell: Mr. President, Commissioners, my name is Gene Maxwell. I live at 2804 North Garvin Street, Evansville. But, I'm here as the Commander of American Legion Post Eight, 6001 New Harmony Road, and representing my 400 plus veterans, about 100 auxiliary, and probably about 40 or 50 sons of the legion. These gentlemen and ladies have served their country well. They were given cigarettes in their rations, most of the World War II veterans. They pay dues to belong to this organization. They own the building. They think it's theirs, and they would like to be able to come in, smoke a cigarette, have a beer, and tell lies about their war experiences with their brothers. Thank you.

President Tornatta: Thank you, Gene.

Tony Schmitt: Hi, my name is Tony Schmitt. I live at 3130 Waterman Drive, the west side of Evansville. I'm a respiratory therapist, and I deal with lung disease everyday. While I respect the gentleman's wishes, what we don't understand is, is that lung disease is not something you see today, or tomorrow. We're going to see it 20 years from now. I'm 50 years old and I'm ready to retire, but I see COPD everyday. We know what it costs everybody to treat COPD, Chronic Obstructive Lung Disease. When you have emphysema and bronchitis, you have difficulty doing the daily things that we take for granted; going to the bathroom, fixing your own meals, being able to walk outside to get your mail. I think it's very important, when you consider changing the regulation as it is, that you consider not only what you're doing to the public right now, but the public in the future. I have an article, if I can give it to you?

President Tornatta: Absolutely.

Tony Schmitt: Okay, I have an article that doesn't even address first hand and second hand smoke. It actually addresses third hand smoke. They found that over 4,800 different types of chemicals remain in carpet, clothing, draperies, whatever, hours and hours and hours, if not days, afterwards. Over 60 of these produced, excuse me, produced cancer. So, it's very important that we consider not what's going to happen today, and who might or might not close because of the fear, but the reality, statistics prove people don't close. It doesn't happen. So, I would like to give you the article, if you don't mind?

President Tornatta: Absolutely. Madelyn, we'll enter this in the record.

Tony Schmitt: Thank you.

President Tornatta: Thank you, Tony.

Patty Avery: Hi, I'm Patty Avery. I'm a resident of Vanderburgh County and a volunteer for the American Cancer Society. It's in that capacity that I'm here tonight. On January 2, 2009, Vanderburgh County became a safe place to work, no matter what your job. On that date exemptions to the 2007 smoking ordinance lapsed, and membership clubs, bars and taverns became smokefree. I'm here to urge you to leave this already passed ordinance alone. By making all work places smokefree, you're protecting the health and savings the lives of all individuals who work in Vanderburgh County. The 2006 U.S. Surgeon General's report was unequivocal. There is no safe level of exposure to second hand smoke. Even brief exposure has immediate adverse effects on the cardiovascular system, and increases the risk for heart disease and lung cancer. Each year, second hand smoke kills 3,000 non-smokers from lung cancer, and another 35,000 to 45,000 from heart disease. Based on this data, it's clear the only way to avoid the harmful effects of tobacco smoke in public places is to completely eliminate it. The report acknowledges that there is simply no such thing as a non-smoking section. Second hand smoke is a serious health issue, especially for restaurant and bar employees. Food service workers are actually 50 percent more likely than the general population, than the general non-smoking population to develop lung cancer, largely because of the second hand smoke they inhale on the job. As my time is coming to a close, the American Cancer Society supports effective smokefree workplace laws that protect workers health and save lives. I would urge the Vanderburgh County Board of Commissioners to leave this ordinance in place, and allow all workers to avoid having to choose between their health and their paycheck. Thank you.

President Tornatta: Thank you, Patty.

Courtney Johnson: Good evening.

President Tornatta: Good evening.

Courtney Johnson: My name is Courtney Johnson, and I'm a youth volunteer at the C.K. Newsome Center and a college student. I've received the information, you have received the information, so please don't ignore the evidence. Thank you.

President Tornatta: Thank you, Courtney.

Sherri Hurt: Hi, I'm Sherri Hurt. I'm a chronic disease program nurse with the Vanderburgh County Health Department. I would just like to try one more time to help everyone understand that it is nothing more than a very serious health issue. First of all, I would like just to present that second hand smoking causes cancer. We're not talking about people smoking, we aren't trying to eliminate people's choice to smoke. We are trying to protect people who choose not to smoke, that are subjected to known carcinogens. It has been classified as a known human carcinogen by the U.S. Environmental Protection Agency, the U.S. National Toxicology program, and the International Agency of Research of Cancer, which is a branch of the World Health Organization. It is classified as a group A carcinogen, which is a designation which means it's sufficient evidence that the substance does cause cancer in humans. The group A designation has been used by the EPA for only 15 other pollutants, including asbestos, radon and benzene. You're probably all familiar with the ban on asbestos. We've gone to a great deal of cost to eliminate it from the environment, because it's harming people that inhale it unknowingly. The research indicates there is currently 10,000 deaths reported per year as a result of the asbestos exposure. For second hand smoke exposure, the estimate is 53,000 deaths per year. There's really no comparison. The country acted immediately, at great expense, to protect us from asbestos. The cost to save us from the dangers of exposure to second hand smoke is zero, and we could save up to 53,000 lives a year. I feel like that deserves consideration. Thank you.

President Tornatta: Thank you, Sherri.

Catherine Engel: My name is Catherine Engel. I'm a resident of Evansville. I'm the Vice Chair of the Board of the Vanderburgh County Public Health Department, and I'm part time assistant professor at the IU School of Medicine in Evansville. I first would like to thank Lloyd Winnecke for public support of keeping the smoking ban ordinance comprehensive. It's my wish that Mr. Tornatta and Mr. Melcher would have the same opinion. I know that both of you have read or heard all the evidence that second hand smoke is unhealthy. That evidence continues to grow, as you've heard tonight. There's more data almost everyday. There's more information on how second hand smoke is not healthy. You've heard from the physicians, you've heard from bar owners who have gone smoke free, you've heard from numerous organizations and businesses who have signed a resolution to keep the comprehensive ban. It's really amazing to me that this is even on the table tonight. You've ignored the recommendation of the Health Department, the Vanderburgh County Health Department that is, it doesn't seem that, how you can completely ignore their resolution. You seem concerned that the county ordinance is not the same as the city ordinance. You should be proud that you could provide the leadership and to help educate the community that smokefree is the way to go. It is the healthy way to go. If you could stand and say keep this ordinance comprehensive, it shows leadership and helps educate the community that second hand smoke is harmful, and that you want to protect the workers in all public places,

and provide economic opportunities that benefit from smokefree communities. You have the opportunity to be true leaders and let the others follow your example, rather than kowtowing to the minority. Please reconsider the health consequences of your action before you make a decision to take away the comprehensive ban. Thank you.

President Tornatta: Thank you. Anybody else?

Jimmy Funkhouser: Hi, my name is Jimmy Funkhouser. I live at 1937 East Gum Street. Let me first say that I'm not here representing any organizations, or any interests. I actually used to be a bartender at American Legion, but I'm not representing them either. I have no statistics, I have no medical degree, I have no other interests other than expressing my deep concern that this is a discussion. That there is dialogue going on regarding something that's such a health concern for the public. I used to live in Ft. Wayne, Indiana, and they, as you're probably aware, have passed a similar smoking ban in their community. I recently moved back to Evansville about three months ago and was almost floored when I read in the paper that this was a discussion at the public level and that there were concerns that this ban might not continue. With all due respect to anyone that may smoke in the room, I'm really asking you to do nothing more than stand up, remove yourself from the room and go outside and smoke. Common decency. I won't profess to have, like I said statistics, reasons, other than decency. That's all I'm asking. I understand the conservative argument about controlling businesses from the government, but if I were to walk into a restaurant and start a campfire at the table and smoke everybody out, you might have an issue with it. But, the fact that somebody's fire is contained in a cigarette makes that okay? I don't get that. I don't get that. You know, the government says we're going to make you cook your meat to a certain degree for public health. Why? Maybe because nobody's addicted to that meat. Maybe that's why the cigarettes are an issue. Maybe that's where the outcry comes from. I'm just frustrated. You know, like I said, I'm not here representing anybody really, except for the people that I have this discussion with. I hope you take that into consideration. Thank you.

President Tornatta: Thank you, Jimmy. Anybody else? If you don't get to talk tonight, or don't want to come up, you can come up next week.

Commissioner Melcher: They could even e-mail us.

President Tornatta: Right, we've received quite a few e-mails. So, you can call the Commissioners office and get an e-mail on that. Okay, we have a motion and a second.

Commissioner Melcher: I'll make the motion.

President Tornatta: You, we have a motion and a second.

Commissioner Winnecke: Are we going to have some discussion at this level?

President Tornatta: We sure can. Sure. Sorry.

Commissioner Winnecke: Thank you. I think this motion is a regressive move for our community, not just from a health standpoint, but from an economic development standpoint as well. Site selectors who work for industries and businesses that are looking to move companies look for progressive communities that are conscious about their health and their well being. Specifically, they seek out communities that

are smokefree. I think if you look at any number of stories on-line about the correlation between a decrease in heart attacks after smoking bans have been in place, it's pretty impressive. I think the arguments are compelling. What I would like to see this body do is not vote on this tonight. I think we have, while I think the three of us do agree that a common city-county ordinance on this issue is important, we obviously disagree on how to get there. I think we should not vote on this at this time. I think we should sit down with our colleagues on the City Council. I see at least one member of the City Council in attendance tonight, and figure out just how close the city is to moving to our standard. Because, as someone said, I believe our standard is frankly the best when it comes to the smoking issue.

President Tornatta: Thank you, Commissioner. Commissioner Melcher?

Commissioner Melcher: The only thing I can say, just coming off the City Council, I don't know of anybody on the City Council that would do that. I don't think that the City Council is ready to move. I think there was one Councilman on there that was wanting to do something. We've got a new one now that took my spot. They might be interested, but I don't know about the majority. I think the City Council's going to end up staying where they're at.

President Tornatta: Thank you. We talk about a comprehensive ban, and I think minds are changing. The efforts of the Smokefree Communities, I think over the past two years should have played a little bit more of a part. Not taking anything away from the job they've done. I know it's a difficult job, and the training of telling people that you have to stop something that you've done for a hundred years, and to try and retrain people on what to do. We no longer smoke in airplanes. We no longer smoke in restaurants, and of the restaurants that do, there's a restrictive measure on how they smoke, and that's been in an ordinance since 2006. As far as a comprehensive plan, I think it's kind of asking a business a lot to do a comprehensive smoking ban, when in this building we have a smoking room. We haven't done anything to talk about our smoking room. Even if we passed an ordinance that was smokefree, it did not address this smoking room. So, we would have businesses out there that we would expect to follow our rules, yet, as a county we can't follow our own rules. A comprehensive plan would be with the city and county. To have two different plans, in my estimation, would be of conflict. There are, right now, we're right now eight businesses, eight businesses in our county that filed for exemptions. The rest of them went smoke free and I applaud them, and ate at one last night. Of what was eight, now it's seven, because one is now in the city. But, I did receive some affidavits, I did talk to all of the bar owners, as I said I would, to our Smokefree Community, and of them, it was said that I coerced them into giving affidavits. I asked them to tell me, on paper, what they told me over the telephone. That was, if the City Council will entertain this, we will entertain it. That is from, and I'm not going to mention their names, and it will be part of public record, but that's from three, there have been another three that have talked to me verbally and said the same thing. Now, I am not, by any means, putting any pressure on another body. I'm just telling you that on an even playing field, that is where I am sitting at this time, and that is to put Evansville and Vanderburgh County on an even playing field, and keep an open mind. If there is a group, or the city wants to entertain doing something, they could gladly come to the county. I think that they've got the support of the rest of the businesses that are seeking exemption. We have a motion and a second. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1, Commissioner Winnecke opposed.)

Commissioner Winnecke: Mr. President, is it your desire then to have the second reading next week? Just for public clarification.

President Tornatta: Second reading will be the, I believe, the 13th.

Commissioner Melcher: And public comment.

President Tornatta: And public comment as well.

New Business

President Tornatta: New business, any new business? We thank everyone for coming. No new business.

Old Business

President Tornatta: Going to old business.

Public Comment

President Tornatta: Any other public comment? Seeing none.

Consent Items

President Tornatta: Madelyn, if you will read our consent items into the record please.

Madelyn Grayson: Okay, the consent items for the January 6, 2009 Commission meeting are as follows; employment changes for the various offices, travel requests, Soil and Water Conservation District had two, County Assessor, four, County Engineer, one; the Commissioners Equal Development LLC local government notification for proposed development for the Green River Apartments, the Commissioners Hillcrest Washington Youth Home annual contract increase, the Commissioners letters regarding the county smoking ordinance, the Commissioners letter to ONB Insurance regarding insurance agent of record, County Auditor Barrett Law lien release for the Bohannon Estates Barrett Law project, the County Clerk November 2008 monthly report, Weights and Measures monthly report for November 15, '08 through 12/15/08, Purchasing monthly report for November 2008, County Engineer pay request number 68 for the Burkhardt-Green River TIF projects

in the amount of \$528,245.42, and department head reports from the County Engineer, County Highway and Ozone Officer.

President Tornatta: And I would like to also have all of the literature that we got added into the record from our discussion today about the smoking ban.

Ted C. Ziemer, Jr.: Are you going to include the thing—

President Tornatta: Yeah, we'll include all of it.

Ted C. Ziemer, Jr.: I don't know what that is. Do we know what that is?

Commissioner Melcher: No.

President Tornatta: We'll take a look at it. Anybody have a motion on that?

Commissioner Melcher: I would like, I would just like to ask if there's any public comment on the consent agenda items? I'll make the motion to accept.

Commissioner Winnecke: Second.

President Tornatta: Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: I need a motion to adjourn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(The meeting was adjourned at 5:45 p.m.)

CONSENT ITEMS:

Commissioners:

Equal Development, LLC Local Gov't Notification: Green River Apartments
Hillcrest Washington Youth Home Annual Contract Increase
Letters/E-Mails & Literature Regarding County Smoking Ordinance
Letter to ONB Insurance Regarding Insurance Agent of Record

Employment Changes:

County Clerk (1)	Treasurer (3)	Recorder (2)
Sheriff's Office (6)	County Assessor (10)	Prosecutor (5)
Knight Assessor (9)	Pigeon Assessor (6)	VCCC (1)
County Council (2)	Center Assessor (5)	Health Dept (3)
Public Defender (2)		

Travel Requests:

County Assessor (4)	County Engineer (1)	SWCD (2)
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Auditor: Barrett Law Lien Release: Bohannon Estates Barrett Law Project (1)

County Clerk: Monthly Report: November 2008.

Weights & Measures: Monthly Report: 11/15/2008-12/15/2008

Purchasing: Monthly Report: November 2008

County Engineer: Pay Request No. 68: Green River-Burkhardt TIF Projects

Department Head Reports:

County Engineer	County Highway	Ozone Officer
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Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	David Miller	Ted C. Ziemer, Jr.
Madelyn Grayson	Susan Harp	Evie
Ann Ennis	Gene Maxwell	Tony Schmitt
Patty Avery	Courtney Johnson	Sherri Hurt
Catherine Engel	Jimmy Funkhouser	Dave Balew
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JANUARY 13, 2009**

The Vanderburgh County Board of Commissioners met in session this 13th day of January, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: It's 5:00, January 13, 2009, room 301, the Board of Commissioners meeting. We would like to call the meeting to order.

Attendance Roll Call

President Tornatta: Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance led by the Raintree Girl Scouts

President Tornatta: Alright, to assist us in the Pledge of Allegiance we have the Raintree Girl Scouts Council. Jeani Harl is here with three of her Girl Scouts. So, if everyone would rise, the ladies will lead us in the Pledge.

Jeani Harl: Ready?

(The Pledge of Allegiance was given.)

Jeanie Harl: Okay. Thank you, girls.

President Tornatta: Thank you. Okay, well, give us some names.

Jeani Harl: And thank you, oh, alright, Emily, tell your name.

Emily Rusk: My name is Emily.

President Tornatta: Emily what?

Emily Rusk: Rusk.

President Tornatta: Rusk?

Jeani Harl: Okay.

President Tornatta: Okay.

Adeline LaMar: Adeline LaMar.

President Tornatta: Alright.

Jeani Harl: And Ashton? Ashton has a real long name.

Ashton Kilby-Benefield: Ashton Kilby-Benefield.

President Tornatta: Okay, well, welcome.

Jeani Harl: Thank you. I'm Jeani Harl, and I'm just going to do a real quick overview of Girl Scouts here. We really appreciate the opportunity to come and talk to you. You know us because we sell cookies. Right, we sell cookies, don't we, girls?

Girls Together: Yes.

Jeani Harl: But, and that's one of our very, very powerful financial literacy programs that we have with girls. Girls, I thought you might be interested to know that girls, that's not just a fund raiser. Although it does provide 61 percent of the income that the Council gets to run programs for girls. You begin by setting goals, they develop strategies on how to sell with their leaders, they practice tactics, they've all rehearsed, and then they hit the bricks with those order cards. They do a wonderful job, and they make a promise to deliver the cookies, and to collect money for them, and to get the paperwork done. When it's all said and done, they get a chance to spend, to figure out how to spend the money. So, there's a beginning, a middle, and an end. That's just one of the programs in the leadership development program that the Girl Scouts has offered girls for 97 years. We're going to be 97 years old in March. So, we're old, and we're big too. Nationwide there are three million of us. In Raintree Council, and these girls are members of Raintree Council, we cover 11 counties in Southern Indiana. If you start at Knox, come on down through Gibson and Posey, and you do Vanderburgh and Warrick and Spencer and over to Perry and on up to Daviess and Martin and all points in between, that's Raintree Council. One out of every six girls in that area is a Girl Scout. So, we serve a lot of girls, which comes to about between ten and 12,000 girls a year, give or take, depending upon, and about 2,500 volunteer adults. Couldn't do it without volunteer adults. We're very proud. As a governmental organization you might be interested to know, that about 78 percent of all the women in the United States Congress have been Girl Scouts, and 64 percent of American Women of Distinction have been Girl Scouts. So, we're very, very proud of our alumni. As we are very proud of these girls here today who are learning to, who are participating in a program that helps girl develop the courage, conduct and character to make the world a better place. And they do a lot of service projects, and they're preparing to take their places in your seats tomorrow. So, thank you—

President Tornatta: Super.

Jeani Harl: —for coming. Girls, would you go pass these out to the people up here? We brought cookies today.

President Tornatta: Oh.

Jeani Harl: We thought a lot of you all might like the cookies. So, help yourselves.

President Tornatta: Yeah, don't miss us. Thank you. Thank you, very much.

Commissioner Winnecke: Thank you. I didn't realize they were trying to sell those.

President Tornatta: Yeah. Now, do we have any cards? Do you have any sales cards?

Jeani Harl: I was just going to say, these girls would probably be more than happy to have your order, if you haven't given it to someone else. Thanks again for inviting us here and for giving us an opportunity to do our duty to our country as we promised to do in our Girl Scout promise.

President Tornatta: Thank you, girls.

Commissioner Winnecke: Hey, Jean? If you would e-mail the Commissioners, I would buy two boxes from each of these three young ladies.

Jeani Harl: Right on! Okay, you will have an e-mail soon.

President Tornatta: Okay.

Approval for Expenditure of F&B Funds for the Centre

President Tornatta: Alright, action items. Dave Rector with some exciting news. Interesting news. Stuff you don't see everyday. We've been looking for something, and here it is.

Dave Rector: Dave Rector, Building Authority. I've got two requests here, both for F&B money for the Centre. We can thank Steve Craig for this opportunity. Eastland Mall had called Steve, and they have four 20 foot tall Washitonian palm trees, live trees, 50 years old, that they offered to Steve if he would just take them out of there. Steve didn't have a use, thought perhaps we would in the Building Authority, and we thought the Centre would be a great place for it in the Exhibit Hall atrium there. I gave you pictures I took with my camera phone. They aren't real good pictures, but I think you can see they are really a nice looking tree, a large pot, and they're ours if we just pay for getting them moved. The other request for the F&B money is we had some roof leaks in the Centre, and we had some ceiling damage and have to repair that in two different locations. Both projects together, we would like to request \$10,000 from Food and Beverage money to pay for both of those projects.

President Tornatta: Any questions?

Commissioner Winnecke: Mr. President?

President Tornatta: Sure.

Commissioner Winnecke: Dave, what's, how much for the tree moval, and then how much for the roof leaks?

Dave Rector: Looking at—

Commissioner Winnecke: Separately.

Dave Rector: –quite, actually about half and half. Five to move the trees, and five for the ceiling. That's not to exceed on the ceiling, because we don't know until we get up there. We've got some puckered areas and the drywall and the tape. As you know, once we start cutting it out and taking it, it may turn in. So, I'm looking at the worst case.

Commissioner Winnecke: Then, on the palm trees, are they for sort of permanent decorative use? Or are they for rental for groups that come in to use the facility?

Dave Rector: It would be for permanent decoration in the hall, the atrium outside of the Exhibit Hall. They weigh 2,200 pounds.

Commissioner Winnecke: Gotcha. Okay.

Dave Rector: I'm not sure yet how we're going to move them. I've talked to a local moving company, and they're looking at maybe getting with a nursery also, because to lay them down, get them out of Eastland Mall, as you can see, and support the trunk. It's going to be pretty neat to see palm trees going down the Lloyd Expressway.

David Miller: In the winter.

Dave Rector: In the winter. Yeah, that's the other thing, they want them out of there now.

President Tornatta: Okay. Alright, do I have a motion?

Commissioner Winnecke: Mr. President, I'll move for the expenditure of \$10,00 of Food and Beverage money for the moval of the trees and the repairs to the roof of the Centre.

Commissioner Melcher: Second.

President Tornatta: Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Dave Rector: Thank you, gentlemen.

President Tornatta: Thank you.

Dave Rector: I'll have the Centre CIP list that we do every year together in the next two to three weeks. So, we can talk about that.

Commissioner Winnecke: Thank you.

President Tornatta: Okay.

Dave Rector: Thanks.

President Tornatta: Thanks, Dave.

<p>First Reading of Ordinance CO.01-09-003: Ordinance Amending Storm Water Ordinance</p>

President Tornatta: Alright, first reading of CO.01-09-003, ordinance amending storm water ordinance. Ordinance which will amend the county storm water drainage control ordinance by shortening the period during which property owners can pay for contractual service ordered by the Drainage Board from 90 days to 45 days.

David Miller: This is pursuant to your request at the last meeting.

Madelyn Grayson: David, is your microphone on?

David Miller: It is now. This was pursuant to your request of last week, that we amend that ordinance for you, to bring before you. I think you each have one in your file.

President Tornatta: Do I have a motion?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: Any discussion?

Commissioner Melcher: Public comment? Does anybody in the public have any comment?

President Tornatta: Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Superior Court 2009 CASA Contract
2009 WNIN Contract for Televising Government Meetings
County Assessor: Agreement with Assessment Software Solutions**

President Tornatta: Alright, contracts, leases, and agreements. Superior Court, Vanderburgh County Superior Court and Vanderburgh County CASA contract, renewal contract for the period of January 1, 2009 through December 31st. It's identical to last year's contract with regard to the year 2008, except for the contractual amount which has been increased from \$91,000 to \$96,164.

Commissioner Winnecke: Mr. President, I'll move approval and note that the \$96,164 is the amount that the County Council did budget for it at budget hearings last year.

Commissioner Melcher: I'll second.

President Tornatta: Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Commissioner Melcher: Go ahead.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, the next agreement with WNIN for televised county meetings. Tabled on the January 6th meeting, agreed to be entered between the county and WNIN for services in telecasting Commissioners meetings in 2009. The agreement is identical to last year's agreement, except for the change of the legal name of WNIN and the dating.

Commissioner Melcher: Yes, I asked for it to be held, so, tonight I'll make the motion to approve it.

Commissioner Winnecke: Second.

President Tornatta: Discussion?

Commissioner Melcher: Is there any public—

President Tornatta: Public comment? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Third action item is the, or contract and agreement, the agreement for Assessment Software Solutions, Incorporated for computer software services and equipment. This is a DLGF approved contract to be entered in between the Assessment Software Solutions, Incorporated and the county on behalf of the County Assessor for personal property assessment software. The cost of the contract is \$8,500 for installation of the software, training and one year of maintenance of the software.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: I'll second.

President Tornatta: Any discussion? Public comment? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Second and Final Reading of Ordinance CO.01-09-002:
An Ordinance Amending the Ordinance Entitled Smoking Prohibited
in Work Places and Public Places**

President Tornatta: Alright, we have the second and final hearing of CO.01-09-002, an ordinance amending the non-smoking ordinance. Section one provides for deleting the sunset date of January 2, 2009 for the exemptions regarding bars and taverns only, and certain businesses and clubs. Section two amends the exemptions for vehicles used by employees while in the service of an employer when the vehicle is occupied only by the employee by providing that the exemption does not apply to buses and taxi cabs. This would eliminate the driver of a cab or bus smoking in the cab or bus when there are no passengers, ie: no one can smoke in taxi cabs or buses.

Commissioner Melcher: I make the motion to approve it.

President Tornatta: Second. We'll have, we'll hold our discussion until after. We will, once again, give people in the audience two minutes to talk to this measure. At that time then we will have a two minute discussion from each of the Commissioners and a roll call vote. I would entertain somebody that wanted to speak. Yes, sir.

Ed Lahue: Yes, I'm from St. Mary's. I have a written statement that I would like to read.

President Tornatta: Sure.

Ed Lahue: I've got copies of it, if you would like them?

President Tornatta: Absolutely. Once again, I would just remind everybody that no matter what side you are on, we try to be respectful to both. We will have a two minute limit. Marissa will hold up when you're getting, I believe your one minute and 30 seconds, and then she'll give you a stop.

Ed Lahue: My statement is about a minute and seven seconds.

President Tornatta: Your name please.

Ed Lahue: My name is Ed Lahue. I'm the Director of Marketing and Public Relations for St. Mary's.

President Tornatta: Okay.

Ed Lahue: On behalf of St. Mary's Health System and the President and CEO, Tim Flesch, I am here today to show our public support of the smoking ban for all public places. As a leading local health care, excuse me, health care facility, we know all too well the effects that smoking and second hand smoke can have on the body. While some make the conscious decision to smoke, regardless of the dangers, by continuing to allow smoking in some public facilities, non-smoking patrons are still being put at risk. In fact, it has been shown that second hand smoke plays a role in causing or contributing to a number of deaths, excuse me, of health problems from cardiovascular disease to cancer. The Surgeon General reported in 2006 that scientific evidence shows that there is no safe level of exposure to second hand smoke. Experts believe that second hand smoke is to blame for 3,400 adult lung cancer deaths, and an estimated 35,000 smoke related heart disease deaths in the United States each year. To show our support of this ban, St. Mary's main campus and all of our facilities have been smokefree since November 17, 2005. We urge you to vote in favor of the health and well-being of our community and all its members. Thank you for your time.

President Tornatta: Thank you, Ed. Hold on one second. You've got somebody right behind you.

Linda White: Good evening. I'm Linda White. I'm representing Deaconess Health System. Thank you, Mr. Tornatta, Mr. Melcher, and Mr. Winnecke for representing the residents of our community. You were elected to represent what is best for our community, our economy, our health and our people. We don't need to rehash the statistics related to smoking or second hand smoke. We don't need to review the pros and the cons of the smoking exemption. All I ask you to do tonight is to ask

yourself if your vote on this important issue truly represents the following; what is in the best interest of the majority of the citizens of our county, the majority being non-smokers? What's in the best interest of the employers of our community who are jumping hurdles to decrease the cost of health care, and this includes the absenteeism due to lung congestion, emphysema, respiratory illness? What is in the best interest of bringing new businesses to our county, where we rank as an unhealthy state throughout the community and other states? What's in the best interest of demonstrating to our children healthy habits? Let these questions weigh on your mind as you cast your vote tonight to represent those in our community, the people representing your county, and everybody else affected by this vote. Thank you.

(Applause)

President Tornatta: Thank you, Linda. Yes, sir.

Gene Maxwell: Well, gentlemen, here I am again. I guess, the lone voice in the forest.

President Tornatta: Your name?

Gene Maxwell: Gene Maxwell.

President Tornatta: Alright, Gene.

Gene Maxwell: I'm the commander of American Legion Post Eight, one of the two clubs in the county that has a liquor license. Probably nobody with one of these stickers on tonight owns a restaurant, owns a tavern, or is a member of a club in the county. Now my members want to smoke. I told you this last week. I congratulate you men by sticking by your guns, two of you. We still want to smoke in our club. Thank you.

President Tornatta: Thank you, Gene.

Martha Caine: I'm Martha Caine, and my address is 614 Southeast Third Street in Evansville. As I stand before you tonight, I want you to think of the nearly 45,000 other young adults that live in this county. Troy, when you spoke to the Smokefree Communities group you mentioned that you have what you called a voting dollar, meaning if a place has smoking you will vote to spend your dollar in a place that does not. I too have a voting dollar, along with these 45,000 other young adults, but it isn't one that we get to spend very often, because the options for smokefree nightlife and entertainment are so limited in this county. I'm also a member of the Young Evansville Professionals Club, of which there are some members who are here with me tonight, and it is very difficult for us to retain membership in this group, because young people are moving to more progressive cities that have smokefree air laws. Troy, you also stated to the Smokefree Communities group that if we don't like the smoke in the bar, or in other public places, that we can just stay home. Well, for 20 and 30 year olds that becomes so boring that we end up just moving away. The previous body of Commissioners held public debate on this very issue two years ago, and acted on the facts to enact the current ordinance. In this time of great need for fiscal and careful consideration of the needs of Vanderburgh County citizens, this Commission is spinning its wheels back in time. You have chosen to distract the public away from solutions to real problems, while enacting a seriously flawed amendment that harms workers and public health. For those of us who have stayed

and waited patiently for two years for this ordinance to provide breathing room, for the workers of Vanderburgh County, what a disappointment. If you amend this ordinance, I will be ashamed to call Vanderburgh County my home. I am pleading with you to give this ordinance more than 12 days. Give it more time, at least six months. Thank you.

(Applause)

President Tornatta: Thank you, Martha.

Kenny Page: I'm Kenny Page from 1731 E. (Inaudible) Street in Apartment A. Thank you guys for letting me speak today. I think that smoking in bars, if you are going to stop smoking at bars, then you should stop selling alcohol, because that might hurt somebody that does that, or kill somebody. It might hurt or kill somebody. How do you guys plan on making your wages, if you guys plan on stopping smoking altogether? How do you guys plan on doing that, (Inaudible) your wages. One other thing is, (Inaudible) not happy at all, I don't want nobody to tell me what I can and can't do. Thank you guys.

President Tornatta: Thank you, Kenny. We have one over here. Are you ready? Okay.

Tony Schmitt: My name is Tony Schmitt. I live at 3130 Waterman Drive on the west side. As I said last week, we have second and third hand smoking. That hasn't changed. The history of COPD is one that we're not going to see in a matter of ten years in some folks. We're going to see it in a longer period of time. The gentleman from the VFW, I agree, it was wrong for them to get cigarettes, but we're not making them smoke now. As a respiratory therapist we see, everyday, what this stuff does to them. So, what I would like to say is to argue that the reason for this change is to prevent these businesses from closing has no foundation for support. Also, the argument that the county ordinance should mirror that of the city is invalid. The progressive thinking, health promotion and rationale, logical thinking community must not change. We should keep the county ordinance as it is. The issue about, you know, smoking and drinking, well, there's plenty of statistics in my e-mail that I sent you that relates children smoking in relationship to using other drugs and drinking. So, if you want to push it that far, there's argument for that as well. So, finally, the argument of the City Council, or the County Council to think that there's no one on the City Council committee that would change. That's not progressive thinking. I think it should be our job, and your job to make them change. To make them see the light. To make the Mayor see the light, and make change for a non-smoking community totally. Thank you.

President Tornatta: Thank you.

(Applause)

Denise Bartholomew: Good evening.

President Tornatta: Good evening.

Denise Bartholomew: My name is Denise Bartholomew. I live at 1720 Plaza Drive in the county. In addition to my full time job, I have worked with Smokefree Indiana for the last ten years, facilitating smoking cessation classes, as well as the quit smoking support group. The reason I gave up two evenings of my week for the last

ten years is very simple. My goal was to help people in our community quit smoking and lead healthier lives. Mr. Tornatta, Mr. Melcher, I would ask, what is your goal for our community? Is it a progressive one geared toward the health and the well-being of the citizens of Evansville? Or is it to appease a few tavern owners? The argument we keep hearing from you is, it's all about leveling the playing field, that it's only fair to have the county and the city the same. But, I have to ask, fair to who? Those few tavern owners? The minority of the people that still smoke? Why are you so keen to be the nice guy to these few select people at the expense of the majority of all of Evansville? Because it sure isn't fair to the majority of the people who told you explicitly in the poll by the Courier and Press that they did not want smoking anywhere. So, who exactly is benefitting from this proposed fairness? You are going against the majority of the people in this community. The majority. How can you do that? Why would you do that? This is such a step backwards. It is basically a slap in the face to everyone in this city and county who has worked so tirelessly and diligently the last few years to make Evansville a progressive, health conscious community and improving the quality of life for all of us. Now, the two of you sit here, with all this power, and you're about to throw all that hard work away with a simple vote. It's a shame, an embarrassing shame. Thank you.

(Applause)

President Tornatta: Thank you, Denise. Anybody else? Yes.

Vera Blackman: Good evening. My name is Vera Blackman. My address is 3100 Lowe Lane. Last week a statement was made that a comprehensive ordinance wasn't going to happen anytime soon from the City Council, by Commissioner Melcher. After hearing that statement, last week I truly began to think about the political process. Forget about all the health concerns and equal rights for employees, you are obviously ignoring that. But, let's think about politics here, this time last year there were rumblings about a Democratic nominee and would that nominee be a black man or a woman, neither which had never happened. I ask you, how many said it wouldn't happen, shouldn't happen, they wouldn't allow it to happen? Yet and still, a week from today history will be made when President Elect Barack Obama becomes the 44th President of the United States. How is it that something that seemed impossible became possible? People made it possible. People like the people in this room, and people like you serving as legislators, holding key delegate and superdelegate positions. There were millions of first time voters., People who didn't think their vote counted. People who usually vote Republican, and people who don't have black friends or live in black communities who voted and shared their support for this man. People like you then had no choice but to make your vote heard as well to support the will of the constituents. It's up to you now to not disobey the will of the people. It's up to you to do what we elected you to do. It's up to you not to have us question what is the true agenda of this County Commission, To do what is right for Vanderburgh County, or to hide behind a poor and lame excuse of bringing the county and city together on this. Because if that's your stance, you will do nothing to this ordinance and allow the city to see why they're behind and backwards and need to do the will of their constituents as well. We say to you, please keep this ordinance in place. We want a smokefree county. Thank you.

(Applause)

President Tornatta: Thank you, Vera. If the next person would want to come up to the front row, maybe we could, we would just have some people ready to speak, if we could, I would appreciate that. Thank you.

Eric Herndon: Good evening. I'm Eric Herndon with the American Cancer Society. Director for the Southwest Indiana area. Thank you for allowing me to be here this evening to speak about this important subject. I work for the people of Vanderburgh County through the American Cancer Society. I urge the Vanderburgh Commission to make decisions based on fact. Medically or economically eliminating smoking indoors just makes sense. I handed out some information for you supporting that. Just simple facts. There have been several studies done during the last decade on the impact of smokefree laws on business. Every one not funded, but the tobacco industry has come to the same conclusion, that smokefree laws have no net negative economic impact on businesses. In fact, smokefree laws help businesses save money by lowering expenses and boosting worker productivity. Something even more concerning is a real danger of second hand smoke. In the end this is a public health issue. Second hand smoke kills people. Exposure to second hand smoke is the third most preventable cause of death in the United States. You've heard time and time again about the health effects of second hand smoke. You've heard that there are over, that there are 50 known carcinogens, including formaldehyde, benzene and Polonium 210. I'm sure you've also heard that second hand smoke itself is labeled a class A carcinogen by the EPA, and that this is the same label used for such deadly chemicals as radon and asbestos. All these facts are not disputable. In 2006 the Surgeon General's report stated that the only way to avoid the risk of second hand smoke is to make all work places, including bars, taverns and membership clubs smokefree. In reaction to this evidence the Vanderburgh County Commission decided to put the health of its residents and businesses first by enacting a comprehensive smokefree law. You should let it remain that way. You might not know this, but just recently the Hancock County Commissioners heroically chose to keep their own ordinance comprehensive, including bars and membership clubs. I ask that you be similar heroes and consider health and safety of workers over speculation and unwarranted fear. Thank you.

President Tornatta: Thank you, Eric.

(Applause)

Ed Butch: I'm not a resident of Vanderburgh County. May I speak?

President Tornatta: Absolutely.

Ed Butch: My name is Ed Butch. I live in Warrick County. I just want to say just a couple of things. One thing I haven't heard here, everybody's talking about the patrons. I have been a union member all my life. We expect and demand manufacturers to provide, to protect their employees, to provide smokefree. If we have known carcinogens, we expect them to protect the employees. I'm asking you what the difference is between a manufacturer and a non-manufacturing employer to protect their employees? I want you to think about that. Thank you.

(Applause)

President Tornatta: Thank you, Ed. Doc?

Dr. Ray Nicholson: I'm Dr. Ray Nicholson, the Vanderburgh County Health Officer. I feel it's my duty to speak to this. I don't feel like I would be doing my job if I did not speak out against this ordinance as you're proposing. First of all, you've received much information, and I don't want to bore you with more details, medical details and so forth. However, there are certain things that I would like to point out. As the speaker before spoke about cancer, you know, we think of cancer of the lung, only five percent of the people get cancer of the lung. But, there are many other organs that are affected by all those chemicals. I mean, cancer of the pancreas, bladder, other areas are involved, not just the lung. Only 15 percent of the people get emphysema. That's why so many people say that cigarette smoking doesn't bother me. However, 99 percent of the people have cardiovascular disease. This affects the smallest arterioles in the body. It is the reason why people have blindness. It's the number one cause of blindness in our country. Number one cause of kidney dialysis. It is actually one of the leading causes of herniated discs, because the little vessels that supply the nucleus pulposus dry up and desiccate and it's more of a reason that the workers have discs than from lifting whatever they do. So, it is a very important health problem. Our Board of Health has voted unanimously to support the ban, and I do too. I hope that you all will seriously consider, the problem is that you all want to make the playing field level, the people that spoke to this, we don't want you to take a step backwards, we want you to go forward to protect the health of the public here in Evansville. You need to do that by, in some way causes the City Council to come up to your standards. Your standards right now are high. If you go backwards, they are going to be low. Thank you.

(Applause)

President Tornatta: Doctor? Doctor, I just had a question. Can you give us revised numbers on how many exempted businesses there are in the county at this time?

Dr. Ray Nicholson: I do not know. I know that there, how many exempted businesses, there are more in the county, less in the county than there are in the city.

President Tornatta: Do you know what the city's number is?

Dr. Ray Nicholson: I've heard, since today, no, I would be afraid to give you a wrong statistic.

President Tornatta: What I had heard and didn't know if this had changed, because I know we're updating this constantly, there were seven businesses that would ask for exemptions, or have asked for exemptions over the past two years.

Dr. Ray Nicholson: In the county?

President Tornatta: In the county. There were ten or 12, and they ended up going smokefree. So, we're down to seven, and I believe we're still at 92 in the city.

Dr. Ray Nicholson: The figure I heard today was around 65, but don't quote me. I just don't know.

President Tornatta: Okay, because somewhere it was supposed to equal 100, and actually it's 93 and seven, because one of our establishments now is in the city. It was in the county, now it's in the city.

Dr. Ray Nicholson: On a personal note, I had dinner at a restaurant just the other day with a good friend of mine, and I didn't bring up the subject, my friend did, who talked to the owner of the restaurant. He said I hope they do not do away with the ban, he says, because I want to keep smokefree, but if they do away with it, I will probably have to go along with other people who allow smoking. He expressed his desire that he wanted to keep his place smokefree, but would feel like he would have to open it up.

President Tornatta: Now, was that the city or the county?

Dr. Ray Nicholson: Green River Road, it would be the city.

President Tornatta: Yeah. Keep in mind, we have no jurisdiction—

Dr. Ray Nicholson: Yes.

President Tornatta: —over any of the 93 in the city. This is just talking about the seven in the county.

Dr. Ray Nicholson: I think your leadership would be very, very effective of those people in the city, I think they might step up to the plate and join you if you showed good leadership in this.

(Applause)

President Tornatta: Thank you.

Dr. William Wooten: Good afternoon. I'm Dr. William Wooten. I'm a retired physician. I just wanted, I came here with no prepared remarks, and didn't intend to speak, but I find it difficult to understand why this issue is coming up for discussion again. It's a shame, after spending the last 20 or 30 years of my medical career dealing with addictions of all sorts, and the last 10 years focusing on prevention of addiction to tobacco and other drugs, to see our community step backwards and do things that will send the wrong message to the children. Many of the people who have talked here this evening have shared facts and other reasons for continuing the smoking ban, and I just wanted to add my voice to support that continued ban of tobacco use in public places. Thank you very much.

President Tornatta: Thank you, Dr. Wooten.

(Applause)

President Tornatta: Come on.

Carol Oglesby: Hello, my name is Carol Oglesby. I live at 9607 Darmstadt Road. That is in the county. I am not a member of the health care field. I am not here representing any particular group. I'm here as a citizen of Vanderburgh County, and I know that at least you, Mr. Tornatta, have heard all the facts, and I think everyone else has too. The facts are very clear, and I think there's only one message left to say, and that is, no smoking in public places. That's clear.

(Applause)

President Tornatta: Thank you, Carol.

Serita Cabell: Good evening. My name is Serita Cabell, and I live at 1729 South Grand. I too was not going to give a speech tonight, but, again, you kind of feel this compulsion to get up here and speak about this. You three Commissioners are educated, intelligent men. You have positions that indicate that. Yet and still it seems that you are blindly ignoring, having ignorance upon this the will of the people. We bring up the 93, the 65, the nine, the seven. If it were going by the majority, the majority of the people in the city and the county want this. The majority of the people will support this. The majority of the people will make this be a success in Vanderburgh County, so that we can have young professionals here. So, that we can keep businesses here and get more businesses here. Please, at least give this three months or six months to see how well it can act, and we can educate the City Council and bring them along. Get that political process that the woman mentioned back there. Make this a possibility. Thank you.

(Applause)

President Tornatta: Thank you, Serita.

Andrea Hayes: Good evening. My name is Andrea Hayes, and I live at 524 Plaza Drive. I wasn't planning on speaking either. I'm here just as a resident, but what I want to point out is that I'm here as a new resident. I just moved here within the last eight months. I too am a young professional. I'm also the mother of an asthmatic child and a public health advocate. I just find it amazing that when I was looking into moving here with my family, I was told that Evansville was on the move. That Evansville was making great changes, and I looked up the ordinances and I was excited to see what was happening. I'm just really disappointed. I really hope that you might change your mind.

(Applause)

President Tornatta: Thank you, Andrea. Anybody else? Let me guess, you thought you weren't going to speak?

Bob Murphy: I'm sorry. My name is Bob Murphy. I am a health care professional. My address is 610 Berringer Drive. I wish I could say I was a young professional, I'm not. I just, you know, I'm not going to sit up here and tell you guys the ill effects of smoking, because we all know that. I hate to say it, but my father was in politics in the city of St. Louis, and he still is for 35 years. This is a travesty. Okay? I mean, guys, it's not a right issue. I understand if people want to smoke. That's their right. There's many rights that we have as citizens, but this is not an issue of right. This is an issue of health. Okay? I can't tell you how excited I was last year to go to Los Bravos, my home away from home, and eat in a smokefree environment. I know, I see the one minute. To take that back is just, it doesn't make sense. I mean, it really doesn't. I'm very passionate about this, as you can tell, but to go back on this and be the only county in the State of Indiana to repeal, it's just, it doesn't make sense. I plead with you to, you know, take a step back and think before you vote. Because I guarantee you, if the vote goes in the wrong way, then the people will speak. Okay? We will speak next election, and I guarantee you it will be hard. Thank you very much.

President Tornatta: Bob?

(Applause)

President Tornatta: Bob?

Bob Murphy: Yes, sir?

President Tornatta: Los Bravos is located where?

Bob Murphy: Oh, I know where it's at.

President Tornatta: I'm just asking, which –

Bob Murphy: Well, I go to all of them. It doesn't matter.

President Tornatta: Okay. Well, I mean, I'm just clearing up a misconception.

Bob Murphy: I know, I know, it's the one on First Avenue, but still they were, they had smoking in there prior to this ordinance, and they decided to go smokefree. As many others have. But, my fear is that, you know, things will change, and there's no need to change. If people want to go to eat, and that's fine, but to not have a cigarette for an hour, I think that's okay. Because when you go to somebody's house and it's a smokefree environment, do you ask them to smoke in their environment? No. You wait, you go outside, or you wait till you go home or wait until you get in your car. You're not asking a lot. But, you're asking the lives of many other people in that room, in that restaurant to be exposed to second hand smoke? I mean, it's, it doesn't make sense.

President Tornatta: Bob, you understand that we don't control what the city does?

Bob Murphy: I know that, but I'm talking to you three.

President Tornatta: I understand. But, you understand that if there was non-smoking in there today, and there was non-smoking in there in December, there's going to be non-smoking in there in February?

Bob Murphy: I know, but that's not–

President Tornatta: I'm just saying, because there's misconceptions.

Bob Murphy: Oh, I know, I know, but that's not the issue at hand here tonight. The issue at hand is you three voting. That's the issue at hand. Not what's with the city. I'm not worried about the city–

President Tornatta: Sure.

Bob Murphy: – I'm worried about convincing you two to vote the other way. That's what I'm worried about. So, I appreciate you letting me talk, and now I'm going to go exercise. Thank you.

President Tornatta: Thank you, Bob.

(Applause)

President Tornatta: Anybody else? Okay. That being said, we have a motion and a second. We'll ask for discussion from the Board. Mr. Winnecke?

Commissioner Winnecke: Thank you, Mr. President. First, thank you for the nice turnout tonight and the passion with which everyone spoke. I'm sorry that my request last week to delay the vote until such time that we would have an opportunity to work with the City Council, to work with a common smoking ordinance that really promoted a healthier community fell on deaf ears. I think this is a disappointing day for Vanderburgh County, from a public health perspective and from an economic development standpoint. I think it's very sad that the politics of the City Council is influencing and now hindering the actions of county government. I would hope that at least tonight, after tonight we can make an overture to the City Council to keep this discussion alive. Because, ultimately, we've thrown the ball back to them, and I think that's the wrong move.

President Tornatta: Mr. Melcher?

Commissioner Melcher: First, I just want to thank everybody for coming out this evening and voicing their opinion. This is what this site is for. I want to thank the ones that were also, were here to vote for what we're doing, because I understand as a veteran what Funkhouser is going through. But, this is something that, you know, with every vote that we take up here is not taken lightly. You know, we have to consider a lot of things when we vote, and that's what I do. Thank you.

President Tornatta: A lot of good comments, I think, that, and I appreciate everyone being respectful of the process. Whether you agree with the direction or don't agree with the direction, there's one thing, we can be respectful. We have talked many times that there are two different ways to get to a common goal. There are a lot in this room that don't believe that there is another way to get to a common goal, but I say be patient, and I say stick with the cause. Over the last two years there has been ample time to work on our City Council, if that's an avenue that we thought should have been taken. To rest this entirely on the County Commission in a situation where we have been in the minority on the establishments is tough to put to our establishments that the seven make the 92 go a direction. The Courier and Press has been referenced many times, saying about how many people wanted the smoke versus did not want to smoke. However, last week the Courier and Press ran a poll that said how many people want a level playing field in the city and county on the smoking ban. Last check was 399 to 99 for a level playing field. We, I as a Commissioner, I'll speak for myself, would support a state law that would deal with a comprehensive smoking ban, and would be in favor of that. Since the time that we have talked with our Smokefree Communities, I have also talked to our neighbors in the county that asked for exemptions, and of those neighbors, all but one said that if the city would go in the direction of a smokefree community and have a comprehensive ban, they would too, because they feel a lot of pressure right now in the business world. So, I stand by that. Tomorrow I will direct a letter, a personal letter to Councilman Adams saying that I, as a County Commissioner, will support and open talks if the City Council or Councilman Adams would like to embrace those talks. I will be a proponent for working with my county to mirror a city's ban, if the city wants to take that tact. With that, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion passes 2-1. Commissioner Winnecke opposed.)

(One person applauding)

New Business

President Tornatta: New business? We have, um....okay, Majestic Place, okay. Okay, for those who have sent numerous e-mails for the, and, excuse me, we're still running the meeting. If we could just be quiet. I'm sorry. Under new business, we would like to tell, those who are interested in Majestic Place, we do have a, it does look like there will be a continuance on January 20th. Essentially, what that means is, we would send the measure back to Area Plan, and at that point we would let the developers and the residents and the neighbors have ample opportunity to discuss any of their concerns and, hopefully, work out a compromise. So, anybody else have new business?

Commissioner Melcher: No, I want to say something about that. So, what they're doing, are they going back to Area Plan? Is that where they're going back to? Are they going to do a special use development?

President Tornatta: The developers want to address certain use and development issues.

Commissioner Melcher: Okay.

President Tornatta: With the neighbors.

Commissioner Melcher: My understanding is, don't we have to vote to send that back?

President Tornatta: On the 20th.

Commissioner Melcher: On the 20th? So, on the 20th we're going to be prepared to send it back?

President Tornatta: Well, if the vote goes through, and, I guess, I'm mentioning it now—

Commissioner Melcher: Okay.

President Tornatta: —because, far and away, more e-mails have I returned today with that issue.

Commissioner Winnecke: Actually, haven't they just withdrawn it from the 20th?

Commissioner Melcher: I don't know that, that's why I'm asking.

Commissioner Winnecke: I think that's the—

President Tornatta: No.

Commissioner Winnecke: –because I think the developers are meeting with the neighbors and the West Side Improvement Association on Thursday.

President Tornatta: It's on a timed course. So, it has to be sent back.

Commissioner Melcher: If they're going to change it, it has to go back, as a special use, it has to go back to Area Plan. We have to vote to send it back. So, they're time, you know, works out that way.

Commissioner Winnecke: Okay.

Commissioner Melcher: I suggested to them that maybe they ought to have a special use, because I didn't like that they didn't have it all tied down. But, I didn't know, nobody called me to say that.

President Tornatta: Right, and, I guess, I just bring this up because, there's a lot of sentiment out there that one would think that we're not going to give ample time, or we're not going to let people know about these situations. We're actually jumping a week ahead of the gun to let you know that the likelihood of us sending this back to Area Plan would be on the 20th. David?

David Miller: I have nothing.

Old Business

President Tornatta: Any old business? I don't, this is not really old, I guess, it's back in new business. I would, I guess, being, Lloyd, you might know this more than I do, as far as the county, but I've been getting a lot of reports about the county, and I've talked to Duckworth and I'm going to meet with him out there here within the next week or so. But, I would like to get a list of equipment that's broke down, and how long it's been broke down, and do we know how much it's going to cost to repair it? Then, I would also like to get some kind of an idea, because I haven't seen anything, I tried to find it, about the break room that cost \$50,000, then it cost \$50,000 more. I don't, I haven't been able to find anywhere where any of that, and I understand that a lot of the employees done it. So, is there a breakdown somewhere, Bill, would that be in your department?

Bill Fluty: Mike would have the figures on–

Commissioner Melcher: Okay.

Bill Fluty: –we also would have that.

Commissioner Melcher: So, Mike would have that? Because I just want to know what we paid the construction people, what we paid for is what we got. Also, I understand that we jack hammered a lot of that stuff out of there ourselves and there's time involved and cost involved in that too. I don't know if that's part of the \$50,000, or if that was just manpower.

Bill Fluty: I wouldn't have knowledge of actually if Highway workers were doing the demolition.

Commissioner Melcher: Okay, but, we could get that from Mike?

Bill Fluty: Yes, Mike would have that.

Commissioner Melcher: Alright, thank you.

Public Comment

President Tornatta: Alright, any public comment. Mr. Jeffers?

Bill Jeffers: Good afternoon, Commissioners. I just received this memo, about 20 minutes ago. So, it says for immediate release, January 13, 2008, it's not signed, but it has the seal of the City of Evansville, Vanderburgh County seal, and EVSC's seal on top, with contact Audry Levy?

President Tornatta: Audra Levy.

Bill Jeffers: It regards city-county and EVSC joint purchasing agreement. It explains what apparently is the result of on-going talks between the Mayor, Commissioner Tornatta, and Vince Bertram regarding moving the city-county Purchasing Department over to EVSC at , on Walnut Street, I believe. Is that over—

President Tornatta: Where the old bus—

Bill Jeffers: Where the bus parking is?

President Tornatta: Parking used to—

Bill Jeffers: Yeah. So, I had some questions about this. I don't doubt that it would be a money saving move, as is explained in this memo, and you're eliminating some employees. So, obviously, the elimination of two employees would save money, I understand all that. It's a consolidation move of some sort, but I had some comments that I wanted to make publicly to make sure that you all had thought this out, because it's not mentioned in this memo. You realize that's also the mail room? They handle about \$300,000 worth of mail, or more, per year out of that room.

President Tornatta: And, I just want to just let's let the air out of this just a little bit and say that this was predominantly done under a prior administration.

Bill Jeffers: I'm just reading what, I mean, I just got it, I'm just reading it.

President Tornatta: Understand, understand, and probably should have brought that out, and I appreciate you bringing it up.

Bill Jeffers: But, you realize that's the mail room?

President Tornatta: Okay.

Bill Jeffers: And they handle about \$300,000 worth of postage, out of this building per year. Was that considered?

President Tornatta: I'll look that up, Bill.

Bill Jeffers: Okay. They also handle the mailing of the absentee ballots, the voter registration cards, the jury notices from the court system, purchase orders, price checks, etcetera. I mean, well, I can understand, I think it's probably addressed the purchase order, the price checks, the delivery costs, the supplies. Does that mean that people in this building will have to truck across the back 40 to pick up, or pick up their supplies from now on? Will they be delivered over here?

President Tornatta: They will be delivered.

Bill Jeffers: Okay, but I want you to consider, particularly the mail.

President Tornatta: Okay.

Bill Jeffers: There's a huge volume of mail coming out of the courts, and these offices up here that I don't see considered in this memo.

President Tornatta: Okay.

Bill Jeffers: Thank you, sir.

President Tornatta: Sure. Thank you. Alright, and just to kind of elaborate on what went on at today's press conference, we had, the City of Evansville and the EVSC started a process by which they were going to try and bring some of their purchasing services together. First it was talked about having storage, set storage units that they each would utilize, and then it went to purchasing. They asked the county if they would like to be a part of that purchasing consortium. We, our prior administration had been in all the negotiation talks. Our attorney had approved the contract, and the set date was January 13th, prior to this administration. But, we are gladly in favor of anything that would give ourselves an advantage in saving some dollars and being more efficient, and this is one way we have identified. We will address those other issues. So, I appreciate you saying something.

Board Appointments

President Tornatta: Alright, we have board appointments. Either side, if you want to tackle those.

Commissioner Winnecke: Mr. Chairman, at this time I would move that we would make, this body would make the following appointments to the MWBE Board; Darrell Ragland, Frankye Calloway and Carolyn Waters, or Walters, excuse me; Human Relations Commission, Jamil Wali; to EMA, Sheriff Eric Williams and Tom Barnett; to the CVB, Greg Gee and Joe Vezzoso; to the HVAC Board, Bob Crow, John Dillingham, Wayne Ravellette; to the Construction and Roofing Board, Ron Dauby, Steve Heidorn and John Elpers, and I would make that in the form of a motion.

President Tornatta: We do have one amendment, on Human Relations, would also include Erika Taylor.

Commissioner Winnecke: I would include that name in the motion.

Commissioner Melcher: I thought we did Erika Taylor last time.

President Tornatta: Did we?

Commissioner Melcher: Yeah, we did.

President Tornatta: We did? Okay, I apologize. Okay.

Commissioner Melcher: We did Erika Taylor last week–

President Tornatta: Okay.

Commissioner Melcher: I'll second.

President Tornatta: Thank you. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Discussion of Interlocal Agreement for City-County-EVSC: Cooperative Purchasing Organization (CPO)</p>
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Madelyn Grayson: President Tornatta, is there an agreement to sign for this evening for the county, for purchasing? Because I don't have it if there is.

President Tornatta: Does Ted have that?

David Miller: That agreement was not delivered to us. I was told that the agreement was in the hands of the Commissioners office. So, I'll have to check back with Ted, because he concluded those discussions early today, and sent an e-mail around to all of you about it, saying, I believe EVSC was the last one of the legal counsel to sign off on it. That happened about noon today.

President Tornatta: Would we–

David Miller: I was told, I even asked about it, because I have files on all the others, but I was told by Ted that that agreement was in the hands of the Commissioners office.

President Tornatta: Will we end up, we'll end up putting that as an action item on the 20th?

David Miller: I think you need to do that.

President Tornatta: Okay. Alright.

Consent Items

President Tornatta: Madelyn, if you'll go through the consent items.

Madelyn Grayson: Okay, the consent items for the January 13, 2009 Commission meeting are as follows; approval of the January 6, 2009 Commission meeting minutes, employment changes for the various offices, travel requests, there are four for the Health Department, one for Area Plan Commission, one for the County Treasurer, two for the County Coroner; Legal Aid Society, the fourth quarter 2008 year end statistics; the Commissioners Key Government Finance disbursement; Commissioners citizen letters regarding smoking ordinance; EPD waiver of fees, not overtime for use of the Centre for various events for the Evansville Police Department for 2009; County Auditor, request to roll over 2008 employee vacation time; County Treasurer, year-to-date report for December 31, 2008; and department head reports for Burdette Park, County Highway and the Ozone Officer.

President Tornatta: I need a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: I'll second.

President Tornatta: Discussion? Public comment? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Do I have a motion to adjourn?

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: So ordered.

(The meeting was adjourned at 6:06 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the January 6, 2009 Commission Meeting Minutes.
Key Government Finance Disbursement #13: Telephone System.
Citizen Letters Regarding the Smoking Ordinance.
EPD: Waiver of Fee/Not OT for the Centre: Various 2009 EPD Events.

Employment Changes:

Auditor (2)	County Clerk (2)	Superior Court (1)
Burdette Park (2)	County Assessor (1)	Health Dept. (1)

Travel Requests:

Health Department (4)	Area Plan (1)	Treasurer (1)
Coroner (2)		

Legal Aid Society: Fourth Quarter 2008 Year End Statistics.

Auditor: Request to Roll Over 2008 Employee Vacation Time.

Treasurer: Year-to-Date Report: December 31, 2008.

Department Head Reports:

Burdette Park	County Highway	Ozone Officer
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Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	David Miller	Madelyn Grayson
Ashton Kilby-Benefield	Adeline LaMar	Jeani Harl
Emily Rusk	Dave Rector	Ed Lahue
Linda White	Gene Maxwell	Martha Caine
Kenny Page	Denise Bartholomew	Tony Schmitt
Vera Blackman	Eric Herndon	Ed Butch
Dr. Ray Nicholson	Dr. William Wooten	Carol Oglesby
Serita Cabell	Andrea Hayes	Bob Murphy
Bill Jeffers	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
JANUARY 20, 2009**

The Vanderburgh County Board of Commissioners met in session this 20th day of January, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good afternoon. We're going to convene the Board of Commissioners meeting, January 20, 2009 in room 301. This is a call to order. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

**Pledge of Allegiance Led by Dustin Kasnick:
2009 Vanderburgh County Anti-Drug Calendar Grand Prize Winner**

President Tornatta: Dustin Kasnick, are you around? Come on up, buddy. He's an 8th grader at McGary Middle School, who's drawing appears on the 2009 anti-drug calendar. Step forward to the podium please. That's sponsored by the Vanderburgh County Prosecutor. First, Dustin, you're going to lead us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Tornatta: Alright, Dustin, I see your handy artwork on the front of the 2009 anti-drug calendar. Tell us what it says?

Dustin Kasnick: Don't go down the road of drugs.

President Tornatta: Alright, is his mic on? Alright, repeat that title one more time.

Dustin Kasnick: Don't go down the road of drugs.

President Tornatta: Alright, and we said you're an 8th grader, and what got you to do this project?

Dustin Kasnick: All the 8th grade advanced were doing it.

President Tornatta: Okay, and how did you find out you were the winner?

Dustin Kasnick: They sent me a letter.

President Tornatta: Alright, well, I tell you what, you got all gussied up. You look pretty good, buddy. Thanks for coming out, and thanks for leading us in the pledge.

Dustin Kasnick: You're welcome.

President Tornatta: Thank you.

Dustin Kasnick: Thank you.

Stan Levco: Overview of Anti-Drug Calendar Program

President Tornatta: Stan? Prosecutor Levco is here, and he started this project quite a few years ago. Kind of talk to us about how the project is going and how it started?

Stan Levco: Yeah, I put a suit on too today for this occasion.

President Tornatta: You're gussied up everyday.

Stan Levco: Yeah. This is, I tell the parents this, this is actually one of my favorite things as Prosecutor. The way it began was, like most good things in the Prosecutor's office, it began when somebody else did something. Doug Brown, my Chief Deputy went to a conference and heard a speech from the Prosecutor in Baltimore who's name was Sandra O'Connor. She just retired recently, was an Indiana University graduate, but a Prosecutor in Baltimore, and she talked about this drug calendar thing. He came back to me and he told me that he thought this would be a great idea. I was kind of skeptical, and I said, I tell you what, I said, you think it's such a good idea, you get everything set up and you do it. If it works, I'll take all the credit for it. If it doesn't work, you know, it's your problem. Well, it turned out it worked fabulously. We've been doing this for about 11 years. We've actually, I've talked to Sandra O'Connor, she and I are on a national board together. If I may humbly say, we made a few improvements over what she did. We have a special section for the runners up, where they get their pictures on. We have everybody's name who participates get their name in the calendar. Virtually all the middle schools participate in this. We've been doing it for 11 years now, and it's really gratifying. It's not what I was, maybe I shouldn't have been surprised, but I was surprised the first year and have not been surprised since, the quality, as you look through this, the quality of the drawings are just great. It's tough to pick, although Dustin won this year, and his entry is obviously great, you know, there are a lot of other great ones. It's one of the most gratifying things I do. Like I say to them, I know this is not going to solve the drug problem, but if you've got kids thinking at the beginning of the year, thinking of anti-drug thoughts, it's not going to do any harm. You know, maybe it will take on somebody, if they start thinking about it. So, it's something I really love doing, and I've got a few extra copies if anybody here doesn't have one. Dustin's father is here to celebrate the occasion with him.

President Tornatta: We appreciate what you do, and I think, we all would agree that anything we could do to try and deter from doing drugs and alcohol, underage, is obviously a bonus.

Stan Levco: I guess, I can say to you, although this is not literally the County Council, this is not with County Council funds. This is all with Drug Forfeiture money, that we do this.

President Tornatta: Sounds good.

Stan Levco: Okay.

President Tornatta: Thank you, sir.

Barack Obama Day Proclamation

President Tornatta: Alright, Erika Taylor? Erika Taylor is our new appointment on the Human Relations Commission. She has a proclamation, very appropriate for today.

Erika Taylor: Thank you, Troy. A little background, obviously, as a citizen of the world I'm very happy about what has occurred today, but I have a personal feeling about it as well. I'm originally from the south side of Chicago, where Barack Obama began his political career. I've been following him for quite some time. I'll tell you that back in the summer of 2004, when he gave the keynote address at the Democratic National Convention, I told anybody that would listen, including Troy, I think, that man will be President one day. So, today is very special for me. I'm not in D.C., but I can do this, and so I'm honored.

President Tornatta: Thank you.

Erika Taylor: Should I begin?

President Tornatta: Absolutely.

Erika Taylor:

"Whereas, on November 4, 2008, a 47-year old first-term Senator from Illinois, shattered more than 200 years of history by being elected the first African-American President of the United States; and, Whereas, our Nation's 44th President, Barack Obama has been sworn into office on this 20th day of January, 2009 under the inaugural theme of "A New Birth of Freedom" commemorating the 200th anniversary of Abraham Lincoln's birth, and this theme from the Gettysburg address expresses Lincoln's hope that the sacrifice of those who died to preserve this nation shall lead to "a new birth of freedom" for our nation; and, Whereas, the inauguration of Barack Obama demonstrates that our nation is closer to realizing the hopes and dreams of those who advocated for equal rights and justice in our nation, sacrificing life and limb to ensure that our nation lives up to its creed that all men are created equal and that our nation is one in which, in the words spoken by Dr. Martin Luther King, Jr. 45 years ago from the steps of the Lincoln Memorial, that people will "not be judged by the color of their skin but by the content of their character"; and, Whereas, in the words of Barack Obama: "unless we perfect our union by understanding that we may have different stories, but we hold common hopes; that we may not look the same way and we may not have come from the same place but we all want to move in the same direction towards a better future for our children and grandchildren"; and, Whereas, Barack Obama is a living example of the American dream and his resounding message of unity and hope will continue to inspire all who hear it. Our greatness as a nation derives from seemingly ordinary people doing extraordinary things; and, Now, Therefore, We the Board of Commissioners of Vanderburgh County, Indiana, recognize that Barack Obama has made an indelible mark in history and we honor this momentous historical

event by naming this 20th day of January, 2009 “Barack Obama Day” in Vanderburgh County.”

President Tornatta: Thank you, Erika. Do I have a motion?

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: Any questions? Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: And, we will give a copy to the Human Relations Board, we would like to deliver a copy to the African American Museum, and get a copy to Barack Obama’s office.

Erika Taylor: Thank you.

<p>Second and Final Reading of Ordinance CO.01-09-003: Amendment of Storm Water Control Ordinance</p>
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President Tornatta: Okay, we have a second and final reading of CO.01-09-003, an ordinance amending the storm water ordinance. An ordinance which will amend the storm water drainage control ordinance by shortening the period during which a property owner can pay for contractual services ordered by the Drainage Board from 90 days to 45 days.

Commissioner Winnecke: Mr. President, I’ll move approval.

Commissioner Melcher: I’ll second it.

President Tornatta: Any discussion? Roll call vote.

Commissioner Melcher: Can we ask, see if anybody in the audience has a question? Okay.

President Tornatta: Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Burdette Park: Land Lease Agreement with David Austill
Burdette Park: AT&T Yellow Pages Agreement
EMA: GIS Grant Agreement
Purdue Co-Op Extension: Southern Business Machines Agreement
Purdue Co-Op Extension: Business Equipment Distributors Agreement**

President Tornatta: Alright, contracts, agreements and leases. We have the Burdette Park land lease agreement with David Austill for additional parking spaces, which is \$400 a year, and has been that way since 2004. Steve?

Steve Craig: Good afternoon. My name is Steve Craig. I'm the Burdette Park Manager. This is a contract that, there's about three or four acres of property that is landlocked and creek locked behind our baseball diamonds, which the baseball diamonds use as overflow parking. We have leased this from Mr. Austill for several years. Nothing has changed from the last previous contract that Ted had wrote up. So, I was asking if you would agree to this.

President Tornatta: Alright, while we're on that one, let's go ahead down to the Burdette Park AT&T yellow pages agreement for Burdette Park advertising. It's an agreement to advertise in the yellow pages for Burdette Park. It's identical to last year's except for charges, which for 2009 were \$509 per month, versus \$495 per month in 2008. As in the case of last year's agreement it is, if this is not cancelled for the year 2010 prior to December 2009, the contract will automatically renew for 2010. As is the case with last year's agreement, there will be a late payment charge if the payments are not made on their respective due dates.

Steve Craig: Well, we've been working with Lane Rich from AT&T, and we, after reading the Commissioners e-mails and their opinion on it, we restructured it where we took out the three by four boxes with the info in it, and we actually ended up getting to add two more listings to it. Then we asked them if we could just have our phone number and our website put on it, so that when you go, you will come to Burdette Park and it will give you our address, our phone number and our website. This ended up being a reduction in cost per month to \$251 per month, which is a savings to the county of \$3,096 a year. The new payment, instead of six thousand something dollars, whatever that came up to, I think will be \$3,012 now. I think this is a better deal. We're in it eight different times, not including the government listing. So, we're getting a little bit more exposure. We don't have the three by four square boxes, which some of the Commissioners didn't agree with that, and I don't either. They're very, very expensive, and I think when people nowadays they can go to our website and get page after page of what they need. I'm asking for permission to do this new plan.

President Tornatta: I appreciate you checking into our concerns. Any questions of the Board?

Commissioner Winnecke: Mr. President? Steve, do you, is there, are there any mechanisms in place by which you track how the park gets bookings?

Steve Craig: Well, I've always thought it was from word of mouth, but, you know, we do advertise. I don't have any way of tracking. I mean, I guess we could ask people, you know, when they do rent a building or something, why they're renting it. You know, I don't know if it's because they've done it before through relatives, but we really don't track, you know, why they're using the park. Not that I know of.

Commissioner Winnecke: I think it would be helpful, I mean, I echo President Tornatta's comments. I think it's good that we found a more efficient way to advertise for the phone book, but I think it would be helpful for the future if there is a way that you can track how we get the business. Maybe it's just as simple as asking people when they make a reservation, how did you hear about us? If they've heard, whether it's prior use, or whether it's through advertising. If so, what form? I think that would be helpful for us in future years.

Steve Craig: I agree with you. Advertising is one of those things, you don't know if it's working or not, you know, because I know at the aquatic center if it's a hundred degrees and we have a really hot summer, we're busy. You know, if it's raining we're not busy. So, you know, it's hard to tell if you're advertising, what's working. I know they preach that you need to advertise at all times, but we can do something for the tracking of it to find out, you know, which direction the people are coming from. Like I said, I always hoped it was word of mouth, that we ran a good place. That other people enjoyed it and they told their relatives and friends about it, but I would like to see where our advertising money is going at.

Commissioner Winnecke: Thank you.

President Tornatta: Alright, if everyone's okay, I would take a motion on both of these Burdette Park issues.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: Any discussion? Questions from the audience? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Steve.

Steve Craig: Thank you.

President Tornatta: Anything else.

Steve Craig: No.

President Tornatta: Okay.

Steve Craig: One thing, I did appreciate the card, my wife and I did, from the Commissioners. Thank you very much for that.

President Tornatta: She doing okay?

Steve Craig: Yes, real good.

President Tornatta: Good, good. Okay, next, EMA GIS grant. Request from the DLGF, Indiana Department of Homeland Security, and Indiana Geographic Information Office to participate in a state-wide mapping program. Sherman?

Sherman Greer: As you can see there with the document you've got in front of you, we get about \$14,000 for the changing, I mean, giving the information in to the Indiana GIS, so that we can have a more seamless type of GIS system throughout the whole state. I think it's a good thing. The Indiana Department of Homeland Security is funding this. We have the people here with our own, in our own city that has the capabilities of doing that. Any funds that are left over we can purchase computers with, to upgrade our computers. Because the computer that we've got in the, in our office that works with the GIS is about five years old and it needs to be upgraded for the, to be able to handle that capacity, I guess.

President Tornatta: Any questions of Sherman? Motion?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: Discussion by the Board? Audience? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Sherman? Anything else while you're up here?

Sherman Greer: There's a lot of things. No, not really. I think we're doing pretty good. As far as planning for the upcoming year, we have our first advisory council meeting next Tuesday, I'm sorry, this Thursday. I need to talk to you about that appointment. I have a gentleman in mind that would, it's a retired gentleman that would be able to make our meetings. He does not live in Vanderburgh County. He lives in Posey County and Mars Township Fire Department, which that is a part of the Fire Chiefs Association. He's also a big, he works with us in the District Ten project that we're working on and everything right now. I was wondering if he had to live in Vanderburgh County?

President Tornatta: We'll check it. How about we'll check and get back to you tomorrow?

Sherman Greer: Okay. I would appreciate that.

President Tornatta: If not, we'll go back to the drawing board.

Sherman Greer: We'll go back to the drawing board on that. But, he is a fireman. He's worked a lot with us and everything in a lot different projects.

President Tornatta: Okay.

Sherman Greer: So, alright.

President Tornatta: Alright, super.

Sherman Greer: Thank you.

President Tornatta: Thank you, Sherman. Next, Purdue Co-Op's Southern Business Machines agreement. An agreement for the provisions of service to the mail machine and electronic scale of the Purdue Extension office. It is identical to the form approved last year and will run from 1/29/2009 to 1/28/2010. The annual cost has increased by five dollars, from \$620 to \$625. Susan English from the office says that there are funds in place. Let's go ahead and take the next one, Purdue Co-Op agreement with Business Equipment Distributors, Incorporated. This equipment maintenance agreement is identical to the form approved for the past two years, and will run from 1/29/09 to 2/1/2010. The per copy cost for the year is .00515 cents, as opposed to a per copy cost of .00475 last year. In addition, the monthly minimum amount has increased from five dollars to \$30. I would entertain a motion for both.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: Any questions of the Board? Questions from the audience? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Board Appointments

President Tornatta: Okay, board appointments.

Commissioner Melcher: Yes, Mr. President, I have one appointment to make that we still have open. I think we still have got a couple of others open, but, tonight I would like to appoint Robert Wright to the Economic Development Coalition Board.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion of the Board? From the audience? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Abstain.

(Motion approved 2-0. President Tornatta abstained.)

New Business

President Tornatta: New business? Anybody? Old business?

David Miller: Mr. President, I do have one item of new business. The agreement that I have shown each one of the Commissioners for the engagement of alternate counsel for a couple of cases that we have received in our office that have to be dealt with. This happens to us frequently, and I have been in discussion with Mr. Rob Faulkner, a local attorney who is willing to take on the responsibility for these cases in which we have conflict of interest. He is willing to accept the same hourly rate on these cases as you have approved for our firm.

President Tornatta: Okay.

David Miller: I have those contracts ready for signature.

Commissioner Winnecke: Mr. President, I would move that we enter into an agreement for alternative counsel, in the name of Rob Faulkner, as directed by the County Attorney for such cases that their firm has a conflict.

President Tornatta: I'll second that. Any discussion? From the audience? Roll call vote, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Abstain.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0. Commissioner Melcher abstained.)

David Miller: Thank you.

President Tornatta: Anything else? David, anything else?

David Miller: No.

President Tornatta: Okay, alright. Any other department heads that want to address the Board?

Public Comment

President Tornatta: Public comment? That was smooth.

Consent Items

President Tornatta: Madelyn? Oh, let's introduce our shadow.

Commissioner Winnecke: Our shadow for today is Alex Young from Memorial High School. He was a little late, he's a baseball player and he's been in baseball conditioning. So, he had to be dismissed a little early from his coach to be here. Alex, welcome.

Alex Young: Thank you.

President Tornatta: Alright, go Memorial, right?

Alex Young: That's right.

President Tornatta: Alright, Madelyn, if you'll read our consent items, please.

Madelyn Grayson: Okay, the consent items for the January 20, 2009 Commission meeting are as follows; approval of the January 13, 2009 Commission meeting minutes; employment changes from the various offices; travel requests, one from the Health Department and one from Weights and Measures; the County Engineer pay request number 69 for the Burkhardt-Green River TIF projects in the amount of \$109,152.52; the County Treasurer's December 2008 monthly report; the County

Auditor, January 2009 Accounts Payable vouchers; Commissioners, Burdette Park summer day camp corporate sponsorship letter; Commissioners, Hillcrest Washington Youth Home fourth quarter fees for services; the Surveyor, request to surplus one Canon copier; Weights and Measures monthly report for December 2008; and department head reports from Burdette Park, the County Engineer, County Highway and the Ozone Officer.

President Tornatta: I need a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: Discussion? From the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: I'll have a motion for adjournment.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: So ordered.

(The meeting was adjourned at 5:25 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the January 13, 2009 Commission Meeting Minutes.
Burdette Park Summer Day Camp Corporate Sponsorship Letter.
Hillcrest Washington Youth Home Fourth Quarter Fees.

Employment Changes: Sheriff's Office (1) Auditor (1)

Travel Requests:

Health Department (1) Weights & Measures (1)

County Engineer: Pay Request No. 69: Green River-Burkhardt TIF Projects.

Treasurer: December 2008 Monthly Report.

Auditor: January 2009 A/P Vouchers.

Surveyor: Request to Surplus Canon Copier.

Weights & Measures: December 2008 Monthly Report.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	David Miller	Madelyn Grayson
Dustin Kasnick	Stan Levco	Erika Taylor
Steve Craig	Sherman Greer	Alex Young
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JANUARY 27, 2009**

The Vanderburgh County Board of Commissioners met in session this 27th day of January, 2009 at 5:02 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good snowy afternoon. This is the Board meeting of Commissioners, January 27, 2009, just a hair after five in room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance

President Tornatta: We're going to have Sherman Greer from the Emergency Management Association lead us in our Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Sherman Greer: EMA: Winter Travel Advisory Decision Process

President Tornatta: I said administration, how about agency.

Sherman Greer: Okay.

President Tornatta: Okay, well, whatever. Somebody had to mess up. Sherman, why don't you come up here, and, you know, one of the things that we have to do, on this side, is listen to guys like you who have had a lot of experience in emergency management, or management of how we handle disasters. Maybe haven't had quite a disaster so far, but there is potential, and we have to monitor those types of things. Sherman, if you could go over, in this event, how you rate the event, and how you handle the event, and then who you get in contact with to kind of maintain and handle events such as what we're going through right now.

Sherman Greer: Okay, there again, we have the Emergency Management Agency will make a recommendation to the Mayor and the County Commissioners on whether an issue that we may have for a travel advisory. We look at multiple agencies and organizations to get in touch with. First of all, more or less when we are on our way in that morning to work and everything, we kind of judge things by ourselves on which way, you know, when we're driving in, what the conditions are. Based on those observations and everything, we'll get in touch with the County

Highway Department, the City Garage and the snow plow statuses and the effectiveness that they're having on clearing the roads and everything at that time. We also will get in touch with and listen to on our radios, in our vehicles we have radios that we listen to and see how busy the Central Dispatch is at that time. And, today, to tell you the truth, there wasn't a whole lot of traffic about people sliding off, or people being in accidents or anything of that sort, which really surprised us because of the conditions that were out there this morning, and that we woke up to today. We find out how busy the Evansville Police Department is, we also get in contact with the Sheriff's Department to find out exactly how many runs that they may have and things of that sort. The National Weather Service forecasts, we'll get in touch with Paducah to find out what's coming our way, and then a lot of times Paducah itself will call a conference call with all the counties within the tri-state area to let us know exactly what we can expect and when we can expect that. We also listen to our local weather forecasters. We've got, we're very fortunate in this area to have three stations that give us a lot of good information. They can tell you almost exactly what time of day, and within minutes of what time, what the wind speed is going to be and when the rain is going to start falling, or the snow is going to start falling within our area. So, we listen to them and find out from them what's going on. With other experts, we might try to find out, you know, the amount of snow fall and everything else that we're going to get. Surrounding area conditions, right now there's a lot of ice and everything in Central Kentucky. In Central Kentucky right now there's about 7,000 to 7,500 people without electricity. They've been getting more ice and the temperatures been a lot lower in that area than it has within this area here. We're getting rain and we're not getting ice pellets like they were getting earlier today. Madisonville, a lot of it is without power. So, we can't really make a decision on what's happening south of us, or east of us, or west of us at that time and everything. So, we have to look at our conditions here and measure them. Communications with all of our stakeholders. Our stakeholders are the Sheriff's Department, the Police Department, the Fire Department, the Fire Chiefs, the American Red Cross. I've gotten in touch with the American Red Cross, they're ready to shelter people that may have power, if we have power outages later on, or early in the morning. That's a place that they'll be able to go to, and they'll have to get in touch with the Red Cross at the, to find out when the shelter is open. We usually coordinate each other, with each other on when we're going to open the shelters. The Red Cross has also gotten in contact with the armory and gotten in contact with the National Guard, so they'll be able to be ready to assist us, if we need that. But, there again, as you know, if we do request the National Guard, that has to go through the Indiana Department of Homeland Security, and the Governor has to give his okay on that. So, that could be a long process, or a short process depending upon if we're into a State of Emergency, or something of that sort. We're not there as of yet. Past experiences from other storms and different things like that that we've had, you know, over the last 19 almost 20 years and everything, we've been through this before, but still yet it's one of those things you've got to call it as you see it at that time. That's what we're looking at. Also, I gave you a chart that has the winter weather advisories, what we can expect to do, what level we'll want to go to. Right now I feel like that we're probably just in the level three, the watch to see exactly what's happening, what's being forecasted here. As Mr. Duckworth that is here from the Highway Department and Mr. Ziemer, we'll be in contact with them through the night to find out exactly what they're doing, and if they're not being able to make any headway, then we'll probably be giving one of you gentlemen a call in the middle of the night to say, we might recommend this level to go up to a level two, or whatever.

President Tornatta: When you say, level three, just for those who don't have this in front of them, that's a routine travel activities may be restricted in areas because of hazardous situations. Citizens should use caution or avoid these areas. Schools and businesses may begin to implement their emergency action plans.

Sherman Greer: And, the schools have already done that. If you look on the, watch television and everything and see how many schools have closed within the tri-state area. I know Evansville schools are going to be closed tomorrow.

President Tornatta: Which would be the 28th.

Sherman Greer: Yes.

President Tornatta: For those watching at a later date.

Sherman Greer: Okay, so, there again, that's where we are right now.

President Tornatta: Level one would be a State of Emergency?

Sherman Greer: Level one would be a State of Emergency.

President Tornatta: Can you go over, I know at times we've had the State of Emergency, and people feel like it's, maybe they don't know how to react to, do I get out? Can I get out? Will I be ticketed?

Sherman Greer: Well, State of Emergency is that we're restricting any type of traffic, except for emergency traffic, emergency personnel. A lot of people when we have a State of Emergency, we've had the State of Emergency in the past when we had the snow storm a few years back with the 24 inches of snow, a lot of people didn't go to work. Their reason for not going to work was because we were under a State of Emergency. That would fall more or less under the warning to where, and even in the warning it says that you can go to and from to work.

President Tornatta: And that's level two?

Sherman Greer: That's the level two type of situation. So, State of Emergency is something that travel may be restricted to emergency personnel only, further restrictions may be included into that declaration by the County Commissioners and the Mayor. So, they can include some other, if they don't want, if they want to restrict people from getting out for different things, they could put that in there. But, there again, we don't want to restrict people from really going to work.

President Tornatta: Right, and essentially level two is just tightening the belt, but you can go to and from work.

Sherman Greer: Sure.

President Tornatta: And only, you know, emergency action plans are normally in place with a lot of different businesses and the school corporations.

Sherman Greer: Exactly, whatever your employer has and the school corporation has as their emergency procedures, that's what you have to follow. We're not taking that away from them, we're not overriding them on those types of situations and everything, in those type of situations. So, whatever their emergency plan is for their

facilities, the places that their employers, the places that they work at, that's what they have to abide by.

President Tornatta: Well, I know, that, Sherman, you're very conservative on how you watch and protect the people around this area, and I'm sure if it's something that will be definitely impending and in need of caution for our citizens, you will give me that call, at probably 2:00 in the morning.

Sherman Greer: Well, that means that I'll be up at 2:00 in the morning too. Yes, we will. We'll be watching it throughout the night. I've got some people, volunteers and everything that will be able to help us man our Emergency Operations Center. In these type of situations the only thing that really happens for us is that we get a lot of calls in where people don't know who to call, how to get in touch with the Red Cross, how to get in touch with someone that they might, they might need a generator or something like that. We're very limited on our generators that we have. We have smaller generators, we have some larger generators that we could use. The other element that is going to happen tonight or early tomorrow morning also is if these, we've got the freezing rain and the, if you look at all the trees out there now, they're glistening from the rain that's freezing on them, there's a good possibility of downed tree limbs that could knock out electricity, and there's also the weight of the ice that would be on the power lines also that may cause them to come down also. So, there is that possibility. So, right now, people that are listening out there, right now is the time to prepare. See what you have around your house, if you don't have any alternate type of electricity, and if you do have a generator, generators are only to be run outside. Don't put one in your garage and start the thing up and go to sleep at night, because that's not a good thing. So, if you've got to do that, you've got to have those generators outside to be able to operate. If not, if you're burning candles and different things of that sort, you have to be very careful in that area too, because of the possibility of fire. So, prepare yourself and your family. If it's that bad, if it turns out that bad you may be in all day tomorrow also.

President Tornatta: To reiterate, you and your staff are on the clock, and you're definitely watching what's going on. So, for those who might think that the county or city could be asleep at the wheel, we do have people that are out there watching.

Sherman Greer: 24-7.

President Tornatta: Commissioners, any questions of Sherman? Sherman, thanks for giving us the tour of what you do, when you do it in these types of events.

Sherman Greer: You'll probably be getting some e-mails out tonight also. As the forecast changes and everything, I'll have Adam to send out the forecasts to you from the National Weather Service.

President Tornatta: Okay.

Sherman Greer: Alright?

President Tornatta: Thank you.

Sherman Greer: Thank you.

**Mike Duckworth: County Highway Superintendent:
Update on County Highway Severe Weather Procedures**

President Tornatta: Mike, if you could pop up here.

Mike Duckworth: Good evening, Mike Duckworth, Superintendent of the County Highway Department.

President Tornatta: Mike, just tell us how the highways look, how the county looks, the county roads, and kind of what you do when these situations come about.

Mike Duckworth: Well, starting at 11:00 last night when we started getting the freezing rain, we usually react to dispatch, of course, dispatch is in communication with the Sheriff's Department that's driving the roads. We also have County Highway supervisors that are driving the roads and checking conditions. So, we got our crews out about 11:00 last night. The problem with this system and this event, different than others, is the fact that I would say about 1:30-2:00 we had the roads pretty well cleared, and here we had another phase of the storm come through. So, we had to go back and kind of redo the priority routes again. So, it's a constant battle with freezing and re-freezing, coverage and re-coverage of those priority roads. So, we have our, and I provided the Commissioners with a list of our priority routes, our secondary routes, and that's how we work back from those priority snow routes, because they give access to our emergency vehicles. All of our volunteer fire departments are on those routes, and that enables them to keep, you know, get out of their houses and get to, hopefully, where they're needed. In the event that it's back in a subdivision, or on a road that we haven't been able to get to yet, we have provided escorts before, so that we can get them back to a critical situation. But, on the most part we have 12 trucks that have 12 different districts. We did pre-treat all day Monday, which I believe helps. In conditions like this, many times when you get layer after layer, it doesn't keep it from stacking up on you, but it does loosen it up to where it's easier to plow. We found that, I've driven both sides of the community later on this afternoon, and we had pretty clear roadways on our priority routes, and our guys were just starting the secondary routes, then here this next wave comes through with the freezing ice and freezing rain, so we have to go back over the priority routes. We'll be basically fighting that fight most of the evening. We do take breaks for our guys to give them the necessary safety factors, so that they're not dosing off at the wheel. We do have two man trucks that are driving so that they can switch off. Of course, in this kind of weather we do have some equipment break downs from time to time. Last night at 2:00 in the morning we had a water pump go down. So, we have those kinds of things, we try to keep things in stock so we don't have to wait till the next day to get things repaired. We do have one extra truck to fill in on routes that are down because of equipment repair. So, on the most part we feel like we're doing the kind of job, the best that we can do at this point fighting the elements.

President Tornatta: Mike, your priority routes, do you have a list of those routes?

Mike Duckworth: Yes, I've sent them by e-mail to each of you.

President Tornatta: Okay, if that's okay if we get those on the website?

Marissa Nichoalds: They're on their now on the County Highway's website.

President Tornatta: Okay, they're on the County Highway's website?

Mike Duckworth: Yes, they are.

President Tornatta: Okay, good, good. So, if anyone wants to know about those priority roads, then they would be on the County Highway.

Mike Duckworth: That's right.

President Tornatta: Then, I had somebody ask me about some of the subdivisions. I know that that's more of a secondary or tertiary tier to what you do, because you have 600—

Mike Duckworth: 560 miles.

President Tornatta: 560 miles to take care of. How do you rank subdivisions, and how do you handle subdivisions as you're doing events like this?

Mike Duckworth: Well, we utilize smaller vehicles in our subdivisions, because we have people that park on the street. It's pretty tough to get a full size tandem truck back into those subdivisions. So, we have smaller units that are assigned strictly to subdivisions. As you know, there's quite a few subdivisions in the county. So, we try to prioritize those by population. The bigger ones that we feel like we're servicing more citizens by getting them out there. So, as our 12 routes are being worked, our smaller trucks are either pre-treating or are scraping in those areas. To work back through them takes some time. So, there's a method to the madness, so to speak, so that we can at least get the main arteries in those subdivisions cleared, and then, hopefully, people can make it to those and then make it to the secondaries and then make it to the priorities.

President Tornatta: I did have a request to look at Cambridge. I think that now they are an accepted road, and I bet you got a phone call or two.

Mike Duckworth: We've had several phone calls, and not to be, you know, disrespectful, but that is a, it's a subdivision and we have to keep our priorities on our priority roads and our secondary roads, because of emergency vehicles. We will get back to Cambridge and these other subdivisions as, you know, if we don't have to keep going back and doing the priorities because of the incoming next phase of weather.

President Tornatta: Right.

Mike Duckworth: So, we will get to that.

President Tornatta: Okay. Any questions now from the Commissioners? Thank you.

Mike Duckworth: Okay.

President Tornatta: Tell the guys back there and ladies thanks for doing what they do.

Mike Duckworth: Well, they do a good job, and they work hard at it and they take a lot of pride in it. The success that we have out there is because of them. So, thank you.

President Tornatta: Alright, thanks, Mike.

Permission to Open VC-52-2009: Trending Services for County Assessor

President Tornatta: Permission to open VC-52-2009, trending services for the County Assessor. I need a motion.

Commissioner Melcher: I make the motion.

Commissioner Winnecke: Second.

President Tornatta: Discussion from the audience? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

David Miller: Mr. President, I have the sealed bids here that have been delivered to me, and I'll open them if you request.

President Tornatta: Yes, absolutely.

**ONB Insurance Property & Casualty Renewal Policy Proposal &
JWF Third Party Administrator Agreement**

President Tornatta: Yeah, we're going to go on. Action items, Dennis Feldhaus, ONB Insurance property and casualty renewal policy and proposal. Dennis?

Dennis Feldhaus: Good evening, Commissioners. As your insurance agent, I couldn't be more pleased to listen to Sherman and Mike and their presentation, putting the county in doing what is prudent to hopefully avoid items ending up on my desk. I thank them for all their efforts and all their employees. I don't want you to panic when looking at what I just handed out to you. Basically, what you're looking at is the county's insurance program in a format that basically does an overview of all the policies that ultimately end up in the Auditor's office. I think it's important that you have this copy. It's a very good reference material for you. I'm not going to go through this page by page, but I do want you to know that it is an overview of our service team that is here to assist and respond to any issues. It is an overview of all property locations and limits of insurance that we have on those locations. An overview of crime coverage, liability coverage, our machinery and equipment list that we have insured. It's a list of all auto coverages and all automobiles owned by the county, currently insured and scheduled, and last but not least, one of the most important items is the work comp policy and the limits of insurance. So, that kind of

takes us to the very back page. Inside that cover you will have a document that shows Vanderburgh County's property casualty insurance program by product line, by expiring premiums for 2008-2009, and a highlighted item column which is the renewal pricing for 2009-2010 for those same coverages. Unless you have specific questions with respect to the variances and pricing for any one line item, I would just run to the bottom under the totals. My proposal this evening in the yellow is \$1,131,614.55. That's compared to last year's \$1,101,226.86. That's an increased variance of \$32,988.90, or a three percent increase on the total property and casualty liability premiums. Having looked at just the numbers, if there's any specific questions regarding any line item, I would entertain those now, but I would like to just make a few overall remarks of the entire program, and the insurance marketplace in general. The premium increase is driven by the roughly \$22,000 in the all lines aggregate portion of the policy. The all lines aggregate is a program that's been in place for Vanderburgh County since 1986. It has performed remarkably well and very profitable to the taxpayers of Vanderburgh County and continues to do so. The pricing increase within that line item, and ultimately that runs to the bottom is primarily because of reserves and losses in our workers compensation product line. We've had, in the past 12 months we've had an increase of about \$325,000 of paid losses in our workers compensation, and we continue to work at trying to minimize those, but, again, workers comp is state statute and most of the first dollar of expenses for medical payments and loss of indemnity is required by law. So, we pay what we're basically required to pay. We try to prevent work comp losses, we try to get our employees back to work as quickly as possible, but with the number of employees that we have, 791 full time employees, we will have some losses in that area. As we move below the total column, I would like to present to the Commissioners, and it's not in that dollar figure, but it would be an additional \$23,000. It would be an item that would increase our earthquake limit of protection for Vanderburgh County property. We roughly have \$197 million worth of real property that we have insured on this program. We have a sub-limit, for earthquake, of \$66 million. So, you can see we have a gap between what we have for earthquake coverage and what our total exposure is on replacement cost value for all county property. You might ask, well why don't we insure it completely? You can see that is expensive. We are in a very, we're in the New Madrid zone fault, and it is an expensive coverage for, when you're looking at buildings that are constructed and of the size and of the dollar values in any one building as Vanderburgh County has. So, my proposal, at least for consideration, for the Commissioners is to increase the \$66 million to \$76 million, but that is an additional increase of \$23,000 of premium, on top of the \$1,131,000. Again, a recommendation. We've not had that limit before, but if we can afford to purchase that coverage, I think it's money well worth spent, I should say. If we did purchase that, then you're down to the total including excess earthquake line item of \$1,154,614.55. Any questions on the premiums and the dollars at this point?

President Tornatta: Dennis, we have, obviously, consolidated our Assessor's offices.

Dennis Feldhaus: Yes.

President Tornatta: And that's talked about personal property in those offices.

Dennis Feldhaus: Yes, yes.

President Tornatta: And, do we know if that personal property has been consolidated, and now it's gone? Or, is that an in between?

Dennis Feldhaus: You're very astute. You've looked at my property locations and you see some of those old assessor locations and business contents at those locations that are on that proposal. I've spoken with, by e-mail, with Jonathan today, we have rolled in those business contents coverages at those locations that were rolled into the County Assessor's office, effective immediately today.

President Tornatta: Okay.

Dennis Feldhaus: So, that proposal will be corrected.

President Tornatta: Okay.

Dennis Feldhaus: There are two of those locations that will remain, because we kept trustee offices at two of those locations.

President Tornatta: Okay, but would those have rolled in today, or at the time when they rolled in to Vanderburgh County?

Dennis Feldhaus: The business contents coverage is on a blanket basis and would have been covered regardless of the location on the policy.

President Tornatta: Okay.

Dennis Feldhaus: But, we just want to be correct on the locations.

President Tornatta: Okay. Then, we had looked at ASC and then JWF as far as our third party.

Dennis Feldhaus: Yes.

President Tornatta: I assume, can you go through that?

Dennis Feldhaus: Yes, it would be the fourth line item down, claims administration, TPA. You'll notice that my recommendation is outside the column. The \$65,581.30 figure is the renewal quote from ASC out of Louisville. They are currently the Vanderburgh County third party administrator for claims. They have been Vanderburgh County's third party administration for claims for a number of years. I'm recommending for the Commissioners to consider moving that contract from ASC to JWF. JWF is out of Indianapolis, Indiana. They have been in the business since 1988, and I hope you got Ted Ziemer's e-mail today. He has approved the contract, and we have accepted what he has sent us. Or, I should say JWF has accepted the contract changes, and, so, Ted is agreeable to the move, if it's agreeable with the Commissioners.

President Tornatta: Could you go over the auditing process, and maybe one of the reasons why you would recommend JWF?

Dennis Feldhaus: Yes. Two reasons why I recommend JWF. The current contract with ASC treats each claim differently and there's a fee by type of claim in a 12 month period, and the contract is laid out based on an estimate, similar to work comp. You give us your payroll as an estimate. At the end of the 12 month period, ASC will come in and look at what they estimated that the county would have as claims, do an audit, and then come in and adjust the premium that they charged you for their service contract based on the audit. So, if we had more claims than what

they estimated, they were going to send you an additional billing. That billing in 19, excuse me in 2008, for the 12 month period of 2007 was \$10,600 for open claims, and \$5,600 for the variance between what they thought they were going to service and what they actually did in claims handling. In layman's language, they sent us a \$16,000 bill after the contract was paid. Contractually they had a right to do that. What JWF's contract does is it takes away the audit. We have a guaranteed \$63,250, there will be no audit after the next 12 months for any open claims.

President Tornatta: Then, what about the, what I read was ASC every year charges a renewal fee on claims that are outstanding.

Dennis Feldhaus: Yes.

President Tornatta: And, could you tell us the difference between that and what JWF's doing?

Dennis Feldhaus: JWF, again, will not run an audit, and they will not charge you after a 12 month period above the \$63,250. That's a lock on what the Commissioners—

President Tornatta: From cradle to grave?

Dennis Feldhaus: — and the county pays. Yes, for a 12 month period, 2/1/09 to 2/1/2010.

President Tornatta: But, now, let me get this straight, from what I read, if something started in 2008, they still have the contract and it's 2014, we're not getting charged any extra premium on that account?

Dennis Feldhaus: We have two choices we can make. We can allow, we have 48 open claims as I stand here in front of you this evening under the ASC contract. If we continue to allow ASC to negotiate settlement of those claims, even after moving to JWF, they have the right, contractually, to continue to charge you for those claims to settle. That amount again was \$10,400 for those claims. Each and every year for the past four years. That will vary a little bit, but it hasn't varied for the past four years. JWF has offered a one time fee of \$15,000 in the contract this evening, to resolve all 48 open claims, regardless of how long it takes, or when it gets done. \$15,000 to resolve all open claims under the old ASC contract, which in essence, if you do the math, over the past four years you've been paying four times \$10,400. So, you've been paying much more to resolve those open claims. So, two things, the JWF locks in a guaranteed figure going forward without any additional audit, and it provides a means to settle open claims at a less price than what you've been paying.

President Tornatta: And what they've been talking about is to do it over a three year period—

Dennis Feldhaus: A three year period.

President Tornatta: —so we would be paying \$5,000 a year.

Dennis Feldhaus: \$5,000 over three years, and that would come with your \$63,250, which is a three year contract by the way. That is another item that I failed to mention. It's a three year contract that locks in the \$63,250 for three years. If you look at ASC, last year to this year, they had about a \$7,000 increase. Did I answer your question, Mr. President?

President Tornatta: Yes.

Dennis Feldhaus: Good.

President Tornatta: Questions of the Board?

Commissioner Winnecke: Mr. President, I had a couple of questions. Dennis, first on, how long has the county been at the level of coverage it has on quake, for earthquake damage? Do you know?

Dennis Feldhaus: I can only speak to when I personally last handled the county in 2005, and, quite honestly, that level was \$10,000 less than your current level. So, to answer your question, it has been less than the current level—

President Tornatta: Ten million or ten thousand?

Dennis Feldhaus: Ten million, I'm sorry.

President Tornatta: Okay, alright.

Dennis Feldhaus: Thank you for that correction. Ten million.

Commissioner Winnecke: And, my second question, oh, if my math is correct, the change to JWF will represent a savings to the county of roughly \$14,000 or \$15,000 a year, is that correct?

Dennis Feldhaus: Right.

President Tornatta: And, I think that's after we realize the—

Commissioner Winnecke: Right, it's net.

President Tornatta: —well, I mean, after we get those 48 taken care of. They, to my understanding, from when they start today, or whenever they would get approved, if they would get approved, from that period forward, if they have any dangling claims, they're cradle to grave paid. So, we would not owe.

Dennis Feldhaus: I need to be clear that if we move to JWF on 2/1, that ASC will come in for the past 12 months and do the audit on the contract that's expiring. So, there will be that one time adjustment from them as well. The adjustment would not be for the open claims, it will only be for the variance in what they expected to handle in 12 months versus what they did handle. This past year that figure was \$5,600. So, I expect ASC to have some type of audit on the variance on the 12 month period, but not the carry over of open claims.

President Tornatta: And, I think that, just real quickly, we would, hopefully see a savings from there on out.

Dennis Feldhaus: Yes, yes.

President Tornatta: Without an increase?

Dennis Feldhaus: Yes.

Commissioner Melcher: They're going to be doing that anyway, right?

Dennis Feldhaus: Yes.

Commissioner Melcher: So, even if we stayed with them they are going to come in and do it?

Dennis Feldhaus: Yes.

President Tornatta: Right.

Commissioner Melcher: Alright, so I just wanted to make that clear.

Commissioner Winnecke: One other question, if you don't mind?

Dennis Feldhaus: Sure.

Commissioner Winnecke: Could we circle back to the quake coverage again? So, the gap is roughly \$133 million, is that right?

Dennis Feldhaus: Right.

Commissioner Winnecke: Between—

Dennis Feldhaus: We have one, we have 171 in real property, and then the difference between 171 and our total is fleet vehicle, the value of all the vehicles and some mobile equipment that makes that difference. But, to answer your question, the gap between the earthquake limit that we currently carry, which is 66 million, and the 197 million is the gap.

Commissioner Winnecke: In the event of a catastrophic earthquake, we really have a big issue here.

Dennis Feldhaus: You have a big exposure. That's not an exposure that's not unlike what the City of Evansville and EVSC have. Your largest valued buildings are all located close and all in the same area. We struggle with those two entities as well, trying to get full limits.

Commissioner Winnecke: What's the formula, or if it can be described easily, for increasing coverage in that area?

Dennis Feldhaus: The formula is to put it out to bid. We broker through AMS out of Nashville. The ten million that is on the table this evening is actually a ten million excess of 66 million. There are four different companies on the 66 million. That's how much they don't want to insure it all. So, we have four different carriers within the mix that each have a piece, if you will, kind of like a syndicate, a percentage of that exposure shared among four carriers. One of those four carriers just came back in for the fifth layer, for the extra ten million.

Commissioner Winnecke: Okay, thank you.

President Tornatta: Just to kind of circle back to the 15,000, as I'm to understand, most of that cost is just data conversion from one system to another. They're pulling a lot of information from ASC—

Dennis Feldhaus: Yes, yes.

President Tornatta: –and in the process of doing that, getting the information and then converting it to records, getting abreast of what’s going on, and then taking care of the claim.

Dennis Feldhaus: The good news is, is that one of the reasons JWF could keep that at a minimum of \$5,000 a year, for \$15,000, is AMS, which is the broker that’s brokering all the business, not the claims, but the policies, they have agreed to accept the excess reporting from ASC and JWF until all those claims are closed.

President Tornatta: Okay.

Dennis Feldhaus: So, that helps us. Auditor Fluty, do you have a chime in on the extra ten million?

Bill Fluty: Well, I can’t right now. I know what you have budgeted in your account, which is, I think, \$928,000, but we do charge back on other offices to make that thing. I can’t, I really can’t give you an answer if there is dollars available for that extra \$23,000, but, then, I guess, if you’re inclined to go that route, you could do it subject to funding, as I think we’ve done in the past. But, it may be available there.

President Tornatta: When does this have to be in place?

Dennis Feldhaus: I have to call–

President Tornatta: February 1st?

Dennis Feldhaus: –Friday, January the 30th, because February the 1st is on a Sunday. The coverage expires at 12/01 a.m. Saturday night.

President Tornatta: Okay.

Dennis Feldhaus: This, the decision on the ten million can be deferred, and we can endorse that at any time after you do an analysis of whether or not it can be afforded.

President Tornatta: Okay, that’s the answer I was looking for.

Dennis Feldhaus: Yeah, the 66 million will be there.

President Tornatta: Okay.

Dennis Feldhaus: The other ten million can be acted on at a later date.

President Tornatta: Okay, and–

Dennis Feldhaus: And, primarily I put it out there to let you know that it is a huge gap. Obviously, as a taxpayer, I don’t want to pay anymore taxes, but, at the same time, you know, we have a fiduciary responsibility to protect the taxpayer properly. I think there’s an exposure there that we need to address.

President Tornatta: But, as you say, this is not uncommon to the EVSC or Evansville. It's not uncommon to any municipality, as I have found out just asking those questions.

Dennis Feldhaus: One of those entities, and I will not go on record as saying which one, but one of them went bare for many, many years, with zero earthquake coverage.

President Tornatta: Yeah.

Bill Fluty: Just one comment, historically we've not known what the coverage would be in February, and we usually had a cushion in there to accommodate changes in the coverage or just an increase that we didn't quite foresee.

President Tornatta: Okay.

Bill Fluty: But, I can give you a number early tomorrow morning.

President Tornatta: Alright.

Commissioner Melcher: Well, I kind of agree, we don't have to pass that part tonight. We can do that at our next meeting, as an add on.

President Tornatta: Right.

Commissioner Melcher: We know what it is now, we know we've got the money in place. So, I would feel comfortable with that.

President Tornatta: Okay, do we need to vote on a TPA at this time? Or, should we put the TPA in the motion?

David Miller: I think, if you're inclined to accept his recommendation on the TPA, you just include them both in the motion.

President Tornatta: Okay.

David Miller: And include the approval of the TPA contract that was circulated earlier today.

President Tornatta: With that motion, if someone would just hit the total.

Commissioner Winnecke: Mr. President, I would move that we accept the proposal from Old National Insurance to renew the Vanderburgh County property casualty insurance program, as well as its recommendation to include JWF as the TPA in the amount of \$1,131,614.55.

Commissioner Melcher: And, I'll second.

President Tornatta: Anymore questions from the Board, or from the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Commissioner Winnecke: Mr. President?

President Tornatta: Yes?

Commissioner Winnecke: Before we move on?

President Tornatta: Yeah.

Commissioner Winnecke: It might be a good idea, I mean, given this large a gap, I would be kind of curious to see if they could come back with recommendations or options on how, on the cost of closing that gap. We don't necessarily have to act on any of it, but we could, based on funding.

President Tornatta: Dennis, can you kind of explain what the issue has been with that gap? On finding participants to satisfy the gap? And, if you can't, you can get back to us.

Dennis Feldhaus: We'll probably go to the same markets that are already looking at it that are insuring the county for 66 million. The upside is, as we move up and close that gap, the cost per million gets less, because of the quantity discount. Your biggest portion of your premium is in your first 50 million, which is what you've got. So, I would hope that this quote this evening was, I think, \$500 a million. So, when you get into that number, hopefully, that can get to \$400, or \$350 as we get above the \$100 million limit, as we drive to that level. It's a cost-benefit analysis. At some point, as your advisor, you know, I have a concern at the same time we have a self insurance loss fund over there at 428.1 and point two that got hammered pretty good the last couple of years. More came out than what was budgeted to go in. So, I'm kind of keeping my eye on that. So, if I've got "x" number of dollars, and you're asking me where best to put them, earthquake or loss fund, we need to pay our losses first. Those are for sure. That's a given. Okay?

President Tornatta: Okay.

Dennis Feldhaus: I don't know if I answered that question.

President Tornatta: Well, that's okay. Just, if you get a cost analysis, or you guys work some numbers and can answer Commissioner Winnecke's question, maybe we can address that at the same time.

Dennis Feldhaus: Will do.

Commissioner Winnecke: Thank you.

Dennis Feldhaus: I'll come back.

President Tornatta: Thank you.

Dennis Feldhaus: And, I have a bunch of documents that's going to require a bunch of signatures. I'll leave those with Mr. Fluty.

President Tornatta: Yeah.

Commissioner Melcher: I've got one question.

Dennis Feldhaus: Sure.

Commissioner Melcher: It's not a biggie. About the Coliseum. I would like to get with you about the Coliseum.

Dennis Feldhaus: Okay.

Commissioner Melcher: The coverage and how it's covered and that. Because I sit on the Veterans Council, and I need to understand that better.

Dennis Feldhaus: Would you like for me to do that with you one on one?

Commissioner Melcher: Probably with me, and maybe somebody from the Council.

Dennis Feldhaus: Okay, if you'll arrange that, I'll be there.

Commissioner Melcher: Okay, I will.

Dennis Feldhaus: Thank you.

President Tornatta: Alright, thanks, Dennis.

Dennis Feldhaus: Thank you.

<p>County Treasurer: Establish 2009 Board of Finance & Review of Investment Report</p>

President Tornatta: The next action item, County Treasurer, Rick Davis, establish Board of Finance for 2009 and review investment report.

Rick Davis: Hello, everyone. My name is Rick Davis. I'm the newly elected Vanderburgh County Treasurer. I'm here today because state law requires the Treasurer to meet with the Vanderburgh County Commissioners in the month of January and establish the Board of Finance. I was sweating the snow storm out, because this is our last opportunity to do that in the month of January. So, I'm glad you had the meeting today. Z. Tuley, the former Treasurer, informed me that historically the county uses this meeting to vote for a President and a Secretary, and historically the Treasurer is the President of the Board of Finance and the Auditor is the Secretary. If you would like to continue with that practice, I would be happy to oblige, but I've been told it's up to you make something of that order in the form of a motion.

Commissioner Winnecke: Repeat the combination one more time. I'm sorry.

Rick Davis: The Treasurer as the President of the Board of Finance, and the Auditor as the Secretary.

Commissioner Winnecke: Mr. President, I'll move that we nominate the County Treasurer to be the Board President and the County Auditor be the treasurer.

Commissioner Melcher: I'll second.

Rick Davis: Secretary.

Commissioner Winnecke: I amend it to be Secretary, I'm sorry.

President Tornatta: Okay. Alright, a motion and a second. Any questions of the Board or the audience, as we're waiting for Madelyn. Madelyn, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Rick Davis: Okay, thank you. Secondly, this is the good news. I'm also here to inform you how well the Treasurer's office invested funds on behalf of the Vanderburgh County taxpayers in 2008. The Treasurer earned \$3,794,029.53 on behalf of the Vanderburgh County taxpayers. I think that is excellent considering the tough economic times and climate that we've been dealing with over the last year. The average interest rate on all of her investments was 2.72891. So, if you see Z. Tuley, you might want to thank her for the three million dollars on behalf of the county. This year is going to be very challenging for our office with investments. As you know, the Fed has cut interest rates, I believe, ten times in the last year and a half, in an effort to encourage Americans to borrow money to help stimulate the economy. While the interest rate is wonderful for anyone wanting to purchase a big ticket item, like a car or a home, it's discouraging for people, or even government entities like ourselves, who are investing in safe investments such as Certificates of Deposit, which is the bulk of the county's investments. I assure you that our office will do our best to maximize our investments, to the best of our ability, because I do believe that every dollar that we earn on interest is a dollar you will not have to tax the taxpayer. I do want you to understand, however, that interest rates for guaranteed investments are going to be extremely low this year. We hope for an uptick in the middle of the year, or the second half of the year. I've given you the investment sheet. All of the investments that former Treasurer, Z. Tuley, made in 2008, as well as the investments that I've already made in the month of January of this year, minus two that were done today. That report was drawn up yesterday.

President Tornatta: Alright, any other questions? Anything else, Rick?

Rick Davis: No, I just wish everyone a safe trip home.

President Tornatta: Alright. Congratulations on you taking over the office, and good luck with your investments.

Rick Davis: Thank you very much. Appreciate it.

President Tornatta: Thank you. I'm sure this won't be the only time we're going to see you this year.

**County Auditor: Permission to Advertise:
2008 Statement of Receipts and Expenditures**

President Tornatta: County Auditor, permission to advertise 2008 statement of receipts and expenditures. It's an annual ad required by law, submitted by the County Auditor.

Madelyn Grayson: We just ask for permission to advertise it on February 6th.

President Tornatta: That's it? Okay, I need a motion.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second, any questions from the Board or the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Engineer

President Tornatta: Department head reports. John Stoll from the Engineer's office? I think you missed your first meeting last week, did you not?

John Stoll: It was two in a row. That never has happened. That shows the economy is not doing anything.

President Tornatta: Good point.

John Stoll: I just have one item this evening. It's a notice of intent letter that has to be filed with IDEM for the erosion control plans for University Parkway. It just needs the Commissioners approval, and then Bernardin Lochmueller will forward that with the plans to IDEM.

President Tornatta: I need a motion.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any questions of the Board or the audience? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Tornatta: Happy sledding.

Commissioner Winnecke: Thanks, John.

President Tornatta: Alright. Any other department heads?

New Business

President Tornatta: Any new business?

Old Business

President Tornatta: Old business? I think, just, we're going to have a presentation, but Joe DeVoy was going to be here to talk about the Old Courthouse clock. He volunteers his time, and he's been here before, to provide maintenance to the Old Courthouse clock. There's a mechanism, I guess, that's not working properly, and he thinks it's going to be around \$1,500, but we're going to let him be here to kind of address that, hopefully, in one of the up and coming meetings.

Public Comment

President Tornatta: Any public comment? Gary, I hate for you to come here and not talk, you got anything to tell us? Now, we've got about seven minutes here.

Gary Heck: I won't take that long. Gary Heck, Health Department. I know that we're one of the other folks on the insurance plan that will have money, and we have somewhere between \$120,000 and \$140,000, I think, in our line item that is potentially available for some of that, Bill, that will cover the difference, if that gives you an idea of where you are. I know the Sheriff's Department also has some money that they kick in. The Health Department was open for business today, and we had a few walk-ins, not too many folks visited. Just so you would know that people weren't out doing, conducting government business today, unless they absolutely had to. The prescription drug program is still going strong. The Dental Clinic is still progressing. We have, we're on the agenda for the County Council to discuss one of the recommendations from the public health consultant who came down from Indianapolis last year to review that project to have the dental hygienist position become part time, where there could be more than one hygienist who could serve in a position, and going to an hourly rate. We anticipate that the County Council will view that favorably, and it will actually help us provide better service to the public. Other than that, we don't have the mosquito issues right now, which is good. It's always nice, and we are awaiting delivery of a vehicle that we were allowed to purchase last year. We will be surplussing two 1988 Chevy S-10 pick up trucks, if anybody else in the county needs some. They don't have air conditioning, but they're low mileage.

President Tornatta: So, your '91 model, what did you get?

Gary Heck: We were able to go under the state quantity purchase agreement and got a 2009 Ranger supercab, six cylinder. We don't do a lot of off-roading or anything like that. It also gets better gas mileage.

President Tornatta: Now he's just bragging.

Gary Heck: Yes.

President Tornatta: Thank you, Gary.

Gary Heck: My pleasure.

President Tornatta: Alright.

Reading of Bids for VC-52-2009: Trending Services

President Tornatta: We have bids. Mr. Miller?

David Miller: Mr. President, I've opened three bids on the commercial/industrial trending contract. One from Tyler Technologies, one from A&S Associates, and one from the Nexus Group. On initial review they appear to be in order for your consideration and the consideration of the Auditor.

President Tornatta: Alright. A motion?

Commissioner Winnecke: Mr. President, at this time I would move that we take those under advisement.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Questions of the Board or of the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Consent Items

President Tornatta: If we could, Madelyn, read the consent items, please.

Madelyn Grayson: The consent items for the January 27, 2009 Commission meeting are as follows; the approval of the January 20, 2009 Commission meeting minutes, employment changes for the various offices, travel requests, there's two for the Health Department, one for the County Engineer, and one for the Commissioners; the Commissioners eminent domain settlements for Barfield and Kerby, Commissioners eminent domain settlement for Purdue, Perry Township 2009 standards, the County Engineer, approve pay request number 70 for the Burkhardt-Green River TIF projects in the amount of \$19,953, the County Assessor request to surplus one copier, and department head reports from the County Highway, County Engineer, Burdette Park and the Ozone Officer.

President Tornatta: I need a motion.

Commissioner Melcher: I'll move--

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: And, I need a motion to adjourn.

Commissioner Winnecke: Mr. President, before we do that–

President Tornatta: Sure.

Commissioner Winnecke: –I would like to introduce our shadow student.

President Tornatta: So mistaken.

Commissioner Winnecke: Chris Casson. Chris, do you want to scoot up here so they can see you at home on the television. This is your chance to be a big star here.

President Tornatta: Where are you from, Chris?

Chris Casson: Central High School.

Commissioner Winnecke: Chris is a sophomore at Central High School, and he serves on the Teen Advisory Council for Youth Resources, and got out here in the inclement weather to watch how local government works.

President Tornatta: Go Bears!

Commissioner Winnecke: Thanks for coming out here.

Chris Casson: It's my pleasure.

President Tornatta: Alright, I need a motion to adjourn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: All those in favor say aye.

Commissioner Winnecke: Aye.

Commissioner Melcher: Aye.

President Tornatta: We are adjourned.

(The meeting was adjourned at 5:58 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the January 20, 2009 Commission Meeting Minutes.
Eminent Domain Settlements: Barfield and Kerby.
Eminent Domain Settlement: Purdue.
Perry Township Trustees: 2009 Poor Relief Standards.

Employment Changes:

County Highway (1)	County Clerk (1)	Superior Court (1)
Circuit Court (2)	County Assessor (1)	

Travel Requests:

Health Department (2)	County Engineer (1)	Commissioners (1)
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County Engineer: Pay Request No. 70: Green River-Burkhardt TIF Projects.

County Assessor: Surplus Request: Dialta Copier.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	David Miller	Madelyn Grayson
Sherman Greer	Mike Duckworth	Dennis Feldhaus
Rick Davis	Gary Heck	Chris Casson
Others Unidentified	Members of Media	

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JANUARY 27, 2009**

The Vanderburgh County Board of Commissioners met in session this 27th day of January, 2009 at 5:02 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

County Treasurer: Establish 2009 Board of Finance & Review of Investment Report
--

President Tornatta: The next action item, County Treasurer, Rick Davis, establish Board of Finance for 2009 and review investment report.

Rick Davis: Hello, everyone. My name is Rick Davis. I'm the newly elected Vanderburgh County Treasurer. I'm here today because state law requires the Treasurer to meet with the Vanderburgh County Commissioners in the month of January and establish the Board of Finance. I was sweating the snow storm out, because this is our last opportunity to do that in the month of January. So, I'm glad you had the meeting today. Z. Tuley, the former Treasurer, informed me that historically the county uses this meeting to vote for a President and a Secretary, and historically the Treasurer is the President of the Board of Finance and the Auditor is the Secretary. If you would like to continue with that practice, I would be happy to oblige, but I've been told it's up to you make something of that order in the form of a motion.

Commissioner Winnecke: Repeat the combination one more time. I'm sorry.

Rick Davis: The Treasurer as the President of the Board of Finance, and the Auditor as the Secretary.

Commissioner Winnecke: Mr. President, I'll move that we nominate the County Treasurer to be the Board President and the County Auditor be the treasurer.

Commissioner Melcher: I'll second.

Rick Davis: Secretary.

Commissioner Winnecke: I amend it to be Secretary, I'm sorry.

President Tornatta: Okay. Alright, a motion and a second. Any questions of the Board or the audience, as we're waiting for Madelyn. Madelyn, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Rick Davis: Okay, thank you. Secondly, this is the good news. I'm also here to inform you how well the Treasurer's office invested funds on behalf of the Vanderburgh County taxpayers in 2008. The Treasurer earned \$3,794,029.53 on behalf of the Vanderburgh County taxpayers. I think that is excellent considering the tough economic times and climate that we've been dealing with over the last year. The average interest rate on all of her investments was 2.72891. So, if you see Z. Tuley, you might want to thank her for the three million dollars on behalf of the county. This year is going to be very challenging for our office with investments. As you know, the Fed has cut interest rates, I believe, ten times in the last year and a half, in an effort to encourage Americans to borrow money to help stimulate the economy. While the interest rate is wonderful for anyone wanting to purchase a big ticket item, like a car or a home, it's discouraging for people, or even government entities like ourselves, who are investing in safe investments such as Certificates of Deposit, which is the bulk of the county's investments. I assure you that our office will do our best to maximize our investments, to the best of our ability, because I do believe that every dollar that we earn on interest is a dollar you will not have to tax the taxpayer. I do want you to understand, however, that interest rates for guaranteed investments are going to be extremely low this year. We hope for an uptick in the middle of the year, or the second half of the year. I've given you the investment sheet. All of the investments that former Treasurer, Z. Tuley, made in 2008, as well as the investments that I've already made in the month of January of this year, minus two that were done today. That report was drawn up yesterday.

President Tornatta: Alright, any other questions? Anything else, Rick?

Rick Davis: No, I just wish everyone a safe trip home.

President Tornatta: Alright. Congratulations on you taking over the office, and good luck with your investments.

Rick Davis: Thank you very much. Appreciate it.

President Tornatta: Thank you. I'm sure this won't be the only time we're going to see you this year.

**VANDERBURGH COUNTY
BOARD OF FINANCE**

**Rick Davis, President
Vanderburgh County Treasurer**

**Troy Tornatta, Member
Vanderburgh County Commissioner**

**Stephen Melcher, Member
Vanderburgh County Commissioner**

**Lloyd Winnecke, Member
Vanderburgh County Commissioner**

**Attest: William J. Fluty, Secretary
Vanderburgh County Auditor**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
FEBRUARY 3, 2009**

The Vanderburgh County Board of Commissioners met in session this 3rd day of February, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright, we would like to call to order the meeting of the Board of Commissioners, February 3, 2009, room 301. It's a little bit after 5:00. We have a call to order, roll attendance call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here. While we're here, why don't we talk about our shadows. Steve, you have a shadow there.

Commissioner Melcher: Yes, would you like to get up and introduce yourself, in the microphone.

President Tornatta: It's Carolyn Jones, right?

Carolyn Jones: Yes.

President Tornatta: Where are you from, Carolyn?

Carolyn Jones: Day School.

President Tornatta: From Day School, okay.

Commissioner Winnecke: And, we have Chris Casson. Chris was here last week. Chris is a sophomore at Central High School, part of the Teen Advisory Council. Happy to have both of them.

President Tornatta: Okay, thank you. Thanks for coming.

Pledge of Allegiance: Lauren Bathauer: Youth First

President Tornatta: Okay, we're going to be led in the pledge of allegiance by Lauren Bathauer. She's from Youth First.

(The Pledge of Allegiance was given.)

President Tornatta: Thank you, Lauren.

Youth First Presentation

President Tornatta: With us today from Youth First is Parri Black and Carol Lynch, the Chairman of the Board. Welcome.

Carol Lynch: Thank you very much. It's a pleasure for us to be here. We just wanted to thank you, President Tornatta, and Commissioner Melcher and Commissioner Winnecke for allowing us to come and be a part of that and share a little bit about Youth First. Cindy Bathauer is here with us also, and she's one of our program people and a community representative. I also wanted to introduce Parri Black who's the President and CEO of our board. We just wanted to share a little bit about Youth First. We thought we would have some fun with it and kind of bounce around some questions real quickly. So, we'll get started. Parri, tell me a little bit about Youth First.

Parri Black: Well, in case you didn't know, Carol, which I know you know, Youth First is a homegrown organization focused on making our region a better place for children and families.

Carol Lynch: Well, tell me, Parri, how did it get started?

Parri Black: Youth First was founded 11 years ago by Dr. William Wooten, a local physician and other community leaders, including Carol, who's one of our founding board members. They recognized the need to do more to reduce substance abuse in our region, and that's how Youth First got founded.

Carol Lynch: Well, and how are we helping the community?

Parri Black: Through Youth First programs and services, Youth First provides the support necessary for today's young people to succeed in school and in life. We provide Strengthening Families programs, school social work programs, and other programs like; Reconnecting Youth and Most of Us. Independent evaluations and outcomes show what we do is working. We're glad to report that substance abuse is declining among our youth. Youth First achieves lasting results and we're helping raise productive citizens.

Carol Lynch: How can the community help Youth First?

Parri Black: We hope that parents, kids, and schools, and churches will take advantage of the programs that Youth First has to offer. With the conclusion of two major federal grants this year, we have an urgent need, however, and that is to continue providing Youth First social work services to the EVSC schools. That's a big dollar amount that we're working very hard to secure through public and private funding sources. So, we hope our community will rally around this need and help our kids through Youth First and the services we provide at the EVSC. Upcoming events in which people might enjoy participating would be our Men About Town style show which benefits Youth First. That's Friday, February 13th at Casino Aztar. On Thursday, April 23rd, our Passport to Adventure benefit auction, and we hope to see all of you there. If you would like more information, you can contact Youth First by calling 421-8336, or going to our website, youthfirstinc.org. Thank you.

President Tornatta: Thank you.

Carol Lynch: We just wanted to say that in 11 very short years, we think Youth First has grown into a really tremendous organization, and one that the community and the county should be really proud of. We feel like we're one of the leading providers of mental health, promoting strong mental health among our young people and our families, and also a leading provider in substance abuse prevention. We really feel like we're contributing to making Vanderburgh County and the surrounding areas a wonderful place for us to grow families and to just, a special place to live. So, thank you very, very much for the privilege of being here.

President Tornatta: Any other questions? Thank you so much for coming up. This might turn into an extortion dinner set up. Anyway.

Girls in Bloom Update

President Tornatta: Action items, Girls in Bloom update. Is Anne, Anne Topper is with Girls in Bloom. Anne, you're going to have a little announcement tomorrow.

Anne Topper: Oh, we had it today.

President Tornatta: Today?

Anne Topper: Uh-huh. I bet we missed, did our calendars misconnect?

President Tornatta: Yeah.

Anne Topper: Oh, that's okay. With the storm, everybody's really misconnected.

President Tornatta: I was going to call you guys. Could we change it to Girls Snowed In?

Anne Topper: We might, we might. I've got a couple of my committee members here. President Tornatta, thank you, and on behalf of Girls in Bloom, we would like to thank you for the opportunity to come and speak to you. I'm Anne Topper, I have taken on the new directorship, our former director, Patty Avery, has stepped into some new shoes. So, I picked up her shoes, which are very big ones, I must say.

President Tornatta: Very much so.

Anne Topper: The snow has created a couple of new challenges this year. Today we did have our kick off press conference. Girls in Bloom is in its sixth annual year of presenting at the Centre. This year we're going to be presenting on February the twenty, or, excuse me, February 28th at the Centre downtown, with a theme this year, as you can see, I'll let them show you here. Our theme this year is called The Community and You. In the past, our past themes have been, we've celebrated girl power and talked about dreaming for the future. This year we decided to challenge the girls to be part of the future and to look into the future and find out ways that they could get involved in the community, and to have a little fun along the way. The theme, the reason why we chose this theme is because our goal as an organization is to build self esteem. And, volunteering is a very empowering act, and it builds self confidence and self esteem. It is one tool that we feel girls can use to fight against negative messaging that tries to erode their ability to make authentic choices. So, we are going to try to encourage them to develop and share talents that they have in the community. One of the features we're going to have this year is we're working

with United Way at lunch time, the 211 program, they actually have a program that had volunteers that girls can get hooked up with. What we're going to do is have a volunteer fair at lunch, and they can meet with these organizations at lunch and find out ways that they can actually get involved in the community and figure out where they can kind of get involved and give back. So, we're pretty excited about that opportunity. Another feature that we're very excited about is that we're going to make our day a day of giving back also. We're going to ask each of the girls who participate to donate a canned food item, so that we can give back to the Tri-State Food Bank, who will be benefitting from that generosity. So, and, I think, after the snow storm and everything, they are probably going to need a little assistance on that—

President Tornatta: Right.

Anne Topper: —because I know a lot of people lost a lot of refrigerators and a lot of other goods, unfortunately. So, I would like, on behalf of our organization and our committee, I would like to thank you for our continued support. If it would be okay with you, after the event, and barring no more snow storms, we would like to have the opportunity to come back and report out about the progress we made, how many girls we touched, and the success of our event, obviously.

President Tornatta: That sounds great.

Anne Topper: Are there any questions that I can answer?

Commissioner Winnecke: You might just, for the benefit of everyone watching at home and those in the audience tonight, reiterate the date, the time—

Anne Topper: Okay, absolutely.

Commissioner Winnecke: —and how young ladies can participate.

Anne Topper: Okay, and I apologize. The date is, again, February the 28th, and it's at the Centre. Registration begins at 8:30, the event runs until 2:30 in the afternoon. The registration forms are now in the schools. I luckily got them there the Monday before school got out the rest of the week, but they are in the schools now, and I'm finishing up the rest of, some of our parochial and other schools, those deliveries will be made tomorrow. They also can go to our website, which is information, www.girlsinbloom.us. Go dot us, don't go dot com, believe me, dot us, please. Let's just say it took us a while to find, to get that venue set up. So, girlsinbloom.us.

President Tornatta: Okay.

Anne Topper: Other than that, that is about all I have for you at this time.

President Tornatta: Okay, and all I can do is say I'm sorry for missing the—

Anne Topper: Please, don't apologize.

President Tornatta: This was the second attempt, I know, and I just put in the wrong date.

Anne Topper: I know, and, please don't apologize. I have to tell you with the snow storm we are all playing catch up. So, in fact, we found out from the press, I guess,

that we were kind of bugged out from some other things that were going on too. So, even the press has been a little distressed too. So, but we appreciate all the support we're getting. So, thank you.

President Tornatta: Thank you, Anne.

Anne Topper: Thank you.

President Tornatta: Appreciate it.

<p>First Reading of Ordinance CO.02-09-004: Amending the Street Solicitation Ordinance</p>

President Tornatta: Okay, first reading of CO.02-09-004, amendment of street solicitation ordinance. An amendment to an ordinance to require that charitable organizations apply for permits to be based in, have an office or a chapter in Vanderburgh County or a contiguous Indiana county. That doesn't read too well, but that being said, the Commissioners have had this in their e-mail and on their desk.

Commissioner Winnecke: Mr. President, I'll move that we approve ordinance CO.02-09-004.

Commissioner Melcher: I'll second.

President Tornatta: Okay, and that's a first reading. Any questions of the board? From the audience? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Permission to Award: VC-52-2009: Trending Services Bid</p>
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President Tornatta: Okay, the next action item, permission to award VC-52-2009, trending services. Debbie Spalding? Or Jonathan? Good evening.

Jonathan Weaver: Good evening. Jonathan Weaver, Vanderburgh County Assessor.

President Tornatta: Anything we need to know with this? Is it standard?

Jonathan Weaver: No, basically, it's the same contract as the last two years. We're just contracting out—

Ted C. Ziemer, Jr.: Excuse me, Jonathan, I think they're first addressing the issue of awarding the contract.

Jonathan Weaver: Oh, okay. We had three bids come in, I would like to ask you to award the contract to our current contractor who's been doing it the last two years. I'll take any questions from there.

President Tornatta: And that contractor is?

Jonathan Weaver: A&S Associates, Chuck Simons. He's in the back. Do you want to wave? There he is.

President Tornatta: Okay. If we're in agreement, if we could have a motion on that.

Commissioner Winnecke: Before we—

President Tornatta: Sure.

Commissioner Winnecke: —if I may? How would you compare the bids, just for—

Jonathan Weaver: A&S's was \$98,000, we had another bid of \$96,600, and then \$94,500, I believe. In those lower bids, there was the potential for additional costs. For example, the \$96,600 bid included, did not include appeals support, and that was an additional \$750 a day. We had a thousand commercial/industrial appeals for seven pay eight. If you do 20 a day, times, you know, divided by a thousand, that's, well you get the point, seven times 750, it's a lot of money.

President Tornatta: Okay.

Commissioner Winnecke: And the other, the third?

Jonathan Weaver: That was a \$600 a day in addition. They did include support, appeals support, but being that we have a good working relationship with A&S, we feel that the \$3,600 difference there, we still think A&S is the lowest responsible, responsive bid.

Commissioner Winnecke: Is A&S, they're bid of, I'm sorry, ninety eight?

Jonathan Weaver: \$98,000.

Commissioner Winnecke: Even?

Jonathan Weaver: Yes.

Commissioner Winnecke: Is that an "all in" number? Or are there additional fees on top of that?

Jonathan Weaver: There's no additional fees. Is that correct? That's correct.

Commissioner Winnecke: Mr. President, I would move that we award the contract to A&S in the amount of \$98,000.

Commissioner Melcher: I'll second the motion.

President Tornatta: A motion and a second. Discussion? From the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Jonathan Weaver: Thank you so much.

President Tornatta: Thank you.

<p>County Assessor: A&S Associates: Trending Services Prosecutor: Forfeiture Certifications Sheriff: ABK Alarms: GPS Offender Monitoring Services Agreement Sheriff: Nextel Cellular Phone Agreement</p>
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Ted C. Ziemer, Jr.: Mr. President, it would be considered slightly out of order, but we do have, here today in your packets, a contract with A&S, which we have prepared in our office in accord with a model contract, specified by the Department of Local Government Finance. It is satisfactory for execution from a legal perspective. It would be for the \$98,000. So, if you wish, you could, at this time, while we're discussing this, approve that contract.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any discussion? From the audience? Roll call vote please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Jonathan Weaver: Thanks again.

President Tornatta: Thank you. Alright, that kind of precluded our contracts, agreements and leases, but that's okay. The County Prosecutor, forfeiture certifications. The Prosecutor's office is required to prepare these agreements and certifications annually related to, relative to receipt, expenditures and balance of federal funds paid to the office in connection with the Evansville-Vanderburgh County Drug Task Force. One certification covers the funds available to the Task Force, the other certification covers the funds available directly to the Prosecutor. What we might do is just take all three of these at one time. The next one is the Sheriff's agreement with ABK Alarms for GPS offender monitoring services. An agreement with ABK for electronic monitoring devices with GPS. The third one is the Sheriff Nextel Sprint agreement for cellular phones. Ted, if you want to talk on that, if you have anything, other than what you sent.

Ted C. Ziemer, Jr.: Well, nothing in addition to what I told you earlier, but I will say that this is a one year agreement, the monthly cost of the agreement is \$2,091.93, of which the Sheriff advises me is less than he is currently paying under the current Nextel agreement. Under the agreement, a number of the hardware items, telephones and so forth will be updated or replaced. So, he's going to get actually better hardware for a lesser monthly amount. Under those circumstances, I understand also that the funds have been appropriated for this by the Vanderburgh County Council. So, all that being the case, we find it satisfactory for execution from a legal perspective.

President Tornatta: Okay, I'll take a motion on all three of these contracts.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion from the Board? From the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Engineer

President Tornatta: Okay, any department head reports? John Stoll?

John Stoll: I've got one item that needs your approval here this evening. It's the street plan approval for section four of Deerfield Subdivision. This is an extension of the existing streets that will run the streets out to tie into Eissler Road. We've reviewed the plans and the consultants have made the changes that we've requested. So, I would recommend that you approve the plans and sign the Mylar.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Tornatta: Thank you, John.

John Stoll: Thanks.

President Tornatta: Okay, short and sweet.

Board Appointments

President Tornatta: Alright, let's go to board appointments. PTABOA, property tax board of appeals. I believe we have two appointments, Aaron Kendall and Donald Gibbs. I would take that in a motion.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

New Business

President Tornatta: Alright, any new business?

Commissioner Melcher: Yes, Mr. President, we have a resolution tonight. It's CO.R-02-09-002, a resolution regarding partial funding of an events center. Ted, were you going to say something on that?

Ted C. Ziemer, Jr.: Yes, to avoid using property tax funds to pay for the contemplated new downtown events center, it's recommended, or will be recommended by a bill in the legislature that a part of the funding for that come from the funds now dedicated to the Vanderburgh Auditorium and Convention Centre from the Evansville Convention and Visitors Bureau, and that the excess of those funds not needed to retire the bonds on the Centre be used to apply toward the funding for the new events center. The resolution further provides that while that excess would be applied in that manner, that would not include the current non-appropriated fund balance, and that that would stay and continue to be applied toward maintenance needs of the Centre. The resolution further provides that the Innkeepers Tax, which was set to expire in the not distant future would be continued for not less than six years, and to delay any reduction in revenue by extending that for up to six years. So, all of that is the proposal of the City Council, I believe has approved that resolution, the Redevelopment, the Evansville Redevelopment Commission has approved that resolution, it will be before the Vanderburgh County Council, and it's here tonight before the Vanderburgh County Commissioners. All that, these are resolutions going to the legislature in support of this partial funding of the events center.

President Tornatta: Do you have a motion?

Commissioner Melcher: Yes, I'll make a motion to approve.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion in the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Okay, under new business, I would like to bring up, we are having ongoing talks with Allied Waste about the debris pick up for those in the county. This is probably the only time that we've had a situation like this has been the tornado in 2005. We're talking with Allied about potentially having either curbside pickup or some type of pick up mechanism to get that debris out of the roadways, off of the side of the roads, and out of one's ditches and what not. I'm sure Mr. Jeffers likes to hear that there will not be debris in ditches. With that being said, the program will not be out for a couple of days, and we won't have the details of that program, but it is something we're working on and having ongoing talks with Allied. So, with that being said, any questions? I did want to mention that we would like to thank law enforcement in Vanderburgh County, our Vanderburgh County Highway Department in whole for all the work they did in this time of emergency. I really think that Vanderburgh County stepped up and worked in great tandem with Evansville to provide the most safety, and the best of what could be in a situation as bad as it was. So, my hats go off to all the hard workers in Vanderburgh County and definitely to law enforcement and all the events coordinators that helped to make it as passable as possible, and that went to help out with all the people in Vanderburgh County. I don't know if anybody else has anything to say, but I do appreciate all the work from, not only this body, but from others.

Commissioner Winnecke: Yeah, I would concur. I made it out to the County Garage one day, and I can tell you that was one hard working group of folks. I do appreciate what they did, as well as law enforcement, not only in the county, but in the city as well.

Commissioner Melcher: I did get some phone calls about how good we were doing in the county and that. In fact, one person told me drive down Oak Hill, you can see the line difference between the city's and the county's. So, we must have did a pretty good job out there, considering the stress all of our people were on. So, we do need to thank the Sheriff's Department and the Highway Department for working around the clock and working this past weekend. I understand the city didn't work this past weekend, but we did in the county. So, thank you.

President Tornatta: And, so, just for an update, we are in talks with Homeland Security about what our State of Emergency process has done for us as far as any type of reimbursements. We're not real sure we do qualify in the reimbursable portion of those dollars. We have to meet a threshold, and that threshold has to be met also at the state level to require those federal fundings. So, we are talking at this time about what that would require. Hopefully, we will be getting some assets back and some resources back to replenish what we spent. So, we are in ongoing talks about just that.

Old Business

President Tornatta: Alright, any old business? I believe we have an approval of an additional ten million dollars in earthquake coverage. We talked last week to ONB, Dennis Feldhaus, and he told us what that contract would be. Ted, did you get a contract on that?

Ted C. Ziemer, Jr.: I did not.

President Tornatta: Okay. Bill, did you get knowledge on that?

Bill Fluty: I worked with Dennis on the numbers. I guess, last week you were concerned if we had the extra \$23,000 to up the ten million. I said that I would go forward, and we do have that \$23,000 if you would like to. I think, really, you okayed everything last week, with the exception of the \$23,000, depending on funding, which we do have.

President Tornatta: Okay.

Bill Fluty: So, I think that's all that's left to do.

President Tornatta: I guess, it comes to this Board. Is it the feel of this Board that we would like to take advantage of the ten million dollars in extra coverage?

Commissioner Winnecke: Mr. President, I think it's a great idea. I guess, although the folks at ONB Insurance gave us some great information about our coverage versus the city and the school corporation's, we're certainly in much, the county is in much better shape in terms of potential exposure in the event of a catastrophic earthquake. We're still only a third of the way covered. So, I think it's a wise expenditure of an additional \$23,000. Just for the folks at home, we have about \$190 million, I think was the number, in assets, and we're covered to the, this will give us coverage to the tune of about \$76 million. So, I do think it's wise, and I would make a motion that we expend the additional \$23,000 to increase our coverage by ten million dollars.

Commissioner Melcher: And, I agree with that, so I will second the motion.

President Tornatta: A motion and a second. Any questions? Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Public Comment

President Tornatta: Alright, any public comment?

Bill Jeffers: Good afternoon. Bill Jeffers, Vanderburgh County Surveyor. One of my side interests, I'm a member of the Master Gardener's Association here locally, and I get a lot of e-mails from Larry Caplan. I thought this one was a timely e-mail that I would share with you and with the t.v. audience. There's a lot, due to the influx of

descending, or of people descending on the Evansville area to help clear trees damaged by last week's ice storm, City Arborist, Shawn Dickerson, and Larry Caplan, the Purdue horticulturalist have agreed to hold a special tree ordinance compliance seminar, this Friday, February 6th, starting at 6:00 p.m. in the Evansville-Vanderburgh Civic Center, room 301. That's this room. Okay, the concern is that a lot of folks are coming in from all over, there's a company in here from Missouri, there's people in pick-up trucks with ladders, etcetera. You have to remember that it's against the Evansville tree ordinance to prune or remove trees within the city limits of Evansville without a tree trimmers license. That's inside the City of Evansville. That does not apply to people working on their own private property. It does not apply to neighbors coming over and helping people work on their private property, so long as they're not doing it for pay. If you are receiving pay or barter, you must have a license. But, rather than spend time chasing people around to levy \$300 to \$1,000 per incident fines, Shawn Dickerson and Larry Caplan are going to spend their resources on this seminar Friday to give everyone who happens to be in town trimming trees without a license the opportunity to acquire a license by going to this class and then acquiring a license. To residents, just be sure that the person that you have working for you for pay is licensed. Make sure that they're insured, so that anything that happens on your property, their liability covers any accidents. Then, keep in mind that a lot of these trees and the limbs are still in a bind, they're not all the way off the trees. So, if you're cutting them yourself, they can spring back and injure you. Please know what you're doing, and if you have any questions whatsoever, call the Purdue Extension office, 435-5287, or call Shawn Dickerson at the Urban Forestry office, 475-1426. Please be safe and follow these two guys professional advice. Thank you.

President Tornatta: Thank you, Bill.

Consent Items

President Tornatta: Okay, Madelyn, if you'll read our consent items, please.

Madelyn Grayson: The consent items for the February 3, 2009 Commission meeting are as follows; approval of the January 27, 2009 Commission meeting minutes, employment changes from the various offices, travel requests, there's one for the Health Department and one for the County Clerk; the County Engineer, approve pay request number 71 for Burkhardt-Green River TIF projects in the amount of \$592,466.29; the Commissioners, Herschelman eminent domain settlement; the County Clerk, monthly report for December 2008; a request to transfer 61 surplus computers to the City of Evansville; the Sheriff's request to hold auction; the Commissioners approval of an agreement making technical changes to a collective bargaining agreement between the County and the Teamsters on behalf of the confinement officers and civilians originally approved on December 16, 2008 and having an effective date of 1/1/09; and department head reports from the County Engineer and the County Highway.

President Tornatta: Okay, before we get something, I would like to, Sheriff, do you know if this, were you supposed to be in that 61? Do you know? Surplus computers?

Eric Williams: The only thing I know, Sheriff, Eric Williams. The only thing I know is John Staples from MRC—

President Tornatta: Right.

Eric Williams: –sent a message yesterday asking if any county offices still needed any of the surplus computers, prior to them being surplus to the city. I responded saying that we would take up to 30 of them, if they were going to be made available to us, because that's what we've been operating on for the last two years. So, I don't know.

President Tornatta: Okay, let me amend that request to say 61, after, well, I don't know how many we started with, do you?

Marissa Nichoalds: 67.

President Tornatta: 67? Okay.

Marissa Nichoalds: (Inaudible. Not at microphone.)

President Tornatta: Okay, I would probably like to make sure that the Sheriff's Department got his. So, at this point we would probably just move that to 31 surplus computers to the city, at this time. If there's any more, or if they have already accounted for those, then we'll approve up to 61.

Commissioner Melcher: Let's just approve up to 61, and that way the Sheriff could get them–

President Tornatta: Okay.

Commissioner Melcher: –and then that way 30 still covers it.

President Tornatta: We'll approve up to 61 of the ones that are needed.

Commissioner Winnecke: But, just to be clear, the Sheriff has the first option on 30.

Commissioner Melcher: Right.

President Tornatta: Right.

Commissioner Winnecke: 30 computers of this surplus. That's the intent, right?

President Tornatta: Correct. We need a motion.

Commissioner Melcher: Bill.

Bill Jeffers: I'm sorry to interrupt. I just got that e-mail either yesterday or the day before. I guess it was yesterday, and it said that we were, we had until Friday to reply if we wanted a computer. Did I read that incorrectly? I might have read that incorrectly, but I know that Chief Deputy, Linda Freeman was wanting at least one to replace a computer in our office.

President Tornatta: I tell you what, we're going to give them up to 61, with the caveat that the county still has the right to take any of those.

Bill Jeffers: Okay. Thank you.

President Tornatta: Okay. Motion to, I need a motion.

Commissioner Melcher: So moved.

Commissioner Winnecke: With the amendment?

President Tornatta: With the amended, on the computers.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: And we need a motion to adjourn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

(The meeting was adjourned at 5:32 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the January 27, 2009 Commission Meeting Minutes.

Approval of Herschelman Eminent Domain Settlement Agreement.

Request to Transfer Up to 61 Surplus Computers to the City of Evansville.

Sheriff Request to Hold Auction.

Technical Change to Confinement Officer/Civilian CBA with Teamsters.

Employment Changes: Sheriff's Office (1)

Travel Requests: Health Dept. (1) County Clerk (1)

County Engineer: Pay Request No. 71: Green River-Burkhardt TIF Projects.

County Clerk: Monthly Report: December 2008.

Department Head Reports: County Engineer County Highway

Those in Attendance:

Troy Tornatta
Bill Fluty
Lauren Bathauer
Anne Topper
John Stoll
Members of Media

Stephen Melcher
Ted C. Ziemer, Jr.
Parri Black
Jonathan Weaver
Bill Jeffers

Lloyd Winnecke
Madelyn Grayson
Carol Lynch
Eric Williams
Others Unidentified

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
FEBRUARY 17, 2009**

The Vanderburgh County Board of Commissioners met in session this 17th day of February, 2009 at 5:03 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good evening. We're going to commence to start the agenda of the Board of Commissioners, February 17, 2009, room 301. We'll call the roll of attendance please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Patchwork Central

President Tornatta: To lead us in our pledge of allegiance is Amy Rich from Patchwork Central.

(The Pledge of Allegiance was given.)

President Tornatta: Amy?

Amy Rich: My name is Amy Rich, and I am the—

Commissioner Melcher: The microphone.

Amy Rich: My name is Amy Rich, and I'm one of the two co-directors of Patchwork Central. The other director is my husband, John. Patchwork is a small, non-profit organization at the corner of Washington Avenue and Sixth Street. We serve the community that surrounds our building. We have a variety of community services, we have a food pantry and we have after school children's programs, of which Alissa Powers who led the pledge is one of the participants, and Paula Adams is one of our staff members who leads all of the young adults leadership activities. We also have a bicycle program that provides bicycles, in coordination with Aurora, to homeless and low income individuals who need transportation. We also are just a building and a place that people can come if they need a warm place to come and have a cup of coffee and talk to people and get some referrals to other organizations. So, that's a little bit about Patchwork. We have a fundraiser coming up next week on February 26th, and it's a soup, salad and style show. It starts at 11:30 and goes until 1:00, and tickets are \$35 a person, and a table of eight is \$250.

President Tornatta: And where is it located?

Amy Rich: We're at 100 Washington Avenue.

President Tornatta: No, the style show.

Amy Rich: The style show—

President Tornatta: The same place?

Amy Rich: Yeah, that's at Patchwork.

President Tornatta: Okay.

Amy Rich: So, it's a whole lunch, and it's a good event, and everyone who comes gets a free piece of art, because a lot of what we do at Patchwork is art related.

President Tornatta: Okay, and who do you have with you today?

Amy Rich: I've got Alissa Powers who is a youth in our program, and Paula Adams who is a staff member.

President Tornatta: Well, thanks for coming.

Amy Rich: Sure, thanks for inviting us.

President Tornatta: Absolutely. I hope everything is successful.

Amy Rich: Thanks.

<p>Permission to Open Quotes: VC09-02-01: Mohr Road Bridge #1381 Repair</p>
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President Tornatta: Alright, permission to open VC.09-02-01, Mohr Road Bridge number 1381 repair.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**First and Final Reading of Ordinance CO.02-09-005:
Ordinance Amending Meeting Ordinance Regarding Rezoning Meetings**

President Tornatta: Alright, starting our action items. First and final reading, CO.02-09-005, an ordinance amending meeting ordinance regarding rezoning meetings. An ordinance which will have the effect of amending section 2.04.020, the Commissioners meeting, to change the dates of Commissioners meetings when rezoning petitions will be heard as set forth therein. What we'll be asking for is a motion to waive the second reading.

Commissioner Winnecke: Mr. President, just for clarification, this vote amends our previous ordinance which will allow this body a little more time to study the results of the recommendations from the Area Plan Commission. At this point, I would make a motion that we waive the second reading.

Commissioner Melcher: I would second that motion.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Now, I need a motion to approve the ordinance.

Commissioner Melcher: I make a motion to approve.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion?

Commissioner Melcher: Yeah, I would just like to say, I think this will give us more time to work with a, when I came off City Council we did a lot of rezonings in 17 years, and you have to have the time frame that comes out of Area Plan, and we didn't have that. So, now this gives us some time in between. The City Council had to do the same thing. So, you just can't have a meeting one night, plus we're paying overtime to have the minutes done. Isn't that right?

Janet Greenwell: Well, sort of.

Commissioner Melcher: Most of the time. So, we're saving money and we're going to have more time to help the people. So, I'm for that.

President Tornatta: I think it's a great idea, and thanks for both Commissioners for bringing this to the Commission's attention. A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Second and Final Reading of Ordinance CO.02-09-004: Amending the Ordinance for Permits for Street Solicitation</p>
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President Tornatta: The second and final reading of CO.02-09-004, street solicitation ordinance. An amendment to the ordinance to require that charitable organizations apply for permits to be based in, on and have an office or a chapter in Vanderburgh County on a contiguous, in a contiguous Indiana county. I think I botched that whole thing. Anyway, street solicitation for charitable organizations to apply for permits. A motion for approval.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion?

Commissioner Winnecke: I would just, for the point of clarification, this is to ensure that folks are not trying to raise money on our street corners for charitable purposes that do not remain in this area. It's happened a couple of times recently, and kudos to Sheriff Williams for bringing this to our attention.

President Tornatta: Roll call vote, please.

Commissioner Melcher: Is there anybody in the public that might have something to say? Okay.

President Tornatta: Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Storm Debris Removal Plan

President Tornatta: Alright, we have our storm removal, storm debris removal plan from the ice storm. Todd? Todd Chamberlain is with Allied and will go over the plan that was negotiated for the city and the county.

Todd Chamberlain: Good evening, ladies and gentlemen. Again, I'm Todd Chamberlain, the division sales manager with Allied Waste here in Evansville. Over the past few days I've been in some conversations, reviewing some information that I've provided in a proposed plan to extend the city's program for curbside collection of the storm debris, ice generated from our most recent storm event. We're currently operating this program in an identical form within the city limits. We are proposing for your consideration to extend that into the county. With that we would adhere to the same criteria of collection, four feet in length, six inches in diameter, collected curbside, giving the residents of the county the opportunity to rid their properties of storm debris that is a result of the recent storms. This, everything that we are doing is in compliance with FEMA standards and regulations and process, as we understand them today. In fact, I checked, just yesterday I checked with FEMA, in fact, and reviewed some of that process. In fact, they seemed, they agreed that our estimates seem to be in line with county, as well as city. With that, I would ask that your consideration be given to this proposal. Are there any questions that I could answer.

President Tornatta: Yeah, Todd, if you would please, go over how the gridding would work, as far as extending the city to the county? Then, also, if you could, talk about potential, the turnkey to go out at the Burdette Park site and the Busler site just north of the 4-H Center and how that would comply?

Todd Chamberlain: Sure. Specifically, the county has been set up, we have taken the county property and grid it into eleven areas, of which I have a map that I would like to present for your review, following my presentation. Then, I would like to ask some questions and get some assistance from you to ensure that this meets with your approval in terms of grid area, and also ask, I believe there's a possibility there's a GIS system that this might even be able to be loaded into, that then we could put that out to the public in the most efficient manner. Whether that's through the media, or through other sources. But, what we would do is we would target, just as we've done within the city limits, a particular grid area, and then that notification would go out to the residents through normal and standard media outlets, where there would be a specific date in which our crews would be in the area collecting that debris that is in the specifications that we've set forth. That would then follow sequentially through those 11 grids. We would estimate that it would take about a week to a week and a half to get this done. I mean, obviously, there's 11 grids, if, in an ideal situation we had two days per grid, there's your period of time in which the work could be completed. These are based on our estimates of what we see in the field. So, far we're doing the work in the city, and the volume is very heavy, but that's to be expected. What you see on the curbside, one of the challenges is you don't see what's behind in the backyard that also was there that they haven't brought to

the curb. So, our estimates seem to be in line though. What we're seeing over the first two days of the debris seem to be in line, so, I'm confident of that. One way that I know has been considered in looking at citing two county collection debris sites where residents, as I understand it, could bring the material to those sites themselves, if they so desired. If that's the county's wish to set that up, that's an option and certainly we would not stand in the way of that at all. What we're looking at doing is providing a curbside option for the residents. That material, once it's collected at those collection points, which I believe are Burdette Park and the Busler's site, the old Busler's site on 41, once that material is collected there, a number of things could be done with it. It could be taken into Laubscher Meadows landfill after it's processed and ground. It could be mixed with soil to extend soil conservation. We could do that, but at this point I think there are other options that the county may want to look at in terms of that material. That would certainly be up to your discretion. And, whether we haul it or it's hauled or managed by you, that's at your discretion.

President Tornatta: If that was managed by you, could that be plugged into the program?

Todd Chamberlain: Are you asking could we manage those sites?

President Tornatta: Uh-huh.

Todd Chamberlain: Are you asking us then to also grind the material?

President Tornatta: Probably.

Todd Chamberlain: Are you looking from an oversight—

President Tornatta: Probably a turnkey for everything as an option.

Todd Chamberlain: Okay. We could do that. We would need to do some review on those particular two sites, as we've sited our initial site at Roberts Stadium, but certainly could do that over the next day. Just to verify the equipment could be set up, minimal damage and issue to, you know, siting that, making sure that drainage is proper, so that we meet any potential IDEM requirements and restrictions that they may have. But, we could certainly do that over the next couple of days and certainly would be willing to do that.

President Tornatta: Okay.

Commissioner Melcher: I guess, I got a little confused, but at least I think I'm hearing right. So, you're going to set up the grids and you're going to go door-to-door in the county. In other words, in these subdivisions and that? Because that's where I'm starting to get calls, they say, well, I can't take it to a drop off point.

Todd Chamberlain: Sure.

Commissioner Melcher: I just own a small car. I'm 65 years old and I'm going to have a hard time getting it four feet long.

Todd Chamberlain: Right.

Commissioner Melcher: So, what you're saying you're going to do exactly the same thing?

Todd Chamberlain: No, what I'm saying, and I apologize if I was confusing in that point. We will conduct the similar program as we're doing with the city, which is curbside—

Commissioner Melcher: Right.

Todd Chamberlain: —and we will collect material that is in the specification that, if we choose to change the specification it can be done, but the city's program currently calls for four foot sections, less than six inches in diameter. But, if the county so chooses to change that, we can make that adjustment and we can collect as large a material as long as it is curbside. There is a consideration that needs to be taken in relative to potential FEMA reimbursements in that it had to be in the right-of-way. So, again, we're not going on to personal property. That's not our intention. It was never our intention in any of this program. But, to answer your question specifically, we will do a curbside, we will do it at the curbside.

Commissioner Melcher: So, that's the main thing. I don't think that four foot long, I just know that some of them said they are having a hard time with that, but they just can't take it in their truck or their car to Busler's let's say, or whatever. So, you're going to do curbside?

Todd Chamberlain: We're, that is one option that we're offering. If the county so elects to site those two additional collection points, that would be where I would need to do that additional review. I can accommodate that within the program that we have, but I would ask for at least a day to do that.

Ted C. Ziemer, Jr.: Yeah, I would just point out that the contract that you will have before you today provides for only curbside, and sets a set of prices for the curbside, and would not, you know, it would have to be really re-negotiated to accommodate the other sites.

Todd Chamberlain: And we would, irregardless, we would be willing, if you wanted us to start and continue to move forward with the curbside collection, irregardless of those other two sites, we can and do have the ability to do that, under the existing pricing structure that we're presenting tonight.

President Tornatta: Questions?

Commissioner Winnecke: A couple of questions. Todd, talk about, again, the notification process of residents? Again, you said, you estimate a week to a week and a half in terms of total pick up.

Todd Chamberlain: Based on volume.

Commissioner Winnecke: Based on volume?

Todd Chamberlain: Yeah, that's a good estimate. Again, I point out that with the volumes that are there, and with the volumes, once we announce the program, I suspect we're going to see additional volumes that go to the curbside. At this point, I think the county residents are waiting to see what is going to happen. Once that does occur, then I think we're going to see those volumes move out. It's very

important, as we've seen in past history that we communicate to the residents the time frame, give them adequate time to get their materials to the curbside so that we provide the service that is intended, and then also make sure that we can communicate to them that this is the particular day in which we plan to be there, making sure that they have ample time to get their material to the curbside. So, we would just need to make sure that we communicate that properly.

Commissioner Winnecke: Two other questions, assuming we would pass this tonight, when would you anticipate beginning the program in the county?

Todd Chamberlain: That would be at your discretion. We can go to work as quickly as possible. I think the residents are probably asking for that. Logistically we're ready to go. We could do it within a matter of days.

Ted C. Ziemer, Jr.: The contract indicates tomorrow.

Todd Chamberlain: The contract indicates we could go to work as soon as tomorrow. I think that probably prudence would dictate that we give at least a couple, three days, maybe we start Monday. That would give adequate time for the residents. But, again, that's at your discretion. Whatever you guys feel is appropriate there.

Commissioner Winnecke: For clarification purposes based on a private conversation that we had late last week, the price that is negotiated through, by our two bodies, is really based upon the volume of debris that is collected.

Todd Chamberlain: That's correct.

Commissioner Winnecke: And not the number of miles you drive or the number of stops you make?

Todd Chamberlain: It is not.

Commissioner Winnecke: But, just the tonnage?

Todd Chamberlain: It is based on volume, cubic yards, and then, obviously, there's a tonnage element to it, but, once it's reduced down. But, yes, it is not based on drive bys, it's not based on, you know, as a per unit price. We take those things into consideration, obviously, in the costing of the mileage, but that's something that falls upon us.

Ted C. Ziemer, Jr.: Mr. Winnecke, the contract would provide for a higher charge for tonnage, depending on some of the mileage, if you get beyond 60 miles. So, I just wanted to mention that. But, it's not anticipated that any trip would be anywhere outside the (Inaudible).

Todd Chamberlain: Not based on my understanding of the county limits. We're all within that 60 mile radius.

President Tornatta: Okay, before you leave, I'll just call Mike Duckworth up here and talk about what his plans are. Then, if we feel the need to move forward. Mike, we had talked about potentially working out something with Allied to just do a turnkey on both of those operations. Where do we, where are we at in that process?

Mike Duckworth: Well, we are ready to be engaged at Burdette or at Busler's if the contract, or the document that Mr. Ziemer negotiated with Busler's Corporation is approved this evening, which indemnifies them. We're ready to move forward tomorrow, at Burdette Park in the parking lot in front of the pool. Also, at a Busler's location at Old State. We want to make sure it's Old State, not the one out by I-164, so, or 64. So, the, we would have mulchers there, we would collect it and mulch it, and then according to how the Commissioners wanted it to happen, we could transport it to Allied or, I guess, they could pick it up, or Mr. Craig may be able to use some of the mulch in the park. We could offer it to county residents, you know, if they would like it, you know, for conservation or whatever the case may be. So, we're ready to do that, I would just say, if we do that, we're going to have to pull some crews off the road. As you know, we had a number of trees that went across the roadway, and our crews have been busy working those roads, getting the bigger trees and the brush out of the ditches that we had to push aside to clear the roadway. That's been our concentration since the snow has dissipated.

President Tornatta: I guess, that brings us to the question do we keep those crews on the road clearing the debris and getting it out of the road, versus doing a turnkey? Which, as they're working at either one of these sites, they will not be eligible for FEMA funding.

Commissioner Winnecke: Until we're into, actually, we would be eligible, if I recall, eligible for FEMA reimbursement based on the equipment that we use and any overtime of manpower.

Mike Duckworth: That's right.

Commissioner Winnecke: But, anyone's straight time we would not.

Mike Duckworth: That's exactly right. I would say that the schedule that we had orchestrated was starting tomorrow at 8:00 a.m. until 4:00 p.m., Wednesday, Thursday, Friday, and then Saturday 8:00 a.m. to 3:00 p.m. Friday and Saturday would be overtime days, because we're on ten hour days.

President Tornatta: If, and, Todd, if we were to go through this process with you, then it would still be under the FEMA guidelines?

Todd Chamberlain: Absolutely. Everything that we're doing ties exactly with FEMA guidelines as we understand it today. Not only that, but there is something to consider too, and as I'm hearing Mr. Duckworth speak, the material that he is speaking of that may still be in the right-of-way, that would be entirely his responsibility if he continues to work on that area. Our program does not touch that material as it stands right now. So, those resources may be better used, that's obviously at your discretion, but it may be better used to continue to do that work while we may man these sites, if you so want to set the two sites up. Or, the final option, obviously, is if we do that curbside program and that is the program. But, again, totally at your discretion.

Commissioner Winnecke: The challenge we have before us tonight is that—

President Tornatta: Right, we don't have the contract.

Commissioner Winnecke: — we don't have a contract for the turnkey with Allied. However, the county employees are, based on Mr. Duckworth's direction, are ready

to begin tomorrow at two sites. It might be several days before we have an amended contract that allows Allied to do both the curbside pickup and the drop off sites.

Ted C. Ziemer, Jr.: Well we can do that contract pretty quick tomorrow morning, if we have direction as to how the contract, I mean, what you expect.

Todd Chamberlain: And, there are provisions in, I don't mean to interrupt, but there are provisions within the pricing fee schedule that would allow us to do that without re-evaluating anything. We would just need to rewrite paperwork and agree to those terms.

President Tornatta: Well, and that brings me to my next question. If we were to extend the contract with the provisions we've talked about for the two off sites, we could vote on the contract today with the amended language, and then you could write that amended language into the contract and it would be set up as if we had the contract today?

Ted C. Ziemer, Jr.: Yes, you could do that, but you would have to tell me exactly what the terms of the contract are to be that you're going to be approving today, and then I would put exactly that into the agreement that would have been pre-approved and you could sign that.

President Tornatta: Then, Todd, when would you have people out there on those two sites?

Todd Chamberlain: I would estimate that it would take us two days to mobilize those people, just so we would have those sites. The important part is that we can be there, it's just a matter of getting an additional two pieces of grinding equipment, which is, pardon me, go ahead.

Ted C. Ziemer, Jr.: Well, we also have the contract with Busler, and it currently provides that the work on the property will be done Thursday, Friday and Saturday of this week, and that the mulch or other refuse debris will be removed from the Busler property by Saturday, February 28th. Again, all that can be changed, but that means a new agreement with Busler.

President Tornatta: Well, if they had that contract, I mean, I'm sure you could have somebody—

Todd Chamberlain: Yes.

President Tornatta: —do that contract, plus they would have all the debris removed.

Ted C. Ziemer, Jr.: Sure.

Todd Chamberlain: Under the existing provisions of what we have in place right now.

Mike Duckworth: I just want to add, I met with the Busler's representative this morning, and he is agreeable, of course, he is not charging the county. He is just doing this as a public service, and he is agreeable to allowing us to use that property, within reason, when we need it. So, I don't think that would be a problem.

Ted C. Ziemer, Jr.: No, what would be the problem, Mike, is that we have an agreement that says something.

Mike Duckworth: I understand.

Ted C. Ziemer, Jr.: And, we can always change it, but it's not ready tonight.

Mike Duckworth: My point is that he would be agreeable to changes. So, I don't think that would change the location.

President Tornatta: Okay. Steve, did you have a—

Ted C. Ziemer, Jr.: Commissioner Tornatta, if Allied, for example, we want to amend their contract to provide that they're going to do a service that the county employees were going to do, and if they can start doing that tomorrow, we're within the terms of the Busler contract. What it says is, that people aren't going to be allowed to bring debris there with the property unattended. The debris would come between the hours of 8:00 and 4:00 tomorrow, I mean, Wednesday, Thursday and Friday, and 8:00 and 3:00 on Saturday, and that we'll have somebody there to receive it and do the mulching. The people bringing it don't care about the mulching, they just want to come and bring it to somebody. Busler doesn't want it to be unattended while people are bringing trash, or debris to the property.

President Tornatta: Well, I mean, and then if there is an issue, we could man the site for a day. I mean, if that's, if there's an issue with manning the site. I mean, I think we could work that out between Allied and the county.

Todd Chamberlain: Without a doubt. Without a doubt we can accommodate that if that's the direction you so go.

President Tornatta: Okay.

Todd Chamberlain: We can make that work.

President Tornatta: Okay. Steve?

Steve Craig: Steve Craig, Manager of Burdette. A couple of questions that I had about them using Burdette. I have no problem with that, but is this going to be the curbside that they pick up and then bring out there and dump? Or, is this only going to be the people that are bringing it out?

President Tornatta: This would only be for those who maybe have stacked everything in a trailer, and just want to dump that debris out. Or, maybe they don't have a good frontage to be able to dump any information, and they'll go ahead and dump the debris.

Steve Craig: Okay. Well, I had several people call me.

President Tornatta: And this is wood debris. This is not—

Steve Craig: Correct.

President Tornatta: —for all out there, when we say storm debris, this is wood only.

Steve Craig: I had two or three calls today of people wanting the mulch. We need to make a provision that if they come up with a pick up truck that we can fill their pick

up truck full of mulch, or people bring out the limbs and that and want to take the mulch home with them. Is that a problem?

President Tornatta: I don't have a problem. Do we have to have something signed as to, you know, if a stick falls out and scratches their car are we responsible? How have we done that in the past?

Steve Craig: In the past I made them load it by hand. If they wanted to do it, they could get a shovel, pull up to the mulch and load their truck and go on their way.

President Tornatta: Okay.

Steve Craig: It's not a common policy—

President Tornatta: However you want to do it. I think if we have anything that's dealing with loaders or what not that we need to have them sign a waiver or something.

Steve Craig: Okay. That's all the questions I have.

President Tornatta: Okay.

Steve Craig: Thank you.

President Tornatta: Thank you. Any other questions of the Board?

Ted C. Ziemer, Jr.: Well, we know how we can change the contract, depending on what the Commissioners wish.

President Tornatta: Okay. Todd, will you work out, if this is amended, will you work out with Mike if you need those individuals out there at 8:00? Because, I mean, we would have to know that to make sure that we stay on our schedule.

Todd Chamberlain: Just for clarification, right, just for clarification, what you're saying is that tomorrow morning at 8:00, from 8:00 to 4:00 I need to be prepared to man that site with the understanding that I'm collecting material from the county residents only?

President Tornatta: Right.

Commissioner Winnecke: Two sites.

Todd Chamberlain: Two sites.

Commissioner Melcher: Two sites, correct.

Todd Chamberlain: That would be Burdette Park and the Busler's location.

Mike Duckworth: The Busler's at Old State.

President Tornatta: Old State, the Busler's at Old State—

Todd Chamberlain: Right.

President Tornatta: –and Burdette Park.

Todd Chamberlain: I can work that out with Duckworth.

President Tornatta: Then, would we, how long would you keep the mulched material on the ground before you would ship it out? Because we are talking about, especially at Burdette Park, and, Steve, this is something I don't know if you want to keep it for a period of time, but, I mean, we have to have some understanding so we get that material off the dock.

Todd Chamberlain: The only answers that I can specifically give you are relative to landfill requirements and permitting. So, they would not be applicable to these two sites. I would think that, and this is my own speculation based on what I know, you probably could set that material there for a week before you would have to have final disposition on it before anybody would start asking any questions. That's again, my opinion.

President Tornatta: Well, I guess, what I'm saying is we would, at some point I'm sure, especially on the Busler's site, if there was material left that was not taken away, we would want that–

Todd Chamberlain: You would want that disposed of.

President Tornatta: –scooped out.

Todd Chamberlain: Scooped up and moved.

President Tornatta: Yes.

Todd Chamberlain: Yes, it would be managed just the same way we would manage at the same temporary disposal site at Roberts Stadium.

Commissioner Melcher: Right.

Todd Chamberlain: We're doing that now. We're just, what I think I'm understanding you to say is, do this same process, only do it for a specific period of time giving the county residents an option to bring their own under the same costing, the same fee schedule, just, you're just calling it two different locations.

President Tornatta: Right, but they could also–

Todd Chamberlain: Can they take it?

President Tornatta: That's what I'm saying about the taking away of the mulch.

Todd Chamberlain: Yeah, if you want to come up and load the stuff up with your own labor and resource, that's certainly up to you.

President Tornatta: So, we're on the same plain.

Todd Chamberlain: I think so.

President Tornatta: Questions of the Board?

Commissioner Winnecke: No.

Commissioner Melcher: No. I like the idea of amending it.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: Great. Tell me how you want it amended.

Commissioner Melcher: I thought you just said you had that worked out.

Ted C. Ziemer, Jr.: Well, I just need to know what your understanding is. I have it worked out with him how we can do it, but I want to know—

Commissioner Winnecke: Mr. Chairman, I would move at this time that we enter into an agreement with Allied Waste to proceed with the previously proposed curbside pick up and add the additional two pick up points at Burdette Park and the Busler's at 41 and Old State Road—

Todd Chamberlain: Old State Road.

Commissioner Winnecke: —for the option of county residents to bring their debris beginning tomorrow, the 18th of February, the 19th and the 20th from 8:00 to 4:00, and again on Saturday from 8:00 to 3:00, all of which would be manned by Allied.

Ted C. Ziemer, Jr.: And, if you would, add to that to authorize the President of the Commissioners to sign that agreement tomorrow, after we have it prepared.

Commissioner Winnecke: And, I would include in my motion to authorize the President to sign the contract after it's prepared.

Commissioner Melcher: I'll second it.

President Tornatta: Does lunch come with that? Alright, a motion and a second.

Commissioner Melcher: Sawdust does.

President Tornatta: Sawdust, okay. Alright, any other questions of the Board, or in the audience? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you guys. Appreciate it.

Commissioner Winnecke: Troy?

Ted C. Ziemer, Jr.: Todd, if you would call me in the morning when you get in. I get in about 6:00, I don't know what time you do, but I'll be there.

Todd Chamberlain: I'll call you at 5:30.

Ted C. Ziemer, Jr.: Okay.

Commissioner Winnecke: Hey, Todd? Todd, one last thing also, if you could work, once you get the grid notification schedule out, if you could work with Marissa in the Commissioners office—

Todd Chamberlain: Marissa? Okay.

Commissioner Winnecke: —to make sure that the communication flow is what it should be?

Todd Chamberlain: The standard number into the Commissioners office?

Commissioner Winnecke: Yes.

Todd Chamberlain: Marissa? Okay. I will do so.

Commissioner Winnecke: Thanks, Todd.

Todd Chamberlain: Thank you.

Commissioner Melcher: Thank you.

<p>Request for Extension of Payment of Back Taxes: 1513 Florence, 1108 Read Street, 1332 Keller & 1119 Uhlhorn</p>

President Tornatta: Request for extensions of payment of back taxes. Number one is 1513 Florence, number two, 1108 Read Street, number three, 1332 Keller, and number four, 1119 Uhlhorn. What we have, and what we have done for a short period of time is to allow people in tough economic times to catch up on any of their back taxes that have requested the potential to catch up on those taxes. That was done until March 1, 2009. However, there has been a request to extend that date on to other potential dates. It has been the opinion of our counsel that there is a drop dead date, however, I leave it up to the Board to have discussion on that drop dead date, and if those extensions should be levied.

Ted C. Ziemer, Jr.: Just a comment, on behalf of the County Attorney, any extensions that you grant beyond March the 1st, which is consistently what you have done up to this time, will be setting a precedent. I don't know how many people will call in and ask to have their taxes further extended beyond that date. When we get to the drop dead date, we wouldn't be able to auction those properties in 2009, because we couldn't get them on the schedule and get title in the county. Our recommendation would be that you stick with March 1, 2009.

President Tornatta: Any questions of the Board?

Commissioner Winnecke: No questions. I would move that we vote to extend the 1513 Florence, 1108 Read, 1332 Keller and 1119 Uhlhorn, to those property tax owners to March 1st to pay their taxes, back taxes.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. The one comment I will have is that I think this Board has been very understanding in allowing people to take care of some issues that they might not have been able to take care of in certain hard times. However, keep in mind that there is a majority of the folks in Vanderburgh County that have been able to take care of those issues in a proper amount of time, and I would not want to penalize them as well. So, I will accept this myself, and appreciate the Board's willingness to work till March 1st, but past that, I think, we're not doing a service to the rest of the citizens. So, without any other questions, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**DADS: Contract for Translating Services: Jenbien Tsai
Long & Mathies: Indiana General Assembly Lobbying Agreement (Denied)
Phillips & Phillips State GA & Executive Lobbying Agreement
Barnes & Thornburg: Federal Lobbying Agreement
Busler Enterprises: Agreement for Temporary Use of Real Estate
Allied Waste: Storm Debris Agreement
Sheriff: 2009 Community Corrections Contract
Sheriff: 2009 Compensation Agreement
Sheriff: Sprint Cell Phone Agreement
EMA: Homeland Security Sub-Grant Agreement: Training Expenses**

President Tornatta: Alright, contracts, agreements and leases. Drug and Alcohol Deferral contract for translating services. Can I have a motion?

Commissioner Melcher: I'll make a motion to accept.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any questions? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Number two, Commissioners Long and Mathies engagement letter for lobbying before the Indiana General Assembly.

Commissioner Winnecke: Mr. President?

President Tornatta: Yep.

Commissioner Winnecke: I don't know what the right, the correct protocol here is, but I would like some discussion on this.

President Tornatta: Okay.

Commissioner Winnecke: On just, a general discussion on lobbying before we bring any of these three, the next three issues to a vote. So, I don't know how you want to proceed with that as a caveat.

President Tornatta: Well, in the past years, the, Vanderburgh County has just, I think probably, Ted, since 2004 maybe?

Ted C. Ziemer, Jr.: Yes.

President Tornatta: Since 2004, Vanderburgh County has selected to have a lobbyist, or lobbyists that will actually go and look at business for the county, look at potential grants, look at potential opportunities for the county to bring back some money from the State legislature and then in some cases the federal government. They have alerted us to many grants that we can apply for, that we had not known about in the past, and also worked with other of our offices to get them with grants and to apply for grants that were otherwise not applied for in the past. These groups also handle issues in the General Assembly and issues with the Governor, the federal government, the Senate and the Congress to try and get us favor, as you would expect a lobbyist to do. Our intention this year was to bring back the cost of our lobbying fees, and to actually try to get our best bang for our buck with these individuals and use them in such a way that was advantageous for Vanderburgh County. As opposed to going with one, we have elected, at this point, to go with three different lobbyists. We have, it looks like we have brought the totals of those lobbying fees down quite a bit, and we have an opportunity to, obviously, test the waters and make sure that we get our best bang for our buck in the county.

Commissioner Winnecke: I guess, I'm not, I guess, I don't, I'm not entirely comfortable today going in the direction of breaking up, in the case of the State lobbying effort, into two firms, neither of whom I know anything about. Which is maybe neither here nor there, but, I guess, I don't understand why we need two lobbyists at the State level.

President Tornatta: Well, you have to have, and Ted can tell you, you have to have an executive lobbyist and a legislative lobbyist. They have to all be on a, for lack of other terms, a list, a lobbyist list, so those entities know and can quantify who's lobbying with them.

Commissioner Winnecke: But, one, what you're saying is one of these agencies could not do both?

President Tornatta: Potentially, it's just where their expertise is.

Ted C. Ziemer, Jr.: Excuse me, just to clarify, you have to have a separate contract with a lobbyist to do executive lobbying at the state level, you have to have a separate contract with a lobbyist to do general assembly lobbying at the state level, you have to have a separate contract with a lobbyist to do federal lobbying. One firm could do all three of those things under three separate contracts. Or, three firms could do each of those things under three separate contracts.

Commissioner Winnecke: I understand. What's the area of expertise of each of these?

President Tornatta: Well, we're going over the Long and Mathies engagement. Long and Mathies would be more General Assembly. The Phillips and Phillips would be General Assembly and executive, but they would handle the executive part, but we listed them as General Assembly as well. Then, the Barnes and Thornburg would be the federal lobbyist.

Commissioner Winnecke: But, in terms of the state lobbying team that we're looking at today, do Long and Mathies have an expertise that's different from Phillips and Phillips when it comes to lobbying the General Assembly?

President Tornatta: Well, I guess, Phillips and Phillips we could just have them do the executive branch, but for the same amount that we have, they would do the executive and the General Assembly lobbying on kind of taking care of one half, and then Long and Mathies would take care of the other half, still saving us money from where we were last year by a third.

Commissioner Winnecke: Then, what is, I have the contracts here somewhere, what is their obligation to the county to report progress made on specific lobbying efforts on our behalf?

President Tornatta: They, in the past I think we, Ted, I'm not real sure, but I think we had a monthly report?

Ted C. Ziemer, Jr.: That's what we've done. They'll report as frequently as we ask them to. They're required to file, to prepare for the county to file a lobbyist report twice annually, at each level, executive, General Assembly, and federal. So, those reports are prepared and submitted to the county to review, sign and then to get filed with the lobbying commission. But, generally we've had them report in addition on specific projects that the county might be interested in, and they would do that whenever the county asks for them.

Commissioner Winnecke: Okay. Then, typically, because two of us are new Commissioners here, how often do the lobbyists meet with the Commissioners?

President Tornatta: They would meet effectively anytime that you ask them to, within a, obviously, they have a session to lobby, so, if we needed them now, we would get them on the phone and have a conference call. If we thought that they were, you know, if we were off session, then they would meet us in person.

Commissioner Melcher: Who was the one we had last year? Wasn't it Barnes and Thornburg that we had phone calls, conversations with?

President Tornatta: Correct.

Commissioner Melcher: Were they the General Assembly too?

President Tornatta: They did all three.

Commissioner Melcher: Okay. I'm still trying to understand the difference between two and three. We're paying one group to do part of what we're asking the second group to do, or vice versa.

President Tornatta: Well, one is General Assembly, one is doing the executive.

Commissioner Melcher: Right, but then it also says for the General Assembly.

President Tornatta: But, for the same fee they will also do executive and General Assembly, knowing that they are not going to do the entire General Assembly. If that makes sense.

Commissioner Melcher: Well, would it be cheaper if they did both?

President Tornatta: It would not. It would not. All those fees have been negotiated to the bottom dollar.

Commissioner Melcher: So, we're going to have duplication?

President Tornatta: If they produce, is that all that bad?

Commissioner Melcher: Well, I'm just wondering, if somebody calls me and says which one of these, which one are you going for? This one's saying this and this is saying that, how do I answer that?

President Tornatta: Well, you have their phone number and you would just call them.

Commissioner Melcher: Okay.

President Tornatta: Any other questions?

Commissioner Winnecke: I have a question, I'm not sure quite how to phrase it. Again, based on your experience, because Steve and I are each new at this, I mean, the legislative session is, what can they do for us now? These fees, we're paying, I think one of them, one of the contracts begins today, if executed, the other begins, began in January, but are the fees, do the fees reflect no work from January till the middle of February?

President Tornatta: No. In fact, they have, the one thing that we do see is they have stayed with the General Assembly since January. So, all of their knowledge of what's

going on and tracking bills and then able to bring those bills to Vanderburgh County's interests, have been siphoned down to the point to where they can prepare it and lay those bills out, and how they affect us. That's the work that they do. That started January 1 when the session, right before the session started.

Ted C. Ziemer, Jr.: Commissioner Winnecke, what the state lobbyists are essentially agreeing to do is to lobby the 2009 legislature for the Commissioners for the entire year at, in the case of Long and Mathies \$1,000 a month, in the case of Phillips and Phillips at \$500 a month, part of it for executive and the other part for General Assembly. Then, on the federal level, Barnes and Thornburg has done nothing at the federal level until February, so, they are charging us only February through December.

Commissioner Winnecke: Right.

President Tornatta: Still the same, they have, obviously, as we had a meeting with them, they have been working for us, as we speak, to make sure that they're staying up if we need to go through with this.

Commissioner Winnecke: Okay.

Ted C. Ziemer, Jr.: That's not to say that they're working for us under a contract before we voted on a contract.

President Tornatta: Right.

Ted C. Ziemer, Jr.: But, they understand that they are going to lobby for the county for federal legislation for 2009, if the contract gets signed. If the contract is not signed, on any of these, they will not receive anything from the county, regardless of whether they've done anything or not, because they're not authorized to do anything for a fee until the contracts are signed.

President Tornatta: Normally these contracts are signed either the first meeting in January, or a meeting before January, depending on what the administration situation is. As I've, we've seen in this document, if you've reviewed any of the prior meetings minutes from other administrations, we have almost a 50 percent savings on the lobbyists we have this year. And, we're going to keep track of what work they do, and if we're not satisfied with that, then I say we make a change in subsequent years. Any other questions. The first one would be Long and Mathies engagement letter lobbying before the Indiana General Assembly. Is there a motion? Okay, the second one, Commissioners, State General Assembly, State Executive lobbying agreement, Phillips and Phillips.

Commissioner Melcher: I'll make the motion for that one.

President Tornatta: I'll make a second. A motion and a second. Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1. Commissioner Winnecke opposed.)

President Tornatta: The next one federal lobbying agreement with Barnes and Thornburg.

Ted C. Ziemer, Jr.: Excuse me, there are two agreements with Phillips and Phillips. Did you do both?

President Tornatta: Okay.

Ted C. Ziemer, Jr.: One is for executive, and one is for legislative.

President Tornatta: Okay, Steve, if you amend your motion to, we can just do them both at one time.

Commissioner Melcher: Okay. I'll amend the motion for both of them.

President Tornatta: That's for State Executive and Legislative, and I'll amend my second to accept that. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1. Commissioner Winnecke opposed.)

President Tornatta: The next one is for Barnes and Thornburg federal lobbying agreement.

Commissioner Melcher: Didn't we already have them before? Didn't we already have them last year?

Commissioner Winnecke: Yes.

President Tornatta: Uh-huh.

Commissioner Melcher: Okay, I'll make the motion.

President Tornatta: Second. A motion and a second. Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, Commissioners, agreement with Busler Enterprises to use real estate for receipt of and mulching storm refuse. We've discussed all of those terms.

Commissioner Melcher: With that, I'll make the motion.

President Tornatta: And I'll second that. A motion and a second. Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Next, agreement with Allied Waste to pick up storm refuse.

Commissioner Melcher: So moved.

Commissioner Winnecke: This would be the--

Ted C. Ziemer, Jr.: Pardon me, I'm sorry, what you did earlier was vote to accept this agreement with the amendment that I'm going to make to it. So, you've already voted on this agreement. I need to make the amendment, which you've approved and directed me to make, and you're authorized to sign that tomorrow.

President Tornatta: Okay, so, actually we've covered that.

Commissioner Melcher: I just thought we voted to amend it, but maybe I was wrong.

President Tornatta: Okay, that's fine. That's fine. We voted.

Ted C. Ziemer, Jr.: You voted on the whole package, as I understand it.

President Tornatta: We're moving through, Sheriff, 2009 Community Corrections contract. Sheriff, any questions? Okay.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: The next action item, Sheriff, 2009 salary agreement.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Sheriff, cell phone agreement with Sprint/Nextel.

Commissioner Melcher: I'll make the motion.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: The next one, EMA, 2007 Homeland Security Grant Program Sub-Grant Agreement for Statewide exercise program.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: I just wanted to mention that Mr. Greer is here, should there be any questions.

Commissioner Winnecke: Oh, that's right, and I'd asked that.

President Tornatta: Okay, do you need clarification? Sherman?

Commissioner Winnecke: I apologize.

Sherman Greer: Sherman Greer, director of Emergency Management for Evansville-Vanderburgh County.

Commissioner Winnecke: Sherman, I just had a question about sort of the mechanics of how this grant works.

Sherman Greer: Well, it's more or less pushed by the State on the Statewide exercise. They choose the exercise that they will want for District Ten, which we're

part of, or we're the fiscal body for. Whatever the exercise is, we'll be given an assignment to do it. It won't be like last year when we went to Muscatatuck and had to get manpower and everything else out to go. This is going to be more or less a tabletop or a functional type exercise that we would have here in District Ten.

Commissioner Winnecke: Thank you.

Sherman Greer: Anything else?

President Tornatta: It's already voted on, Sherman.

County Attorney

President Tornatta: Alright, department head reports, County Attorney lease agreements with the Evansville-Vanderburgh Airport Authority District and the Vanderburgh County Drug Task Force.

Ted C. Ziemer, Jr.: This is an agreement that was last entered into in 2003 for a three year period, then extended to December 31, 2008. The agreement provides office space for the Vanderburgh County Drug Task Force in the lower level of the airport, with a special entrance that they are allowed to use 24 hour, 24/7. The, this would then be a renewal agreement. It's identical to the agreement that was agreed to in 2003 and extended through 2008, and the rent is the same, \$12,100 per year, \$1,008.33 per month. So, it's entirely satisfactory for execution should the Commissioners decide to do so.

President Tornatta: This would require a motion.

Commissioner Melcher: Yeah, I'm okay, I'll make the motion.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Number two, agreement with radio propagation consultant, Dan Dowdle.

Ted C. Ziemer, Jr.: Right, and this is an agreement on behalf of Emergency Management and the Indiana Homeland Security for radio propagation services.

Please don't ask me what that is, but Sherman Greer is here to answer that. The agreement provides that Mr. Dowdle, who according to Mr. Greer, is the only person, other than somebody in where? California?

Sherman Greer: Texas.

Ted C. Ziemer, Jr.: Texas, who has the capability to perform these propagation services. He'll do it for a total fee of \$9,000, which would be paid on the completion of the services, which will be completed no later than one year from the date of approval. We made some amendments to the agreement to get it to where it is now, and, as it is, we find it satisfactory for approval from a legal perspective.

Sherman Greer: The propagation study is, we received over 360 some thousand dollars for a, to update and enhance our amateur radio systems within District Ten. In fact, we received the bulk of the money for the whole state to do that, within our area, because of the likelihood of an earthquake type situation happening here. Lloyd, you'll probably be more familiar with this, Dan is also, he works commercial to where he sets the, with the program that he has, a specialized program that he has, that he can look at the terrain and everything else so that our repeaters can be set up to where that we can tie all of these radios together. Just like it would be with the television station or anything else. It takes specialized people, or people with specialized training to be able to do that, and the software to be able to do that. So, that's the reason that we sought him out. He came highly recommended. Like I said, the nearest person that we could get to even consider this was in Texas, and that would have cost us a lot more than \$9,000 to have him be doing that for us up here.

Commissioner Winnecke: I move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Sherman.

Sherman Greer: Thank you.

Commissioner Winnecke: Thank you, Sherman.

President Tornatta: While Sherman's here, not to get you too far away, \$1.4 million is what we've realized so far, is that?

Sherman Greer: Well, we've had an adjustment to that today. It's about 1.3.

President Tornatta: Okay.

Sherman Greer: The gentleman who was here from FEMA added one column twice, that knocked it down \$100,000.

President Tornatta: That's okay.

Sherman Greer: But, we're still at 1.3 right now.

President Tornatta: And our threshold is 566?

Sherman Greer: Our threshold for Evansville is \$563,000.

President Tornatta: Okay.

Sherman Greer: Is what our threshold is for—

President Tornatta: And for the state it's eight million?

Sherman Greer: For the state it's eight million dollars. Where we are within that I couldn't give you an idea, as of right now. Evidently we're close or they wouldn't be sending FEMA out to do these assessments—

President Tornatta: Right.

Sherman Greer: —to the counties. The gentleman that's here is doing Gibson County, Posey County, Warrick County and Spencer County and us. So, I think they were in Warrick County today and theirs is about 800,000, but they're not complete yet. So, they're going to be right at that million dollar mark also. There's 16 counties in Southern Indiana that was affected by that ice storm. So, there again, we're just going to see exactly how close we are to getting that. Some of the ones further east of us were hit harder than what we were. So, that's where we are right now.

President Tornatta: Thank you.

Sherman Greer: Still crunching numbers.

President Tornatta: Still crunching. I hear our salt got in. Our salt counted toward our number.

Sherman Greer: As of right now it is, yes.

President Tornatta: This debris pick up would also count?

Sherman Greer: That would count also, yes.

President Tornatta: So, we appreciate it.

Sherman Greer: Thank you.

President Tornatta: Alright. Any new business?

Ted C. Ziemer, Jr.: We have one item under County Attorney and that is the bids. I've opened the bid for the Mohr Road bridge number 1381 repair. There's only one bid from Deig Brothers Construction, and the amount of the bid is \$14,642.

President Tornatta: A motion to take this under advisement?

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Engineer

President Tornatta: Before I go too far, John, do you have a report for us?

John Stoll: I forgot to e-mail this to you earlier today. I just have one item, it's a street acceptance in Section One of Wynnfield Subdivision. Wynnfield is located near the southeast corner of Green River and Kansas. The streets that would be accepted are Wynnfield Drive, that's 1,032 feet; 405 feet of Ashworth Drive; 1,384 feet of Hartwell Drive; 131 feet of Preston Drive; and 198 feet of Tacoma Drive. It's recommended that these streets be accepted for maintenance.

President Tornatta: Alright. A motion for acceptance.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

New Business

President Tornatta: John, we, while you're here, we were reviewing possibly the road hearings on March 4th.

John Stoll: Okay.

President Tornatta: I can explain it, or you can explain it. What type of things do you look for in road hearings, and what are you bringing to the road hearings on a normal basis?

John Stoll: Typically we've brought in a Power Point presentation to show on-going major county projects, as well as road repairs that the county has completed, whether it's been through contract repairs through my office, or whether it was in-house repairs done through Mike Duckworth's department. Then we take input from the residents and have them tell us what roads they think need to be repaired, in addition to whatever we might have compiled throughout the course of the last year. I know we've been maintaining a list of concrete street repairs that weren't funded last year that we've carried over to this year. I'm sure we won't have all of the bad streets. So, we'll welcome any input from any residents at the hearing, or if they call the office right now we could add it to the list. Unlike past years where we've just kept talking about projects like Green River that were upcoming, we can actually show pictures showing that the projects have made it to construction now. The same with Cross Pointe, the same with Baseline. So, in a nutshell, it's just what we're working on and what the residents want us to look at for the upcoming year.

President Tornatta: For the first year, what's proposed is to do this on the Wednesday night of the 4th, at 6:00, March 4th, and to do this in a one time setting where we have one room, full of everybody explaining those projects, and then have break out rooms with the Commissioners in their district to be able to go over any of those plans, somebody from your office and somebody from the Highway Garage, whether it's a foreman or the superintendent out there to be able to go over any of the issues that they have in their particular district and show what are the next road projects potentially set up for paving and take those paving reports, bring them back, review those with the Highway Garage, the County Engineer, and then bring them before this Board for approval. Any other questions?

Commissioner Winnecke: Do we need to vote to set that meeting?

President Tornatta: Yeah, we do. Yes, we do.

Commissioner Winnecke: Mr. President, I'll move that we hold our county road hearing on Wednesday, March 4th at –

President Tornatta: The Career and Technical Center.

Commissioner Winnecke: –the Career and Technical Center beginning at 6:00 p.m.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, John.

John Stoll: Thanks.

President Tornatta: Any other new business?

Commissioner Winnecke: Mr. President, I had, this is probably the place to discuss that. The President of the United States signed the stimulus package today. I don't know if this is the meeting where we need to direct Mr. Stoll to present our list of potential projects? Because I haven't heard what the deadline is, but I'm sure it's a pretty short turnaround.

President Tornatta: That is actually part of what he's working with, and will be working with Barnes and Thornburg to get them the list of the federal issues, and to have that signed. Because each of those have to be signed and individually sent to each Congressperson. So, we'll send out three letters, he'll present that to them, and, well, to us for signage, and then sent to each of those offices to their respective person that goes over any of those appropriations. So, that's why we need Barnes and Thornburg on the federal side. On the state side we have to do the same thing and send it to, not only sign it, but get it out to our lobbyists so they can go out and try and get the same attachments done on the state side.

Commissioner Winnecke: And the turnaround time on that is?

President Tornatta: Well, I've been working with our engineer to try and consolidate some of those items so we can present them in an orderly fashion, as opposed to just throwing out projects. Since the two of you are newer to this body, you voted on it in maybe the Council, but you've not seen anything on the county side. So, to be able to qualify and quantify what we're doing, with this moving target, on the federal side and the state side on the stimulus monies, we've been trying to get those on paper.

Commissioner Melcher: I assume this money has been all over the place. So, it's for capital improvement, drainage, like Carpentier Creek and stuff like that?

President Tornatta: Well, we had a little conversation with Senator Bayh last night, and what he is gathering from the President is the approval, and from the administration, is the approvals have to be oriented around business theories. That is, how many jobs does this project bring? How does this project affect other business and other projects along the way? I think that that's very important. With that thought in mind, that's what they're looking for, and that's from the Chiefs of Staff and everybody.

Commissioner Melcher: Is it the same that it has to be shovel ready in 60 days?

President Tornatta: I would say that you have your best opportunities to get the money if it's shovel ready.

Commissioner Melcher: Because we're sitting on the MPO Board, and I've been on it since '92, and it's hard to have things ready in 60 days.

President Tornatta: Yeah.

Commissioner Melcher: We're not getting that much if you look at the figure. I forgot what it was, like six million or something maybe.

Ted C. Ziemer, Jr.: That was the state, wasn't it?

Commissioner Melcher: No, us.

President Tornatta: Well, there's several things that are still up in the air.

Ted C. Ziemer, Jr.: No, I meant that was our portion of the state money. We don't know what the federal will be yet.

Commissioner Melcher: Right, we don't know what the federal is. He went to state, so I stayed on state.

Ted C. Ziemer, Jr.: I'm sorry.

Commissioner Melcher: Okay.

President Tornatta: But, I mean, the state could be as much as 15 million a year. So, I mean, there is, depending on how it comes down, I mean, we could see some different, and that's why, more than ever, we need to make sure that we have people working for us in those areas for which we can't work down here in Vanderburgh County.

Commissioner Winnecke: I understand that, I guess, but my point is I want to clarify what our direction—

President Tornatta: Right.

Commissioner Winnecke: —as in this body's direction is to the County Engineer, who is really sort of the point person, I think, on what we present.

President Tornatta: Let John go over how we've done it in the past.

John Stoll: With the requirement that it sounds like the projects have to be shovel ready, and it also sounds like they are going to mandate that the projects be developed to be in compliance with federal aid procedures, it really restricts what you could do. The only two projects that we really have that meet those two criteria right now would be the Burdette-USI bike path, and the next section of University Parkway. Not knowing what the final regulations might be, some of that could change, but those are really the only two federal aid projects that, I mean, the only two projects that have been developed in federal aid procedures that will come ready for construction within that—

Commissioner Melcher: Aren't these supposed to be projects too that haven't had money already allocated?

John Stoll: The last thing I saw said that, you're correct.

Commissioner Melcher: Right, so it would have to be new projects, ready to go, and that's almost, that's going to be tough.

John Stoll: One of the things I saw on, I think it was INDOT's website, their definition of money allocated to the project was roughly seven weeks before the bid letting that they had actually set the money aside. So, even though we've proceeded with University Parkway, with the bike path on the assumption we're getting federal money, that didn't necessarily mean, at this point, that the money had been officially allocated and obligated. So, there might still be a window of opportunity for those two projects. But, I read those same things, and I was concerned because that shuts you out of about everything if it had to be a totally new project.

Commissioner Melcher: Yeah, and if it has to be driven that's going to ruin the Carpentier Creek deal too, because that's part city and a part county. That's already been planned, it's just a matter of waiting on dollars.

John Stoll: One other option that might be a possibility to make it retroactive to comply with federal regulations might be the First Avenue bridge rehab. In that situation we're not buying any right-of-way, we're not doing any work in the channel, so we wouldn't be stuck with permitting problems, but we would still have to go back and deal with developing an environmental document retroactively, and then still getting it done in the timetables that whatever the stimulus money is going, whatever timetables the money has to be obligated in. I don't know whether that can be pulled off or not. But, from the projects the county currently has going on, those were really the only three that I could come up with that we might have an opportunity on.

President Tornatta: But, we also have an opportunity to bring in business. If there's a business that comes in and we could use those stimulus monies to get that business, depending on what it might be, into this community, we might have an opportunity to do that. That creates jobs. That also creates tax base for our county. So, I think there's several options now with the loosening of the documents that are out there, and with the vote that's already happened on the federal level, that we might be able to take advantage of. So, we'll continue to work, keep in contact with Marissa and John Stoll on any ideas that we have so that we can get those put in a plan, and then we'll kind of go through those in a meeting and be able to come up with that quantitatively.

Commissioner Winnecke: Thanks, John.

President Tornatta: Thank you.

John Stoll: Thanks.

President Tornatta: The next piece of business, just to kind of breeze over real quick. I delivered to the two of you the optional schedule, which would be, which would start actually to be used by our County Garage going eights in certain parts of the year, and going to tens in other parts of the year, mainly revolving around daylight savings time. Mike, if you could come in here and just give us the 10,000 foot view of what we did, and then we can review this until the next meeting, or the next couple of meetings.

Mike Duckworth: What I've provided for you is a schedule that includes from January 1st until the Monday after Good Friday, that we would work eight hour shifts, 40 hours a week. From that point on we would pick up ten hour days, work Monday through Thursday, to capitalize on the daylight. Then that would go until the end of October, and the first Monday in November then we would pick up ten hour, I'm sorry, eight hour shifts again.

President Tornatta: This would not start, if we implemented this, this would not start until November. So, we would keep our tens—

Mike Duckworth: Yes, we're currently on ten hour shifts now, and then in November we would shift to eight hour shifts.

President Tornatta: Then we would pick back up in April?

Mike Duckworth: Yes.

President Tornatta: We had a little discrepancy in the timing. There was a good remedy for that, and if you would kind of go over what was established.

Mike Duckworth: I believe there's about 16 hours and occasionally we have time periods when people in the Civic Center work, or are let off of work, and our people have to work. So, there's some flexibility there to move some hours, but most of the 16 hours would be taken up by individual training that we provide quarterly to our employees, where they would take work sessions home and work on them, and then turn them in, and then we would grade them and make sure that they're compliant.

President Tornatta: And we've talked with Matt Arvay and there is potential that we can have that all drawn up on computers. We're potentially going to get six computers out to the Highway Garage.

Mike Duckworth: Yes, yes.

President Tornatta: They could also work at home, if we get this worked out right.

Mike Duckworth: Sure.

President Tornatta: That would allow them to have training—

Mike Duckworth: It equalizes.

President Tornatta: –and, obviously, with any amount of training it would definitely help on any potential rates and how we are looked at in the community.

Mike Duckworth: Well, and we document that in case there is an accident or something. It gives the county extra protection, I think, that they have been trained in those practices.

President Tornatta: Any other questions on that? Don't need a vote, we're just reviewing.

Commissioner Melcher: But, we're basically okay with the bargaining unit and everybody on this?

Mike Duckworth: Yes, sir.

Commissioner Melcher: This is what most counties are going to, to save money? It seems to work better during the daylight savings time?

Mike Duckworth: I don't have the exact figures, but I believe fuel wise, utility wise and time on task we've seen a big improvement in our, improvement in the amount of work orders that we're able to do during ten hour shifts.

Commissioner Melcher: Okay.

President Tornatta: Alright.

Mike Duckworth: Thank you.

President Tornatta: Thank you. One last piece of new business. Starting last week, Vanderburgh County Commissioners are on Facebook. So, it allows us to use that as a tool to get out any information that we need. Agendas, if you sign up and make us a friend on Facebook, you can collect our agendas, you can possibly pick up any of the, any information that the County Commission has issued. So, be a friend of the Vanderburgh County Commissioners.

Old Business

President Tornatta: Any old business?

**Final Rezoning VC-2-2009: Petitioner: Porterfield Development LLC
Address: 8220 Telephone Road
Request: Change from Ag to R-4
Action: Approved 3-0**

President Tornatta: Public comment?

Commissioner Winnecke: There is a gentleman in the audience.

President Tornatta: Okay.

Les Shively: Mr. President?

President Tornatta: Yeah.

Les Shively: I hate to disrupt your agenda. I'm supposed to be live on the air in 15 minutes. If there's any way that you could go slightly out of order and take up the Porterfield matter, unless there's a problem.

Commissioner Melcher: Yeah, we can do that.

President Tornatta: Alright. If it's okay with the Board, we will move to item number 11, rezonings. Final reading of VC-2-2009, petitioner, Porterfield Development LLC, address 8220 Telephone Road, request change from Ag to R-4. Janet, did I ruin your game?

Janet Greenwell: That's okay.

Les Shively: She's quick on her hands there.

President Tornatta: Okay.

Les Shively: Mr. President—

President Tornatta: Yes.

Les Shively: —and members of the Commission, briefly, this is a request for an R-3 rezoning. This property is adjacent to Centerra Subdivision, which my client also rezoned and platted as a residential subdivision. This will be a multi-family area that will serve as a buffer between this property, single family, and the E & B Paving property to the east in Warrick County. It received a unanimous vote with one abstention in the Plan Commission. We would ask for approval.

President Tornatta: Okay, Janet?

Janet Greenwell: Just one little correction. It was a request to R-4.

Les Shively: I'm sorry, R-4.

Janet Greenwell: As an extension.

President Tornatta: Ag to R-4?

Janet Greenwell: Ag to R-4.

President Tornatta: Okay, alright. Any remonstrators? Anything else to say, Les?

Les Shively: No, sir.

President Tornatta: Okay.

Commissioner Melcher: I move to approve it.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Les Shively: Thanks.

President Tornatta: I want to make sure you got your hour in. See ya.

Les Shively: Thank you.

**Final Rezoning: VC-3-2009: Petitioner: Ramsey Development Corp of IN
Address: 8530 Middle Mt. Vernon Road
Request: Change from R-1 to R-4 with UDC
Action: Approved 3-0**

President Tornatta: Alright, we're going to continue with the final reading of VC-3-2009, petitioner, Ramsey Development Corporation of Indiana, address, 8530 Middle Mt. Vernon Road, request change from R-1 to R-4 with use and development commitment. Janet?

Janet Greenwell: Good evening, Janet Greenwell with the Area Plan Commission. I apologize, my apologies for getting the packets to you so late. The little item that you took care of on the first of your agenda should fix that problem in the future.

President Tornatta: Okay, super.

Commissioner Melcher: That's the reason why we did that.

Janet Greenwell: Yes, and we thank you for it. Ramsey Development is requesting to rezone their acreage at the northern part of the site at 8530 Middle Mt. Vernon. The Plan Commission voted to recommend it with nine affirmative votes and one abstention. I will say that there was a lot of discussion about the traffic and the infrastructure improvements, and some commitments that West Side Improvement would like to see made with the neighbors in Cherry Hill Subdivision. One thing unique about this petition is that it will also require approval by the Board of Zoning Appeals. Under state statute the Board of Zoning Appeals has the ability to put conditions and restrictions on their approval of special uses and variances. There's already a special use and a variance filed, and it will go before our board after this, if this is approved as a rezoning. So, it was determined not to send them back for a use commitment, that we would defer to our Board of Zoning Appeals to ensure that, and I'm sure Mr. Padgett will be there, that the neighbors are well protected with any commitments on the development of the, the senior development there. I will say, for the record, that the other petition, the C-1 that Ramsey Development had requested, the VC-4-2009, was continued at the request of the petitioner and the recommendation of the Plan Commission for a period of up to a year so that they

can determine a little better, have a little better idea and tie down the use of it before they come and ask for a rezoning.

President Tornatta: Okay. Any remonstrators?

Fred Padget: Shouldn't the petitioner go first?

President Tornatta: I didn't see any. I'm sorry. Is the petitioner out there? Oh, I'm sorry. Okay, I didn't see anybody out there. Come on up if you need to. Thanks, Fred. Do you want to come up here and run this meeting? How are you?

Tim Huber: I'm good. My name is Tim Huber, and I'm with Ramsey Development Corp.--

President Tornatta: Okay.

Tim Huber: --Corporation, out of Tell City, Indiana.

President Tornatta: Alright.

Tim Huber: We've done 33 similar projects in Indiana, Ohio, and Kentucky since 1999. We will buy the property, build the building, and lease it to Trilogy Health Services out of Louisville, Kentucky. Twenty six of our 33 projects are with Trilogy. They've already approved the site, and we're anxious to get it rezoned and get started on construction.

President Tornatta: Anything else? Any questions of the Board? Thank you very much. Fred?

Fred Padget: Mr. President, Commissioners, I'm Fred Padget with the Westside Improvement Association. The reason I wanted to come down and talk with you a little bit tonight, and Janet mentioned the traffic concerns. We met and talked with each of you Commissioners about it in other sessions. As the University Parkway develops, and it will, traffic is going to become a considerable concern for us and for, I think, you also. Once it gets connected to Diamond, which could happen in the next couple years, or maybe three years, that's going to change traffic patterns and put even more traffic onto the Parkway. So, we're very concerned about getting a traffic study done sometime in the reasonable and near future. I know that you've, I think, talked with INDOT and others in trying to get some traffic information. We just want to reinforce the need for that, and if there's anything we can help to do to facilitate it, we would be glad to do that. We're very concerned about traffic out there. The County Engineer and the Director of the MPO and the staff report for this petition also talked about a traffic study and the need for it. The intersection at the Lloyd and the Parkway, of course, originally the county had paid for that, we don't want to see that happen again. We think the state should pick that up, since it's a state route, and we don't think the TIF money should be used for the intersection there. That should be used for other infrastructure needs along the Parkway.

President Tornatta: You don't expect the state to pick up anything on the Parkway, right?

Fred Padget: On the intersection.

President Tornatta: Just the intersection, okay.

Fred Padget: The Parkway, of course, that's not a state road.

President Tornatta: Yet.

Fred Padget: Well, yet, but we feel that any TIF money that is accumulated ought to go towards infrastructure along the Parkway, as opposed to the intersection.

President Tornatta: Right.

Fred Padget: The, it was mentioned that we did want some stronger use and development commitments, particularly in regards to the lighting, noise, shielding the trash receptacles, delivery times and those kinds of things. The petitioners mentioned at the Area Plan Commission meeting that Trilogy pretty much has these outlined and required in the contracts that they have with Trilogy, and we have no reason to disagree with that. So, I think that that satisfies our concern. We would have liked to have had that put in a use and development commitment, but at this point I think we're satisfied with that. Ramsey has a good reputation, and Trilogy also, as far as I can determine. The privacy fence that we wanted to protect the neighbors along Cherry Hill Drive, the petitioner has said that they will ask for that at the BZA, or it will be built into their request from the Board of Zoning Appeals. Overall this is a really good project. We support it. It's a good land use for that particular property. It's a low traffic impact, as best we can determine. Again, we think the petitioner and Trilogy both have good reputations, and the West Side Improvement does support this project. Thank you. If there's any questions, I'll gladly try to answer them.

President Tornatta: Questions of the Board?

Commissioner Melcher: No. Thanks, Fred.

Fred Padget: Thank you.

President Tornatta: Thank you, Fred. Any other remonstrators to the project?

Commissioner Melcher: I'll move for do pass.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion? Anything else from the petitioner? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Public Comment

President Tornatta: Alright, we're going to move, thank you, we're going to move back to public comment. Fred? You've been sitting so nicely back there.

Fred Bumb: Thank you, Mr. Chairman, and the rest of the Commissioners. I am Frederick Bumb. This is my wife, Janet. We are here concerning the proposed wetland along the new University Parkway. The land of what's involved, at one time I belonged, I had the ownership of that with my brother-in-law, and it so happened that he got this share of the land that they are debating about getting the wetland in here. We have always been a real supporter of the Soil and Water Conservation and everything, and during the period of this joint ownership, we installed a drainage tile and also a waterway. Both of these acreages were involved in it. My land drains through the other part of it. This, now the wetland would interrupt the drainage on my crop land. So, it's real difficult for me to understand why they would choose some ground like that, a high producing soil as that is, for this mitigation. Maybe somebody here could tell me a little bit about what procedure they did in acquiring this and why? Do we have any comments on this, Mr. Chairman?

President Tornatta: Fred, I would have to defer, and I would hope that our County Engineer would have a better answer.

Fred Bumb: I'm sorry. I had too much tractor driving. Would you speak a little louder?

President Tornatta: No, I said, let's see what our County Engineer has to say on this particular item.

Commissioner Melcher: He's right behind you.

Fred Bumb: Okay.

John Stoll: I spoke to Mr. Bumb when he first made us aware of this a couple of weeks ago. The reason the land was selected, the sellers were willing to sell the property and the county had to have a mitigation site to mitigate the impacts of the University Parkway. So, since they were a willing seller, the county acquired that property with the intention of putting the wetland site there. As far as the field tiles and the drainage, here again, we were just made aware of that. I've talked to Bernardin Lochmueller, they know they have to accommodate those field tiles either with an easement through the mitigation site or the field tiles would somehow have to be re-routed to where they don't go through it, maybe around it, but no final determination has been made as of yet. The consultant is aware of the situation, and they'll have to deal with it somehow.

Fred Bumb: I guess, the question comes to my mind about wetland. I don't know how many of you folks have had the experience with wetland. Me being a farmer, I have worked around wetlands and I tell ya, I just can't quite see a wetland being developed in this area. I don't know, how many, do you know this area that I'm speaking of? It's the northern part of this Parkway. The community there is, I just don't feel like it's necessary to have a wetland there.

President Tornatta: Well, it's part of the mitigation process that, I think, the Army Corp of Engineers makes us go through. That is that for every bit of land that we

displace that's wetlands, we have to create wetlands. So, unfortunately, that's the Army Corp of Engineers doing it, not us. Does that, and the same for trees, I mean, if, mitigation of trees. If we displace trees, we have to plant trees to make sure that there's equal and proportionate in the environmental cycle.

Fred Bumb: Well, I think I understand wetland pretty well, due to the fact that I've worked with the Corp on wetland projects.

President Tornatta: Right.

Fred Bumb: I agree with you, we need some wetlands, but not in an area like that. I just don't think so. I mean, because, maybe some of you, by now, are confronted with deer, and we've got a Parkway there, and they're going to be flying across that Parkway like everything, those deer are. There's some little wooded area on the east side and we're on the westside, I just don't think there's been enough consideration on the community and me as an individual. I didn't know anything about this until I got this notice, see.

President Tornatta: John, do you know how they position the wetland site, or how they chose where it was going to be mitigated?

Fred Bumb: I have a copy of the site and everything.

President Tornatta: I understand. I just want to know how it was chosen, Fred.

Fred Bumb: Okay, I'm sorry.

John Stoll: The preference is to get the mitigation site in the same watershed that's being affected by the construction. So, that says that we want it in the Little Creek watershed right off the bat. Here again, it was immediately adjacent to the project, so it's convenient as far as access for the contractors. Likewise, that will help the county's price to construct the wetland. So, if it was not contiguous to the road site then we would have higher costs to get the mitigation site constructed. So, factors like that play into the selection of the site. We, I've had numerous discussions with some of the attorneys in Ted's office regarding whether or not you can actually condemn a mitigation site, because there are multiple sites that you could use, it's just whether or not you would win that in court. We've gone round and round with that. In this case, condemnation wasn't an option, the seller was willing, so that made it a viable site as well.

President Tornatta: Okay.

Fred Bumb: My thought is, that I should go back, I don't know if I dare say it or not, but see the highway is taking 11 acres of our property, and they split it up. We got some landlocked ground on the one side. I never heard anything about landlock, about wetland that they were buying up something like that for wetland. It kind of bothers me, sir. It really does. We've got, right have we got, we're in agreement with the property and everything, Mr. (Inaudible), he is with the attorney on it, and it's all—

President Tornatta: Are you saying that piece that we bought, that little special piece that was landlocked—

Fred Bumb: Yes.

President Tornatta: You thought that you should have been compensated for wetlands with that piece?

Fred Bumb: Well, I didn't know.

President Tornatta: Well, I mean—

Fred Bumb: I mean, since this has developed, sir, I didn't know that you were buying the ground for wetland. Why didn't you make the mention of this three acres on the one side that we can't get to at all?

President Tornatta: Fred, let John say something here. Maybe he can—

John Stoll: It was my understanding the consultants contacted Mr. Bumb and he wasn't willing to sell it for the mitigation site.

Fred Bumb: Well, I don't think we should go into that detail, due to the fact that what we tried to negotiate was for the outlet that I wanted, an easement to go to a field and you refused me on that.

President Tornatta: Right, because there wasn't an easement at the time.

Fred Bumb: Now, tell me how you're going to have a wetland and you won't have any easement, the highway won't have any easement to it? It's bartered by some individual. I don't understand wetland and how in an area like that will be operated. Alright, let's say that this wetland needed some drainage, like where our tile goes across this property. Well, if this tile, will I have a right to come in there and repair it?

President Tornatta: On the wetland?

Fred Bumb: It just really bothers me.

President Tornatta: Right. I mean—

Fred Bumb: This is not my piece of cake coming here and talking to you folks.

President Tornatta: Right.

Fred Bumb: But, I've farmed that, this is from my homestead ground—

President Tornatta: Right.

Fred Bumb: —and they've gone through it and taken 11 acres, and I thought there should be some consideration on something like this. Then, here the next thing is we're going to be concerned with wetland on the south side of us. Does it make sense? I want to know how many of you folks wouldn't be upset.

President Tornatta: Well, Fred, this is something new to me tonight in your public comment. So, we can address any of those issues and get you a statement out on to maybe any of your concerns. To be able to establish every concern that you have right now is probably outside of my scope. But, we have people on staff that can do that.

Fred Bumb: That's why I'm here. When I got this notice about the wetland, I contacted the man in Indianapolis, and he said, well, he didn't have anything to do with acquiring the land. Now, I don't know, from what I gather the county is the owner of the ground, right?

President Tornatta: Right.

Fred Bumb: Okay, okay. So, that's why I'm appealing to you as a Commissioner to do something, to give me some guidance.

President Tornatta: Okay.

Fred Bumb: I don't think I should—

President Tornatta: Well, I can't do that right, at this—

Ted C. Ziemer, Jr.: Yeah, Mr. Bumb, I think what Commissioner Tornatta is suggesting is we thank you for bringing this information to us, we will review it and have appropriate staff for the county review it and then we will be prepared to respond, but we're not prepared to respond tonight.

Fred Bumb: Well, I appreciate that, but it's been bothering me.

President Tornatta: Okay.

Fred Bumb: Janet, maybe my wife's got another thing that maybe we, we discussed it, she's half owner of the property. Did you have anything, Janet?

Janet Bumb: I think not.

President Tornatta: Okay.

Fred Bumb: We just can't understand why they would put wetland next to us on property that is good, tillable farm ground. It's high producing ground.

President Tornatta: Right.

Fred Bumb: I mean, you're going to put trees and shrubbery and wet holes in it. I would like for you to see what's proposed.

President Tornatta: Okay.

Fred Bumb: It disturbs me.

President Tornatta: Alright.

Fred Bumb: Thank you for your consideration.

President Tornatta: Okay. Thanks, Fred. Okay, any other public comment? Alright.

Consent Items

President Tornatta: To our consent agenda.

Commissioner Winnecke: Mr. President, if you would, I would move that we, I would like for the employment changes to be voted on separately from the rest of the consent agenda items.

President Tornatta: Alright, and I will accept that. For sake of time, I would just like to submit all the consent agenda items into the record and leave out the employment changes. If I could have that in the form of a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: There is just one amendment. There are six Health Department travel requests, and it's listed as five. So, if we can just make that amendment.

President Tornatta: Can we encompass that in the motion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, employment changes.

Commissioner Winnecke: Mr. President, I noticed that we had a pink slip in the file for Mr. Duckworth's position. I would like to discuss that tonight and its status.

President Tornatta: Okay. Mr. Melcher?

Commissioner Melcher: Well, I think, you know, my understanding is that we were looking at some dates and trying to find a date that would be meaningful for everybody, because the economy is tough and times are tough. I talked to a bunch of people over this and I think, I've talked to Mike over it a couple of times, and it's my understanding that, you know, we didn't replace him in January or February, but or maybe today, per the conversation I had with another gentleman and we're looking at maybe the end of March? But, we need to set a date.

Commissioner Winnecke: Well, the pink slip says that Mr. Duckworth resigned effective 2/27.

Commissioner Melcher: I don't think he's resigned.

Commissioner Winnecke: I know I've spoken to him and that is correct, he has not resigned. I don't know how it was put forth like this. You know, if it's the intent of this Board to make a personnel move of this magnitude, I would hope that it would not be done in this way. So, I don't know frankly what the intent is. If there is a move to dismiss Mr. Duckworth, I would certainly oppose it. Even Commissioner Tornatta has been on the record and in the media saying that he's done a great job out there. So, personally I don't know what's going on.

President Tornatta: Well, Mr. Duckworth and I have had several communications on how this was going to be administered. When the change of administration was done in 2004 there was an immediate firing of the individual out there. We thought that there was, that there were issues revolving around campaigning and how that campaigning was done on county time. But, we also thought that in an act of genuine gratitude for the job that Mr. Duckworth had done, that we would allow him to try and find alternate employment. At that time it was discussed the dates upon when that employment would potentially be rendered, and it was an understanding that, you know, we are not anybody who throws a baby out with the bath water, but we are people who understand that these are tough economic times and we want to come across as being genuine. We feel Mike has done a yeoman's job in what we've asked him to do, and that's why we pay him the salary that we do. It has also extended past the time for which we said, so that's, going upon what we agreed with Mr. Duckworth, we put in a pink slip and that was not to be, as I talked to him we were not going to, even though he said we had worked out that he was going to have a resignation letter to us, he said that was not going to happen, and at that point then I understood that we would have to discuss how we were going to go from there. The intent was to have this done by the end of this month. Doing it by the end of this month would leave a pink slip today only, and that was conveyed, not only to me, but to the Auditor, to the County Council and to our staff, and to Mike's staff that it would be a termination situation. How it got in as a resignation is maybe a clerical error. But, be that as it may, if it is the wish of this Board to extend that date to another date, then we just need to have that for the pink slip.

Commissioner Winnecke: So, did you just say that the County Council is aware that his last day, according to this paper, is 2/27?

President Tornatta: The County Council, Sarah Nunn was made aware that we were going to have a change, and we did clarify with them how that change would process.

Commissioner Winnecke: Okay, so—

President Tornatta: Then that was conveyed to our staff and to Mike's staff.

Commissioner Winnecke: If I may, and I don't mean anything by this other than just the matter of fact status of the question, in the last five minutes you said he's done a yeoman's job, in the media you said he had done a great job, but in the same conversation you want to dismiss him. I'm having trouble reconciling why we want to dismiss him.

President Tornatta: Well, I mean, we have certain directions that we would like to go with an administration. And if Mike is not on with all of our directions, then that does put us in a little bit of wedge.

Commissioner Winnecke: And, so—

President Tornatta: We have every right in an administration to hire or fire anybody that we feel that we want to have or not have in our administration in those positions.

Commissioner Winnecke: And, likewise we have the opportunity to discuss in an open meeting the reasons for that.

President Tornatta: Absolutely.

Commissioner Winnecke: I guess, I'm curious to know what direction of the administration do you wish to go that Mr. Duckworth has indicated to you that he's not on board with?

President Tornatta: Well, there's been several things in the past that we have not seen eye to eye on. The one thing that we want to have is somebody on board that we see eye to eye with in different areas. Also, there have been some, you know, I try and protect everybody's integrity and what they do and what they don't do. In certain times, in crunch times, did Mike do things that I thought was not appropriate, that's a problem for me. You know, I don't, I could go into it, I don't think it's appropriate to go into those typical, or those different issues, and would not want to hurt any opportunities that Mike would have past this point.

Commissioner Winnecke: Yet, you're asking this body, essentially tonight, to decide his fate, but we're not privy to the information that you obviously have as to what those shortcomings are?

President Tornatta: That's correct.

Commissioner Winnecke: Okay. You know, I guess, I would like to know more about what, you know, you said several times you're not seeing eye to eye, specifically what issues have you not seen eye to eye on?

President Tornatta: I didn't think that, at the time, and the time now, I mean, we have a training center out there that was \$50,000, \$100,000, I mean, you know, trying to quantify what that was for what it's needed for out there. I voted no against that. It was, it continued to move down the path of getting that training center, at a time when we could use the money elsewhere.

Commissioner Winnecke: But, he was, at the time, if I remember correctly, following the direction of the majority Commissioners.

President Tornatta: But, that's not seeing eye to eye with me. Right now we're the majority.

Commissioner Winnecke: So, for the purpose, so the training room is the major reason you can cite for your desire to replace him?

President Tornatta: The training room is one example.

Commissioner Winnecke: Okay. So, the intent of this pink slip is what? To dismiss him on 2/27 or 2/28?

Commissioner Melcher: I think it's going to be 3/27.

Commissioner Winnecke: I would move that we remove the pink slip until such time as that can be clarified, for all concerned, including Mr. Duckworth.

President Tornatta: I would agree on 3/27.

Commissioner Melcher: I would like the attorney to say something here. Usually, in the past when there's, like we get a new Mayor, new Commissioners, new Governor, new everything, don't the department heads normally change over in a timely fashion?

Ted C. Ziemer, Jr.: The courts in Indiana have pretty uniformly held that on changes in administration persons who are in a policy making position, or a position of confidentiality can be replaced without breaching the law regarding not discharging employees for political reasons. Other persons who aren't in a position of confidentiality or in a policy making position cannot. I have discussed this with David Miller of our office and we actually referred back to some research that I did four years ago relative to this same question, and at that time I presented to the Commissioners a list of employees of the county who we believed were in a policy making position or a position of confidentiality, and one of those positions was the Superintendent of County Highways. So, that was my opinion four years ago, and that is my opinion today. That is not to say that an administration must terminate a person in that position, but it's to say that they may.

President Tornatta: Right.

Commissioner Melcher: Okay, so what we're saying, I guess, basically is that when this administration came on we kept the Engineer, we kept a few others, we basically kept the same attorney firm, we pretty much did everything, we only had one agenda and that was to replace probably one person, and because the times are tough and everything, you know, we've allowed some time. I do think it's time to set a date, and I think in fairness and everything, that's why when I was talking to some people today, pretty much the 27th of March was what pretty much people were agreeing with. So, I would feel comfortable on the 27th of March. That way, Mike, in fairness to him he knows what it is. It's not something that's going to be going back and forth. I'd never seen the pink slip. I never would have accepted, I knew it wasn't a resignation, and that should not be on there. So, we're just following the law of the land per the statute of Indiana, right?

Ted C. Ziemer, Jr.: Yes, you may do that. It's not required that there be a pink slip sitting there. That's county policy and that's the way we handle this. The Commissioners can vote tonight, if they wish, on a termination date for this particular employee.

Commissioner Melcher: Okay, then I'll make the motion to make it the 27th of March, 2009 will be his last day.

President Tornatta: And I'll second. A motion and a second. Any other discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1. Commissioner Winnecke opposed.)

Madelyn Grayson: Do we still need to vote on the other employment changes? Or did you do that with the consent items?

President Tornatta: No.

Ted C. Ziemer, Jr.: No, they haven't done that.

President Tornatta: We would need to vote on the other employment changes. A motion to accept the other employment changes. I need a motion.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: If we can, if you don't mind coming up here and saying who you are and who you're shadowing with.

Chris Casson: I'm Chris Casson and I'm shadowing Mr. Winnecke.

President Tornatta: Okay, where are you from?

Chris Casson: Central High School.

President Tornatta: Central High School. Okay, welcome. Go ahead.

Carolyn Jones: I'm Carolyn Jones, and I'm shadowing Mr. Melcher.

President Tornatta: Alright, thank you, Carolyn. Where are you from?

Carolyn Jones: Day School.

President Tornatta: Day School, okay.

Commissioner Winnecke: There's a big crowd in the audience too.

President Tornatta: Alright, a crowd of Day School students out there? Where are we from?

Unidentified: USI.

President Tornatta: USI, okay. There you go. Alright. Business? Are we done? Motion to adjourn?

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

(The meeting was adjourned at 6:55 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the February 3, 2009 Commission Meeting Minutes.
Approval of the January 20, 2009 Rezoning Meeting Minutes.
Pigeon Township Trustee 2009 Poor Relief Standards.
Local Emergency Proclamation: January 28, 2009 (Ice Storm).

Employment Changes:

County Highway (1)*	Co-Op Extension (2)	County Clerk (2)
Sheriff's Office (5)	VCCC (2)	Prosecutor (3)
County Assessor (1)	Circuit Court (1)	Superior Court (1)
Public Defender (1)		

*To be revised and submitted as consent item on 3/3/2009.

Travel Requests:

Health Department (6)	DADS (3)
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Burdette Park: Yearly Financial Comparison 2008-2009.

Surplus Requests:

Coroner: Various items.
Treasurer: Various items.
Superior Court: (2) chairs.
Health Department: Various items.
Prosecutor: Various items.

Auditor:

Barrett Law Lien Release: Mill Terrace Barrett Law Project.
February 2009 A/P Vouchers.

County Engineer: Pay Request No. 72: Green River-Burkhardt TIF Projects.

Treasurer: Year-to-Date Report: January 31, 2009.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Amy Rich	Alissa Powers	Paula Adams
Todd Chamberlain	Mike Duckworth	Steve Craig
Sherman Greer	John Stoll	Les Shively
Tim Huber	Fred Padget	Fred Bumb
Janet Bumb	Chris Casson	Carolyn Jones
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING
FEBRUARY 26, 2009**

The Vanderburgh County Board of Commissioners met in special session this 26th day of February, 2009 at 8:50 a.m. in room 307 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good morning, we're going to commence the Vanderburgh County Board of Commissioners meeting. It's a special meeting, February 26, 2009, about ten till nine. Roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance

President Tornatta: We'll have the pledge of allegiance.

(The Pledge of Allegiance was given.)

**Approval of Letters to Senators Bayh and Lugar &
Congressman Ellsworth for FY '10 Federal Appropriations Requests**

President Tornatta: Alright. We're going to have, as our only action item today, a review of the listing of the prospective earmark projects for the Indiana Senators and Congressman Ellsworth's offices. Kind of to go down a quick list, I'm not going to go into great detail, and then we can have some discussion on the Board. The University Parkway project, this is a project that has been in the hopper for quite a few years, but, obviously, this is one of our top priorities in Vanderburgh County. So, that is one of our projects for the FY '10 Federal appropriations list. That's for the construction of University Parkway between Marx Road and State Road 66. Then, next, is University Parkway-State Road 62 interchange project at USI. The interchange at USI. It's requesting \$1,000,000 for the FY '10 Federal appropriations for the study, design, engineering and/or construction of an interchange, reconfiguration of the intersection and University Parkway at State Road 62. Alright, and the next one is Interstate 164-Millersburg Road interchange study. We are requesting \$200,000 in FY '10 Federal appropriations to prepare an interchange justification report, and, if viable, to use any remaining funds for design, engineering and/or construction of a new interchange at the intersection of Interstate 164 and Millersburg Road. Then, the final project for submittal is the Civic Center Complex security improvement project. The county is requesting \$900,000 in FY '10 Federal appropriations to install and upgrade security measures at the county Civic Center

Complex, and to design, engineer and construct a sally port addition to the complex. The only number that we did not get on there, and I will update, is the University Parkway project, and we are asking for \$300,000, or, sorry, \$3,000,000 in FY '10 Federal appropriations. If we have a motion, and then we'll have discussion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion from the Board?

Commissioner Winnecke: I would just offer that three of these four are obviously important transportation and economic development projects for the community. The extension of University Parkway is arguably one of our community's most important major thoroughfares that is now under construction. I'm pleased that we're pursuing money that will explore the future of the USI entrance to that interchange. It's, I think as a community we're fortunate that we have not had a catastrophic accident at that scene. So, and with the impending development along University Parkway over the years, I think that's important. Obviously, Millersburg Road offers, the study of a possible interchange at Millersburg Road, really offers us the opportunity to create a new economic development corridor in that part of the county. So, I'm pleased that we're moving in this direction.

Commissioner Melcher: Yes, I would just like to add about the Millersburg Road, I think that's one of our most important ones is the Millersburg Road and the widening and the interchange. What I'm being told by INDOT is that Highway 57 and 41 is number five in the State of Indiana for accidents. Once this ever gets accomplished, all these accidents should be dissipating and not being as much. So, that's one thing I'm really for. This Civic Center security, I probably have a couple of questions on some of it, but I do know we need a sally port, I know we need something for that. But, I'm for these projects, you know, there's a lot of other projects we probably should have listed. Carpentier Creek is one, that's city and county. Baseline Road, I wouldn't mind seeing some money toward the study of that, since the School Corporation is going to be building their new schools out there. We're going to have to be doing something with that. Sitting on the MPO, I'll continue to push that project.

President Tornatta: One of the things that the county has taken on is to have their focus, and I appreciate everyone having the focus of University Parkway, and getting that loop, semi-loop, around Evansville-Vanderburgh County and with the hopes of going to Interstate 64. Talking about the interchange project at USI, we have listened to the people in Vanderburgh County, and have been responsive, not only to the people in Vanderburgh County, but also to our University out there and know of the needs. This is a project that really was not in existence, was not being thought of, and this Commission got together and decided that we're going to get ahead of the fires, so to speak, instead of putting out fires, and decided to do that, along with the Millersburg Road. The one thing I will say on the Civic Center improvements and the issues with the Civic Center, that was brought up by our Sheriff and our Chief of Police, and, both believe that there should be more security in this building. So, we take from those people who provide the security to try and address some of those along with Dave Rector in our audience today. So, any questions of anybody in the audience? Did you have anymore questions on the Civic Center project, Steve? Okay, with that being said, we have a motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: With that, we will have three documents signed and sent off to Senator Lugar, Senator Bayh and Congressman Ellsworth. Motion to adjourn?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

(The meeting was adjourned at 8:55 p.m.)

Those in Attendance:

Troy Tornatta

Stephen Melcher

Lloyd Winnecke

Joe Gries

Kathryn Schymik

Madelyn Grayson

Others Unidentified

Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MARCH 3, 2009**

The Vanderburgh County Board of Commissioners met in session this 3rd day of March, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good afternoon. We're going to commence with the March 3, 2009 Board of Commissioners meeting in room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

**Pledge of Allegiance: Amber Martin & Linda Reed:
Boys & Girls Club**

President Tornatta: Alright, Amber Martin, and, let me see if I get these names right. There we are, okay, come on up. Linda Reed, Jeremiah Merriweather, Nigel Buchanan, Jordan Smith, Jasmin, with no last name.

Linda Reed: I'm sorry, it's just the two of us.

President Tornatta: Oh, just the two of you?

Linda Reed: Unfortunately, they have not made it.

President Tornatta: Well, that's okay. If they get here we'll recognize them. How about that?

Linda Reed: Okay.

President Tornatta: You guys have the fortunate ability to be able to lead us in the pledge of allegiance.

Linda Reed: Alright. I do that often.

(The Pledge of Allegiance was given.)

President Tornatta: Ladies, no, stay, stay, stay. Tell us a little bit about Big Brothers and Big Sisters and what type of events you've got going on.

Linda Reed: Okay, Big Brothers Big Sisters is a one on one mentoring program. It's been in the Evansville area, this is our 40th year. So, this will be our anniversary. We currently serve 375 children in nine counties, with Vanderburgh and Warrick County

being our major counties of those nine counties. We do school mentoring and community mentoring. In the school mentoring program we have approximately 206 matches, and we probably cover about 19 schools. That's where a volunteer will go into the school, match with a child, and they meet with that child at lunch time. They typically will eat for 20 minutes and then play or do some activity for 20 minutes. They meet on a weekly basis. It's usually the same day of every week. The school, or the community mentoring program is where the volunteer will pick the child up from home and they go out and do things in the community. They may go to the park, go to a ball game, go out to a movie, go out to eat. They might teach them some gardening or how to change a tire, it just depends on the interests of the volunteer and the child. There is certain criteria for the children that we sign up, they are between the ages of five and 15. Many of them are from single parent homes, and are referred by a counselor or a teacher, a principal or social worker. Sometimes a parent will call us. The volunteer has to, undergoes, after they fill out an application, they supply us with three character references, we also do criminal background checks on our volunteers. We do a state and a local, sexual offenders and a vehicle records check on our volunteers. We just want to ensure that we have a quality, safe match for our children. With the 376 matches we have serving right now, we have, what did I say, 160 kids on the waiting list. The majority of those are boys, 61 percent are boys on our waiting list. So, we need men to be more volunteers in our program. Amber is our fund development director, and she's currently working on our Bowl For Kids Sake. She is working on filling out some grants and doing other fundraisers. So, I'll give her a few minutes to talk, and if anyone has any questions, we'll be happy to answer them.

President Tornatta: Thank you. Amber?

Amber Martin: Hello. I'm also a big sister, I wanted to add, I go to Hebron Elementary every week to see my little sister. She's in the 5th grade, and it's just unbelievable the things that she teaches me on a weekly basis. All it is is one lunch hour a week. Everybody's going to eat lunch, generally speaking. If you don't have 40 minutes that you can just go and have that lunch with a child, I really encourage you to strongly look at your schedule and see if you can't make it to an elementary school to spend just a little bit of time with a child. Because it really does make a huge difference in their week. Currently we're in the full swing of Bowl For Kids Sake which is our largest fundraiser here in Evansville. We're doing it at Willow Bowling Center this year. We're looking to make it really, really fun and something that everybody wants to participate in on a yearly basis. As she said, I also write all of our grants. We're getting ready to have a murder mystery this summer, and I believe some of you guys are possibly involved. Is that right? Yeah, yeah. Mayor Weinzapfel is also going to be involved. He is a big brother and has been matched, this is his fourth little brother. As you can see mentoring in Indiana is a high priority for him. So, he does make sure that he makes the time for his little brother. Do you guys have any questions?

Commissioner Winnecke: Maybe, if you could remind us of the date for Bowl For Kids and how we could sign up, and how one could sign up to be a, to volunteer to be a big.

Amber Martin: Okay, Bowl For Kids Sake is March 14th and 15th, it's a Saturday and Sunday. If you're interested in forming a team, you can either call our office or e-mail us and I will send you the information that you need and a team entry form. Then we'll get you the bowling packets to go collect funds for us, for our fund raiser. If you're interested in being a Big Brother or a Big Sister, again you can call us or e-

mail us and get on our website, www.bbbsevensville.org. There are applications that you can fill out and get those back to us. We'll set up an interview time with one of our case managers. They'll come, ask you questions about your preferences, things that you like to do. You can be as specific as saying I want a nine year old. I specifically want a child in this age range and we'll look at our waiting list and we'll find a child who has the same interests as you in that age range, and then we'll set up a meeting. The first time you meet will be with one of our case managers. It's a nice, safe environment and comfortable for everyone involved. Typically, after that you'll start meeting on your own.

President Tornatta: Okay, well, if we don't have that information, do you have the information? Okay, we'll put it on our little Facebook page.

Amber Martin: Great.

President Tornatta: So, if anybody gets on there they will have the information on how to get in touch with Bowl For Kids Sake.

Amber Martin: Okay.

President Tornatta: Any other questions?

Commissioner Melcher: I just wanted your phone number, and the audience would like to have it too probably.

Amber Martin: Okay, it's 425-6076.

Commissioner Melcher: Thank you.

Amber Martin: You're welcome.

Linda Reed: Thank you.

President Tornatta: Thank you.

<p>Building Authority: Approval of Loan to Refund Joint Building Authority/Commission Account</p>
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President Tornatta: Alright, the first action item, Building Authority approval of loan to refund joint Building Authority/Commission account. Dave Rector?

Dave Rector: Good afternoon, gentlemen. Dave Rector, Building Authority. I'll go into this as much as you would like for me to, and as brief as you want. If you'll recall the Building Authority and the Commissioners had a joint fund that was a result of interest money from the defeased bonds. The Commissioners at that time spent two million of that on renovation of the court system. The other half a million went into this joint fund. Last fall, when we started taking bids for the demolition of the old jail, there was some urgency to capture a good bid that came in. The Council at the time were wanting some requirements and agreements to use jail set aside money. Instead the Commissioners requested that we use the money from this joint fund, and secure a loan then to pay this back so that you would have this fund back in place. We took solicitations and bids from Fifth Third, Old National, Integra. Fifth Third had the better proposal. I went back and negotiated with them. I e-mailed you

all that proposal. They have agreed to do an unsecured loan for \$500,000 that would be paid back basically 20 percent each year that we would add on to our budget for repayment to this fund for you all. And, with that then, our board has already approved going ahead with this, if you all approve doing that. All they're requesting is just a letter of commitment that it will be paid back.

President Tornatta: Okay. Any questions? If we could have a motion.

Commissioner Melcher: I'll make a motion that we approve it.

President Tornatta: I'll second that. A motion and a second. Any other questions? Madelyn, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Abstain.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1. Commissioner Winnecke abstained.)

Building Authority Surplus Memo
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Dave Rector: If I may, while I'm still up here, capture you for one other thing?

President Tornatta: Okay.

Dave Rector: Thanks to Marissa in your office and Amy Wilkinson in our office, they've gotten a handle on this mess of furniture that we have in the basement. It's all surplus furniture. That's a memo that I'm proposing that we send out tomorrow to all elected officials/department heads to say, look, you've got a week and a half, go down, if you need anything, come down and look at it. We'll be glad to get it up to you. If not, then we're going to offer it, as we've talked to some non-profit agencies approved by you all, whoever that may be. But, we've just got to do something with this overwhelming amount of furniture down there. We can't even get into the fans to service them and do the maintenance we need.

President Tornatta: Okay. Let's go ahead once we have that, are we making a list of what's going to end up going out to the not-for profits?

Dave Rector: We will at that time, once we know what's left.

President Tornatta: Okay. I think we'll have to sign off on that here.

Dave Rector: We've got, you know, just numerous desks, chairs, cabinets, it's a lot.

President Tornatta: Okay.

Discussion of Naming the Centre Auditorium After Larry Aiken

President Tornatta: Something we were going to address in new business, but, since you're here. Don't want you to get away. There was a vote taken amongst the people on your board about renaming the auditorium. Could you go into that?

Dave Rector: Yes. A request was made that we rename the auditorium in the Centre after Larry Aiken, for all that he's done for the entertainment industry in Evansville. Our board did approve that request. I'll try to contact, I think, I don't think, I know Mayor Weinzapfel announced that Saturday night at Larry Aiken's event. I'll get with Larry and see if there's anything in particular that he has in mind that might go on that sign. Once we have some verbiage, I'll run it by you all, and the Mayor, and we'll find a location and get the sign made, and see what kind of unveiling there's going to be.

President Tornatta: Do we need approval from this Board to move forward on that?

Dave Rector: I don't think you do, because it's a Building Authority owned building. We own the building. We did Bill Brooks two years ago, three years ago when we did that. You certainly can, you know, I talked with all of you, without formal action, I talked to you individually, but, Mr. Miller, do you think they need to make a motion too?

David Miller: No, I don't think a motion is necessary, but it couldn't hurt anything.

President Tornatta: Okay, well, we can wait until you come up with some type of, whatever you're going to do--

Dave Rector: Yeah, the language on it.

President Tornatta: Okay.

Dave Rector: Or how we're going to name it.

President Tornatta: Okay.

Dave Rector: Okay? Thank you gentlemen.

President Tornatta: Thank you.

County Coroner: Report on Office Needs

President Tornatta: Alright, County Coroner, report of office needs. Our Coroner, Annie Groves.

Annie Groves: You all had asked me to put a list together on things that we're going to need for the office. So, these are just some of the things that we're going to need. Priority, I think, is our vehicles. Then, our security system, and then the roof, and then the landscaping.

Commissioner Winnecke: So, just to get, make sure I understand the priorities, the vehicles, the security system, and the roof, or the roof and then the security system?

Annie Groves: No, the vehicles, security system, roof, landscaping.

Commissioner Winnecke: On your, on the memo you had prepared for us, you did not have an estimate on the security system. Do you have a number on that at this time?

Annie Groves: Yeah, I think it's going to be probably around \$3,000.

Commissioner Winnecke: Then, the other, the only other question I had relative to your memo was, on the ceiling tile, do you have an estimate on that?

Annie Groves: No, I don't, because I put that real far down on my priority list.

Commissioner Winnecke: Right. So, we're looking at in the neighborhood of \$122,000 to \$125,000, if my math is right.

Annie Groves: Correct, but we found out that the roof is going to be quite a bit more now. Now that we're getting some more bids. The person that gave us that bid for 18 we found out was only residential and cannot do commercial. So, we have to use commercial. So, it's probably going to be more between 25, you know, between \$20,000 and \$30,000.

Commissioner Winnecke: Instead of the 19?

Annie Groves: Correct. Then, after the landscaping, I wouldn't mind throwing in the windows, because that looks kind of bad. Our windows are in bad shape. They're all fogged up, just a few of them. So, I would like to get those repaired also.

President Tornatta: Okay.

Commissioner Winnecke: Can I ask another question?

President Tornatta: Sure.

Commissioner Winnecke: What about, what's the life of the cooler that we have?

Annie Groves: Well, that—

President Tornatta: Till it breaks.

Annie Groves: I do have some major bids for that. Also, I got some prices for that. As we speak it's working well. So, you know, it could go out as we speak also.

Commissioner Winnecke: That's still the original cooler, right?

Annie Groves: Everything is original from 1991, except the vehicles are not.

Commissioner Winnecke: Are you comfortable with the \$15,400 estimate on that then? On the cooler?

Annie Groves: Real close, yes. Uh-huh. Actually, that may come in a little lower, because they put some security items in there that our alarm service already has in there, like fire, etcetera.

President Tornatta: Okay. Any other questions? Okay, if someone wants to make a motion to take this under advisement, we can address these issues and get back to Annie on that.

Commissioner Winnecke: What's, I mean, what's your feeling? What's our pleasure? Are we thinking about using some CCD money?

President Tornatta: That would probably be the place we would look into, I think on some of it we would use CCD and I'm sure on some of it we might ask the Council to participate.

Commissioner Winnecke: Because, even with CCD money, we would have to, wouldn't we have to seek their approval also?

Bill Fluty: Yes you would.

Commissioner Winnecke: Okay.

President Tornatta: Uh-huh.

Commissioner Winnecke: Maybe, in the interest of moving this project forward, maybe tonight we agree on the top three or four priorities, and at least get some of the, I mean, the roof is—

Annie Groves: Yes.

Commissioner Winnecke: —fairly significant. Maybe we agree that we approach the Council, not tomorrow, but at its next month's cycle of meetings to appropriate, approve that appropriation.

President Tornatta: Well, and I would say we could probably do that. What I would like to find out is some hard numbers to make sure—

Annie Groves: Okay, we can do that.

President Tornatta: —you know what you got. From 19 to 30 is going to be, I mean, in real numbers is, we would like to know what that is. Just to get a ballpark. If it's 25 rather than 30, that's \$5,000 we might be able to put towards something else.

Annie Groves: What I was doing right now was trying to get estimates for you all. If you want, I'll go out and get three price quotes, with your permission.

President Tornatta: Uh-huh.

Annie Groves: So, that we have that whenever, you know.

President Tornatta: I mean, they're going to ask for that when we give them that information. I mean, I would say that we could take this information, take it under advisement, see exactly what we think. After talking to you, getting the list and looking over what's most significant. Things might change in a short period of time if a cooler goes out.

Annie Groves: Correct.

President Tornatta: So, do that, and then we'd have it on the docket for the next two weeks. Hopefully, we would have an idea by then what we're looking at.

Annie Groves: Okay.

President Tornatta: But, if not, by next month we would be able to come up with something. I will say this, that I've serviced your vehicles, I know what condition they're in, and we do our best to keep them up and running. But, they are also an eye piece of Vanderburgh County at a bad time in somebody's life.

Annie Groves: I brought photos if you would like to see them.

President Tornatta: I don't need to see those, but they might want to see them.

Commissioner Winnecke: That's okay.

Commissioner Melcher: No.

Commissioner Winnecke: I trust you.

Commissioner Melcher: I drive by there.

President Tornatta: We're working on just keeping paint on a couple of them. I think it's tough for a loved one to see their loved one—

Annie Groves: I agree with you 100 percent on that.

President Tornatta: —in that type of situation.

Annie Groves: I wouldn't want my loved one put in those vehicles.

President Tornatta: Yeah.

Commissioner Melcher: Then, you're asking her to come back with quotes then?

President Tornatta: Yeah, well, we can also talk outside of this meeting. So, if you want to get with us, or get with any of the girls in the office and have them send something out via e-mail.

Annie Groves: Okay.

President Tornatta: That would be great. Just some firm numbers.

Annie Groves: Okay.

Commissioner Melcher: Then maybe prioritize them. In other words, the roof is first, make that one first—

Annie Groves: Okay.

Commissioner Melcher: If the vehicles are second, make that second. That way it's right in order of what we're wanting. You know, maybe the windows won't come until later, so the roof's more important right now. Because, I agree, if you have a bad roof, you're going to ruin everything.

Annie Groves: We've got it patched.

President Tornatta: Is it leaking right now?

Annie Groves: No, we've gotten up there and patched it right now.

President Tornatta: Okay.

Annie Groves: But, you know, we can only crawl up there and patch it so many times, because it needs to be replaced.

President Tornatta: Okay.

Annie Groves: You know, it's original from 1991.

President Tornatta: Okay. Alright. Any other questions? Okay. We'll start to work—

Annie Groves: Thank you.

President Tornatta: —and get your information. We appreciate it.

Annie Groves: Thank you.

President Tornatta: Okay. Thanks, Annie.

Solarbron 10K Road Race Request
--

President Tornatta: Alright, the next action item, Solarbron 10K road race request. Anybody here for the Solarbron race?

David Miller: Mr. President, I'm advised that everything is in order, including the insurance certificate, to approve that request.

President Tornatta: Okay, the race is scheduled for May 9, 2009. As you said, everything is ready to go. The request was also sent to the County Highway Superintendent, Engineer, and Sheriff. I think everything is in place.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any other questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Permission to Award VC09-02-01: Mohr Road Bridge #1381 Repairs

President Tornatta: Permission to award VC09-02-01, Mohr Road bridge number 1381 repair. I don't know if there's, if anybody has a question John Stoll is in the audience. Otherwise, could we get a motion?

Commissioner Winnecke: Are we going to hear the proposals?

President Tornatta: Are they, they were read.

Commissioner Winnecke: They were?

President Tornatta: Uh-huh.

Bill Fluty: We only had one bidder.

Commissioner Melcher: (Inaudible).

President Tornatta: Right. John—

Commissioner Winnecke: Would you refresh our memory.

President Tornatta: Okay.

Commissioner Winnecke: It's been two weeks.

President Tornatta: It's been two weeks, buddy. Just real quickly tell us who was awarded the bid.

John Stoll: Deig Brothers provided the only bid on the project. It was \$14,642. That was beneath our estimate. So, we would recommend that you go ahead and proceed with awarding the contract to Deig.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, John.

<p style="text-align: center;">First Reading of Ordinance CO.03-09-06: An Ordinance Concerning the Vanderburgh County Board of Health</p>
--

President Tornatta: First reading of CO.03-09-06, amendment to Health Department fee ordinance. Gary, if you don't mind, just give us the nickel tour.

Gary Heck: Gary Heck, Vanderburgh County Health Department. I think our request was to look at the fee ordinance. We had a child health clinic that's no longer in operation, and it was going to delete that section from the ordinance. There was a minor change in the cost to test well waters and drinking water services. One of the next changes was adding different types of codes under the Medicaid reimbursements for services under the lead poisoning prevention program. The state has approved the ability for us to bill for any of these services that we have been doing. It will give us the opportunity to capture some funds and bring them back into the Health Department. Then, the last is annually we check the fees that we offer in the Dental Clinic, and this is an adjustment to try to keep us in line with what the price for services has been in the dental industry. That's pretty much it.

President Tornatta: Okay. Any questions of Gary? Gary, just while you're there, I wanted to ask you, at one point in the Dental Clinic meetings we had talked about the flow and the appointment process versus the walk-in. How are we doing with that process?

Gary Heck: We switched it the first of the year, based on the public health dental consultant that we had. We've gone to a call for an appointment is what it amounts to. The first appointments that are set in the morning are arranged by appointment and confirmed. Then people start calling at 8:00, and the first folks that make that call get through. The phone number for the Dental Clinic by the way is 435-2450. The individuals that make the call get an appointment set up for that same day, are assigned those appointments and they've been really good about keeping them. Our phones kind of go crazy for a long time with people trying to call and still get appointments.

President Tornatta: Right.

Gary Heck: But, we don't have people standing out in front in cold weather, which is one of the things we've been trying to avoid as well. So, it actually is working, it's working okay.

President Tornatta: So, what do you think, high percentage on those who appear after an appointment so far?

Gary Heck: It's been acceptable so far. There hasn't been enough that have missed that's caused us some problems.

President Tornatta: Okay.

Gary Heck: We just add that, at the last County Council meeting they did approve switching from a full time hygienist to the hourly hygienist. We're in the process, and I think we even have, under your employment later on tonight, to hire the first hourly hygienist.

President Tornatta: Super.

Gary Heck: They'll be starting hopefully next week, if you all can approve it tonight.

President Tornatta: Sounds great. Thank you, Gary.

Gary Heck: My pleasure.

Commissioner Winnecke: I did have one other question.

President Tornatta: Questions?

Commissioner Winnecke: Gary, based on previous run rates, do you have any idea what the new fee structure will provide in terms of incremental revenue for the Clinic?

Gary Heck: Well, if we were to assume that the same services would be provided over the period, it would probably generate somewhere in the neighborhood of a five to six percent increase in revenue.

Commissioner Winnecke: Okay, thanks.

Gary Heck: If you're looking for it in like hard dollars, it would probably be closer to \$3,500.

Commissioner Winnecke: Right.

Gary Heck: I guess, if I was taking a guess.

Commissioner Winnecke: That's in the ballpark. I hadn't done the math in my head. Thanks.

President Tornatta: Alright. I need a motion.

Commissioner Melcher: I'll make a motion to approve CO.03-09-006 for first reading.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any public comment? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright.

Gary Heck: Thank you.

President Tornatta: Thank you, Gary.

Permission to Seek Quotes: VC-9903-2009: Burdette Park Foods

President Tornatta: Okay, permission to seek quotes for Burdette Park foods, VC-9903-2009. Debbie Spalding? If you're in the audience.

Debbie Spalding: Hello, Debbie Spalding with the Purchasing Department. I'm here to seek your permission to seek quotes, meaning that spring is here and Burdette Park will be opening soon. So, we would like to get quotes for the food for the upcoming season.

President Tornatta: Anything in particular that a bidder would need to know on this one?

Debbie Spalding: No, we will probably be requesting one bidder for all items this year. So, any interested bidders can give me a call at 436-4961.

President Tornatta: Okay, and in the past I know that we've, there's been the cherry picking aspect. So, we think we're going to try one bidder this year?

Debbie Spalding: Yes.

President Tornatta: Okay. Notice to all. I need a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Debbie.

**Discussion of Cooperative Purchasing Organization (CPO)
Interlocal Agreement with City-County and EVSC &
First Reading of CO.03-09-007: An Ordinance Concerning
Chapter 2.24 Joint Purchasing Department**

President Tornatta: Alright, discussion of cooperative purchasing organization. Interlocal agreement with the City of Evansville and Evansville-Vanderburgh School Corporation. Interlocal agreement with the City of Evansville and EVSC to form a cooperative purchasing organization. Any questions or discussion? And, Dave, will this be a separate vote than the first and final reading? Or is this—

David Miller: This is a single vote item, as I understand it.

President Tornatta: Okay.

David Miller: We have wrestled with some issues between our office and the City Attorney's office. They're finally all ironed out. Ted has worked hard on this agreement the last couple of weeks, and it's ready to go.

President Tornatta: Okay.

David Miller: As long as you find it agreeable.

President Tornatta: Okay. Any questions of this Board? If not, I'll entertain a motion.

Commissioner Melcher: Well, I really, I don't want to slow it down, but I really believe that we ought to have two readings on it at two different meetings.

President Tornatta: I think first we're talking about the interlocal agreement.

Commissioner Melcher: Okay.

President Tornatta: Is that—

Commissioner Melcher: So, that's just, okay, I'll make—

David Miller: The agreement itself is a one reading matter. But, we do have to clean up the ordinance, because the ordinance is inconsistent with this agreement.

President Tornatta: Well, there were, if I'm not mistaken, four ordinances, Bill?

Bill Fluty: Yes, I've been in on several meetings, and we're just trying to bring forward language from 1972, with cleaning that up to actually what we're going to do from this day forward. So, that's the reason for these few changes. So, we worked with Ted and the City and the City Attorney and we're just kind of cleaning up all these matters to not have to look back so far, that we can just look at this new document and move forward.

President Tornatta: So, the actual ordinance, as I would have it, would be the first one, this interlocal agreement, the second would be just restating and cleaning up our books, is that correct?

David Miller: Well, the interlocal agreement is not an ordinance. The interlocal agreement is simply an agreement—

President Tornatta: An agreement, right.

David Miller: —between the three governmental organizations. I'm suggesting that in order to keep the matter moving, it would be alright if you would go ahead and approve the agreement and approve the ordinance on first reading. Then just finish it up at the next meeting.

President Tornatta: Okay.

David Miller: Finish up the ordinance on second reading at the next meeting.

President Tornatta: Okay.

Commissioner Melcher: Okay. I'll make a motion then for the interlocal agreement approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

David Miller: I might say, just to make everybody more comfortable, we've had these inconsistent ordinance provisions for 40 years almost. So, I don't think a two week hiatus is going to make any difference.

President Tornatta: Okay. I need a motion on CO. 03-09-007.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: We have a motion and a second. Any public comment? This is for the ordinance concerning chapter 2.24 joint purchasing department.

Commissioner Melcher: And this is a first reading.

President Tornatta: Yeah, on first reading. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Commissioners: Notice of Assignment for Courts System
Recorder: Agreement with U.S. Imaging for Scanning Services
Superior Court: Service Contract with Youth Services Bureau
Treasurer: Manatron Property Max E-Gov Agreement**

President Tornatta: Alright, thank you, contracts, agreements and leases. Commissioners, notice of assignment for courts system. I'll kind of read through this, on April 13, 1998 Crawford Consulting, Incorporated entered into a contract with the county entitled contract for integrated board systems contract. The attached notice of assignment indicates that the contract has been assigned by Crawford Consulting, Inc. to Maximus, Incorporated, effective as of 10/1/08. As of that same date, Maximus, Incorporated then assigned the contract to CourtView Justice Solutions, Incorporated, and by approval and execution of the attached document, the county is asked to consent to the assignments. Tim VanCleave advises that the services rendered under the contract have continued to be provided in a competent and responsive manner through the changes in ownership from Crawford to Maximus to CourtView. Any questions?

Commissioner Winnecke: Mr. Chairman, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any other questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, the County Recorder, agreement with U.S. Imaging for scanning services. Z.? I've got you on a timer.

Z. Tuley: You forget how quick I am in front of the Board.

President Tornatta: Yeah, I do.

Z. Tuley: Unless you guys decide to hold me up. I know what I want, and I know what I need. So, I can be real quick.

President Tornatta: Okay, I like that. You had some bids on some imaging of your office cards.

Z. Tuley: Yes.

President Tornatta: Briefly go into that.

Z. Tuley: They are aperture cards, where they're kind of like a hard index card, and inside of those cards are microfilm documents. Every card is one document. Some documents can be one page, some can be a multitude of 14 pages per card. The task of the Recorder is to preserve and protect the records. I think the best way that we can preserve and protect the records is to get those records out of people's hands. Not that they don't have access to them, but if you put them on the computer then they're not physically touching, turning pages, pulling them in and out. Sometimes they get misfiled when they're returned to the file and that kind of thing. So, if they're retrievable on-line, I think that our records and our paperwork will stay around a lot longer.

President Tornatta: Okay, and you received three bids—

Z. Tuley: Yes.

President Tornatta: —on your request?

David Miller: Quotes.

President Tornatta: Quotes, sorry, quotes. Your lowest quote was \$241,252.38?

Z. Tuley: Right.

President Tornatta: And that was by U.S. Imaging? That was for all of the cards that you would like to have done, is that correct?

Z. Tuley: That is correct?

President Tornatta: Okay.

Z. Tuley: That is for the entire job.

President Tornatta: Okay, and you're satisfied that they will be responsive, and, although they are out of state, they have a lot of accreditation across the land?

Z. Tuley: They do. The recording system that we use is called Fidlar. And, Fidlar has worked with this company in a multitude of other counties that have done the same and other similar moves to get records on-line. They are real familiar with this company, and this company has not been difficult to work with, and they are very, very pleased with their quality of work.

President Tornatta: Okay. Any other questions?

Commissioner Winnecke: Z., what's your time line for, I know it's a big project, how long do you think this will take?

Z. Tuley: It has been estimated that it could last for up to a year.

President Tornatta: Anything else?

Commissioner Winnecke: No.

President Tornatta: I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any other questions of the Board? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Z.

Z. Tuley: Thank you. See, that was quick.

President Tornatta: Superior Court, that was quick. Superior Court, service contract with the Youth Services Bureau.

Commissioner Winnecke: I had an e-mail from the Judge, he could not be here tonight, but this is the contract that is essentially being renewed from the previous year, but a slightly higher price, but the price is budgeted for. But, this is an

organization that provides a number of services to Juvenile Court, including house arrest services and truancy services. I would move approval.

President Tornatta: We have a motion.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. That is \$45,000 up from \$41,000, so just \$4,000. A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: County Treasurer, agreement with Manatron to provide E-Government hosting and support. Rick?

Rick Davis: Hello, good afternoon, everyone. Bear with me, I'm suffering from a southern Indiana cold right now, so.

President Tornatta: I think I got yours too.

Rick Davis: Yes. I'm here today because the Vanderburgh County Treasurer's office is in the midst of a major property tax billing system conversion. This has been a project that has been in the works for more than a year, with technical data beginning in earnest of December of '08. Vanderburgh County replaced a 1980 COBOL system with a Windows based system, Manatron, that has been certified by the Department of Local Government Finance. The Vanderburgh County Treasurer's office and the Auditor's office simultaneously went "live" with the new system on February 6, 2009. As a result, we expect to have greater customer service, in addition to speed and accuracy when it comes to our tax time collections. We still do have some wrinkles to iron out, and our staffs will have continuous training throughout the year, due to the fact that we have various annual duties that need to be performed throughout the year. But, we are very excited about where we are in this conversion process. The project has been led by County Auditor, Bill Fluty. One item that has not been addressed during our project conversion until now, was the Vanderburgh County Treasurer's website, which is the tax billing database portion of the website. The vendor who originally designed the tax billing database webpages for the Treasurer's office, Vision Internet, will charge Vanderburgh County approximately \$25,000 to modify the webpages, to display the data into our current Manatron MVP tax software. That is a one time fixed expense used only to maintain currently displayed information. According to conservative estimates provided by Computer Services from Vision Internet, anytime a change needs to be made to our website due to changes on the MVP tax data structure, the county would be looking

at additional and considerable expense, estimated at \$10,000 to \$25,000 per project. Luckily, Manatron, the company that landed the contract for Vanderburgh County, also has a website product. Manatron has submitted a proposal to provide this service for an initial cost of \$24,000 to replace our current webpages with their Property Max web system. The best aspect about Property Max is their ability to better serve our public. We can configure the information that is available to the public, via the Internet, to match what is available to the public if they were to seek information through one of our public view terminals in our office. Information should be updated much more frequently than possible before, and that would be a situation that would not only help our office, but the Auditor's office as well. Should Vanderburgh County choose to sign on with Property Max, the upfront \$24,000 cost would cover an entire year from sustainability, support and service, and the data would be integrated with our current tax billing system. The initial cost includes the cost of the first year's maintenance and support, as well as implementation costs. The recurring annual cost of maintaining the site would be \$12,000 per year, beginning one year from now. It would take approximately 90 days for the full conversion to take place on the County's Internet site once the project can be scheduled to begin. We're hoping to work with Manatron and get that done a lot quicker than 90 days. The CIO, Matt Arvay, and Computer Services staff strongly recommend Vanderburgh County migrating to the Manatron Property Max system. Also, the Information Technology Advisory Council, also known as ITAC, an advisory panel of elected county office holders and appointed City of Evansville department heads, unanimously approved the recommendation for Manatron's Property Max, due to the products best and most effective long term solution to provide the best value for Vanderburgh County residents. I have provided you an executive level summary of the two products for you to view, as prepared by Computer Services. I also have given you a list of all the statistics for the website from January 1 through December 31st of 2008.

President Tornatta: Rick, the, is anybody else in the state using this product at this time?

Rick Davis: Manatron is one of the largest property tax billing sites in the state. Probably, if I'm not mistaken, one of the top property tax billing companies in the state.

President Tornatta: And is, are these, is this website going to work with the Assessor's site?

Rick Davis: Yes.

President Tornatta: Are they going to be able to work together?

Rick Davis: Yeah, well, if I may, the Assessor's site is also going to be going through an upgrade very shortly. From what I have been told, and correct me if I'm wrong, Auditor Fluty's been the project leader, things should be very seamless between all three offices once this conversion takes place.

Bill Fluty: Really, part of this whole project is to be seamless between the three offices, and even by state statute that we have to move towards that for all three, Assessor, Auditor and Treasurer. Then again, Manatron has a presence in over 70 or 80 counties, whether it be the tax billing, Assessor, or the Treasurer. This is one thing that was on the burner, we set it aside to deal with the main topic of conversion, and then now we're to another phase and we're just coming back to

move forward on this. We always knew that we would have to do this. We weren't sure at the time if we would go with Manatron, go with another vendor, at the time, so we've kind of left it aside until now.

President Tornatta: Are we ever going to be in a position where all three systems are going to be maintained by the same group? Then are we at a \$36,000 cost? Or, is that going to be maintained under one site provision?

Bill Fluty: We currently are, the Assessor is Manatron.

President Tornatta: Right.

Bill Fluty: We are Manatron now. So, yes, your question is are we going to be by the same group? We are, and we'll continue to integrate these things. Because what the state is telling you is that if there is a correction, if there is an address change made in the Assessor's office, I don't have to make an address change too.

President Tornatta: Right.

Bill Fluty: So, it's, that's a simple, a very simple example, but that's the thought process. That there's not the duplication between the three offices. So, they're moving to one, maybe we'll just have one office one of these days.

President Tornatta: Do we know that, don't start that. Do we know that, are you being billed an equal amount per website?

Bill Fluty: No, this is his data and not my data.

President Tornatta: Okay.

Bill Fluty: This is—

President Tornatta: But, they're maintaining his data for that amount, right? What are they doing with your data? If they're the same site—

Bill Fluty: I populate his.

Rick Davis: Yes, that's exactly correct.

Bill Fluty: You know, we're lateraling this ball off. The Assessor gives it to me, I move it to the Treasurer, he's the stopping point.

President Tornatta: So, you're handling for all three offices?

Rick Davis: Yes, it's a year long relay race. The Assessor handles information hands it over to the Auditor, the Auditor handles information hands it over to me, and then we bill.

President Tornatta: I would be trying to get \$8,000 from him, or four and four, but, I mean, that's fine. You run your office.

Rick Davis: The great thing about this, and one of the greatest features is right now the system that we were under before, if there was a transfer of property, say from Commissioner Tornatta to Commissioner Winnecke, in let's say June, that would not

be reflected on our website at all until we rolled over the next year, which is typically in March. So, we get phone calls in August, as well as the Assessor and the Auditor—

President Tornatta: Right.

Rick Davis:— I sold this property five months ago, why do you still have me, sorry, why do you still have me listed as an owner on this property? Those days will be gone. That will be updated within a 24 hour period with this system.

President Tornatta: Okay.

Rick Davis: It will greatly enhance our tax billing database.

President Tornatta: And even though it's \$12,000, just so I'm clear, \$12,000 will come from one office, and won't be duplicated in other offices?

Bill Fluty: No, it will not.

President Tornatta: Okay. Alright, that's beautiful.

Commissioner Winnecke: And to further clarify, if I'm correct here on the financial side, the money is in place from the initial appropriation made by Council for the entire project?

President Tornatta: Okay.

Bill Fluty: Yes, but we will go, when we asked for the appropriation, this wasn't part of the package. So, tomorrow we'll go to the Council and say we do have some money. I mean, we do have enough to handle this, but we want to clarify to them that this is the way that we would like to use it. So, you're signing the contract and we want to let them know that we didn't need it for other things, whether it be hardware, software, or the conversion, just in case we had extra costs that we, because we didn't know when this data moved over how much contractual service or outside help from another vendor we might need. So, it's worked fairly well. So, we do have the money in place.

Commissioner Melcher: So, this was an option is what you're saying? Now, we're—

Bill Fluty: This was an option we didn't take back in the fall, because we were not—

Commissioner Melcher: That's how we started out. I'm okay with it. I'll make a motion that we accept it.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any other discussion?

Commissioner Melcher: Public comment?

President Tornatta: Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Rick Davis: Thank you for your time.

President Tornatta: Thank you, Rick. Thank you for your answers.

County Engineer

President Tornatta: County Engineer? Anything on the docket?

John Stoll: We've been getting some complaints in regard to traffic bypassing the detour route for the Oak Hill and Bergdolt project. The sign detour runs Lynch Road to Hitch Peters to St. George, but people have been bypassing that through residential neighborhoods. So, I wanted to request this evening to lower the speed limit. There's a county ordinance that says that, "the County Engineer is hereby authorized to temporarily lower the speed limit established under this section upon any county road due to hazardous conditions, construction or repair on or near said county road. Set temporary speed limit shall be in effect for 30 days and may be continued for additional 30 day periods of time. The speed limit and duration of the speed limit shall be ratified by a vote of the Board of Commissioners at a subsequent meeting. The speed limit shall be in effect upon posting of the speed limit." So, on the basis of that ordinance and the complaints that we've been getting from residents in the Clover Drive, Eastbrook and Ridgewood area. I would like to request that the speed limits be temporarily lowered on Eastbrook west of Oak Hill, on Clover between Eastbrook and Ridgewood, and on Ridgewood, I'm sorry, Eastbrook west of Oak Hill, I thought I said east maybe, and Ridgewood west of Oak Hill as well, 20 miles an hour for the duration of the project. Ultimately, the way the ordinance is written, we'll have to come back every 30 days and get you to reauthorize it, if you're willing to approve it. But, I've talked to the contractor and they're ready to post the signs if we can get this approved.

President Tornatta: Okay.

John Stoll: Hopefully that will be an additional deterrent for the through traffic to stay out of the residential areas. I've been in contact with Sheriff Williams, he's increased patrols through that area, excuse me, in conjunction with that and maybe the lower speed limits and the patrols we might see people use the actual signed detour instead of cutting through the residential areas.

President Tornatta: Any questions?

Commissioner Melcher: No, this is the one we were getting e-mailed on. I agree with him, but I think it's going to be tough for the Sheriff to be out there all the time checking.

John Stoll: Right.

Commissioner Melcher: So, hopefully, people will follow the directions.

President Tornatta: John, if you could also, and we'll try to work this out with the County Highway, I do know that there is a couple of ingresses or egresses even around that temporary detour that probably need to be addressed. Pretty big pot holes.

John Stoll: Right, there's one right off of Oak Hill on Ridgewood.

President Tornatta: Yeah.

John Stoll: We got a complaint on that.

President Tornatta: Yeah, as long as it's going to be available, we probably need to get out there and take a look at it.

John Stoll: I agree with Commissioner Melcher that it is going to be tough to enforce 24 hours a day, but at least when a deputy is present it gives them another mechanism to try and slow people down if it is going to be used.

Commissioner Winnecke: Mr. Chairman, at this time I would move that we authorize the County Engineer to reduce the speed limit in the area, on the streets that he designated.

Commissioner Melcher: I'll second that.

President Tornatta: And that would be 20 miles an hour. Any other discussion? While we're in discussion mode, how long for the project, three, three and a half months from now?

John Stoll: Right now they're, the road closure was set up to run until the end of June. We're trying to work through a number of utility conflicts. All the storm sewer crossings there are sewer problems, water problems, fiber optic, anything underground is a conflict right now. We think we've got some plans that probably can avoid that to try and keep the project on schedule. But, if there are any delays beyond the June 30th date, it would probably be attributed to trying to get around all the utility conflicts.

President Tornatta: Any other questions? A motion and a—

Commissioner Melcher: Isn't this a state project?

John Stoll: It was bid through the state, yes.

Commissioner Melcher: That's what I thought. Okay.

President Tornatta: A motion and a second. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Tornatta: Thank you, John.

Commissioner Winnecke: Thanks, John.

President Tornatta: David, anything from your side?

David Miller: Nothing tonight, sir.

President Tornatta: Okay.

New Business/Old Business

President Tornatta: Alright, next, under new business, we have a contest. The Vanderburgh County employee walking contest will be called Walking to Freedom. We're going to walk through Indiana, find out more about your state and finish at the annual Freedom Festival. We are asking that the employees of Vanderburgh County, in your offices, get a team of five, and we recommend that from the same office, that's part of the game and the contest. We're going to have pedometers for those who want to participate. We'll have information out in the paychecks of people for Vanderburgh County, but it's for a healthier Vanderburgh County and the employee side. That group of five will walk, will have their pedometers, will walk their steps, calculate their steps to miles, which there's an easy calculation, and those steps would then put them somewhere in Indiana. The mileage would put them somewhere. As it reads right here, teams of five from the same office sign in the Commissioners office by 3/9/09. Each team will designate a captain and choose a team mate, or a team name. Team captain will pick up the pedometers and other contest information from the Commissioners office on 3/16/09. The contest starts that day. Team captain will record each team members steps, reset their pedometers weekly and turn in the total number of steps for that week to Tonya Hitch. We have her information. That's by noon on Fridays. Weekly updates of locations of each team will be reported by Tonya to the Commissioners office to post. I'll be working with David Rector to post this on our, excuse me, on our t.v.'s, and we can also get that out in some e-mails. Designation prizes will be based on steps turned in by noon on Friday. The first team completing the Indianapolis 500, walking 500 miles after the team reaches Indianapolis will receive a special halfway prize of lunch for the whole team. Team and individual prizes will be awarded for the first to return to the Freedom Festival in Evansville by 6/19/09 for the Freedom Festival. An individual winner will not receive team prizes if individual is on the winning team. Just some additional information, the average person takes 2,000 steps, which is equal to one mile, and I guess that would be in a day. The recommended steps for a healthier lifestyle is 6,000 steps per day. The

recommended steps for weight loss is 10,000 steps per day. We will have all the lists, the first trek is from Evansville to French Lick, and ending up from Holiday World to the Freedom Festival, 1,922 miles we'll ask our employees to try and take on. Throughout the contest participants will be walking the golf course, hiking trails, walking on beach, completing the Indianapolis 500, taking time to smell the roses, visiting Wyandott Caves and Holiday World. Motivational tips for those people who are participating in this contest will be e-mailed throughout the contest. Prizes, our grand prize is a Freedom Festival package for the winning team; wristband passes to all events except carnival rides, a front row table for the concert at the Freedom Festival and Festival bags per person and a guest for the team that reaches the Freedom Festival first. The top three teams and their guests will be provided a special tent area for the concert and have a reception there. \$75 for the first individual to reach the Freedom Festival, and then there will be special prizes along the way. I'm throwing down the gauntlet, anybody that would walk farther than me, they're going to get my parking space for a week. I think I've got these other two guys to do the same. So, whoever finishes with more miles, or more steps, or beats us will have their, three weeks worth of parking spaces and we'll have to park out in the back 40, I guess.

Commissioner Winnecke: That's okay.

President Tornatta: Because we didn't walk as far as them. So, we owe them. Then, for those that, I don't know if you're still in on this, or if you're still in on this, but for those, for the one person that beats us, they get that. For anybody else that beats us, we're going to have a day and we're going to wash your car. So, a little motivation. So, I'm going to start walking right now.

Commissioner Winnecke: Or running.

President Tornatta: Or running, they don't say that in here.

Commissioner Melcher: You better do a lot of walking.

President Tornatta: So, anyway, any questions of the Board? If you're in, I think the Commissioners office will be the first to put their team in of five, including you, Mr. Melcher, and you, Mr. Winnecke.

Commissioner Winnecke: I'm in.

President Tornatta: Okay. Amen, or I'm in?

Commissioner Winnecke: I'm in amen.

Commissioner Melcher: It sounds like we've been drafted.

President Tornatta: Okay. If we could have a motion to approve this contest and we'll get it started.

Commissioner Winnecke: Mr. President, at this time I would move approval of the Walking to Freedom health proposal.

Commissioner Melcher: I'll second it.

David Miller: Are you sure you don't want two readings?

Commissioner Melcher: No, not on this one.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: This the first time. There will be a trophy for the team that finishes in the office. That trophy will reside in that office and will be a traveling trophy. They'll probably have to pick that up in the Commissioners office, because we feel like we'll probably keep that trophy. Alright, throwing down the gauntlet. Reminder, road hearings, March 4th at 6:00 p.m. which is tomorrow, 6:00 p.m. at the Career and Technical Center on Lynch Road. We invite anybody in our three districts in Vanderburgh County to come out there. We'll go over the projects across the county, we'll go over the projects in your district and also the projects that are closest to you, the ones that you would like to see done. Road pavements and maybe roads fixed that are in your area. So, if you have a hankering to have your mind set on any plan that we have in Vanderburgh County we encourage you to come out there on that day, March 4th at 6:00 at the Career and Technical Center.

Commissioner Winnecke: I have one piece of new business to address.

President Tornatta: Sorry.

Commissioner Winnecke: Also under new business, back in January, I believe, Brad Mills from the MPO sent us an e-mail to chat about the appointment of sort of an adhoc committee that will last for less than a year to develop a small area economic development plan for the I-69/I-164 area. He asked that, or suggested that maybe I be appointed from this body since I sit on the Area Plan Commission. We have not taken action on that, but I would just let you know that I would be happy to serve on that committee. He thought the committee would meet five times during the course of the year before the work is completed.

Commissioner Melcher: I'm okay with that. So, if we need a motion I can make that motion. I do sit on the MPO board, so that would give us two. So, I make a motion that Lloyd sits on that seat.

President Tornatta: I'll second it. A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright.

Commissioner Melcher: I've got a couple of things on old business too. First, I would like to welcome our guests here this evening, the students that are with me, Sammy Burnworth and Shelby Edge. They are both juniors from Central High School. So, welcome for being here this evening. Second, I would like to talk about, I talked this over with the attorney after the last meeting, it seems like we get a lot of e-mails the day of our meeting. It really starts about Friday afternoon, and we have a schedule, I understand, that everything has to be in by noon on Thursday for our meeting. What I would like us to do is kind of follow that schedule. We don't have to make a motion, it's already set there. So, we won't be adding anything whenever the office, the Commissioners office on Friday, when they get done, they can send us, actually not a draft, they can send us the real agenda. That way, the media, the public, everybody knows exactly what's going to be on the meeting. There will be times when there's an emergency or something has to be added, but it will save the attorneys a lot of time trying to scramble and getting contracts ready. Once everybody knows that we're sticking to that schedule, believe me they will have their stuff turned in on time. I've seen this happen before. So, I think that's something that we just need to start doing. So, if it comes in on Monday and wants to be on the agenda, unless it's an emergency, it will be on the following meeting. I think that's, and when I talked to the attorney after the last meeting, he was all in favor of that. He just likes to get things pushed off his desk, he said, but he also understands that everybody has to jump through the hoops, and the women we have working for us, they're retyping the agenda every time we come in. So, I think it ought to be set, and the community would know, and we wouldn't have to worry about anybody saying that it wasn't on the agenda.

President Tornatta: Okay. If you, we made mention of this, but just to get it out, if you could check with our website and check with our Facebook page to get any of the updated agendas that have come out. So, we encourage you to do that as well. Point taken. Any other questions? Okay. Lucas Creek is from Memorial and he's with us today. Welcome, Lucas. Alright.

Public Comment

President Tornatta: Public comment. I know we have a couple of people out there that are wanting to say something. Do you want to come on up?

Larry Sanders: Yes, I'm here on behalf of the property.

President Tornatta: Can you give us your name and your address please?

Larry Sanders: Yes, my name is Larry Sanders. My address is 1722 South Elliott. The property that I'm here for is 720 Waggoner Avenue.

President Tornatta: Just to catch the Commissioners up, you might have gotten an e-mail on this. Larry has a property that for one reason or another has slipped through the cracks. He was reminded that there was a property tax due on it. He has come to me and asked me if he could make that property tax with whatever the sides are or fees are. I think we actually have a fee to take title to that property and some type of deed work. That would be included in this process, but after our office would talk to the Treasurer's office, there would be a fee, he would pay that immediately. If he would do so, he is asking to do that in order to give the property to the church, which was intended to give but the paperwork was not filed at a proper amount of time. How close was I?

Larry Sanders: Very close.

President Tornatta: Okay, alright. Any additions to that?

Larry Sanders: That's pretty much it.

President Tornatta: Any questions?

Commissioner Winnecke: So, how much money in back taxes are we talking about?

Larry Sanders: What I'm looking at is—

Commissioner Winnecke: Fees and all.

Larry Sanders: —from what they gave me this morning was just \$182, well, \$183.32.

President Tornatta: Yeah, and it's probably going to be somewhere in the three hundred dollar range.

Commissioner Winnecke: With fees?

President Tornatta: With fees and the deed work. That's a rough estimate.

Larry Sanders: That's fine.

President Tornatta: If it were approved today, he would have 24 hours to pay that amount. That amount would be given to him in the morning.

Commissioner Winnecke: And, you're comfortable that you can make that?

Larry Sanders: Yes, sir.

Commissioner Winnecke: Okay.

President Tornatta: If we do this, we would need a motion.

Commissioner Melcher: I could go ahead and make the motion that you understand that you've got 24 hours after you find the number in the morning.

Larry Sanders: Yes, sir.

Commissioner Melcher: Because our cutoff was March 1st, if I remember right. We really don't like exceptions, but you're going to be getting rid of it. So, I'll make that motion.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any public comment to this? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Larry.

Larry Sanders: Thank you.

Commissioner Winnecke: Good luck.

President Tornatta: We will have, we'll probably have that information by 10:00 tomorrow.

Larry Sanders: Okay.

President Tornatta: And, we would probably have it in the office. Could we have it, we should be able to have it in the office and you have the number.

Larry Sanders: Yes, sir.

President Tornatta: Okay.

Larry Sanders: Alright, thank you. I appreciate it.

President Tornatta: Alright, Larry. Thank you.

Commissioner Winnecke: Thanks, Larry.

President Tornatta: The runners club.

David Miller: Mr. President, while he's coming up here. Somebody from our Commissioners office needs to call over to Kathryn Schymik to get the exact fee amount that is applicable to that.

President Tornatta: Okay.

David Miller: In the morning.

President Tornatta: We will. Will do. Howdy.

Chris Thomas: How ya doing? Chris Thomas, president of the Greater Evansville Running and Walking Club. We have a race out at Burdette Park. Can I give you guys this information, hand it to you?

President Tornatta: Sure.

Commissioner Melcher: Thank you.

President Tornatta: Chris has been working diligently to--

Commissioner Winnecke: They can't be in our contest.

President Tornatta: Amen. Yeah, he can be on our team.

Madelyn Grayson: Yeah, do you want to be on our team?

President Tornatta: We're going to be recruiting.

Commissioner Melcher: He can sub for me, especially on the car washing part.

Chris Thomas: I saw the motivation when he was talking that you're motivated about the whole thing. Anyway, what we're doing is, we've talked to Troy before, Burdette Park has in the past hosted races, and we want to get back to where they're having races. So, we're having this Gilles Feet First International 5K Walk/Run in conjunction with the hot dog festival. Which means that after the walk and the run is over we're going to have free hot dogs for everything. So, a brief history of the running club. The website is www.gerwc.com, and what we do is, we're a non-profit. If you're at any of the track meets, you see our hard core volunteers. They do the timing at all of the high school track meets, Bob Lauderdale and Ray Prichett and there's a host of others that do a great job. But, anyway, we also have a step up club where we go into the schools and have the kids walk certain distances over a certain amount of weeks and they earn prizes and all that stuff. It keeps them active. Then during the summer we have free track meets at Central High School that the club rents the track for. Then we also have a grand prix for runners through the whole year, if they run "x" amount of races they qualify for awards at the end of the year at our banquet and stuff. So, anyway, we're hosting this race at the Burdette Park, and what we would like to do is, we've probably got two more races planned. We're working with Steve Craig out there, in fact, I think in June we're going to have an extreme 5K race that we actually don't run on the roads, we run out into the woods, and then there's a pipe going underneath Nurrenbern Road that we'll actually run them under that, up the hill and back down. We'll actually have a special award if you can do three miles in 30 minutes. You'll actually get a special award to finish that race. We're only looking for a hundred people to do that. So, that's kind of hard core running. But, we want to attract people to Burdette Park. There's a lot of things that have changed out there, like the great lodge, people haven't seen that. The actual bike trail, that bike trail out there is fantastic. It's probably one of the best bike trails around the state. I know eventually you guys are going to complete that to USI and that would really make a unique race and a great race. So, anyway, also to help out in this economic doom and gloom time right now, any kids that are 15 and under, whether they're in the club or not, it's seven dollars to do the race. So, if a parent

joins our club for the year, as a single or as a family, a single is ten dollars, a family is \$15, they will get two to three dollars off of any given of the five races. So, if a parent shows up and it's \$13 for him to do it, and the child is under 15, it's seven dollars. So, they both can run for twenty bucks. Or if they have two kids and stuff, it's twenty seven. Some races you can go and they have two kids and an adult it's \$75 to run. So, we're trying to make a commitment to keep the fees down and everybody enjoyable, and they have food afterwards. Mr. Winnekce, you guys help us out at the Otters race, you guys are one of our sponsors at that. We had fried chicken and green beans and rolls after that. So, you run five miles and get done and eat and you gain three pounds after the race. So—

President Tornatta: That's my kind of deal.

Chris Thomas: Yeah, so, anyway we're, from our stand point of the running club, we're really making a commitment to use Burdette Park a lot more and get more people out there. We're expecting, for this race, to get somewhere, we have two separate races, a walk first, and an hour and 15 minutes later we're having the run. So, we'll get over 100 walkers out there, and then we'll get over 100 maybe 150 runners. So, it's a great place to have an event and everything.

President Tornatta: With our walking deal, maybe you'll get some more people come out there and walk, because it all counts.

Chris Thomas: Our biggest question is, it's hilly. Oh, it's brutal. The course is brutal. After the mile mark, the first mile is flat, but the second and third you're going down Nurrenbern Road, then you go back up that bike trail, and then you've got to go up that hill on where the water park is. We're just telling people that it's moderately hilly. So, that will get them out there.

President Tornatta: Have a drill Sargent out there. Push it!

Chris Thomas: Do you guys have any questions?

President Tornatta: Anything? Well, good luck.

Chris Thomas: Alright, appreciate it. Thank you guys.

President Tornatta: Appreciate it, thanks, Chris. Any other public comment? Alright.

Consent Items

President Tornatta: Madelyn if you could quickly read our consent items.

Commissioner Winnecke: Mr. Chairman, I would like to pull, as we did two weeks ago, I would like to consider the employment changes separately.

President Tornatta: Okay, we'll need to make that in the form of a motion.

Commissioner Winnecke: I'll make that in the form of a motion.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Madelyn Grayson: And you would like me to read the rest of the consent items?

President Tornatta: Yes, if you would please.

Madelyn Grayson: Okay, the consent items for the March 3, 2009 Commission meeting are as follows; approval of the February 17, 2009 Commission meeting minutes, approval of the February 26, 2009 special meeting minutes, travel requests for the County Assessor, one; County Auditor, two; County Engineer, one; County Surveyor, one; County Treasurer, one; Health Department, five; the Commissioners, the Lichtenberger Construction pay application number eight; Bernardin Lochmueller University Parkway phases one and two February 2009 project update; Computer Services request to surplus ten chairs; County Auditor surplus request; County Clerk January 2009 monthly report; County Engineer, Burkhardt-Green River TIF pay request number 73 in the amount of \$119,198.29; the Treasurer January 2009 monthly report; the Treasurer has two surplus requests, one for seven MICR scanners, one printer and two printer toner cartridges; Sheriff a request for an additional 22 surplus computers; the Prosecutor has the equitable sharing agreement and certification that's amended from the February 3, 2009 meeting; Weights and Measures monthly report for January 15, 2009 through February 15, 2009; the Recorder is asking for a transfer of eight bookshelves to the Auditor's office, and then department head reports from the County Highway, the County Engineer, the Ozone Officer and Burdette Park, and the Sheriff has an equitable sharing report for 2008.

Commissioner Winnecke: Move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Employee requests? Or, is it employee requests, is that, or changes? Was there—

Commissioner Winnecke: I just wanted to vote against one. How do you want to—

President Tornatta: We can pull, bring up the one and hold out the rest.

Commissioner Winnecke: Okay—

President Tornatta: You can set it aside.

Commissioner Winnecke: I've got it. Mr. Chairman, at this point I would move that we approve the employment changes presented on the consent agenda, with the exception of the County Highway employment change of Mr. Duckworth. The rest I would move approval.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: I guess, my question is has this already been done? This was done last week, or two weeks ago.

Bill Fluty: No.

President Tornatta: Corrected paperwork?

Bill Fluty: Corrected paperwork is all that is, yes.

President Tornatta: Corrected paperwork.

Commissioner Melcher: So, all we're doing is correcting the paperwork?

President Tornatta: From what we had already done two weeks ago.

Commissioner Winnecke: They need a paper trail, because they couldn't act on the minutes, they need the correct paperwork.

Commissioner Melcher: You know, I guess, since I'm new, I thought we had a sheet, we just had some wrong information on it, we were just changing it.

Commissioner Winnecke: That's what this is.

Commissioner Melcher: That's what this is?

Commissioner Winnecke: Uh-huh.

Commissioner Melcher: Alright.

President Tornatta: I think it said resigned and it was discharged.

Commissioner Winnecke: And the date.

Commissioner Melcher: It shouldn't have been—

Commissioner Winnecke: And the date was changed.

President Tornatta: Uh-huh.

Commissioner Melcher: Okay, so that's got the correct date on it?

President Tornatta: Uh-huh.

Commissioner Melcher: I'll make the motion.

President Tornatta: Second. A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1. Commissioner Winnecke opposed.)

President Tornatta: And, at this time, I would entertain a motion to adjourn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

(The meeting was adjourned at 6:15 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the February 17, 2009 Commission Meeting Minutes.
Approval of the February 26, 2009 Special Commission Meeting Minutes.
Lichtenberger Construction Pay Application No. 8.
Bernardin Lochmueller: University Parkway Ph. I & II Feb., '09 Project Update.

Employment Changes:

County Clerk (2)	County Assessor (1)	Dental Clinic (1)
County Highway (1)	Prosecutor (2)	VCCC (2)

Travel Requests:

County Assessor (1)	County Engineer (1)	Auditor (2)
County Surveyor (1)	Treasurer (1)	Health Dept (5)

Surplus Requests:

Computer Services (1)	Auditor (1)	Recorder (1)
Treasurer (2)		

County Clerk: January 2009 Monthly Report.

County Engineer: Burkhardt-Green River TIF Pay Request No. 73.

Treasurer: January 2009 Monthly Report.

Sheriff:

Request for an additional 22 surplus computers.
Equitable Sharing Report for 2008.

Prosecutor: Amended Equitable Sharing Agreement & Certification.

Weights & Measures: Monthly Report: 1/15/2009-2/15/2009.

Recorder: Transfer of book shelves to Auditor.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	David Miller	Madelyn Grayson
Linda Reed	Amber Martin	Dave Rector
John Stoll	Gary Heck	Debbie Spalding
Z. Tuley	Rick Davis	Larry Sanders
Chris Thomas	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
MARCH 17, 2009**

The Vanderburgh County Board of Commissioners met in session this 17th day of March, 2009 at 5:02 p.m. in the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good evening. Welcome to the March 17th, St. Patrick's Day version of our Board of County Commissioners, in room 301. It's a couple of minutes after 5:00. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

Pledge of Allegiance: Lauren Wright

President Tornatta: If I could have Lauren Wright please come up. Lauren, first off, we would like you to honor us in leading us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Tornatta: Come on up to the podium, Lauren. Lauren is a senior at North High School. Go Huskies! Lauren is also the top youth volunteer in Indiana in 2009 and the 14th annual Prudential Spirit of Community Award winner. Welcome, Lauren. You also did a whale of a job in the ARC's Really Big Show.

Lauren Wright: Oh, thank you.

President Tornatta: Tell us about the award you received.

Lauren Wright: It was the Prudential Spirit of Community Award. My volunteer service, I have gone to Deaconess Hospital once a month for the past ten years and shared my violin music with the patients in the progressive care unit. They usually come to the little activities lounge, or, if not, I go to the individual rooms if they're not able to get out of the room. I've played the violin since I was three. So, I decided to use my music and my talents and what I love to help the community. I know I'm not saving the world, but if I can touch one person, and, you know, get their minds off of their pain in the hospital and just maybe have a song remember, or go back to like their childhood, or a family time. It's, if I can touch one person with my music, it's, that's what I'm here for.

President Tornatta: As far as your volunteering, what would it take somebody to kind of catch that spirit to be a volunteer?

Lauren Wright: To—

President Tornatta: I'm just saying, what do you think you would advise somebody if they were to think about going out and volunteering? What are tidbits that you would give them?

Lauren Wright: I would definitely say use something that you love to do. Like, I love music, so I was like how can I use my music to reach out to the community? So, if you have a passion for, you know, animals or something, go to, you know, the animal shelter or something. But, you know, it makes it come from more of the heart if you do something that you love to do to help the community.

President Tornatta: Do you know where you're going to college next year?

Lauren Wright: I'm planning on going to Belmont University, in musical theater and it's in Nashville, Tennessee.

President Tornatta: And that's the school that's playing U of E?

Lauren Wright: Yes, on Wednesday.

President Tornatta: Okay. Well, Lauren, thank you for coming today. Any questions of the Board?

Commissioner Winnecke: No, other than just when we first received the notification of your award, I dropped you a note, and when I read the letter about your award I was really moved by your dedication. It's pretty rare to find someone that young committed to volunteerism. So, hats off and best of luck at Belmont.

Lauren Wright: Well, thank you very much.

President Tornatta: Thank you, Lauren.

Lauren Wright: Thank you.

(Applause)

<p>Resolution CO.R-03-09-004: Approving the 2009 Comprehensive Economic Development Strategy Update</p>
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President Tornatta: Alright, action items, resolution to approve the 2009 Comprehensive Development Strategy update. Debbie Bennett-Stearsman.

Debbie Bennett-Stearsman: Good afternoon. Debbie Bennett-Stearsman with the Economic Development Coalition. You should have before you a copy of the 2009 Comprehensive Economic Development Strategy. It looks like this. It was e-mailed about a week ago to you. It also has, was e-mailed to your attorney. This document was created in efforts to comply with the Economic Development Administration's request to update the 2005 CEDS that was created by QCDC in order to allow all the units of local government in Gibson, Posey, Warrick and Vanderburgh county to apply for federal funding. I just need to get it approved by each of the four County Commissioners so I can send it in to EDA by March the 20th, so that it can be on file so the counties can be eligible to apply for federal funding.

President Tornatta: In talking to Debbie, one of the things we will do with this is we will be able to receive grants from the EDA. So, that is a very important arm of how we can get some money back into Vanderburgh County using the quad counties approach.

Commissioner Winnecke: Mr. Chairman, at this time I would move that we approve the resolution that's been presented to us updating the Economic Development Coalition 2009 CEDS update.

Commissioner Melcher: I'll second that motion.

President Tornatta: A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Debbie. Any updates that you have on you at this time?

Debbie Bennett-Stearsman: I've got tons, but you don't have enough time. I do want to invite everyone, and any department heads to attend our workshop at Ivy Tech tomorrow from 1:30 to 3:30. We have a firm coming to talk about the stimulus funds, both the allocations to the State of Indiana and through the federal agencies. It is free and we are hosting it on behalf of Baker and Daniels. So, anyone that wants to come, you're welcome to come. One last follow-up, all of the projects that were submitted to the Ball State University form issue a couple of weeks ago, those have been, they are at Ball State. I'm going up Monday and Tuesday to go through the portals for the region, and we should have a listing of those for Vanderburgh County. After that we will need to get together to look at the different pots of funding that the county will be eligible for through the disaster recovery and through the stimulus funding. So, I'll bring you up to date on that whenever I get back from that.

President Tornatta: And, just as a side note for those who might not know, Debbie works with GAGE and is also really involved with the stimulus dollars, as well as the Recovery Act dollars, and has been helping promote Vanderburgh County and the other counties in our....how many counties?

Debbie Bennett-Stearsman: Four county area.

President Tornatta: Four counties, to try and get the maximum amount of dollars back. So, we really appreciate how Debbie has stayed on top of the focus of what

we need, and she has been an outstanding champion for our county in this time where we have so many dollars at hand. Thank you.

Debbie Bennett-Stearsman: Thank you.

Commissioner Winnecke: Thanks, Debbie.

<p>Building Authority: 2009 Centre CIP (Capital Improvement Plan)</p>
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President Tornatta: Building Authority, Dave?

Dave Rector: Good afternoon, gentlemen. Dave Rector, Building Authority. We have the 2009 Centre CIP proposals and projects for your consideration tonight. I also have representatives from SMG, if you have any questions of them. I'm here to answer any questions regarding it.

President Tornatta: Tell us what CIP means?

Dave Rector: Capital Improvement Plan.

President Tornatta: Okay. As in the past—

Dave Rector: We've done this for the past five years. It is using Food and Beverage money to make improvements to the Centre that normally we just can't do within the budget of it. Last year we did a number of projects. This one is a pretty healthy amount again. It's a little bit less than last year, but it's still a lot of projects to get done.

President Tornatta: Any questions from this Board? I know you have received the CIP, and would entertain a motion.

Commissioner Winnecke: I have a couple of questions.

President Tornatta: Oh, sure, absolutely.

Commissioner Winnecke: Dave, what, if you would, prioritize the top three or four on this list. It's a lengthy list, but give us the top three or four that just absolutely have to be done.

Dave Rector: The air locks at the doors. We've tried to do that over the last couple of years. It's helping on the utilities. As you know, that was one of the items that was cut when the project was first done. If you recall, you open up the doors and cold air or hot air floods in, putting the air locks in helps with the utility costs over there. Another one, Scott Moore tells me, and he can answer questions, is a big hit, \$250,000, is replacing the cooling tower already. A little bit disappointing, after ten years we already need to do that, but it's rusted and a lot of repair spots. Scott tells me it's something that we're looking to very soon. So, we put that on there for this year.

Commissioner Winnecke: Excuse me, are there any warranty issues with that?

Dave Rector: Not after ten years, unfortunately. It's unusual for a cooling tower to go out this quickly. Normally you would see a good 20 years or more out of them, but it is rusting and it has holes in the cooling tower. Those are the two big items. The other, a lot of the smaller things, I don't want to say cosmetic, but, Darren, if you want to address those, but it helps SMG to attract customers and maintain the different groups that they have in.

Commissioner Winnecke: I did have a question of Darren.

President Tornatta: Sure. Darren?

Darren Stearns: Darren Stearns, Assistant General Manager with SMG.

Commissioner Winnecke: Thanks, Darren. Hey, you have several requests on sort of electronic type of items. How does the facility stand in terms of having the necessary in house electronic equipment for people who want to come in and rent the facility?

Darren Stearns: Well, as far as the, it depends on which part of the electronics you're talking about. If we're doing like for LCD projectors and stuff, that's some of the things we've got. A lot of the electric stuff that is in here is actually for the auditorium. Some of the things that we have to do for some of the Broadway shows and things that need to be upgraded for that kind of items.

Commissioner Winnecke: Specifically I was talking about the projectors.

Darren Stearns: Yeah, the LCD projectors. We've been getting a few of those each year on this capital improvement list so that we have them to where we can have enough to cover all of our meeting rooms, or the majority of our meeting rooms, plus the exhibit hall. We also use them in the auditorium.

Commissioner Winnecke: Are there times when you have to, when either you or the tenant has to rent—

Darren Stearns: Yes.

Commissioner Winnecke: —outside equipment?

Darren Stearns: Depending—

Commissioner Winnecke: How—

Darren Stearns: Depending on how extravagant the event is. I mean, we have the basic LCD projectors. Some of them want some rear projection with a different kind of illumination and lighting. We don't have a lot of the lighting that we can hang in the exhibit hall. We have all of the lighting in the auditorium. So, a lot of times they'll go out, that's probably four or five times a year.

Commissioner Winnecke: And, is there, do you have the proper technical staff on hand that can maintain this equipment properly?

Darren Stearns: We do have a gentleman that maintains most of the lighting and stuff with our auditorium. Then, of course, we have the local Stage Hands Union that does all the set up and tear down and operates the equipment.

Commissioner Winnecke: Okay. That's all I have.

President Tornatta: Alright. Steve?

Commissioner Melcher: I don't have any questions?

Dave Rector: The other big hit item on there is the landscaping, to finish out that project that we started last year.

President Tornatta: Okay.

Commissioner Melcher: I don't have any questions.

President Tornatta: I can't give a motion.

Commissioner Melcher: I'm getting ready to.

President Tornatta: Okay.

Commissioner Melcher: I'll go ahead and approve it.

President Tornatta: I'll second it. Any discussion? A motion and a second. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Madelyn Grayson: Dave, do you have an extra copy of that list for the record? I didn't get a copy.

Dave Rector: I'll give you mine, Madelyn.

Madelyn Grayson: Oh, okay.

Update on Surplus Items in the Civic Center Basement

Dave Rector: Real quickly, we went through the departments, and we were able to get rid of some of the surplus furniture through last Friday. I don't know, probably half a dozen departments came down. The next step will be to notify the non-profits and try to continue to move some of that furniture.

President Tornatta: Okay.

Dave Rector: Thanks.

President Tornatta: Thank you.

EMA: Approval of Placement of Six New Storm Warning Sirens

President Tornatta: Alright, EMA, emergency sirens. I saw Sherman pop in here. Doing your homework?

Sherman Greer: Is there any—

Brenda Jeffers: I can do that.

President Tornatta: Okay, she was hiding behind you.

Brenda Jeffers: Is it a Power Point?

Sherman Greer: It's just one slide. Sorry, I'm late, FEMA was in the office. Okay, these are the placement of the six new sirens that, on behalf of Congressman Ellsworth who got us the funding for this. We're in the process right now of looking at these sites, with your approval. We have Daylight, out at Daylight at Scott Township Fire Department there, with a population base of 1,494 and 579 households. That's one place that we would like to put it, put one of the sirens. The other one is at Boonville-New Harmony Road and Petersburg Road, with a population base of 3,283, with 1,227 homes. Maxx Road at Fire Station Number Two, we have a population base of 1,586 plus, and then on households we have 643 households there. Also, we have the Career and Technical Center out there, which has an enrollment of 117, we have the Oak Hill Library, three hotels in that area at U.S. 41 and Lynch. The other one is at Fickas and Green River Road. We have a population base of 4,506, households of 2,018. We also have Caze Elementary School within that area, which has an enrollment of 421. We also would like to put one out at Burdette Park, the population base there is about 952, households of 362, and, there again, that's seasonal with, you know, people out there doing things at different times. The last one that we would like to put up would be at St. Wendel and St. Joseph Road, with a population base of 3,433, households 1,184. It has St. Joseph Elementary School out there with an enrollment of 208 students. So, we feel like that going through Area Planning I got these figures, so that you could have an idea of what we're trying to cover within the area. All the ones that are in yellow are the new sirens.

President Tornatta: Sherman, one of yours in blue is right off of Baseline Road, just clearing Peck. Have we checked with the EVSC to make sure that their new proposed school will be covered by that particular siren? Or, do we need to make that siren bigger?

Sherman Greer: I've got a siren already ordered for that.

President Tornatta: Okay.

Sherman Greer: Once it's, once they start to building and everything out there.

President Tornatta: Okay.

Sherman Greer: We can go ahead. So, yeah, we've already thought about that.

President Tornatta: I figured you did.

Sherman Greer: We're ready for that when it happens.

President Tornatta: Okay, and the purchase and the installation are all covered by—

Sherman Greer: The installation is all covered. We put out our RFP's for that, and we put out five of them, we got two back. Mounts is going to be installing the sirens.

President Tornatta: Okay.

Sherman Greer: The next thing I have to do is get with Vectren, go around with them to make sure that we've got phase three electricity that's going to those, because these operate off of phase three electricity. Then, also, I have to get with Mr. Stoll to make sure that we're in the right-of-way, wherever we put them.

President Tornatta: Okay.

Sherman Greer: The sirens are in right now. We're ready, you know, once we get through Vectren and get with John, we're ready to start putting them up.

President Tornatta: Questions of the Board?

Commissioner Winnecke: Sherman, what's your time table?

Sherman Greer: Well—

Commissioner Winnecke: Your estimated time table?

Sherman Greer: —right now, the time table right now, since this is Severe Weather Awareness Week, I thought it would be a good idea to bring it to the Board so that you could see what we're doing. We're probably looking at two months, having them all six installed.

Commissioner Winnecke: Okay, good.

Sherman Greer: Probably less than that, to tell you the truth.

Commissioner Winnecke: Thank you.

Sherman Greer: Once Mounts gets ready to go and everything it doesn't take them long to (Inaudible).

President Tornatta: Do you need action from us today?

Sherman Greer: Pardon me?

President Tornatta: Do you need action for approval of these spots today?

Sherman Greer: I always ask for approval—

President Tornatta: Okay.

Sherman Greer: –from the County Commissioners to put those, put them in these places here. I also look at what, we’ve got \$122,500?

President Tornatta: Uh-huh.

Sherman Greer: After I get with Vectren and find out what they’re going to charge, if we have some charges there, I’m going to look at that and see if I’ve got enough left over, if I’ve got enough left over I’ll try to get another siren, poled and everything, and put another one out.

President Tornatta: Okay.

Commissioner Melcher: Okay, I’ll make the motion to approve.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Sherman.

Commissioner Winnecke: Thank you.

Sherman Greer: You’re welcome.

County Coroner: Quotes for Vehicles & Security System
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President Tornatta: Alright, Annie Groves from the, the Coroner, and from the Coroner’s office.

Annie Groves: Good evening.

President Tornatta: Good evening. Okay, Annie, before us we have competitive bids that you have taken on vehicles?

Annie Groves: Vehicles and a security system.

President Tornatta: Okay. You’re lowest competitive bid was? I’m sorry, on the vehicle?

Annie Groves: Expressway Dodge.

President Tornatta: Okay. And that amount?

Commissioner Melcher: \$21,642.

Annie Groves: Is, \$21,642.

President Tornatta: Okay.

Annie Groves: Each.

President Tornatta: I just wanted it read into the record. Okay. Then, your competitive bid on the security, your lowest competitive bid?

Annie Groves: The lowest is \$4,110, however, I would like to go with ABK at \$4,575. The reason being, as ABK is offering us 24 hours taping, where the other one just tapes for motions, motion-wise. So, I won't have continuous taping in there.

President Tornatta: Okay. Alright, so, Bill, if you can answer a question for me. If we're going to go through CCD on these particular items, we would need to file something with the County Council?

Bill Fluty: The Commissioners would file an appropriation request on the behalf of the Coroner, basically, that you've decided....you control that fund, to some extent—

President Tornatta: Right.

Bill Fluty: —and ask them to go ahead and appropriate this money for these particular items. It could be heard for the, it's too late for the April meeting, but they would be heard for the June meeting.

President Tornatta: Okay. And, that time frame, although you would like to have it sooner, will work for you?

Annie Groves: We'll make it do.

President Tornatta: Okay, and as I've talked to Coroner Groves, she elected to go with a minivan, because that fit their needs at the time. We've had several conversations about that, especially with the County Council, and that fits her needs at this time. The thought had been at some point about having a bigger van for other situations, and she assured me right now that what she had could be handled with that particular piece. So, if we do something different, we might have a different outcome next time, but she thinks she's got it covered now. So, I appreciate that. Any other questions of the Board?

Commissioner Winnecke: I do. Annie, last time we talked about some other big ticket items, roof, cooling or refrigeration, however you want to term it. I guess, not that I don't think you don't need these, that's not my question, but, I kind of thought a roof, at the time I thought you said it was leaking, I thought that might be a higher priority.

Annie Groves: I agree with you. I agree with you, however, we kind of got, I kind of got put into a limbo stage, because there had been some discussion about are we

going to turn our building over to the Building Authority. So, I was, put everything on hold, because I personally didn't know where to travel. Because, if we turned it over to the Building Authority they would be in charge of that. So, there was kind of some discussion on that. I am here now to ask where do I travel now? Where is the building at? You know, how do I continue from here?

Commissioner Winnecke: My personal feeling is that you should go ahead and prioritize all the needs of the facility and get the quotes that you think are best for each of those items—

Annie Groves: Okay.

Commissioner Winnecke: —and then no matter who is the owner of the building, they can determine how they are going to proceed both in terms of prioritizing from their perspective and finding the funds for them.

Annie Groves: Okay.

Commissioner Winnecke: So, if we retain ownership, then we know how we can proceed, and likewise with the Building Authority.

Annie Groves: Okay.

President Tornatta: Well, and in talking to Annie, we have a couple of different issues. One is, the original quote that she got was not for a commercial structure, which drove the price up double, potentially. Then, the other side of that was, in talking to her, she said it probably could stand another patch in between figuring out if we were going to do something else with the building, notwithstanding if we were going to have to add on to that building, why put a new roof on it when you have to tear it back off to add on to it at a, maybe an earlier date than what you expected. So, that's probably the first place where we would need to look. She has some issues with storage—

Annie Groves: Yes.

President Tornatta: —and storage weight.

Annie Groves: Right.

President Tornatta: And her storage weight would affect her roof. So, although it's the cart before the horse, I believe we need to decide if we are going to add on to that, she needs to get some type of renderings of what it would look like to add on to it, and then the roof would all go on at the same time, to have a contiguous piece. So, that's probably the biggest hold up. The Building Authority was a thought. I think that they would have to provide the assets for the building, and that would have to, I'm sure, go through some type of bonding issue, and don't know if they are in any way wanting to do that right now.

Annie Groves: So, how do I proceed from here? What would you like?

President Tornatta: I think what we need to do is decide how much weight and what the storage aspects of the building is at this time. Past that, then we can decide if you—

Annie Groves: But, the storage is, we have no more storage upstairs.

President Tornatta: Right. So, we either have to put that somewhere else, and if that's going to create blocks in other areas, then we might have to look at expanding your building. You do have the land there to expand the building.

Annie Groves: Yes, we do.

President Tornatta: You just don't have the facility—

Annie Groves: Or the money.

President Tornatta: Right.

Commissioner Winnecke: I mean, maybe I'm being repetitive, but, and maybe....I just think you need to come to us and say here's what we need.

Annie Groves: Okay.

Commissioner Winnecke: Whether it's, to your point, adding on, just so we know, or so someone knows, but, I think, you need to come to us and say here's what I definitely need for the best use of this facility, and then we can decide how to proceed from there.

Annie Groves: Okay.

Commissioner Melcher: I just wanted to, so what we're asking for today is two vans and a security system?

President Tornatta: No, one van.

Commissioner Melcher: One van?

Commissioner Winnecke: Oh, just one? I thought it was two.

Annie Groves: I asked for two.

Commissioner Winnecke: I thought it was two.

Commissioner Melcher: So, are we saying one van?

President Tornatta: I'd only talked about one van. I told you, if we were going two vans, I wanted a bigger van and then a minivan. I'm not, I'm not in any place to want to do two minivans.

Commissioner Melcher: Can you get by with one van now?

Annie Groves: Yeah.

President Tornatta: They've got one Venture van. They've got a truck that needs to be retired. They've got a four by four pick up truck, and then this would be another minivan.

Commissioner Winnecke: Mr. President, at this time I would move that this body request an additional appropriation of the Vanderburgh County Council in the amount of \$21,642 for the purchase of one vehicle, and \$4,575 for the purchase of a security system, to come from the CCD Fund, and I would make that in the form of a motion.

Commissioner Melcher: I'll second that.

President Tornatta: A motion and a second. Any other discussion?

Commissioner Melcher: Yes. So, I guess, after you get this, then maybe we could look at, and you could keep us involved about maybe looking at another van down the road. I was going to ask too, on these vans and that, I know the Highway Garage does and that, do you have decals on yours, saying Vanderburgh County?

Annie Groves: No, we do not.

Commissioner Melcher: Is there a reason?

Annie Groves: There was just never funding for it.

Commissioner Melcher: Well, I think it would, I don't know what that would cost, but I would think that would be pretty reasonable to just have our symbol or something on the side, so that people know—

Annie Groves: No problem.

Commissioner Melcher: —you're there, you know.

Annie Groves: I will ask the Council for funding for that.

Commissioner Melcher: Yeah, just, I think that would be okay. I'm glad that we're able to help you with this one. I'm hoping we can handle you with the other one not too long from now.

President Tornatta: Would you be willing to amend your motion to include the insignia on all of her vehicles?

Commissioner Melcher: Well, the one she's getting new, I think, for now.

President Tornatta: I want to see it on all the vehicles.

Annie Groves: Do you want us to put it on the ones we're surplus? I mean, the one doesn't run.

President Tornatta: We're going to put it on all functional vehicles in your office.

Annie Groves: Okay.

Commissioner Winnecke: Well, we don't have a specific amount. I don't mind it, but we don't have an amount to...the motion—

President Tornatta: Do we have to do an amount, or, a clear amount, or are we just talking about the vehicle with the lowest bid?

Bill Fluty: Well, I think, I don't know what the cost would be to that, but, I think that if you're in agreement that it's going to be the \$21,000 plus whatever it takes to put a decal or to put this on here, if you say that, when Marissa, and they find out the exact price, they could file that appropriation.

President Tornatta: Okay.

Bill Fluty: I think that's what your intent is.

President Tornatta: Correct, and at that time it would be for three vehicles.

Commissioner Winnecke: So, I would amend my motion to that extent.

President Tornatta: Okay.

Commissioner Melcher: I'll amend the second.

President Tornatta: Okay, a motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Okay, thank you.

Annie Groves: Thank you.

Commissioner Winnecke: Thanks, Annie.

Commissioner Melcher: Annie, if you could e-mail us on that priority list. You don't have to wait for a meeting. That way we can start looking at it. I'm going to come by there whenever I get some time so that I can go through your building with you.

Annie Groves: Okay.

Commissioner Melcher: Thank you.

County Assessor: Pictometry Contract

President Tornatta: Alright, County Assessor.

Jonathan Weaver: Good evening, Jonathan Weaver, Vanderburgh County Assessor. CIO, Matt Arvay, is passing out some pictures for you guys to look at, comparing Google Earth to Pictometry. If you have any further questions, I'll answer them, or Matt.

Madelyn Grayson: Jonathan, are these pictures that I can keep for the record, or not?

Matt Arvay: I can get you copies.

Madelyn Grayson: Okay.

President Tornatta: Jonathan, excuse me, do you have any idea, in the State legislature, if they are planning on moving back the reassessment?

Jonathan Weaver: I haven't heard any official word. We get weekly updates from the Assessor's Association. At this point in time I'm not positive of any change in plan with that.

President Tornatta: Well, it seems like right now we're kind of caught in the middle of an issue on being able to serve the full, entire length of the contract, and to have the assurance that either they could serve the full length of the contract, or if we had the assurance that the legislature was going to postpone it, it would give us, obviously, a bit of time to seek the legal advice of not only their people, but the city's people and the county's people to get everybody on the same page. Because, at this time, I know that you've done your due diligence to go out and find funding for a portion of the fees that we would have to pay. However, we've had some pull back because of legal issues with lawsuits, with a couple different parties. Not only the one that you had recommended to our body, but to the second one that was right behind it. I particularly believe that it's your right as an officeholder to come to us with your best interests and the tool that you think is the most equitable for our county. So, I wouldn't hold you back. The only thing I worry about is the Council, or the Council, but the Commission's how we are best served by the contract. That's all I care about is the contract.

Jonathan Weaver: We tried to contact these other counties, there's 14 others in the State of Indiana that have Pictometry, to see if they're affected by this lawsuit. If it's hampering the quality of the pictures, or the quality of work that they're putting out. And, at this point in time we didn't hear back from all of them, but we feel it's not an issue at this point in time.

President Tornatta: Kathryn, if you could, just give us a brief synopsis of where we are in the legal process.

Kathryn Schymik: Sure, and, I think, Jonathan, the issue that came to our attention was not with the quality of work that they're providing as of this date. We've looked into this, and there is currently a lawsuit pending against Pictometry. It deals with a patent infringement claim. No, right now, that litigation has not been settled. It's still pending, and it's not even set for trial until tentatively May 2010. We don't anticipate that if we went forward with this contract we would have any issues in the immediate future, but depending on the outcome of that litigation there could be some potential negative impact to the county's contract. So, what Matt and I were working on today with the representatives from Pictometry was trying to build in some safeguards for the county to protect us from a financial standpoint if the

outcome of that litigation is not in Pictometry's favor. That we make sure that the county isn't in a worse position as a result of that. So, I think that their representatives are being cooperative and they are willing, at this point it sounds like, to accommodate the requests that we are making. We just need to make sure that a feasible solution is even possible. So, that's kind of, I think, where we are, and what we are presently trying to work through.

President Tornatta: Questions?

Commissioner Winnecke: Just a couple of observations, I guess, and maybe a question. As I mentioned to you on the phone this morning, Jonathan, I'm fine with the issue of the scope of using this kind of technology and upgrading. What I'm very uncomfortable with is the timing of it. It's brought to us at literally the eleventh hour, and we have this pending litigation against the vendor that you've chosen, and, I guess, I'm not comfortable today considering a contract from that company. The other counties that are using this would not have any challenges with the product now. They wouldn't until the case is disposed of in some fashion. Potentially they wouldn't have any. I would like to see the County Attorney's office continue to work through an amicable resolution to protect the county from potential financial loss if the case goes against the selected vendor. So, that's my kind of spiel, but, I guess, I would like sort of the Reader's Digest version of the difference between the two vendors. I assume these are the two largest that do this, or they are the only two that provide this, but I think it would be helpful to kind of get that out on the record.

Matt Arvay: Matt Arvay, CIO. What I was asked, I got called to the County Council meeting last week, and I was asked to look further into various companies that may use, or do this technology. In my research I found, basically, four; Pictometry, GEOSPAN, a group called MultiVision USA that no longer exists, and Woolpert out of Ohio. I subsequently contacted GEOSPAN and Woolpert and had calls with them. Woolpert could not fit us into the spring schedule, so they declined to even consider this project. GEOSPAN, when I started doing some comparisons, they have roughly 14 aerial clients throughout the country, whereas Pictometry has approximately 600 clients, and actually 16 in the State of Indiana. Some of those clients in Indiana are Marion County, Hendricks, Elkhart, you know, there's a whole list I could provide for the record. When we started also looking at the software that was provided and how it would incorporate into some of our Legacy applications, like the 911 system, the OSSI product, the Manatron product, Pictometry has already worked with those companies. Whereas GEOSPAN has an application programs interface where they would give us a hundred hours of their time to kind of incorporate into those products, but we don't know what it would cost from the Manatron or OSSI sunguard sites. So, there may be some costs there. The other major difference was, back in 2004 Pictometry flew the county in hopes of getting the contract back then, but monies through Homeland Security were not appropriated, it didn't happen. So, what they've offered is to provide that flight, free of charge, the 2004, which at that time had a value of \$112,000, provide that with the 2009 that they would fly this year and spread those costs out over two years. What that does is that allows Jonathan to use a tool called Change Finder that allows, it looks automatically at the differences between the photos of the years and helps him identify where changes may have occurred and he can make some decisions on assessment of values of property. The cost of the flight alone was \$80,020 for Pictometry. It was \$75,000 for GEOSPAN. Now, both of those costs would be spread out over two years, but when you go look at the software maintenance costs, after year two, Pictometry was \$2,600 a year for unlimited licensing across the board, not including the Change Finder software. That was a departmental cost for his special needs. Whereas

GEOSPAN was \$3,600 after year one and subsequent years. So, you could see that would already make up that little bit of difference between the costs of the obliques, but, again, I go back to them throwing in the 2004 project at no cost. They both would do disaster flyovers on federally declared emergencies. So, that is nice. The time frame, they both feel that if we could have gotten something done this week that they could work us in and get the flights done before leaves on occur. They both have planes in the area and they feel that they could accommodate that. Those were the major differences. In addition, the Council asked me to see if I could find other groups that would be interested, due to the public safety aspect and support of police and fire and Central Dispatch on the city side. The city said that they would fund half the cost of the flight. So, they would, out of the \$40,000 in year one of the flight, it was a little over \$40,000, but they would split that. So, they would contribute 50 percent. So, that's where we're at. Then the situation is I would go to Council tomorrow, present them this information, but we tried to engage legal for the contract because of the timing of the leaf on situation, the pending lawsuit and some of the... we did get a non-appropriation clause added, an indemnify clause added, but there's still a little bit more work to be done. I think we're real close. So, maybe there's a chance, if County Council potentially approves it tomorrow, maybe we could have a special meeting or something? I don't know.

President Tornatta: Questions?

Commissioner Melcher: No, not yet.

President Tornatta: Okay. Just my look at the situation, without knowing that we potentially have another year to get this done, knowing reassessment is in July, I believe, it starts July?

Jonathan Weaver: It starts July.

President Tornatta: Okay.

Jonathan Weaver: This is part of the issue. You know, they miraculously take a spring flight here in the next couple of weeks before the leaves, we're not going to get that information until the end of July. I'm afraid by putting it off until a fall flight, early next year, you know, that puts, I'm standing up here a year from now finally getting the images. With 81,000 parcels, you know, we have a workload to do for the reassessment. So, I feel that just puts us way behind schedule. I didn't want to contract out any part of the reassessment, and I wanted to, you have to get DLGF approval not to contract out, and I feel this is putting us a step behind. If they don't approve us, for whatever reason, not to have a contractor, you know, we're going to spend upwards of maybe a quarter of a million dollars more without this Pictometry, without this aerial photograph of some sort.

President Tornatta: Right, and I, like Commissioner Winnecke, am not as excited about the eleventh hour dealings, but I know that there are times when some of these things happen. From this seat, I can tell you that I want to be compliant with making sure that our work gets done in the Assessor's office, our tax bills go out on time, we are not behind the eight ball and we are not borrowing money to do that type of work, which should be done already. I would recommend to this Board that we would approve the President of the Commissioners to sign this, if there were legal, if the legal was right and we got a legal approval, and if the County Council would come in and approve it tomorrow.

Commissioner Melcher: I guess, my question would be on top of that, can we actually do that? In other words, can we vote on something on the “if come”?

Kathryn Schymik: I think that if we agree on what that, what those contingencies are going to be, and if all of them come to fruition, I don't see that as necessarily a legal problem. I know that's not our preference in the way that we handle these things, but given the time constraints that we are dealing with, kind of the time frame we've been under so far, only having, you know, pretty much 24 hours to try to address these issues, I think that that's reasonable to try to get this done since it appears to be in the best interest of the county, but we need to make sure the county is protected from a contractual and from a financial standpoint. If we can't accomplish that, we either need to come back to the Commissioners and evaluate some additional options, or not move forward.

President Tornatta: It sounds to me like they're going to have a little bit of issue getting through the Council tomorrow without having this contract spelled out, financially.

Matt Arvay: I don't know. I know, Kathryn, we talked almost until about 4:00, and I know you were going to make some calls afterwards, and I haven't gotten with Kathryn to get an update at this point. So, I don't know.

Commissioner Melcher: So, if the County Council doesn't pass it tomorrow, it's moot what we do tonight?

President Tornatta: Right, there's no funding.

Jonathan Weaver: What I've been asking them is, it sounds like the city, and correct me if I'm wrong, is going to chip in \$20,000 next year. You know, it's \$85,000, I think, is the first payment.

Matt Arvay: It will be twenty this year and twenty next year.

Jonathan Weaver: Twenty? Okay, so—

Matt Arvay: I believe it was twenty.

Jonathan Weaver: Okay. Great.

President Tornatta: And, I think that that's contingent on this legal remedy. What legally has to happen is they have to be assured that there's an assurance. It's like insurance that they will fulfill their contract no matter what. What we're looking to do is to find out if this company will be solvent if this judgement is rendered in a negative fashion toward them. I think that that is what we're trying to find out. If we find out that they're solvent, if they can provide some type of assurance that the contract will continue, no matter what, and if the County Council approves, then and only then would we be able to sign it without having a meeting.

Matt Arvay: City legal has been involved with this whole process.

President Tornatta: Right.

Jonathan Weaver: Is that going to—

President Tornatta: And let me say, if the city is not involved, that's probably the other caveat on the situation.

Commissioner Melcher: I know that the city has been involved in the past. I mean, they've always paid half, if I remember right. Because I've been involved in a lot of these flyovers.

Jonathan Weaver: And I want all of you to know that this is, you know, my end, the Assessor end is coming out of the Reassessment Fund, which is \$1.1 million in there.

President Tornatta: And there is money in there as we speak?

Jonathan Weaver: Yes, so, \$1.1 million.

Commissioner Winnecke: I guess, I would just like to take some issue with the whole urgency. The assessment will happen, and has happened in prior years without this technology. I don't know where you, what you're referencing when you think, when you say we may have to spend upwards of a quarter million dollars? Maybe I didn't understand you correctly. I don't know what that means. In the past, this county, if I recall correctly, and Mr. Fluty could correct me if I'm wrong, I'm sure, but in the past I believe the county has only contracted out for commercial and industrial reassessment work and not residential work. So, I'm not sure where you're going with this in terms of that sort of, if we don't do this we may have to pay this? But, frankly, this body and the County Attorney's office has been involved in this less than a week, and from what I read in the media, you've had a longer relationship with this. So, I'm not happy that we're put under the gun like this.

Jonathan Weaver: Well, let me tell you what happened. July 1st we had the Assessor transition, the statutory transition. So, we were busy with that transition. August budget meetings is when I approached the Council to ask for half the money for Pictometry. We had the Assessor referendum this past fall. I did not hear whether or not our budgets were approved until, when does that happen, around Thanksgiving? I had statutory deadlines to interview everybody and hire everyone from the incoming Assessor offices. In January I had to fight for my staff to be retained, full time and part time. So, it wasn't like I, I only have a certain amount of brain power to contribute to projects. It was finally about the time in February where we were able to make the appropriation for this.

Commissioner Winnecke: I can appreciate anyone's workload, but I hope you appreciate our position. That is, you know, you've come to us at the eleventh hour, and it's our problem because we're at the eleventh hour, and, frankly, I don't see it that way. Again, I'm fine with the use of the technology.

Jonathan Weaver: It's not just going to be—

Commissioner Winnecke: If you had come to us—

Jonathan Weaver: —it going to be great for economic development.

Commissioner Winnecke: —in January, I'm sure, the tenor of this conversation would be a lot different.

Jonathan Weaver: What I'm trying to also emphasize is counties in 2002 spent anywhere from, I've seen contracts of \$450,000 to \$10 million on the reassessment. I'm trying to get this done for one eighth of what's in that Reassessment Fund right now, by updating our technology. So, this is why I'm asking for this to be done.

Commissioner Winnecke: Again, I get it. The timing is horrible though.

Commissioner Melcher: I don't think any of us like the timing. Bill, would you have anything to say on this issue?

Bill Fluty: Well, I'm confused too about...in past practice in the three reassessments that we've been involved with, we haven't contracted out to do reassessment. Some of those we had an aerial view, and some of them we didn't. It was actually the Assessor's that were removed last year, and some of those same staff did do all those reassessments. They did them timely, and we did bill. So, I'm just not, to say that if we don't have this picture that we can't do reassessment, I'm not sure. I don't know those two are linked, because we've done it in the past.

President Tornatta: I would ask a question on overtime, however, how much did we pay in overtime in the last reassessment? Because I remember that that was a big issue to try and hold people over and pay them overtime to do jobs, and now we've shrunk our staff.

Bill Fluty: The overtime, we would normally pay comp time. But, that's not something... a lot of the employees have a lot of vacation, have been here a lot of years, so, in the last reassessment in 2004, and the only time it's been done, we felt to have, rather than have part time help, have the staff that knew the work to work over. There was time for them to actually work and receive overtime, where they hadn't in the past. I think that was probably one, that was one of the main factors that it did get done timely and was billed timely. But, I don't have an exact amount. It wasn't astronomical or anything like that, but, I could find that out for you.

Jonathan Weaver: So, we're a hundred percent sure that the county didn't contract back in 2002? You're a hundred percent sure?

Bill Fluty: Yes, well, I guess, I can't always say that I'm a hundred percent sure of everything. But, I have no knowledge of that. I could have forgotten that. But, to an outside vendor to do residential?

Jonathan Weaver: We're going to do, the goal is to do, we're going to do the residential in house. The question is the commercial/industrial reassessment at this point.

Commissioner Winnecke: And there's history of that?

Jonathan Weaver: I'm sorry, what?

Commissioner Winnecke: There's history of that?

Jonathan Weaver: Oh, there is history, yeah.

Commissioner Winnecke: Right.

President Tornatta: Of the commercial?

Jonathan Weaver: Uh-huh.

Commissioner Winnecke: Commercial/industrial, but not residential?

Jonathan Weaver: Not residential, and I'm not planning residential.

Commissioner Winnecke: But, the implication was that it was for all reassessment.

Jonathan Weaver: No. I'm sorry if it came across that way.

Commissioner Winnecke: I appreciate the clarification. One last question and I'll be quiet, what is the total amount of the appropriation that you're making before the Council tomorrow?

Jonathan Weaver: It's the first year payment. So, it's near \$85,000.

Commissioner Winnecke: Okay, thank you.

President Tornatta: And, that's sixty and your twenty? Sixty five and twenty?

Jonathan Weaver: That's how I understand it. I guess, the city's—

President Tornatta: I mean, if the city would chime in.

Matt Arvay: Yeah, what the break down is, would be, \$40,010 for the flight. Okay, that would be split 50-50.

President Tornatta: Well, but we would have to, we would have to pay that amount, and then they would reimburse us. So, I mean—

Matt Arvay: Okay, then totally then it would be \$85,297.85, \$40,010 of that is the flight for year one. That would be reimbursed by \$20,005 by the city; \$360 of that is media charges, delivery, and then the \$44,927.85 is this Change Finder software that is Assessor departmental specific.

Jonathan Weaver: Right.

President Tornatta: Okay.

Commissioner Melcher: Bill's got a question.

President Tornatta: Sorry.

Bill Fluty: Just one comment on the funding. The cleanest way to do it, because I don't think the city has put all of their money in place, and you really want to sign a contract for \$120,000, would be for the Council to put the whole amount in.

President Tornatta: Right.

Bill Fluty: And, I'm sure the city will be billed back at a later date.

President Tornatta: Right.

Bill Fluty: So, I think, the most prudent thing to do would be to ask for the whole amount, with the city reimbursing you back. Because you're asking to sign a contract, and when you do that, you have to have all the funding in place.

President Tornatta: Right.

Bill Fluty: And that's not quite done with all the other steps.

President Tornatta: Exactly. Is that amount in tomorrow's meeting?

Jonathan Weaver: That's what we originally appropriated for the first meeting.

Matt Arvay: That would be \$125,307.85.

President Tornatta: Okay.

Matt Arvay: The two year cost.

Commissioner Winnecke: One twenty five, three?

Bill Fluty: I won't be at the Council meeting tomorrow because I have a Southwest District meeting, but I'll relay that to someone.

President Tornatta: Okay.

Bill Fluty: That would be the way they, if they do approve, that would be a way to go.

Commissioner Melcher: Bill, since you're the Auditor here and you have to work with, all of this works together, can you give us your feeling about this type of photography? About this project?

Bill Fluty: This project?

Commissioner Melcher: Working with you too?

Bill Fluty: Working with me?

Commissioner Melcher: Yeah, don't you have part of the deal with billing and all that? I mean, I'm trying to piece this together.

Bill Fluty: Yes, obviously, the assessments start with Jonathan—

Commissioner Melcher: Right.

Bill Fluty: — and then they move to me. So, then again, I'm not, I see this as a tool where they could expedite that, and I think it's going to help them in doing that timely. So, yes, I think it's probably something that... but there seems to be a lot of other issues that I'm not involved in. But, as far as the picture, and as far as what it will do, and as far as how it will help move things on, yes.

Commissioner Melcher: And, I don't like the eleventh hour neither, but I'm used to working with eleventh hour stuff. But, I just want to make it clear, however we do it legally, that we're doing it right. I don't want to come back later and say you did something wrong. So, if there's anything that has to be said on the legal side, I want

to make sure it's done right. Because we're going to sit here and do all this tonight, and the County Council votes it down tomorrow, it's just a moot point.

President Tornatta: Yep. I think that that is, in this instance, the best way to set it up for approval. To have the issues at hand addressed in a motion, so if any of those come into play, then the motion is—

Commissioner Melcher: So, I guess, what I'm asking is you need to explain what the motion needs to be.

Kathryn Schymik: I think that the motion needs to incorporate the contingencies that the signing of this contract is based upon. From what I'm understanding there are going to be several components. First is, obviously, the legal issues that have arisen and the way that we are proposing to address those. They have agreed to build in an indemnification provision into the agreement that would indemnify the county from any loss that we might incur if the outcome of that litigation were negative and caused a loss to us under the contract. In addition to that, would agree to, let me see if I have the language in front of me, but, they would basically agree to either provide an alternative program that would provide the same services to us, or they would find a way to continue the service without violating whatever judgement might have been entered against them. Or, alternatively, they would reimburse the county for any funds that we had expended if we lose the right to continue to utilize this program. So, those are the steps that they are willing to take to protect the county's investment. The second component of that is that we want to build in some sort of insurance, or some sort of collateral that we have to collect against if they went bankrupt or this lawsuit caused them to become insolvent. So, whether that be in the form of a performance bond or some other type of bond, or just some other type of collateral that they would offer to be connected with that indemnification, I think that's kind of the path that we're heading towards to address some of those legal issues. Second, would be it contingent upon Council appropriating the funds in the manner that's being requested. Third would be the city, obviously, also agreeing to the terms of the contract and reimbursing for one half of the flight costs.

Commissioner Melcher: I think that last one would be, number four would be allowing the President to sign it.

Kathryn Schymik: Absolutely, authorizing the signature, assuming all of those conditions are met. If one of them is not met, the signature would not be authorized.

Commissioner Winnecke: That would be a lot of "ifs". I personally would not approve that tonight. I would be supportive of the County Attorney's office proceeding down this path, and if everything were resolved satisfactorily, I would be happy to meet anytime to execute the contract so that we could move forward with the process, assuming the Council makes a positive action tomorrow. That's what I'm comfortable with.

President Tornatta: The problem is, potentially not knowing when the flight would be, there would be a 48 hour period that we would have to legally put this in the paper to come back and have a meeting.

Commissioner Winnecke: I just think there's enough at stake that's okay.

Commissioner Melcher: Okay, I'll just make the motion, with those four, and those ones the attorney said.

President Tornatta: I'm going to second it. We have a motion and a second. Any other discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1. Commissioner Winnecke opposed.)

Jonathan Weaver: Hey, thanks.

President Tornatta: Thank you.

<p>Health Department: Donation of Copy of 1919-1947 Death Records Index to Willard Library</p>

President Tornatta: Alright, the next action item the Health Department, donation of copy of 1919-1947 death records index to Willard Library. Gary?

Gary Heck: Gary Heck. I would be happy to answer any questions about it. This is a duplicate copy of the microfilm that the Vanderburgh County Health Department has already furnished Willard Library several years ago. Their copy has been used so often it's worn out and they needed a replacement. We, fortunately, did have one copy available, if the Commissioners so wish to allow them to have it.

President Tornatta: Is this something that we need to have another copy?

Gary Heck: We have additional copies, plus all the originals.

President Tornatta: Okay.

Gary Heck: So, it wouldn't put us in a position where we wouldn't have back up available to us.

President Tornatta: I feel very fortunate that the Health Department is very progressive in wanting people to find their genealogy, family trees, and I appreciate you coming to us and being interested in giving them a copy. Any other questions of this Board? Could we get a motion?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Don't go anywhere.

Gary Heck: Thank you. I won't.

<p>First Reading of Ordinance CO.03-09-008: Regulating Tattoo Parlors and Body Piercing Facilities</p>

President Tornatta: We have first reading of CO.03-09-008, an ordinance regulating tattoo parlors and body piercing facilities. Will you please address that?

Gary Heck: I would also like to have Denise Cory, our Communicable Disease Director, she can answer specific questions about the medical side of this. There's an ordinance already in place in the City of Evansville, and what this ordinance would do would just make sure that the city and the county had the exact same ordinance in place for this particular purpose.

Commissioner Melcher: My understanding, the county does not have an ordinance right now.

Gary Heck: That is correct.

Commissioner Melcher: So, all we're doing is adopting the same thing that the city passed two years ago.

Gary Heck: Well, it could be more years than that.

Commissioner Melcher: Or, three years ago.

Gary Heck: Whatever it has been, and I think the only difference between the two is that if there's a fine or a license, the ones in the county gets paid to a different source than going to the city.

Commissioner Melcher: Well, naturally. I'm sorry.

Gary Heck: This is Denise Cory. You get to state your name and title for the record.

Denise Cory: Denise Cory, the Vanderburgh County Health Department Director of Communicable Disease.

Gary Heck: Didn't know if you had any questions, but, if you do, she's here to address them.

President Tornatta: I have no tattoos.

Denise Cory: Good.

President Tornatta: That being said.

Commissioner Melcher: I don't have any questions. I sat through this already.

Commissioner Winnecke: Wow!

President Tornatta: That being said, or piercings, we might as well get all those out there.

Commissioner Winnecke: Thanks, Troy.

President Tornatta: Yeah, a little bit too much information. Okay. Any questions of the Board?

Commissioner Winnecke: Mr. President, I would move, based on the recommendation of the Vanderburgh County Health Department, that we approve, on first reading, CO.03-09-008.

Commissioner Melcher: And, I'll second that.

President Tornatta: A motion and a second. Any questions of the Board, or the audience? Any comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Tornatta: Thank you.

Commissioner Winnecke: Thank you.

**Second and Final Reading of Ordinance CO.03-09-007:
Concerning the Repeal of Ch. 2.24: Joint Purchasing Department**

President Tornatta: Second and final reading, CO.03-09-007, an ordinance to repeal chapter 2.24 regarding the City-County joint Purchasing Department. We went over this last week. This is essentially amending our four different versions of the City-County Purchasing Department, and also with the EVSC.

Commissioner Winnecke: I'll make a motion that we approve, on second and final reading, CO.03-09-007.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Any questions of the Board? Comments from the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Second and Final Reading of Ordinance CO.03-09-006:
Concerning the Vanderburgh County Board of Health**

President Tornatta: Second and final reading of CO.03-09-006, an ordinance concerning the Vanderburgh County Board of Health. An ordinance that will amend the county ordinance regarding the Health Department's fees, as requested by Gary Heck of the Health Department. I believe that's in the Health Department in the Well Child Clinic, as those services are no longer provided in the Health Department, and the Dental Clinic. Gary?

Gary Heck: I would be happy to answer any questions. This is, I was here at your last meeting. I don't believe there were any questions there. We usually try to come annually to review this ordinance and make any changes in the fees, and that's what we're doing once again.

President Tornatta: If everyone is okay, I would accept a motion.

Commissioner Melcher: I'll make the motion for the second and final reading of CO.03-09-006.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any questions of the Board? Discussion from the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Tornatta: Thank you.

Discussion of Surplus Real Estate on University Parkway
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President Tornatta: John Stoll, please, if you'll come up. I wanted a little discussion of the surplus real estate on University Parkway. Can you address that?

John Stoll: Yes. There was a, I believe it's about four tenths of an acre, a little rectangular piece of property that is adjacent to property that Gene Pfeiffer wants to rezone at this time. It is surplus property outside the limits of the limited access right-of-way line that was established as part of the University Parkway. So, really the county has no need to continue to own the property. Then I got an e-mail, which I believe you all were copied on last week, from Ted Ziemer, indicating how the county would have to dispose of that property, if you chose to pursue that. But, it's not needed as part of the right-of-way for the road. It's about, roughly half way between Lloyd Expressway and Hogue Road on the west side of the road.

President Tornatta: What would be your recommendation?

John Stoll: That you proceed with the process of selling the property.

President Tornatta: Okay. Kathryn?

Kathryn Schymik: There are two options for selling the real estate. I think that we can proceed to kind of evaluate which is going to be the better option. But, so, I think your motion, if you all want to proceed with this, needs to be for us to evaluate the two options for selling real estate, both of which, or one of which is open to the general public to submit bids. Another of which would limit the sale of the property just to adjacent property owners. But, if you would just allow us to evaluate both procedures and then proceed as, you know, as makes sense, I guess.

President Tornatta: Have we purchased this property?

John Stoll: Yes, it's part of an overall larger tract of land that was purchased back for the first two miles of University Parkway. This four tenths was not needed as part of the right-of-way for the road, but it was part of a lot where a house was located. So, we bought the whole property, demolished the house, but this is surplus outside the road right-of-way.

President Tornatta: Is it legal, just asking a question, to go back to the owner for which we paid that amount and ask for the exact amount back?

Kathryn Schymik: No, the only way you can just give property back is if it was given to us free of charge to begin with.

President Tornatta: Right.

Kathryn Schymik: So, the only two options are to have two appraisers commissioned and have the property appraised and offer it for sale to the general public.

President Tornatta: Okay.

Kathryn Schymik: Or, alternatively, if it's determined that the value of this particular parcel is less than \$15,000, then we can proceed just with negotiating with adjacent property owners in the area to sell to an interested party there. Obviously, the determination for which method we proceed under is the value of the property, and that's something that we need to be able to determine to figure out which method and which statutes are going to be controlling.

President Tornatta: Okay, well, the reason I say that is because we just, when did we sell this property, or when did we buy this property?

John Stoll: I'm going to say 2002-2004 time frame.

President Tornatta: Alright.

John Stoll: I believe the construction of the last two miles, the first two miles started in '04.

President Tornatta: Okay.

John Stoll: So, something like that.

President Tornatta: Well, I know I've been in on about what seems like every one of these cases, but, okay.

Commissioner Winnecke: Mr. President, at this time I would make a motion that we direct the County Attorney's office to determine the best method of selling this property.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Any other discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alrighty, and just for clarification, is this, are there any other property owners around that? Or, is this not surrounded by the same property owner.

John Stoll: I believe it's entirely surrounded by the one owner.

President Tornatta: And then, how far do we go out?

Kathryn Schymik: Well, we'll look across right-of-ways, and we'll look, if any other property is owned by the county, we'll skip over that, and look to, so, basically, across right-of-ways and across county owned property to get to the next adjacent property owners, I think is who we would notify if we elected to go under that method of sale.

President Tornatta: Okay.

**Superior Court: Shannon Henry Contract: Home Verification Services
Governmentjobs.com: Agreement for On-line Job Applications (Deferred)
EMA: Sub-Grant Agreement for Generators & Radio Equipment
Health Dept.: Amendment No. 7: Childhood Lead Poisoning Grant
F.C. Tucker Listing Agreement for Old Courthouse
Auditor: KRONOS Software Maintenance Renewal
American Structurepoint Agreement: Burdette Park
Long & Mathies Engagement Letter: 2009 State Legislative Lobbying**

President Tornatta: Alright, let's see, contracts, agreements and leases. Superior Drug Court, contract with Shannon Henry for home verification services. That's with the day drug reporting court with a compensation of \$29.14 per hour. It will remain the same from 3/1/09 to 12/3/09.¹

Commissioner Winnecke: Move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

¹Correct termination date should be 12/31/09 per contract.

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Next, Commissioners, service agreement with Governmentjobs.com, Inc. for software for on-line job applications. A service agreement under the....is Matt Arvay here? Okay. Under which the county will acquire software to allow the city and county personnel departments and elected officials to post and accept on-line job applications, and which contains tools to meet EEO requirements and reduces internal paperwork. The agreement is between the city and the county, and the first year cost of the agreement is \$22,328. That would be split equally between the city and the county. Matt Arvay states that he has appropriated funds to cover the costs. The agreement is satisfactory in all respects from a legal perspective and may be placed on the agenda today.

Commissioner Winnecke: Mr. President, I did, I would, I learned this afternoon that Mr. Arvay does not have this money in his budget. It is in the County Council budget. So, before I would be comfortable agreeing to this contract, I would like to see the Council approve the funding. I think Mr. Arvay, or whomever, should approach the Council for the appropriation.

President Tornatta: Okay. Any other questions? I'm sorry.

Commissioner Winnecke: The other observation I made, the county brought on approximately 20 new employees last year. So, it just seems like a lot of money for, I just don't know if we get much bang for our buck on this.

President Tornatta: Okay.

Commissioner Melcher: The one thing that I kind of understand, a lot of businesses and a lot of people are going to this, or even doing interviews over the telephone and getting employees. We've got a lot of them, a lot of people out there that is at home on their computers, and they are able to have some of that, but they are also having some trouble getting to different places. I think that people that have families have trouble. I think this is a good service. I don't know about the price, but I think it's something that we need, but, I'm agreeable, if we haven't got the funds, we'll just wait.

President Tornatta: I'm okay with deferring. I think this was brought up last year at some time and there was some discussion about it. I think it does do what we've tried to do in this administration is keep things as transparent as possible. It does also work on EEO requirements and keep us covered to make sure we have all of our opportunities are for all people. I think that's a good place to be. I, as well, think that we need to check the price and make sure that this fits what our needs are. Then, potentially, work with the city on another partnership. So, if I could have a motion to defer, I would entertain that motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you. EMA, 2008 Homeland Security grant program sub-grant agreement, generators and radio equipment. The purpose of the grant is to provide generators and radio equipment. The grant amount is \$850,000.53, and it runs until August 31, 2011. The grant as a sub-grantee, the county as a sub-grantee is required to meet all requirements of the sub-grant for proper design and implementation of the project, all reporting requirements and otherwise comply with the terms of the grant.

Commissioner Melcher: I move for approval.

Commissioner Winnecke: Second.

President Tornatta: We have a motion and a second. Sherman, anything to add?

Sherman Greer: I just want you to understand that that grant is for District 10. It will be dispersed among 12 counties. I just didn't want you to think that it was all coming to Vanderburgh County, which I would like for it all to come to Vanderburgh County, but it's not. I just wanted you to understand that.

President Tornatta: Okay.

Sherman Greer: Also—

President Tornatta: Go ahead.

Sherman Greer: —make sure that we sign that in blue ink.

Madelyn Grayson: I have the blue pen attached.

Sherman Greer: For the simple reason that we've gotten them rejected back. I think you had to sign one before and everything. So, I would appreciate it in blue ink. Thank you.

President Tornatta: A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Next, Health Department amendment number seven to the Childhood Lead Poisoning prevention grant agreement. Number seven increases the amount of the grant by \$49,869, to a new total of \$176,533. Under this amendment payments shall not exceed \$28,839 for the period of 7/1/06 through 6/30/07; \$36,825 for the period of 7/1/07 through 6/30/08; and \$60,000 for the period of 7/1/08 through 6/30/09; and \$49,869 for the period of 7/1/09 through 6/30/2010. Gary?

Gary Heck: Gary Heck, Health Department. I would be happy to answer any questions. This primarily is money that will go into effect starting this July, and this amendment is just to add that last dollar amount and carry us through June 30, 2010.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Commissioners, agreement with F.C. Tucker Commercial. A revised form of the listing contract to be ordered between F.C. Tucker Realtors and the county relative to the leasing of suites in the Old Courthouse. If you want to come up while I'm going through this. All of the changes suggested or required have been addressed to the satisfaction of our legal counsel. Note the addendum to the contract which lists the suites, square footage and eight dollars price per square foot. The contract is for six months, and will thereafter run from month to month unless cancelled at anytime by either party by giving notice to one another. Hello.

Lisa Daugherty: Good evening, Lisa Daugherty with F.C. Tucker Commercial. Do you have any questions of the contract?

President Tornatta: Lisa, do you guys have a plan of attack by which you're going to go after leasing?

Lisa Daugherty: We market on the Internet, locally, regionally with Turley-Martin-Tucker out of Indianapolis to bring in, hopefully, some larger, better, you know, we've got a good tenant base. They've done a good job of leasing the building. It's over halfway full now. There's about 16,000 square foot still available. So, we're going to work with our marketing department out of Indianapolis and market the property—

President Tornatta: Okay.

Lisa Daugherty: —on a larger scale.

President Tornatta: Then, what is the state of the eight dollar per square foot for a facility like this at this time?

Lisa Daugherty: That's an optimistic square footage rate. Right now they're getting an average of about five dollars a square foot. We would like to bump it up a little, generate some more revenue for the county. I'm not sure that we can do that, but that's our goal.

President Tornatta: Okay.

Lisa Daugherty: That's a gross lease. So, the county pays utilities, everything. If it's a for-profit organization, they're going to have to pay taxes, because the county does not currently pay taxes on the property. So, they'll be assessed taxes on the square footage they occupy, and they'll have to be billed for that.

President Tornatta: Okay.

Lisa Daugherty: I did have some questions of the Commissioners. In talking to the maintenance, Otis, the maintenance man at the Old Courthouse, he's not sure where the funding is going to come from to improve the space as we lease it. That's something that we need to address at some point.

President Tornatta: Okay.

Bill Fluty: I would suggest, you have Infrastructure, which is Riverboat money, and you do have a balance in that. So, if you had an immediate renter or tenant, that would be a mechanism that you could accommodate that fairly quickly. You might want to appropriate some CCD money into a capital fund that is just connected to the Old Courthouse for any tenants that come up and say we sure would like to rent this space, but we need some, whatever they would need—

Lisa Daugherty: Improvements.

Bill Fluty:-- improvements. So, but, we do have Infrastructure money that is available to these kinds of things.

Lisa Daugherty: Okay.

Bill Fluty: If somebody would come up tomorrow, I think you would be okay, but you might want to look out in the future if that's (Inaudible).

Lisa Daugherty: And, how will we proceed to tap those funds? What's the appropriate course of action?

President Tornatta: Contact Marissa Nichoalds.

Lisa Daugherty: Okay, okay. My plan is to, hopefully, get the tenants to pay for their own improvements, but if they don't have the budget, maybe we can amortize it over the lease term.

President Tornatta: Okay.

Lisa Daugherty: So, the county would pay for it and then we would recoup it.

Bill Fluty: Then, I think those improvements do have to fit in with this (Inaudible).

Lisa Daugherty: Right, and I do have those guidelines from Marissa.

President Tornatta: Okay, anything else?

Commissioner Winnecke: Just a comment. This was actually a recommendation from the Old Courthouse Foundation Board, and they considered multiple—

Lisa Daugherty: Companies.

Commissioner Winnecke: —companies last year, and for whatever reason it did not get executed. But, I think the recommendation is a sound one, and that's why we're here today.

President Tornatta: Okay, that being said.

Lisa Daugherty: Thank you.

President Tornatta: Any other questions?

Commissioner Melcher: I'll make a motion to approve it.

Commissioner Winnecke: Second.

President Tornatta: A motion to approve and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you. The next item, Auditor, KRONOS timing software service renewal quote for 2009. This has been renewed under the provisions of the agreement of 5/25/05 for annual renewal terms. Our current terms run till 5/24/09, and this new quote covers the period from 5/24/09 through 5/23/2010. The quote for the period would be \$12,123.59, a four percent increase over the prior year's quote of \$11,657.27.

Commissioner Winnecke: I move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any other questions? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: The next action item, Commissioners, agreement with American Structurepoint for Burdette Park consulting and engineering. A not to exceed cost of the agreement described in appendix D has a total of \$89,500. I know they've dealt with Steve Craig on this particular tract of 30 acres that was just purchased for Burdette Park. Any questions of the contract, or with Steve at this time?

Commissioner Melcher: I move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any other questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Next up, the Commissioners, Long and Mathies engagement letter for state legislative lobbying. It provides that the lobbying service for Vanderburgh County before the General Assembly for a period of 1/1/09 through 12/31/09, for a fee of \$12,000, one thousand per month. The fee is all inclusive, and includes any expenses of the firm in providing these services.

Commissioner Melcher: The last time this was brought up I didn't make a motion on it, because I quite didn't understand how we were doing different ones and different times. After speaking to Phillips, the one that we approved, and Mathies, I kind of understand what's happening. If we didn't do this, it looks likes Phillips would come back with the other. I kind of wish we had done this a little different, maybe went with one firm to cover both. But, I also understand from Ted when he was here, that they actually started all of this work already in January. I realize that was on their own, but they've been working for us all along, the same way with Baker and Daniels. So, basically, that's, I wish I had known a little bit more about it, but, for some reason I didn't, but I do now. So, with this I'll make the motion to accept this.

President Tornatta: And a second. Any other discussion? I will make one comment. We're saving roughly a third, well, about 40 percent over what we've done in the past few years on lobbying. I feel like at a time when the dollars are out there, we need to be putting our best feet forward to try and make sure that we have the forces out there to bring as many of those dollars back to us as possible. More than ever do we need the people out there in the lobbying troupes that are qualified and have the contacts to be able to give us a heads up for those types of dollars. So, I appreciate the motion, second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1. Commissioner Winnecke opposed.)

President Tornatta: Thank you.

Health Department

President Tornatta: Department head reports. Are there any department heads that have anything? Gary?

Gary Heck: Very briefly, in your packets I think you'll have a report from the Health Department on our activities at the Homeless Connect event that was held on March

the 12th. I know Health Officer, Ray Nicholson, and Mr. Elder both visited and were very impressed. I believe they've already sent you a letter to that effect. We had several staff members there, and we had other staff members that were supporting them back in our vital records to issue the birth certificates. We did issue 86 birth certificates that day. We also were able to print out 30 additional applications from jurisdictions outside of Vanderburgh County for folks who weren't born in Vanderburgh County, to help those folks. Our immunizations staff was there, and 35 individuals received 74 vaccines during that day as well. We learned quite a bit. It's the first time the Health Department has ever issued birth certificates outside of our physical building using wireless technology, or air card technology. So, it helps us prepare for emergencies, should we ever have to do that. We just wanted to thank you for the opportunity. It was a very good event for everybody that day.

President Tornatta: Well, thank you, Gary. We do appreciate the Vanderburgh County Health Department coming through in the end with the vaccinations and the, just all the different measures that you took. We know that you guys offered those birth certificates, and that was a big help. I know, coming into this process, no one expected 350 plus individuals, and we think we approached more like closer to 400. No one expected that, but the art of cooperation was never better than it was there that day in such a benevolent situation. So, we appreciate making sure that not only for our homeless, but for at risk of being homeless, we felt like Evansville-Vanderburgh County Coalition on Homelessness was very positive, and we're only halfway through the ten year plan. But, with the helps of the Health Department and all those that helped, we're very excited about the potential.

Gary Heck: Thank you.

President Tornatta: Thank you. I would also like to thank our office staff. Kristin was, Kristin Comer was very much a part of the Homeless Connect, and she really added a lot of punch to getting things done. So, I would like to thank Kristin and Marissa for being assistants to the Homeless Connect. A very successful event, and thanks to this Commission for getting behind it. Alright, any other department heads?

County Engineer

President Tornatta: John Stoll?

John Stoll: The first two items I have are change orders on the Oak Hill and Bergdolt project. The first one is for an increase of \$21,376. That change order is required because the contract omitted concrete pavement. Nobody, I shouldn't say that nobody knew it was down there, the soils report did indicate that it was there. So, that pay item was omitted from the contract, and by INDOT specifications, concrete pavement removal is paid for separately. So, it covers the concrete pavement removal, and then there were two loop detector amplifiers for the traffic signal that were also omitted from the contract. Of the \$21,376, Vanderburgh County will be responsible for twenty percent. I would recommend approval of the change order.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: The second item is also a change order on Oak Hill and Bergdolt. This is for an increase of \$1,585. This covers additional survey work done to relocate some inlets that were in conflict with numerous underground utilities on Bergdolt Road. They had to go out and restake. Where the inlets were originally going to be, it had to be restaked to where a location to where it turned out, it could be worked to miss the underground utilities. Here again, the county will be responsible for twenty percent of that cost.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Next, I have an administrative settlement letter for parcel 14 on the University Parkway project. This is owned by Russell and Carol Reising. The settlement amount is \$257,500. The reason that I'm bringing this, in addition to the settlement agreement that I believe is on your agenda elsewhere, this is being paid for with federal funds. So, we have to use this INDOT form as part of the submittal process on clearing the right-of-way. I would recommend signing the administrative settlement.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, the last item that I have is a street plan approval request for section A of Hamilton Creek Subdivision. This subdivision is retrofitting a condo development as public roads. It was originally designed and constructed to be private streets, but, now the developer has decided he wants the county to accept the roads when it's all said and done. This will entail dedicating right-of-ways and construction inspection, done by my staff. Right now, we've reviewed the plans, we would recommend approval. The plans call for asphalt streets, it would be three inches of asphalt, and right now the final surface isn't down. We're going to ask that the pavement be cored to confirm that there is already two inches down. If not, they will have to make appropriate changes to provide the thicknesses shown on the plans. Also, there's a number of encroachments in the right-of-way that will have to be dealt with through encroachment agreements before we can ultimately accept the roads. But, with that being said, I would recommend approval of the street plans.

Commissioner Melcher: I've got one question. It came up a lot of times during the road hearings, because of something that I guess I didn't know. Do we know what the base of that is? Because I understand that we used to accept roads and there wasn't a base.

John Stoll: This, that's why we'll core it. It should be six inches of rock and two inches of asphalt down right now.

Commissioner Melcher: Okay.

John Stoll: With another inch to follow. We'll have to confirm that through the developer will provide cores of the pavement. If it's not, then they'll have to bring it up to provide the six inches and three inches like the plans call for.

Commissioner Melcher: That's all I wanted to make sure is that they're dealing with the code. Because I thought I heard you say you were just going to core the blacktop only, but, I....Okay, I'm alright.

President Tornatta: Do they have a time period by which they have to complete the final top?

John Stoll: With it being a subdivision, the subdivision ordinance would apply. As long as there's a letter of credit there is no ultimate deadline date.

President Tornatta: Any other questions?

Commissioner Melcher: Motion to approve.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Tornatta: Thank you.

John Stoll: Thanks.

Commissioner Winnecke: Thanks, John.

President Tornatta: Alright, any other department heads? Seeing none.

New Business/Old Business

President Tornatta: New business, payment to the Arts Council of Southwestern Indiana. I believe we had, we received a bill from the Arts Council of Southwestern Indiana for \$15,500. The shortfall for next year, however, not this year?

Commissioner Winnecke: You're asking? Or telling?

President Tornatta: No, it is not.

Commissioner Winnecke: Okay.

President Tornatta: I think, we were talking, and, of course, this came in late, obviously, we're, I'm a fan of the arts and want to make sure that our children, which art seems to be the first thing cut, have an opportunity to experience that as well. We were in talks with the Arts Council about helping with some funding issues. My question to this Board is, do we postpone this one month to make sure of their needs for this year and next year?

Commissioner Melcher: I wouldn't mind postponing it for one reason. I've dealt with this for many years. I want to know how much the other counties are giving. You

know, it seems like it's our county leading the charge, and, there's what, 17 other counties? I think there's 18 or something like that. I would just like for one time to know what other counties, other cities are giving. Because I know the city of Evansville gives them, I think, \$10,000.

President Tornatta: \$15,500.

Commissioner Melcher: \$15,500? Okay. So, we need to make sure....I just would like us to know what everybody is donating. I'm okay with the arts, I just want to know what's happening.

Commissioner Winnecke: I could go either...I could vote in the affirmative tonight, or delay a month, at your pleasure. I think this is, to me this is not only about helping the arts, but it's, frankly, from our perspective, it's an economic development tool. I think companies that look to retain or attract talent in this area, they look for cultural amenities that will help them attract that kind of talent or retain it. So, I have no problem with it, I think it's a good move, and certainly it's an organization that I think is well regarded in the community.

Commissioner Melcher: I agree with all of that. I'm just trying to get some information—

Commissioner Winnecke: Right.

Commissioner Melcher: —and it's taken me years, and I still haven't gotten it. So, I'd seen it on the agenda, and I said I get to try one more time.

President Tornatta: Well, I would, I put it on the agenda because I fully anticipated that we're going to do whatever it takes to make sure that that organization stays alive and kicking downtown in their new digs. But, I can also defer it a month, I don't think—

Commissioner Melcher: I can go ahead and vote for it, just as long as somebody knows, tells me that I'm going to get some information.

President Tornatta: Okay, I need a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second for \$15,500 to the Arts Council of Southwestern Indiana. Discussion?

Commissioner Winnecke: Just for clarification, this is out of Riverboat money?

Commissioner Melcher: Uh-huh.

President Tornatta: Out of Riverboat money in the—

Commissioner Winnecke: Economic Development.

President Tornatta: —Economic Development side.

Commissioner Melcher: And, I would just like a breakdown of what everybody, where they get the money.

President Tornatta: Okay.

Commissioner Melcher: County, city or whatever that they serve.

President Tornatta: We'll incorporate that in the form of the motion. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, next in new business, AIC statewide salt bid request. The AIC, along with INDOT is looking to do a salt bid request for all the cities and municipalities and counties in the state. Hopefully, we will not have the fiasco we have had in the past month or so, or months or so. This past year we had some issue, you know, we might as well use you while we've got you, Warren. Can you come up and discuss any of the salt issues through legislation?

Warren Mathies: Sure. Thank you for approving the contract. I'm Warren Mathies, by the way, and I do work in Indianapolis on behalf of various clients. Last month we were able to put on the table some legislation that required the state to include local governments in a bid process for quantity purchase of salt. I think what's happening is they're seeing that threat of that being codified in law, and now they want to come to the table and include you all in. What's happened in the past with respect to salt is the Association of Indiana Counties, or the Association of Cities and Towns has kind of in a hodge podge fashion called their members and said how many tons of salt do you need, and they put together a list. The last one attempt at that was a year and a half ago, Cities and Towns came with that proposal and they had an amount of 200,000 tons of salt through various cities and towns. They went to the providers of salt and they got laughed out of the office, and the project fell apart. But, with the State of Indiana's quantity of salt, they're dealing in a quantity that's large enough now that, I think, that you guys will be successful next year, and you won't have to look for beet juice and salt and other things as you've had to do. But, we're hopeful that that will work. We put some language, we were just standing in the room in the right place at the right time, and mentioned it, and it's in a House Bill that's in the Senate now. We hope that that will help. That's just one of the things that you guys will get to do when you put together a long term plan of what you want to do with the State of Indiana. We're optimistic that you'll get well more than you've secured us for in return. We want to provide a value for dollar of what you guys hire us for, and I think that's one example of what we'll do, and we'll

continue to work. I'm happy to answer any questions about salt, or local government that, questions that you have.

President Tornatta: Any questions of the Board? We have distributed that list to our Highway Garage, and they're compiling a list right now for max and mins on—

Commissioner Winnecke: What was the deadline?

President Tornatta: —this first....do you know the deadline? I don't have it.

Warren Mathies: I don't know the deadline.

Commissioner Winnecke: (Inaudible), I just don't remember.

President Tornatta: Right. They know what the deadline is...I think it's the 31st of this month, in fact. So, we're trying to get those salt bids in. I think we've got it and he's submitting the paperwork right now. We anticipate that, it was once thought that we were going to get it all at once. We anticipate that it's going to come in sections when we need it.

Warren Mathies: Right.

President Tornatta: Therefore, we don't have to worry about any other storage facilities at this time. Unless, it comes about that we need, that we wanted to go that direction.

Warren Mathies: Yeah.

Commissioner Winnecke: Okay, it says, just since I asked, in early April we'll receive a communication from the Association of Indiana Counties, and we'll expect a response form within five to seven days. So, more to come.

Warren Mathies: That's great.

President Tornatta: Okay.

Warren Mathies: I didn't realize that was in there. Thank you again. If there's anything you guys need, just feel free to call.

Commissioner Winnecke: Would you leave your cards?

Warren Mathies: Yeah, certainly. I'll do that and get with you guys here in the near future.

President Tornatta: Alright.

Warren Mathies: Thanks.

President Tornatta: Thank you, Warren. Any old business?

Commissioner Melcher: Were you going to bring up something in new business?

President Tornatta: Well, it can go new or old business.

Commissioner Melcher: Okay.

President Tornatta: Let me mention one thing in old business, we have started our Walking to Freedom. It's the challenge we had....how many teams?

Marissa Nichoalds: Thirty.

President Tornatta: We had 30 teams sign up, teams of five, so you do the math, but we feel that we're making Vanderburgh County a healthier place, at least in this building. We're already started. Our staff is clipping the tails of at least two of our Commissioners, but it is a marathon, not a sprint. Okay. Let's see, we'll creep back up to new business, and that's fine. Over the past month and a half or so we have deliberated on and interviewed individuals for the County Highway position. Of those interviews, although very fruitful, I think I have identified a person that has exemplified what I want to see in that office to carry it out, but, before I do that, I open up the floor to either one of the Commissioners.

Commissioner Winnecke: No, the candidates that came, that presented themselves, I think there was one that was, to me, head and shoulders above the other, and I'm very comfortable with the appointment of one particular person.

President Tornatta: Okay.

Commissioner Melcher: And, I too interviewed the ones we had, and I agree, one had a lot more experience. The other one had a lot of experience too, in sales and some other things, but the one we needed is the one I'm making the motion for, and that's Chris Walsh to start on the 28th of March.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second for Chris Walsh to be the new Highway Garage Superintendent. Any other discussion? And that's on the 28th?

Commissioner Melcher: Uh-huh.

President Tornatta: Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Chris, I see you out in the audience. Do you mind coming up here and presenting your face? We'll be seeing a lot of you.

Chris Walsh: Good evening.

Commissioner Melcher: Good evening. Name please.

Chris Walsh: Chris Walsh, applicant for the County Highway Garage. I would just like to thank the Commissioners for your vote of confidence, and allowing me to be able to get back to the County Garage. It's been a few years since I've been out there, and I'm looking forward to it. I would like to follow that up and say that I've talked to Mike Duckworth, and he's going to help with the transition. I feel real confident that it will be a nice, smooth transition.

President Tornatta: You've got your green on, that's good, for the occasion. Now, tell us about beet juice.

Chris Walsh: Well, it sounds like I can scratch off my wish list of an additional salt barn. I wasn't aware of the—

President Tornatta: Alright, well, Chris, it will be a pleasure working with you. I'm sure we'll be talking quite a bit from here till your start. I'm excited about getting you in the position.

Chris Walsh: Thank you very much.

President Tornatta: Thank you.

Chris Walsh: Thank you.

Commissioner Melcher: Thank you.

President Tornatta: Any other old business?

Public Comment

President Tornatta: Public comment? Go ahead.

Commissioner Winnecke: From Youth Resources we have, one of our shadows, Preston Edge from Memorial High School. Preston, welcome.

President Tornatta: Oh, there's some in the audience.

Commissioner Winnecke: We have some in the audience too.

President Tornatta: Well, now you've got to come up here and say your name. Come on. You don't get credit. We don't sign papers unless you do this.

Commissioner Winnecke: Yeah, Preston's been on t.v. all night.

Commissioner Melcher: You'll get your chance now.

Andrew Ritter: Is it on?

President Tornatta: It's on.

Andrew Ritter: Andrew Ritter, Mater Dei High School.

President Tornatta: Okay.

Shelby Edge: Shelby Edge, Central High School.

President Tornatta: Alright.

Sammi Burnworth: Sammi Burnworth, Central High School.

Lucas Keck: Lucas Keck, Memorial.

President Tornatta: Welcome.

Commissioner Winnecke: Thanks for being here.

President Tornatta: Joe DeVoy?

Joe DeVoy: And guests.

President Tornatta: And guests, and the whole DeVoy crew. Joe, we know you've been working on the clock.

Joe DeVoy: Yes, sir.

President Tornatta: That's the County Courthouse clock.

Joe DeVoy: Yes, that's right.

President Tornatta: Well, give us an update of that old clock.

Joe DeVoy: The clock's in fine shape, sir.

President Tornatta: Great, that's what we like to hear.

Joe DeVoy: I would like to thank the Commissioners for having us here today. These are my brothers, two of my brothers. This is Mike DeVoy, future Mayor of Evansville, Indiana.

President Tornatta: Okay.

Joe DeVoy: And this is Dave DeVoy, unofficial Mayor of Mt. Olympus, Indiana, that's in (Inaudible) County.

President Tornatta: Okay.

Joe DeVoy: An update on the clock, it went down about four or five months ago. It is a hundred and almost twenty years old now. Some things are worn, but most things are in very good condition. Over the years I've had these guys up there with me several times helping out. I'm getting up in the years now, you know, so, it's time to look for someone else to replace me when the time comes.

President Tornatta: Is this going to be a contest?

Joe DeVoy: Well, it may take them a while to catch on is what I'm saying. So, I thought it would be better to start now and pull them in and teach them the ropes. I have some pictures here for you. There's one for each person up here.

President Tornatta: Okay, super. Thank you.

Joe DeVoy: I will be brief. The first part is an old picture of the front of the clock. You'll see that under the clock face is an old gear and a wheel looking mechanism with several slots. That's what makes the bell ring. When you hear the bell ring that's what's going on there. The second piece is the gear that broke. Several teeth got broken off. The third picture and fourth picture are of the new gear and the refurbished front wheel. The last photo is the root cause of it. What happened was that there was a pin that wore and it allowed one piece to go a little too far and binded up. The gear is brass, and it chewed it up. So, we took it apart. I said, we, these guys helped me. We took it apart, and took the gear to Shirley's Machine Shop, Bill Shirley's—

President Tornatta: Yeah.

Joe DeVoy: —Machine Shop, right there by the County Garage. They fabricated a new gear. The cost was \$1,500. I think it's right that the county operates on a 90 day pay cycle. I have a request, I don't know what the pay cycle is, but I would just ask that you pay as soon as possible. They are a small operation and that's a lot of money to them. They were great in helping us.

Bill Fluty: Has that bill been submitted?

Joe DeVoy: Yes, sir. I just gave it to Troy.

President Tornatta: Hold on a second. Oh, oh, sorry. Got it. I thought that was a bill for the pictures.

Bill Fluty: If you can get that down as quick as possible. We have to advertise, and that's why the delay.

Joe DeVoy: Okay.

Bill Fluty: But, it's not 90 days, it's, probably the worst case would be 45 days.

Joe DeVoy: Okay.

Bill Fluty: Your timing is not too bad right now. We'll work it in as fast as we can.

Joe DeVoy: Much appreciated, because they did a great job for us. They really did go over and above. They fabricated the gear and fixed the piece that's clean in the last picture. And, if you will indulge me, I would like to swear in the new apprentices. You know, legal like.

President Tornatta: That sounds great.

Joe DeVoy: So, if you guys will repeat after me. I, and then your name.

Mike DeVoy: I, Mike DeVoy.

Dave DeVoy: I, Dave DeVoy.

Joe DeVoy: They got that part right. I was really worried about that. Swear to be on time.

Mike DeVoy: Swear to be on time.

Dave DeVoy: Swear to be on time.

Joe DeVoy: Michael, I don't know. Not smart off to the head clock keeper.

Mike DeVoy: Not smart off to the head clock keeper.

Dave DeVoy: Not smart off to the head clock keeper.

Joe DeVoy: For the duration of my apprenticeship.

Mike DeVoy: For the duration of my apprenticeship.

Dave DeVoy: For the duration of my apprenticeship.

Joe DeVoy: Which may have no end date.

Mike DeVoy: Which may have no end date.

Dave DeVoy: Which may have no end date.

Joe DeVoy: At this time, I would like to congratulate you both, and as well as inform you that the work is mostly on Sundays and is all volunteer.

Mike DeVoy: Thank you very much. Appreciate that, more volunteer work.

Joe DeVoy: That's all we have.

President Tornatta: That's a swear in handshake guys.

Joe DeVoy: Congratulations, Mr. DeVoy.

President Tornatta: Hey, don't forget us. Don't forget us.

Mike DeVoy: Thank you.

Dave DeVoy: Thank you.

President Tornatta: Oh, boy.

Commissioner Winnecke: On a serious note, thank you for what you do.

President Tornatta: Yes.

Commissioner Winnecke: Your volunteer work—

Joe DeVoy: My pleasure.

Commissioner Winnecke: –it is very much appreciated. Thank you.

President Tornatta: I bet that's going to be a fun ride home.

Commissioner Winnecke: I bet they're not going home.

President Tornatta: Probably not. Alright, any other public comment?

Consent Items

President Tornatta: Alright, we're going to have consent agendas read into the minutes please.

Madelyn Grayson: Okay, the consent items for the March 17th meeting are as follows; approval of the March 3, 2009 Commission meeting minutes, employment changes from the various offices, 12 travel requests from the Health Department, one from Weights and Measures, two from the County Engineer, the March 2009 A/P vouchers from the County Auditor, the County Engineer has pay request number 74 for the Green River TIF projects in the amount of \$190,893.33, Burdette Park's yearly comparison from February 2008 to February 2009, the Treasurer's January 2009 year-to-date report, AMR fourth quarter payment, and three eminent domain settlement agreements: Reising: University Parkway, J.J. Brodi LLC: Green River Road, Carey: Green River Road, and department head reports from Burdette Park, County Engineer, County Highway and the Ozone Officer.

President Tornatta: Motion?

Commissioner Melcher: I make a motion to approve the consent items.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Motion to adjourn?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

(The meeting was adjourned at 6:50 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the March 3, 2009 Commission Meeting Minutes.

AMR :Fourth Quarter 2008 Payment.

Eminent Domain Settlements: Reising: Univ. Pkwy.; JJ Brodi & Carey: Green River

Employment Changes:

County Highway (1)

County Clerk (1)

Prosecutor (1)

VCCC (2)

Burdette Park (4)

Travel Requests:

Weights & Measures (1)

County Engineer (2)

Health Dept. (12)

Auditor: March 2009 A/P Vouchers.

County Engineer: Pay Request No. 74: Green River-Burkhardt TIF Projects.

Burdette Park: Yearly Comparison: February 2008 through February 2009.

Treasurer: January 2009 Year-to-Date Report.

Department Head Reports:

Burdette Park

County Engineer

County Highway

Ozone Officer

Those in Attendance:

Troy Tornatta

Stephen Melcher

Lloyd Winnecke

Bill Fluty

Kathryn Schymik

Madelyn Grayson

Debbie Bennett-Stearsman

Dave Rector

Darren Stearns

Sherman Greer

Annie Groves

Jonathan Weaver

Matt Arvay

Gary Heck

Denise Cory

Lisa Daugherty

John Stoll

Warren Mathies

Chris Walsh

Joe DeVoy

Mike DeVoy

Dave DeVoy

Preston Edge

Andrew Ritter

Shelby Edge

Sammi Burnworth

Lucas Keck

Brenda Jeffers

Marissa Nichoalds

Others Unidentified

Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, Member

Stephen Melcher

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MARCH 31, 2009**

The Vanderburgh County Board of Commissioners met in session this 31st day of March, 2009 at 5:03 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright, good evening. We will commence in starting the Board of Commissioners meeting, March 31, 2009. It's a little after 5:00 in room 301. Attendance roll call please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

**Pledge of Allegiance: Zach Harris
Easter Seals 2009 Telethon Ambassador**

President Tornatta: If we could have Zach Harris. Zach, if you'll use this microphone right here, we would be honored if you would lead us in the pledge of allegiance.

Zach Harris: Alright.

(The Pledge of Allegiance was given.)

President Tornatta: Zach, just stay there, buddy.

Zach Harris: Alright.

President Tornatta: Thanks for coming today. You are a client at the Easter Seals?

Zach Harris: Yeah.

President Tornatta: And—

Terry Hayne: Why don't you tell them about what's coming up this Sunday.

President Tornatta: Sure.

Zach Harris: We have the telethon coming up this Sunday. A lot of the money that we, well, all of the money that we get from that goes towards giving us help with paying for our therapy sessions out there at Easter Seals, and that helps a lot of us be more productive members of society. Without those donations, you know, it all starts with you guys. You know, without those donations we wouldn't be anywhere.

Easter Seals wouldn't be where they are today, and I wouldn't be where I'm at today if it wasn't for them.

Terry Hayne: Tell them where you go to school and how old you are and what you do.

Zach Harris: I go to Reitz High School, I'm 15, I'm a freshman. I'm in mostly AP classes, and I am the manager of the Reitz football team. I'm also their motivator, sort of.

President Tornatta: I can believe that. And, it says here you are the ambassador this year for the Easter Seals Telethon.

Zach Harris: Yeah, and it's an honor to be doing that.

President Tornatta: Who did you bring with you today?

Zach Harris: I brought my dad, Lonnie, and my grandfather, Marion.

Terry Hayne: And me.

Zach Harris: And, yeah, and Terry.

President Tornatta: That's Terry Hayne, V.P. of Development for Easter Seals. Well, we appreciate you coming in.

Zach Harris: Thank you.

President Tornatta: Anything else you can tell us to get the people psyched up for the telethon?

Zach Harris: Just, we need all of the help we can get, because, I mean, with, like I said, without the great community that we have, you know, we wouldn't be anywhere today. Like I said, without Easter Seals, I more than likely would not be where I'm at today, if it wasn't for Easter Seals.

President Tornatta: Would you give a shout out to that Panthers football team?

Zach Harris: Yeah.

Terry Hayne: Tell them when the telethon is.

Zach Harris: It's April 5th from noon to six at Easter Seals. So, and all the help that we can get, you know, that would just help us out tremendously. You know, I mean, with the economy the way it is today, that makes it harder too, but, I mean, just donating five or ten dollars, all the small donations, you know, they still add up. You know, if everybody could just maybe donate five or ten dollars, if, you know, you could get your relatives or your friends or whatever to donate at least like five or ten dollars that would help us out and we would have a very successful telethon, and it would help a lot of kids out. You know, it would help them have a greater chance of becoming a successful person in life, as I've done with my life. You know, Easter Seals I owe them a lot, as I said, to where I am today. They helped me get my start in life at an early age, and that just has tremendously helped me, because, I mean, now with the classes that I'm in, being in like majority honors classes, you know, my

possibilities as far as life are endless. It all started, like I said, with Easter Seals. That wouldn't be possible without, you know, you guys, the people. It's our community, plain and simple, that helps them run, which helps us. You know, I mean, that's pretty much all I can say about it.

President Winnecke: Well, thank you, Zach. Any questions to Zach from the Board?

Commissioner Winnecke: No, but, Zach, I look forward to seeing you at 3:00 on Sunday.

Zach Harris: Alright.

President Tornatta: Alright. Well, thanks, dad. Thanks, grandpa. Thanks Terry and Zach for coming.

Zach Harris: Thank you for having me.

Terry Hayne: Zach's dad brought pledge cards.

Zach Harris: Yeah.

Terry Hayne: We could leave them if you would like.

President Tornatta: Set them on that desk right there.

Terry Hayne: You could send them back with Lloyd.

President Tornatta: Okay. Alright, thank you very much.

Zach Harris: Thank you.

Commissioner Winnecke: Thanks, Zach.

Lonnie Harris: Could I address the Council, just real fast?

President Tornatta: Sure. State your name, if you would please.

Lonnie Harris: Lonnie Harris, I'm Zach's dad. I would just like to say that Easter Seals has been a great benefit to Zachary, and they helped him get started at about 16 to 17 months he started attending the Evansville Easter Seals Rehabilitation Center. I would just like to let everybody know how proud I am of him, but not only does it help children like Zachary, or Josh Wooley who has Downs Syndrome.

Zach Harris: Woolsey.

Lonnie Harris: Or, Woolsey, I'm sorry. It also helps veterans, it also helps anybody who's been in an accident. It helps older people, as well as the youngest of children. It may not be your son, it may not be your daughter today, but it might be your grandchild, it might be your granddaughter or grandson. It might be an aunt or an uncle who has a stroke. Easter Seals is unlimited in the people that they can reach out and help. So, like Zachary said, if you could give two dollars, five dollars, ten dollars, I know things are tough right now for a lot of people, but just the littlest donation will add up. So, we would like to thank everybody in advance. Tune in noon to six on Sunday, April 5th on Channel 25. Thank you very much.

President Tornatta: Thank you, Mr. Harris.

**Permission to Open Quotes: VC09-03-01
Sensmeier Road Bridge No. 1970 Rehabilitation**

President Tornatta: Alright, permission to open quotes for VC09-03-01, Sensmeier Road bridge number 1970 rehabilitation.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Motion to Recess Commission Meeting

Commissioner Winnecke: Mr. President, at this time, I would move that we recess the Board of Commissioners meeting so that we can open our Drainage Board meeting so we can open a lot of bids. Then we can reconvene the Commission meeting.

Commissioner Melcher: I'll second that motion.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

(The Commission meeting was recessed at 5:08 p.m.)

Motion to Reconvene Commission Meeting

Commissioner Winnecke: At this time I would move that we reconvene the Board of Commissioners meeting.

Commissioner Melcher: I'll second it.

President Tornatta: We have a motion and a second. All in favor say aye.

All Commissioners: Aye.

President Tornatta: Alright.

(Motion approved 3-0)

(The Commission meeting was reconvened at 5:10 p.m.)

President Tornatta: Alright, okay back to the Commissioners meeting.

Commissioner Melcher: You might want to explain.

David Miller: I just want you to know the lawyers made them do that.

Commissioner Winnecke: And we did it correctly, I think.

**Second and Final Reading of Ordinance CO.03-09-008:
An Ordinance Regulating Tattoo Parlors and Body Piercing Facilities**

President Tornatta: Alright, action items, second and final reading of CO.03-09-008, an ordinance regulating tattoo parlors and body piercing facilities. An ordinance proposed by the Health Department to regulate tattoos and body piercing activities. This ordinance is identical to the city's ordinance in its regard, except for changes in numbering, etcetera to comply with the standard county form for ordinances.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Purchasing: Permission to Advertise Copy Paper

President Tornatta: Debbie Spalding?

Debbie Spalding: Good afternoon.

President Tornatta: Good afternoon.

Debbie Spalding: I'm here to ask for permission to advertise for copy paper. It's sort of an informality. The School Corporation and the City-County Purchasing Department, this is the first bid that we are working on together. This is for copy paper for all city, county and the EVSC, school corporation. So, we just kind of wanted to let you know that we're going to be doing that. The School Corporation will be paying for the legal ad, so there's no cost for you to advertise for this. We just want to make you aware that we are advertising for copy paper. It will be a little bit different. In the past we've always warehoused copy paper here and city-county departments would order it from the Purchasing Department. This bid will allow for direct delivery, desktop delivery to departments by the chosen vendor. There will be, I think, a weekly delivery is what we're looking at.

President Tornatta: Super. Any other questions?

Commissioner Melcher: I'll make the motion.

President Tornatta: We have a motion to advertise for copy paper.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Debbie Spalding: Thank you.

President Tornatta: Thank you, Debbie.

Prosecutor: Certified Assurances & Provisions for Drug Court Grant
Health Dept: Amendment No. 1: Bioterrorism Grant
Health Dept: Emerson Network Power Agreement
Health Dept: Trimble Juno ST Handheld Devices Agreement
Health Dept: Agreement with Dr. Kozarek: Children's Vaccines
Sheriff: Command Post Lease with Airport Authority
County Engineer: Amendment to Pedcor Agreement (Delaware Trace)
EMA: MOU with Department of Homeland Security
Sheriff: Norlight Agreement for Internet Service for Jail

President Tornatta: Contracts, agreements and leases. The County Prosecutor, certified assurances and special provisions for Drug Court grant.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: I'll second the motion.

President Tornatta: A motion and a second. This is identical to last year. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Next, the Health Department bio-terrorism preparedness grant with amendment number one for an additional \$10,000. Amendment number one increasing the grant amount from \$10,000 to \$20,000 for a period from 8/10/08 through 8/9/09. The original grant was approved by the Commissioners in October of 2008. Gary?

Gary Heck: Gary Heck, Vanderburgh County Health Department. This, basically, they have another \$10,000 for us. The grant hasn't been extended, so, we need to have everything in place and submit a second budget. But, we will be able to use the money and we will be able to meet the performance standards to be able to draw the money down. So, we certainly encourage you to approve it for us.

President Tornatta: Well, stay there, and we'll do just that.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Do we have any problem with taking the next three at the same time?

Commissioner Winnecke: I don't.

Commissioner Melcher: Neither do I.

President Tornatta: Okay. Gary, I'm going to read this and if you could just give a brief synopsis. We've received these already via e-mail. The Health Department Emerson network power agreement, battery replacement. The next one is the Health Department, Trimble Juno ST handheld device quotes. The next one is the Health Department agreement with James D. Kozarek, M.D., for vaccine on the children's program.

Gary Heck: Okay, the Emerson network power agreement, these are the battery back up systems that takes care of all of our laboratory freezers and refrigerators where our vaccine is stored. Our building doesn't have a permanent generator for back up power. So, this is a 1,600 pound unit that has 24 batteries. So, it's like, if you could imagine a home UPS system that would keep your computer working, this is a 1,600 pound one that does it for refrigerators and freezers. The useful life cycle on a system like this is four to five years. We had our annual inspection and visit last week, or a week or so ago, and they told us they are at their useful life end, and they recommend replacement of the batteries. We have the funds in place to take care of it, and we would encourage you to approve this for us.

President Tornatta: Okay, Trimble Juno?

Gary Heck: These are handheld devices that our environmental staff will be using. It will tie in with the county's GIS system. The global positioning satellite devices are when our environmental health inspectors would go out into, say a septic field at a property owners spot, they can pin point the exact locations, this will capture the data, put it on the computer, bring it back to the office, and then we can plot it on maps, and have everything electronically. We can also do catch basins for our mosquito efforts. Just about anything that you can imagine that you can use a GPS and a tracking system for to get those locations, these will use. This is actually a replacement model for the original quotes we got last fall. Those units are no longer available and this is a replacement.

President Tornatta: Alright, and the agreement with Dr. Kozarek?

Gary Heck: This one is, we were encouraged by the Indiana State Department of Health that if we had an agreement with a rural health clinic, we could offer vaccines for children to additional families who don't qualify for it now. Their children could be protected, and the vaccine for children program could pay for the vaccine for them. So, once we have this agreement in place we'll be able to expand services to those who need it that aren't eligible for it now.

President Tornatta: Okay.

Commissioner Winnecke: I just had one question.

President Tornatta: Yeah, sorry, questions?

Commissioner Winnecke: Gary, did you say what the typical lifespan is of the battery we're replacing?

Gary Heck: They tell us it's four to five years.

Commissioner Winnecke: Okay.

Gary Heck: And, we've been in the building since October of 2004. So, when they came up for their inspection, it's right, just past four years, not quite the five years yet.

Commissioner Winnecke: Thank you.

President Tornatta: Any other questions?

Commissioner Melcher: No. Do you want a motion for all three?

President Tornatta: If I could, please.

Commissioner Melcher: I'll make the motion to accept all three of the ones we're talking about, the Emerson network power agreement, battery replacement; the Trimble Juno ST handheld devices, and the agreement with James D. Kozarek, M.D.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Gary.

Gary Heck: Thank you.

Commissioner Winnecke: Thanks, Gary.

President Tornatta: Under the Sheriff, lease agreement with the Evansville Vanderburgh Airport, for the Sheriff command post.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: County Engineer, amendment to agreement with Pedcor Investments, LLC for deceleration lane improvements. Essentially delaying the escrow payment until March 1, 2010. Anything to add to that?

John Stoll: Not really. This was just a decel lane that's going to be constructed in front of Delaware Trace Apartments on Green River. Back when the Green River Road project was still in the design, the original agreement was entered into that said that Pedcor would have the option of building the decel lane themselves, or reimbursing the county if it was constructed as a part of the Green River project. So, they've chosen to do it through the Green River project. Given the fact that the decel lane itself won't be constructed until sometime next year, that's why we felt that it was okay that they delayed their escrow payment.

President Tornatta: Okay.

Commissioner Melcher: I make a motion to approve.

Commissioner Winnecke: Second.

President Tornatta: Motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Sherman, if you want to come on up. Memorandum of understanding with the Emergency Management and that's with the Indiana Department of Homeland Security regarding a state use of Homeland Security grant funds on behalf of Vanderburgh County.

Sherman Greer: Sherman Greer, Emergency Management director for Evansville-Vanderburgh County.

President Tornatta: Any questions of the board for Sherman?

Commissioner Winnecke: I don't.

Commissioner Melcher: I don't either.

President Tornatta: Okay. Sherman, you did a good job.

Commissioner Melcher: So I'll make a motion we approve it.

Commissioner Winnecke: Second.

President Tornatta: Motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Madelyn Grayson: And Sherman has someone delivering this to Indianapolis tomorrow, so can you sign it and then –

President Tornatta: Sure. Sherman, anything else that we need to know right now?

Sherman Greer: There is another matter that I still have to go to the County Attorney to get some approval on that matter that I was talking about with the air cards, so I've gotten Matt Arvay's approval, but he advised me to go through the attorney.

President Tornatta: That's good. Just in a –

Sherman Greer: So I'll try to get it on the agenda for the next meeting.

President Tornatta: In a minute or so, can you talk to us just about how the siren systems worked? I know that in Corydon, it was found out they did not work. Could you just kind of go over how ours works and what procedure we use to make sure they're fully functional?

Sherman Greer: Okay, we have 33 sirens within Evansville-Vanderburgh County. We're in the process of adding six more, which will make us 39. Our sirens are mechanically driven, but they're also radio wave activated, just like they are in Corydon so, there again, it could have been because of the storm and the disturbance and everything out there, it could have been a signal that didn't go through. They also have the battery backup, which we do not. Sirens are pre-warners to thunderstorms and tornados coming in, so they should be going off prior to the storm getting into the area. And the reason that, the way that we set our sirens is when the National Weather Service gives a warning, through the Central Dispatch gets that warning, then they set the sirens off. So that's the policy that we've always had. We do it for severe thunderstorms because a lot of times tornados are embedded within severe thunderstorms and we do it for tornado warnings also. We were fortunate that all 33 of ours worked this time, but they're electronic, and electronic things can sometimes suddenly break. We have a maintenance agreement to where that if, when we do our test every Friday, which we do our test every Friday at noon, and a lot of people are attuned to that to where that they expect for them to go off at noon. If we have one or two that does not work, we have it maintained at that before the weekend comes so that it will be operational through the weekend.

President Tornatta: And obviously the storm sirens are not to – it's to alert people.

Sherman Greer: It's to alert people outside. A lot of people are under the impression that they're going to hear the siren on the inside of their home. And inside your home with the air conditioning going and the television on and as air tight and as soundproof as we have our houses built, you're probably not going to hear it inside unless you live right under one of them. So there again, it's to alert people outside to go inside, turn on your radio, turn on your television and listen for further instructions. It's also advisable for people to have a weather radio because, just like the 2005 tornado, that was at 1:59 in the morning, so that it can alert you, wake you up in the middle of the night, so that you can get into your safe place, whether that be your basement or a walk-in closet in the middle of the house or something of that sort.

President Tornatta: Alright. Any questions of Sherman? Thank you. And we have your signed sheet over here. Document.

Sherman Greer: Thank you. Appreciate it.

President Tornatta: Thank you, Sherman.

President Tornatta: Sheriff agreement with Norlight, Inc. for a T1 line for Internet service to the jail.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: I'll second.

President Tornatta: Motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Highway

President Tornatta: Alright, department head reports. Chris Walsh. Welcome back to Vanderburgh County.

Chris Walsh: Chris Walsh, Vanderburgh County Highway Department. I just have two items. The first item is the pothole blitz. I know its been advertised on television and we're receiving a lot of calls. We've got about a 100 to 125 calls today, so we've had quite a bit of calls on it and we're going to start crews out tomorrow, weather, hopefully, permitting. We're going to get some crews out tomorrow and get started on these and then the blitz actually starts, I think, the first Monday of April. The only other item that I have is in regards to the rock salt agreement with IAC. And I was working for the city at the time that that happened and Dennis and I were not able to get in on the conference call. I have contacted them, they're going to send us some more information. We've run some numbers, they're going to send a report to us for the first of April and initially the numbers that I have are that 4,000 tons of salt are what an average snow season is. We have 1,500 tons of salt on hand, which leaves us 2,500 tons. So we've got some figures in place that we're going to tweak a little bit before this report is due. It's going to be due about the first week of April, so I'll stay in contact and let you know if I receive any more information from them. I hope to this week.

President Tornatta: Chris, would they be bringing that periodically or whenever we would need the salt?

Chris Walsh: My understanding is a seven day, they need no more. Within seven days they'll have it delivered to us, and it's a delivered price. Say we put in for 2,500 ton, we have to guarantee that we're going to take 80% of that. That will be 2,000 ton, but they're guaranteeing us 120%, which will be 3,000 ton, which should put us in the right ranges for the average snow season.

President Tornatta: Now, what was the number? Have they bid it? They have not made any bids yet?

Chris Walsh: No, I think they're still working on that and I hope to receive something tomorrow and I can contact – I don't have a cell phone yet. I should have it possibly tomorrow. As soon as I do, I'll get you gentlemen my number and –

President Tornatta: And the email? Do we have the email yet?

Chris Walsh: They just signed me up today, but I –

President Tornatta: Just shoot that to the office. When you get both of those, shoot those to the office and they'll get it out.

Chris Walsh: I will.

President Tornatta: That would be super.

Commissioner Winnecke: Mr. President, I did sit in on that conference call with the two state associations, counties and cities, and just for clarification for the public, this is a mass buy that INDOT is coordinating and the idea is that the more INDOT buys, the lower our price will be. And once a municipality commits to the plan, that's the commitment we have to buy through that. But I think in the quantities that INDOT will be purchasing, it will certainly be better than the price we paid last year, buying independently.

Chris Walsh: Which was in the neighborhood of a hundred and –

Commissioner Winnecke: It was over a hundred dollars.

President Tornatta: A hundred and twenty-five, and our last quote was almost a hundred and forty-two, so we did not buy salt at that price. We deferred and I think that we made a great decision, and we have that money sitting there for this purchase if we need to. So we will be ready. Any other questions of Chris? Welcome to your first day on the job.

Chris Walsh: Thank you.

President Tornatta: And I know you've been in there working and trying to get caught up, but we're glad to have you and wish you the most success.

Chris Walsh: Thank you very much.

County Engineer

President Tornatta: County Engineer.

John Stoll: The first item I have is the Corps of Engineers permit for the Green River Road project. This is the permit that Bernardin Lochmueller prepared and its taken a while, but we finally got it. It just needs your signature, and then we can return it to the Corps and we're good to go on the project.

President Tornatta: Great. I just need a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: Motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: And then secondly, I have a letter from IDEM that needs to be signed in regards to the Burdette Park/USI bike path. This letter basically summarizes the different permits that would be required for a federal aid project and it just says that we're certifying that we will obtain all applicable permits and between R.W. Armstrong and Bernardin Lochmueller, that is already in the works. The construction of the flood way permit, the Rule Five permits, things like that. So basically you're certifying the stuff that we've already got going.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: Motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Next, I have a sidewalk waiver request for Hamilton Creek subdivision. This is the subdivision that you approved the street plans on at your last meeting. It's on Petersburg Road, out near Hamilton golf course. It's recommended that you go ahead and approve the sidewalk waiver.

President Tornatta: Thunderbolt Pass.

John Stoll: I forgot about that.

Commissioner Melcher: Motion to approve.

Commissioner Winnecke: Second.

President Tornatta: Motion and a second. Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Next, I have the Mylar cover sheet for the University Parkway plans. I need the Commissioners' signature on that and this will be part of the submittal that we'll make to INDOT in hopes of getting some of the stimulus funds for this project.

President Tornatta: Alright.

Commissioner Melcher: I'll make the motion.

Commissioner Winnecke: Second.

President Tornatta: We have a motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then the last item I have is change order number one on the Oak Hill and Bergdolt project. In reviewing our files and our consultant reviewing their files, we found that this change order number one was never approved. We approved change orders two and three recently, but this one never had been run through a meeting. This is for an increased cost of \$8,946 and this was for work done last fall to do some tree clearing and trimming in order to facilitate utility relocation work. I'm not sure exactly how it fell through the cracks, but it should have been signed last

fall so, the work has been completed. The county will be obligated to pay 20% of this \$8,900, and I would request your approval of the change order.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: Motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have unless you have any questions on anything?

President Tornatta: I think we're good.

John Stoll: Okay, thanks.

President Tornatta: Thank you, John. Okay, any other department heads?

New Business

President Tornatta: Alright, new business. Any new business? I did want to make the comment, Hamilton's Golf Course, which has been a treasure on kind of our north side, has turned into Thunderbolt Pass. It is the new golf course out there and the airport has leased that to a company that is the caretaker of the building. They've put new a roof on it. They have – I believe they bought 60 new golf carts. They have upgraded a lot of the greens and some of the aprons on the greens and it really seems like this outfit is taking the place pretty serious and ready for business. So if you get a chance, go out to the new Thunderbolt Pass, which is the old Hamilton's Golf Course.

Old Business

President Tornatta: Any Old Business? Alright.

Public Comment

President Tornatta: Public comment? Freddie?

Frederick Bumb: I'm Frederick Bumb, I was in here a few weeks ago and it's concerning a mitigating of some property that we own. And my wife, Janet, back there, we are quite concerned about the way this is on it. I had a brief talk with Mr. Tornatta and I appreciate that. But I wanted to make sure that everybody kind of felt, I mean, try to get a feeling that – that we feel so disappointed in the fact that this is going to be a mitigation on our property. I'd like to tell – this is also Mr. Paul Kleinknecht, he's president of our Kleinknecht Farms, and he farms the ground that I own along the property that my wife and I own. There might be some comments that I'd just to say. I wonder why, I wonder why this ground was selected for this? One reason is that, some of the things that makes it, there's a waterway on there that I was involved with and put it on this property. There was a drop box that was put on many years ago and it was replaced three years ago. And now we have a tile going through this property that drains a lot of our property. So its really been a concern of mine, just where do we go from here and why. I guess the why is, couldn't there have been some other ground that would have been acceptable for this? And if you can – if you have the sheets there, you can maybe see that our property goes from two sides of it and so that's our concern, just what can be done, what should be done on that side.

Paul Kleinknecht: There is an existing structure and tile –

Frederick Bumb: I have to be just – is this an order that we can show these sketches?

President Tornatta: Yeah, what we're trying to do, Fred, is he's trying to point out here and we're trying to catch it.

Paul Kleinknecht: I'm showing them where it was.

Frederick Bumb: Oh okay. Well, that's what I was hoping, maybe there would be some questions that maybe would come up and we want to make sure that everybody kind of knows our feelings about it. I know that the county owns this ground now from what I understand.

President Tornatta: But somebody else owned the ground before the county owned it.

Frederick Bumb: Somebody else did?

President Tornatta: But it wasn't you.

Frederick Bumb: No. My brother-in-law and I owned it and we divided it up, why, he got this part of the property, see. And so, at the time.

Kleinknecht: – tile still is together.

President Tornatta: But now, he sold this property to us.

Frederick Bumb: Yes, he did. I mean, he has nothing to do with it.

President Tornatta: Right. And I guess that's the tough part because, you know, he didn't have to sell that property to us that I'm aware of.

Frederick Bumb: Well, I've just developed –

President Tornatta: They were willing to sell us this property so we would have the mitigation land that we needed for compliance. And what, essentially, and we have the Surveyor here and we have the Engineer here to explain anything that you need. I mean, we'd be happy to go over this, but to my understanding, and I have limited knowledge, but to my understanding, the flow will stay the same, but this will be a water standing area. But the flow will stay the same. If the flow would change and/or back up, then that would create a drainage problem from which, now we'd go under the Drainage Board side and we talked about this earlier, Freddie, but if this works as it's designed to work, this will hold water, yet it would not push back water. So you would not be adversely affected.

Frederick Bumb: Yes, I understand that and I –

President Tornatta: And I know you don't believe that.

Frederick Bumb: Well, on your comments of why, but on the other hand, the experience I've had in the past, normally, you have something like a wetland below the area that you're draining into, it's going to gradually back up into your property, and I found it be true every time that we have, we've been experienced, that's with some wetland. And if the ditch closes up a little bit, then we get the problems and who is going to take care of getting that ditch opened?

President Tornatta: Maybe if I can have either Bill Jeffers or John Stoll to address any part of this?

John Stoll: I'm not sure which ditch. Are you talking about Little Creek?

President Tornatta: Yeah.

Frederick Bumb: The drainage area that goes into the Little Creek, there's some low spots.

Paul Kleinknecht: See, the flow goes this way and you're going to berm it up, plus we have a tile, the tile goes through here, drainage tile, which we're going to be able to – I mean, my oil rig will go through this, so I don't know how they can keep that as a wetland if we can maintain the tile here. If you cannot stop the existing drainage tile,

Frederick Bumb: This is what you would have here, was done by Lochmueller.

President Tornatta: Okay. But let John get a word in here.

John Stoll: I will say, in some fashion, the drainage, the field tiles will have to be maintained. It think we've all discussed that in the past that, whether they'd be rerouted in some fashion or they'd be maintained through the wetlands side, the field tiles will be continued even after the wetland side has been developed. I don't have the exact mitigation plan here, so I'm not sure all the details of, like they presented here in regard to the drainage and the flow and how that will be affected, if it will be affected. That's something I would have to go back and get with the consultant again and try to research as far as whether or not anything they've got proposed does affect any surface flow across Mr. Bumb's property.

Frederick Bumb: All the drainage comes off of our ground, goes through this area, see, and so it's a concern of ours because we've got high producing ground. In fact,

this, where they're going to put this, is some of the highest producing ground in German Township, and that's what doesn't make sense to me. But I don't know, it seems like maybe they could have found some ground someplace that a mitigation would have been more suitable for the situation. But I'll tell you, I'm really at a loss and I just don't feel like that maybe I should – which direction I should be going.

President Tornatta: John, is –

Frederick Bumb: How far along is the mitigation?

John Stoll: The county has purchased the property and we're in the process of getting this plan approved through all the – through IDEM and all applicable channels, so I guess it's a matter of, in my opinion, this will be the mitigation site. We're not pursuing any other sites at this time. I can get with the consultant, like I said, and make sure that it doesn't have an adverse impact as far as drainage is concerned on Mr. Bumb's property. I'm not sure, since I don't have the plans with me, exactly what the final layout is of the mitigation site, nor do I know as far as how they've got the roadside ditches set up to convey the water. Looking at the contours, it looks like it goes southeast and I know we're going to have some large roadside ditches alongside University Parkway as well. That might be part of their plan, but without having the plans here in front of me, I can't give you all of the specifics.

President Tornatta: And assuming that Mr. Bumb had an issue after this was all put together, the plan was running and then the plan failed, what recourse would he have?

John Stoll: As far as –

President Tornatta: Would he come back to Drainage Board at that point and then have a petition against the county?

Frederick Bumb: That's what I'd like to know. I don't know where we are right now and I wrote a letter to, I think, and the Board got that, a copy.

President Tornatta: Right, and I mean, that's, can you answer that or is that a Surveyor question?

John Stoll: With – that might be a question for the County Attorney more so. I guess it could be the Commissioners or the Drainage Board. The only issue here is Little Creek is not a legal drain, so I think that kind of would take it out of the realm of the County Surveyor unless it was through a drainage obstruction petition, and I'm not sure how that plays out as far as whether or not the county would be named in something like that or whether or not it would just be a Commissioners' situation to deal with.

David Miller: I would not want to commit to that until I looked at the entire file.

President Tornatta: Okay.

Frederick Bumb: I understand that.

President Tornatta: Okay, well, let's do this, Freddie. I appreciate you coming in today and Mr. Kleinknecht as well. Let's go ahead and have John research the mitigation plan and he can get with me and I'll be happy to give you a call.

Frederick Bumb: I'd appreciate it. I get to the point that, well, maybe I shouldn't be going about it anymore, and I am, but on the other hand, then sometimes later, well, somebody say, well, why didn't you come in and –

President Tornatta: But no, I think you're fine and, I mean, and –

Frederick Bumb: It is a concern of mine and I think if all of you folks out there were bordering this here, you would be concerned, too, because there's places for wetland and I'm not completely against wetlands, but this area here, I don't think is the place for it necessarily.

President Tornatta: Okay, and if something changes, we'll be happy to let you know that as well, as far as if it's a redirection of a wetland or something of that nature.

Frederick Bumb: Could I consult with Lochmueller and them, would that be of any value? But I guess they didn't know there was tile in this ground, see.

President Tornatta: Okay, John, do you want to talk with him right now and maybe come up with some type of who is calling who?

John Stoll: From my perspective, if he wants to call Bernardin Lochmueller, that's fine, but I'll be more than happy to get a hold of them and discuss what the specifics are and the specific concerns regarding the drainage. The discussions we've had in the past have been in regard to the field tiles that they would need to be maintained through the site with an easement to Mr. Bumb or somehow rerouted, but the surface drainage hasn't been discussed in the past.

President Tornatta: Why don't you give him the name who he would need to talk to and then –

John Stoll: Jeremy Kiefer.

Frederick Bumb: I knew –

President Tornatta: Why don't you go ahead and just ask him and then that will start the ball rolling.

Frederick Bumb: Would you give me the phone number?

Paul Kleinknecht: We're just concerned whenever drainage – sorry, being a farm and I farm in the river bottoms and drainage is one of the biggest things that we have. And if you keep water on a ground, I mean, if the tile is there that we spent and put the tile in and that's stopped, I mean, it's, you know, in one day you can ruin a corn or soy bean or wheat crop and that's what we're concerned about whenever the way it's kind of set up here, because of the flat nature and everything else, that eventually, it's going to come back and have problems for us.

President Tornatta: Alright.

Frederick Bumb: Thank you for your time.

President Tornatta: Thank you. Anybody else for public comment? Sure.

Randy Jones: My name is Randy Jones.

President Tornatta: Randy?

Randy Jones: Randy Jones. I've lived here 55 years except for three years I served my country. I've never had a problem with Evansville or any Commissioners or anybody. But it seems like I have a neighbor that's an elected official that decided they would cut trims and stuff off of my – and this is – you'll have to bear with me. And the problem is, it was my fence to begin with and all of the sudden, you know, I'm trying to explain this to this person, and all of the sudden, I come out there and the County Surveyor is out there in front of my house on my private property with orange paint, painting it and marking it with posts and all that. And I'm going, who are you? You know, what are you going here? This is private property. I'm doing this as a favor for this person. And I'm thinking, well, I can fight this person, but I can't fight the whole city. And I don't know why they were here to begin with. And the problem is, when I bought my house, I had a VA loan on it, so I had to have it surveyed. I have the legal documents here that shows that it was surveyed. I have 40 foot in front of my house from the post that I have put in the ground, they had in the ground. You mark it 39 ½, and what he marked was a tent post that somebody had put there, one of these little cheap plastic tent posts there. Well, that's where the marker is at. If he had actually, if the County Surveyor had actually went a little further and dug down, he'd have found where that post where – Mr. Bassemier, Mr. Bassinger? put it in. So I went down and I talked to the Surveyor. Well, that don't mean nothing because he's dead. I said, well, I've got the legal document. Well, you'd have to have the whole block done. This is what I'm hearing. I mean, I'm being told this. Well, you'd have to have the whole block surveyed before everybody can do it. I said well, if this stake is right, then I own six inches of her ground, they own six inches, I said, everybody's drive is off. What really becomes concerning, they're fixing to redo Oak Hill Road completely. So if these surveys aren't right, and they start putting these concrete, you know, rebuilding these drives, we've got to get this straightened up before this happens.

President Tornatta: What is your address?

Randy Jones: 915 Oak Hill Road, and I have pictures of where the County Surveyor come and stuck these stakes up and I've got an orange (inaudible) sitting up there now that's ugly.

President Tornatta: Could that be the Engineer?

Randy Jones: No, it was the County Surveyor. And I also have legal documents here showing that I had it surveyed when I bought the house. And it shows where the stakes, the red spot is where he put his wooden stake, he didn't even put a post in, he just stuck a wooden stake in it. And I do not know why the County Surveyor would even be out there for this, to be honest with you.

President Tornatta: Well, you're in the city, correct?

Randy Jones: I'm in the city, this is correct. Why would the County Surveyor be out there on my private property marking my ground with orange paint and stakes? I mean, that is a question I would like to have answered, because when I go down there and ask them, tough luck.

President Tornatta: Does that look like the guy you talked to?

Randy Jones: No.

President Tornatta: That's your County Surveyor.

Randy Jones: Well, what gentleman from the office with black hair that came out there and did that? Would that have been? You have no idea? Have you talked to them about it? I mean, have they discussed it that they came out there and did that?

Bill Jeffers: What room did you go to?

Randy Jones: The Surveyor's office, the County Surveyor's office. They sent me to the County Surveyor's office. I've also been to the Engineer's office about the fact that they built a big – and I get flooded every time because they paved over the concrete of the sidewalk. Well, they told me they couldn't find nothing on that, too bad on that, too. I don't know where to go with this, gentlemen.

President Tornatta: Okay, well, we want to help. So –

Randy Jones: You know, I can't fight this person...I could, but I mean, not if she's got friends that's going to come around here and do favors.

President Tornatta: Well, here's a –

Randy Jones: But I was told it was County Commission by her, and when I went to the – the gentleman with the black hair and the girl told me that this meant nothing, because the man is dead and I didn't have the whole block done. She told me this meant nothing and I thought, I thought it meant something. I've been there 28 years.

President Tornatta: Right. Let's try and –

Randy Jones: I'm not trying to mention names because I'd just prefer –

President Tornatta: That's fine. Let's redirect you to a body that could more influence a decision here and I think that we'd probably be looking either at the City Council or –

Randy Jones: The City Council is my next step.

President Tornatta: The County Commissioners would be dealing with issues in the county and the unincorporated part of the county. Okay, so right now you're in the city side of things and that's dealing with the Mayor, the City Council, City Engineers.

Randy Jones: This is true. But I have talked to the City Engineer about the fact that the sidewalk floods in the front and they told me I'd have to – I said what I want to do is just tar the whole sidewalk. Well, you'd have to get a permit and I doubt if you can get a permit to tar over that sidewalk. And I said, well, there's tar over the sidewalk now. When they fixed their drive, they stuck tar about that high over it, which just floods me. So –

President Tornatta: Well, unfortunately, if somebody did it without a permit, then you could bring that on that person if that was an issue, but that might be a civil issue, not a –

Randy Jones: I will do it legally, so the city has no say so when their sidewalks are covered over with tar, the city has no or the county has no say so on that?

President Tornatta: No.

Randy Jones: So if tar just happens to come up in front of mine, and I don't know who did it then they're not going to come out and make me take it up?

President Tornatta: Well, they could potentially. Absolutely.

Randy Jones: Well, that's what I don't understand. Why not the one that's there now over the city sidewalk in the right-of-way.

President Tornatta: Just to guide you to a body that might be able to accommodate you a little better –

Randy Jones: I just kind of wanted to get this open to at least they know where I'm going through and what's happening to me here because I've just never had this problem before. I've just never had anybody do this to me, you know, and I'm fixing to put a fence up to the front and I'm told I can't do that because they can't open the doors correctly. So I've been told, I've been threatened they'll take the fence down if I put it up. So I'm getting kind of threats here.

President Tornatta: Do you want these?

Randy Jones: No.

President Tornatta: I was going to say, if you want to give those out.

Randy Jones: No, I can make prints of them. I've got that orange thing sitting in front of my house right now.

President Tornatta: Okay. Randy, we appreciate it and sorry we couldn't help you.

Consent Items

President Tornatta: Could you please read the consent items into the record?

Madelyn Grayson: The consent items for the March 31st, 2009 Commission meeting are as follows: approval of the March 17, 2009 Commission meeting minutes; employment changes from various offices; travel requests: four from the health department, one from Burdette Park, one for the County Auditor; the Commissioners: FC Tucker Commercial Notice to buyers/lessees; Commissioners: Waiver of fees, not overtime for the Centre for Indiana Minority Supplier Development Council Southern District Business Opportunity Fair on September 22nd and 23rd, 2009; the County Engineer, Approve pay request number 75 for the Burkhardt Green River TIF projects in the amount of \$429,879.94; Evansville ARC: Report of Activities and January 2009 meeting minutes; the County Clerk: February 2009 monthly report; the Treasurer, February 2009 monthly report; Surplus requests from the County Assessor, County Recorder, Treasurer, Superior Court, County Auditor and Prosecutor; County Auditor: Annual Report and Summary of 2008 Fixed Assets; Burdette Park, request to surplus a 1991 Chevrolet Caprice and return 2000 Ford Crown Victoria; and department head reports from the County Highway, County Engineer, Burdette Park and Ozone Officer.

President Tornatta: Is that Weights and Measures in that, too?

Madelyn Grayson: I'm sorry, I skipped over that one. Weights and Measures monthly report from February 15th to March 15th.

President Tornatta: I think we've got it.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: Motion and a second. Discussion? Roll call vote please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Reading of Bids for VC09-03-01: Sensmeier Road Bridge No. 1970 Rehabilitation</p>

President Tornatta: David, do you have a report for today?

David Miller: I have nothing.

President Tornatta: And we have some bids that were opened, I believe.

David Miller: We have one bid that was opened on the Sensmeier Road bridge.

Madelyn Grayson: David, is your microphone on?

David Miller: I'm sorry. We have one bid that was opened on the Sensmeier Road bridge. The bid is submitted by Allen Relleke Excavating, LLC. It appears to be in order.

President Tornatta: And the amount?

David Miller: And the total amount of the bid is \$26,240.

President Tornatta: Motion to take that under advisement.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: Motion and a second. Discussion? Roll call vote please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: And a motion to adjourn. All those in favor?

Commissioner Melcher: Before we adjourn can we introduce our students today?

President Tornatta: Oh, I'm sorry. Absolutely.

Commissioner Melcher: Sitting on my right, your left, we have Sammi Burnworth, a junior at Central High School.

President Tornatta: Lucas Keck, and where are you from, Lucas?

Lucas Keck: Memorial High School.

President Tornatta: Oh, that's right. Memorial High School.

Commissioner Winnecke: And we have Andrew Ritter from Mater Dei. And, Mr. President, we also have a Public Affairs Reporting class from the University of Southern Indiana, Gary Blackburn, who is the publisher of the Princeton Daily Clarion is their instructor, and they're in the audience, I assume covering us for a project.

President Tornatta: Alright. Welcome. Alright. Motion to adjourn? All those in favor, say aye.

Commissioner Winnecke: Aye.

Commissioner Melcher: Aye.

President Tornatta: Aye.

(The meeting was adjourned at 5:58 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the March 17, 2009 Commission Meeting Minutes.
F.C. Tucker Commercial Notice to Buyers/Lessees.
Waiver of Fee/Not OT for Centre: Indiana Minority Supplier Development Council
Evansville ARC Report of Activities and January 2009 Meeting Minutes.

Employment Changes:

County Clerk (1)	County Assessor (1)	Sheriff (6)
VCCC (3)		

Travel Requests:

Health Department (4)	Burdette Park (1)	Auditor (1)
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County Engineer: Pay Request No. 75: Burkhardt-Green River TIF Projects.

County Clerk: February 2009 Monthly Report.

County Treasurer: February 2009 Monthly Report.

Weights & Measures: 2/15/09-3/15/09 Monthly Report.

Surplus Requests:

County Assessor: (2): Various office equipment and furniture.
County Recorder: (1): Six (6) Ithica receipt printers.
County Treasurer: (1): Three (3) office chairs.
Superior Court: (2): Various office equipment.
Prosecutor: (1): Two (2) file cabinets.

County Auditor: Annual Report and Summary of 2008 Fixed Assets.

Burdette Park: Request to Surplus 1991 Chevrolet Caprice and 2000 Ford Crown Victoria

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	David Miller	Madelyn Grayson
Zach Harris	Lonnie Harris	Terry Hayne
Gary Heck	John Stoll	Sherman Greer
Chris Walsh	Fred Bumb	Paul Kleinknecht
Randy Jones	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
APRIL 7, 2009**

The Vanderburgh County Board of Commissioners met in session this 7th day of April, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good afternoon. We're going to call to order the Board of Commissioners meeting, April 7, 2009, room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Candice Perry: Albion Fellows Bacon Center

President Tornatta: Candice? Candice Perry, if you would come up and honor us with leading us in the pledge of allegiance.

Candice Perry: Please join me in saying:

(The Pledge of Allegiance was given.)

President Tornatta: Candice is with the Albion Fellows Bacon Center. It's, we're glad to have you today.

Candice Perry: Thank you so very much for having me.

President Tornatta: Absolutely. Tell us a little bit about what you do, and the people you serve.

Candice Perry: Certainly. I am the Executive Director of Albion Fellows Bacon Center, which is a domestic violence and sexual assault center located here in Evansville. We do serve 11 counties in southern Indiana. Since 1981 Albion Fellows Bacon Center has been providing safe shelter, crisis intervention, and prevention education services to those in southern Indiana. Our mission is to eliminate domestic and sexual violence in our communities through advocacy, education, support services, and collaborative partnerships. Throughout the month of, or throughout the whole year we try to create awareness activities so that we can reach those who are suffering in silence, and to also educate those in our community so that we can have a change of public opinion and have more assistance for those who are suffering. So, I do have a list of several different activities that are taking place. Because this is a very busy month for us. April holds, actually it is the National Sexual Assault Awareness Month. So, in this month we try to create as many activities so we can draw people in. So, I'll just share those with you. Just last week

we had a “Walk a Mile in Her Shoes”, which was held out at USI, which is a very unique event. Several hundred students and community leaders took part in that. So, we are very proud of that particular event. Tomorrow at U of E, Albion presents a “Survivors Speak Out”, where a survivor will actually talk about her own victimization, how it impacted herself and her family members. There will also be an information panel, so that students can learn how to better protect themselves and what to do if they find themselves victimized, or someone that they care for is victimized. Crime Victims Rights Week is held April 26-May 2. This week is dedicated in remembering and honoring victims of crime. At noon on April 27th a tree ribbon ceremony and proclamation reading will take place in front of the Civic Center. On April 30th, the 12th annual Take Back the Night march will be held at 6:00 p.m. at the Casino Aztar events plaza. That really is a march of empowerment, a march of protest. It is an opportunity to take back the night in safety. Last, but not least, ending on a very light note, on April 18th we are holding our Timeless Celebration Gala, which is one of the biggest fundraisers that our agency will hold during the year. This is an event where we have fun, we have dinner, we have silent and live auctions. It is an opportunity, once again, to educate the community, and to really receive, so that we can give back to this community. So, those are some of the highlights.

President Tornatta: Sounds great, Candice. If we could get some of those, some of that information, we’ll put it on our Facebook page and just let it be known that, and put a link, so we’ll have people that can get in touch.

Candice Perry: Thank you.

President Tornatta: Where are you located?

Candice Perry: Well, we are in Evansville, but we don’t disclose the exact location—

President Tornatta: Okay.

Candice Perry: —for safety reasons.

President Tornatta: Okay. Then, what’s the best way that somebody could get in touch with you if there’s an issue in their family?

Candice Perry: The best way is to contact our crisis line. That’s 812-422-5622. Our business line is 422-9372. We do have a website.

President Tornatta: Good.

Candice Perry: Yes.

President Tornatta: Get that to us, and, like I said, we’ll post it up there.

Candice Perry: Okay.

President Tornatta: I hope everything goes well with your events.

Candice Perry: Thank you so very much.

President Tornatta: Are there any questions of the Board? Thanks for coming out.

Candice Perry: Thank you so much for having me.

President Tornatta: Alright.

**Deborah Capps: District 10 Team Leader:
Preparedness Grant Update**

President Tornatta: Alright, our first action item, Deborah Capps, District 10 team leader, preparedness grant update. Deborah?

Deborah Capps: I've got some handouts. I'll go ahead and give you those. The State Department of Health has been actively working with counties for preparedness issues for about four or five years. Gary Heck was actually the first public health coordinator hired by the Vanderburgh County Health Department, and then when he moved up the ladder, Maddison Seib tried to fill his shoes. In the meantime though, since then the State Department of Health funding has been cut from the CDC, and they could no longer afford to hold those positions for each county. So, most counties were not able to pick up that position, that's true in Vanderburgh County, as well as most of the counties across the state. The State Department of Health did not want any county to be, to let this just die out, so they created district teams. I was the public health coordinator for Dubois County, and was blessed to become the team lead. The team office is located here in Evansville. We serve 12 counties. What you have in front of you, the first page is just a brief description of why district teams are necessary, and why the State Department of Health is funding those positions. The next sheet of paper that you have gives you a very brief job description for each of us, and our contact information. All four of us have been very active with the Vanderburgh County Health Department. I meet with their Health Department at least once a month at their site. Then they've been going to various meetings with me as well. We are planning a full scale exercise, it's going to be in Daviess County, this will be one of the, it will be the second in the state actually where we've pulled a district together to put on a full scale exercise with every county having one piece in that cog. In some cases a couple of pieces in that cog. But, in the past, when the Vanderburgh County Health Department put on a full scale exercise, they did it in house, they asked for their partners from law enforcement and fire to help them do all of that. But, now we're coming together as health departments, and each health department has a piece that they're bringing to that. That exercise will be April 22nd in Daviess County at Washington. So, there have been lots of meetings about that. So, we're really going to find out how well this district team is working. The last five sheets there are the grant guidance from the State Department of Health. This is what the Health Department has to do with the team and for their citizens on maintaining preparedness issues for the county. This county has been doing an excellent job of trying to keep track on all of those. They've actually, they were the first in our district to hold any kind of a POD exercise. POD meaning point of distribution. They've done all of the call down drills. They've been very active in planning for this full scale exercise. This Health Department is to be commended for their work. It is very difficult to continue preparedness efforts when you don't have somebody full time or part time who is dedicated to working on just preparedness. This Health Department comes together, every time I come out there, there is a group of usually five or six people who are meeting with me, because every one of them is working, as they find time, on getting preparedness done for Vanderburgh County. So, I just wanted to come, meet you, tell you who we are, and commend your Health Department. One more thing, I wanted to say that the State Department of Health has recently increased their grant from \$10,000 to \$20,000. So, they're in the process of deciding how they're going to spend that money. So, any questions for me, or for Gary?

President Tornatta: Any questions? Deborah, thank you for coming.

Deborah Capps: Thank you.

President Tornatta: And all the positive words you've said about our group here.

Deborah Capps: They deserve every one of them.

President Tornatta: Don't pile it on too much there, Deborah.

Deborah Capps: I'm working for them.

President Tornatta: Right, okay. Alright, thank you.

<p style="text-align: center;">Permission to Award VC09-03-01: Sensmeier Road Bridge No. 1970 Rehabilitation: Allen Relleke</p>
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President Tornatta: Permission to award VC09-03-01, Sensmeier Road bridge number 1970 rehabilitation to Allen Relleke Excavating for \$26,240. If there's no questions of John Stoll, I would entertain a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any further discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Next will be Allied Waste invoice—

Ted C. Ziemer, Jr.: Excuse me.

President Tornatta: Sorry.

Ted C. Ziemer, Jr.: I have a, I guess, a bid enclosed from Deig Brothers for Sensmeier Road bridge. I didn't see that on here.

President Tornatta: That was last week.

Madelyn Grayson: Those were due last week.

Ted C. Ziemer, Jr.: Oh, well, why is it sitting here I wonder? I guess, they didn't believe it could be done without me. Well, John, is this for you?

President Tornatta: Okay.

Ted C. Ziemer, Jr.: Sorry.

President Tornatta: Okay, moving on.

Allied Waste Invoice for Storm Debris Removal Services

President Tornatta: We have an Allied Waste invoice for storm debris removal services. After the ice storm, a little over a month and a half ago, we contracted with Allied Waste to perform debris management services, and they did just that. There was an approximate amount of about \$133,000, on a fairly conservative side. Because of some additional work that we asked them to do, the total of that invoice was \$142,258.45, a hundred and forty two thousand two hundred and fifty eight dollars and forty five cents. I would entertain any type of questions of the Board on this bill, but I think that they went above and beyond their duties to make sure that we got our debris picked up as quickly as possible.

Commissioner Winnecke: Mr. President, I would just add the same sentiment about Allied. I thought they did a tremendous job. I don't know about the two of you, but I've received a lot of compliments from residents in the county thanking us for this effort. The \$142,258 we will be reimbursed approximately 75 to 80 percent, so, the county's out-of-pocket costs will be significantly less. So, we should get in the neighborhood of \$106,000-\$114,000 of that \$142,000 back. So, again, I commend Allied for a great job, and their responsiveness.

Commissioner Melcher: Yeah, I also, I think we're going to get the money back from FEMA. I also had a, I've been working with Todd also, there were some sites that the county missed, like we figured they would, but being, I really like the idea that we was able to go door to door and pick all of this up. So, I'm in favor of it.

President Tornatta: And, because the county does not engage in a contract with a hauler, this had to be done expeditiously, and the Commissioners got together with Allied and put this program together in a positive manner, very clear to everybody. We got some mulch out, and overall just very delighted with that. So, at this time I would take a motion to approve this receipt.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Further discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Return to Discussion on Sensmeier Road Bridge Bids

Ted C. Ziemer, Jr.: Mr. President? I'm looking again at this bid. We originally thought it was a week late, but, actually the bid proposal, or the document says that the bid will be received on April 7, 2009 at 5:00 p.m., which is today.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: This is for the contract that you've approved, based on a bid that you received last week. My suggestion would be that you rescind your approval of that contract. Let me read the amount of this bid into the record, and then take it under advisement for the County Engineer to review the bids.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: The bid amount, and this is from Deig Brothers, and the bid amount is, if I can find the bid amount. That's their financial statement. Is \$14,472.

President Tornatta: Okay, I would need the motioner and the second.

Commissioner Winnecke: Mr. President, I will move to rescind the previous motion on the Sensmeier Road bridge project 1970.

Commissioner Melcher: I'll second it.

President Tornatta: We have a motion and a second to rescind.

Ted C. Ziemer, Jr.: Yes, and then to refer this bid—

Commissioner Winnecke: Second, a second motion.

President Tornatta: You need to turn that on.

Ted C. Ziemer, Jr.: And then to refer this bid to the County Engineer so that he can review both bids and make a recommendation.

President Tornatta: Okay, and in lieu of thinking that we had bypassed the date, we will entertain doing this with a motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: I need... go ahead.

Commissioner Winnecke: Mr. President, I will move that we take the Deig Brothers bid under advisement and have the County Engineer compare that to the previous submittal for a recommendation at a later date.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you.

**Superior Court: Professional Services Agreement: Ryan Barrett
Superior Court: Professional Services Agreement: Kelly Williams
EMA: Homeland Security Sub-Grant Agreements (2)
Recorder: Agreement with Phoenix Digital Imaging**

President Tornatta: Okay, I'm going to take these next two contracts at the same time. These are both Superior Court agreements. One with Deputy Barnett, or Barrett, sorry, Deputy Barrett, for home verification services. The other is Superior Court agreement with Deputy Williams for home verification services. Both deal with home verification visits and drug and alcohol testing for probationers with the Vanderburgh County Superior/Misdemeanor Court. Their agreement is the same as last year, except for, instead of \$20 per hour, it's \$22.50 per hour. The agreement is for one year from 5/1/09 to 5/1/10.

Commissioner Melcher: So, you need a motion for both of them?

President Tornatta: Correct.

Commissioner Melcher: I'll move that we accept both of these.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, thank you. EMA, 2008 Homeland Security grant program sub-grant agreement EDS#C44P-9-582A. The purpose of this agreement is to enable the State of Indiana to make a sub-grant to the sub-grantee, Vanderburgh County, on behalf of the Indiana District 10 Homeland Security. Sherman Greer, could you please speak to this?

Sherman Greer: Sherman Greer, Director of Emergency Management for Evansville-Vanderburgh County. These grants, both of these grants are Homeland Security grants that we will be using for the district, and also for the EMPG, which is portions of our salaries. I'm sorry, no, that's another grant. This one is, the one for \$31,699.31, is that the one that you're referring to now?

President Tornatta: I'm going to go ahead and read the other, the other grant is an Emergency Management 2006 Homeland Security grant program sub-grant agreement with the U.S. Department of Homeland Security, homeland security grant program EDS#C44P-9-701A.

Sherman Greer: Right, okay.

President Tornatta: That is for \$36,699.31.

Sherman Greer: Now—

President Tornatta: The prior is for \$850,000.

Sherman Greer: The one for \$850,000 is for District 10.

President Tornatta: Okay.

Sherman Greer: For the 12 counties—

President Tornatta: Okay.

Sherman Greer: –in District 10. Everyone has more or less made their lists out, and it's listed on the back of the last pages of what it is that we're purchasing with that \$850,000. The other one is for \$31,699.31. This is for sustain ability of the hazardous materials teams that we have in District 10. Each of the fire departments, which is Vincennes Township Fire Department, and Vincennes City Fire Department, and Evansville Fire Department is getting about \$10,000, a little over \$10,000 a piece on that. Like I said, it's for sustain ability for different items that they have on their trucks that needs calibration and things that have expired, have expiration dates on them that they have to upgrade. So, that's what this is for.

President Tornatta: Okay, and any out-of-pocket costs to the county at this time?

Sherman Greer: None.

President Tornatta: Okay. So, we have two grants from EMA. Both of them have been sent to us via e-mail, and would entertain a motion.

Commissioner Melcher: I'll make a motion that we accept them.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Sherman, anything else?

Sherman Greer: Mr. Ziemer, did you get an agreement that was sent over to you about the Verizon that was recommended that we talk to, get your approval on that before–

Ted C. Ziemer, Jr.: If I had, I'd have it here today.

Sherman Greer: Okay.

Ted C. Ziemer, Jr.: I don't have it.

Sherman Greer: I'll send it over to you. It's, Matt Arvay wanted us to run it past you before we make any moves on this agreement.

Ted C. Ziemer, Jr.: Okay, I think, I did get an e-mail where you suggested that Matt Arvay said that you didn't need an agreement. As soon as I read that, I quit reading it, because you need an agreement for everything.

Sherman Greer: Well, we don't have to sign a contract on this.

Ted C. Ziemer, Jr.: Well, I think, well, you and I will get together on that—

Sherman Greer: Okay.

Ted C. Ziemer, Jr.: —and have something for the April 21st meeting.

Sherman Greer: Okay. Sound good.

Ted C. Ziemer, Jr.: I'm not sure that you don't have to sign a contract, but we'll get together on that.

Sherman Greer: Okay. Thank you.

President Tornatta: Thank you, Sherman. Alright. County Recorder, agreement with Phoenix Digital Imaging. The Recorder has a need for imaging services in connection with the indexing digital copies of approximately 56,000 deed documents. Z.?

Z. Tuley: Present.

President Tornatta: How are you?

Z. Tuley: Fine. Doing good.

President Tornatta: It looks like being approximately, estimates based on 56,571 deeds to be indexed at a total of \$51,084.90. Have I left anything out?

Z. Tuley: No, this is the finish up for the project that was started under the former Recorder. I don't know exactly how many documents there were total, but there are still 56,000 of them out there. The image is there, but they haven't been indexed in. So, they're not in the search engine. So, you can't locate them if you are a title searcher. So, until those are indexed, which is kind of a detailed typing so that you can search by name, search by document number, search by address.

President Tornatta: Okay.

Z. Tuley: That's needing to be done. The Phoenix group is used to doing this. They do this often, and for health documents as well. So, indexing is not new to them. I think it will be great.

President Tornatta: I did talk to somebody over there, and they are, they sounded like they knew exactly what was going on, would be able to jump in and get things handled.

Z. Tuley: I believe so too. My staff will do the follow up and make sure that, if there are any issues or misunderstandings with the system, we'll take care of that. They're also going to make sure that my staff will proof every document as it goes through, just to make sure we're all square.

President Tornatta: Questions of the Board?

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Z. Tuley: Thank you.

President Tornatta: Thank you, Z.

Commissioner Winnecke: Thanks, Z.

County Engineer

President Tornatta: Department head reports. John Stoll?

John Stoll: The first item I have is a request to continue the lower speed limit that you approved last month on Eastbrook, Clover Drive, and Ridgewood, out in the vicinity of the Oak Hill and Bergdolt project. You authorized lowering the speed limits out there temporarily to 20 miles an hour. The way the ordinance reads, it has to be, it can only be done in 30 day increments. So, I just need your approval to extend it for another 30 days.

Commissioner Melcher: Do we know how it's working?

John Stoll: I have not talked to the Sheriff's Department about that.

President Tornatta: Are you talking that, or the project time?

Commissioner Melcher: The, no, the 20 mile an hour.

President Tornatta: Okay.

Commissioner Melcher: Are they really driving 20 mile an hour?

President Tornatta: They are supposed to be out there, according to my understanding.

John Stoll: In talking to Sheriff Williams he was increasing his patrols out there. But, I haven't gotten any feedback as far as how many tickets they might be writing.

President Tornatta: I've gotten less calls.

John Stoll: I have too.

President Tornatta: Less calls in that area.

Commissioner Melcher: I haven't gotten any calls. So, that's why I was asking.

President Tornatta: How's the project going?

John Stoll: So far so good. They're having to deal with poor soil conditions, but that's pretty well expected this time of year. Not aware of any other problems at this point.

President Tornatta: Okay.

Commissioner Melcher: Do you want a motion?

President Tornatta: Please.

Commissioner Melcher: I'll make a motion to approve doing it for another 30 days.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second, on keeping the speed limit for another 30 days at 20 miles per hour. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Next, I have an IDEM notice of intent letter that has to be signed for the Burdette Park-USI bike path project. This is just the notice of intent letter that has to be filed in conjunction with the erosion control plans. It needs the Commissioners approval.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I have a street acceptance request for section 2A of Cambridge Subdivision. This acceptance covers 502 feet of Haverhill Drive, and 585 feet of Longmeadow Way. It's recommended that these streets be accepted for county maintenance.

Commissioner Melcher: I'll move that we accept these streets.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: The last item that I have is a change order for contract VC09-02-01, the Mohr Road bridge number 1381 repairs. This is for an increase of \$2,320, and the need for the increase is the result of some pipe that needed to be added to the project, and some erosion control blankets on some of the steeper slopes.

Commissioner Melcher: Okay, I move to approve it.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have, unless you have questions.

President Tornatta: Any questions on any projects or anything that's going on of the Board right now?

Commissioner Winnecke: None.

President Tornatta: Thank you.

John Stoll: Thanks.

Board Appointments

President Tornatta: Okay, we do have a board appointment. The Emergency Management Agency Advisory Council. The name that's been recommended to us is Randy Gentry.

Commissioner Melcher: I'll move we accept Randy Gentry onto the Council.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

New Business

President Tornatta: Alright, do we have any new business?

Old Business

President Tornatta: Okay, any old business?

Public Comment

President Tornatta: Looking for public comment. Anybody? Alright.

Consent Items

President Tornatta: Madelyn, if you could read the consent items, please.

Madelyn Grayson: The consent items for the April, 7, 2009 Commission meeting are as follows; approval of the March 31, 2009 Commission meeting minutes; employment changes from the various offices; travel requests, there are three from the County Assessor, one from the County Auditor, and one from the Health Department; the use of the Centre waiver of fees, not overtime for Stadium Advisory Board meetings; the Engineer has pay request 76 for Burkhardt-Green River TIF projects in the amount of \$37,175.31; the Treasurer's year-to-date report for March 31, 2009; and department head reports from the County Highway, County Engineer, Burdette Park and Ozone Officer.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**First Reading: VC-5-2009: Petitioner: L& S Properties, LLC
Address: 6301 Old Boonville Highway
Request: Change from M2 to M-1**

President Tornatta: Alright, do we know, is Janice going to be here? On the...no?

Madelyn Grayson: This rezoning is merely a first reading so that it can be forwarded on to APC for their May meeting. So, it just needs to be read into the record.

President Tornatta: Alright. We have a rezoning, first reading, VC-5-2009, petitioner, L & S Properties, LLC, address, 6301 Old Boonville Highway, request change from M-2 to M-1.

Commissioner Melcher: I'll move at this time that we send this ordinance to the Area Plan.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Comments from the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: And, a motion for adjournment.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(The meeting was adjourned at 5:30 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the March 31, 2009 Commission Meeting Minutes.
Use of Centre: Waiver of Fees/Not OT: Stadium Advisory Board Meetings.

Employment Changes:

Health Department (2)	Burdette Park (2)	County Highway (1)
Circuit Court (1)	County Clerk (1)	

Travel Requests:

County Assessor (3)	Auditor(1)	Health Dept. (1)
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County Engineer: Pay Request No. 76: Green River-Burkhardt TIF Projects.

Treasurer: Year-to-Date Report: March 31, 2009.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Candice Perry	Sherman Greer	John Stoll
Z. Tuley	Deborah Capps	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
APRIL 21, 2009**

The Vanderburgh County Board of Commissioners met in session this 21st day of April, 2009 at 5:02 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good afternoon. We would want to call to order the Board of Commissioners, April 21, 2009 meeting in room 301. Roll call vote, please, or roll call.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Erin Norris: Mental Health America

President Tornatta: Good evening. Erin, if you would come up and honor us and lead us in the Pledge of Allegiance.

Erin Norris: From here okay?

President Tornatta: That's great.

(The Pledge of Allegiance was given.)

Mental Health Awareness Month Proclamation

President Tornatta: Erin Norris is with us with Mental Health America, and, of course, she helps with other things, including Homeless Connect, we appreciate all of which you helped us with in that. Tell us about Mental Health Awareness Month.

Erin Norris: Thank you. It's a pleasure to be here and talk about Mental Health Awareness Month. I am, my name is Erin Norris, and I'm with Mental Health America. We're an advocacy organization here in Vanderburgh County. We also provide some services in Warrick, Gibson and Posey Counties. We're part of a state-wide organization that provides mental health services and advocacy. We're celebrating the centennial of Mental Health America nationally this year, so, we have a lot of special events planned. Our mission at Mental Health America is to educate the community about mental health, and to promote mental health through awareness, advocacy and service. Just to give you a brief idea about some of the programs that we do at Mental Health America, we do have a supplemental medication program, that is for someone who is waiting for their disability or a prescription assistance program to kick in, or someone who's temporarily laid off

who need psychiatric medication, we can provide a one month's supply of those medications to a person one time. Last year we served 68 adults. The need was much greater than that, but we're just limited by fund raising that we do for that. We also have the Growing Through Loss program, which I'll leave behind some information for you, that is a youth program dealing with grief and grieving. We do the Gift Lift program for 300 patients who have mental health issues, and we do support groups that had over 1,100 visits last year for a variety of issues, including depression, bipolar, widows and widowers, and a variety of mental health issues. We're starting a new support group, because there's a great need in our area for a postpartum depression support group. We were receiving so many calls that we decided that for a minimal cost we could start that support group. So, we'll be starting that in May. I do have some information that I can leave behind, because I don't want to take up too much of your time today, but I have a couple of folders, and if anyone needs to reach me, I can be reached at Mental Health America, 426-2640 is our phone number, and we have plenty of pamphlets if you know of a good place to display pamphlets for people who may have mental health issues. We have lots of nice materials, and being a chapter organization, we're able to get specialized materials for just about anything, ranging all the way from dealing with stress to more severe issues. In May we're asking for the proclamation, and we're launching our membership drive for the year to try to build members in our organization. We have a variety of things planned, including our kick-off on May 2nd at Eastland Mall, which will be a partnership from all the agencies we work with who provide mental health services will be in attendance to try to get the word out to people at Eastland Mall who may not come in, encounter our services otherwise. So, we will be doing that, and, like I said, we'll kick-off the postpartum support group on May 5th. We'll have a senior health fair, we'll have a vendor fair at SWIRCA, and distribute specialized information for seniors. We'll also be doing our annual coloring contest, and essay contest, which is going to be the theme of "It's a Jungle out There". We'll have essays about how people deal with mental health, and a coloring contest too. One of our board members, I see one here, Annie Groves said that she would e-mail out the coloring contest forms so that you can see them. We actually were fortunate this year, through our sponsorships we got nearly 40,000 copies of the forms, and will be able to distribute one to every child in all the counties that we serve. So, we hope to have a lot of participation from that. We'll speak at the United Neighborhood Association meeting on May 28th. On May 31st we'll be screening a movie called, Out of the Shadow, which is a story by Susan Smiley about her mother's struggle with mental illness. So, those are sort of the events that we have planned for the month. We're very excited about it and looking for any new opportunities to partner or spread the news about what we're doing. So, I would welcome questions about our services too.

President Tornatta: Any questions of the Board before Erin? Are you going to read the proclamation?

Erin Norris: Sure.

President Tornatta: Okay, any questions?

Erin Norris: Do you just want me to read it all the way through?

President Tornatta: That would be great.

Erin Norris: Okay;

“Whereas, Mental health is essential to everyone’s overall health and well-being; and, Whereas, mental health problems can affect all areas of a person’s life, including school, home and work; and, Whereas, mental health problems will strike one in five adults each year regardless of age, gender, race, ethnicity, religion or economic status; and, Whereas, nearly 30,000 American lives are lost each year to suicide and mental illness; and, Whereas, all Americans, from combat veterans to hurricane victims, are vulnerable to chronic mental health problems associated with trauma and can benefit greatly from early identification and treatment; and, Whereas, people can recover from mental illness and lead full, productive lives in the community; and, Whereas, an estimated two-thirds of adults and young people with mental health problems go without the help they need; and, Whereas, the cost of untreated and mistreated mental health and substance abuse problems to American businesses, governments and families has grown to \$105 billion annually; and, Whereas, each business, school, government agency, healthcare provider, organization and citizen bears the burden of mental health problems and has a responsibility to promote mental wellness.”

Should I go on?

President Tornatta: Yeah.

Erin Norris:

“Therefore, We, Troy Tornatta, Stephen Melcher and Lloyd Winnecke do hereby proclaim May 2009 Mental Health Month in Vanderburgh County. As the Board of Commissioners, we also call upon the citizens, government agencies, public and private institutions, businesses and schools in Vanderburgh County to recommit our community to increasing awareness and understanding of mental health and the need for appropriate and accessible services for all people with mental illnesses.”

President Tornatta: Wonderful, you did a great job. Can I have a motion on that?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Erin—

Erin Norris: Thank you.

President Tornatta: —for all your information and the reading of the proclamation.

Erin Norris: Thank you. Thanks for your time.

President Tornatta: Okay. Do we want to sign that for her? Erin, we'll sign this for you, and you can take it with you.

Erin Norris: Okay.

<p>Permission to Award: VC09-03-01: Sensmeier Road Bridge No. 1970 Rehab: Deig Brothers</p>
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President Tornatta: Moving on, permission to award VC09-03-01, Sensmeier Road bridge number 1970 rehabilitation to Deig Brothers Lumber and Construction Company for \$14,472. If there's no other questions of John Stoll, I would entertain a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**First Reading of Ordinance: CO.04-09-009:
An Ordinance Amending the Ordinance Entitled MBE/WBE
Joint Utilization Board**

President Tornatta: Alright, first reading, CO.04-09-009, revision of the MBE/WBE ordinance. Under the current ordinance it is composed of ten members, three appointed by the Mayor, two appointed by the City Council, three appointed by the County Commissioners, and two appointed by the County Council. Under the revised ordinance, the number of board members will be reduced to nine, two appointed by the Mayor, one appointed by the County Council, two appointed by the County Commissioners, one appointed by the County Council, and three appointed by EVSC.

Commissioner Winnecke: Mr. President, I'll move approval, on first reading, of CO.04-09-009.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Thank you. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**First Reading of Ordinance CO.04-09-010:
An Ordinance Amending the Ordinance Entitled
Information Technology Governance Structure**

President Tornatta: Also, first reading, CO.04-09-010, an ordinance amending the ordinance entitled Information Technology Governance Structure. It amends the Information Technology Governance Structure ordinance, chapter 2.48, relative to standardized addressing for official records for all city and county agencies, departments and elected offices. These changes are recommended by the ITAC Advisory Council.

Commissioner Winnecke: Mr. President, I'll move approval, on the first reading, of CO.04-09-010.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>First Reading of Ordinance CO.04-09-011: An Ordinance Amending the Ordinance Entitled Administration and Enforcement</p>
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President Tornatta: First reading, CO.04-09-011, ordinance amending the ordinance entitled administration and enforcement. Amends the Building Commission's administration and enforcement ordinance, chapter 15.08, relative to the appeals process. These changes are recommended by the Building Commissioner's office.

Commissioner Melcher: Mr. President, I would make a motion to accept on first reading CO.04-09-011.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Sheriff: Amendment No. 2: Aramark Food Services Agreement
Supplemental No. 1: American Structurepoint: Hirsch Ditch
OCH Lease Agreement: Cultural Resources
OCH Lease Agreement: Fosse and Associates
Crowe Horwath Engagement Letter: Phase II Certification Testing
Health Dept.: Local Health Maintenance Fund Application
Health Dept.: South Central Media Advertising Agreement
Surveyor: American Structurepoint Engineering Agreement: Aiken Ditch
County Assessor: Amendment to A & S Associates Contract (Denied)
County Assessor: Amendment to AS2 Contract
Supplemental No. 2: BLA: First Avenue Bridge Rehab over Pigeon Creek
Morley & Associates: Consulting Engineering Agreement: Burdette-USI**

President Tornatta: Contracts, agreements and leases. The Sheriff, amendment number two to operating agreement with Aramark for food services.

Commissioner Melcher: I'll move to accept.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion? Of these contracts and leases, they were before the Commissioners in e-mail form over the course of this week.

Commissioner Winnecke: Mr. President, maybe, probably for the record we should indicate the change, the only change to that is the price, the slight price increase from \$1.17 to \$1.22 a meal.

President Tornatta: And that's for a period of January 16, 2009 through January 15, 2010. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Number two, Commissioners supplemental agreement number one with Structurepoint, Incorporated for consulting engineering services for the hydraulic modeling, legal drain realignment and bank stabilization drawings for Hirsch Ditch. That is...the application increases the price of the original agreement by \$2,500 from \$74,700 to \$77,200.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Number three, Commissioners Old Courthouse lease agreement with Cultural Resources Analysts, Incorporated. The lease is a one year deal with a tenant to extend for two additional years.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Commissioners, Old Courthouse lease agreement with Fosse and Associates. Lease is for three years in the Old Courthouse.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion?

Commissioner Winnecke: Mr. President, I would just, before we vote on this, say these are the first two leases under our new agreement with F.C. Tucker Commercial, and kudos to them for getting new tenants in so quickly.

President Tornatta: And, I will say that, thank you for bringing that up, they have, there has been action, and there has not been as much action in the past. I will also say, for those of you who think the Courthouse is for sale, it is not. It is just a sign up outside, trying to get people to come in and rent the Courthouse. So, anybody that needs office space may inquire with F.C. Tucker at that time. We have a motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Commissioners, Crowe Horwath engagement letter for phase two software certification testing. The revised form of the engagement letter from Crowe Horwath which contains the amendments requested by the County Attorney regarding indemnification provisions and adding an insurance provision.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Health Department, alright, Local Health Maintenance Fund application packet. The Health Department Local Health Maintenance Fund application packet for a grant of \$72,672 to the Vanderburgh County Health Department for a number of 2010 health education objectives.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: The Health Department, agreement with South Central Media for radio spots to advertise certain Health Department programs. This new agreement is for the months of June, July, August and September, and costs \$1,000 per month, for a total of \$4,000.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: The County Surveyor, Local Funded Engineering agreement for Aiken Ditch. The compensation for the services is described in Appendix D and shall not exceed \$92,900.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Burdette Park, agreement with USI for use of aquatic center. This agreement with the County and USI for Burdette Park's use of the USI pool for lifesaving instructions. But for changes in dates, etcetera, is identical and similar to last year's proposal.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: County Assessor, amendments to A&S Associates, Incorporated and AS2 agreement. Ted, if you have any comments on that?

Ted C. Ziemer, Jr.: Well, the original agreement with both entities provided that they would provide the county with a performance bond. We're advised that the cost to the vendors for providing that bond would cost them between \$12,000 and \$20,000 depending on which contract you're talking about. We're advised by the County Assessor that, as to the A&S Associates agreement, A&S Associates has had that contract in both the years 2007 and 2008 and performed on a timely basis. In fact, ahead of time under each contract. As to the Assessment Software Solutions, Inc, which is referred to as the AS2, there work was essentially completed when they provided the required software on January 27, 2009, within 14 days after approval of the contract by the Commissioners. Because of those two facts, the County Assessor recommends that we not require the performance bond, and that, therefore, we amend both agreements to eliminate the requirements of paragraph eight in both contracts, which would require them to provide a performance bond. If those agreements are approved, the requirement for a performance bond will no longer be applicable.

Commissioner Winnecke: Mr. President? I'm sorry.

President Tornatta: Oh, go ahead.

Commissioner Winnecke: I think that's a dangerous precedent to start. I think there's a lot at stake. I would hate for the county to enter into agreements without performance bonds for projects such as these.

Commissioner Melcher: I was going to agree too, and I was going to ask the attorney what he thought about it.

Ted C. Ziemer, Jr.: I think that, first of all the requirements for a performance bond were put in there in the first place because DLGF provided the county with a form agreement, which contained that provision. DLGF has now advised us that if the county wishes to waive that requirement, it may. It would require both contractors to, and I don't know which is which, but one, it would cost them \$12,000 to provide the performance bond, and the other would require \$20,000 for a performance bond. On the recommendation of the County Assessor, it would seem to us that it's reasonable, in these cases, not to set a precedent, but in these cases to waive the requirement for a performance bond. So, we don't have any objection to that. We're relying on the County Assessor's recommendation.

President Tornatta: I would say, we have been down this road once before, on other issues, and have taken the advice of that office holder, because that office holder, obviously, is bonded as well, and they have a fiduciary duty to provide services in that office. My only comment would be, on the recommendation of some of the, not some of them, of an office holder, I would be more inclined to lean their direction if they so feel that that's in their best interest.

Commissioner Winnecke: I understand that, I guess, but at the end of the day, it's going to be this Board that's ultimately responsible, as the party that signs contracts for the county, versus that office holder. Off the top of my head, I don't recall the size of these contracts. Does anyone know that? In terms of dollars?

Ted C. Ziemer, Jr.: Yes. The contract with A&S Associates, I'll have to look, but just a second, the contract with A&S Associates is for \$98,000. That was the low bid for that work. As I say, A&S Associates had a similar contract with the county in 2007 and 2008 and fully performed to the satisfaction of the County Assessor in each of those years. So, the County Assessor recommends that we not require the performance bond in the case of A&S Associates. In the case of AS2, that contract is for, if you will bear with me, a lump sum of \$8,500, and the Assessor advises that 98 percent of the work to be done by that contractor under the contract was completed on January 27, 2009, 14 days after they signed the contract. I guess, if you take each contract on its face, and to require the contractor to spend \$12,000 for a performance bond on a contract that's worth \$8,000 seems, maybe unreasonable.

Commissioner Winnecke: I would agree with that.

Ted C. Ziemer, Jr.: On the other contract, we're relying on the advice of the County Assessor that the work has been done, always ahead of time.

President Tornatta: I think it's a fair question. I mean, I definitely think it's a fair question.

Ted C. Ziemer, Jr.: The County Attorney is relying on the advice of the County Assessor. We have no recommendation one way or the other.

Commissioner Melcher: I've always felt like I like to go with the County Attorney, because he's the one that's going to bail us out, or whatever, when it happens. So, all of my tenure, I've done that, whatever the attorney says it probably what I've followed.

Ted C. Ziemer, Jr.: The County Attorney is not going to recommend—

President Tornatta: I was waiting for that one.

Commissioner Melcher: I do too, that's why I said it.

Ted C. Ziemer, Jr.: However, it is the recommendation of the County Assessor, and he's relying on two years of history. This is Chuck Simons, Simons is the chief person that actually does the work for A&S Associates, Inc. He is A&S Associates, Inc.

President Tornatta: Ted, if there's a breach of contract in some way, shape or form—

Ted C. Ziemer, Jr.: We would have to go against A&S Associates to recover, and we would be relying on the solvency of A&S Associates, without a performance bond.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: Again, we've prepared this. I will tell you that Charles Traylor, the attorney at DLGF who is responsible for our contracts to get approved by DLGF, is willing to accept the recommendation of the County Commissioners in this regard.

Commissioner Winnecke: Mr. President, maybe, I would appreciate it if we would consider the amendments to each contract separately.

President Tornatta: Okay. Alright, we'll do the amendment, and this is essentially taking out the provision for a security bond.

Ted C. Ziemer, Jr.: A performance bond.

President Tornatta: Oh, a performance bond. So, we'll do the amendments to A&S Associates, Incorporated, and the amendment is removing the performance bond. They are the—

Ted C. Ziemer, Jr.: That's the \$98,000 contract.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: Those people, A&S Associates have had the contract for the last two years, and according to the Assessor, have performed ahead of time, and that's why he was anxious to contract with A&S Associates.

President Tornatta: So, we will take that one first. I need a motion.

Commissioner Melcher: Okay, I'll go ahead and make the motion for do pass.

President Tornatta: I will second it. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: No.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion denied 2-1. Commissioners Winnecke and Melcher opposed.)

President Tornatta: Okay, we have an amendment for AS2 agreement, and, that, I believe is for \$8,000 waiving the performance bond?

Ted C. Ziemer, Jr.: That is correct.

Commissioner Winnecke: Mr. Chairman, I'll move that we waive the performance bond on AS2.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, Commissioners, supplemental agreement number two to BLA. Agreement for First Avenue bridge rehab over Pigeon Creek. For this additional work BLA will receive an additional \$7,000, thereby increasing the not-to-exceed price to \$81,850.

Ted C. Ziemer, Jr.: That's an increase of \$7,000.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Commissioners, Morley and Associates agreement for consulting engineering services on a portion of bike path to Burdette Park. The portion where the work is to be done is about one tenth of a mile. The cost of the work will not exceed \$25,600.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Engineer

President Tornatta: Alright, department head reports. Ted, anything else?

Ted C. Ziemer, Jr.: No.

President Tornatta: Okay. John Stoll?

John Stoll: The first item I have is to request your approval to advertise the IDEM Notice of Intent for the Burdette-USI bike path. You authorized submitting that to IDEM last week, last meeting, but I failed to request your approval to run the legal ad. So, I'm asking for that now, and the Auditor's office can take care of it.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: The next thing I have is a request from Deig Brothers. This is a time extension request for the Mohr Road bridge project. Due to all the rain they are requesting a three week extension to complete the repairs. This would extend the contract from May 1st to May 22nd. It's recommended that this be approved.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Next I have a change order on the Oak Hill and Bergdolt project. Along the west side of Oak Hill Road, north of Bergdolt, an eight inch pipe was found that wasn't shown on the plans, nobody knew it was there. We needed to tie an inlet into that pipe, and this change order is an increase of \$2,015 to cover the cost of that inlet.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: The last item is also a change order on Oak Hill and Bergdolt. This is change order number five. This is for an increase of \$6,160. The reason for this increase is once the old pavement was removed, they found unsuitable soil conditions that they've had to turn around and excavate out, replace with rock. Based on what they are seeing they think that they are winding down the increased areas that had to be excavated, but this is only an estimate, but it's recommended that this be approved as well.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

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

President Tornatta: Questions? Thank you, sir.

Commissioner Winnecke: Thanks, John.

New Business

President Tornatta: New business? Do you have any? Under new business I did have a couple of things. I wanted to ask this Board about, we had talked about getting the Redevelopment Commission to commit some of the TIF dollars for the

I-164-Millersburg exchange study. If that's something that we want to go ahead and entertain, then we need to commence a meeting and get that together so they can entertain a vote on providing the funds.

Commissioner Winnecke: I think that's a prudent move.

President Tornatta: If we do that, we would need a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second to convene the Redevelopment Commission for monies associated with the I-164-Millersburg exchange study. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: I would also like to bring up at this time Redevelopment meets periodically, but nothing in an on-going manner, and had proposed, potentially, the Wednesday after our first Tuesday meeting, setting that as a date every month that the Redevelopment Commission would meet. That would allow them to go over any of the, any TIF's, would allow them to be able to go over anything on a monthly basis, instead of calling them on a whim, maybe allow them to work out some schedules as well. This was on the recommendation of the board members on the Redevelopment Commission.

Commissioner Melcher: So, they recommended that Wednesday, is what you're saying?

President Tornatta: Well, the Wednesday would probably be the best. We would recommend that Wednesday, because for our timing, we would have a Commissioners meeting, be able to send any requests that we would have to them, at that time they would be able to work on, work with the agenda on that Wednesday, and then put that off to the attorneys to work through until our next Commissioners meeting in a couple of weeks. So, it's more of a timing issue, to make sure that what we request would have proper timing to get back on our desk.

Commissioner Winnecke: Is there, do they have enough business to meet regularly like that?

President Tornatta: Well, if they don't, they would like to cancel initially, if they find that they are not going to have the meetings, then next year they would go a different process. But, this would allow them, we have talented people on that board, and my thought if they want to try and address issues relative to the Commissioners best interests, then we would definitely like to entertain it.

Ted C. Ziemer, Jr.: Mr. President, the only thing I would say is, obviously, if there is no business, there's no point in having a meeting of that group. Who is going to make that decision as to whether a meeting should be cancelled or not, because there is no business?

President Tornatta: Well, they have a president of that board, so, at that point I would anticipate that the president of that board would call the three commissioners and ask that they not have the meeting on a particular day. Upon the agreement, consensus of those commissioners, talking to them individually, then we would, obviously, he would have a heads up on whether that was something they would go through with.

Ted C. Ziemer, Jr.: Okay.

President Tornatta: If that's a recommendation of the Board, let's go ahead and make a motion on that, and we would send that to them merely as a recommendation.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second on a recommendation that the Redevelopment Commission meet every—

Ted C. Ziemer, Jr.: I think we said the first Wednesday after the first Tuesday of each month.

President Tornatta: The first Wednesday after the first Tuesday, which would be right after our first Commissioners meeting of the month. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Okay, Economic Development Coalition, Greg Wathen, were you requesting an Executive Session?

Greg Wathen: Yes, I was. We're working on a project specific for Vanderburgh County, and we need the opportunity to discuss with you, in Executive Session, some of the details of the project as to what levels of assistance the county may offer.

President Tornatta: Is there a list of dates that you might have?

Greg Wathen: I have my PDA, if you've got something that you want to be able to schedule. It's time sensitive, so, I thought I would be prepared if we wanted to discuss a specific date now we can. Anything?

Commissioner Winnecke: I didn't bring my with me. So, I'm sorry.

President Tornatta: Okay.

Greg Wathen: I can meet in the evening or after hours.

President Tornatta: We would get our dates, if that's okay, to Marissa—

Greg Wathen: Okay, that would be fine.

President Tornatta: —and Marissa could give you a few dates and then see if that works with your schedule.

Greg Wathen: Absolutely, we can do that.

Commissioner Melcher: Can you give us some kind of a deadline, so we're not picking three weeks out, or four weeks out.

Greg Wathen: We really can't pick three weeks out. We need to try to wrap this up in the next two weeks.

Commissioner Melcher: Okay.

Greg Wathen: The sooner the better, preferably.

President Tornatta: Between now and next Friday?

Greg Wathen: If we could, that would be super, based on everybody's schedule. I'm available in the evenings, early mornings, so, it's, I'll adapt my schedule based on that.

President Tornatta: So, between now and the end of the month?

Ted C. Ziemer, Jr.: Yeah, all we need to be sure of is that we have 48 hours of notice time, not counting weekends—

Commissioner Melcher: Right.

Ted C. Ziemer, Jr.: —to give notice to the media of the Executive Session of the Commissioners.

President Tornatta: Do we need a motion to do anything at this point to set up that meeting? Okay. Just a notice?

Commissioner Winnecke: Just for clarification, this does fall under the guidelines of an Executive Session?

Ted C. Ziemer, Jr.: I don't exactly know what the nature of the business is, but—

Greg Wathen: It should, yes.

Ted C. Ziemer, Jr.: —under the new law, the Commissioners are allowed to hold a special, I mean, an Executive Session of the Commissioners to discuss redevelopment matters.

Commissioner Winnecke: Okay, thank you.

Greg Wathen: Any formal action you would take would come by an official meeting.

Commissioner Winnecke: Right.

Greg Wathen: Anything else?

President Tornatta: We'll just confirm the dates and get back to you.

Greg Wathen: Thank you very much.

Old Business

President Tornatta: Okay, old business? Anything?

Public Comment

President Tornatta: Alright, public comment? First off, I know we have Jim Vincent here.

Jim Vincent: Thank you. I just had a simple request. I think there's some information on the agenda. We've got a house that was a remnant of the Menard's project there on Green River, and we're working to move that from the location there on Green River over to Burkhardt. It's about a two mile move. It appears the path of lease resistance, it's a ranch so it's not very tall, is to move it north on Green River and then east on Lynch, then back south on Burkhardt. It's the second street off of Burkhardt and Lynch, called Fitzgerald. So, like I said, it's pretty straight forward. We're working with Mounts Electric to deal with any type of overhead interference, and they've driven the route. Rick is going to handle it for Mounts, and everybody feels confident. The contractor is MCF, they're bonded with the county.

President Tornatta: Do they handle all of the traffic detail?

Jim Vincent: To some degree. I mean, in essence, they're really focused on the move and the stability of the house itself. But, Mounts will be involved, I've communicated with John with the county, and we will probably work through Jim Martin with the Sheriff's Department when we confirm the date.

Commissioner Melcher: So, this is the house that has just been sitting there on the side of the road up on wheels for a long time?

Jim Vincent: Yeah, I was really hoping somebody would buy it. That didn't transpire.

Commissioner Melcher: Obviously, they didn't.

Jim Vincent: Well, it's a nice home. John and Rosie Hirsch built that house. We had two other homes that were removed and destroyed as part of that, but we've tried to, partly with John and Rosie, I made a commitment to them that we would try to save that house and move it. I think we've found a good home for it over there in that Burkhardt area. The long term planning is for residential in that area where Peacock and Fitzgerald are located. So, it fits the age of the other homes that are in that neighborhood, and it looks like it's going to be a good move.

Ted C. Ziemer, Jr.: Won't it go over any city streets?

Jim Vincent: No, it won't actually.

Ted C. Ziemer, Jr.: Okay. I mean, you would need the Police Department involved if you were going to go over city streets.

Jim Vincent: At this point, no.

Commissioner Winnecke: Do you have an idea of when this will be?

Jim Vincent: We're shooting for May 2nd, which would be a Saturday morning, early.

Commissioner Winnecke: Like how early?

Jim Vincent: For a reference, it's about a two and a half hour move to complete it.

Commissioner Winnecke: And, do you have any idea, you said early, what does that mean?

Jim Vincent: Daylight. Once daylight breaks. You know, to be honest with you, there's no perfect time to do something like that. But, you know, traffic is going to be somewhat minimal, compared to a work day, with school in that area. So, if we did it during a weekday, I think we would probably do it mid-afternoon.

President Tornatta: Yeah, Saturday, would probably be better.

Jim Vincent: That's kind of my consensus.

Commissioner Winnecke: The plan is to work with the Sheriff? I mean, I see the Sheriff back there, you said maybe we would work with Jim Martin.

Jim Vincent: Well, it's kind of odd, I mean, to be honest with you, there's not a, there's a permit requirement, and I think this happens so infrequently that with the different bodies, I've already gotten the site plan approval from the Planning Commission and the Building Commission is involved. The next step after getting an approval here would be to get a move permit and a house permit issued from them. I've asked along the way, there's really not a requirement that there be a police escort or anything like that, but just for my own safety's sake I'm going to ask if they would be willing to work with us on that. A fairly short period of time, but I don't think historically they normally do that.

Commissioner Winnecke: Well, if nothing else, they need to be aware of it.

Jim Vincent: Sure. I'm sure we're not going to be going the speed limit.

President Tornatta: I didn't know what the speed for a house is.

Jim Vincent: If we did two miles an hour, we would probably be going too fast.

President Tornatta: Okay. Do we have a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Jim.

Jim Vincent: Thank you. I appreciate it.

President Tornatta: Alright, anybody else for public comment?

Eric Williams: I was really going to come up here unrelated to that, but we'll work with him. Those are three of the busiest roads in the county. We'll make sure that gets done safely. There was an article in the newspaper and some t.v. coverage about a police to police data thing, and in the article it said that I would be coming before you to discuss it. I have the contract, but I wasn't sure that the funding was in place, so, I didn't present it. But, I didn't want you to be wondering where this contract went. It will be on your next....I've got the money now. So, I wanted to make sure that it was going to be on your agenda next time.

President Tornatta: Okay.

Eric Williams: Just to clear that out.

President Tornatta: Thank you.

Eric Williams: The other thing I would add—

Ted C. Ziemer, Jr.: We don't have that do we?

Eric Williams: You don't have it. I've got it with me right now. The other thing is, I had my staff meeting at Burdette Park this week. We do that periodically and have kind of an away from the office, I just wanted to say it on the record that Steve and his staff were gracious hosts, and it actually made a very nice place to have a small meeting where you needed some time away from your office and the phones that people couldn't find you so you could really discuss things. So, to the other office holders in the county, if that's something you're looking for, that is a great location for doing that.

President Tornatta: Thank you. Steve, could you come up here for a moment? While you're there. The quick version about kids who want to be employed out at Burdette Park, if there's any job openings, how the pools are doing? We talked about, in the State of the County there's a couple of new pieces that you've identified, and just kind of give us an update.

Steve Craig: Excuse me. Steve Craig, Manager of Burdette Park. We still have a few job openings. We haven't hired everybody for our ground crew. We're getting full in the lifeguard and at the aquatic centers. I think all of our day camp counselors have been hired. We had a great influx of applications this year, more than normal. We had a lot of adults that probably applied that would not have applied for jobs like these, but we do have a lot of applications on hand. We are in the process of getting a plan, we've had some pictures of it about planning two playgrounds. One of them is a dry structure, which would be out in the park, replacing our batter's cages. The other one would be a wet structure, which we are looking at to replace our two slides that are over 20 years old. They're showing their wear and we've had them repaired several times, and they may have a year or two left, but we're looking at putting new water attractions in. We had a very informative meeting with Structrepoint last Thursday. That was on the 30 acres that we purchased last year. We did an overall layout on the 30 acres of where the roads are going to go, installation of the electric, where our future buildings are going to go. It was very informative to sit down and do it on a topo map. There's not a lot of places to do a lot of things, it's pretty rough terrain, but what we put back there will be very beautiful. We had a place where we can put some new chalets overlooking a valley. Had a very good meeting with them. They brought a guy down that was one of those artists like you see on t.v. that draws the things on the thing as you go, and he made it look more real. You know, when you look at it, it's hard to envision. But, he did a real good job, and look forward to moving forward with that project also. Other than that, we're moving right along trying to get the park ready. Had a lot of damage from the ice storm. It still comes up and bites us, every time we have another storm it blows more tree limbs and trees that were damaged, stuff falls out of them and we start all over cleaning them up again. But, other than that, everything's going, you know, as well as can be expected in the spring.

President Tornatta: Steve, we had adjusted some of the rates, I believe the chalets are, for the most part the same, but we adjusted some of the rates on the other operating units that we rent out. Have we seen a positive look out of those units right now? More rentals? Or where do we stand?

Steve Craig: Well, I think it's very positive. We're actually a little bit ahead of last year in several categories. With the state of the economy right now, you know, I didn't know what to look forward to, you know, if people are going to be having, you know, big weddings and renting parties and that. I think it's helped where we could

rent probably twice as many buildings. We've got, everyday we have people calling wanting to rent buildings and that. I think it was a good move and we've picked up some weekly rentals and stuff during the year. So, I think that's a move in the right direction.

President Tornatta: A weekly rental for say the Discovery Lodge, what would that be?

Steve Craig: I think we put it at \$875 or something, \$850 or \$875.

President Tornatta: How many square feet?

Steve Craig: 16,000 square foot, will accommodate up to 700 people.

President Tornatta: With a kitchen and—

Steve Craig: It's got a catering kitchen, bar, fireplace, a beautiful setting, I mean, it's a beautiful place to have an event. Especially, Eric's talking about, you know, having six or seven people out there, but it's also, the Discovery Lodge would be a good place to have a larger function and get it out away from the city. It's only five minutes off the Lloyd Expressway. So, it's not like it's out of the way or anything.

President Tornatta: Then, the other buildings that we've got, the prices were dropped during the week as well?

Steve Craig: No. It was only the Discovery Lodge—

President Tornatta: Okay.

Steve Craig: —that was dropped during the week.

President Tornatta: Okay. Alright.

Steve Craig: Any other questions?

President Tornatta: Any other questions of the Board? Thank you.

Steve Craig: Thank you, and you all have a good evening.

President Tornatta: Okay. Alright, Steve.

Consent Items

President Tornatta: We have consent items. Do I have a motion for approval?

Commissioner Melcher: Well, they have to be read.

Madelyn Grayson: The consent items for the April 21st meeting are as follows; approval of the April 7, 2009 Commission meeting minutes; employment changes from the various offices; travel requests, there's seven from the Health Department, one from the Auditor, three from the County Clerk, and one from the County Engineer; the County Engineer has pay request number 77 for Burkhardt-Green River TIF projects in the amount of \$392,228.32; the Commissioners have pay

requisition number 89 associated with the jail construction project; IBAP Gatekeeper periodic report for March 31, 2009; the Health Department has a request to transfer Cisco phone system equipment to Computer Services; the Health Department has a request to surplus various office equipment; the County Auditor, April 2009 A/P vouchers; the Legal Aid Society non-city/county United Way budget funds and activity report of March 31, 2009; Hillcrest Washington Youth Home first quarter fees; the Knight Township Trustee's 2009 standards; Weights and Measures monthly report from March 15th through April 15, 2009; the Substance Abuse Council request for payment of \$40 remaining in Drug Free Communities Fund to the Substance Abuse Council; the Commissioners approval of payment of back taxes and fees on 1335 East Illinois; and department head reports from the County Highway, County Engineer, Burdette Park and the Ozone Officer.

Commissioner Winnecke: Mr. President, I'll move approval of the consent items.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: At this time, if we have nothing else, motion to adjourn?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: All those in favor say aye.

All Commissioners: Aye.

(The meeting was adjourned at 5:50 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the April 7, 2009 Commission Meeting Minutes.
Pay Request No. 89: Associated with the Jail Construction Project: \$11,796.
IBAP Gatekeeper: Periodic Report: March 31, 2009.
Legal Aid: Non City/County United Way Budget Funds & Activity Report: 3/31/09.
Hillcrest Washington Youth Home: 1st Quarter Fees.
Knight Township Trustee: 2009 Poor Relief Standards.
Substance Abuse Council: Request for Payment \$40: Drug Free Comm. Fund.
Approval of Payment of Back Taxes and Fees: 1335 E. Illinois.

Employment Changes:

Coroner (2)	Burdette Park (13)	Health Dept (4)
Sheriff (3)	VCCC (4)	Prosecutor (1)
County Highway (1)	County Assessor (2)	County Clerk (1)
Treasurer (1)		

Travel Requests:

Health Dept (7)	Auditor (1)	County Clerk (3)
County Engineer (1)		

County Engineer: Pay Request No. 77: Green River-Burkhardt TIF Projects.

Health Department:

Request to transfer CISCO phone system to Computer Services.
Request to surplus various office equipment.

Auditor: April 2009 A/P Vouchers.

Weights & Measures: Monthly Report: 3/15/09-4/15/09.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Office		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Erin Norris	John Stoll	Greg Wathen
Jim Vincent	Eric Williams	Steve Craig
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MAY 5, 2009**

The Vanderburgh County Board of Commissioners met in session this 5th day of May, 2009 at 5:02 p.m in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good afternoon. We're ready to commence the agenda, or the Board of Commissioners, May 5, 2009, room 301. Roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Diane Clements: Human Relations Commission

President Tornatta: Now to honor us with the pledge is Diane Clements with the Human Relations Commission. All rise.

(The Pledge of Allegiance was given.)

President Tornatta: Come on up, Diane. This is your part of the show.

Diane Clements: Thank you, Commissioner Tornatta. I'm here today to ask for consideration for the waiver of the Centre for our annual dinner, which will be held on June the 18th. We are having as our keynote speaker, Dr. Mary Frances Berry. She is the former chairperson of the United States Commission on Civil Rights, and currently the Geraldine R. Segal Professor of American Social Thought and Professor of History at the University of Pennsylvania. We are so pleased to have Dr. Berry as our keynote speaker. We are also, during that same week having, or hosting the 36th Annual Indiana Consortium of State and Local Human Rights Agencies training conference. So, we'll have state human rights and civil rights agencies from throughout the state with us that week, and they will also be available for the annual dinner, or joining us for the annual dinner. I do have some information on both.

President Tornatta: Not to get too far ahead in the agenda, which we're in good shape—

Diane Clements: Okay.

President Tornatta: —but, tell us about what the Commission is doing, what some of the goals are, what are some of the goals that have been achieved since the Commission's been in existence, and just give people a good insight.

Diane Clements: Okay. The Human Relations Commission is primarily an enforcement agency. We enforce civil rights laws through our municipal ordinances. The bulk of our work is in the area of employment discrimination. We do also process fair housing complaints, and also public accommodations complaints, and education complaints. Some of our most recent successes have included a contract with HUD. We have received a contract to process housing discrimination cases. We have always done that, but we did receive a capacity building grant, for three years, to allow us to process complaints that are comparable to how cases are processed on the federal level. So, we did have to make amendments to our ordinance, and we've done that, which was one of the requirements to be substantially equivalent to HUD. We are going to receive training through the National Fair Housing Training Academy. We'll be traveling to Washington, D.C. We did receive a grant, or funding, through the U.S. Equal Employment Opportunity Commission, EEOC, in 2005, I believe. So, we do receive some funding from EEOC as well. We do want to do more in the area of prevention. We are called on often to do in-service training for fair housing, and also for agencies dealing with employment issues, to prevent discrimination complaints from happening. Those are, that is an immediate goal of ours, is to expand the prevention aspect of our work. To go out and educate housing professionals, and also human resources people on preventing complaints.

President Tornatta: Super. Alright, we thank you for coming out.

Diane Clements: Thank you.

President Tornatta: Thank you for helping us with the pledge. We do have something on the table right now for the Commission to waive the fees at the Centre.

Diane Clements: Yes, sir.

Commissioner Winnecke: So moved, Mr. President.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thanks, Diane—

Diane Clements: Thank you, sir.

President Tornatta: —for coming today. Have a wonderful event.

Diane Clements: Okay, you'll be getting more information on that.

President Tornatta: Sounds great.

Diane Clements: Thank you.

President Tornatta: Alright.

Permission to Open Quotes: Burdette Park Food Items
--

President Tornatta: If we don't mind, let's go back up one, permission to open bids. If we can have a motion for Burdette Park.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Second/Final Reading of Ordinance CO.04-09-009: Amending the MBE/WBE Joint Utilization Board Ordinance

President Tornatta: Alright, second and final reading of CO.04-09-009, revision of the MBE/WBE ordinance.

Commissioner Winnecke: Mr. President, I'll move passage on second and final reading.

Commissioner Melcher: I'll second that.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Second/Final Reading of Ordinance CO.04-09-010:
Amending Ch. 2.48: ITAC Ordinance**

President Tornatta: Second and final reading of CO.04-09-010, an ordinance amending the ordinance entitled Information Technology Governance Structure.

Commissioner Melcher: I'll make a motion to approve it.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Second/Final Reading of Ordinance CO.04-09-011:
Amending Chapter 15.08: Administration and Enforcement**

President Tornatta: Second and final reading of CO.04-09-011, ordinance amending the ordinance entitled administration and enforcement.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Permission to Open Proposals for Construction Inspection for Burdette Park/USI Bike Path</p>
--

President Tornatta: County Engineer, proposals for construction inspection for Burdette Park/USI bike path. John, if you want, do you want to take everything at once here?

John Stoll: Sure.

President Tornatta: Okay.

John Stoll: Let me go grab my agenda off the chair.

President Tornatta: Okay.

John Stoll: Those proposals for the bike path just need to be opened. Then they need to be reviewed and scored in accordance with INDOT procedures. Then we can make a selection upon which consultant would ultimately end up doing the construction inspection on that project.

President Tornatta: I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion?

Commissioner Winnecke: Just for the sake of clarification, the folks scoring these will be the three of us and John? Is that right?

John Stoll: However you want to proceed. INDOT prefers more than one, but it can be just one person. If it is somebody knowledgeable of the project. I know, last year when we had the Oak Hill and Bergdolt project, I was the only one who scored it, but I did have, I believe, four copies submitted. So, you three could also score it, and then there's another INDOT form that provides for averaging of the scores. Then we submit all of that to INDOT, and it turns around and determines which consultant is selected for the project.

President Tornatta: That's fine.

Ted C. Ziemer, Jr.: Excuse me. These are the proposals here?

John Stoll: Yes.

Ted C. Ziemer, Jr.: I think the motion needs to authorize me to open the proposals, and then submit them back to John Stoll for review.

President Tornatta: Okay.

Commissioner Winnecke: Who made the motion? Or have we made a motion yet?

President Tornatta: Okay, we'll need a motion to open the proposals at this time.

Commissioner Winnecke: Mr. President, I'll move that we instruct, or authorize the County Attorney to open the proposals and return them to the County Engineer for review.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Engineer

President Tornatta: Go ahead, John.

John Stoll: On my agenda I've got a right-of-way certification letter—

President Tornatta: Is that mic on?

John Stoll: Yes.

President Tornatta: Okay. Sorry.

John Stoll: No problem. The first thing I have is a right-of-way certification letter for the University Parkway project. We are in the process of getting the check for the final right-of-way parcel. That was for the oil lease that we're buying out on the project. Once we get that check, and the paperwork for that check is in your information for tonight's meeting, we'll deposit that with the courts next week, and then we'll submit this right-of-way certification letter that says that all right-of-way has been secured for the project. It just needs to go to INDOT, and it needs your signatures.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Good job on that. I mean, that's—

John Stoll: Finally.

President Tornatta: —great to get all the right-of-way purchased out there.

John Stoll: It's taken awhile, but we're finally there. Now, we hope we can get the stimulus money.

President Tornatta: There you go.

John Stoll: Did you want me to go ahead and go through the things that were on your agenda?

President Tornatta: Just go ahead, yeah.

John Stoll: Okay. Next up I have the INDOT agreement for the USI-Burdette bike path. This is the agreement between INDOT and Vanderburgh County that obligates up to \$1.3 million in federal funds toward the construction of phase two of the project. It also indicates that the county will pay a 20 percent local match. It's been reviewed by the County Attorney, and he was okay with it. So, I would request approval of the agreement.

Commissioner Melcher: I'll move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, next I have a supplemental agreement with Bernardin Lochmueller and Associates for the design of the Burdette-USI bike path. This is a supplemental agreement that will split the plans into two sets of plans and specs. This is an increase of \$4,700. The reason this has come about is INDOT has hit their obligation limit on federal funds for fiscal year 2010. So, they can't obligate enough federal money in FY10 to get both phases done at the same time. So, in order for our project to proceed, we'll split it into two phases, and at least get phase two out for bid. Then, if other projects drop out of the INDOT system, then there's a chance that we might become eligible to get phase three constructed as well.

Commissioner Melcher: And this is the phase two we couldn't get the stimulus money on, right?

John Stoll: Correct.

Commissioner Melcher: Okay.

John Stoll: In order to qualify for the stimulus money we had to advance it one fiscal year. So, since this has always been set to go in fiscal year 2010, we can't advance it to '09, because that ends June 30th.

Commissioner Melcher: I move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I have a letter that needs your signatures. This is to go to INDOT to correct a problem we found with the functional classification maps in regard to University Parkway. The alignment of the road was shown as the old original alignment that was studied years ago. They showed the road going up the existing Eickhoff Road and then up along the existing Korressel Road. Since the road ultimately is on a new alignment, we just need to amend the maps to show the correct alignment, and with this letter plus some paperwork prepared by the MPO, we can submit this to INDOT and get that all clarified.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I would like to request your approval to terminate two existing contracts with R.W. Armstrong. This was for design and right-of-way acquisition for County Line Road West. This is running south off of Denzer Road. These contracts were signed in September of 2003 and September of 2004. Still, as of this date, we don't have any construction or right-of-way money for these projects. We haven't had any activity on either of the contracts for quite some time because we knew we didn't have sufficient funding to pursue those. So, on that basis, I had sent an e-mail to the County Attorney to ask him to review the contracts. There was a seven day advance notice clause that allowed the county to terminate the contract and pay the consultant current. I checked with the consultant, they said there are no outstanding payments due to the consultant. So, on that basis, I would like to request your authorization to terminate the contracts, and that would free up \$50,000 that is currently obligated in those contracts that could go to University Parkway or for additional road repairs.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, the last item I have is a notice to bidders for contract number VC09-06-01. This will be for the concrete repair of various roads. This would cover street repairs in Autumn Winds Subdivision on Mt. Pleasant Road, and would cover repairs in Copperfield Subdivision, which is on the south side of Mt. Pleasant, and then some repairs in Romain Park which is in the Congress and Bergdolt area.

President Tornatta: Okay, and, we'll go ahead and do a motion first.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion?

Commissioner Winnecke: Just, I guess, sort of in addition to that, where do we stand on the rest of the paving list?

President Tornatta: The, we can have Chris come up here in just a second.

Commissioner Winnecke: Okay.

President Tornatta: On the concrete work, of those subdivisions that might not get the attention this year, we do have remedy for those, if need be, through asphalt until we can repair it with concrete?

John Stoll: Right. We get with the County Highway Department and get some temporary asphalt patches, and then, as is the case every year, we never have enough money to do all the work that's requested, so, the roads that don't get finished this year will roll over into next year.

President Tornatta: Once again, this is a perfect time to bring out, the road hearing is probably the best conduit to get your information out there. If you have a road issue, if you have an issue in your subdivision, make sure you go to the road hearings, bring those items, pictures if you can, and we will address those and put those in the mix.

Commissioner Winnecke: So, one other, so, John, we would get these bids and then open them in the first of June?

John Stoll: June 2nd.

Commissioner Winnecke: June 2nd? So, the work would begin roughly the middle to the end of the month in June?

John Stoll: With the meeting schedule, we wouldn't be able to make an award until June 16th. Usually it takes a week or two for the contractor to get all of the paperwork taken care of. So, I would say late June, early July would be the start date.

Commissioner Winnecke: Thank you.

President Tornatta: We have a motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Tornatta: Thank you.

Commissioner Winnecke: Thanks, John.

County Highway

President Tornatta: Chris, if you would come up here please.

Ted C. Ziemer, Jr.: Whenever you're ready, I've completed opening the bids.

President Tornatta: Okay.

Chris Walsh: Chris Walsh, Vanderburgh County Highway Department.

President Tornatta: Chris, where do we stand on the list, the paving list at this point?

Chris Walsh: I've submitted a copy of, through the road hearings and talks with John Stoll, we've come up with roughly 23.7 miles of road. All of you should have a copy of that.

President Tornatta: Okay.

Madelyn Grayson: Chris, do you have an extra copy for the record? If you don't, I can get it from you later.

Chris Walsh: This is the only copy I have, but you can have it.

Madelyn Grayson: If you want you can hold on to it until you're finished.

Chris Walsh: No, you can go ahead and keep it.

President Tornatta: We can get a copy of it if we need to.

Commissioner Melcher: There was an e-mail copy. I received an e-mail copy.

Chris Walsh: Yeah.

President Tornatta: Do we want to take those roads under advisement and come back next meeting and go ahead and vote on that? What is your time table for getting—

Chris Walsh: We've been pulling some maintenance on some of the equipment, and we had some, we're pulling shoulders on a lot of the roads, which is something we would do anyway. So, whenever you are ready to vote on it, we'll be ready to go.

President Tornatta: Okay.

Commissioner Melcher: We could vote on it at the next meeting, couldn't we?

President Tornatta: Yes. We have the list. If we can, just get a motion to take this list under advisement. We can go ahead and vote on paving at the next meeting.

Commissioner Winnecke: Then, just again to clarify, Chris, you'll be able to work with John's office and patching whatever concrete projects he doesn't have the budget for?

Chris Walsh: Right. You were talking about the one subdivision. I'm going to try and borrow a camera from the city and go out and look and investigate a couple of the pipes. It looks like there's some piping failure that maybe our department could help.

Commissioner Winnecke: Great.

Chris Walsh: I'm not saying it's going to solve the problem, but it might help a little bit. I went through there in the rain a few weeks ago, and I kind of noticed a few things. Dennis Hudnall's going to loan me a camera, we're going to go out and camera some of those.

Commissioner Winnecke: Great. Thank you. Do you want to take these under advisement?

President Tornatta: Uh-huh.

Commissioner Winnecke: Do you want a motion?

President Tornatta: Yeah.

Commissioner Winnecke: Mr. President, I would move that we take this 2009 road pavement list under advisement.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright.

County Treasurer: Property Tax Billing Update
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President Tornatta: County Treasurer. Rick?

Rick Davis: Hi, Rick Davis, County Treasurer. Thank you guys for seeing me tonight on such short notice. I have given you a map, a color coded map for your perusal. This is from the Department of Local Government Finance. It shows where every county is in the state in the property tax billing cycle. As you'll see we are in purple, which means we are getting close to billing. The reason I'm here tonight is basically as a public service announcement. I'm trying to get the word out to as many people as possible that, obviously, we're not billing for a May 11th deadline this year, that's only next week, but the reason I'm here is to remind people to budget accordingly, because we plan on mailing the bills out in late May, with a mid-June deadline. The people I'm most concerned about, and the reason I'm here now, that would be people who are on a fixed income, people who get a social security check, or a pension check, they get one check per month. So, if they get their bill at the very beginning of June, I don't want them to have to pay the bulk of their pension or social security check to pay for their property taxes. I would like for them to save some money from this month and apply it toward the bill next month. If anybody would like to know what their bill was last year, they can go to our website and they can still see what was paid last year. That's a good reference point. Not to say that it's going to be identical. It's not, but it's a good reference point and it's a good ballpark figure to tell people how much they need to save this month. So, when they get their paycheck and bill in one month, it won't be such a burden on them.

Ted C. Ziemer, Jr.: Rick, just for the record, a question, are you saying then that the first installment of real estate taxes due this year will be due June 10th instead of May 10th?

Rick Davis: Not a date yet, in mid-June sometime. Legally we have a 15 day headway to give people. From the date on the postmark until the due date we are required to give 15 days. That's why I'm hesitant to name an actual date.

Ted C. Ziemer, Jr.: But, the first installment will be due in June sometime?

Rick Davis: Exactly, mid-June.

Ted C. Ziemer, Jr.: Thank you.

Rick Davis: Yes, and, another note, although we may only be forced to give 15 days notice, we will have that information on our website. It will take two weeks to get the bills printed. So, during that two week period we're going to have a press conference. We will drive people to go to that website so they can see how much their payment is going to be, and that's an additional two week headway that we're going to give people. Obviously, they can call our office and find out what that

amount is too while the bills are being printed. As you can see, there are only 13 counties out of 92 that have scheduled a due date.

President Tornatta: Alright. Any other questions of Rick? Rick, thank you for the update.

Rick Davis: No problem. Thank you for having me, Commissioner.

President Tornatta: Alright.

**Morley & Associates Agreement: Sonntag Stevens & Keil Ditches
Coroner: Allen Griggs M.D.: Pathology Services Agreement
Health Dept: 2009 AIDS Prevention Grant: Amendment No. 2
EMA: Sub-Grant Agreement: EDS#C44P-9-689A
EMA: Sub-Grant Agreement: EDS#C44P-9-752A
EMA: Verizon Purchase Order & Verification Letter
Sheriff: SunGard Data Access Agreement & Addendum
Code Publishing Co. (CPC) Agreement for County Codification Services**

President Tornatta: Okay, Commissioners, agreement with Morley and Associates for consulting services for Sonntag Stevens and Keil ditch regulated drains.

Commissioner Winnecke: Mr. Chairman, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Next, the Coroner, agreement with Allen Griggs, M.D. for pathology services.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Health Department, 2009 AIDS prevention grant agreement amendment number two. Amendment two serves to increase the grant amount from \$12,800, to a total of \$252,320, and extends the grant to December 31, 2010.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, Emergency Management Agency, we have three; 2008 Homeland Security grant program sub-grant agreement EDS#C44P-9-689A. The main purpose of the grant is to provide partial staffing for the Emergency Management program. The grant amount is \$68,434.01. It runs until September 30, 2009.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: 2007 Homeland Security grant program sub-grant agreement EDS#C44P-9-752A. Attached is a sub, is a captioned sub-grant agreement which is for the purpose of supporting the salary of a district administrator coordinator. The grant is in the amount of \$36,220, and the agreement shall end three years after the date that the last of the necessary signatories executes the same.

Commissioner Winnecke: Easy for you to say.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Verizon wireless purchase order. A purchase order for the cell phone service for a total estimated due with taxes and applicable charges, a cost of \$1,076.74.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, Sheriff's SunGard public sector add-on quote, and SunGard public sector data access agreement for electronic sharing of police and Sheriff office data between law enforcement agencies. The cost of the software on a one time basis is \$1,400 to be split between city and county.

Commissioner Winnecke: So moved.

Ted C. Ziemer, Jr.: There is also an addendum to that agreement.

President Tornatta: The addendum to the agreement will serve to limit the indemnity of the city and county under the agreement.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, County Auditor, agreement with Code Publishing Company for supplement service for Vanderburgh County ordinances. The agreement for a cost sheet of electronic code supplement services between Vanderburgh County and Code Publishing Company to provide the electronic update to ordinances that will be forwarded to them in electronic form. The cost sheet sets forth the cost for the electronic update service.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Okay. Any other department heads?

Madelyn Grayson: President Tornatta, there was one agreement on there that I think we passed over.

President Tornatta: It's in old business.

Madelyn Grayson: Okay.

New Business

President Tornatta: Alright, new business? Health Department, H1N1 update. Dwayne Caldwell is here. Dwayne?

Dwayne Caldwell: Hey, how ya doing?

President Tornatta: I know you've been busy.

Dwayne Caldwell: Just a tad, yes. Well, I am Dwayne Caldwell. I'm the Public Information Officer for the Vanderburgh County Health Department for the duration of this flu event. I would like to start out on a positive note. Dr. Judy Monroe, the State Health Commissioner, held a press conference at 3:00 and reported that Indiana has only 13 confirmed cases. So, that keeps us now, in the United States, at 403 cases, and only one death. So, this H1N1 hasn't spread as rapidly as we had thought, nor has it been as virulent. So, that is good news. Just to bring you up to speed on what the county has been doing to make sure that our citizens stay safe. The Emergency Management Agency and Health Department have adopted a unified command structure. They are meeting daily to discuss any problems, situations that may come up. The command staff are also meeting with our hospitals and with law enforcement to make sure that everything is ready, should we have to move forward with any type of dispensing of any medications. We are cooperating, of course, with the State Department of Health to deliver specimens to the lab for testing. That is saving our hospitals some time and money. So, we really think that's a good idea. We do have a joint information center up and running that's made up of the Public Information Officers from the Health Department, our elected officials offices, the school corporation, our hospitals, the Red Cross, and the Police Department. That way the citizens are getting a very timely, very accurate piece of information every day, so there's not anyone saying one thing, or another person saying another. We're doing plenty of public education, as you might well believe. My phone is ringing off the hook with people wanting me to come out and speak to them. Doing plenty of press releases and interviews. We do have a 24/7 number for the Health Department, 435-2400. 435-2400 where people can call and get any questions answered. Of course, we also want to put forth to make sure you're

washing your hands, make sure you're taking care of yourself, just like grandma told you, with plenty of rest and plenty of water. Stay home if you're sick. Finally, our continuing operations, well, I shouldn't say finally, because I have one more thing after that. We're going to continue to meet until we are sure that this puppy is put to bed. At least through the command staff. They are going to monitor what's going on and a decision will be made then when we can stand down. Two important meetings coming up, the American Red Cross is having an information night at their Stockwell Road address, tomorrow evening from six to eight. The public is invited to come out and talk to any one of several subject matter experts that they'll be able to take care of themselves and their families. Tomorrow at the Lynnville Fire House, the District Planning Oversight Committee for the Department of Homeland Security District Ten is having a meeting. This is a very important meeting, because the District Oversight Committee is made up of elected officials from the 12 counties that make up our district, and they are going to be discussing what each county is doing to make sure that their citizens are safe. That is tomorrow at 9:00 at the Lynnville Fire House. So, I would urge anyone who can possibly make it to be there. That's all I have, unless you have any questions.

President Tornatta: Any questions of the Board? Dwayne, thanks for the work you're doing. Thank you, Dr. Nicholson, Gary Heck for calling some impromptu meetings, and getting everybody there. So, I think it's been very important. It might look like the county's kind of laying low on this, and the city as well, but we've been hard at work under the covers and behind the scenes to make sure that we're well prepared. Our Commissioners have been part of that with the Mayor, and with a lot of help from hospital staffs and the Health Department. So, we couldn't have done it without you, and we appreciate all of your support. Obviously, it's still on-going.

Dwayne Caldwell: Definitely, and we'll be there for the duration. Thank you for your help as well.

President Tornatta: The public should know that they're well taken care of right now.

Dwayne Caldwell: Thank you, sir.

President Tornatta: Thank you. Commissioners, request to move vulcan statue from the Old Courthouse to the Evansville Museum.

Commissioner Melcher: I'll approve that wholeheartedly.

Commissioner Winnecke: Is this at the county's expense, or at the Museum's expense.

Commissioner Melcher: The Museum's.

President Tornatta: Museum.

Commissioner Winnecke: Second.

President Tornatta: The....a motion and a second. Discussion? Real quickly, there is a vulcan statue that is in the basement of the Old Courthouse, and this dude is awful lonely down there. So, the thought from the Old Courthouse Foundation was to move him to a better place, and the Museum said, well, we would love to have him. So, he has no significance to the Courthouse, but he is of significance to what we are around here.

Commissioner Winnecke: Vulcans?

President Tornatta: For whatever that means. Vulcans. A motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Reading of Bidders: Burdette Park Food & Burdette Park-USI Bike Path: Construction Inspection Proposals</p>

President Tornatta: Do we have a motion to review the bids?

Commissioner Melcher: So moved.

Commissioner Winnecke: Are we done with new business? I'm sorry. Can we go back? Or, are you going to go back to that?

President Tornatta: Okay.

Commissioner Melcher: We need a second.

President Tornatta: Oh, we need a second.

Commissioner Winnecke: Oh, second. I'm sorry.

President Tornatta: A motion and a second. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: For Burdette Park food service items, we have three bidders. I will call the Commissioners attention to the fact that they don't bid a total amount. They bid on various items of food, with separate items for the various food items. So, we're unable to tell, at this point, any low bid, until after they've been reviewed. We have bids from CRS One Source, Fischer Candy Company, and Sara Lee Food and Beverage.

President Tornatta: Do we have a motion to take those under advisement?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, any old business?

Ted C. Ziemer, Jr.: Then—

President Tornatta: I'm sorry.

Ted C. Ziemer, Jr.: I'm sorry, we have proposals for construction inspection for the bike path. These are simply proposals. No bid amounts are included. The bids are from, the first one here, excuse me, Strand Associates, another from Clark Dietz, another from the Corradino Group, another from Cripe Architects, and a final one from BLA Associates.

Commissioner Melcher: Do we need a motion for—

President Tornatta: To take them under advisement.

Commissioner Melcher: I'll make a motion to take under advisement.

Commissioner Winnecke: So moved.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Is that it, Ted?

Ted C. Ziemer, Jr.: That's it.

President Tornatta: Okay. Old business?

New Business Continued

Commissioner Winnecke: I have a couple under new business.

President Tornatta: Oh, new business, sure.

Commissioner Winnecke: First, the Sheriff may have to correct me on the date, but, I think it was a Friday or two ago, there was an ammonia leak at the Farm Bureau Co-Op. I would just like to offer my congratulations to the Sheriff's Department and to our volunteer fire services who responded really quickly and well and prevented what could have been a, they stopped it from being bigger than what it could have been. I appreciate the efforts of the Sheriff's deputies, as well as our volunteer fire. I thought it would be remiss if we did not mention that. Secondly, on a more serious note, the County Council in the last couple of weeks has had some discussion with one of our county officeholders regarding permitting an employee to work at home. I think that's a dangerous slope, because of accountability and potential risk to the county. I think it would be prudent for this body to direct our County Attorney to draft an amendment to the county's personnel policy that would prevent county employee's from working at home.

President Tornatta: Any discussion on that?

Commissioner Melcher: I think the problem could be also is what they're taking home. If they're taking, you know, county information home and not bringing it back, or whatever. That's probably not a bad idea to look into that.

President Tornatta: How about we can give some ideas on a direction to the County Attorney and send that via e-mail?

Commissioner Winnecke: Yeah, I mean, my direction would be, or my suggestion is that we prohibit it. So, it would be basically directing the County Attorney to direct an amendment to our current personnel policy that would ban that.

President Tornatta: Okay. Would there be any known exemptions at this time?

Ted C. Ziemer, Jr.: Not that the County Attorney knows of.

President Tornatta: Okay. Sheriff?

Ted C. Ziemer, Jr.: I think the issue at this point is the county personnel policy does not address working from home at all. So, at this point, if a county department head, or an elected officeholder directed or permitted one of his or her employees to work from home, they could, because the policy is silent on that.

President Tornatta: Okay.

Eric Williams: I don't believe I'm the officeholder in question, but I would like to be included in any conversation that does that, because the nature of what we do in 24 hours a day, seven days a week, from time to time my personnel do find themselves working on reports and things like that at home, just because of the whereabouts and the location. I don't disagree with the concept, but I think there needs to be some exceptions based on what we do.

Commissioner Winnecke: I concur with that.

President Tornatta: Gary?

Gary Heck: Gary Heck, Health Department. I'm assuming you would put in a clause that said in a public health emergency, like the swine flu, or the H1N1, one of the recommendations would be to encourage flexibility in employee staff, where if coming into close contact becomes an issue, encouraging businesses to allow their folks to be at home. But, that would be something where the Commissioners could pro-actively, with a recommendation from the Health Officer make a modification. So, we would at least offer that as one possible opportunity where having somebody work somewhere other than in their normal county business office might be acceptable.

President Tornatta: I would like to have some type of discussion with officeholders, if we could. If you want to take charge of that, I would gladly defer. Just to get some ideas of what they see, and what would be palatable. Not to say that we have to go any certain direction, but we do ask these officeholders opinions, and they do run their offices. You know, it just might be a good starting point, and then we can give direction to Ted past that, or David.

Commissioner Winnecke: Um.

President Tornatta: We might find more issue than just what the Sheriff had.

Commissioner Winnecke: I get—

President Tornatta: Just to set something in stone without going and doing the due diligence to make sure that...I know where it's coming from, and we don't want ghost employment in this building. I mean, we don't want that.

Commissioner Winnecke: I'm not suggesting that we have it, but, to me, there's just an issue of accountability and risk that the county needs to be on the look out for. With no reference to it in the county personnel policy, I think the county, potentially, could be, it opens us up to criticism and risk.

Ted C. Ziemer, Jr.: I, we might check, on the County Attorney's part, to see how this may have been addressed by other counties in the State of Indiana. We have a mechanism to try to do that. So, we'll do that as well.

President Tornatta: We'll want to make sure that that's in compliance with the State statute. I mean, we wouldn't go farther than the State statute at that point, would we?

Ted C. Ziemer, Jr.: Well, I'm unaware of a State statute that addresses this subject. There may be one. I'm not saying that there isn't, and I haven't researched it. Certainly, if there is, we can't go farther than the State has, but, yeah, we'll take a look at that.

Commissioner Winnecke: To your point, I will reach out to the officeholders and get their input.

President Tornatta: Okay, and then if, do you want to set something up for next meeting?

Commissioner Winnecke: Sure.

President Tornatta: Is that, okay? Alright, we'll—

Ted C. Ziemer, Jr.: That might be ambitious. I mean, if he's just going to, you know, get the officeholders together. We need time to synthesize what everyone has had to say—

President Tornatta: Okay.

Ted C. Ziemer, Jr.: —and then report back.

President Tornatta: Let's get a report back next meeting.

Ted C. Ziemer, Jr.: Okay.

President Tornatta: Then we can go from there.

Ted C. Ziemer, Jr.: Okay.

Commissioner Winnecke: Fair.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: In other words, we're not going to have an ordinance ready for next meeting?

President Tornatta: No.

Ted C. Ziemer, Jr.: Thank you.

Commissioner Melcher: You're just going to look at other ordinances.

President Tornatta: Right, just kind of informational.

Commissioner Melcher: So, we don't reinvent the wheel.

President Tornatta: Right. Okay, any other new business?

Old Business

President Tornatta: Old business?

Commissioner Melcher: Under the old business, I think we were supposed to add the County Assessor's amendment to the A&S Associates model contract for annual adjustments. That was put under the wrong area, but, it should be under old business, right?

President Tornatta: Okay. Go ahead.

Commissioner Winnecke: Mr. President, I voted against this the last time. After additional research, I feel differently. I feel like it would be cumbersome upon this vendor to be required to have a performance bond based on the nature of the payment they received, and the timeliness of the work they deliver. After this research I feel like I would vote differently, and maybe that's one reason it's back on the agenda today. So, I would make a motion to waive the performance bond for this vendor.

Commissioner Melcher: I'll second it.

President Tornatta: Okay, and just to ease everybody's mind, I think they're almost done with the job.

Commissioner Winnecke: Okay.

President Tornatta: So, it would be not a lot to worry at this point. Motion and a second—

Ted C. Ziemer, Jr.: If they're not, they already owe us \$1,500 in penalty.

President Tornatta: Okay. I think they're done. Glen Koob out there says they are done.

Commissioner Melcher: I was told that they are.

President Tornatta: Okay, good. A motion and a second. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Public Comment

President Tornatta: Alright, any public comment? Anybody out there from high school raise your hand. Okay. What school?

Unidentified: North.

President Tornatta: North, that's what I'm talking about. Okay, good. Go, Huskies!

Consent Items

President Tornatta: If there are no further, nobody for public comment, Madelyn, if you will go over the consent items, please.

Madelyn Grayson: The consent items for the May 5th Commission agenda are as follows; approval of the April 21, 2009 Commission meeting minutes; approval of the April 27, 2009 Executive Session summary minutes; employment changes from the various offices; travel requests, there are three from the Health Department, one from Veterans Services, one from the Soil and Water Conservation District, two from the County Engineer; the Commissioners have a Roger Lehman proclamation and a West Side Nut Club proclamation; there's a letter to Congressman Ellsworth regarding transportation projects; Commissioners Arthritis Foundation request to use Old Courthouse basement for 2009 Jingle Bell Run; the next item has a correction to it, it's the Commissioners request to redeem properties, the correct tax ID numbers are as follows; 09-430-14-118-036, 09-430-14-118-037, 09-430-14-118-038 and 09-430-14-118-039; the County Engineer pay request number 78 for Burkhardt-Green River TIF projects in the amount of \$59,411.48; March 2009 monthly reports for the County Clerk and County Treasurer; the County Treasurer has a surplus request for eight scanner ribbons, two keyboards, two computer monitor stands, two computer terminals; and department head reports from the County Highway, Burdette, County Engineer and Ozone Officer.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any discussion? Roll call vote please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Great job, Madelyn, as always. Alright.

**First Reading: VC-6-2009: Petitioner: Elite Development Group
Address: 1000 Beacon Hill
Request: Change from R-3 to PUD with Private Covenants**

President Tornatta: Rezoning, first reading, VC-6-2009, petitioner, Elite Development Group, address, 1000 Beacon Hill, request change from R-3 to PUD with private covenants.

Commissioner Melcher: I'll make the motion to accept it and move it to Area Plan.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion?

Commissioner Melcher: I just had a little one, I was talking to Area Plan, I try to stay on top of a lot of zonings, and my understanding is this got filed, but there's probably going to be a bunch of changes and we'll probably see a different version by the time it gets back to us.

President Tornatta: That's fair. A motion and a second. Discussion? Roll call vote please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: If that's it, can I have a motion to adjourn?

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: So moved, second. All in favor say aye.

All Commissioners: Aye.

(The meeting was adjourned at 5:50 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the April 21, 2009 Commission Meeting Minutes.
Approval of the April 27, 2009 Executive Session Summary Minutes.
Roger Lehman Day Proclamation.
West Side Nut Club Proclamation.
Letter to Congressman Ellsworth: Transportation Projects.
Arthritis Foundation OCH Request for 2009 Jingle Bell Run.
Request to Redeem Properties: 09-430-14-118-036, 037, 038 and 039.

Employment Changes:

County Highway (2)	County Clerk (2)	Auditor (1)
Health Department (2)	Burdette Park (19)	

Travel Requests:

Health Department (3)	Veterans Services (1)	SWCD (1)
County Engineer (2)		

County Engineer: Pay Request No. 78: Green River-Burkhardt TIF Projects.

County Clerk: March 2009 Monthly Report.

County Treasurer:

March 2009 Monthly Report.
Surplus Letter Request: scanner ribbons, keyboards, computer terminals.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Diane Clements	John Stoll	Rick Davis
Chris Walsh	Dwayne Caldwell	Gary Heck
Eric Williams	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MAY 19, 2009**

The Vanderburgh County Board of Commissioners met in session this 19th day of May, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright, we're going to start the Board of Commissioners meeting, May 19, 2009 in room 301. Call to order attendance, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

**Pledge of Allegiance: Angie Richards Cooley
Dancing with our Stars Evansville Style Fundraiser: St. Vincent's Daycare**

President Tornatta: Angie? Angie Richards Cooley is here to talk with us, but if you'll honor us with leading us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Tornatta: Good afternoon, Angie.

Angie Richards Cooley: Good afternoon. How are you?

President Tornatta: Great.

Angie Richards Cooley: Good. Thank you for letting me come today and speak a little bit about an upcoming event for St. Vincent's Daycare. I am Angie Richards Cooley, I'm the Development Director there. St. Vincent's Daycare, for folks who may not be aware, is located at First Avenue and Delaware Street, here in Evansville. It's the oldest and largest daycare in Evansville, and the second largest in Indiana. It was founded in 1918 by the Ladies of Charity to meet the daycare needs for women who entered the workforce to fill the ranks of employment as their husbands went off to serve in World War I. The cost of daycare back then was ten cents a day. The need was so great that they very quickly turned to the Daughters of Charity for help, and the Daughters of Charity are still our sponsor agency, helping us financially with our \$2.5 million budget each year. We currently serve up to 232 children per day, from 6:30 a.m. to 5:30 p.m., Monday through Friday, 50 weeks per year. Ninety percent of the children we serve live in poverty, 75 percent of them come from families headed by a single, working adult. We turn no one away, we have a social worker on staff, full time, who helps coordinate community based services and therapies to get all of our kiddos ready to enter kindergarten. St. Vincent's Daycare supplements about \$50 per week, per child to keep the children

at our center, mainly because the tuition voucher reimbursement in Indiana is not keeping pace with the cost of care, and because Indiana just does not, at this time, adequately fund early childhood education and childcare. So, in the past six months St. Vincent's Daycare has started an aggressive fundraising plan, and that is where our major event for this year comes into play. It's called Dancing with our Stars Evansville Style. It will be held, Saturday, June 13th at St. Mary's Manor, at 6:00 p.m. cocktails begin, at 7:00 there's dinner, and shortly after is some fabulous entertainment. It's \$60 per person, \$100 per couple, and here's how it goes, we've got ten experienced professional dancers from the local area paired with ten local stars, including some very familiar faces here today. Lloyd Winnecke and Troy Tornatta are a couple of our dancers. We're very excited—

Commissioner Winnecke: We're not dancing together though, just for the record.

Angie Richards Cooley: No, no, no, no. No, but although Troy's partner is a little concerned at the height difference involved. Because she is actually just an inch taller than I am, and he is like a foot and a half taller than I am. So, there's a big difference there in dancers. But, the other dancers involved in the event are Sister Brenda Fritz, who is our Executive Director at St. Vincent's Daycare; Erika Taylor, the JLE President and a member of GAGE; Daniela Vidal from OLA; Heather Kent, she's a community volunteer and mom of triplets; Jackie Monroe from Fox 7; Scott Wylie, an attorney and restaurant owner; Jack Schriber, community champion, supporter of the arts, retired from the EVSC, what else doesn't he do? Also, we have Sean Bennett, a former semi-pro football player. They'll be dancing a variety of styles, including the jitterbug, a waltz, mambo, swing, a tango, including a PG-13 Catholic version of the tango, and something involving a dancer dressed as Carmen Miranda and all the fun that goes along with that. So, it's going to be a fun, exciting night. Attendees that night will vote on the winner, the champion, by purchasing vote tickets, and all of the money, of course, will benefit the children and the programs at St. Vincent's Daycare center. You can always call or e-mail for tickets. My phone number is 424-4780, or you can just e-mail me at stvincentsdaycare@insightbb.com.

President Tornatta: Angie, thank you very much.

Angie Richards Cooley: Thank you for letting me speak this evening. I'm looking forward to seeing you guys dance.

President Tornatta: Yes, sir.

Commissioner Winnecke: So, how are those rehearsals going?

President Tornatta: Yeah, well, we need more rehearsals.

Commissioner Winnecke: Oh, okay.

President Tornatta: Anyway. Thank you, Angie.

Permission to Award Burdette Park Food Bids: VC-9903-2009:

President Tornatta: Action items, permission to award Burdette Park food, VC-9903-2009. Steve, if, do we need to go over anything with the awards? You had the recommendations? I know they're in several categories.

Steve Craig: Yeah, it's several pages long.

President Tornatta: Yeah, we're going to enter that into the record with this motion.

Steve Craig: Right. What I was wanting to ask was just to approve it as put on here. The grey areas was the ones that we were accepting. I don't know.

President Tornatta: Okay.

Commissioner Winnecke: Who has a copy of that, Steve?

Steve Craig: Debbie. Do you have the copy, Madelyn?

Madelyn Grayson: Debbie Spalding brought this down to the Auditor's office. I didn't realize the Commissioners didn't have a copy. I mean, I can read the three vendors into the record, if you would like.

Commissioner Winnecke: That would be great. I mean, I would like to know what we're voting on here.

Madelyn Grayson: It looks like there's several categories awarded to CRS One Source; several to Earthgrains, and the others go to Fischer Candy Company. There's quite a few categories here.

Commissioner Winnecke: So, the highlighted are the ones that you're recommending? Is that—

Steve Craig: Yes, sir.

President Tornatta: If you want to look at that, we can come back to that bid.

Commissioner Winnecke: Yeah, okay. That's great.

President Tornatta: Okay.

<p>Cooperative Purchasing Organization: Permission to Seek Quotes: Can Liners</p>
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President Tornatta: Permission for Cooperative Purchasing Organization to seek quotes on can liners. We need a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions or comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Resolution for the 2009 Byrne Justice Assistance Grant
Program Award (JAG)**

President Tornatta: Resolution 2009 Byrne Justice Assistance Grant program award. Resolution and agreement that serves to split Byrne Justice Assistance Grant program award in the amount of \$436,143. As per the agreement between the city and the county, the funds will be split \$388,019 to the city, and \$48,124 to the county.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Comment? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Burdette Park: EVAPAR Maintenance Agreement
OCH Event Lease Agreement: Big Brothers Big Sisters**

President Tornatta: Burdette Park, agreement with Evapar for preventative maintenance to the Discovery Lodge generator. Contract between Evapar to provide maintenance services to the generator at the Discovery Lodge. It's for one year, for an annual cost of \$565, which will cover two inspections during the contract period which runs from May 2009 to May 2010.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Right, Big Brothers Big Sisters Old Courthouse event agreement. The rental for the event is \$750, including the use of the Old Courthouse ballroom.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

David Miller: I have that lease here for your signature at the appropriate time.

President Tornatta: Okay.

County Attorney

President Tornatta: Well, since you said that, David, anything on your desk?

David Miller: Everything seems to be going okay. We've got plenty of work to do over there.

President Tornatta: Okay. Alright.

County Engineer

President Tornatta: John Stoll, County Engineer report.

John Stoll: I've got three storm sewer requests this evening. The first is for Eagle Ridge Subdivision. It's 721 feet of pipe to be accepted. The developer has paid the two dollar a foot fee of \$1,442. So, it's recommended the streets, I mean, the pipes be accepted for maintenance.

Commissioner Melcher: Want to just do all of them?

President Tornatta: Do you just want to run through those?

John Stoll: Okay. The second one is Liberty Estates, Section One. This is 924 feet of pipe, and the acceptance fee is \$1,848. Then the final one is Asbury Pointe, Section Two, that has 504 feet of pipe, and the acceptance fee is \$1,008. All these pipes are located outside of street rights-of-way.

Commissioner Melcher: I'll move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then the other two items are time extension requests for on-going bridge repair contracts. The first one is on Mohr Road. Both contracts are with Deig Brothers. The first one is a time extension request to June the 12th, and this is because of all the bad weather, all the rain, they haven't been able to get the work done. So, I recommend approval.

President Tornatta: And you recommend approval on that?

John Stoll: Yes.

President Tornatta: Okay.

Commissioner Melcher: What about the other one?

President Tornatta: We'll do them separately.

Commissioner Melcher: Okay, I'll move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: The other one is for the Sensmeier Road bridge repair contract. This time extension would complete this project on June 26th. It's also recommended that this also be approved.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. I do have a comment. Is there any, is it just rain related? I mean, there's no issue with having these two projects and getting both of them done on time after this extension?

John Stoll: No, they're really small projects. It's just the water's been too high in general for them to get out there. They actually finally got started on the Mohr Road project today. If things held, they might have gotten done by the end of this week, but just to be sure, so they won't have to come back for another time extension, that's why they requested it to the 12th.

President Tornatta: Okay.

John Stoll: There's not a conflict between two projects.

President Tornatta: Okay, any other comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

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

President Tornatta: Okay.

John Stoll: Thanks.

President Tornatta: Thank you, John.

New Business

President Tornatta: Alright, I did have a request here for Burdette Park passes for county employees. As far as I'm concerned, I think it's great. I like seeing the people in the building be able to get out there and enjoy. It's a perk that I think that we can give them. It's, I believe, six passes, is what we've done in the past, but, whatever it is, I'm in favor of it.

Commissioner Melcher: So, we've done this in the past.

President Tornatta: Yes.

Commissioner Melcher: Okay.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any other comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, any new business? Any other new business?

Commissioner Winnecke: I'm sorry, what did you ask?

President Tornatta: Any other new business?

Commissioner Winnecke: No, but I have some old business.

President Tornatta: Okay. Let me take care of some new business here. Sheriff?

Eric Williams: Sorry for my late request. I just wanted to give you a little bit of information about the status of the jail population. We monitor the trends very closely in the jail, and while this is not an alarming thing, or anything that was unexpected, it is a little bit interesting to look at. If you'll notice my report is from last month and for this month current. You'll notice that everyday our census this month we were over capacity. Those numbers have become a little bit more significant. As you look at that report, the most telling number is not so much the total number, but if you look at the individual cells where they are over capacity, I think this is just something that you need to be aware of that we're in the very early months, early part of the summer months when we normally see our surge, and it's a little early to be seeing this. I think this is going to be a topic of discussion at the next Criminal Justice Planning Commission, and I don't have the date or time for you, but one of the things that we've done with that Commission is we are shifting from a 4:00 meeting to a noon meeting during the week so that we can get more representation from the courts and some other people there. But, I wanted to give you this report, this is the report that you can get off our internet site once a month, but we've made it now, all this entire month being over capacity, and I thought you ought to know about it.

President Tornatta: Sheriff, okay, you do have the male and female.

Eric Williams: It's broken down by housing unit, and then within each housing unit male and female. If you quickly look at it you can tell that B2 is primarily the female housing unit. Each of those housing units have a 64 person capacity and anytime it hits above 64 it shows up in red. So, it's pretty quick, you're very quickly able to go through there and look at our over capacity days.

President Tornatta: Anything else?

Eric Williams: Any questions?

President Tornatta: Any comments or questions?

Eric Williams: Just thought you ought to be aware of it.

President Tornatta: Thank you very much. Commissioner Mosbey, I see you back there. Do you want to talk in Drainage Board? Okay. Commissioner Mosbey is with us from Warrick County, the Warrick County Commissioner.

Public Comment

President Tornatta: Alright, any public comment? Yeah, Rick.

Rick Davis: Hi, Rick Davis, Vanderburgh County Treasurer. I'm just coming today to do another public service announcement for everyone watching at home. If you watched the news last night or read the paper this morning, we received approval from the Department of Local Government Finance for a due date on the spring installment of property taxes. So, everyone at home, the due date will be June 16th. That, if you count last night's news article on television, that's a 29 day notice, which I, you know, we would like to do a little better, but I think that's pretty fair, especially

since we've given people advance notice to start budgeting for a mid-June deadline over a month ago. For everyone at home, that's also a 46 day break, considering they're normally due May 11th. So, June 16th is the deadline. Just everyone mark your calendar and please get your property taxes in by that date. You should expect a bill in the mail sometime around the end of this month or June 1st at the latest.

President Tornatta: Rick, will we get back on a schedule of May payments again?

Rick Davis: I sure hope so. I've already sent a letter to State Representative Pat Bauer. I've asked him to cordially quit tinkering with the process. There are some legislative things that are happening, and, in my opinion, it's been reactive rather than proactive property tax legislation. I had a quote in the paper Sunday, it's like an indecisive chef constantly adding and subtracting ingredients to a pie long after it should be in the oven and baking. It affects Treasurer's greatly. It affects Auditor Fluty greatly. If, I'm going to do my best to talk to Representatives and tell them this is a very reliable, dependable source of revenue for government entities to operate on, and if they continue to keep tinkering with this well into the legislative session, that makes it difficult for Treasurer's to bill in a timely manner, to give the public adequate time to brace themselves for the bill, and for the county to disperse the monies that are collected by July 1 so government entities like the libraries, and the school corporation, the city and the county can operate without having to borrow money. So, I've definitely made the legislators aware of that. I'll do my, I'm a rookie, this is my first few months in office, but from the rest of this year and the beginning of next year for sure, I will definitely try to make sure they continue to keep property taxpayers in mind with short billing notices when they're messing with property tax legislation.

President Tornatta: Any other questions? I know you and Z. have both been advocates State-wide on a lot of these things. So, I think it's in good hands.

Rick Davis: Thank you. One more thing, our website we had tried very hard to get that on-line today. It's out of my hands, I'm not an IT developer by any means. Our software developer, Manatron, has been working very hard all day long to get the website up and going. We had hoped it would be available today. They are telling me that it should be available the first thing in the morning tomorrow. At that time, people will be able to pay their bills on-line. There was an article in today's paper about the due date. Our phones were ringing off the hook today, and we had a lot of people come down and they're already paying their property taxes right now.

President Tornatta: We're assessing a ten percent fee?

Rick Davis: If you pay within 30, or if you pay by the deadline, which is June 16th, there is no fee.

President Tornatta: No.

Rick Davis: Oh, on the website?

President Tornatta: Yeah.

Rick Davis: Under \$40 there is a three dollar fee. If it's over a \$40 amount, it's a 2.75 percent flat fee.

President Tornatta: So, we're not charging anymore than the credit card amount?

Rick Davis: No, and that actually goes to a provider called Collect Max. If your bill is \$1,200, the county will get the full \$1,200. We do not give any of that to the payment provider, Collect Max.

President Tornatta: Right.

Rick Davis: But, Collect Max charges the customer on the other end of the computer, if it's over \$40 a 2.75 percent fee.

President Tornatta: Which is—

Rick Davis: It's less than it was last year actually.

President Tornatta: Right, but I mean a 2.7 is a competitive fee.

Rick Davis: Yes, absolutely.

President Tornatta: Okay, because I believe in the past to do anything government-wise, it's been ten percent of the bill, which really throws us into a position where no one wants to use that system.

Rick Davis: Right.

President Tornatta: We would like, I would like for people to use the system. I mean, I think it's great.

Rick Davis: When you factor in the time to come down here—

President Tornatta: Right.

Rick Davis: —the possibility of getting a parking ticket, gas over two dollars a gallon, 2.75 percent on an average bill is not that much. I think it's very reasonable.

President Tornatta: Do we, did we negotiate that, or is that a state policy now?

Rick Davis: It was negotiated with Collect Max, the site. They were our provider before.

President Tornatta: Okay.

Rick Davis: And since we went to Manatron, the fee actually went down.

President Tornatta: Okay.

Rick Davis: I have been told it's because Manatron has so many counties that, you know, how you buy in bulk, well, we've gone into a bulk situation with our provider for credit card billing, and it drove the price down.

President Tornatta: Okay, so, but other than that, everybody else will still be going to the same, they'll be going to the website, we get our money no matter if they pay whatever credit card fees, we don't get any bill backs?

Rick Davis: Correct.

President Tornatta: Straight up? Okay.

Rick Davis: Absolutely.

President Tornatta: Super.

Rick Davis: Wonderful. Thank you for your time and allowing me to come here and get the word out again. June 16th.

President Tornatta: Thank you, Rick.

Rick Davis: Thank you very much.

President Tornatta: June 16th, the summer/spring property tax bills are due. Alright, any other public comment? Alright, Madelyn, if you could read the consent...I'm sorry, Chris?

Old Business

Commissioner Winnecke: A couple of old business items. One of them is the paving list.

President Tornatta: Chris, if you could just address the paving list, please. Sorry about that.

Chris Walsh: Did everyone get a copy this this afternoon, of the paving list?

President Tornatta: Yes.

Chris Walsh: I've prepped several roads and I'm ready to go. I'm just waiting to get your approval on the paving list.

Commissioner Winnecke: Yeah, I was appreciative. It looks like we got a little more mileage out of, from the last list that we had seen. So, I appreciate your efforts there.

Chris Walsh: So there's no confusion, on the second page, I probably should have left that off, that sub-list, that is hoping that if the price was to change and I have some extra money, that's where we're going to go. But, the first page is the actual paving list.

President Tornatta: Okay.

Commissioner Winnecke: Do we need a motion?

President Tornatta: Yeah, we need a motion.

Commissioner Winnecke: I'll move approval of the 2009 proposed paving list as presented by the County Highway Superintendent.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. We'd, obviously, like to get this on our website, once it's approved we will put it on within 24 hours.

Chris Walsh: Okay.

President Tornatta: Any other comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Chris Walsh: Thank you.

President Tornatta: Thank you, Chris. Alright, okay. If we can, let's go back to the Burdette Park food.

Commissioner Winnecke: Mr. President, I would, I think it's good for the record, and for folks watching at home that after just a quick perusal it appears that the low bidders are the vendors to whom these contracts will be awarded in every case that I've found in a quick review. I would move that we accept the 2009 Burdette Park concession food summaries as presented by the Park Manager.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Any other comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Steve.

Steve Craig: Thank you. Come out and enjoy some of our food. It is good.

President Tornatta: We'll do that. Alright. Okay, any other business, old business?

Commissioner Winnecke: Yes. Mr. President, at our last meeting we chatted a while, or a brief period about the county's lack of policy regarding working from home. At your suggestion, and I think it was a good one, I did reach out to the elected office holders and Mr. Ziemer and Mr. Miller, actually both, have reached out to other parts of the state to find out what's going on. I have a number of comments, most office holders, I think, did respond, I thought it would be interesting just to read a few brief highlights, if you would. I think the, they run across, I'm not going to name the officeholder, unless you ask.

President Tornatta: That's okay.

Commissioner Winnecke: But, I thought I would just read a few of those. This person writes, "It's my assertion that it may benefit the office at certain times to allow specific employees to work from home remotely, or in other non-traditional means." Later in the e-mail this person writes, "I personally do not believe working non-traditionally should be a routine option that is allowed purely to accommodate an employee's individual needs, sickness or other related issues, but rather an option to accommodate the work needing to be accomplished and to do so more efficiently and effectively." Another person writes, "I can't think of any circumstances where someone would need to work at home on court time." Obviously from the judiciary. "But there may be individual cases with other officeholders that might justify something like that temporarily. I would think to do something like that on a permanent basis would violate the public's right to generally observe and keep track of what public employee's do for their salaries. Maybe a good policy would be to make a general rule that could be waived." Lastly, "I do not think working from home is feasible or acceptable concerning the county's line of work. I believe it would not behoove the county to set a precedent on working from home." Mr. Miller sent along a policy from the Indiana Department of Child Services, it's an administrative policy effective March 1, 2008, which details pretty stringently what that office allows or does not allow. Basically, extenuating circumstances such as extremely long commutes, regular regional travel patterns, employee medical conditions and departmental constraints, such as lack of office space will be factored into "telework" decisions. "Telework" is their code for working at home. "Telework" is available voluntarily on a limited basis to permanent employees who meet or exceed performance measures during their most recent evaluation. Employees who are currently on work improvement plan are not eligible for "telework". It goes on. It's three pages long. I don't know that our policy needs to be three pages long, but after a lot more thought and reading some of the input from our officeholders, but I do think it's a good idea that this county amend its personnel policy and put in place easy to understand guidelines for officeholders as to what is allowed and not allowed. I think it would be helpful if we directed the County Attorney this evening to begin drafting an amendment to our personnel policy that creates some distinct guidelines based on, I'm fine with using the Department of Child Services as a guideline. So, I think we should go in that direction.

President Tornatta: Okay, and then who would these individuals, an officeholder that had an instance, who would the clearance come from, the Commissioners?

Commissioner Winnecke: Well, I think we could do it any number of ways, but I think that's one way. We could create a policy whereby, you know, there might be a temporary, or for a brief period of time, a window where employees could work from home, but any extended period of time would have to be approved by the Board of Commissioners. I don't think that's unreasonable. Several of the officeholders have expressed concern about not making an amendment too stringent.

President Tornatta: Right.

Commissioner Winnecke: I think that's important. I think, you know, if Mr. Miller's office could come up with a draft of something, I don't know that we'd approve it necessarily at the next two meetings.

President Tornatta: Right.

Commissioner Winnecke: We might have to work on it a little bit.

President Tornatta: Right. Yeah, I mean, I want to have the officeholders held accountable, but at the same time they have to have some type of guidelines to go by. We've proven that there are no true guidelines to go by in this instance. So, I am also in favor of that. If you want to classify that as a motion, we need to—

Commissioner Winnecke: I don't know, Mr. Miller might need a little more direction than the sort of vague comments that I've given him.

President Tornatta: I think the intent is that we would take a guidelines much like the one that you referenced, turn that in to a working document that would bounce around and then at some point get the favor of the Commissioners to the point we would bring it back to this Board for a vote.

Commissioner Melcher: I would also like to see it be e-mailed to the officeholders so they get a chance to look at it too.

President Tornatta: Absolutely. I think that's fine. I mean, we all have to abide by this and I think to make a change when we don't run their offices, I'm not in favor of. So, I want to make sure that whatever we do, and as you said, this might be a multi-channeled facet and we might be working on it for a few months to get it right, but these are the by-laws that we have to go by on a day in and day out basis and they've got to be right.

David Miller: First, I would like to give credit to Gary Heck who was the fellow who dug up the DCS policy and transmitted it to me. When I read it today, it did strike me as something that could be used to be sort of a guide to what the county might do. However, the county and its various officeholders have different circumstances than DCS, and we'll try to take all of that into account and put together a recommendation and get it out for comment to everybody however you direct. Whether you want it to come to you first, or to you and the officeholders, however you want it done, we'll do it.

Commissioner Winnecke: I think, initially, it ought to go to us.

President Tornatta: Right.

Commissioner Winnecke: Then once we think we have landed on something, then I think we should get some feedback, and if it's not workable, then we would go back.

President Tornatta: Retool. I agree.

David Miller: That's fine. We'll get on it.

President Tornatta: Okay.

Commissioner Winnecke: One last comment, along these lines, I haven't gone through the personnel policy page by page yet—

President Tornatta: Right.

Commissioner Winnecke: —but on this one specific issue, but my suspicion is there's probably not an updated computer use policy in our personnel policy. Specifically how an employee or an officeholder gets access to the VPN or the virtual private network. The VPN as I've learned is essentially the vehicle by which an employee can access the office specific software, the department specific software from home. There's a relatively short list of county employees who have that access now. But, that's something, and I'm not suggesting that it's inappropriate that they have it.

President Tornatta: Right.

Commissioner Winnecke: I just think it's probably something else we need to look at in the coming months in terms of updating our personnel policy.

President Tornatta: Is there any want to just go through the policy? When's the last time we've had an updated policy?

Commissioner Winnecke: I don't know the answer to that. I suspect it's been amended over the years.

President Tornatta: I mean, is there any reason to review the entire policy with a group of six or seven to address any issues that have not been addressed? Or have we been updating it in a timely manner.

Bill Fluty: You might help me, Madelyn, but it's been—

Madelyn Grayson: I think the last time the entire personnel policy was reviewed was like 2003.

Bill Fluty: I believe that's correct, under David and Catherine, looked through it, actually held similar meetings with officeholders and department heads, looking at some of the things we were doing and looked at some of the accruals. So, there was, not a major change, but just looking at it. So, that's six years. So, with that said, there may be some things there that need to be addressed.

President Tornatta: Okay. Alright, first off on the table we have direction to the attorney to come up with something. Do we have a second on that?

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Any other comment? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: If we can, maybe we can start to look at the rest of the policies in the book, and see if there are anything that we, if there's anything in there that blatantly needs to be addressed, and, if so, we can look at our next Board meetings to bring something to light.

Madelyn Grayson: Actually, you probably need to reference the on-line version, because there have been updates that have not been reflected in the printed handbook.

President Tornatta: Okay. Okay. Sounds good. Any other business?

Gary Heck: I've got a point to make, if I may.

President Tornatta: Absolutely.

Gary Heck: Gary Heck, Health Department. The ordinance for the personnel handbook is 2.90. That's the ordinance number and it's on the Auditor's website. That's the first thing. Secondly, the VPN connection that Commissioner Winnecke was talking about has to be on a county, or an enterprise owned computer. So, it has to be a county computer that would be allowed to be taken home. I know the Health Department has a policy that a certain number of ours leave the building every night, just as a precaution, so that we have the ability to set up an office should something happen to our office, the next day when we come back in, if it's not there for some reason, we can still be able to conduct county business. So, I know that that's an important part too. Also, just to let you know that at your next meeting, on June the 2nd, will be Mr. Elder's 60th anniversary. I had talked to Commissioner Tornatta about this previously to make sure that you all were aware of it, so that should you decide to do something it would be an appropriate time. He has announced his retirement for later this year.

President Tornatta: Thank you.

Gary Heck: Thanks.

Consent Items

President Tornatta: Alright, Madelyn, if you could read the consent items please.

Madelyn Grayson: The consent items for the...I'm sorry.

President Tornatta: Yeah, um, if you want to make a motion on the consents.

Commissioner Winnecke: Yeah, I just didn't want to get too far ahead.

President Tornatta: You can do that right now.

Commissioner Winnecke: (Inaudible. Mic. Not on.)

President Tornatta: Yeah, I will take a motion on consent items.

Commissioner Winnecke: Mr. President, I would recommend that we consider the consent items as presented, exclusive of travel requests.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Any comment? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, and, I guess, there's, in red.

Commissioner Winnecke: Oh, I'm sorry. I would also make a motion to amend the consent items to include the request to redeem 805 S. Werner, tax number I.D. 10-170-18-172-025.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Any comment? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Then, okay, on travel requests. Okay. Do you have a motion on travel requests?

Commissioner Melcher: I can make a motion to approve the travel requests.

President Tornatta: Second. Any discussion? Do you have any discussion?

Commissioner Winnecke: Well, there's one in particular that I don't understand the need for, and, to be honest with you, I haven't had time to research the others, so, I intend to vote against all of them at this time.

President Tornatta: Okay. A motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1. Commissioner Winnecke opposed.)

President Tornatta: And, if you would please read the consent items as listed.

Madelyn Grayson: Alright, the consent items for the May 19th meeting are as follows; approval of the May 5, 2009 Commission meeting minutes; employment changes from the various offices; travel requests, there's one from the Health Department, one from the County Assessor, one from the County Treasurer, two for the County Engineer; the County Engineer has pay request number 79 for the Burkhardt-Green River TIF projects in the amount of \$98,214.02; the County Coroner has a request to surplus a 1993 Chevy Suburban; the County Auditor has a request to release a set of microfilm and CD records of archived Commission minutes to Central Library; the County Auditor has a request to surplus four office chairs and one scanner; the County Auditor has the May 2009 A/P vouchers; the County Commissioners have a letter to Congressman Ellsworth regarding transportation projects; County Commissioners have a request to redeem 210 Waggoner; the County Commissioners have Burdette passes for Building Authority personnel; Burdette Park has a comparison between 2008 and 2009 through April; the IBAP Gatekeeper April 30, 2009 report; Weights and Measures monthly report from 4/15 to 5/15/09; and department head reports from Burdette, County Engineer, County Highway and the Ozone Officer, and then the additional request to redeem 805 S. Werner, as the motion was made.

President Tornatta: Thank you, Madelyn. If there are no other comments. Motion to adjourn?

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(The meeting was adjourned at 5:42 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the May 5, 2009 Commission Meeting Minutes.
Letter to Congressman Ellsworth regarding Transportation Projects.
Request to Redeem 210 Waggoner. (Tax ID 11-150-22-062-015)
Request to Redeem 805 S. Werner (Tax ID 10-170-18-172-025)
IBAP Gatekeeper Report: April 30, 2009.

Employment Changes:

Health Department (3)	Burdette Park (7)	County Highway (1)
Prosecutor (4)	Sheriff Office (1)	VCCC (3)
County Clerk (1)	Co-Op Ext. (2)	Circuit Court (1)

Travel Requests:

County Engineer (2)	County Assessor (1)	Health Dept. (1)
Treasurer (1)		

County Engineer: Pay Request No. 79: Green River-Burkhardt TIF Projects.

County Coroner: Request to Surplus 1993 Chevy Suburban.

County Auditor:

Request to Release Set of Microfilm and CD Records of Archived Commission Minutes to Central Library.
Request to Surplus Four Office Chairs and One Scanner.
May 2009 A/P Vouchers.

Burdette Park: Yearly Comparison April 2008 through April 2009.

Weights & Measures: Monthly Report: 4/15-5/15/2009.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	David Miller	Madelyn Grayson
Angie Richards-Cooley	Steve Craig	John Stoll
Eric Williams	Chris Walsh	Gary Heck
Rick Davis	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JUNE 2, 2009**

The Vanderburgh County Board of Commissioners met in session this 2nd day of June, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good afternoon. We will start the Board of Commissioners meeting, June 2, 2009, room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Sam Elder: Health Department

President Tornatta: Sam Elder, would you mind leading us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

Proclamation for Sam Elder: 60 Years of Service to Vanderburgh County

President Tornatta: Sam, if you would stay up here. We're going to bang on you for a little bit. Now, Sam, exactly how long have you been at that Health Department?

Sam Elder: Well, today it makes 60 years.

President Tornatta: Can you check and make sure that mics on, Sam?

Sam Elder: Sixty years.

President Tornatta: Well, with that in mind, we would like to, the Commissioners got together and thought that this was an appropriate time to do a 60 commemoration and proclamation in Vanderburgh County. So, if you'll bear with me, if I can read it through the glare.

“Whereas, Samuel T. Elder, Jr. has served Vanderburgh County for the past 60 years-June 2, 1949 through June 2, 2009; and, Whereas, Mr. Elder worked through the consolidation of the City and County Health Departments in 1949; and, Whereas, Mr. Elder began his career with the Health Department as a food inspector and then a dairy farm inspector; and, Whereas, on July 24, 1964 Samuel T. Elder, Jr. was the first chair of the state licensing board for public health

environmentalists. Mr. Elder himself holds license number one; and, Whereas, in 1977 the Board of Health in an administrative restructuring named Mr. Elder full-time, non-medical Administrative Director overseeing the day to day operations; and, Whereas, Mr. Elder is the past president of the Indiana Public Health Association, and the past president of the Indiana Vector Control Association, and past president of the Indiana Environmental Health Association and is also the only person who has held the top position in all three of those statewide organizations; and, Whereas, Mr. Elder's last day at the Health Department will be Friday, July 31, 2009. Therefore, we, the Board of Commissioners of Vanderburgh County, Indiana recognize Samuel T. Elder, Jr. for 60 years of dedicated service to our community."

(Applause)

Commissioner Winnecke: Congratulations, Sam.

President Tornatta: If you would like to say something, we've got a minute to listen.

Sam Elder: You know, basically, this has been a wonderful place to spend a lifetime. I can't think of anything, what I guess I'm saying is I should be giving the people that have allowed me to work at something that I enjoyed very much for all these years, I think I should be giving you and them an award, instead of receiving one. I take nothing with me but good memories. I can't think, I try to think back, and, you know, sometime in an enforcement position it's not a good place sometime to make friends. But, I don't think that I've had dealings with anyone in all these years that I can't sit down and have a cup of coffee with. I've had disagreements with a lot of them, but it all worked out. Thank you so much.

President Tornatta: Thank you, Sam.

(Applause)

President Tornatta: There won't be many people, if any people work 60 years at this county. So, we appreciate all you've done.

<p>Permission to Open Bids: VC09-06-01: Concrete Repair of Various</p>

President Tornatta: Let's go back up to permission to open VC09-06-01, concrete repair of various roads.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Permission to Open Quotes: VC09-06-02: Lynch Road Erosion Repairs</p>

President Tornatta: And also VC09-06-02, Lynch Road erosion repairs.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Evansville ARC Semi-Annual Presentation</p>

President Tornatta: Alright, Deidra?

Deidra Conner: Deidra and company.

President Tornatta: Deidra and company, from the ARC.

Deidra Conner: Thank you. Sam will be a tough act to follow. He's very gracious. My name is Deidra Conner. I'm the president of Evansville ARC. Thank you for letting us come back again and give you an update every six months. It seems like those six months were just yesterday. For those of you who don't know, who may be in the audience, Evansville ARC is a not-for-profit organization, also a United Way agency, that was founded in 1954. We were founded by a group of parents who had children with special needs, but no place to send their kiddos for school. In 1954 there were no special education programs. In fact, the school corporation really didn't start offering those programs until the late 60's, early 70's. So, we started as a school for kids, and as those children grew in age and as more children stayed in the community, did not go off to institutions, Evansville ARC's programs and services

evolved to meet the needs of the community. So, you've heard us talk about our inclusive childcare center, where we serve children with and without disabilities, six weeks to six years of age. You've heard us talk about our adult daycare, or adult day program, primarily for adults with severe and profound disabilities, to offer alternatives other than work for those individuals during the daytime. I think you've heard us talk about our ISO registered manufacturing facility, ARC Industries, that gives a real world manufacturing experience for adults, even with significant disabilities. We have a variety of other programs, but, today we're really excited, and luckily for you, you don't hear from just me today. I'm the least interesting person that's up here to talk to you. You're going to hear about Community Job Link, or CJL. That is our employment services branch of Evansville ARC, where we assist individuals with disabilities in getting jobs in the community. We started that program in 1991. Since that time, we've served about 650 individuals with disabilities in getting jobs in the community. We have about 120 today that we're working with actively to get jobs and keep jobs. We have about 60 to 70 community employers that work with us in that program. So, I'm going to introduce you to Denise Seibert, who's the Development Director of Evansville ARC, and she will introduce you to our other guests here, who will really tell you what CJL is all about.

Denise Seibert: Well, you know, I have the privilege here to have with me two very special guests with me, Crystal Fetcher and Mary K. Stoermer. Crystal is involved in the Community Job Link program, and Mary K. is actually an employer that employs Crystal. So, I think it will give you a couple of different and unique perspectives that neither Deidra nor I could give you. Crystal, let's tell them a little bit about what you do. How long have you been in the CJL program?

Crystal Fetcher: Five years.

Denise Seibert: And, where do you work?

Crystal Fetcher: Central Child Care.

Denise Seibert: And, how long have you worked there?

Crystal Fetcher: It will be four years in August.

Denise Seibert: I told her, I think that's very impressive, because very few of us hold jobs for more than four years anymore. What do you do on a daily basis? What are some of your job duties at Central Child Care?

Crystal Fetcher: I change diapers, I get breakfast and lunch ready, and take care of the kids, and clean toys when they need to be done.

Mary K. Stoermer: (Inaudible).

Crystal Fetcher: Yes, when necessary.

Denise Seibert: And, what are your hours, and how many days a week do you work?

Crystal Fetcher: Forty hours, forty weeks.

Mary K. Stoermer: No, forty hours.

Crystal Fetcher: Forty hours, 7:45 to 4:45.

Denise Seibert: Monday through Friday?

Crystal Fetcher: Monday through Friday.

Denise Seibert: And, what ages do you work with?

Crystal Fetcher: Twos.

Denise Seibert: Okay, I think that right there tells you what a great person Crystal is.

President Tornatta: Wow! And for four years.

Denise Seibert: Yes, forty hours a week.

President Tornatta: I only wanted my two year old for one year.

Denise Seibert: Exactly. Exactly. What do you consider the best part of your job?

Crystal Fetcher: Getting to know the kids and their parents, and playing with the kids.

Denise Seibert: You know, how often does your CJL employment specialist does she come visit you?

Crystal Fetcher: Just whenever, once a month.

Denise Seibert: Because Crystal needs very little assistance.

President Tornatta: Absolutely. That's great.

Denise Seibert: So, it requires very little of our staff time in terms of follow along services. Mary K. is the Assistant Director.

Mary K. Stoermer: I'm the Assistant Director. I got involved with Job Link, they called and asked if we, they had Crystal who was interested in working with childcare, would I have her come in. I said what we could do is a job shadow. So, they came in and her mentor is what we call them, stayed with her for three or four hours, and came back and talked with us, and then we sat down and talked with the mentor and Crystal and gave her our expectations of what we expected from her. Now, we have two that are employed at Central Child Care, both have exceeded what we thought they would do. Both going to college, working on what we call a Child Development Associate Degree, and are both allowed to be by the children by themselves.

President Tornatta: Wow!

Commissioner Winnecke: Great.

Mary K. Stoermer: Very successful, their mentors, when they first started Crystal's mentor was there every week. And, her mentors now stay in touch with us and say is there anything that we need to work with. As I can say, both of our employees have been, I can always count on them. They're never out. They never call in for a headache.

Denise Seibert: Well, I think another unique thing to point out with Crystal here, is when she first started becoming involved with Evansville ARC, she was originally in our Successful Transition program, which is a partnership with the EVSC and Evansville ARC to work with high school students as they're leaving high school programs to figure out what the next step is going to be. Is it to get a job? Is it to attend other Evansville ARC programs? So, Crystal here is just a poster child for the Successful Transitions program and Community Job Link, because, as you can see, she worked with our transition consultants through high school, immediately after high school got signed up for vocational rehabilitation services through Voc-Rehab, and here she is today four years later working a forty hour a week job. I think a goal that any of us would have as we leave high school. So, thank you very much, and I know Deidra is going to finish up with just a few other statistics. Do you guys have any questions for Crystal?

President Tornatta: Absolutely.

Denise Seibert: I figured that.

President Tornatta: So, what's the most difficult part of your job?

Crystal Fetcher: The kids.

Mary K. Stoermer: She has 15, the ratio is five to one. There is 15.

President Tornatta: Okay.

Crystal Fetcher: Yeah.

Mary K. Stoermer: So, there's three teachers and 15 two year olds.

President Tornatta: Okay, and what's the best part of your job?

Crystal Fetcher: Hugs and kisses.

President Tornatta: And sleeping?

Crystal Fetcher: Yeah.

Mary K. Stoermer: Nap time.

President Tornatta: Alright, and Crystal, do you live at home?

Crystal Fetcher: Yes.

President Tornatta: Okay, well, great. Any other questions? Crystal, thanks for coming in.

Crystal Fetcher: You're welcome.

President Tornatta: Alright.

Deidra Conner: Of course, I always have to say a few more words. I can, we have a daycare at our office. So, when I'm having a bad day, or think I have a very difficult job, I go to the two year old room, and it makes me very grateful for the job I have.

That is a tough job, but the hugs and kisses, that's a really great reward. Well, as you can tell, you know, employment is very important to all of us. It's part of our identity. What's the first thing someone asks you typically after they learn your name? What do you do? Where do you work? That's true for all of us. When I talk to the folks that we work with at Evansville ARC and ask what do you want, what are your goals? It's typically a job, and to live in the community. So, we would like to thank all of the employers who support us and work with us. We have over 60 employers currently, and I think we have a listing of those in our newsletter that we want to leave with you, so that you know who those folks are. I do have a couple of slides. Do we have a few minutes that I can show you three slides?

President Tornatta: Sure.

Deidra Conner: Of course, I always want to....right click?

Brenda Jeffers: You can just click on the ones that you want on the side.

Deidra Conner: Okay. I can move the mouse. As I tell you every time we meet, our successes are your successes. We have had a partnership with the Vanderburgh County Commissioners since 1964. That's probably one of our longest standing funding relationships. As you probably know, we just submitted our request for the next fiscal year. I know it's probably going to be a very tough budget year, but I want you all to know how important your funding is to us. We couldn't do the things that we do without your support, because the state funding just does not meet the needs of the people we serve today. If you look at this slide, just to give you and the audience a reminder of who we serve, about 87 percent of the people we serve has a medical diagnosis, and I know this is not a popular term, but it is a medical diagnosis of mental retardation or developmental disability. But, we do serve people with autism, cerebral palsy, you'll see the other includes brain injury, learning disabilities, a variety of other disabilities. So, not everyone looks alike, not all of the needs are the same. You can see the primary diagnosis, less than half of the individuals we serve are considered a mild disability, if they have an MR/DD diagnosis. The individuals we serve typically, that more than 49 percent, need assistance with feeding, toileting, ambulation, lots of medication. So, just to give you a flavor of some of the work that we do and the needs that are there. In addition, this is new information to me, only 25 percent of the people we serve have one diagnosis. Many have two, three and four diagnoses. So, again, just to give you a flavor of its complex needs, lots of hand over hand assistance, lots of medication administration, and not just a cookie cutter approach. Individuals have different needs, and they each have an individual plan. So, it's a very diverse group, and a group that needs significant support. But, as you've heard me say before, state funding has not been consistent. Our expenses continue to rise, I'm sure yours do too, utility bills, medical plan benefits for our employees, wages. So, our expenses are increasing while state funding is either level or decreasing. So, that you can see, in 2000 approximately 53 percent of our funding came from the state. Which means Medicaid or line item state dollars. Today that's less than 32 percent. So, from your perspective, maybe the amount of the grant that you provide to us is not significant, to us it is very significant. We appreciate your support. The funding that we get from you allows us to serve people with very complex needs. It is greatly appreciated. Do you have any questions for me? For Denise? For Crystal? For Mary K.?

President Tornatta: Anything?

Commissioner Winnecke: Thank you for all you do.

Deidra Conner: Thank you.

President Tornatta: Thank you, Deidra.

Deidra Conner: We sincerely appreciate your support, more than we can express.

President Tornatta: Thank you.

Reading of Bids and Quotes:
VC06-09-01: Concrete Repair of Various Roads
VC06-09-02: Lynch Road Erosion Repairs

President Tornatta: Alright, County Coroner?

Ted C. Ziemer, Jr.: I've got the results, and then John wants to look through the Lynch Road bids and make a recommendation tonight, I think, if you want to receive them now.

President Tornatta: Okay. Annie, if you'll just give us about a minute here. Okay.

Ted C. Ziemer, Jr.: Okay. Thank you. For Lynch Road erosion control, we have four bids. Blankenberger Brothers, \$7,180; Koberstein Contracting, \$28,603; Allen Rellecke Excavating, \$7,273; and Deig Brothers Construction, \$24,175.

Commissioner Winnecke: Mr. President, I'll move that we take those under advisement.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Questions, discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Then, for concrete repair to various roads Hazex Construction, \$763,650; J.H. Rudolph, \$554,397; M. Bowling, Inc., \$626,634.48; JBI Construction, \$502,577; and Rivertown Construction, \$509,887.

Commissioner Winnecke: Mr. President, I'll move that we take these under advisement.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Coroner: Quotes on Landscaping, Windows and Roof
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President Tornatta: Madame Coroner.

Annie Groves: Hi, Annie Groves, Vanderburgh County Coroner. I have sent you all three different items; the landscaping the building and the glass, the windows. There has been a second, I've had to add another thing of, with the landscaping. He had only sent the first page, and actually there are two pages to it.

President Tornatta: Okay, and I think we got that up here, if I'm not mistaken.

Commissioner Melcher: From Stocker?

President Tornatta: Yeah.

Commissioner Melcher: We've got that.

President Tornatta: Okay.

Annie Groves: I do have layouts if anyone would like to see what they're going to look like, what they've proposed. You know, what all three companies proposed.

President Tornatta: Alright, now, on the landscaping, was there any type of, did they do any service after it's installed?

Annie Groves: Well—

President Tornatta: Was that not—

Annie Groves: —Stocker's a little bit more, but I would like to recommend that one, because he will for two years come back and fertilize the plants to make for sure that they, you know, grow healthy for....so, he will install them, next year come back and fertilize, the following year come back and fertilize. So, for two years he will go ahead and fertilize the plants. Where, I don't have that with the other two.

President Tornatta: Right, and were all the plants that you looked at, obviously, we didn't get a chance to—

Annie Groves: Would you like to see the layouts?

President Tornatta: I guess, what I'm wanting to know first off, were they all the same size? Was that criteria in the bid spec? Or was this just going over it and giving their best estimation of what we needed?

Annie Groves: It was basically them giving what they thought we needed. The things that we'd asked for, what I'd asked for is something that we could have color all year long.

President Tornatta: Okay.

Annie Groves: Different plants that we could have color all year long.

President Tornatta: Right.

Annie Groves: Very low maintenance plants.

President Tornatta: Yes, and your recommendation on this one is?

Annie Groves: It would be Stocker because of the two year follow up.

President Tornatta: Okay.

Annie Groves: I'm happy with whoever you all pick.

President Tornatta: Okay. Next one then?

Annie Groves: Okay, on the building, my recommendation would be Key Construction for a couple of reasons. One, they're the lowest price, and two, they built the building, but all three of them are good.

Commissioner Winnecke: Two was what?

Annie Groves: They built the building originally.

President Tornatta: Okay. Okay.

Annie Groves: Then, on the glass, I recommend Seimer's, even though they are a little bit higher, if you look on page, on the other one, I don't understand their comments what they mean down there. It just appears, it sounds like they would just weather proof, and something else would have to be done by someone else. So, I'm not, I don't really understand the quote that they sent us.

President Tornatta: Siemer's or the other?

Annie Groves: Lensing, yeah.

President Tornatta: Okay.

Annie Groves: If you look at the very bottom there, I don't know what their comments mean by that. I have contacted them and I still don't know what their comments mean by that.

President Tornatta: Okay. Alright. Let's see here. Okay. Anything else?

Commissioner Melcher: We've got two (inaudible).

President Tornatta: Anything else at this time?

Annie Groves: That's all I have at this particular moment.

President Tornatta: Alright. Would it be the recommendation of this Board to take these under advisement? Or, do you have a clear thought on where you would like to go with the project? Or take the recommendation of the Coroner?

Commissioner Winnecke: Mr. President, I would like to review them. I mean, I just saw them late this afternoon. So, I think, I would recommend that we take them under advisement until our next meeting.

President Tornatta: Make that in the form of a motion?

Annie Groves: May I ask one thing?

President Tornatta: Yes.

Annie Groves: Can we move on with the windows? I'll tell you why, we've got, there is a major gap in it, and I've ended up with a major ant problem that it's taken us several weeks to get the ant problem under control. We've kind of done a little band-aid approach to that window. It was bad to start with, and then when we had that bad storm it opened it a little bit more with the condensation. So, I've ended up with a really bad ant problem. So, if we could expedite that one.

President Tornatta: On the construction, that was just the roof, correct?

Annie Groves: That is the roof, gutters—

President Tornatta: Gutters, right.

Annie Groves: Uh-huh.

Commissioner Melcher: She's talking about the glass.

President Tornatta: I understand. If, do we have a problem with the landscaping at this time? Or do you still...the only reason I say, we're a little time sensitive at this point.

Commissioner Winnecke: To me, the landscaping, I mean, based on previous discussions, I mean, I think we have expense requests coming down the pike for refrigeration and/or air conditioning, I mean, I think we have some more important expense categories coming, I would assume relatively soon.

Annie Groves: I can respect what you're saying, but if you would like, I would show pictures of what that building looked like last year in June. The weeds were up to everyone's knees. We have people that the only thing they see in Evansville Indiana and Vanderburgh County is our building. They come in to pick up personal needs. Right now we have the weeds under control, you know.

President Tornatta: The one part, I mean, I was out there and told you that the landscaping—

Annie Groves: Last year we received complaints.

President Tornatta: —is a problem.

Annie Groves: We received complaints last year. You know, they called the Commissioners office several times, people did, so.

Commissioner Winnecke: Yeah, I guess—

Annie Groves: I respect whatever you all want to do.

Commissioner Melcher: Did they call because the grass wasn't cut?

Annie Groves: No, they called because the weeds were so high, because we have no plants.

Commissioner Melcher: I understand, but, who takes care of the weeds? Who cuts the grass?

Annie Groves: We have someone that cuts the grass, we take care of the weeds. Last year the County Highway came out when they got knee high and sprayed, and then work release came and pulled all the weeds.

Commissioner Melcher: So, whoever cuts our grass doesn't do that?

President Tornatta: No.

Annie Groves: No, they do not.

President Tornatta: No, no, they run a pass by on the grass, and that was it.

Annie Groves: What happened is, there has been no landscaping since 1991. No updates, no nothing. So, all the netting under there, it no longer exists.

Commissioner Melcher: I'm okay with the glass this evening. I agree with Siemer's, I've dealt with them a lot.

Commissioner Winnecke: Help us understand what we're doing with the glass. I mean, just reading these quotes, I guess, I don't follow what they're doing.

Annie Groves: Well, they're installing new windows in three different areas. It's all about, we're just paying for the labor, because fortunately the windows that they installed have like a, I think a 20 year guarantee to them. So, we need to pay for all the labor, shipping, insulation, and then the actual window itself is so called, has a warranty on it.

Commissioner Winnecke: So—

Annie Groves: The reason I don't have the three quotes for that, is there is only two companies in town that can do that work with that warranty.

Commissioner Winnecke: Well, it looks like, maybe I'm just not reading this correctly, but it looks like on the Siemer's quote that they are charging for material for windows for two clear insulated glass units, but the other one, the other quote is calling for three. They have a unit price also.

Annie Groves: Well, if you want me to be real honest, Steve Lockyear handled this and he is off this evening.

Commissioner Winnecke: Well, I just—

Ted C. Ziemer, Jr.: Commissioners? I haven't seen any of this, and it's not necessary that I do, but I just had a word with the Purchasing Agent for the county and I don't know whether there have been compliance or they indicate that they are going to comply with MBE/WBE requirements. If we've taken three quotes, we can award to the lowest and best quote. I don't know that if you feel that you're in a position, and I understand what you're saying about the ants, but I really think maybe we'd better take this under advisement and it would be two weeks, the next meeting.

Annie Groves: I have no problem with that.

Ted C. Ziemer, Jr.: Yeah, it's going to be in two weeks.

Annie Groves: Whatever you all do, I respect whatever you need to do.

President Tornatta: Let's go with the first motion, the first motion was to take these bids under advisement. Do we have a second?

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Okay.

Annie Groves: Also, I have a 6:00 meeting, I don't know if any of you have a question on the memorandum of understanding with Community Tissue that I could answer, because I'm going to have to leave.

President Tornatta: Not at this time.

Annie Groves: Okay.

President Tornatta: Okay?

Annie Groves: And the travel request, any questions on that?

President Tornatta: Where you going?

Annie Groves: Indianapolis.

President Tornatta: Okay.

Annie Groves: State mandated meeting, Coroner's conference.

President Tornatta: State meetings are fine.

Annie Groves: Thanks.

President Tornatta: Thank you.

Receive Construction Inspection Proposals for University Parkway

President Tornatta: County Engineer, receive construction inspection proposals for University Parkway. Is John out? We're going to skip him right now.

Ted C. Ziemer, Jr.: Well, we have the proposals here.

President Tornatta: Okay, sorry, okay.

Ted C. Ziemer, Jr.: I think, all we need to do, none of the proposals mention dollar amounts, they are just proposals to do the work. So, I think if we just read into the record who the proposals have been received from—

President Tornatta: Okay.

Ted C. Ziemer, Jr.: —and then it would be appropriate to take them under advisement. We have proposals for this from Level Five Engineering, Bernardin Lochmueller Associates, Cripe Architects, Corradino Group, Beam Longest and Neff, and Strand Architects.

Commissioner Winnecke: Do we want a motion?

President Tornatta: Uh-huh.

Commissioner Winnecke: Mr. President, I move that we take those under advisement.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Permission to Award Copy Paper for Cooperative Purchasing Organization</p>
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President Tornatta: Alright, permission to award copy paper for Cooperative Purchasing Organization to River City Industrial and Resource Services. Jim Harris is here to present a brief Power Point to illustrate the projected savings from the previous years prices.

Jim Harris: Hi, good evening. Okay, tonight I bring before you the 2009 copy paper bid. It's the first bid that's done in conjunction with our purchasing agreement that we've done together, or co-op between the EVSC, the city and the county. As you can see, we've broke the categories down to white copy paper, colored paper, greenbar, which the city and county use, two ply, three ply. These are all the companies we send bids out to and who showed interest. Responses came back from Alstadt Office City, Office Max, Resource Services, River City Industrial Supply, and Royal Office Products. The estimates that you'll see here are based off of 12,000 cases; 7,000 are EVSC, and the remaining are split between the city and county. The low bid for white copy paper came in from River City Industrial Supply at \$25.50 a case. Resource Services had the low bid for the two ply, green bar and three ply paper. So, we're going to recommend splitting the bid and the award to go to Resource Services and River City Industrial. As you see here, the current price paid is \$32.90. If we accept the River City price of \$25.50, EVSC and the city and county will receive a 22.5 percent decrease, or savings. Based off of current estimated usages of 12,000 cases, the city and county will save a relative \$37,000. The EVSC saves almost \$52,000. We recommend River City Industrial Supply for the white and various colored paper, and Resource Services for the greenbar, two ply and three ply. Let me make note, because of the requirements for delivery, we only can use local businesses. We do just in time delivery, we don't warehouse, so those semis bringing pallets of 3,000 cases of paper don't happen anymore. We deliver once a week. We take orders once a week by Wednesday, deliveries are done by the following Friday. So, no long distance, Cincinnati, Louisville, St. Louis companies are even considered in this. They may show interest, but they don't bid. Any questions?

President Tornatta: No. Do you need a motion?

Jim Harris: Yes.

Commissioner Winnecke: Mr. President, I'll move to accept the recommendation on the paper bids.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second to accept the reco....any discussion?

Commissioner Melcher: Yes, you said they were going to go ahead and deliver it, are they going to deliver to the Civic Center and the school corporation, or is it all going to the school corporation?

Jim Harris: No, it goes to individual locations.

Commissioner Melcher: That's great.

Jim Harris: To the door.

Commissioner Melcher: Thank you.

Jim Harris: To the door, just in time, what's happening, what the system we're setting up is, you, all the departments place an order to EVSC Purchasing. We compile all the orders, we submit one order to the company, so they're not bombarded with 60 phone calls or e-mails saying I need this, I need that.

Commissioner Melcher: So, they're handling all the deliveries?

Jim Harris: Yes.

Commissioner Melcher: That's great.

Jim Harris: The billing is handled individually though.

Commissioner Melcher: I got 'ya.

President Tornatta: That recommendation is from the Purchasing Organization to River City Industrial and Resource Services, Incorporated. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Jim.

Jim Harris: Thank you.

Commissioner Winnecke: Thanks, Jim.

President Tornatta: Appreciate it.

**Regional Work Force Board: Local Elected Official Agreement
Health Department: Amendment No. 2: AIDS Prevention Grant
Prosecutor: FSSA: Adult Protective Services Agreement: Amendment #1
Superior Court: Exacutrack Service Agreement: BI Incorporated
Coroner: Tissue Services Agreement: CTS-I
Sheriff: DOC Grant Agreement for Community Corrections**

President Tornatta: Contracts, agreements and leases, Commissioners, Regional Work Force Board, local elected officials agreement 7/1/08 to 6/30/10. Agreement for the period of July 1, 2008 through June 30, 2010. The purpose of the agreement is to provide a method for selecting a designated County Commissioner and the Mayor of Evansville as elected officials. The local elected officials acting together shall appoint a member as the business representative to the Regional Work Force Board using criteria set forth in the agreement. The local elected officials together shall select from among themselves an elected official to represent their interests in the Regional Work Force Board. Ron Keeping informs us that this has always been the Mayor, and the agreement has been prepared to reflect that. I think, what I would like to see is a motion to approve a person from this Board and the Mayor on this agreement, with the agreement.

Commissioner Winnecke: Mr. President, at this time I would move that we appoint you from this body to represent the Commissioners.

Commissioner Melcher: I'll second it.

President Tornatta: If you'll also include the agreement to allow the Mayor to be the designee.

Commissioner Winnecke: And, I'll amend the motion to include the Mayor to be the designee.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Health Department, revised AIDS prevention grant amendment number two. Correction to the typo in the amendment signed on May 5, 2009 in the last line of the first paragraph to read December 31, 2008, and should have read December 31, 2009.

Commissioner Melcher: I make a motion we approve it.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: County Prosecutor, Adult Protective Services contract agreement number one to grant EDS #A345-8-82-08-PB-1253. The amendment serves to increase the grant amount of \$285,592 by \$142,796, to a new total of \$428,388, and extends the grant period by 12 months to June 30, 2010.

Commissioner Winnecke: Move to approve.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Superior Court, Exacutrack agreement with BI Incorporated for house arrest services and addendum to agreement. The agreement is for one year, but will roll over from year to year unless terminated by giving sixty day notice prior to the end of any one year period. In addition, the agreement may be terminated at any time by either party on the giving of sixty days notice, advance notice of termination from the terminating party to the other. The cost of the agreement will be \$5.90 per unit, per day of use. The Superior Court indicates that funds have been appropriated to cover these charges at this time.

Commissioner Winnecke: Mr. President, I'll move that we approve the agreement and the addendum to the agreement.

Commissioner Melcher: I'll second all that.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: County Coroner, agreement with Community Tissue Services Indiana regarding tissue services. The agreement is a revision of the memorandum of understanding that was sent by County Tissue Services Indiana to Annie Groves, the Coroner. Since a memorandum of understanding is actually a contract, and since the memorandum of understanding did not contain certain provisions that we like to see in the county contracts, insurance language, independent contractors language, it has been rewritten. The rewritten form makes it more clear as to the duties of the parties in the agreement and the consideration to be paid to Community Tissue to the Coroner.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: The Sheriff, grant agreement EDS# D25-10-057 is a grant of \$1,265,129 for the Community Corrections grant fund. The grant runs from 7/1/09 through 6/30/10. There are various obligations on the part of the grantee set forth in

the grant, and the Sheriff's Office will be in the office to perform these obligations on the part of the grantee.

Commissioner Melcher: I'll move we accept the grant agreement of EDS #D25-10-057.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Attorney

President Tornatta: Alright, Ted, anything else to open over there?

Ted C. Ziemer, Jr.: No.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: We're set.

President Tornatta: Anything else? You're covered?

County Engineer

President Tornatta: John Stoll?

Commissioner Winnecke: Mr. President, while he's coming to the microphone, maybe this would be the appropriate time to address the speed limit issue. I would make a—

John Stoll: That's what I was going to bring up.

Commissioner Winnecke: —motion to, based on the recommendation of the County Engineer, to lower the speed limit on North Green River Road from Millersburg Road to Surry Way to 30 miles an hour.

Commissioner Melcher: I'll second that motion.

President Tornatta: A motion and a second. Any discussion? John?

John Stoll: That would just be consistent with the rest of the Green River project. So, I'm glad to see it. We'll get the signs taken care of.

President Tornatta: Sounds great. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Also, along the speed limits, with Eastbrook, Clove and Ridgewood, they need to be, those 20 mile an hour speed limits need to be extended for another 30 days out there, or until the project completion, whichever comes first. Right now Oak Hill and Bergdolt is slated to be open again by the end of the month, but if we got it open, I mean, if it got finished, obviously, we would open up sooner. So, we just need to extend the speed limits until the project is finished, or if it got delayed I would be back here again next month requesting an extension.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, the final item, I would like to request that you award the Lynch Road erosion repairs to Blankenberger Brothers for \$7,180.

Commissioner Winnecke: I'll make that motion.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Any discussion?

Madelyn Grayson: John, is there anything they need to sign tonight?

John Stoll: I've got it here. I'll give it to you in a second.

President Tornatta: Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Tornatta: The other bids are under advisement?

John Stoll: Yeah, we'll have to go through their—

President Tornatta: Right.

John Stoll: —there's quite a bit more to go through. The Lynch Road only had eight pay items, so it was pretty easy to go through pretty quickly.

President Tornatta: Okay, and what items are taken care of on the concrete bid?

John Stoll: Copperfield, Romain Park and Whispering Tree in Wynn Circle out in Autumn Winds.

President Tornatta: I'm sure there's probably 55 or 60 people that will be very happy with that.

John Stoll: That part is, based on the numbers we just heard, I don't think that's going to leave us any money to turn around and try to do anything in Evergreen. So, that will have to carry forward to another, till next year.

President Tornatta: Well, we've got to work with our Highway Engineer—

John Stoll: Right.

President Tornatta: —to be able to go in and do any patching.

John Stoll: Right.

President Tornatta: Okay.

John Stoll: I've been talking to Chris, and he is going to try and pursue that in the meantime.

President Tornatta: Super. Thank you very much.

Commissioner Winnecke: Thanks, John.

John Stoll: Thanks.

Building Authority: F&B Fund Request: Signage at the Centre
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President Tornatta: Chris, anything from you? Okay, Dave Rector?

Dave Rector: Good afternoon, gentlemen, Dave Rector, Building Authority. Would like to request approval, or a motion to approve Food and Beverage Funds for revised signage at the Centre on the interior and on the exterior.

President Tornatta: Okay.

Commissioner Winnecke: In what amount, David?

Dave Rector: We have estimated pricing of about \$16,500. I would like to ask for \$20,000 for unforeseen circumstances, but, of course, knowing we won't spend that if it's not necessary.

President Tornatta: Alright.

Commissioner Melcher: Okay, I'll make a motion to approve.

Commissioner Winnecke: At \$20,000?

Dave Rector: Please.

Commissioner Melcher: That's what he said.

Commissioner Winnecke: Okay, second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Dave Rector: Thank you, gentlemen.

President Tornatta: Thank you.

Commissioner Winnecke: Thanks, Dave.

Gary Heck: Health Department

President Tornatta: Any other department heads. Gary?

Gary Heck: I have a presentation.

President Tornatta: Oh, absolutely. Sorry about that.

Gary Heck: You already know that Mr. Elder, today is his 60th anniversary as a Vanderburgh County employee. We can go through these parts pretty quickly, but these are the elected officials and Board of Health members for this year. A little bit about the national public health logo to increase national identity for public health. The mission statement of the Vanderburgh County Health Department, which picks up on three of the important things for the national public health, which is to promote, protect and to prevent. This is actually the third health officer, but in the scrapbook, he's the one that had the most pictures that we could find that we were still able to do something with. This is Dr. Brockmole. He assumed the post, he was the communicable disease medical director, left to take another position, and then came back about a year later when the opening was there. In 19, April 20, 1961, the annual report had five points that they wanted to work on; that was the adequate funding, to hire qualified personnel who was going to enforce local meat and meat products ordinances, private sewage disposal ordinance in the city to one that was now serving in the unincorporated areas of the county, to approve the method of rubbish and garbage disposal, to eliminate the breeding places for insects and rodents, and the possibility of having a city owned and operated incinerator, to have an overall rodent control program in place, and to have an insect control program in place. Some of those things, from there, carry on in this very, are used everyday still in the public health department. In 1961, the Vanderburgh County, or the Evansville-Vanderburgh County Health Department was cited as the number two in the nation, it came in second in over 1,200 health units. This was in an award in the food sanitation program for using paper products as a way of preventing disease and improving sanitation methods. The City Council approved the transfer of the dog pound to the Health Department, this was back on July 3, 1961. This was when the Health Department was under the city control. They hired the first TB control officer for the Health Department on July 12, 1961. Mr. Elder was quoted on the day when it was raining mosquitos and his staff couldn't get out to work. This is July 1969, they had rain and rain and rain constantly, and he was afraid of what was going to happen if they couldn't get out to try and take some control of it. In 1970 the nursing division within the Health Department was started. Prior to that time there was a contract with the Public Health Nursing Association, which is now the Visiting Nurses Association. Under the contract they provided the nursing services for the Health Department up until this point. In 1972 we had three new Board of Health members. One of them was Dr. Jane Hoopes Orr, who later became the health officer. Mr. Elder celebrated his 50th birthday at the sewage treatment plant. This is a picture from the newspaper article, and it's kind of an interesting story. I don't know if you can tell from there, but the reporter was Paul McAuliffe, who went on to some, I don't know, bigger and better things, but at least he did some other things in his

newspaper career as well. In this particular article he does point out that Mr. Elder did receive the highest score on the licensing exam for the environmentalists, which earned him that number one certificate. Mr. Elder is the only person to serve as the past president of all three of the public health, and we heard this previously in the proclamation, these are the logos of those various, and I didn't get the date of the Environmental Health Association, but I'm sure Mr. Elder can clear it up and tell us when he was president of that group, and we can add it so that we have it correctly in our capture here. This is Mr. Elder back in 1987 when the Asian Tiger mosquitos were working their way through the west side of Evansville. There was a big tire dump out there, and Mr. Elder, I'm sure, can tell the story better than I, but, apparently, these mosquitos came from tires that came from Asia. They traveled inside the tires and worked their way over here. The Asian Tiger mosquito, it's my understanding, they usually don't travel more than 450 feet from their base, but their base will move if the tires they're living in move. That's how they got here to begin with. He was quoted as saying that they had a different bite. "It bites all day long. All day long, and it's a ferocious bite. If you had a bite from that mosquito you would always remember it."

President Tornatta: We don't sell those in our tires.

Gary Heck: We don't sell, no, we don't do those. Oh, at Tornatta, oh, that's good to know. I put this one in here because, it's hard to tell, but the County Attorney back in 1987 was David Miller. His name just barely made it on this particular end here. The longest serving Board member currently on the Vanderburgh County Board of Health is Dr. Bruce Romick and he was appointed in 1983. In the same year he took over leadership of the Vanderburgh County Medical Society. He still is serving today. Excuse me, 1987 was the third year of the Get the Lead out of Kids program. This is just a newspaper photo of one of the public health nurses that was taking the sample. It goes on to talk about, excuse me, the program in the next article. The actual lead ordinance in the city was passed in 1988. Vanderburgh County was the success story for the infant mortality program back in 1988. They had, Vanderburgh County had the best score of, the lowest infant mortality in that case, of any other metropolitan area in the state. These are some photos, oops. In this particular one, 1989 was when there was a state law change that was going to allow for only one Health Department per county, and the impact it eventually had on Vanderburgh County was that the Vanderburgh County Health Department went from the Evansville-Vanderburgh County Health Department to the Vanderburgh County Health Department and became under the Commissioners control. I put this one in for two reasons. One of them, well, you see Ted Ziemer there. He happened to be presenting that honor.

President Tornatta: Do you wear contacts now?

Ted C. Ziemer, Jr.: No.

President Tornatta: Those are huge glasses.

Ted C. Ziemer, Jr.: I know it.

President Tornatta: I mean, you still look good, Ted.

Ted C. Ziemer, Jr.: I don't need them anymore.

Gary Heck: Oh. Well, anyway, that's in another profession of his. In 1989 the process began for the county to take over control of the Health Department, and it took a while because it had to do with, well, to look at all the job classifications and writing all the new job classifications. We're still operating under those today, at this point. In 1991, Vanderburgh County received an award for excellence in public health, and you all can tell which one is Mr. Elder in the picture. I think that's Brett Townsend is on the left and David Gries, the environmental foods supervisor is next, and Mr. Elder, and then Dr. John Heidingsfelder. This is an article that Roberta Heiman wrote about Mr. Elder in, at his 50th anniversary with the Health Department, June 2, 1999. Very interesting reading. It talks a little bit about all of the things that he's faced so far in his career. Five years later, when we moved into the Oak Park Professional Building, the Board of Health presented Mr. Elder with a plaque that's still hanging in the building. How many health officers have you served under, Mr. Elder?

Sam Elder: Eight.

Gary Heck: Eight, there's eight health officers, and how many Mayors?

Sam Elder: Nine.

Gary Heck: Nine Mayors. He said some of them were short timers, of the Mayors, they might have filled out someone else's term, or whatever. These are all the various Board of Health members that we have records of. We just listed them, there's seven members on the Board, we just listed them as A, B, C and D. This is the succession of how they proceed across. This is the Vanderburgh County Health Department. This is the Health Department's awards that have accumulated over the years. This is a list of all those various awards. This is two of them for an extraordinary effort in promoting and protecting public health. These are in the immunization area and in the, we call it foreign travel, it's called the international travel clinic Indiana State Department of Health certificate. This is Mr. Elder at our open house on June 5, 2005 in his office. That concludes the, thank you so much for the opportunity to remember 60 years pretty quickly.

President Tornatta: See how fast it went, Sam.

Gary Heck: I guess, you all can disconnect me. Thank you.

President Tornatta: Thank you.

Ted C. Ziemer, Jr.: Thank you.

New Business

President Tornatta: Okay, still under new business, there was, I did receive a letter from Jonathan Weaver rescinding his latest request for travel. So, just bringing that up to date with the Commission. We did approve a travel request for him last week, but he did find out that there might be something closer, or he's going to look for something closer. The last one was Alabama. So, he's going to rescind that, but with thanks to the Commissioners for approval. I did get a letter just to let us know that guardrail was installed near 7380 Upper Mt. Vernon Road. Just got a thank you letter from the residents out there for the safety measure. So, thanks to the

Commissioners and Chris Walsh for getting that going. I believe we have an appointment, a resignation letter for Don Walker. Steve, if you'll—

Commissioner Melcher: Don Walker resigned. As you know, he was appointed through a caucus to be a City Council representative, which he took over last night. We do have another appointment to replace him. It's Kenneth Overton. He's from organized labor also, like Don Walker was, so we're keeping the tradition of keeping that. So, I would like to make a motion that we accept him as our Parks Board appointee.

President Tornatta: Okay.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Also, under new business, I would like for the Commissioners to look into, there are some funds that I've identified that are sitting in an account. These funds have been sitting in the account for a while. I would like to identify those for parks in the county, and have the Commissioners send some information in to Marissa, which would get the dialogue going. I would like to see some of those monies go to parks in the county that would benefit youth programs for, Steve, I know you've done something like this in the city. It would be on capital projects. So, if there was a county park that's not being funded by the county, that would need a capital project on a one dollar to one dollar basis. We have some funds in there and it would be the criteria of this Board, or it would be developing the criteria for this Board to do a dollar for dollar basis of a capital project for kids in youth, either a youth program or to help youth health. So, if we can think about some criteria you would like to have and get that to Marissa or to me. I would like to start something sooner than later to get the kids back out on the playgrounds.

Commissioner Winnecke: How much money and what fund are you talking about?

President Tornatta: There's a fund in the DMD office that has some money in it that I think we can use toward a project, or projects to help either get park equipment out on a playground. Or, if there's a request for capital, we would be able to use that toward helping these parks grow, flourish and get people out to these parks and give them, kids something to do, if that's the case. I've heard of some requests from some different parks that don't have funding and would like to see some type of equipment put out. If these are people that are raising money right now, if they do

a dollar, if we match them dollar for dollar up to like a \$5,000 amount, I think it would help them along to get park equipment set in some of these parks. As you know, there's McCutchanville Park, Motoux Park are a couple that come to mind right now. I know there's, obviously, a park out in, at the 4-H Center that gets a lot of use, and we want to be able to help them out if they're raising money and have a dollar for dollar.

Commissioner Winnecke: I'm not sure how much is in the fund. I mean, I don't necessarily disagree with you, but I know one project that has been on the front burner, back burner, front burner, I think it's more on the back burner now and that's the proposed softball/baseball complex. I don't know where that stands in its proposed life with the Evansville Convention and Visitors Bureau, but, I'm not opposed to spending some of the money the way you described, but depending on the amount of money in that fund I could see us also making a contribution to help further that project. That's been, that could have some real long term recreational and economic gain for the community.

President Tornatta: And I have had conversation with some members from the CVB. What I've asked them to do is to come to us on an individual basis and go over some of the needs that they have. I would like to talk with them and go over needs that I think that we would like to see on our side. Then, at that time, we could potentially talk about what our ideas are versus their ideas versus the funding mechanisms. But, I agree, that's something that (A) you're getting places for kids to play, and we have a sincere need for more soccer fields, more baseball fields, just a couple of fields to think of. So, I agree, and we will look into that as well.

Commissioner Melcher: I would be in favor if it's just capital only, not labor. That's kind of what we did in the city. We had a sports grant program, and we had caps on it and we only limited so much per year. So, it doesn't get out of hand. So, I would be interested in that.

President Tornatta: This would, essentially, be our parks stimulus program. But, as you said, we would have criteria on it. We also, I would believe it would be, right now I would look at it as a one year stimulus, and if there were funds that would roll over and we would have additional funds, we would address that at that time. But, I would not count on any organization that would request any funds to expect that they would be a year after year rollover.

Commissioner Melcher: And, also what we did, we had them bring us quotes so we knew how much it was. We just didn't take their word for it.

President Tornatta: Okay. Any other discussion?

Old Business

President Tornatta: Any other old business? Alright.

Consent Items

President Tornatta: I need a motion for the consent.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion for consent. If you would please read the consents.

Madelyn Grayson: The consent items for the June 2nd Commission meeting are as follows; the May 19, 2009 Commission meeting minutes, the May 19, 2009 department head meeting notes, employment changes from the various offices, travel requests, there's one from the County Auditor, four from the Health Department, one from the County Coroner; the Commissioners have requests to redeem property from 307 S. Grand Avenue, 307 Ridgeway Avenue, 1638 Shadewood Avenue; Commissioners Old Courthouse roof repair proposal from Midwest Roofing; the Commissioners lobbyist activity report; Commissioners Parks Board resignation letter; the County Engineer has approval of pay request number 80 for the Burkhardt-Green River TIF projects in the amount of \$41,733.77; the County Highway has their annual operational report; the Building Authority has a request to surplus various items from the Centre; the County Clerk has the April 2009 monthly report; the County Assessor has a request to surplus various office equipment; the Sheriff has a request to surplus nine vehicles; the County Treasurer has the April 2009 year-to-date report; Evansville ARC has an April 2009 report of activities, and there are department head reports from Burdette Park, the County Engineer, the County Highway and Ozone Officer.

President Tornatta: Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you.

Rezoning Petitions

**First Reading: VC-7-2009: Petitioner: Alstadt Plumbing Service
Address: 2118 Harmony Way
Request: Change from R-1 and Ag to C-4 with UDC**

**Final Reading: VC-5-2009: L&S Properties, LLC
Address: 6301 Old Boonville Highway
Request: Change from M2 to M1 Zone
Action: Approved 3-0**

President Tornatta: Janet, rezoning. First reading, docket number 2009-15-PC VC-7-2009, address 2118 Harmony Way, request rezoning from R-1 to agricultural zones to a C-4 zone with a use and development commitment. Did I take the words out of your mouth?

Janet Greenwell: Very eloquently. Janet Greenwell with the Area Plan Commission. We have one petition tonight for final hearing. It's VC-5-2009. L&S Properties is requesting to downzone their property at 6301 Old Boonville Highway. That's a one plus acre lot on the south side of Old Boonville, just west of Burkhardt. They're requesting to downzone. It's currently the site of a construction company, RCI Construction. They are wanting to do multi-tenant offices in addition, and the zoning classification, because of a little glitch in the zoning ordinance is too high. So, they are requesting to bump the zoning to M1. It is in compliance with the comprehensive plan. It projects the area as industrial. The Plan Commission voted May 14th to approve it unanimously.

President Tornatta: Janet, do we need to approve the first reading now though?

Janet Greenwell: Okay.

President Tornatta: Approval of the first reading.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second for first reading of docket number 2009-15-PC VC-7-2009. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Okay.

Janet Greenwell: Okay. What I just said.

President Tornatta: We're through to the point to where we're probably—

Janet Greenwell: Ready to see if there are any petitioners that want to speak maybe.

President Tornatta: Petitioners for the—

Janet Greenwell: Rezoning.

President Tornatta: —rezoning. Come on up, Mr. Lamb.

Richard Lamb: It's scary when you know me by name. Yes, Richard Lamb with L&S Properties.

President Tornatta: Alright, if there's anything that she did not explain that you would like to talk about.

Richard Lamb: No.

President Tornatta: Then you don't have to say anything.

Richard Lamb: As long as we can get her rezoned so that we can have multiple tenant—

President Tornatta: Okay.

Richard Lamb: —offices instead of just construction and manufacturing.

President Tornatta: Okay. Alright, any remonstrators at this point? Seeing none. I would probably—

Commissioner Winnecke: Motion to approve.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. That's where you walk away very happy.

Richard Lamb: That made me happy.

President Tornatta: Any other comments? Questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: I'll entertain a motion to adjourn.

Commissioner Winnecke: (Inaudible).

Public Comment

President Tornatta: Oh, sorry. Public comment? I apologize, I'm getting ahead of myself. Yeah, absolutely, come on up.

Tom Titzer: I have a problem, or we have a problem in our neighborhood.

President Tornatta: Could I get your name and address?

Tom Titzer: Tom Titzer. I'm sorry.

President Tornatta: What? I'm sorry.

Tom Titzer: Thomas Titzer.

President Tornatta: Okay.

Tom Titzer: 2921 Eastview Drive.

President Tornatta: Okay.

Tom Titzer: I'm not familiar with all this—

President Tornatta: That's okay.

Tom Titzer: —paraphernalia, but I will hand these out to you.

President Tornatta: Sure.

Tom Titzer: We have a neighbor out there who back in 1989 wanted to apply for an M1 zoning so that he could run a tune up, brake job business in his garage. If you will notice on this picture, the yard and the drive and the garage is on one side of his lot, and the house is on the other. Over the years, since 1990, he has had numerous complaints about having too many cars parked on various parts of his property that was not zoned M1. He's had to move them several times, different places. I don't know where he moved them to, a couple of times they were just over the hill in the neighbor's backyard. But, this has been going on constantly ever since he has had this rezoned. If you'll see on that red pencil mark I have, that is on the residential part of his property. He drives cars across that drive and back into the garage and parks them outside, which is according to the zone he is not allowed to use any part of his property other than the part that is zoned M1. He has been consistently doing this. The gentleman I talked to at the zoning commission down the hallway here said something about, well, we cannot fine him because he's in violation, and it's too expensive to take him to court, and just la, la, blah, blah, blah. He's gotten away with this all these years. I and the neighborhood strongly

recommend that his zoning be rezoned back to the residential part so that his business is eliminated and we don't have to put up with this anymore. I do have pictures that I'll drop off and you can look at those later that shows the houses and cars parked behind his house. Also, on Eastview Drive, at the end of Eastview Drive, which used to go into the airport, he's had cars, as many as eight cars parked at the end of that road. If you can see the side of the house and the front of his garage, this has been going on consistently, and everytime I go in here to complain about it, why we get the same old excuse, we can't do anything about it. I don't know why if you're violating a zoning ordinance, why it cannot be resolved some way or the other. So, there again, I want to repeat that I would really like to see that zone remitted, or demitted, or eliminated to where he can no longer run a business and have cars running up and down the street at all hours of the night and day. I would ask you to resolve this some way or another. If you have any questions—

Madelyn Grayson: Mr. Titzer, can I have those pictures for the record?

Tom Titzer: Yes, Ma'am.

Madelyn Grayson: Okay.

President Tornatta: Janet, give us a little assistance here. A lot of times I just like an avenue to travel, not necessarily the answer to my problem.

Janet Greenwell: I wasn't aware that Mr. Titzer was going to appear here tonight. So, I'm not 100 percent prepared, although I'm very familiar with this property. I've been out there quite a few times myself with the Westside, Eastside inspector. While I recognize that Mr. Titzer has complained continuously, the property has not been continuously in violation. It has repeatedly crept into violation, what we could consider a violation. We have contacted him, he has completely removed all cars. We've inspected, verified that it's brought into compliance. Unfortunately, six months, a year later it happens again.

Tom Titzer: Two weeks later, a week later, it's all back....and the gentleman, who is your inspector that comes out?

Janet Greenwell: Joel.

Tom Titzer: Joel?

Janet Greenwell: Uh-huh.

Tom Titzer: I was in there yesterday and Joel said he had been there three weeks ago, and according to what I observed looking out my driveway, every time I leave there's been no reduction of vehicles in there. It's just continuous. Recently, I would say in the last six months or longer, there's never been a car that has been removed from the violation area. I'm sorry.

Janet Greenwell: I understand what you're saying. However, this body did approve an M1 zoning on a limited area of that land. There is not a lot we can do when Mr. Loehr uses the M1 zoned portion of his land for his business. The county zoning ordinance does not restrict access across agriculturally zoned land. It restricts access across residentially zoned land. It's residentially used, but it's agriculturally zoned.

President Tornatta: Janet, after a certain period of time and after there is violation cited—

Janet Greenwell: Yes, we have—

President Tornatta: —I guess, what I'm wondering, is we see, from what I heard you say is we go out there and we say you're in violation, and then he doesn't do it for six months and then we go back and say you're in violation. In what I normally think we would do, whether it's a speeding ticket or a ticket outside the Civic Center, we might say, hey, if you don't know this is a parking space that is timed, and maybe the first time we run across somebody we would say, you know, you're in violation but we're going to let this one slide, don't let it happen again. But, if this is a habitual problem, I think that at some point we do need to address that with some type of fine mechanism.

Janet Greenwell: We are, our office is currently working on a new fine ordinance to address these very things, where we have repeated violations. Our office is trying to bring compliance. We're not out to get fines.

President Tornatta: I understand.

Janet Greenwell: But, we've come to the realization that perhaps fines might open people's eyes and make our compliance a little quicker and more lasting.

President Tornatta: Right.

Janet Greenwell: We have, I'm kind of at a loss because I just came, I've been on vacation and just flew in last night.

President Tornatta: Right, and I don't think I'm asking for anything this second.

Janet Greenwell: Yeah.

President Tornatta: But, I would like to address just the notion that if this is a habitual offender, then the next time we go out there and find that he's in violation, then he has a fine. He either does it or he gets fined again.

Janet Greenwell: Our boss feels the exact same way.

President Tornatta: Yeah.

Janet Greenwell: Mr. Mills has told Joe that, you know, we're not going to keep playing the back and forth game. Empty threats are just that, empty threats. We will be seeing court action if we find cars. We have to be able to establish that those cars are there to be worked on, not his own private vehicles. He does own several vehicles.

Tom Titzer: You have pictures. You know by looking at those pictures that he doesn't own all those cars. I would like to clear up the fact that what she said about the drive that you could use the drive to get back to your business, but the thing of it is, he doesn't take them inside of a building. They're just sitting outside. He only has 15 feet from the garage building to where the zone is, and you cannot park a car in 15 feet without being overextended on that residential or agricultural property. So,

technically, taking a car back there is still a no-no according to the zone that's involved.

President Tornatta: Okay, Janet, when do we feel like we're going to have the ordinance prepared?

Janet Greenwell: Blaine Oliver is working on it now.

President Tornatta: Okay.

Janet Greenwell: He has it in draft form. We're trying to work out the amounts that we're going to ask—

President Tornatta: Okay.

Janet Greenwell: —the City Council and the Commission to approve for our fines.

President Tornatta: Would he, what I don't want to do is kind of reinvent the wheel. I know we've done this on the animal ordinance, I know we've done this in the Sheriff's Department on other ordinances. If it would help Blaine, maybe check with the Sheriff.

Janet Greenwell: He has.

President Tornatta: Okay, so we've got that. Okay, good.

Janet Greenwell: He's working with other departments, trying to, understanding that land use issues are a little bit different and subject to slightly different ways of dealing with things.

President Tornatta: Okay.

Janet Greenwell: Right now our only recourse is through the courts, which means we file a suit, we have several months before we even get a hearing—

President Tornatta: Right.

Janet Greenwell: —and then it goes back into the courts with the attorneys for a year. It's not (Inaudible).

President Tornatta: Mr. Titzer, it sounds like, if you can, hold off for a little bit, let them get this fine scenario locked down, and I think it will help with your problem.

Tom Titzer: Well, it's been almost 20 years. It's 2009 from 1990, and according to the way things have been going, you don't need a zone, a zoning permit to have a business. If you look at what scenario has been going on in this area here all these years. When this was first okayed, which we made a mistake, we believed Jim. He was supposed to have parking for five cars. Five vehicles, and you can see by those pictures that's about only a third of what he has parked on his property at any one time. Sometimes more, sometimes less. As far as waiting and waiting and waiting for some of this stuff to take effect, he'll be out of business by then. So, but I would still maintain that if the person violates a code for that many years—

President Tornatta: Right.

Tom Titzer: –to me he has forfeited his right to keep on doing business there.

President Tornatta: I understand, but that's not the law, and we have to work with the laws that we are given at this time. If we can change the law of how we go about the practice of penalizing these individuals, I think that we're going to get a lot farther than trying to do changing back, or try to go through the process of changing back.

Tom Titzer: Well, I don't know why they haven't taken him to court–

President Tornatta: Right.

Tom Titzer: –long before, because the one gentleman down there said something about it, well, we would take him to court but it takes too long.

President Tornatta: Right.

Tom Titzer: It takes too much expense and all that. But, that's, you know, it has to be done.

President Tornatta: Right.

Tom Titzer: Thank you.

President Tornatta: Thank you.

Commissioner Winnecke: Thank you, Mr. Titzer.

President Tornatta: Any other public comment? Alright, now do you want to wait until Drainage Board?

Paulette Senning: Well, I did want to put something on the record right now.

President Tornatta: It will be on record. It will be on record just the same, but we'll be talking about the drainage side of things, and I think that's what you want, correct? Drainage? Okay.

Paulette Senning: I did want to say thank you for lowering the speed limit on Clover Drive.

President Tornatta: Okay. Alright. If there are no other public comments, motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: All in favor say aye.

All Commissioners: Aye.

(The meeting was adjourned at 6:25 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the May 19, 2009 Commission Meeting Minutes.
Approval of the May 19, 2009 Department Head Meeting Notes.
Requests to Redeem Property: 307 S. Grand, 307 Ridgeway Ave & 1638 Shadeland
Old Courthouse Roof Repair Proposal: Midwest Roofing.
Phillips & Phillips and Long & Mathies Lobbyist Activity Reports.
Don Walker's Parks Board Resignation.
Evansville ARC: April 2009 Report of Activities.

Employment Changes:

Sheriff (2)	VCCC (1)	Prosecutor (1)
Legal Aid (1)	County Clerk (9)	Assessor (2)
Circuit Court (2)	Burdette Park (9)	Co. Highway (1)

Travel Requests:

Auditor (1)	Health Department (4)	Coroner (1)
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County Engineer: Pay Request No. 80: Green River-Burkhardt TIF Projects.

County Highway: 2008 Annual Operational Report.

Surplus Requests:

Building Authority: Various Items from the Centre.
Sheriff: (9) vehicles.
County Assessor: Various Office Equipment.

County Clerk: April 2009 Monthly Report.

Treasurer: April 2009 Year-to-Date Investment Report.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Sam Elder	Deidra Conner	Denise Seibert
Crystal Fetcher	Mary K. Stoermer	Annie Groves
Jim Harris	John Stoll	Dave Rector
Gary Heck	Tom Titzer	Janet Greenwell
Richard Lamb	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JUNE 16, 2009**

The Vanderburgh County Board of Commissioners met in session this 16th day of June, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright, we would like to call to order the Board of Commissioners meeting, June 16, 2009 in room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

**Pledge of Allegiance: Danielle Ripperton
Koch Family Children's Museum of Evansville**

President Tornatta: Danielle Ripperton? If you'll come up and honor us with leading us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Tornatta: Good evening.

Danielle Ripperton: Good evening. Thank you all so much for having me here this evening to talk a little bit about one of the events coming up. I am from the Koch Family Children's Museum of Evansville, fondly referred to as CMOE. To date we have seen over 191,000 visitors at our downtown location opened September 29, 2006. So, I thought that was an important thing for everyone to note. Part of how we make CMOE affordable for the community is through contributed revenue. Approximately 50 percent of our budget comes from contributed revenue. One of the items that we employ is special events. Upcoming on Saturday, June 20th is the CMOE Discovery Dash. It's a children's foot and wheelchair race for children age 0-12. It's a fun day, kids everywhere, they each win a medal, a t-shirt, a goody bag, and then the top three dashers in each age and gender division also win a trophy, which is exciting for those kids as well. There's an awards ceremony afterwards, and Mike Blake is our emcee. So, that's a lot of fun. This is a great event for families, so I appreciate you all giving me a few minutes to talk about it so that families out there might be able to hear about the dash as well. New this year, we're incorporating a children's health fair from 7:30 to 11:30 in the morning. That will incorporate community health partners who will have interactive activities for the children to go through and participate in. Late registration for the event is this Friday from 10:00 a.m to 5:00 p.m. at CMOE. Then, the race itself is actually at Harrison High School track, and you can do late registration from 7:30 to 8:30 a.m. at Harrison High School. The race starts at 9:00 a.m., and families are usually out and

can enjoy the rest of their day. With their medal they get in free to the Children's Museum that day. So, they can bring it down to CMOE to enjoy the museum as well. Thank you all very much.

President Tornatta: Sounds great. Any questions of Danielle? Thanks for coming out.

Danielle Ripperton: Thank you.

President Tornatta: Alright.

Substance Abuse Council Presentation

President Tornatta: Action items, Substance Abuse Council presentation. Shateka Woods?

Shateka Woods: Good evening, gentlemen. My name is Shateka Woods, and I am the program director for the Substance Abuse Council. I wanted to come this evening to share with you some progress that we have made over the last year. In 2007 we were awarded a grant from the Substance Abuse and Mental Health Services Administration. It was awarded actually to the office of the Governor, and also the Family Social Services Administration. What this grant, they were charging us to look at our county, make sure that we are evidence based, meaning that we've got current, local data to provide for our planning and also grant writing for the county as a whole. To date we have completed our report, which I have submitted a hard copy, as well as a copy on disc for each of you to view at your leisure. The report will be available for all community agencies. It highlights the use of alcohol for youth in our community among the ages of 18-25. It also looks at some of the risk factors and the protective factors that are here in Vanderburgh County. So, we hope that this document will be readily used by community agencies, for profit, not-for-profit, for community planning, and then also, as I said, to leverage additional dollars for programs and services for our community.

President Tornatta: How does our community stack up to others around us?

Shateka Woods: In terms of use?

President Tornatta: Yes.

Shateka Woods: Of alcohol?

President Tornatta: Correct.

Shateka Woods: I would say that we have a rather high rate. Just a couple of stats off the top, the local college rate, I believe it's about 80 percent that reported using alcohol within the last year. Among our high school seniors, that number is roughly about 40 percent, and I would say it's about 30 percent for high school sophomores.

President Tornatta: Now, then, if we go to other similar cities or similar areas, do we see the same type of numbers? Or are we still higher?

Shateka Woods: Well, we didn't really look at other cities. We compared our data to the State of Indiana, which our rates were significantly higher than the State rate,

and then also the National average for use among those age groups as well. That is included in the report.

President Tornatta: Okay. Alright, anything else?

Shateka Woods: We're having a release breakfast on July the 2nd from 7:30 to 9:00 a.m. at the Centre. It is free. It is open to any community agency, community leader that would like to come and hear a little bit more about the report, and then also receive a copy of that. If you all know of any agency, organization, or individuals that could use this report, it is free of charge. So, you all have my business card, please have them contact me, because we would like to spread this throughout the community.

President Tornatta: Alright.

Shateka Woods: Thank you for allowing me to come.

Commissioner Winnecke: Quick question. To what extent have you partnered with Youth First, either on this survey or other projects?

Shateka Woods: They were on our, on several of our work groups to complete this initiative. They've been very instrumental. We do have, there's a list of agencies as well in the report that have participated in the process.

Commissioner Winnecke: Will they be part of the release breakfast on the 2nd?

Shateka Woods: They will.

Commissioner Winnecke: Okay, thank you.

Shateka Woods: They will.

President Tornatta: Thank you, Shateka.

Shateka Woods: Thank you.

President Tornatta: Alright.

City-County Byrne Justice Assistance Grant (JAG) Program Award

President Tornatta: Resolution approving the agreement between the city and county regarding the 2009 Byrne Justice Assistance grant program award.

Commissioner Melcher: I'll move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Request to Close Road: 7200 Block of Ridgeway Avenue

President Tornatta: A request to close road, 7200 block of Ridgeway Avenue on 4th of July for neighborhood block party and fireworks display.

Scott Anderson: Good afternoon, folks. If I had remembered we were on t.v. I would have not worn shorts.

President Tornatta: Just, give us your name real quick.

Scott Anderson: Scott Anderson.

President Tornatta: Alright, Scott.

Scott Anderson: Every year, I'm not sure how many years we've been down here requesting to close this road, I think maybe this is the sixth or seventh year that we've done it. Basically, what we do is we just take a section of Ridgeway and close it off for an entire neighborhood cookout, block party, and then in the evening we do have fireworks.

President Tornatta: Okay, and I believe everything is submitted?

Ted C. Ziemer, Jr.: Yes, unless your son is going to be setting off the fireworks, in which case we'll have to increase the limits of the liability.

Scott Anderson: No, he won't be.

Ted C. Ziemer, Jr.: Alright, fine.

President Tornatta: Okay, what's his name? We've got to get it on the record.

Scott Anderson: What's your name?

Christian Anderson: Christian.

President Tornatta: Christian? Anderson?

Christian Anderson: Anderson.

President Tornatta: Okay, alright. Christian Anderson. Any other questions of this Board?

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Have a great time.

Scott Anderson: Thanks, guys.

President Tornatta: Okay.

**Health Department: Breastfeeding Peer Counselor: Jennifer James
County Engineer: ESRI ArcView Software Maintenance Agreement
Sheriff: Statewide Medical Services Agreement and Addendum
City-County Central Dispatch Computer Housing Agreement**

President Tornatta: Contracts, agreements and leases. Health Department, breastfeeding peer counselor contract with Jennifer James. I believe that per the contract Ms. James will provide counselor services for a fee of \$9.50 per hour, a fifty cent increase over the hourly rate for last year. It will continue until terminated by either party on the giving of written notice of termination.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: County Engineer, ESRI maintenance quote for ArcView software maintenance. It provides for maintenance for a period of one year, 9/15/09 to 9/14/10 for price a of \$700. I believe we have all the funds in place.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Statewide Medical Services agreement to provide medical waste services and addendum. The agreement provides for a monthly flat fee of \$107.84 for the services. It further provides that if the Sheriff wishes to purchase sharp containers from Statewide there will be an additional fee for that. Under the terms of the agreement with a provision for the county to indemnify Statewide from liability and a provision providing for a service charge if any monthly payment was not paid on time. The addendum to the agreement serves to limit the county's indemnity liability and delete the services charge provision.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Commissioners, agreement with Central Dispatch and the city-county for housing disaster recovery computer hardware/software for computer services. The agreement permits city-county Computer Services to house disaster recovery software in a designated area at Central Dispatch.

Commissioner Winnecke: Mr. Chairman, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Engineer

President Tornatta: Okay, department head reports. John?

John Stoll: First I have an IDEM permit application that needs your signatures. It's for the Burdette Park bike path project. This is the IDEM water quality certification that needs to go in as part of the permitting process for the entire project. So, I need your approval on that.

Commissioner Winnecke: Move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, second, I would recommend that contract VC09-06-01, concrete repair of various roads, be awarded to JBI Construction in the amount of \$502,577. They were the low bidder on the project.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Give me that number one more time.

John Stoll: \$502,577.

President Tornatta: No discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, last, I have a change order on the Oak Hill Road-Bergdolt Road intersection project. This is for an increase of \$623. The purpose of that is to change a man hole casting from a solid lid to an open grate to try and capture some more run off in the southwest corner of the intersection.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

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

President Tornatta: Have a great day.

Commissioner Winnecke: Thanks, John.

John Stoll: Thanks.

County Attorney

President Tornatta: Alright, under new business....any other department head reports, by the way? Okay.

Ted C. Ziemer, Jr.: Do you want to do the County Attorney?

President Tornatta: Yeah, let's go ahead and do that here.

Ted C. Ziemer, Jr.: I have two items. The section, chapter 1.4, or 1.14 of the county ordinances permits the Commissioners to authorize any person that they want to designate to enforce certain ordinances. We suggest the Commissioners consider approving a motion that would authorize the County Engineer, or his designee, to issue citations for fines and penalties for enforcement of ordinances under which the County Engineer is the designated enforcer.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: The second matter is that currently under the lease between the Commissioners and the Veterans Council for the Coliseum space, the lease provides that the Council will insure the building for \$800,000 for fire and extended coverage. The Commissioners, I mean, the County already insures that property for fire and extended coverage with a \$100,000 deductible. We could do one of two things, either increase the deductible from \$100,000 to \$800,000 and let the Veterans Council continue insuring it for \$800,000. That would save the county about \$1,000. On the other hand, if we lower the amount of fire and extended coverage required of the Council from \$800,000 to \$100,000, leaving the county

insurance as it is, that would save the Veterans Council \$2,500. We recommend that the lease be modified to reduce the fire and extended coverage required of the Veterans Council from \$800,000 to \$100,000. Also, the lease provides, currently provides, that the Veterans Council will have liability insurance in the amount of \$100,000 for each injury, \$300,000 for each accident, and \$5,000 property damage. That's far too low under today's general coverage limits. The Council currently is maintaining coverage for one million dollars general aggregate, one million dollars for leased premises and one million dollars for personal injury. We recommend amending the lease to provide that the Veterans Council will maintain liability insurance at the amounts they are presently providing, and that is okay with them.

Commissioner Melcher: I would like to go on record, I'm Commander of the Veterans Council in Vanderburgh County. Our Council is the one that's been looking at ways about trying to help the Coliseum. They're the ones that made this suggestion. So, I'm going to abstain from the vote tonight so it won't be perceived in any which way or fashion.

Commissioner Winnecke: Mr. President, I'll move that we accept the County Attorney's recommendation to modify the leases as recommended.

President Tornatta: And, I'll second the motion. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Abstain.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1. Commissioner Melcher abstained.)

President Tornatta: Okay. Super.

New Business

President Tornatta: Under new business, requests for Burdette Park pool passes for the World Changers group for July 15th. Steve, if you'll make your way up here I'll kind of explain what we've got. The World Changers group will be in Evansville to rehabilitate homes for low income and elderly homeowners from July 11th through the 18th. They've done this in the past. There will be approximately 300 youth volunteers. Doug Ohning with DMD submitted this request, and was asked to attend today, but was unavailable. So, we asked Steve to tell us, typically, what 30 to 50 people take advantage?

Steve Craig: Yeah, they come to Evansville, I think, and work for six days and they have a free day. They pretty well offer them, I think, the option of doing anything they want in the city, but they do bring some of them out to the park, some of them drive to the park. In the past we've had 50 of them maybe, sometimes more, we make 300

passes available, because there's 300 kids, or around that amount. So, if they all would want to go swimming, they could, but some of them have other interests than swimming. So, it's just something that we give back to them, because they come and work on underprivileged people's homes, dilapidated houses. They come in and do a great job. We offer that to them on their one day of recreation that they have.

Commissioner Melcher: It's really a great program. These kids, it started about eight years ago, I think, here in Evansville, and they actually pay, I think they pay \$1,500 to come here. They have to earn that money. They can't, their parents can't give it. So, they have fundraisers and they earn the money to come. So, it's a great thing for our community. So, I'll make a motion to approve it.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? We do appreciate all that they do when they come here. So, obviously, we'll extend our arm in accordance. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Steve Craig: Thank you very much

President Tornatta: Thank you, Steve.

Commissioner Winnecke: Thank you, Steve.

Old Business

President Tornatta: Under old business, anything? I've got a couple of things. We talked last time we were here about our parks stimulus fund. We've kind of narrowed it down to around \$50,000 that we will look to give ten parks matching funds up to \$5,000 on matching funds. This would be for parks that raise private dollars and use no public dollars outside of the incorporated city of Evansville. So, that would be, for instance, a Moutoux Park, or a McCutchanville Park. I think we've identified two or three other parks since we've talked about it. But, just for instance, and maybe even the 4-H Park, that comes to mind. So, anybody that has submittals we would ask you to submit those to the County Commissioners office. They will be taken and distributed amongst the Commissioners and the staff in the Commissioners office and we will then look at your project that you submitted. At that point we will decide if it's worthy, and through the criteria that we've established. If

it's not, we will send you a letter saying so. If it is, we'll ask you for your matching funds, up to \$5,000.

Commissioner Melcher: My understanding is this is going to be for capital projects?

President Tornatta: Capital projects only.

Commissioner Melcher: Does this have to be a non-profit organization?

President Tornatta: Yes.

Commissioner Melcher: So, they should bring in their 501(c)3, and insurances and stuff?

President Tornatta: They might not have a 501(c)3.

Commissioner Melcher: Okay.

President Tornatta: You do not need a 501(c)3 for this. Any other questions of the Board? Okay. The next is the wrapping up of the Walking to Freedom program that we had. Almost three months ago we started Walking to Freedom in Vanderburgh County. It caught on pretty quick. We had 31 teams, I believe, of five. The Commissioners threw out the challenge to try and let these other offices beat us, and they did.

Commissioner Winnecke: Only ten.

President Tornatta: But, ten or eleven. Ten or eleven, so—

Commissioner Melcher: Ten.

President Tornatta: Ten, alright. We have an opportunity to finish eleventh. But, we were good sports and we kept on walking. A lot of steps, and not a lot of elevators, not a lot of escalators, but it was a great opportunity to recognize health in our community and health in the Civic Center. So, I appreciate all the employees of Vanderburgh County that took advantage of this opportunity and used it to potentially drop a couple of pounds, potentially to get in better physical fitness. Obviously, we would like to see it because it helps us make sure that we are leaders in our community, especially in the health care area. So, any other questions or comments on that?

Commissioner Melcher: I think we ought to touch on that we did it because of the Freedom Festival. The Freedom Festival, that's why it's ending. It starts actually, it will start Thursday at 11:30 at Old National Bank will be the opening ceremonies and it will go through the weekend. It's going to be kind of like what the West Side Nut Club, instead of bringing in for profit groups, it's going to be non-profits. For the first time children under 15 are going to get in free. All the veterans are allowed to get a band free to come in. To do that they've got to go down to 318 Main, the old Evansville Store, which is GAGE to get it. All the arm bands are \$15, and they can get them at any bank or anything.

President Tornatta: And any not-for-profit that is still selling the bands get a two dollar a band bonus back to their not-for-profit. So, I really think they set things up,

they've got a concert series, I think it's going to take off. We still have the boats downtown and a lot of acts. So, I know Lloyd's on GAGE, anything else?

Commissioner Winnecke: No, you guys have covered it all.

President Tornatta: Okay. Alright, and just a last reminder, if, those of you who are computer savvy, or maybe not so much still, we're on Facebook, the County Commissioners. So, if you want to get any of our agenda items, you can go on to Facebook and be a friend of the County Commissioners and get any updated information that we would have.

Parks Stimulus Fund Program Revisited
--

President Tornatta: Probably need to go back to the parks stimulus fund and just vote on accepting the premise of the idea and the \$50,000 and the \$5,000 matching grant.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Public Comment

President Tornatta: Any public comment?

Consent Items

President Tornatta: Alright, I need a motion to approve the consent items.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: If you will read those please.

Madelyn Grayson: The consent items for the June 16th meeting are as follows; approval of the June 2, 2009 Commission meeting minutes; approval of the June 5, 2009 Executive Session summary minutes; approval of the June 5, 2009 department head meeting notes¹; employment changes from the various offices; the Commissioners request to redeem properties at 308 Sherman and 913 West Florida Street; Burdette Park's yearly comparison from January to May between 2008 and 2009; the Sheriff has a request to retain damaged vehicle for parts, it's a 2008 Crown Victoria; the County Engineer, approve pay request number 81 for Burkhardt-Green River TIF projects in the amount of \$858,351.21; the Commissioners have a Simplex Grinnell smoke sensor replacement at Old Courthouse; Commissioners, Key Government Finance disbursement; the Assessor has a request to surplus one Sony camcorder; the County Auditor has a request to surplus three office chairs; the County Highway has a request to surplus two computers; the Health Department has a request to surplus two printers and one fax machine; and there are department head reports from Burdette Park, the County Highway, County Engineer and the Ozone Officer.

President Tornatta: Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: I would like to entertain a motion to recess and start our Drainage Board meeting before closing this meeting.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

¹The correct date for the department head meeting was June 2, 2009.

President Tornatta: Yes.

(Motion approved 3-0)

(The Commission meeting was recessed at 5:25 p.m.)

The Drainage Board meeting was conducted with public comment concerning drainage issues in the Oak Hill-Bergdolt area from 5:26 p.m to 6:30 p.m.

(The Commission meeting was reconvened at 6:30 p.m.)

Commissioner Winnecke: I would make a motion to resume the Board of Commissioners meeting.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. All in favor say aye.

All Commissioners: Aye.

President Tornatta: If there are no additional public comment, I'll ask for a motion to adjourn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: All in favor say aye.

All Commissioners: Aye.

(The Commission meeting was adjourned at 6:30 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the June 2, 2009 Commission Meeting Minutes.
Approval of the June 5, 2009 Executive Session Summary Minutes.
Approval of the June 2, 2009 Department Head Meeting Notes.
Request to Redeem Properties: 308 Sherman & 913 W. Florida.
Simplex Grinnell Smoke Sensor Replacement at Old Courthouse.
Computer Services: Key Government Finance Disbursement #14.

Employment Changes:

VCCC (1)	Recorder (1)	County Assessor (1)
Burdette Park (5)	County Clerk (1)	County Highway (2)
Sheriff Office (1)	Health Dept. (2)	Prosecutor (1)

Burdette Park: Yearly Comparison: Jan through May 2008-2009.

Sheriff: Request to Retain Damaged Vehicle for Parts: 2008 Crown Victoria:
VIN #2FAHP71V18X169433.

County Engineer: Pay Request No. 81: Green River-Burkhardt TIF Projects.

Surplus Request Letters:

County Assessor: One Sony Mavica Camcorder.
County Auditor: Three Office Chairs.
County Highway: Two Computers.
Health Department: Two Printers and One Fax Machine.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Danielle Ripperton	Shateka Woods	Scott Anderson
Christian Anderson	John Stoll	Steve Craig
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
JUNE 30, 2009**

The Vanderburgh County Board of Commissioners met in session this 30th day of June, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Okay, welcome, everyone. This is the Board of Commissioners meeting, June 30, 2009 in room 301. Roll call, call to order.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Sue Schriber: Public Education Foundation

President Tornatta: Okay, and for those of you who can't see, we have a bunch of camouflaged orange and yellow shirts standing around the perimeter of the room. That's because this is the cast of South Pacific, the EVSC's yearly production that they put on during the summer. The director is Sue Schriber. So, Sue, if you would come up. (Applause).

Sue Schriber: I direct them, but (Inaudible. Not at mic.)

President Tornatta: Absolutely. We see Terry Becker in the audience, both of which I've had the pleasure of studying or singing or—

Sue Schriber: When you were just a baby boy.

President Tornatta: Just a baby boy. So, anyway, first off, if you would please honor us by leading us in the Pledge of Allegiance.

Sue Schriber: Thank you very much.

(The Pledge of Allegiance was given.)

The cast of South Pacific performed “God Bless America”.

(Applause)

Sue Schriber: We would like to invite all of you to join us July 9th through the 12th, right across the street at the Centre for South Pacific. Thank you for your time.

President Tornatta: Thank you. Thank you, Sue. Appreciate it. (Applause). As she said, Thursday, July 9th at 7:30 p.m.; Friday, July 10th at 7:30 p.m.; Saturday, July 11th at 7:30 p.m.; and Sunday, July 12th at 2:00 p.m. That is at the Centre. We thank you all, and break a leg. Now, that's what I call getting the meeting started. Okay. Good acoustics and everything. Okay.

**Permission to Open Quotes: VC09-07-01:
Baehl Road Culvert #1242 Replacement**

President Tornatta: Permission to open quotes VC09-07-01, Baehl Road culvert number 1242 replacement.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

2009 Continuing Disclosure Undertaking Agreements

President Tornatta: Alright, action items, County Auditor 2009 continuing disclosure undertaking agreements. I think those were sent to us via e-mail. If there are no questions, I would entertain a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Madelyn Grayson: Commissioner, we need to have these signed now so that they can be sent out Fed Ex to Umbaugh.

President Tornatta: Okay.

American Structurepoint Presentation: Burdette Park Expansion

President Tornatta: We have an American Structurepoint presentation, Burdette Park expansion. Are we ready for that today?

Steve Craig: I do not see anybody here.

President Tornatta: Okay, we'll see if Kevin can come back and do that at a later date, maybe on the 7th. Just get it organized, Steve. Appreciate it.

County Coroner: Permission to Seek Bids for Building Repairs

President Tornatta: County Coroner, permission to seek bids for building repairs. Coroner Groves?

Annie Groves: I would like to ask for \$88,500 for the following repairs that need to be done to the building.

President Tornatta: Alright. As listed, a roof, paint the outside of the building, the gutters, landscaping, walk in unit, air conditioning for the pathology area, windows and security system were a few of the upgrades. Where do you stand on a process? Have you done, have you found the vendors for these?

Annie Groves: Well, what I want to do is ask if we could bid those out.

President Tornatta: Okay.

Annie Groves: It seems that that's how the Council wants those done.

President Tornatta: Okay.

Commissioner Melcher: Would that be bid out through the school corporation?

Annie Groves: Well, Deb might be....Deb should be.

Ted C. Ziemer, Jr.: Through the Central Purchasing Organization.

Annie Groves: Yeah.

Commissioner Melcher: Okay.

Ted C. Ziemer, Jr.: Which includes the school corporation.

Commissioner Melcher: Alright.

President Tornatta: Commissioner?

Commissioner Winnecke: Annie, just a couple of quick questions. The \$19,000 proposed expense on a walk in unit, is that the cooling?

Annie Groves: Yes, that's our refrigeration where everyone stays when they are there.

Commissioner Winnecke: The, in your opinion, does the \$88,500 represent the total needs of the building?

Annie Groves: I think those are pretty accurate. I have received price checks on all of these. So, I'm pretty sure that's right in the ball park.

Commissioner Winnecke: Okay, but there are no other major repairs outside of these that you know of?

Annie Groves: Yeah.

Commissioner Winnecke: Okay, thank you.

President Tornatta: We approved something already, did we not? Or, did we hold off everything?

Annie Groves: We held off everything.

President Tornatta: Okay. Alright. Okay, and, I guess, it's the wishes of this Board, if this wants to be a, if there are some things that we would like to see done quickly, and some things we would like to see phased in.

Commissioner Melcher: Well, right now I think she's just asking to bid it. I would think that, we would wait to get that.

President Tornatta: Okay.

Commissioner Melcher: I think let's just do what she's asking. So, I'll make a motion that she could take this to Purchasing and have them bid these items out.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Annie Groves: Thank you.

President Tornatta: Alright.

Commissioner Winnecke: Thanks, Annie.

Request to Close Mahrenholz Road: Night Flight Race
--

President Tornatta: Request to close Mahrenholz Road between Schutte and Mahrenholz Drive for July 18th Night Flight race. Mike? Mike's in the audience. Mike, let's pump up your race a little bit. Tell us about it? Hold on, come on up to the microphone. We're giving you front row.

Mike Hillyard: The event is called Night Flight. This will be, I believe, the 31st annual running of the event. It's a four mile race at night, on the campus. There is a small section of Mahrenholz Road from Schutte until it proceeds into the campus, if you're familiar with, and, Troy, I'm sure you are, that will be taken up for about 45 to 60 minutes for the race.

President Tornatta: Alright, and then if somebody wanted to run in this race how would they do so?

Mike Hillyard: Yeah, actually if you go to www.gousieagles.com –

President Tornatta: Okay.

Mike Hillyard: –you can find an entry form there online. They're also all over town, Bob's Gym on the east side, the west side, YMCA downtown, eastside, Gilles, Swift Athletics, there's plenty of places that you can pick those up. You can register the day of the event, starting at 6:30 p.m. in the Physical Activities Center, or you can pre-register by mailing that in.

President Tornatta: Okay, and then how much is registration?

Mike Hillyard: It's \$20. If you register late, if you pre-register before July 11th it's \$15.

President Tornatta: Okay, and then the money goes to?

Mike Hillyard: The money goes to support our cross country and track programs at the University of Southern Indiana.

President Tornatta: Because you are?

Mike Hillyard: I am the coach.

President Tornatta: Alright, there we go.

Mike Hillyard: Thanks for the prompts.

President Tornatta: Now we're getting it all out. Mike Hillyard is the coach of the USI cross country team. They've done outstanding. You finished where last year?

Mike Hillyard: We won the GLVC for the fifth time in six years. The women won the league title as well. Both programs were nationally ranked. Women as high as fifth in the country. The men did advance to the national championships and finished 12th.

President Tornatta: So, that's not bad.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Have a great event.

Mike Hillyard: Thank you.

President Tornatta: Okay.

<p>Notice to Overlapping Taxing Districts: No Pass Through of Excess TIF for 2009 Pay 2010</p>

President Tornatta: Commissioners, notice to overlapping taxing districts there being no pass through of excess TIF and assessed value to those districts for 2009 pay 2010.

Commissioner Winnecke: Mr. President, I'll move that we recommend to the County Redevelopment Commission that it should determine that for 2009 taxes payable 2010 there is no excess assessed value from any Vanderburgh County TIF that may be allocated to the overlapping taxing districts since all tax increment is needed to make payments on bonds or leases when due and to pay for other proposed purposes described by state law.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? That is IC36-7-14-39, subsection B (2). Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Health Department: Mass Prophylaxis Plan

President Tornatta: Health Department of Vanderburgh County mass prophylaxis plan. Used in the event of need to dispense medication, antibiotics, immunizations to the county population as a result of disease outbreak, bioterrorism event, or other public health emergency. Gary?

Gary Heck: Gary Heck, Vanderburgh County Health Department. This document is part of an annual review that the Health Department goes through, and we make any minor corrections or adjustments that are required. We had an update that included quite a few minor changes through it. The document has been reviewed by the Emergency Management Agency and we have their signature. It's been reviewed by the Health Department and we have the Health Officers' signature. The Mayor is reviewing it right now, and it's been reviewed by the County Attorney, on behalf of the Commissioners, and, I believe, they are depending upon the Health Department's recommendation to give you advice on it. We would encourage you to support it and approve it on behalf of the community for the Health Department.

Commissioner Melcher: I'll move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Gary, you might stay up here.

**Health Department: WIC Lease for 4-H Fair Booth
Iridium LLC: OCH Lease Agreement
Sheriff Deputies: Collective Bargaining Agreement
Sheriff: Professional Services Agreement: Dr. Barbara Perkins
Health Department: ShredX Agreement & Business Associate Contract**

President Tornatta: Health Department, lease on behalf of WIC program for space at the 4-H County Fair.

Gary Heck: Our WIC program is a member of the Tri-County Lactation Coalition, and part of their outreach this year is to have a booth at the 4-H Fair for breastfeeding and other healthy type activities for mothers to be. This, one of the requirements from the Vanderburgh County Fair Association is that you have to have a contract, and this allows us to have it if you can support it on our behalf.

Commissioner Melcher: I'll move to approve it.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you.

Gary Heck: Thank you.

President Tornatta: Commissioners, Old Courthouse office space lease agreement with Iridium LLC. The lease is for one year, two options to renew for an additional one year term. The rent is \$5,544 per year, payable at the rate of \$462 per month. It will begin on July 1, 2009, if approved today.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, Commissioners, collective bargaining agreement for Sheriff deputies.

Commissioner Melcher: Move for approval.

President Tornatta: Second. Any discussion?

Commissioner Winnecke: That's just for you.

President Tornatta: Oh, sorry. Okay. Anything?

Commissioner Melcher: No, I just think this is a long time coming. I think it's a good contract. I've signed many of them being a City Councilman, and this is similar to what the city has. I'm glad we were finally able to reach that milestone. I kind of wish we could have done it in January or February, but at least we got everybody on the same page.

President Tornatta: I will say that this has not been without blood and sweat, very few tears, but we have come to the table in an honest fashion and met on terms that are very professional. That's one of the things that I respect about dealing with this group more than any other is that we always kept the focus of what we wanted in our sites. Very often times when somebody gets mad about a contract they go and run another direction. This group worked with us to come to a head and to make a contract that was not only palatable to the deputies, but that was going to work with the administration of this county, with the Sheriff's Department, and with the County Council and other units of county government. So, my hat's off to the leadership of our counsel and of their counsel and of the agreement bodies to make this deal come to fruition. With that being said, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: I would just, before I cast my vote, make one brief comment first. I think our community is blessed by the professional law enforcement that protects our community. I do believe we're blessed. Having said that, I do have a major philosophical difference with one element of the contract, and for as long as my opinion has mattered on this issue, I think I've been consistent in how I've communicated that. The issue that is a deal breaker to me is the mandatory minimum staffing level. It seems to me that it's counterintuitive to require a minimum number of deputies at a time when the city is eyeing its growth through annexation, thereby theoretically reducing the county's jurisdictional limits. That's why I'm going to respectfully vote no.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Again, I just, I think it's a good contract. I don't have a problem with it. As you know we've got a grant coming where we're going to need more Sheriff's probably here in the Civic Center for people coming in. I can't see us even reducing them, if not expanding them. With that, I'll vote aye.

Madelyn Grayson: President Tornatta?

President Tornatta: I will say, just want to make one point. I got to go on a ride with one of our deputies, and I will just say this, extended, being extended sometimes is part of how these deputies do business. Even with the annexation of the city into parts of the county, it will only make the protection and the ability for these deputies to do their job that much more efficient. So, I vote yes.

(Motion approved 2-1. Commissioner Winnecke opposed.)

President Tornatta: And that contract passed 2-1.

(Applause.)

President Tornatta: Alright, we have a Sheriff's agreement for professional services of Barbara S. Perkins, DDS for the inmates of the Vanderburgh County jail.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Health Department, contract with ShredX for x-ray pick up and shredding and business associated contract. The cost of the contract is \$24 per pick up of x-rays by ShredX, and ShredX will reimburse the county for ten dollars per barrel for clean x-ray film. The Health Department has approved the funds to cover the net costs.

Gary Heck: Gary Heck, Health Department. That's correct. ShredX was the only vendor we could find that will, when they do the shredding and processing will recapture the silver that's in that, and then the Health Department will get paid back a fee for that recovered silver. So, it was a win-win as far as we were concerned.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you. Supplemental agreement number one of BLA–

Ted C. Ziemer, Jr.: Excuse me.

President Tornatta: I'm sorry.

Ted C. Ziemer, Jr.: Did you approve both the ShredX shredding agreement and then the business associate agreement? There are two agreements.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: The second agreement, the business associate agreement is that ShredX in the course of doing this may come into contact with confidential information, which under the Federal HIPPA requirements is required to remain confidential, and to protect that we would recommend that the county enter into a business associate contract with ShredX. You have that contract, and we recommend approval of that.

Commissioner Melcher: I'll move for approval of the business associated contract.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Okay, supplemental agreement number one for BLA University Parkway phase two. On December 20, 2008 the Commissioners entered into an agreement with BLA for the University Parkway phase two. Since then, BLA has been asked to do additional work in connection with condemnation proceedings. It increased the cost of the original contract \$12,854.75 to cover the cost of additional work. The increase is a total cost of the contract from \$69,000 to \$81,854.75.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Highway

President Tornatta: Department head reports. Anybody have anything? Just for the record, we found out that our paving is 30 percent done of what was scheduled. So, we're moving on with the paving. So, if you were on the paving list, you're that much closer to getting your roads paved.

Burdette Park

President Tornatta: Burdette Park has a pool that's open, I hear. There's chalets that are open for renting. What else is out there?

Steve Craig: The Discovery Lodge.

President Tornatta: Oh, yeah.

Steve Craig: We have all kinds of cabins for family reunions, we have tennis courts, basketball courts, we have RV camping, primitive camping, and the last two or three weeks, I think the only place that you would want to be is the aquatic center. But, when it cools down we do have a miniature golf that is a state of the art miniature golf course. It's a professional course, and I would like to invite everybody out there.

President Tornatta: What's a good number to call, Steve, if somebody wants to find out about accommodations or potentially having an event out at Burdette?

Steve Craig: It's 812-435-5602. We're open from 8:00 until 4:30, our office, and you can make reservations or find out any information you need on the facilities.

President Tornatta: And how long, how late is the pool open?

Steve Craig: It's open, Monday through Thursday it's open until 6:00. It opens at 10:00. Then on weekends it's from 10:00 until 7:00.

President Tornatta: Great. Anything else going on out there?

Steve Craig: Everything's going on.

President Tornatta: Okay, that's what I wanted to hear.

Steve Craig: Just come out and see us.

President Tornatta: Okay.

Steve Craig: I did talk to Kevin and them, they made it here, they were running a little late, but they're going to probably need Marissa's help to tap into the....and I see a deer in the headlight look there.

President Tornatta: Kevin, are you in town?

Kevin Krulick: Yes.

President Tornatta: You are? Would you want to try and do this on the 7th?

Kevin Krulick: I'm sorry. (Inaudible. Away from mic.) Indianapolis.

President Tornatta: Okay, well, that's fine. Let us get a couple of things done and then we'll have you up here, okay?

Kevin Krulick: Absolutely.

President Tornatta: Okay?

Kevin Krulick: Sorry to keep you waiting.

President Tornatta: That's okay. That's okay. Anything else?

Steve Craig: Nope.

President Tornatta: Okay.

Steve Craig: Thank you very much.

President Tornatta: Thanks, Steve. Alright.

County Engineer

President Tornatta: John?

Ted C. Ziemer, Jr.: We've got the bids too.

John Stoll: Are we going with Ted first?

President Tornatta: Go ahead.

John Stoll: Okay.

President Tornatta: We'll take care of him after you're done.

John Stoll: The first thing I've got is a time extension request from Summit Contracting. This is on the Cross Pointe project. They're asking for a time extension to July 18th just to complete punch list items. As you saw during the ribbon cutting today, everything looks good. So, they won't have a lot of work to do, but they just wanted to make sure that they had ample time to get all of their subcontractors back.

President Tornatta: John, tell about the open road now and how people can access it and where the access points are.

John Stoll: It's just an extension and widening of where Cross Pointe was in the past. It, I shouldn't say where it was in the past, it's an extension north off Virginia Street. Originally that section from Virginia to Columbia was three lanes, we've widened it to five, constructed a new five lane road from Columbia Street to Oak Grove, and then from Oak Grove north to Morgan Avenue it's been widened from three to five lanes. We had a substantial new storm sewer system put in to accommodate the run off generated by the new development proposed south of Oak Grove Road, and we've added traffic signals at Virginia Street and Oak Grove. It's got nice, wide medians. Once it gets landscaped it will really look great.

President Tornatta: Super.

Commissioner Winnecke: Do you need approval on that?

John Stoll: I just need approval just to officially extend their deadline.

Commissioner Winnecke: I'll move that we extend the deadline.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: The contractor basically wanted the official time extension so that way there would be no question, no liquidated damages would be assessed. The next thing that I have is that I need to request your approval to forward the documents to INDOT on the consultant selection for the Burdette-USI bike path project and on the University Parkway project. Based on the scoring of the proposals, Cripe will be the consultant for the bike path project, and Bernardin Lochmueller will be the consultant for the University Parkway project.

Commissioner Melcher: So, we're sending this to the State?

John Stoll: Yes, they have to review it, then approve it, and then we'll get to the point where we will start negotiating contracts.

Commissioner Melcher: I'll move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Those were, that was individual, there were four votes is that what I was to understand?

John Stoll: Right.

President Tornatta: Okay.

John Stoll: Each of you scored, as well as my score, and then, basically, the process, you total up everybody's scores and whoever had the highest number of points is the recommended consultant.

President Tornatta: Okay. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Did you want to discuss anything about Oak Hill, not Oak Hill, Clover and Bergdolt? Or was that for Drainage Board?

President Tornatta: I was assuming that it would be for Drainage Board.

John Stoll: Okay.

President Tornatta: So—

John Stoll: Not a problem.

President Tornatta: —but, I would like to, I don't know if we made mention of this before, but I would like to, the road is open, let's just reiterate, for all those who don't know that Oak Hill Road is open at Bergdolt. We, even if we mention it again, we want to thank all those folks out there that had to endure all of the traffic going by. Paulette and Dave Senning are out there, but we appreciate the law enforcement that made sure that everyone was trying to do a speed that would be okay in the neighborhood on the by-pass or detour. Then, all the folks out there that had to endure all the cars going by, which is heavy traffic for them. So, thanks to those people.

John Stoll: We did do a final inspection on that last Friday. I believe about the only item that they still have to take care of is switching that one manhole lid from a solid lid to an open grate. I think that pretty well covered it. So, we shouldn't see many workers out there anymore.

President Tornatta: Sounds good.

John Stoll: Thanks.

Commissioner Winnecke: Thanks, John. We'll see you at Drainage Board.

President Tornatta: Thank you. I guess, we don't want to forget, Oak Hill Church and all those people on that side were troopers, having to go around. Any other department head reports? Okay, any new business?

Ted C. Ziemer, Jr.: Do you want to do these bids?

President Tornatta: Let's do it.

<p>Reading of the Bids for VC09-07-01: Baehl Road Culvert #1242 Replacement</p>
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President Tornatta: I was holding you off as long as I could.

Ted C. Ziemer, Jr.: These are bids for the Baehl Road culvert replacement. The bid of BMB is \$75,380; the bid of Koberstein Contracting is \$61,652; the bid of Deig Brothers is \$76,384; and the bid of Ragle, Inc. is \$91,135.

Commissioner Winnecke: I'll move that we take them under advisement.

Commissioner Melcher: Second.

President Tornatta: Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

New Business

President Tornatta: Any new business?

Old Business

President Tornatta: Old business? I will say under old business we will have, tomorrow at 1:30 we will be making do to our promise that anybody that beat the highest walker of the walking contest we'll be washing cars. So, Steve gives us our blessing to be able to do that. Lloyd and I are going to do a little grunt work tomorrow to make sure all that's happening.

Commissioner Winnecke: There will be eleven vehicles.

President Tornatta: Twelve.

Commissioner Winnecke: Oh, twelve?

President Tornatta: Twelve vehicles. We will have to wash twelve vehicles. Do our wager. We will be using the water out of this building, however, we will be reimbursing the Building Authority for that. So, everything's on the up and up, there will be no tax dollars expended in this, but a lot of heartache and broken backs. But, be that as it may. Any other old business?

Public Comment

President Tornatta: Public comment?

Judy Mefford: I'm Judy Mefford and I'm from Bergdolt Road. I understood that you were going to bring stuff up into your meeting here, not in the Drainage Board.

President Tornatta: Well, we wouldn't necessarily have to close this meeting to address those issues, but we're going to handle it in our Drainage Board portion of this meeting.

Judy Mefford: Okay. That means you can't, if you close this meeting—

President Tornatta: We're not going to close the meeting.

Judy Mefford: Okay.

President Tornatta: We'll keep the meeting open and we can come back to this meeting. So, actually we'll do what we've done in the past when dealing with these issues, we'll close them at the same time.

Judy Mefford: Okay.

President Tornatta: Okay? Any other public comment? Come on up.

Craig Blessinger: Sergeant Craig Blessinger with the Vanderburgh County Sheriff's Office. I am the F.O.P. and deputy contract chairman, and I'm also president of the deputies organization. I just wanted to say a few words, if I could, in light of your recent vote. For nearly two decades and five recent years of intensive efforts and negotiations, the deputies now have an F.O.P. endorsed collective bargaining agreement. What this document does is finally put the deputies, the Sheriff and you as the County Commissioners on the same sheet of music. It also provides for the deputies and their families a needed sense of security. More importantly, during these uncertain economic times, this agreement provides for the aforementioned securities without burdening the taxpayers, and we felt that was very, very important. For the hard work that went into solidifying this agreement, if I could just say a few words of thank you, I would appreciate that. First of all, to the F.O.P., I just wanted to thank Larry Nelson, the current executive board, as well as past presidents Larry Cannon, Shawn Clark, Mike Cook and Dave Cook, and also about the F.O.P., I wanted to thank them not only for their support of law enforcement nationally and locally, but for the numerous acts of philanthropy that they engage in within the community. I wanted to say that. I also wanted to say some thanks to the legal staff of the F.O.P., Charlie Berger and Jennifer Keppler for their works on our behalf. To the County Commissioners, first to the staff, Marissa and Kristin, thank you guys for your efforts and your patience over the last five years. Who else? Where do I start, Commissioners Tornatta and Melcher, first, thank you both for your yes vote. I can't tell you how much we appreciate your efforts on behalf of the deputies. Words can't express our gratitude for your efforts in this endeavor. Commissioner Winnecke, although you did not vote yes, because of some philosophical differences, we did not forget during your tenure as County Council President, your stepping forward and issuing a push for a resolution of support for the collective bargaining agreement. Especially at a time when we had some rough goings with the current Commission at the time. For those we do not forget your efforts. We do want to say thank you. Even in light of your no vote, we still appreciate the support that you have given us in the past and we do not forget that. So, thank you, sir. For the legal staff of the Commission, Ted Ziemer, Jim Casey, thank you guys. We put you through a lot in the last couple weeks. So, we appreciate your efforts as well. Madelyn and Bill, I know, inside you guys have different issues and you deal with these and look over things. So, we do appreciate your efforts as well in this endeavor. Sheriff Eric Williams, thank you, sir, for trusting in your deputies. You did not have to do this, and you are one of the few Sheriffs in the State that believed in their deputies and stepped forward with this bold decision. So, for putting forth those efforts, on behalf of the deputies, I want to say thank you. Finally, to the deputies, the officers and their family members, I feel it's important to thank them for the sacrifices that they make on a daily basis for our community. They're often away from their families on a daily basis protecting the citizens of the county. For their efforts I just want to say, give a public thank you. So, again, in closing, just a closer, thank you for all those who made this a reality. The deputies and their families truly do appreciate it. Thank you.

President Tornatta: Thank you, Craig.

Craig Blessinger: Thank you.

President Tornatta: Any other public comment?

Consent Items

President Tornatta: Alright, Madelyn, consent, please.

Madelyn Grayson: The consent items for the June 30th meeting are as follows; approval of the June 16, 2009 Commission meeting minutes and department head meeting notes; employment changes from the various offices; travel requests, there's one from the Health Department; the Building Commission has a request for waiver of fees/not overtime for the Centre on July 15th for FEMA meetings; the County Treasurer's April 2009 monthly report; the County Engineer has approval of pay request number 82 for the Burkhardt-Green River TIF projects in the amount of \$1,207,486.14; the Building Authority has pay requisition number 90 associated with the jail construction project; the County Auditor has June 2009 A/P vouchers; County Auditor has Barrett Law lien releases, there's one for Old State, three for Evergreen Heights, one for Oak Hill; the County Clerk has the May 2009 monthly report; Evansville ARC has May 2009 report of activities; Weights and Measures monthly report from May 15th to June 15th '09; the Health Department requests a transfer of a Kawasaki Mule utility vehicle from the city; there's department head reports from the Ozone Officer, Burdette Park, County Highway and County Engineer; and a request to appoint Dave Carson to the Airport Authority Board.

Commissioner Winnecke: I'll move approval of the consent agenda.

Commissioner Melcher: I want to ask a question before we went there.

Commissioner Winnecke: I'm sorry.

Commissioner Melcher: On the unemployment changes, I guess, I'm trying to read more of them every time. I know there's a longevity increases with the county, but my understanding was that we couldn't give, those raises are given for the following year, and both of the Commissioners have sat on the County Council before, are they allowed to give longevity raises in the middle of the year?

President Tornatta: Hold on, can we have a second, and then this will be on the floor.

Commissioner Melcher: I'll second it.

President Tornatta: Okay.

Bill Fluty: I think the ones you're looking at are with the Centre, and the union contract.

Commissioner Melcher: Is that what that is?

Bill Fluty: I believe so.

Commissioner Melcher: Because I just, I'm just trying to get a handle on it. I was just wondering about that. The other one, there was a temporary, we all got a letter or

an e-mail or something from Sue Hartig about a person she's got on, asking for an extra 90 days. The part time person that they're wanting to put in there, she's in these employment changes it looks like. What I'm asking is, if we vote for this are we okaying what Sue Hartig's got in this letter?

Commissioner Winnecke: I would be personally.

Commissioner Melcher: But, she's asking for a date. In the letter it says through October 19th or 22nd. So, do we need to have some type of a motion for what date?

Commissioner Winnecke: Well, it's part of the consent agenda.

Ted C. Ziemer, Jr.: Yeah, it's part of the consent agenda.

Commissioner Winnecke: It's part of the record, so, it would be, theoretically part of the motion.

Commissioner Melcher: No, I understand, but I didn't know if it was going to be the 19th or the 22nd.

Commissioner Winnecke: Oh.

Commissioner Melcher: See what I'm trying to say?

Commissioner Winnecke: I do now.

Commissioner Melcher: I think we ought to say what the date is.

Ted C. Ziemer, Jr.: Yeah, I would have thought it was in the paperwork. I'm not sure. I haven't seen that.

President Tornatta: It does say the leave would run until October 19th, and in parentheses unless it is extended to October 22nd because of Memorial Day, Fourth of July and Labor Day holidays. So, what they're asking is if they get the holiday periods, will that extend the period of the off time?

Ted C. Ziemer, Jr.: I see no problem with that from a legal point of view.

President Tornatta: I would say it would be recognized.

Commissioner Melcher: As the 22nd?

President Tornatta: I guess, I would say it would have to comply with our—

Commissioner Melcher: Policy?

President Tornatta: —policy right now.

Commissioner Melcher: Okay.

President Tornatta: So, they couldn't circumvent the policy just by reading this into the record is what I'm getting at.

Commissioner Melcher: Okay.

President Tornatta: Okay, we have a motion and a second. Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, if it's okay, I would take a motion, or accept a motion to—

Commissioner Winnecke: Suspend.

President Tornatta: —suspend.

Commissioner Winnecke: Motion to suspend the Commissioners meeting.

Commissioner Melcher: Second.

President Tornatta: Second. All in favor say aye.

All Commissioners: Aye.

President Tornatta: Okay.

(The Commission meeting was recessed at 5:40 p.m.)

Discussion concerning Bergdolt Road-Clover Drive drainage issue was discussed during the June 30, 2009 Drainage Board meeting.

Commissioner Winnecke: I'll move that we reconvene the Vanderburgh County Commissioners.

Commissioner Melcher: Second.

Commissioner Winnecke: Mr. President, at this time I would move—

President Tornatta: A motion and a second.

Commissioner Winnecke: Oh, I'm sorry.

President Tornatta: All in favor say aye.

All Commissioners: Aye.

President Tornatta: Okay.

(The Commission meeting was reconvened at 6:20 p.m.)

Approval of Bergdolt Road-Clover Drive Drainage Improvement Plan

Commissioner Winnecke: Mr. President, at this time I would move that we approve the previously discussed drainage plan for the area of Bergdolt and Clover.

Commissioner Melcher: I'll second that.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

American Structurepoint Presentation: Burdette Park Expansion

President Tornatta: With that being said, Ted, anything? Kevin? Sorry, buddy. Hated to throw you to the back of the line. You're doing good work, I'm sure. If we could, okay, we don't have it up there. That's fine. Or do we? Marissa, will that go on that screen? Can we pull the screen down? We don't know if we can.

Kevin Krulick: While this is loading up, for the record, my name is Kevin Krulick with American Structurepoint, offices at 7260 Shadeland Station, Indianapolis, Indiana. I would like to thank all of you for your time, and apologize for the delay in us getting here. It seems as though Indianapolis keeps moving farther north. Maybe if we push a little harder on that I-69 project.

President Tornatta: You know what, they think so too.

Kevin Krulick: I think I need a...is that okay? Sorry, one second here. I once again would like to thank you for your time. I would like to thank Mr. Ziemer for your efforts in getting us here. Thank Marissa and Kristin, I'm sorry for the headaches I've provided this evening, and would also like to issue a special thank you to Mr. Craig and Mr. Stoll who appears to have left the room, for their efforts in helping us get to this point. What we're here to talk about is the Burdette Park expansion. What we're here to just present is some thoughts that we went through on our conceptual site plan that we have developed with Mr. Craig and some of the other staff at Burdette. This is the existing park, as you can see. The park expansion area is a 30 acre tract just north of the middle of the park, basically, just north of the existing park offices. It's a 30 acre wooded tract that we are proposing some expansion of the facilities in the park. Just a few objectives that we've laid out as we've been working with Mr. Craig, we want to develop this 30 acre site (Inaudible) park. Above all else

we want to minimize impact to this historic forest. This is a Class V forest that's been protected for over 40 years, and although we want to develop that forest so that it can be better utilized by the residents and those that use the park, we do want to do so consciously and not degrade the current state of the park or that property. We want to cue up the amenity items that we want to look at. We want to scan the existing chalet area. We also want to provide a site for a new park office, and a new park event building. We also want to establish a primitive camping area on this property and expand a trail system throughout the entire 30 acres. To go through those items just briefly one by one. We have proposed four new chalet sites that are just north of the—

Madelyn Grayson: Kevin, can you turn the microphone a little bit closer to you so we can pick you up for the record? Thank you.

Kevin Krulick: Is that okay? We want to expand the existing chalet area to the north and provide for four new chalet sites. We are not looking at really architecture at this point, just more site planning and engineering planning. As we said, there will be four new sites that are at the top of the ridge here along the eastern portion of this project. We want to protect the privacy, that's partly why those are kind of secluded up on the ridge. They will be connected to the remainder of the park, but we want those to have a certain private feel to them. We will also be providing adequate parking for each of the chalet buildings. The existing park site, again the proposed park site is along the existing creek that runs through this property, just off of the creek. We've shown a photo here, a rendering of what that building might be, but at this time, as we said, we're just looking at conceptual site planning. But, we would anticipate this building, footprint as approximately a 4,000 square foot footprint. It would be the future park offices, with a potential that at some point that there is a new nature center developed within this facility. We anticipate that the facility would coexist within the existing surroundings, would sort of be built into the hill, if you will. As we said, we were trying to develop this area with minimal impacts to the existing beautiful wooded lot that is there.

President Tornatta: When you're building these sites, looking at these sites, not meaning to interrupt, but are we thinking green? Are we thinking fuel efficient? Are we thinking making sure that they are efficient in their heating and cooling and have those systems built in?

Kevin Krulick: Absolutely. You know, at this point we're really just looking at site planning and engineering for these sites, but even at that level we are very much looking at environmentally friendly, green design aspects. As you can see the building that's shown there, although this is just kind of, you know, to get people thinking, it would have probably a lot of glass to help with, you know, natural light infiltration, things like that. We'll also get to this further, but we want to develop rain garden areas that would handle and treat storm water run off from the building's roofs as well as the parking that's required. So, we are very much taking that into account, even at this early stage.

Commissioner Winnecke: Before you go on—

Kevin Krulick: Yeah.

Commissioner Winnecke: —along the same lines of the center here, or the main office, have any architectural consistency with like the O'Day Discovery Lodge?

Kevin Krulick: You know, that's—

President Tornatta: Steve is saying yes.

Commissioner Winnecke: I can't see Steve.

President Tornatta: You can't see him. Steve, why don't you move up.

Kevin Krulick: That's a good possibility. You know, the Discovery Lodge, I've toured that. It's a great facility. You should be very proud of it. I think that's definitely something that could be explored. At this point, as we said, we're not really to that point, we're just kind of looking at planning and engineering, but, definitely, I think, to build off of the existing architectural character of the park would be appropriate. Steve, do you want to add anything?

Steve Craig: Yes, part of our ten year master plan that the Corradino Group had done for us, part of that plan was to start having some consistency in the park on the buildings. Just recently when we did the BMX club house, it looks a lot like the Discovery Lodge with the log, you know, the log motif and that. But, that wouldn't have anything to do with not going green. We've entertained all kinds of ideas about the different kinds of heating and air we can use. You know, there's geo-thermal, this is all stuff that we've been talking about, but we kind of want to make this a project in green. It's the future of the park. It's nothing that's going to happen in a week or a month, but it's something that's going to happen that's going to last for the next 50 to 100 years. So, we have looked at the fact that we want it to be as green as we can, and, I know there's not going to be any extra monies available for utilities and that, so we have to plan for that now.

Kevin Krulick: Moving on to a couple of other points, parks event building. We would propose a new park event building, situated just north, further up the creek from the proposed park site. Again, I think this would be, you know, the possibilities are endless, but I think this would be in keeping with the existing architecture. I'm sure you've been to the park, I'm sure you've seen some of the great, old WPA buildings that were built out there. You know, I think that's something that you build off of. Whether or not it looks like that park, or it's some sort of an adaptation of that part of the park, I think you have great infrastructure to build off of.

Commissioner Winnecke: To what extent, excuse me, would this new reception hall compete with O'Day?

Steve Craig: I really don't look at it competing, I look at it as filling in a space that's needed. We probably turn down more people right now for the available dates for weekends and that than we actually rent it. It would probably not be as large as what the O'Day would be. You know, it would be a smaller one. We have different niches, you know, from the 800 person, then the next largest building we have is the Bische Building, which is 250 people. So, you know, we would probably take a look and see where it would fit in, and that would be the size of the building that we would look at building at that time.

Commissioner Winnecke: Thank you.

Kevin Krulick: For some of the space planning reasons, you know, we've thrown in that this is probably 100 capacity seating venue. That would be like dining seating, you know, obviously more if it's more of an auditorium style event. Catering areas,

you know, I'll just touch on that just so we know what kind of infrastructure in terms of sewage and water mains that we'll need to have back on the site. Not full kitchen, but the ability to warm up food and prepare food on site. The primitive camping area. The primitive camping area would be kind of opposite of the proposed park buildings on top of this ridge. It would have an access trail that would go to the existing camping area to the southwest of this portion of the site. It would be a primitive camping area, so it would have limited vehicular access, probably completely limited to public vehicular access, but it would have trails, you know, with the capacity that Steve's people could get trucks and other things in there to do work. These would be tent camping sites. There would probably be some sort of a pad built that, you know, we would try to encourage people to pitch tents on to help, you know, help drainage and stuff like that. Also, picnic tables and fire rings, that's the sort of nature of the camping facility that we would be talking about. No public utilities, this truly would be a primitive type of camping area. Similar to what you would see, you know, in a State park classification of primitive camping. The expanded trail system. As you can see on the plan, the trail systems go throughout the development, and we really worked to follow the nature of the contour of the land. We don't feel as though it would be appropriate to really do a lot of earth work to get the trails in, or to build a lot of retaining walls, but we think it's important to work with the land and to connect all the proposed amenities. Then, we're also doing some other space planning items, you know, for options like overlooks and gazebos and other gathering places that people would want to go to. As we said, it would connect the entire proposed park system to the existing park system as well. Here we go, low impact design features that we're going to try to incorporate, and also make this an educational component as well. As we said, the park office may someday serve as a nature facility, an educational facility. We would like to go ahead and start that education process from the beginning. As we build these types of green infrastructure, we would like to put, you know, informational, educational signage up around those, as you see, like here in the picture. Obviously, this is in a little bit more of an open field than what you would see. We do not anticipate you would remove this many trees in the park, but, that would be a key component. Again, this is maybe a little bit skewed, because this is in, you know, kind of a sea of asphalt here you see in this picture, but, definitely we would be building parking on the site to facilitate the new structures, and those parking areas would have islands. So, we would try to incorporate rain gardens in those parking islands to treat the run off that comes off of those parking lots. This is maybe more of an example of a bio-retention rain garden area that might be just out in the open. As we talked about, there is an existing creek that runs up through the middle of the site. These hatched areas that we've shown adjacent to that creek would be this type of facility. They would be bio-retention facilities that would collect the water, infiltrate the water into the ground, treat all the run off coming off of the buildings and the parking lots. Very much a popular, green infrastructure design feature that you're seeing a lot now. This also does help with storm water detention. I think most of you are probably aware of some of the drainage problems that are existing within the park. This is one item that will help to alleviate some of those issues, as well as to mitigate any of the development that we're doing on this property, any of the new, impervious surfaces that we'll be constructing. At this point I would like to open it up to questions. The principal in charge of the project at Structurepoint is Alen Fetahagic. He is also here to answer any questions. My name is Kevin Krulick. I will be the chief engineer and project manager on the project.

Commissioner Winnecke: So, what happens now?

Kevin Krulick: Well, I think now would be a good time for any input, or, not necessarily at this meeting, but over the course of the next few weeks we would like any input that you would have, and continue to work with Steve and his staff to refine this plan. Like we said, this is just a concept. We think we've caught most of the ideas and the wants and needs of the park. If this is something that looks attractive to you, then we move forward into full engineering construction document design. Not architectural, so, we're not giving you architectural plans for buildings. But, the space planning, the infrastructure to facilitate those buildings when those do come to fruition.

Ted C. Ziemer, Jr.: Does the bike path, is that anywhere near this area, this 30 acre area?

Kevin Krulick: I don't believe so.

Steve Craig: Actually it will be. The part that he was talking about, the primitive camping, that's going to tie into our existing campground, which actually ties directly into the trail. That's one of the things that when we talked about putting trails all through it, they're not going to be the paved type that's going from USI to Burdette, but once you got there you would be able to go right into the trail system on this new property. Then you'll actually be able to get into the park and be able to, you know, hit the trails there, then you can head back to the trail going the other way. But, it will connect in the sense that the campgrounds will connect them. But, yeah, it will be very accessible to the new trail.

Kevin Krulick: Any other questions or concerns?

Commissioner Winnecke: Good presentation.

Madelyn Grayson: I just had a question how spell Alen's last name?

Kevin Krulick: Yes. Again, we thank you for your time. We do apologize for running a little late.

President Tornatta: That's alright, Kevin. We appreciate it. Thank you.

Ted C. Ziemer, Jr.: Are you going to turn around and drive back tonight?

Kevin Krulick: We are.

Commissioner Winnecke: Motion to adjourn.

President Tornatta: Second. All in favor say aye.

All Commissioners: Aye.

(The meeting was adjourned at 6:38 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the June 16, 2009 Commission Meeting Minutes.
Approval of the June 16, 2009 Department Head Meeting Notes.
Building Commission: Waiver of Fee/Not OT for the Centre 7/15/09: FEMA.
Building Authority: Pay Request No. 90: Jail Project: \$3,675.
Evansville ARC: May 2009 Report of Activities.

Employment Changes:

Health Department (1)	County Clerk (1)	Circuit Court (2)
VCCC (1)	Superior Court (1)	Legal Aid (2)
County Highway (1)	DADS (1)	Recorder (1)
Burdette Park (4)	Centre (5)	

Travel Requests: Health Department (1)

Treasurer: April 2009 Monthly Report.

County Engineer: Pay Request No. 82: Green River-Burkhardt TIF Projects.

County Auditor:

June 2009 A/P Vouchers.
Barrett Law Lien Releases: Old State (1); Evergreen Heights (3); Oak Hill (1)

County Clerk: May 2009 Monthly Report.

Weights & Measures: Monthly Report 5/15-6/15/09.

Health Department: Transfer of Kawasaki Mule Utility Vehicle from City.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Sue Schriber	Steve Craig	Mike Hillyard
Gary Heck	John Stoll	Judy Mefford
Craig Blessinger	Kevin Krulick	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JULY 7, 2009**

The Vanderburgh County Board of Commissioners met in session this 7th day of July, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright, good afternoon. We're going to call to order the Board of Commissioners meeting, July 7, 2009, room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Dr. Ray Nicholson

President Tornatta: Doc Nicholson, would you lead us in the Pledge today?

Dr. Ray Nicholson: Certainly.

President Tornatta: Thank you.

(The Pledge of Allegiance was given.)

Dr. Ray Nicholson: Thanks.

President Tornatta: Thank you, sir. Dr. Nicholson is the Health Officer with the Health Department. Thank you very much.

**Permission to Open Quotes: VC09-07-02:
Bergdolt Road-Clover Drive Drainage Improvements**

President Tornatta: Alright, permission to open quotes, VC09-07-02, for Bergdolt-Clover Drive drainage improvements.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Resolution CO.R-07-09-005: Regarding Transfer or Exchange
of Property with Governmental Agency
1166 Judson to Evansville Redevelopment Commission**

President Tornatta: Alright, action items, resolution of sale of county tax parcel to Evansville Redevelopment Commission brown field for \$465. The payment of ERC of \$465 to the county to acquire this property is reflected in the resolution.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Request to Close Road: West Terrace PTA 4K Kids Walk

President Tornatta: Request to close road for West Terrace PTA 4K kids walk on August 29th. Request to close part of West Terrace Drive, Middle Mt. Vernon Road, and Cherry Hill, Coffee Tree Lane for a 4K walk. Last year the Sheriff's deputies followed the walkers and did a rolling barricade, rather than close off the entire route to traffic for the full hour.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion?

Commissioner Winnecke: There might be some folks here to talk about it.

President Tornatta: Oh, come on up.

Crystal Martin: Hi.

President Tornatta: How are ya?

Crystal Martin: Fine, thank you. Just here to see if that would be okay. We moved the date up this year, from November to August. So, it is, like you said, a rolling barricade, so the road's not really closed for the full hour.

President Tornatta: Your name?

Crystal Martin: Crystal Martin.

President Tornatta: Okay, Crystal.

Crystal Martin: I'm sorry.

President Tornatta: No, you're fine.

Crystal Martin: Organizing the event, so.

President Tornatta: Alright, anything else you want to share with anybody that might have a person that wants to walk?

Crystal Martin: No, just go by the school, the school office will be open here in a couple of weeks for registration, and we send out flyers to all the neighbors letting them know that the street will be closed, that their street will be affected, and then also if they want to register for the event and how they can attend.

President Tornatta: And, how much is the event?

Crystal Martin: It's \$15 for an individual, or \$40 for a family, for your whole family.

President Tornatta: Okay.

Crystal Martin: We try and encourage a lot of family participation, since it is an elementary school.

President Tornatta: Okay. Pretty much similar to last year, correct?

Crystal Martin: Hope so.

President Tornatta: Okay.

Crystal Martin: Hope we have a good turn out and good weather. It was really good weather for our November event last year. So, hopefully it will be good weather again this year.

President Tornatta: Super. Alright, thank you, Crystal.

Crystal Martin: Thank you.

President Tornatta: We have a motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Prosecutor & Vanderburgh County Day Reporting Drug Court: Authorization to Sign Recovery Act Grant Applications</p>

President Tornatta: Contracts, agreements and leases, the Prosecutor Recovery Act grant applications. The Prosecutor's office just received information pertaining to two new grants made available to Vanderburgh County via the Recovery Act. One for the Prosecutor's office and one to the Drug Court. These are due back to the State by 7/17, however the paperwork could not be ready for today's meeting. A motion to approve two grant agreements, one for the Prosecutor for multi-jurisdictional drug task force in the amount of \$386,052, and the other one for Drug Court for approximately \$300,000 to allow President Tornatta to sign on behalf of the Board of Commissioners subject to the County Attorney's approval of the terms to the grant from their legal perspective.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: I'll second it.

President Tornatta: That would be of both grants?

Commissioner Winnecke: Yes.

Commissioner Melcher: Yes.

President Tornatta: Alright, a motion and a second. Any more discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Engineer

President Tornatta: Alright, department head reports, John?

John Stoll: I have two items this evening. The first is a supplemental agreement with Bernardin Lochmueller and Associates for the design on the Cross Pointe Boulevard project. This is for an increase of \$9,900, and the reason for the increase was the design changes that were required to get Norfolk Southern to approve the storm sewer outlet for the project. It's, this got overlooked, it should have been signed some time ago, but we just missed it. So, I recommend approval of the supplemental agreement.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then the other item is a storm sewer acceptance request for section one of Havenwood Meadows Subdivision. This is for 2,380 linear feet of pipe located outside of street rights-of-way. The developer will pay an acceptance fee of \$4,760, and the pipes have been inspected and they are recommended for acceptance.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Tornatta: Thank you, John.

John Stoll: Thanks.

Commissioner Winnecke: Thanks, John.

President Tornatta: Alright, any other department heads? Seeing none, off to new business.

New Business

Ted C. Ziemer, Jr.: Excuse me, I have a drainage encroachment easement, but, I guess, we'll do that under the Drainage Board meeting?

President Tornatta: I believe so.

Ted C. Ziemer, Jr.: Okay, that's fine.

President Tornatta: Any new business?

Old Business

President Tornatta: Old business? Seeing none. Ted, are you ready?

Ted C. Ziemer, Jr.: No.

President Tornatta: If you're not, we can go on.

Public Comment

President Tornatta: Any public comment at this time? Okay, seeing none.

Consent Items

President Tornatta: Motion to accept the consent agenda?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Would you please read the consent items, please.

Madelyn Grayson: The consent items for the July 7th meeting are as follows; approval of the June 30, 2009 Commission meeting minutes and department head meeting notes; there were no employment changes for approval today; there are three travel requests from the Health Department; the County Treasurer has the May 2009 monthly report and the year-to-date report through May 31, 2009; there are department head reports from the County Engineer and Ozone Officer.

President Tornatta: Alright. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Rezoning Petitions: Final Reading: VC-6-2009
Petitioner: Elite Development Group, LLC
Address: 1000 Beacon Hill
Request: Change from an R-3 to a PUD
Action: Approved 3-0**

President Tornatta: While we're here, we'll go over, we'll go to the rezoning portion.

Janet Greenwell: Good evening. Janet Greenwell with Area Plan Commission.

President Tornatta: Good afternoon.

Janet Greenwell: We have one rezoning that we're bringing forward to you tonight. Elite Development is requesting to rezone a seven acre parcel on Beacon Hill from R-3 to PUD. It's a residential PUD. The seven acre parcel was part of the overall Cambridge Development, which is multi-use. In essence, the PUD creates 37 building lots, where before Cambridge was a 37 lot condominium project. The effect of the zoning is to allow them to sell lots. The County Engineer has stated that the roads will have to be privately maintained, because they don't meet the county standards, but, we have worked all of that out through the PUD. The Plan Commission recommended approval unanimously with 11 affirmative votes.

President Tornatta: Refresh our memory, a PUD?

Janet Greenwell: A PUD is designed to allow more flexible zoning regulations. It affords a developer the opportunity to do creative plans. In this instance, the lots are too small—

President Tornatta: Right.

Janet Greenwell: –and, well, the right-of-way, the setbacks are different. They are asking to do 40 percent lot coverage, side yards five feet, 30 foot front yard setback, but it's measured from the center line of the roadway. So, the setback is considerably less than what the zoning code allows. That's what a PUD is intended to do, to allow more flexible regulations. The PUD was really their only answer, because there's no other classification that would allow the subdivision.

President Tornatta: Alright, the answer I was looking for was planned unit development.

Janet Greenwell: I'm sorry.

President Tornatta: So, you beat around the bush, but, no, that's fine.

Janet Greenwell: It's a, it is a residential–

President Tornatta: I feel like Alex Trebeck. So sorry. Anyway, okay. Thank you, Janet. Any remonstrators to this project? Alright, would anybody like to speak to this project?

Les Shively: My name is Les Shively, I'm representing the developers. Just to make this real simple. This was actually one lot, with a bunch of structures on it. It was really like one condominium. It was very unmarketable, obviously. So, this is why we're doing it. It will physically look the same, hopefully it will be more structures out there, because it will be easier to sell. If you're, just to put it in perspective, if you've been out to Cambridge, you come down that hill from the clubhouse and you head to the west, it looks like a PUD already, actually. So, it's really not going to change the appearance. It's going to make what was originally envisioned possible. Why it was originally done this way, we have no idea. So, we're not doing anything new here, we're actually trying to make functional what's already out there.

President Tornatta: Okay. Any other comments?

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Reading of Bids for VC09-07-02:
Bergdolt Road-Clover Drive Drainage Improvements**

President Tornatta: Alright. Ted?

Ted C. Ziemer, Jr.: Yes, this is bids received for the Burkhardt Road-Clover Drive drainage improvements. Blankenberger–

President Tornatta: Bergdolt Road.

Ted C. Ziemer, Jr.: What did I say?

President Tornatta: Burkhardt.

Ted C. Ziemer, Jr.: Oh, I'm sorry. Bergdolt Road-Clover Drive drainage improvements. I'm sorry. Blankenberger, \$42,275; Deig Brothers, \$34,291.15; Summit, \$39,986.60; BMB, \$24,346; Koberstein, \$35,423.50.

Commissioner Melcher: I'll move to accept these bids for–

President Tornatta: To take them under advisement?

Commissioner Melcher: To take them under advisement. I was getting there.

President Tornatta: That's okay.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Discussion of Cancelled Public Comment Agenda Item

President Tornatta: Okay, with that, Rick, I see you here. I know we were going to talk about something today under public comment, and the individual that was going to talk about that issue is not going to be here. So, that being said, we're probably not going to get into talking about it.

Ted C. Ziemer, Jr.: Just one comment, I think, since the Treasurer is here, if that person is going to come at another time, he needs to be notified so that he doesn't come back to each meeting—

President Tornatta: Right.

Ted C. Ziemer, Jr.: —thinking that she might appear.

President Tornatta: Okay. And, Rick, if you weren't notified, I thought that was conveyed to our staff.

Rick Davis: Kristin told me just before—

President Tornatta: That's fine. Sure.

Rick Davis: Kristin told me when I first got here that she wasn't going to be here, but I stayed just in case she did come.

President Tornatta: But, you were alerted of, for being here, obviously?

Rick Davis: Right. Correct.

President Tornatta: Alright. If there's any other issue, obviously, we'll address it at that time.

Rick Davis: Okay.

President Tornatta: Okay? Thank you.

Rick Davis: Appreciate it.

President Tornatta: We are probably open to adjourn the Commissioners meeting.

Commissioner Winnecke: Mr. President, I'll move we adjourn.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(The meeting was adjourned at 5:15 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the June 30, 2009 Commission Meeting Minutes.

Approval of the June 30, 2009 Department Head Meeting Notes.

Travel Requests: Health Department (3)

Treasurer:

May 2009 Monthly Report.

Year-to-Date Report Through May 31, 2009.

Department Head Reports:

County Engineer

Ozone Officer

Those in Attendance:

Troy Tornatta

Stephen Melcher

Lloyd Winnecke

Bill Fluty

Ted C. Ziemer, Jr.

Madelyn Grayson

Dr. Ray Nicholson

Crystal Martin

John Stoll

Janet Greenwell

Les Shively

Rick Davis

Others Unidentified

Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
JULY 21, 2009**

The Vanderburgh County Board of Commissioners met in session this 21st day of July, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good evening. We're going to start the Board of Commissioners meeting, July 21, 2009 in room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Shawn Shrum

President Tornatta: Joining us today is Judi Early with Goodwill Industries, and she has a friend that she's going to bring up to lead us in the Pledge of Allegiance. His name is Shawn.

Shawn Shrum: (Lead the group in the Pledge of Allegiance.)

President Tornatta: Good job, Shawn.

Judi Early: Okay, you can sit down. Thank you. He was a little bit nervous. At first I thought I was going to have to just bring his voice recording on an iPhone and say, okay, pretend Shawn is doing this. It was so much better to have him here, and his mother, Barbara, with us. I'm here, we promised...I promised him that I would give it back. We are here to talk a little bit about Ducks on the Ohio, which is a fundraiser coming up for Evansville Goodwill Industries and the Goodwill Family Center on August 8th. We start at 2:02 p.m. Isn't that a quacky time? Okay, that's the only pun I'll do, I promise. We are asking the public to adopt little rubber ducks, just like this one, for five dollars each. They are tagged on the bottom with a special number, and at 2:02 p.m., with the help of the Nighthawks Field Artillery, the 163rd Field Artillery here in Evansville, the ducks are dumped into the Ohio River, they swim along a race course toward a tube, and the first four ducks to the tube win prizes that community organizations have donated to Goodwill. The top prize is \$10,000. For every 3,333 little rubber ducks that are adopted, one of the special duck tag numbers on the bottom will be pre-selected as a potential million dollar duck winner. The duck that crosses the finish line first, if it happens to have one of those pre-selected numbers, it wins a million dollars, courtesy of Fifth Third Bank, on top of the \$10,000 that we are guaranteeing. It's just a funny little way to hold a raffle, and it is to help the families that reside at the Goodwill Family Center. We can take between eight and ten families at any one time. It's a very intensive program. Families can stay for up to two years, working on whatever problems caused them to find themselves

without a home. It might be lack of employment, or underemployment. It might be just terrible debt. It could be a medical catastrophe that just hit, but, we work with the families. We charge a very nominal fee for them to stay there, as a program fee. The rest of the money that they earn we encourage them to pay off their debts and to actually save up, so once they leave they are able to stay on their feet and be independent once more. In 2008 we provided services to 28 families. We were very proud to find that 75 percent of the families who left the program were able to move into independent housing once they left us, and to remain self sufficient. Three out of four ain't bad. We wish it was four out of four. But, short of having fairy dust, we just can get it. So, but, the staff does a truly wonderful job out there. The facility is located at 1351 West Buena Vista, and we would like to extend an invitation to all of you to come and visit sometime and just see what wonderful things are going on at the Family Center.

President Tornatta: Judi, where can we pick up the sunglassed ducks?

Judi Early: Where can you adopt a duck? Oh, I have to tell you first that you can get them at any Fifth Third Bank branch in Evansville, Henderson and pretty much all the surrounding counties. You can also get them at any Goodwill store, you can buy them at Schnuck's grocery stores, at Evansville Teachers Federal Credit Union branches. The Courier and Press has been very nicely putting in an adoption certificate in the Sunday paper. I actually carry a cell phone on me all the time. We call it the duck phone. If people are willing to use their credit card to adopt ducks, they can just call me at 479-DUCK and I'll take their order.

President Tornatta: 479-DUCK?

Judi Early: 479-DUCK.

President Tornatta: Well, Judi, thanks for coming in. Shawn, thank you for leading us with the Pledge. 7th grader at Lincoln, right?

Judi Early: Uh-huh.

Barbara Shrum: 6th.

President Tornatta: 6th grader, okay. At Thompkins or Lincoln?

Barbara Shrum: Thompkins.

President Tornatta: Thompkins, okay. There we go.

Judi Early: You did a great job. Thank you very much.

President Tornatta: Okay, Judi. Thank you.

<p>First Reading of Ordinance CO.07-09-013: Amending Ch. 17.36: Administration and Enforcement</p>

President Tornatta: Alright, action items, first reading of CO.07-09-013, an ordinance amending chapter 17.36 entitled administration and enforcement. An ordinance which will amend the county zoning ordinance to establish fines and penalties for violations of the county zoning code. The APC has approved the adoption of this and

feels that it will better enable it to enforce the zoning code and prevent and deter violations.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Permission to Award VC09-07-01: Baehl Rd. Culver #1242 Replacement: Koberstein Trucking</p>

President Tornatta: County Engineer, permission to award VC09-07-01, Baehl Road culvert number 1242 replacement to Koberstein Trucking for \$61,152.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Permission to Award VC-09-07-02:
Bergdolt Rd-Clover Drive Drainage Improvements: BMB, Inc.**

President Tornatta: County Engineer, permission to award VC09-07-02, Bergdolt Road-Clover Drive drainage improvements to BMB, Incorporated for \$24,345.54.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Anybody out there want to discuss? I'm joking.

(Applause)

President Tornatta: Any other discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

CIO: Amendment to City-County Telephone Contract: AT&T

President Tornatta: Contracts, agreements and leases, the CIO amendment to city-county telephone contract with AT&T. An amendment to the agreement signed in October 2008 that serves to delete five sites and add four sites for a new total of 43 instead of 44.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Building Authority: Permission to Use Joint Funds for Civic Center Security System</p>
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President Tornatta: I think I would like to bring up Dave Rector here, if I could. Dave, we've been working with a security contract, or some type of security in this building, and part of the process you wanted to go over.

Dave Rector: Yes, please. Dave Rector, Building Authority. If you recall, the security project that we've all approved to go ahead and take steps and measures to, I guess, for lack of better words, lock the building down and make everybody go through screening stations, is in place and ready to start. I had encumbered money from last year to do that this year. For the fiscal part of it Council has approved money for the screeners. In one of our meetings Commissioner Tornatta had, what turned out to be a good idea. That didn't sound right, did it? I didn't mean, anyway, he had a good idea.

President Tornatta: Just once.

Dave Rector: But, we were struggling with what to do with employees, and so they didn't have to go through all the screening. He suggested that we have something that they can pass through and still wand, and if we recognize that it is them, then they can go on through. So, what we'll do is we'll have a turnstile at the screening stations with a prox reader that they'll either fob or card and it will come up with your picture on it and see that it's you, and they can go on through and they aren't going to be impeded with having to take off their belts and go through all of that. You know, we'll address some things, other people that come to the building frequently, as our attorneys and some of that, but there will be a committee that says who's going to come through these, versus who has to go through the screening. But, the idea that Troy had was for the employees, to streamline it for them. What I'm getting around to, is to do that, we now have in place our loan to replace the money that we had, of our joint fund that we used for the jail demo, and I'm requesting that we use that joint fund with the Building Authority and Commissioners to spend \$30,000 to \$35,000 more than I encumbered to complete that project.

Commissioner Winnecke: Dave, what's the whole time line, if you would help us understand?

Dave Rector: Actually, I'm going to go ahead and get the metal detector and the x-ray machine ordered this week. It's got about a four week lead time. We thought we would be in place sooner. The Sheriff and I have been evaluating, struggling with some proximity reader systems, and I think we're narrowing that down. But, hope to be up and live about the first of October.

Commissioner Winnecke: Okay, thank you.

President Tornatta: Here again, for those who are just catching this, this was recommended by the Sheriff and the Chief of Police for security measures of this building. We want to be, they wanted to be proactive with our security and not have

incidents happen. So, we put the motion in place to get this security system in, and I think it's going to serve us well in this building.

Commissioner Winnecke: So, Mr. President, are we looking for a motion on—

President Tornatta: Yes.

Commissioner Winnecke: —an amount not to exceed \$35,000?

Dave Rector: \$35,000 from our joint fund.

Commissioner Winnecke: I will make that in the form of a motion.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Dave Rector: Thank you, gentleman.

President Tornatta: Thank you, Dave.

Dave Rector: Appreciate it.

President Tornatta: Alright.

County Engineer

President Tornatta: County Engineer, John Stoll?

John Stoll: The first item that I need approved is a change order on the Green River Road project. This is for an increase of \$15,305. This increase is due to increased costs of some tree cutting that was done in advance of obtaining the Corps of Engineers permit. We weren't able to get any equipment down there, so they all had to be cut manually, and then the contractor had to come back after the fact and remove all the trees. We just couldn't disturb the ground in the wetland areas is what it amounted to. So, that added cost. Then this change order also covers the cost of switching out some of the geo-technical instrumentation that will monitor the settlement of the fill as it's placed out there.

Commissioner Melcher: I'll move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: The second item I have is a street acceptance request. This is on the Brandeis Equipment site that is up on Highway 41 north of Baseline on the west side of 41. The acceptance request is for 387 feet of Taurus Road and 785 feet of Aquarius Road. Both roads have been inspected and I would recommend acceptance.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I need your approval to go to County Council to transfer \$2,000 from the County Line Road Account to the Legal Services Account. The County Line Account the funds aren't needed anymore because we terminated that contract due to a lack of funding to do the construction. We're running short on our Legal Account. So, I need your approval to proceed to Council.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, last, I have a right-of-way certification letter to submit to INDOT for certifying that we've obtained all right-of-way on University Parkway for Marx to Diamond.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

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

President Tornatta: I think that's it.

John Stoll: Alright.

Commissioner Winnecke: Thanks, John.

John Stoll: Thanks.

President Tornatta: Thanks, John.

County Attorney

President Tornatta: Ted?

Ted C. Ziemer, Jr.: No, we've covered everything.

President Tornatta: Okay. Super.

New Business

President Tornatta: Let's see, we have new business. Did everyone here get the request from the McCutchanville Parks Fund?

Commissioner Melcher: I know I didn't get anything.

Commissioner Winnecke: It's not in here.

President Tornatta: Okay. There has been a submittal. One of the things that we have identified as a need to do a matching grant for some parks. The parks that we're talking about are those parks out in the county. Those parks out in the county have to have private funds donated and we'll match up to \$5,000. That will be at the discretion of the Commissioners office. We do have one in, and I just recommend that we review the request for the McCutchanville Park for \$5,000 and next meeting if we could go over that. Then if we have any questions, and potentially award that contract.

Commissioner Winnecke: Second.

Commissioner Melcher: I'm fine with that.

President Tornatta: Okay. Alright, any old business?

Commissioner Winnecke: Do you want to vote on that? Do we need to vote?

President Tornatta: No.

Commissioner Winnecke: Okay.

President Tornatta: We'll just accept it.

Commissioner Winnecke: So, who has the...will someone distribute the proposal to us?

President Tornatta: Yeah, we've got it. Okay, we've got it. That goes to any other parks, the opportunity is still open to have those matching private funds with our funding source to put toward anything dealing with the park, but it would be a structure type of situation, or product. It would not be any labor. So, anyone that has a request that they'll get it into the Commissioners office and we'll be glad to look at your request.

Old Business

President Tornatta: If there is no old business.

Public Comment

President Tornatta: Any public comment?

Commissioner Winnecke: Steve Craig.

President Tornatta: Steve?

Steve Craig: Steve Craig, Manager of Burdette. There was one item that I wanted to do under my department head meeting, or report. It was, I was asking permission to do my annual transfer. I know that you and Lloyd know it because you were on the County Council, but, Steve, I didn't know if you knew what it was. But, I was wanting to transfer monies from the 3590-559 account to the line item 1180 and 1900. It's for \$80,000 for salaries, and \$6,120 for FICA. Then we will reimburse the General Fund the full amount from our account at Burdette.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Steve, just, I know we didn't talk about this before, but you've had some break ins at the park. I know it happens every year, but it seems like, you know, at a time, we want to make people aware in that area, if they do see people around Burdette Park, that they would want to call 911 and report anything that they see to Central Dispatch and we'll get a Sheriff Deputy out there, if there's not already one in the area.

Steve Craig: Yes. We have been working with them, and there's increased patrols out there, and they're actually bringing their dogs out there. So, we're trying to curb anything that will happen in the future. But, I don't know, it seems like it might be kids and that, some of the stuff was not kids stuff, but there's been a lot of candy stolen and stuff when they do get in to some of these places. As you said, we've had trouble before, and we secured a lot of areas, but it seems like every time we

secure one area, they move to another one. So, I had talked to you about looking into some other alternatives. I think that getting cameras out there or something in certain places would definitely curtail it once we caught the people on camera doing it. But, it seems like it happens every year for a little while, then you don't, you know, you don't have no problem with it again.

President Tornatta: Even though it's a park, we do take it very seriously those who violate the law. So, you know, (a) we want to have people out there looking and protecting our park, which is their park that they pay for as well, and, (b) we want to let those people know that if they are violating the privileges that we have out in that beautiful area that we will go to the extent that we have to to bring them to justice.

Steve Craig: Well, we have caught people in the past and they have spent some time. So, it is a serious matter and they do take, you know, the Prosecutor does take care of them.

President Tornatta: Thank you.

Steve Craig: Thank you.

President Tornatta: Alright.

Consent Items

President Tornatta: Motion to approve the consent items.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. If you'll please read the consent items, Madelyn.

Madelyn Grayson: The consent items for the July 21st meeting are as follows; approval of the July 7, 2009 Commission meeting minutes and department head meeting notes; employment changes from the various offices; there are travel requests, two from the County Assessor, one from the Health Department, and one from the County Treasurer; the Commissioners have a memorandum of understanding between St. Mary's Hospital, EVSC and Commissioners on behalf of the Health Department; the Auditor submission of statement of salaries and wages for review; County Engineer, approve pay request number 83 for Burkhardt-Green River TIF projects in the amount \$106,246.16; SMG's qualitative measurements for performance for fiscal year 2008; Burdette Park has the 2009 January to June comparison report; the Treasurer has a year-to-date report through June 30, 2009; Legal Aid has the June 2009 statistics; Weights and Measures monthly report from June 12th through July 15, 2009; Circuit Court has a request to surplus one fax machine; Hillcrest Washington Youth Home's second quarter reimbursement; a waiver of conflict of County Attorney in favor of Barclay Purkans, LLC in Federal District Court Case AC Heating & Air Conditioning, Inc. vs. Matrix of Evansville, LLC, et al; department head reports from the Vanderburgh County Ozone office, County Highway department, County Engineer and Burdette Park.

President Tornatta: Any questions of the Board? Roll call vote, please. Sorry.

Ted C. Ziemer, Jr.: I might just comment. The County Attorney, David Miller, gave me this request for a waiver of conflict in the middle of the afternoon. It was too late to send you an e-mail on that. It's a suit wherein AC Heating & Air Conditioning is suing Matrix of Evansville, a regular client of our office, Barclay Purkans, LLC, and other defendants, including Vanderburgh County. Vanderburgh County is only named because it has a statutory tax lien on that property, and that money will be paid to Vanderburgh County. Nonetheless, in cases like this we do appoint other counsel to represent the county in that regard, and the County Attorney has appointed Robert Faulkner to represent the county on that. We need a waiver from the county to represent our regular client, Barclay Purkans, LLC. In the waiver document we set forth the rules of professional conduct for lawyers in the State of Indiana which provides that you can waive that if in our opinion our representing this client will have no effect whatsoever on the representation of Vanderburgh County. So, we ask that you do waive that.

President Tornatta: Any other questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: If we have nothing else, I'll take a motion to adjourn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: All in favor say aye.

All Commissioners: Aye.

(The meeting was adjourned at 5:20 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the July 7, 2009 Commission Meeting Minutes.
Approval of the July 7, 2009 Department Head Meeting Notes.
MOU between St. Mary's, EVSC & Commissioners for Health Department.
SMG Qualitative Measurements for Performance: FY '08.
Hillcrest Washington Youth Home: 2nd Quarter Reimbursement.
Waiver of Conflict: County Attorney: Barclay Purkans: AC Htg. & Air vs. Matrix

Employment Changes:

Co-Op Extension (3)	Burdette Park (20)	Circuit Court (1)
Treasurer (2)	VCCC (1)	Health Dept. (3)
County Highway (1)	Legal Aid (1)	County Assr. (2)
Sheriff Dept. (1)		

Travel Requests:

County Assessor (2)	Health Department (1)	Treasurer (1)
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Auditor: Submission of Statement of Salaries & Wages (Form 144's) for review.

County Engineer: Pay Request No. 83: Green River-Burkhardt TIF Projects.

Burdette Park: 2009 January to June Comparison Report.

Treasurer: Year-to-Date Report Through June 30, 2009.

Legal Aid: June 2009 Statistics.

Weights & Measures: Monthly Report: 6/12-7/15/2009.

Circuit Court: Request to surplus one fax machine.

Department Head Reports:

Ozone Officer	County Highway	County Engineer
Burdette Park		

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Judi Early	Shawn Shrum	Barbara Shrum
Dave Rector	John Stoll	Steve Craig
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING
JULY 31, 2009**

The Vanderburgh County Board of Commissioners met in special session this 31st day of July, 2009 at 3:01 p.m. in room 301 of the Civic Center Complex with Vice President Stephen Melcher presiding.

Call to Order

Commissioner Melcher: Okay, let's go ahead and open up this special meeting of the Vanderburgh County Board of Commissioners, July 31, 2009, room 301 at 3:00 p.m. We'll show that the people present are Lloyd Winnecke, Commissioner; Steve Melcher, Commissioner; the attorney, Mr. Ziemer; and Auditor, Mr. Fluty; and Recording Secretary, Teri—

Teri Lukeman: Lukeman.

Commissioner Melcher: —Lukeman.

Approval of Right-of-Way Encroachment Agreement: Resurrection School

Commissioner Melcher: We have one action item. I guess, Ted, do you want to talk about it?

Ted C. Ziemer, Jr.: Yes.

Commissioner Melcher: About the encroachment agreement for the Diocese of Evansville?

Ted C. Ziemer, Jr.: Right. Resurrection School would like to place a flasher light, that's one of the lights that say 20 miles per hour when flashing, and it runs on solar power, one 500 feet east of the school, and one 500 feet west of the school, with both locations being in the right-of-way for New Harmony Road. They have presented the county with a right-of-way encroachment agreement, which is satisfactory as to form, so far as the County Attorney is concerned, and a certificate of insurance with the required limits, or coverages. It's satisfactory for approval should you wish to do so.

Commissioner Winnecke: Mr. Chairman, at this time I would move that we approve the encroachment agreement with the Diocese, with Resurrection School.

Commissioner Melcher: Yes, and I'll second that agreement also. Do we have any further discussion?

Commissioner Winnecke: Nope, I'm fine with it.

Commissioner Melcher: Mr. Fluty, do you got any?

Bill Fluty: No, I'm fine with it.

Commissioner Melcher: There's nobody from the audience, but I would just like to say that anyway. With that can we have a roll call vote, please?

Teri Lukeman: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Teri Lukeman: Commissioner Melcher?

Commissioner Melcher: Yes. With that, since we have two here we do have a quorum, so this passes.

(Motion approved 2-0)

Commissioner Melcher: Any other business to come before this special meeting?

Commissioner Winnecke: Mr. President, or Mr. Chairman, I would move for adjournment.

Commissioner Melcher: And I second it. All in favor say aye.

Commissioner Winnecke: Aye.

Commissioner Melcher: Aye. We're closed.

(The meeting was adjourned at 3:03 p.m.)

Those in Attendance:

Stephen Melcher

Lloyd Winnecke

Bill Fluty

Ted C. Ziemer, Jr.

Teri Lukeman

Others Unidentified

Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded by Teri Lukeman. Transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
AUGUST 11, 2009**

The Vanderburgh County Board of Commissioners met in session this 11th day of August, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good evening. We will start the Board of Commissioners meeting, August 11, 2009, room 301 with attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Teen Advisory Council

President Tornatta: Jo Beth Boots? If you would come up and tell us who you are with?

Jo Beth Boots: Good evening. My name is Jo Beth Boots and I'm the program manager for the Teen Advisory Council, which is a program through Youth Resources. I have with me today Jordan Whitledge. He's actually an alumni of our programs. But, our students actually get the unique opportunity to shadow you. They get to come and shadow the County Commissioners, the City Council, and the EVSC School Board through our program.

President Tornatta: Well, let's stop there, and let's let Jordan lead us in the Pledge.

Jo Beth Boots: Okay.

President Tornatta: Then we'll hear all about the organization.

Jo Beth Boots: Okay.

(Jordan Whitledge lead the Board and the audience in the Pledge of Allegiance.)

President Tornatta: Alright. Okay, you're on.

Jo Beth Boots: Wonderful! The Youth Resources Teen Advisory Council actually started in 1987 with 12 students, and now we have over 80 members. They really do have a chance to get out in the community and serve others, as well as be involved with civic engagement. Through our students we've been able to show them what really goes on in our community, and by shadowing at these meetings they really get in touch with what's going on in our community. It also helps them

identify issues that they want to address as they are in our Council and as they become adults. I'll actually let Jordan just kind of talk about his experiences and what it's meant to him, especially now that he's in college.

Jordan Whittedge: It's really been a great experience. I've shadowed the City Council and I've shadowed the EVSC School Board. One of my hobbies is kind of politics and history. So, it's been a great opportunity to meet and connect with some of our city leaders and our county leaders and people who are involved with our school board. It's just been a great experience all together. What else can I say?

Jo Beth Boots: That's wonderful. So, we just appreciate you having us here tonight and for helping our youth and really being great mentors to them in our community.

Jordan Whittedge: Thank you.

President Tornatta: Thank you.

Commissioner Winnecke: Thank you.

Lobbyist Update: Warren Mathies and Jeff Phillips
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President Tornatta: Alright, action items, Warren Mathies, Jeff Phillips here with our State lobbying group, going to give us some updates.

Warren Mathies: Good evening. I have a handout that I didn't get a chance to bring out earlier, if I may pass that out to you all?

President Tornatta: Sure.

Warren Mathies: What you have before you, what I want to talk about is what happened the last session and the things that benefitted, and then what you have before you is the Legislative Council meeting minutes. If you flip through here, this is what's going to happen over the summer, through the interim study committees. It's a forecast of things that the Legislature will be working on for grafting legislation next year. If you'll flip, you don't have to, obviously, read it all, there's issues that don't apply to us, but if you'll flip to page two. It's actually the fourth page in here, you'll see a headline at the top that says, "Census Data Advisory Committee". On that page, if you'll go down to item three to where it says, "Consolidation of probation services in counties having more than one probation department, or Methods of providing financial support to local probation departments", that's an issue that will affect all counties, but that discussion will be happening over the summer, and there may be things that can save money, or we may be able to get revenue streams that comes to benefit the county probation departments. If you flip to page three under the Gaming Study Committee, item B (1) is admission taxes for riverboats. They've got 17 items to study, but that's important to us because we get cost share monies that come from the riverboats, and we have to be there to protect it and watch it and make sure they're not cutting it, and be aware of what's going on in that discussion. So, that's, anytime they open the door and talk about gaming taxes and monies, we need to be vigilant to make sure they don't slice our money that we get here in Vanderburgh County from the shared riverboat gaming money. Page five, item 14 is the Ohio River Bridges Project Commission. This was established mainly out of efforts over the Jeffersonville-New Albany area. They're going to, they're proposing an extra bridge and an upgrade of the bridges there, but this will benefit all river

counties. That's something that we can be vigilant on and see if there's any benefits there to watch out for. Page six is the Commission on State Tax and Financing Policy. There's a couple of issues involved there that we need to watch, and that's item A, the allocation of CAGIT money, Local Option Income Tax, CEDIT money and how that is to be administered. Generally those taxing issues are gigantic monsters that move and change throughout the summer and there's proposals, but for one county to get in and wrestle control and do things, it's generally not that easy. It's something that we watch and then we react to, and if there's something where we're going to get hurt, we've got to jump up and say, no, don't do that. But, that's something that we'll have to watch throughout the summer as well, because that can affect all counties and how they can allocate that money. So, we don't want to have your hands tied in anyway by the State with respect to these local monies that we collect. Item F, underneath this same taxing commission, tax policies for logistic providers, trucking, rail, waterborne shipping, aviation and warehouse/distribution. They're going to do a comparative analysis of Ohio, Kentucky, Tennessee, Illinois, Michigan and Wisconsin. This arose, one of your local aviation regional airport members, Bud Farmer, was concerned and raised some issues amongst the aviation association that Evansville was losing money to Owensboro, and Owensboro's airport had gained Allegiant, I believe it is called, Airlines, and has a local regional air provider there. What's happened there, the competitiveness between Evansville Regional Airport and Owensboro's airport is, Owensboro was able to underbid Evansville because they have a two million dollar subsidy by the Federal government that's given through all of Kentucky airports. The reason they have that is that the State of Indiana fails to have an Aviation Department to collect those federal monies that would be available. So, what this study is here for is to take advantage of establishing an Aviation Department, pushing to make sure our Indiana Department of Transportation is looking out for that, and make efforts to collect that Federal money so that down the road when Evansville is competing for more carriers and more folks we can say, hey, we've got some seed money, incentive money from the Federal government, we can provide this to you cheaper. So, that kind of was born out of some local people raising an issue. We worked with Bart Geisler with the Indiana Airport Association.

Jeff Phillips: That's correct.

Warren Mathies: There was another legislator that he was working with in northern Indiana, and they wanted to make sure that this was studied over the summer. So, we took advantage to make sure Representative Welch and—

Jeff Phillips: Senator Kenley.

Warren Mathies: —Senator Luke Kenley, when we started talking with those two people about the importance of the Evansville Airport, we just knew about it, we didn't have any marching orders from you. We saw an opportunity and said, put it on the books, it's going to benefit the whole state, but it's going to help us too. So, it wasn't anything that we felt that we needed to raise, you know, concern about, because we knew it would come through for the whole state. Those are the issues that are going to be hot over the coming months. The charge of these minutes, most of them have to be done by November, let me see, November 30th, some deadlines are November 1st. So, between now and November 1st there will be meetings on these issues. The only two posted right now are gaming and health finance. Within the next week they will post meetings and we'll know the meeting dates on these committees, and be in attendance and follow what's going on with them. If we find something that's there that will benefit us, we'll certainly bring it to your attention and

would hope that once we have kind of a road map and an outline of what's happening, we should be able to collaborate or get back with you to get some marching orders as to whether we want to play ball in some of these or raise some issues. There may be some tax policy things that you guys have been grappling with that you need to bring to our attention and educate us, so that we can change the direction of things on that. So, that's where the road is going in the future, so that you can feel safe that there's something going on that we're watching and that you're somewhat protected up there, at least somebody's watching out for you. Where we've been, I can tell you this last session we didn't get started, as you guys probably remember, we started about halfway through the session with representing you, but we were able to work on a quantity purchase agreement for salt, road salt. We got activated in a bill by Representative Austin from Anderson, Indiana, and you should have, if memory serves me, I spoke to someone the other day, I think you were able to get your salt secured for the next winter at a reasonable price, \$60 per ton as opposed to \$100. So, I think that that benefit is out there. That was one thing that we were standing in the room at the right time, and I think Troy called and said we're having problems with salt and it was winter time and we had a snow in February or something, and we just happened to find an opportunity and grab it. So, that came through. The other attachment in here is House Enrolled Act 1514, and that has the arena taxing information for you. As you all know, that was authorized for a taxing district. We expanded the taxing district to include hotels in local areas, but there is a section in here that I would like to point out to you that I don't know if you're aware of, and that is page 24, and this may affect, it may affect your bottom line in a good way. If you go down to section 24 there was an allegiance, an alliance set up with one of Mr. Phillips' clients, a company called Tremco, and Tremco is a multi-state consortium that provides routine maintenance for government buildings and government projects that have existing infrastructure. Tremco was curious and interested in trying to streamline the bidding process, and so section 24 was added in with the help of Phil GiaQuinta from Ft. Wayne and Trent Van Haaften, I think, was an advisor as well. Your local legislator went to bat on this one. Your normal bid, public works bid requirements for publication is \$50,000 or greater, you have to put a notice in the paper for those. This section of the bill changed that number to \$150,000. So, you're going to have a savings, with respect to your public works maintenance and bidding projects, you won't have to put them in the newspaper if they're projects under \$150,000. So, I would imagine that you probably have some that you bid and you pay the publishers handsomely, you know several hundred dollars, to put those notices in the paper. That threshold level has changed. So, that should benefit you all. If you have the ability to update the folks that normally do that, it would be wise to, because this is now in effect for us. You will have a cost savings, I mean, you don't have to pay the paper as much on those projects. Those are the main issues that came out of the legislative session that benefit Vanderburgh County; the salt, the arena, and the quantity purchase agreement language. We were, you know, we feel pretty good that we were able to get a little bit done, but I think this next session will be better, because we will have, we will be on board working for the, hopefully, for the entire session this time, and we would like to have the opportunity to strategize and meet with you all, in some sort of fashion, to kind of come up with an aggressive proactive agenda for the county, with respect to tax policy and funding monies and policies that you have, and things that you might want to be working on to fix. I plan to come and just kind of sit as a ghost in your meetings a little bit back here, when I'm not on your agenda, to get the big picture view, because sometimes I see things that are hot that we can say, oh, wait, they're doing this in Indianapolis, we might be able to get part of that paid for. So, it would be nice to brainstorm with you all at some point in the coming months to see what big projects are ahead. There's a lot of transportation stuff going on down here, and we

want to make sure that we're taking advantage of that. Jeff is very good at working with the administrative part, INDOT, and there's grant monies out there, and there's innovative financing. If we kind of have an idea of where you all want to go, we might be able to help facilitate you getting there and saving you money as we do it. So, that would be our goal. I'm happy to answer any questions that you might have. Normally when I deal with clients, I communicate on a monthly basis. Vanderburgh County has been a little bit different, there's three of you that I would have to communicate with, and I would like to improve that in some way. So, I would like to get an idea of what you all would like to see in our relationship when we're working in Indianapolis that makes you all comfortable as far as communication, and trying to be on the same page and march forward with a proactive agenda as we go.

President Tornatta: Any questions?

Commissioner Winnecke: I have a question.

President Tornatta: Sure.

Commissioner Winnecke: Hey, Warren, back to the airport issue.

Warren Mathies: Yeah.

Commissioner Winnecke: So, Kentucky is able, specifically Owensboro is able to capitalize on that Federal money as a result of a State agency that it has that Indiana does not?

Warren Mathies: That's correct.

Commissioner Winnecke: Is that really the only—

Warren Mathies: That's the main issue. But, the local, the regional airport people here in Evansville saw that and thought, well, how come we're not able to do that? They researched it a little bit, found out that we have an Aviation Division at INDOT, but it's not registered Federally as it should, as a separate Aviation Department. It's not got the credentials that it needs to accept that Federal money. So, part of this study in the summer is to find a way to push the government and push the legislature to enact and force INDOT to step up to the plate in some fashion. Of course, that costs money, and in tight budget times there's issues of how is that funded? So, when they tried to push that issue, there was a point in time during the session that where they tried to push that and say, let's authorize this group. Well, in the tight budget session it failed because they didn't have the money to start it. They were starting behind the eight ball, you know, a little slow late in session. So, the logic was with the aviation, the Airport Association of Indiana, they said, well, look, let's just get it on the map. Let's study it, and let's see what other states are doing. They know, the Airport Association already knows what the neighboring states are doing. So, when they do this study, I can tell you what the outcome likely is going to be, we're going to find that Indiana is lacking on Federal funds because we've not got our infrastructure at the State level put in place to capture that money. So, this study is going to probably come out to our advantage when we compare the neighboring states.

Commissioner Winnecke: I would just, I mean, this is going to be a huge issue as Delta, as we understand—

Warren Mathies: Sure.

Commissioner Winnecke: –the–

Warren Mathies: Merger.

Commissioner Winnecke: –implications of the Delta-Northwest merger.

Warren Mathies: Sure.

Commissioner Winnecke: So, as we try to fill that void. So, I think any information that you can keep us in the loop on, on a regular basis, you know, hearings or what not would be really helpful.

Warren Mathies: As soon as this is posted for hearing we'll inform you all of that.

Commissioner Winnecke: Great. Thank you. That's good.

Warren Mathies: There may be somebody that needs to be involved in the process from your airport. I don't know that, those politics out there, who's the chairman or any of that stuff. That's stuff I've not educated myself on, but I'll watch and at least tell you so that you guys can activate them if they need to go up there, or if we need to advocate a position that we need to advocate for you, you can tell us once we get the hearing dates.

Commissioner Winnecke: Thank you.

Warren Mathies: Yep.

President Tornatta: Anything else?

Commissioner Melcher: Yes. You said the Kentucky airports, is that all airports regardless of size?

Warren Mathies: No, there are some Federal, in order for that Federal money it has to be a transportation size airport that has a commercial, you know, need. So, a local airport that's just, that's not doing commercial traffic, that's more of an airport facility for business or private planes, it doesn't apply that way. But a regional type airport, like a Louisville, a Frankfort, a Lexington, or Owensboro, they have the ability to capture money, because the Federal government, there's a move, there's a change within the aviation, how aviation works. I know, as a pilot myself, I've been a private pilot for 15 years, they, there's a move to move towards regional piloting and regional management. Feeder systems that come from smaller airports and go to hubs. So, they're working on upgrading and boosting regional airports. That's the goal. They're having a hard time getting there, but that's why that Federal funding would only apply to commercial type airports that have that (Inaudible).

Commissioner Melcher: Then is there some kind of a formula, like Louisville airport would get more than two million?

Warren Mathies: I'm not positive, off the top of my head, but I would think that there's probably some matrix that they would have to work through. We will know that answer by the end of this summer study, with respect to Kentucky. We'll also know Ohio, Illinois and Michigan and Wisconsin. I find it interesting they threw Wisconsin

in there, and I think the reason being is Wisconsin has a lot of aviation money, because they have the world's largest air show, and probably they authorize, they put Wisconsin in that mix because we've got Lake Michigan up there. We may have a tip with Wisconsin, but it's in there because I think Wisconsin gets a lot of Federal money and it's going to come back and show that Indiana's way behind. So, I'm anxious to see what Wisconsin's numbers come back, because I thought that's peculiar that they're thrown in this mix, you know. It's kind of funny. You know, why the Wisconsin? It's like, out of the blue, it's in there.

President Tornatta: I think the good part is we're going to see what our border competitions are.

Warren Mathies: Sure, yeah.

President Tornatta: I think it's always good to identify where those competitions are. I think we've even seen Henderson enter the mix—

Warren Mathies: Yeah, oh, yeah.

President Tornatta: —as far as plane storage, and so we need to talk about that. As far as, a couple of things that we need to discuss and get back to you guys, one is legislative agendas, and that's something that we need to be thinking about on this Board and get those needed issues identified and then get them to you. The other thing would be to have that form of communication. I think you delivered some cards, everyone has your communication, or—

Warren Mathies: I did the first time, but I need to update you all. It's the same, but I know I didn't pass any out tonight.

President Tornatta: Yeah, and we'll get those and then maybe we can establish, amongst the three of us—

Warren Mathies: Sure.

President Tornatta: —what the best way to communicate is. We've got a good relationship in getting some back and forth going on hot topic issues.

Warren Mathies: Sure.

President Tornatta: I've been trying to communicate as much as possible, but, you know, sometimes you're stuck in meetings trying to get some of that information out—

Warren Mathies: Right.

President Tornatta: —and you can be a lot more specific if you make one on one contact. So, that being said, we'll try and get that information back and forth as soon as possible—

Warren Mathies: Okay.

President Tornatta: —and also get some type of agenda or some type of ability to get, whether it's here before a meeting, or during a meeting to get some agendas out on the table.

Warren Mathies: Yeah, perfect.

President Tornatta: Any other questions? Thank you guys.

Warren Mathies: I didn't get a chance to officially introduce Jeff. I just kind of started in. This is Jeff Phillips our other lobbyist. He does a lot of the INDOT stuff, but he had said why don't you give the summary and I'll back you up when you need it.

Jeff Phillips: Thank you very much, Commissioners. It's a pleasure to be here before you. To just touch on what Warren was saying, with the regional transportation initiative this summer, we will be working in collaboration with all border county entities that have the same type of risk, if you will, in terms of keeping their local companies local, and not pursuing other avenues across State borders, within those border counties. Speaking with the Lake County delegation, and their representation actually today, they absolutely had this on their radar screen. We're working with the Aviation Association, their lobbyist, there's a gentleman that has headed up a new group called Conexus that Carol D'Amico is very much involved in that deals with all transportation issues across the board, and their lobbyist is David Holt. They have a keen interest in this conversation and seeing where it goes. So, you know, there's a lot of collaboration on that front to help try to generate the best possible atmosphere to succeed with. You know, the other issue, obviously, that was a hot topic last session that you are very keenly interested in is government reform with Kernan-Shepard stuff and watching to see what kind of legislation may or may not be pursued and filed on behalf of folks that are anxious in changing county government. So, those topics will continue to move and the conversations will take place. So, I'm just thrilled to be here and representing you and look forward to doing the best possible job we can. Thank you.

President Tornatta: Thank you. Have a safe trip.

Jim Harris: CPO: Custodial Supply Bids

President Tornatta: Jim Harris, EVSC and Purchasing Director, how about it?

Jim Harris: Good evening. Tonight, well, first of all, my name is James Harris. I am the Chief Operating Officer for EVSC. Under that role I am also the Purchasing Agent for the city and county. Tonight I bring before you the second of the bids we've done under our Cooperative Purchasing Organization. The first was copy paper, this time it is custodial supplies. If you look before you I gave you a hand out. The first recommendation is for, on page two, is can liners, which goes, which I recommend going to HMR Enterprises, which is a local, minority owned/woman owned company here in Evansville. Number two would be multi-purpose cleaner, which I recommend goes to EcoQuip, which is also a WBE, woman owned business enterprise, here in Evansville. Number three, custodial paper, I recommend goes to Pro-Tex-All, another locally owned company. Hand soap on page four, KRS Supply, Kleen-Rite Supply, another locally owned Evansville company. On the last page is a recap. You will see under my recommendations all bids go to locally owned companies, two women owned companies, and there's a cost savings of 19.5 percent over your current costs. Do you have any questions for me?

Commissioner Winnecke: Jim, just for the record, to reiterate, these are all local and all represent the lowest prices that were submitted?

Jim Harris: You will see on the pages that have them listed it has their address. They are all Evansville based, and they are actually in Evansville, operating in Evansville.

President Tornatta: Then, your follow up question was about the—

Commissioner Winnecke: Competitive pricing, I'm sorry. I guess, I see one where I have a question, but maybe it's because, on the multi-purpose cleaner, on that page—

Jim Harris: Yes?

Commissioner Winnecke: —it looks like one out of town competitor was significantly lower.

Jim Harris: That out of town, Bowling Green, Kentucky?

Commissioner Winnecke: Yes.

Jim Harris: They didn't follow our bid.

Commissioner Winnecke: I'm sorry?

Jim Harris: They did not follow our bid parameters.

Commissioner Winnecke: Okay, thank you.

Jim Harris: They were discontinued. What I do is I include everyone who bid, so you can't say I excluded someone. I'm showing everything that's possible. The one bidder at the top withdrew their bid, they couldn't fulfill the requirements, the second one did not follow the procedures for the bid. The winner, EcoQuip, that I'm recommending, offered a two prong approach to dispensing units. A hand held and a wall mounted.

Commissioner Winnecke: Okay.

Jim Harris: And when you average those prices, they become the lowest bidder. Also we've tested all of these products, so it wasn't like someone submitted a cheaper quality product. We brought them in, tested them, then we decided from there.

Commissioner Winnecke: Great. Thank you.

Commissioner Melcher: I just, the only question I would have, maybe in the future when they withdraw a bid, like this says withdrew bid, but if there's some problem maybe you ought to put a star on it and say the same thing like you did the first one so we know.

Jim Harris: Okay.

Commissioner Melcher: You know, because when you count them you say, well, there's a lot, but then after you throw three out, there's not a lot.

Jim Harris: Well, we have very tough parameters and criteria on our bids in the quality of product that we use. We do, well, we like to have local vendors, because

we require them to delivery to the locations. So, if you're out of town, it's really not cost effective for them to even bother with us.

Commissioner Winnecke: Well, we like the 19 and a half percent cost savings.

Jim Harris: So far, the average cost savings so far is about 22 percent.

Commissioner Winnecke: Great.

Jim Harris: Overall since we've joined together with our cooperative purchasing with the city, county and EVSC. We have a few other things coming up.

President Tornatta: Super.

Commissioner Winnecke: Are you ready for a motion?

President Tornatta: Yeah.

Commissioner Winnecke: Mr. President, I will move approval of the recommended vendors as presented by Mr. Harris.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions or discussions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Mr. Harris.

Jim Harris: Alright, thank you.

Commissioner Winnecke: Thanks, Jim.

President Tornatta: Alright.

**Second and Final Reading of CO.07-09-013:
An Ordinance Amending Chapter 17.36 (Zoning Code)**

President Tornatta: Second and final reading of CO.07-09-013, an ordinance amending chapter 17.36 entitled administration and enforcement. The APC has approved the adoption of this and feels that it will better enable its enforcement of zoning codes and to prevent and deter violations.

Commissioner Winnecke: Mr. President, I will move second and final reading of the aforementioned ordinance.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Tim Gravenstreeter: Countywide Guides & Maps

President Tornatta: Tim Gravenstreeter? Tim is going to talk about the info book and relocation guide and give us a brief presentation.

Tim Gravenstreeter: Good evening, Commissioners. I have, prior to this meeting, sent each of you a packet that I hope you've had a chance to at least have a cursory view, but supplemental to that this evening, have brought in a couple of other important pieces because they give you a sense as to what the cover will look like. The earlier version did not have benefit of some local landmarks, and while this isn't the final one, it at least gives you a sense of how we do temper everyone of the covers of everyone of our books to include the slice of life in recreation, government, landmarks and such. I have an array of other County Commissioner sponsored books that I have done, and, if you would like, I can leave these. But, the key to this is to let you know that this is a work in progress. I'm on my eighth edition for the Hendricks County Board of Commissioners, and so it's pretty much after eight consecutive editions on auto pilot as far as the layout concepts are. But what I'm here to petition you to consider is providing the sponsorship in the guise of just a letter on your stationery that would allow us when we go to other governmental agencies and quasi-governmental agencies to understand that the production of this commercial publication, which is done with no tax monies whatsoever, is being done under the auspices of your office, which will allow us to have a higher level of cooperation from school systems, township assessor offices and such, than if we

just came in as, you know, Tim Gravenstreeter from Countywide Guides. I have had a very successful relationship through a number of these editions, and in the prior material you have letters from various Commissioners about their re-upping for yet another edition and the kudos as to what they thought of the quality. I've also given distribution information so that you see that my Commissioner offices is just one of about 40 places to 60 places throughout the county where these would be available to the public. But, the primary reason that any of these Commissioner offices have gotten involved with Countywide Guides is that this piece is generally considered to be the ultimate authority in their respective counties. It is used by the Human Resource departments to recruit people from outside of the area that have no prior knowledge about what life in that said county would be. So, when they are looking for school systems, student-teacher ratios, the population, public safety numbers, parks and their amenities, tax rates, housing costs and apartment rental rates, all of that is found in any of our Countywide Guides. So, it is used by the HR departments. It is also used by the economic development people as a keystone piece as part of their portfolio when trying to entreat outside people to invest because of the wealth of commercial information in here. In fact I have sponsorship by the folks in the economic development department in some of my counties and municipalities. So, the reason that I ask you to give this consideration is that it has been a partnership that has worked well. I have also submitted information about our company and the fact that in our information gathering our books have been lauded by local municipalities, your counterparts at other County Commissioners offices, Chambers of Commerce, and others, and to that end there's a sheet that has just some of the Chambers of Commerce in our various counties that are not only active distributors of these books for whatever purpose, commercial development and/or relocation, but many of these people are also paid sponsors in these books because they believe the value of this book supplements their own materials. Now I would like to point out that these publications are also then posted online and are available anywhere on the worldwide web in the same format as if you were looking at the book in front of you. You have the ability to go to any URL address in here and click on it and hyperlink to the website of that governmental agency, that not-for-profit, or any of the sponsors that we have. So the economic development corporation for Elkhart County, for instance, you can click on their ad and hyperlink right to their website. So, we offer actually the opportunity to have this book not only in its physical form, but as an e-book online with our other publications that we post as we come out with them. Now should you shop our countywideguides.com website and see more than just Chamber, or more than just the Countywide Guides, that's because we also publish books and maps and directories for Chambers of Commerce as well, and they are on that site as well. If we were to get your approval to start, once we have just a three line letter, and I have examples of what that looks like in the packet that I sent to you before, we would be able to initiate the information gathering and the advertising sponsorship support for this publication. It is our timetable to have this come out right after the first of the year. So, are there any questions that I might address?

President Tornatta: Questions?

Commissioner Winnecke: Yeah, I'll start. What's the need for this?

Tim Gravenstreeter: In any community as large as Evansville, with the population base that you have and the major companies that you have, people moving in and out of here, the ability to have one source for information about what the relocating executive or individual is going to be is one thing, and we glean over 100 websites and make over 200 phone calls to come up with over 1,000 data points that are in

this book. There's no other single clearinghouse that has all this in one nice, neat little package. So, it is something that while you say, you know, what is the need, the need is that where we have filled this perceived need in nine other counties, it has now become a staple, and I get calls from people waiting for the next edition wanting to know when it's going to be available to them through their local city hall, county government center or U.S. Post Office. Our book is the only book that has every been authorized to be in Post Office lobbies. But in small communities where there is no full time town hall staff, the local Post Office has these books, and in some cases has actually facilitated our getting them to them by sending us pre-paid stickers.

Commissioner Winnecke: Right, so, yeah, I probably didn't phrase my question correctly. Theoretically, I understand the need for it. I guess, the question is what about competing publications that exist today?

Tim Gravenstreeter: There aren't....go ahead please.

Commissioner Winnecke: Because it's my understanding that the Chamber does stuff, it's my understanding that the individual real estate companies do these things. I mean, multiple people do these already.

Tim Gravenstreeter: That is a very, very good point. The key is that when it is the real estate company then it's only available through that particular agency usually, and it's usually their brand stamped on a book that is produced by a third party that is in this industry as well, but it has nowhere near the same kind of data that is available. As to the Chambers, the reason that I included this list of all these Chambers of Commerce, every single one of these chambers produces some sort of localized material to promote their service district. I actually produced them for them as well as a result of them liking the information in the Countywide Guide, they asked me to do them on a local level. I have five projects in Lake County, Indiana alone that came as a result of all of those chambers loving the big picture book. This is not to be considered a competition. It is usually supplemental to the orientation they have. If it's a membership directory, then it's a business to business buying guide. While it will be had, I'm sure containing some statistical information, it does not cross over to the depth of information that we put in our Countywide Guides. So, it's usually the only one that has all of that information in it.

Commissioner Winnecke: But, from a competitive standpoint you would be competing against those organizations in terms of trying to sell advertising.

Tim Gravenstreeter: The marketplace in every county that I have worked in has been able to support both the local Chamber projects, as well as mine. As I say, the Chambers pay for their advertising in my book because they find it to be of such great value. Now I'm not going to be in a position to speak for your local Chamber here, I usually allow them to see what the finished product looks like before they either endorse it for distribution or decide to take on an ad in it them themselves. They will be given that opportunity, but there is no Countywide Guide that is not in every single Chamber in every single one of those counties, including 12 in Lake County alone.

Commissioner Winnecke: Thank you.

President Tornatta: Question? Alright, Tim, probably what I would like to do is mull it over, look at some of this information, and then we can get back with you. If we

decide we want to move forward, then we can come at a subsequent meeting and make a motion to do so.

Tim Gravenstreeter: Alright, appreciate that.

President Tornatta: Okay?

Tim Gravenstreeter: If you would like, I'll leave these other examples of these Commissioner sponsored publications, and you're certainly free to contact any of the people who's letters you have just to talk with them to see about that relationship that we've had. Again, I work for other organizations, real estate associations, but my preference is to work with county governments who I started with and that's my core sponsorship in most of my Countywide Guides.

President Tornatta: Well, thank you.

Tim Gravenstreeter: Thank you very much for the opportunity.

President Tornatta: No problem.

<p>Health Department: Request for Rollover of Employee Time: H1N1 Flu Vaccine Administration</p>

President Tornatta: Doc, with the Health Department.

Ray Nicholson: I'm Dr. Ray Nicholson, Health Officer for Vanderburgh County. You have on your agenda prospective cancellation for time off for Health Department employees. We do not know how serious this epidemic is going to be, but from State reports and National reports we have reason to believe that it's going to get a lot worse. It's like a weed growing up, it starts out small and gets big. It's hard to pull out of the ground and that's the way this virus is. It gets tough. In 1918 this virus spread pretty much through the country, like it has in the spring of this year. Then in the fall it swept through the nation within three weeks and killed over 10,000 people in Indiana and almost 70,000 people in the United States, and 40,000,000 people worldwide. This week it's been proven that this virus is the same virus that we had in 1918. It's shown that genetically. So, consequently, we don't know when the vaccine is going to be available, if it's going to be available, or when we'll be giving it. We are faced with the fact that a number of employees have applied for vacation time, and we realize that if we're in a crisis situation we're not going to be able to grant those. So, I sent a memo to the Health Department that they could go ahead and make arrangements for their vacations, but that it would be subject to immediate cancellation in the event that we need everyone to give approximately 400,000 immunizations. Their concern is that if they have vacation time coming to them, and we have to cancel it that they may lose that time. So, we're asking that if you could authorize it to be carried over. I think the attorney prepared a motion for that effect and I hope that you received all of that.

President Tornatta: I guess, I do have a question. If the days are accumulated, I guess, I need to know if that's going to be under the, that's the pay of the following year though, is that correct?

Ray Nicholson: Yeah, there's four different categories under which they have time coming to them. Only two of them would qualify for this. It would be compensatory

time where they worked overtime and they have the time coming to them, and it would be vacation time. Personal days and so forth would not count.

President Tornatta: Okay, and at some point would this be, this would be kicked into gear by a State of Emergency situation?

Ray Nicholson: Yes.

President Tornatta: Okay.

Ray Nicholson: Yes, we know that we'll be receiving vaccine in groups. We're not going to get it all at once. So, we would have to start immunizing those people that are most susceptible, and we figure it could up to a period of up to two to three months to administer this vaccine.

President Tornatta: Okay.

Commissioner Winnecke: Dr., I appreciate the forward thinking on this. My only concern, not even concern, I would just ask that this be clearly communicated to all the Health Department staff, assuming that it passes tonight. I think that would be appropriate.

Ray Nicholson: We've sent a memo to everyone. It's been discussed in the locker rooms and so forth, that's for sure.

President Tornatta: Hopefully, we don't have to enter into this agreement.

Ray Nicholson: That's right. Well, you know, the thing about it is that I don't expect us to have the deaths that we had in 1918, because first of all we do have Tamiflu, which is effective in most cases. So, we do have treatment. Then in 1918 they did not have the vaccine to give.

Commissioner Winnecke: Right.

Ray Nicholson: So, we hope that we can moderate this and think that it is all a sense of hype, you know, eventually.

President Tornatta: Alright.

Commissioner Winnecke: Mr. Chairman, if you're ready, I would move that if due to duties required of Health Department employees in connection with the H1N1 virus vaccination program, (1) vacation days and departmental leave days for employees of the Health Department are cancelled by order of the Health Officer during the period from August 11, 2009 through December 31, 2009, and, secondly, the Health Officer and the Executive Director of the Health Department approve that any resulting unused vacation time, and any resulting unused departmental leave days in excess of two and one half days for such employees from 2009 be rolled over and used by the affected employees, when authorized by the Executive Director of the Health Department, in 2010. Then such rollover and use of such days by employees of the Health Department in 2010 is approved by the Board of Commissioners of Vanderburgh County.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Discussion of Health Department Recommendations: H1N1 Flu Virus
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Ray Nicholson: Mr. Tornatta, I do have two other small things to bring up. Do you want me to do that now?

President Tornatta: Absolutely.

Ray Nicholson: Okay, first of all, if you remember, you asked that I prepare something for the Commissioners in response to what they might do for this possible epidemic, and we've done that. I can pass that out to you now.

Commissioner Melcher: Thank you.

Commissioner Winnecke: Thanks, Dr.

Ray Nicholson: In this memo we have recommendations that we think you all should follow. Some recommendations specifically on N-95 masks and other materials that you might need. We think that this information would be very valuable to all of the employees here in the Civic Center also. The second thing I want to—

President Tornatta: Real quick, Doc—

Ray Nicholson: Okay.

President Tornatta: — and I probably talked to Gary about this. This is in e-mail form, or is this piece, so if we wanted to do a mass send we could send that out?

Gary Heck: Gary Heck, Health Department. It is ready to do that whenever you are ready for that.

President Tornatta: Okay. At that time, if we accept these recommendations, then we would get in contact and get that moved over and send that out.

Gary Heck: I think some of them have already been implemented. I've noticed that there is hand sanitizers—

President Tornatta: Right.

Gary Heck: –on most of the floors, or every floor near the entrances. A lot of this is common sense, as Dr. Nick likes to say. It's things that people can do to help protect themselves, their family and their fellow citizens.

President Tornatta: Right, and it's probably something that would be good to get into the hands of all the employees, if possible. So, we'll be in contact to get that shipped out.

Health Department Town Hall Meetings: H1N1 Flu Virus

Ray Nicholson: The second thing that I wanted to bring up is the fact that we are planning a town hall meeting. It's in the Central Library, the Browning Room. It's going to be on Wednesday, August 26th. There will be, the two sessions that are scheduled now at 9:30 to 11:30, that morning, and then 2:00 to 4:00 in the afternoon. It's been pointed out that we probably will make, we will make arrangements for a night meeting at some other time. At this town hall meeting we hope to have a lot of announcements as in regards to our campaign to immunize the people. We would like to ask that a Commissioner to be at one of these, at each of these sessions, if you could. We will be inviting other employees in the government. Not employees, but the higher ups, and the Police Department, EMA and so forth. So, I just wanted to inform you of that. You will be getting notices about that.

President Tornatta: Okay.

Ray Nicholson: Okay. Thank you.

President Tornatta: Thank you, Doc.

County Coroner: Vehicle Purchase

President Tornatta: County Coroner. Coroner Groves, we're finally going to get a van purchased, I believe.

Annie Groves: Uh-huh. Yes.

President Tornatta: Okay. Let's see, I know that we approved a van, the Council approved a van with decals for \$24,000, and I believe that it was a little bit more than we thought–

Annie Groves: Correct.

President Tornatta: –but everything is going to fit in the \$24,000, is that correct?

Annie Groves: I think so. I haven't gotten the prices yet on the decals, because I didn't know the size that we would need.

President Tornatta: Okay.

Annie Groves: So, I have spoken with the Sheriff tonight, and he's guided me on where to go.

President Tornatta: Okay, and then on the rest of the vehicles, have we done anything–

Annie Groves: No, we have not.

President Tornatta: Alright.

Annie Groves: We were going to try and do a uniform thing, but we didn't know the size of the doors on this one.

President Tornatta: Are you going to get estimates on the rest of the vehicles at that time?

Annie Groves: For what, decals?

President Tornatta: Uh-huh.

Annie Groves: Yeah.

President Tornatta: Okay.

Annie Groves: But, we only have one other one.

President Tornatta: Okay, the truck.

Annie Groves: Yeah.

President Tornatta: Okay. Super. Do we need to approve, at this time, the additional funds from the county?

David Miller: Yes, I think you authorized an expenditure of \$23,000–

Commissioner Melcher: No, \$21,643.

David Miller: \$21,643, and you need to re-authorize to the extent of \$23,302, or to the maximum extent of up to \$24,000.

President Tornatta: Okay.

Commissioner Melcher: I think that's what we probably need to do is to do what the Council did.

President Tornatta: Okay.

Commissioner Melcher: So, I'll make a move that we move it from the \$21,643 to up to \$24,000 for the van, including the decals.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Annie Groves: Thank you.

President Tornatta: Thank you very much.

Commissioner Winnecke: Thanks, Annie.

**EMA: Indiana Dept. Of Homeland Security: Retention of Grant Funds
Superior Court: Home Verification Services Agreement: D. Wingerter
Commissioners: Hillcrest Washington Youth Home Agreement**

President Tornatta: Contracts, agreements and leases, EMA, consent to Indiana Department of Homeland Security retaining a portion of previous grants Statewide training on interoperable communications. Sherman, anything that we need to know about this before we move on?

Sherman Greer: Sherman Greer, Emergency Management Director for Evansville-Vanderburgh County. This is a pass-through grant. It's not any funding that's going to come here. It will stay in Indianapolis. It's a contract that they will do with a consulting agency to help us write a district-wide communications plan, and then also training and exercise on that district-wide plan.

President Tornatta: And then we did have a District 10 meeting, and the president of the District 10 now is Commissioner—

Sherman Greer: Dan—

President Tornatta: —Dan Reisinger.

Sherman Greer: —Reisinger, yes. Second chair is Commissioner Tornatta.

President Tornatta: Yeah, I'm second chair and Art Noffsinger, I believe is third chair.

Sherman Greer: Art Noffsinger is third chair, yes.

President Tornatta: So, trying to get our ducks in a row in region ten.

Sherman Greer: Yeah, by getting the by-laws passed and everything we're set and ready to go. I mean, we've been doing some fantastic things in District 10 for the past couple of years, but that kind of solidifies it right there with your by-laws and everything.

President Tornatta: Now, does that give us any other opportunities for grants?

Sherman Greer: It, throughout the State they're still going to, whenever they get their Homeland Security grants in they divide them up by the ten districts. You know, I'm

really not for sure whether or not population base or anything like that has anything to do with it. It's just that the needs of the ten districts within the State of Indiana. Interoperable communication is throughout our strategic plan that we present to, that the State of Indiana presents to FEMA. We have to stay within those guidelines.

President Tornatta: Okay.

Commissioner Melcher: So, we need a motion on this?

President Tornatta: Correct.

David Miller: Yes, you do, and there's a consent for you to execute.

Commissioner Melcher: I'll move to approve it.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Sherman.

Sherman Greer: Thank you, sir.

President Tornatta: Alright. Superior Court contract for home verification services for Dion Wingerter. An agreement to enter into between the Deputy Sheriff Dion Wingerter and the county on behalf of the Day Reporting Drug Court for the provision of home verification services. That's from July 21, 2009 through December 31, 2009.

Commissioner Winnecke: Mr. Chairman, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Commissioners agreement for management of Hillcrest Washington Youth Home, extension of agreement for the operation and management of the Youth Home. It should be the same as last year, with the provisions that I think you saw of any type of escalator would be done as follows in the contract.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Attorney

President Tornatta: Department head reports. David, anything from the law offices.

David Miller: Yes, two things. First of all, we have the two previously approved central purchasing office agreements, which I believe Madelyn has ready for you to sign. Secondly, there arose during the past several weeks some question regarding any risk that the county might be incurring with respect to a potential policy to provide a pass, or an i.d. card for county employees to by-pass security checks in the county buildings. Because of that I commissioned some research to be done by our office in order to determine whether there would be any legal exposure to the county by authorizing such an employee by-pass kind of policy. We have concluded that there is no increased risk of any kind to the county for implementing such a policy. We believe that there are a couple of immunity statutes that protect the county. At its base the fact is that you have no obligation to implement any security check at the doors of any county business. That is a discretionary act on your behalf, and the way you choose to do it is, we believe, protected by the discretionary immunity that you enjoy as County Commissioners and that flows to county (Inaudible). So, we are not, we the law office, are not commenting on the wisdom of

or how you choose to implement the policy, but, if you choose to implement a policy that permits an employee by-pass there will be no increased risk to the county.

President Tornatta: And, I think just to kind of move on, since we brought up that topic we did have a meeting this afternoon just addressing some opening issues, or maybe some issues regarding how we will proceed with that, with the security. I think it's all based on every individual would go through some type of device. The pass through would be for the employees that would have a turn style type of set up, and it would allow them to go through that turn style because of a keyed entryway. So, it would either be a keyfob or an identification piece that would be loaded with information that would allow them to come through. Who gets through and at what points they get through in a day are all issues that we're working on at this time. But, for those out there who will come through a metal detector or through some type of device that would scan their articles, there will also be some type of device that will be used on the employees. However, it might be a turn style with a key reader or something of that nature. So, for those who got the intent that we were going to have our employees just move throughout the system, or go by-pass the system, we will have a reading device that will go through. There will be a lot more information forthcoming, but just to kind of get that out there, we are, everyone will be scanned and this will be as secure a building as we can make it.

Commissioner Melcher: So, everybody's going to be going through a scanner?

President Tornatta: Everyone will go through a reader. Those who are not employees for sure will go through a metal detector, much like they do right now in the courts building.

Commissioner Melcher: Yeah, because every time I go into the courts building I still do that.

President Tornatta: Right. Those, at the time the thought is those who are employees will have a card or a keyfob that will allow them to move through a separate area as not to back them up as they are all coming in at the same time to come to work.

Commissioner Winnecke: And will the final, will there be a final recommendation, or a final sort of demonstration or whatever of how the process will work, come before us before it's implemented?

President Tornatta: Yes, yes.

Commissioner Winnecke: Okay, and when do we anticipate that being?

President Tornatta: You know, it's, we're working right now to see about the... Sheriff Williams? I'm making you get up, big boy. This is an on-going process. We had good dialogue today just about issues that we think we'll see before us, try and put together a committee that would at least throw some ideas out, and then, I think, we're going to talk to office holders and department heads to get their view on what we would see. Sheriff?

Eric Williams: To try to answer the question, the timelines that we have in place, probably the most daunting task that we face right now is actually the issuance of credentials or the i.d. cards. We're going to finalize that process and **(tape flip)** way of getting that done. They can be programmed at a later time remotely to establish

whatever the parameters might be. During our meeting today we discussed a committee, the security committee, much similar that's in place, very similar to what's in place in the courts right now, which consists of right now Judge Pigman, Judge Heldt and myself that oversee exceptions to the baseline security. I do expect that we'll putting some information out to the office holders and department heads about getting their cards and their pictures and all that stuff done for all of their employees. That will follow shortly after with information coming out of this group of where we're headed and what we're going to do. We fully anticipate that this will be a long process. We're going to try and make it as painless as possible, but, as you know, this kind of change is obviously going to cause some grief for some people, and there are going to be a lot of people with questions about exceptions and things like that. We're going to do it to the best of our ability. I think we're going into this with the attitude that anything we do at this point forward is going to be better than what we have today. This building was never designed to be a secure facility. So, it will be a far cry from perfect, but it will be substantially better than what we're doing today.

Commissioner Winnecke: Great. Thank you.

Commissioner Melcher: I have a bunch of questions, but I can hold off if we're going to go through some committees. I don't have a problem with going through one myself. I know, maybe tell us real quick how it works in the other building? Because I know when I go through I kind of get upset too when I see people just go through, wave their hand and they're carrying satchels and everything else. You never know what's in them, you don't even know who they are.

Eric Williams: Well, you might not, but the deputies and the screeners that are there do know them. That is an issue that we're going to have to do some education and training on, through time to try and expedite people through that facility. Our staff have taken a few liberties here and there to let the normal people that come through everyday, representatives of the Prosecutor's office, Public Defenders office, and some of those personalities to kind of skim through to try and keep the backlog down. So, one of the things that we're going to do with this is try to make all three checkpoints into these buildings uniform and consistent on how everybody is treated the same way and that they are expected to do the same thing. That's one of the goals of this committee is to establish what exceptions may exist or will not exist so that they can be uniformly enforced. Our hope is that the backlog that sometimes occurs in the courts building will be load balanced amongst the other two entry points into this building. Theoretically, if all three entry points are the only places into this campus that people can come in and they're all conducted equally, people might choose differently on which way they are going to enter this building now.

Commissioner Melcher: I'm glad you said that, because that brings up the tunnel. So, if people are parked in the back 40 and they want to come in through the courts building to come through the tunnel if they work on the second floor we don't have to have that secure anymore.

Eric Williams: Well, part of the idea here, and that's what I've always considered to be one of the big sales point of being able to establish this process, if all three points that enter this campus, including the administration building and the courts building, are conducted equally and uniformly and the policies are the same across the board, there should be no difference of whether a person is going to one of the courts enters the front of this building, or the front of the courts building. We would be able to open up the tunnel, or the bridge between the two during the normal daytime hours when the courts are in session. But, the key to that is going to be that all three

points are treated equally and uniformly and everybody is screened to the same level.

Commissioner Melcher: That was one of my questions too.

Eric Williams: Which that will allow us to load balance, because there are people that would enter the courts from the front of this building if they could cut through the bridge.

Commissioner Melcher: Exactly, and vice versa. There's people in the back that would come that way if they're going—

Eric Williams: Correct.

Commissioner Melcher: —and, I guess, that's kind of where I'm headed and I just want to make sure that we're treating everybody fairly. How do the employees now, because I don't know this answer, how are the employees getting into the court building? Do they get scanned?

Eric Williams: Most of them go through scanning or by there, but there are a significant number that have access through other doorways, and that is part of the communication that is going to occur amongst the judges and the office holders and myself and this committee is to come up with a uniform rule that's campus-wide, as opposed to having some exceptions that may occur for the Prosecutor's office, for example, because they happen to be close to one of those exterior doors that's going to get locked down. Obviously, they are probably going to want to prefer to use that entrance, but, I think those are going to be some of the tough decisions that we are going to make and say that everybody is going to be treated the same when you come through the same few entrances.

Commissioner Melcher: That's where I'm going. Everybody needs to be treated the same. That way it's easier for me to answer somebody in a neighborhood meeting saying we're all being treated the same. I want to be treated the same as everybody else.

Eric Williams: Well, I think there will, just because of the issues that we face with efficiencies and the funding, that there will be some differences between employees and the general citizens that are entering this building on a one time this year basis. They're going to go through some screening that maybe the employees aren't going to go through the same extent. Everybody we want to have pass through the checkpoints though, so that we're aware of who's coming in and out of our buildings.

Commissioner Melcher: And I'm agreeing with that.

Eric Williams: But, I would also tell you that at this point in time, there is nothing cast in concrete. The committee has to do its work and develop some plans that we think everybody's going to live with. We know from experience, you do from living in this building, the dynamics of the different offices, the departments, their job functions, when they come and go, how they do their jobs that we're going to have a lot of various issues to work out. We want to make this so that people embrace the concept as opposed to oppose it, because if they buy into what we're doing, that it's for their protection and the good of this facility, they're much more likely to be cooperative, as opposed to just shoving something down their throats and saying

this is the way it's going to be because I said so. We don't want to travel that path, at least I don't.

Commissioner Melcher: And neither do I, and that's why I'm kind of glad, after we voted on that a few weeks ago I thought maybe I should have said some more at that time looking back on it, and I wish I would have now, but I just want to make sure that everybody's treated fairly and I don't want people coming in a back door that nobody knows about.

Eric Williams: Nor do we.

Commissioner Melcher: I don't want anybody above anybody.

Eric Williams: Nor do we.

Commissioner Melcher: Because, you know, if you look at a lot of businesses and a lot of the problems, and hopefully we don't have any of them type of employees, they're the ones that start it, or the ones that are employees.

Eric Williams: But, I can't sit here and guarantee to you that there will not be some people that work in this building that are given some level of privilege to come through the back door and by-pass security. For example, the judges, you know, they are probably not going to go through screening to come into their workplace. There's a variety, and that's what the work of the committee's going to be is to determine what the rules are and how those persons are identified, established and what rules go with that. I've never claimed that this is going to be an easy process, and I think there's going to be some people that get upset to some degree at points in time, but I think if we work this properly and we let the committee do its job and communicate what the goals are, I think that the majority of the people will embrace this and say that this is for my protection, and I appreciate it.

Commissioner Melcher: Well, it's just a shame that we've got to get to that point nowadays. I would just like to believe that our community is above that.

Eric Williams: I would like to believe that too, but I would also like to compliment the Commissioners, the Council and the people that have made this happen that we're at least being proactive and going to try to address a problem that may or may not exist before we have to react to a tragedy. I think that is the important thing here is that we are trying to protect people before something bad happens here.

President Tornatta: I think it comes down to the employees as well. I mean, it's going to be a minor inconvenience and we're going to try and make it as minor as possible, at the end of the day, you know, they're a commodity that we feel is precious enough to do this.

Eric Williams: We hear it all the time that the number one resource of government is its employees, and they're the most important thing we have to be able to deliver the services that the community expects and deserves from us. We have an obligation to protect those people while they're in this building and doing the job for everybody. I think that's what we're trying to do. With that, will protect everybody that enters this building.

President Tornatta: More information is forthcoming. It's a work in progress. All the people on both sides of the aisle and the judges are all in agreement that it's a necessary—

Eric Williams: And, I would offer one final thing is that I think I am the quasi-chairman of this committee somehow.

Commissioner Melcher: That's exactly what I thought.

Eric Williams: I'm not exactly sure how it happened, but it happened. I welcome your input as we develop—

President Tornatta: Yes.

Eric Williams: —these plans, and we will try to get information out to you as they develop and come along, but if anybody has input or suggestions, now is the time to give it to us before we distill it down to writing and put it out. So, if you've got some thoughts on the side, let me know.

Commissioner Melcher: Well, you was talking about maybe exceptions with the judges, but that doesn't mean their staff, or it doesn't mean a lot of other people. If they had some kind of a pass key or whatever you are saying, then you know judge so and so logged in at this time.

Eric Williams: Right.

Commissioner Melcher: And judge so and so logged out at this time.

Eric Williams: You are preaching to somebody that agrees totally, however, I'm not going to be the only vote to make that decision. This is going to have to be a consensus of a bunch, of a lot of people. You know, it's very easy for me to dictate security when it's in the courts, because that is my constitutional responsibility, but now we've expanded that to an area beyond just the courts, which now makes it a little different than my traditional role as providing security for the judges.

Commissioner Melcher: I understand. I just want it to be uniform.

Eric Williams: I want it to be fair and consistent.

President Tornatta: Any other questions? Thank you, Sheriff.

Madelyn Grayson: President Tornatta, is there a motion and vote required for the two CPO agreements that Counselor Miller mentioned at the beginning of his report?

David Miller: I think not. I think those were approved before. We just need signatures on the—

President Tornatta: Okay.

David Miller: —agreements.

County Engineer

President Tornatta: John? County Engineer? I did want to talk about one thing, just for those who are maybe in the community or on the north side, we have a lot of construction going on out there, just could you give us a quick update on what you see going on on Green River Road, and I see a bridge out there. It looks like it's moving along faster than I thought it would. How do you see the progress?

John Stoll: Right now the progress has actually been somewhat slow because of trying to work around utility conflicts and working, because of the weather, it's slowed things down. But, in talking to the contractor today, they expected that within the next four to six weeks, if the weather isn't too terrible, they should be able to get the traffic switched over to the temporary bridge out there on Green River, and then begin work on demolishing the existing bridge and building in the fill for the new bridge. So, it's moving ahead, it's, weather-wise has not been too cooperative as far as continuing the dirt work. They've been able to work around utility conflicts as much as possible. We've been in contact with the utility companies to try and find out what they could do in the interim until we got their full relocations completed. We've gotten some success in that, so, things are going pretty good so far. Better weather would certainly help.

President Tornatta: Yeah, and for those who are out there in that area, obviously, we apologize for progress, but it's a necessity to get that done. We appreciate their patience while we go through the process, and I know that some people are enduring a lot of elements out there, but I think it's going to make an overall great look, and the project is going to move very quickly and get you to your house quicker at the same time.

John Stoll: We'll continue to have shifts in the traffic patterns out there as additional areas are opened up through utility relocations, whatever the case may be. When we have major ones, like when the temporary bridge over Pigeon Creek is opened, we'll notify the media so that way we can let the public know about the major change like that, and hopefully they can continue to use caution going through there and things will continue to go smoothly.

President Tornatta: I think we've acquired all of the property on University Parkway now and all the rights.

John Stoll: I saw that. The last one.

President Tornatta: So, that was kind of a monumental task. It was, we were able to do it, and I think that we were able to put ourselves in position to be ready to build a road.

John Stoll: Now if we can just get bid letting scheduled we're in great shape.

President Tornatta: Sounds good. Alright. Thank you, John.

John Stoll: You're welcome.

County Highway

President Tornatta: Chris, do you got anything? Nothing? Everything going alright? Okay.

New Business

President Tornatta: Alright, any new business? Seeing none.

Old Business

President Tornatta: Any old business? Great.

Public Comment

President Tornatta: Public comment? Sheriff?

Eric Williams: Two, or three things, the jail population has been down a little bit. So, we're thankful, and I'm going to knock on some wood that it stays that way. Two, I wanted to just publicly say thank you to Chris Walsh and the Highway Department. The Sheriff's Office, out of our budget, bought the materials to do it, but they repaved our driveway, and it turned out far better than we could have ever imagined. They did a great job for us. So, it looks beautiful. Then, finally, I would just like to make sure that you're all aware that beginning tomorrow with school back in session, we will have saturation patrols around all the schools out in the county tomorrow and through the end of the week at both pick up and drop off times. So, if you're in the area try to—

President Tornatta: Slow down.

Eric Williams: —yeah, slow down. We had the unfortunate situation of arresting a drunk driver in a school zone last year in the morning, the first day. So, we really ask everybody to give the kids—

President Tornatta: What type of penalties do we see? Are they doubled? Or how does that work in a school zone?

Eric Williams: It generally depends. Most of our tickets will be basically a face value unless it's marked appropriately, and then you can see double penalties.

President Tornatta: Okay.

Eric Williams: You know, what we really want, and we're encouraging parents to not drive their kids to school, to let them use the buses. You know, the buses know their ins and outs and ways around the schools. Obviously, it's a fuel saver for the family and the environment, but it's much safer for the kids. The fewer cars we have in and out of those parking lots and schools the safer the kids will be.

President Tornatta: Do you want to talk about gas prices since you're here? At some point we ran into one another and we've been under a set price on gas, we feel like we've come out way ahead on that.

Eric Williams: Sure, I mean, the, last year we took, we changed our fuel purchasing model, and we bought a year's worth of gas, basically, for the fleet at a fixed price. Right now we are paying less than you would, we would have paid last year under the old model. I think we're going to be in under budget on our fuel. We're not going to go back to Council this year asking for money, at least that's where we hope to be. But, doing that model also makes it much easier to budget for throughout the year because you know what the costs are going to be. But, I would encourage us to begin looking at that option for next year, because every week, you know, those prices are, the closer to the time period that you buy it, the less latitude you have. So, I would encourage the Commission to maybe talk with Purchasing and push that along a little bit. I've asked a few times, and I would like to see us get back on that, because if for no other reason, the budgeting of it makes it a lot easier and a lot more predictable.

President Tornatta: We've saved thousands of dollars.

Eric Williams: I've never been able to say we'll come at or under budget in our fuel line item without going back and asking for, and I think we're going to be there this year.

President Tornatta: That's great. That's great. Thank you. Alright, I did want to ask something, John or Chris, did we end up, are we trying to get approval from INDOT on that Highway 57 median?

John Stoll: Pat Seib told me that he had talked to you about that. It's been several weeks ago, but I was trading some e-mails with INDOT, and it sounds like that median could be removed on, I believe it's Foundation Drive, at 57, but part of it does lie within the INDOT right-of-way. So, I think we're going to need, I shouldn't say I think, we will need an INDOT permit to work within their right-of-way to remove that. Based on the e-mails that I had, there would be no requirement to add a left turn lane out on 57 if we take the median out. So, that saves a substantial cost, but I haven't had a chance to get all of the details worked out. According to what Pat found out yesterday, it looked like about the eastern most 25 feet or so lies within the INDOT right-of-way. So, that will trigger the need for a permit. Then it will just be a matter of to what extent any kind of plan is required for them to issue the permit, and then whether or not Chris' crews can go ahead and remove it. It should be a fairly simple plan to put together—

President Tornatta: Okay.

John Stoll: —if it's needed, because it should be just remove the existing island.

President Tornatta: Well, if we get that done this year, that would be great.

John Stoll: I'll check on it and I'll let you know, but I had checked on it whenever I got a call from, I guess it was someone from the Industrial Foundation several months ago, and it does sound like the main issue that I was concerned about was building additional turn lanes on 57. That would have been an astronomical cost, and it looks like we won't have to do that. So, that was the biggest positive. But, I'll check into it further and let you know.

President Tornatta: Okay. Thank you.

Consent Items

President Tornatta: In act of time, if we could, approve the consent agenda items, we'll put them on the internet and submit it to the record, save 15 minutes here if we could.

Commissioner Winnecke: That's fine. So moved.

President Tornatta: Okay.

Commissioner Melcher: Okay, I'll second the motion to accept the consent agenda, but I would like to make a statement.

President Tornatta: Okay.

Commissioner Melcher: Under the Veterans Council letter regarding security at the Coliseum, the letter is before you, as Commander of the Veterans Council I've been trying not to vote on anything financial for the veterans. On this one I will go ahead and vote on it. I didn't sign the letter, the Senior Vice signed the letter. We just had some little bit of trouble over there with things kind of coming up broken and different times in the evening and different times. So, we appointed one of the board members which knows that building inside and out to head that up. So, you might see his car over there sometime, you might not. Sometimes he's there, sometimes you don't know he's there. He does a lot of repairs that saves us money and saves the county money. So, that's what that letter is all about. So, I will be voting on it even though it is a veterans issue.

President Tornatta: Okay.

Commissioner Melcher: Because there isn't any financial obligation in that.

President Tornatta: Okay, everything else is as is. We have a motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Rezoning Petitions
First Reading: VC-8-2009
Petitioner: Randy Sheffer
Address: 11900 Old State Road
Request: Change from Ag to C-4

President Tornatta: Alright, starting rezoning. We have the first reading of VC-8-2009, petitioner, Randy Sheffer, address, 11900 Old State Road, request change from Ag to C-4. Anybody to speak to this? Being a first reading with no petitioner, no remonstrator.

Commissioner Winnecke: I'll move approval on first reading.

Commissioner Melcher: I'll second it and send it to Area Plan.

President Tornatta: A motion and a second to send to Area Plan. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Motion to adjourn?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second.

(The meeting was adjourned at 6:21 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the July 21, 2009 Commission Meeting Minutes.
Approval of the July 31, 2009 Special Commission Meeting Minutes.
County Council Appropriations Request: Unemployment & Travel/Mileage.
AMR: 1st Quarter Report of Income and Expenses to Vanderburgh County.
Veterans Council Letter Regarding Security at Coliseum.
Evansville ARC June 2009 Report of Activities & Meeting Minutes.
Citizen Letters in Support of Building Additional Chalets at Burdette (4).

Employment Changes:

DADS (1)	County Clerk (1)	VCCC (2)
Sheriff (5)	Circuit Court (2)	Prosecutor (2)
Superior Court (2)	Recorder (1)	

Travel Requests:

County Assessor (3)	Health Department (8)	Commissioners (1)
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County Engineer: Pay Request No. 84: Green River-Burkhardt TIF Projects.

County Clerk: June 2009 Monthly Report.

Surplus Request Letters:

County Assessor: One HP Desk Jet 6122 Printer.
Burdette Park: Batting Cage Equipment to Non-Profit Youth Baseball Clubs.

Auditor: July 2009 A/P Vouchers.

Treasurer: June 2009 Monthly Report.

Department Head Reports:

County Engineer	County Highway	Ozone Officer
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Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	David Miller	Madelyn Grayson
Jo Beth Boots	Jordan Whitley	Jim Harris
Warren Mathies	Jeff Phillips	Tim Gravenstreeeter
Annie Groves	Ray Nicholson	Gary Heck
Eric Williams	John Stoll	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
AUGUST 18, 2009**

The Vanderburgh County Board of Commissioners met in session this 18th day of August, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good evening. We'll commence with the Board of Commissioners meeting, August 18, 2009. Roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

**Pledge of Allegiance: Diane Masterson
Reitz Home Preservation Society**

President Tornatta: Diane, if you would come up, and first off, lead us in the Pledge of Allegiance.

Diane Masterson: I would be happy to.

President Tornatta: Thank you.

(The Pledge of Allegiance was given.)

President Tornatta: Diane Masterson—

Diane Masterson: Yes.

President Tornatta: –welcome.

Diane Masterson: Thank you. Thank you for allowing me to be here.

President Tornatta: So, give us an explanation of why you're here. I know you're dealing with the Reitz Home, and what kind of things you've got going.

Diane Masterson: I am proud and pleased to represent the Reitz Home today, and to promote our annual Reitz Home mystery event. This year it is, "The Radio Murders of 1933". Kelley Coures wrote it. You all have an invitation, and you can see the players that are in it this year are really fun. We've got some actual radio announcers that are playing radio announcers. Imagine that. This script takes us back in time to 1933 in Evansville and the old historic McCurdy building, the Vendome, the Dells, and corruption in the city. Of course, that wouldn't be the fact now, but we will have the event on August 29th at the Reitz Home, with dinner

following at Casino Aztar. The people park at Aztar and get shuttled down in limo bus to the event. They go through the home in groups of 12, and they get to hear the actors in the different rooms of the house. When they're through they come out and they figure out who done it. The person who wins gets a wonderful prize of an overnight stay at New Harmony and breakfast. This is a big fundraiser for the museum. We are in dire need of money, as is every not-for-profit in the city, but it is definitely a fun event. It's casual, you take your time, you go through, and it's a lot of fun. I think you've been in it, haven't you?

President Tornatta: Absolutely.

Diane Masterson: So, you know the routine.

President Tornatta: Yes.

Diane Masterson: But, it's something that's very near and dear to our hearts, and, again, a fundraiser for the museum.

President Tornatta: Diane, how much is the event?

Diane Masterson: It's \$100 for members, \$125 for non-members.

President Tornatta: Okay.

Diane Masterson: That includes a full meal, big meal at Aztar and wine on the tables.

President Tornatta: Okay. Anything else?

Diane Masterson: Everybody's got an invitation, and you can see we've got some really fun people, local celebrities from the city in this event. We hope that you will all attend.

President Tornatta: Diane, thank you for coming, and good luck with the event.

Diane Masterson: Thank you so much.

Commissioner Winnecke: Thanks, Diane.

President Tornatta: Alright.

**Sheriff: ICJI Grants: DUI, Aggressive Driving & Big City/Big County
Health Dept.: Clinical Education Agreement with U of E
Health Dept.: Childhood Lead Poisoning Grant Amendment No. 8
Health Dept.: MCH Grant Agreement**

President Tornatta: Okay, action items, contracts, agreements and leases. Number one, the Sheriff ICJI grant agreements. Ted, if you'll go over that. I think we were all sent e-mails, and plenty of them, but if you'll go over it.

Ted C. Ziemer, Jr.: Well, these are three grant agreements from the Indiana Criminal Justice Institute. One is for \$65,000 for, to deter dangerous/aggressive driving, another one is for \$65,000 to fund a DUI task force, and the third one is \$37,000 for sort of year long traffic enforcement, for example seat belt enforcement and the like.

The agreements are all standard in form for agreements of this type, and should the Commissioners want to approve them, they are satisfactory for execution.

President Tornatta: One of the things that's very interesting about these grants would be the fact that this actually puts extra officers on the road. These are officers that are on the road on their off duty time. So, they get to participate in the grants on a voluntary basis, but their grants are always fulfilled and they always have officers out there. So, it does allow us an opportunity to have those officers out there, and I think it's a great benefit to Vanderburgh County. Any other questions?

Commissioner Melcher: I'll make a motion to accept all three of the grants.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Health Department, 2009-2010 clinical education agreement between the Health Department and the University of Evansville. This is a one year agreement from 9/1/09 to 8/31/10, and is for the participation by the Health Department in the clinical education of nursing students enrolled in the University of Evansville nursing program. It's identical to the form of the agreement in the 2008-2009 and does not contain any funding requirements on the part of the county. Gary?

Gary Heck: Gary Heck, Vanderburgh County Health Department. I'm here to answer any questions, but it's pretty standard. It's just like the ones we've had in previous years.

President Tornatta: Absolutely. It sounds like a great agreement.

Commissioner Melcher: Move to adopt.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Health Department, amendment number eight EDS grant agreement number A70-7-7975. Amendment number eight to previously approved grant by the State Department of Health for lead poisoning prevention. Everything else is in compliance. Gary, anything on this?

Gary Heck: It's a different dollar amount, and, I think, there was one additional change in the requirements for the Health Department, but it was standard. They're doing it in every aspect.

Ted C. Ziemer, Jr.: Well, it's to, the main purpose of the amendment is to add a new attachment regarding ethical requirements, and that's all pretty standard.

Gary Heck: Right.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Gary Heck: I understand that the County Attorney had forwarded over one other grant agreement that came in for the, it's an MCH grant that was for \$104,000. I believe it's a similar grant situation. It's a renewal, or an additional dollar amount for a new program here.

Ted C. Ziemer, Jr.: Yes, it's for family care coordination for families in Vanderburgh County, and the grant provisions are very similar to all of the State Health Department grants. I'll say, you probably might have gotten five or six copies of this. We kept sending them and the office kept saying that they weren't getting them, so

we would send them again, and we found out that the IT Department for the county had somehow let the, I don't know whether it's gigabytes or megabytes or whatever they are, but the limit that you could send had been somehow reduced so that none of them would go through with the attachment. But, they've got that fixed now, and, so all of them went through. It's totally satisfactory for execution.

President Tornatta: Is this in turn of zero cost to the county?

Gary Heck: That's correct.

Ted C. Ziemer, Jr.: Yeah, I mean, we're going to get \$104,000 for the program.

President Tornatta: Right, but we don't have a match on it?

Ted C. Ziemer, Jr.: No, no, no.

Gary Heck: Right, there's no match, or if there is a match it's a soft match where it's money that's already being spent somewhere else that gets to match up.

President Tornatta: Okay, super.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Gary Heck: We, I do need to let you know, we do anticipate getting one more grant that we hopefully will have at your September 1st meeting. It's going to be for the phase one of the H1N1 planning monies. So, they told us to be on the lookout for it. It didn't arrive today. I think your next available meeting will be September 1st. So, hopefully, we'll have it in line, I would have it for you at that time.

President Tornatta: Okay.

Gary Heck: Thank you.

President Tornatta: Thank you, Gary.

New Business/Old Business

President Tornatta: New business? Hearing none, we'll move to old business.

County Engineer

President Tornatta: Any department heads? John?

John Stoll: I just have one item. I need your signatures on the Mylar cover sheet for the Burdette Park bike path project. This is for phase two of the project which would run from Broadway Avenue up on to USI's campus. Bernardin Lochmueller is in the process of trying to finalize the plans to get those submitted to INDOT. I've been in discussion with INDOT in trying to get that project set for a January bid letting. So, that's the kind of schedule that we're shooting for. We've still got a couple of issues in regard to some easement modifications to take care of, but hoping January will be the bid letting.

President Tornatta: Do you need a motion? I don't--

John Stoll: I don't think so.

President Tornatta: Right, we already voted on it. So, just get us that--

John Stoll: Yeah, Madelyn's got the Mylar.

President Tornatta: Fine, okay. Super.

John Stoll: That's all I have.

President Tornatta: Thank you, John.

Public Comment

President Tornatta: Alright, any public comment? Seeing none.

Consent Items

President Tornatta: We have quite a few consent items. If, is there any problem with accepting those as written?

Commissioner Winnecke: I don't have a problem with that.

President Tornatta: Steve?

Commissioner Melcher: I'm okay.

President Tornatta: Alright, if we could have a motion then.

Commissioner Winnecke: Move to accept as presented.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Any other business tonight? Motion for adjournment.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

(The meeting was adjourned at 5:14 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the August 11, 2009 Commission Meeting Minutes.

Approval of the August 11, 2009 Department Head Meeting Notes.

Westside Neighborhood Association Registration Form.

J.E. Shekell: OCH Chiller Repair Proposal.

Burdette Park Comparison: January thru July 2008-2009.

Waiver of Fee/Not OT for the Centre: Red Cross Blood Drive.

ONB Insurance Agent of Record: Dennis Feldhaus.

Employment Changes: Auditor (2)

Travel Request:

Health Department (3)	County Assessor (4)	Voter Registration (1)
Commissioners (1)		

County Engineer: Pay Request No. 85: Green River-Burkhardt TIF Projects.

Department Head Reports:

Burdette Park	County Engineer	County Highway
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Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Diane Masterson	Gary Heck	John Stoll
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
SEPTEMBER 1, 2009**

The Vanderburgh County Board of Commissioners met in session this 1st day of September, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright. Good evening. We will start the Board of Commissioners meeting September 1, 2009 with the Pledge. Roll call vote, please. Or, how about attendance roll call.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Sheriff Eric Williams

President Tornatta: Sheriff Williams, would you lead us in the Pledge, please?

Eric Williams: Absolutely.

(The Pledge of Allegiance was given.)

President Tornatta: Before you go, yeah, talk about some of the not-for-profits you serve. Tell us what's happening in the Sheriff's office today, just everything you know. No, seriously, just talk about, just generally how the summer's went, and, I'm putting you on the spot, I understand.

Eric Williams: How much time do you have?

President Tornatta: You've got about three minutes.

Eric Williams: Do you want this to be a short meeting or a long meeting? I can tell you that probably one of the things of interest right now is uncharacteristically our jail population has been hovering a little below capacity the last 30 days, which for this time of year generally is outside of what we would normally see as a trend. This is a period of the summer months when we would see it surge above our capacity. So, that's a comforting sign, provided that's not the calm before the storm. So, the jail is operating fairly efficiently right now. The summer months are always busy for the Sheriff's office. You know, we do a lot of things, there are a lot of things going on, but it's also when we do a lot of vacations. So, we're at our minimum manpower through most of the summer months. But, there really have been no remarkable things occur at the Sheriff's office during the last few months. We have continued to strive to provide the best service that we can to the community and the people here. So, I would be happy to answer any questions.

President Tornatta: Anything of the Sheriff? I'm sorry we put you on the spot.

Eric Williams: That's alright. I'm used to it.

President Tornatta: Our not-for-profit had another commitment. So, we appreciate you stepping up.

Eric Williams: Which was your not-for-profit tonight?

President Tornatta: The Humane Society.

Eric Williams: Okay, because I have, I just had a meeting with Youth Resources, and that's one of the things that I would like to talk to you about afterwards.

President Tornatta: Okay. Alright. Well, thank you.

County Recorder: Phoenix Imaging Services Agreement
Prosecutor: Adult Protective Services Grant Amendment
Health Department: H1N1 Grant Agreement
Health Department: Verizon Wireless Agreement: MiFi Cards
Health Department: WIC Grant Amendment

President Tornatta: Action items, contracts, agreements and leases. County Recorder, imaging services agreement with Phoenix? Z., you're still under the three minutes.

Z. Tuley: Okay, then, I'm Z. Tuley, the Vanderburgh County Recorder. I have three minutes, sign it so that we can move forward. How's that?

President Tornatta: Okay, now, tell us how this contract differs from the other contracts?

Z. Tuley: In light of the fact that we do have a hiring freeze on, the difference in this contract is that we have asked for Phoenix Imaging to provide one employee to do the quality control section of the indexing. Indexing is where you create the search engine that puts in the person's last name, so it becomes searchable data. Then there is a second process that goes in behind that where it's almost a repeat, so that you have a quality control mechanism in case a name is mistyped or you accidentally clicked on the wrong subdivision or something. We have asked them to provide, and we've had to slow down the pace, because my staff is not going to be able to assist and keep up if we're going to have a staff reduction. So, I have asked for two employees from Phoenix to do the verifying, or the indexing, and one to do the verifying, so that we can move at a slower pace. I'm trying to find what I would deem a responsible level of money going out of the Perpetuation Fund, in order to get this project on the way, versus how quickly the Perpetuation Fund is loaded. I don't want to be spending a whole lot more than I'm bringing in. I'm trying to find a comfortable balance. So, we'll try this pace and hit it. We did scale it back. There's a lot more images out there, such as weed and sewer liens and things of this nature, and UCC's and power of attorneys and there's a whole slew of documents, but right now our agreement with Phoenix is to start and complete the mortgages and their releases all the way back to 1980. The more we get online, not only is the more the public going to like it, but the more contractual agreements I can have with those public and private entities that want to be able to access this information,

unlimited. There's actually a contract in place. It also can tally the number of copies that they may print and use. Copy money is the survival key for the Recorder's office. As the Recorder, everything that's documented, every document, excuse me, that is recorded, the County General gets a cut, the Surveyor gets a cut, the Recorder gets a cut, there's a couple of other little minor funds that get a cut. We've supplied over \$300,000 to the County General this year alone.

President Tornatta: Questions?

Commissioner Winnecke: Z., first of all, I think, excuse me, I think that it's a great project. The more we can get digitized—

Z. Tuley: Realtors like it.

Commissioner Winnecke: I understand that.

Z. Tuley: Bankers like it too, probably.

Commissioner Winnecke: You just touched on it, but just for the record, just if you could explain so folks watching at home would understand the Perpetuation Fund and the funding source for this. Just so everyone at home—

Z. Tuley: It is a fee based fund. The Recorder is responsible for accounting and the use of that fund. So, I'm held accountable on every level. As the fees come in by people filing documents that they need to be recorded, or they get a fee, it's a dollar a page, these are all State set fees. So, all of the money that I collect goes into the appropriate allocation. The money is brought in, we balance it for the month, and then we divvy out the cuts through a quietus and the County General gets their share, and the Surveyor gets his share. So, the share that comes to me is what I'm using. So, this is not taxpayer dollars being used. This is the work that we've done that will turn around and provide and support more for everybody to use.

Commissioner Winnecke: Good explanation. Thanks.

Z. Tuley: Thank you.

President Tornatta: Anything else?

Commissioner Melcher: I'll move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Z. Tuley: Thank you.

President Tornatta: See ya.

Z. Tuley: See ya.

President Tornatta: County Prosecutor, Adult Protective Services contract amendment. The amendment addresses the expenses for supplies, modifies a section on notice to parties, and replaces a section on security and privacy of health information. The new language to reflect Federal government regulations in that regard. This amendment does not change the term of the grant from 7/1/07 through 6/30/2010, but the amendment is only effective beginning 7/1/2009. The amount of the amendment grant is the sum of \$420,388 also does not change.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Further discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: We have two Health Department action items here. The 2009 public health preparedness and response for H1N1 fund grant. The grant agreement EDS from the State Department of Health to Vanderburgh County for the Vanderburgh County Health Department for \$188,402 for eligible costs of projects regarding the H1N1 virus as set forth on the attachment A to the agreement. I believe we've talked about that.

Gary Heck: I would be happy to answer any questions? Gary Heck, Vanderburgh County Health Department.

President Tornatta: While you're here we'll just take this other one, if that's okay? Health Department, Verizon Wireless agreement for the purchase of MiFi cards. I believe in October of 2007 the county on the behalf of the Health Department used the GSA Federal supply schedule to acquire two lines at a cost of \$1,166.16 per

year. Now through new technology Verizon offers MiFi cards and unlimited broadband access for up to 12 lines at \$515.88 per line used.

Gary Heck: The biggest difference between this and the aircard that we had previous, the MiFi will allow you to have up to five devices attached to that same card. So, if you were in a setting where you had additional laptops or computers within a certain range of feet, you only need the one card to support five computers, instead of one card for each computer. So, it's a much better deal for the county. This is something that we envisioned we will be able to use in the response for the H1N1. I think we actually had one other late contract, if the County Attorney has that. It was for the WIC grant amendment. If you wanted to do them all at once.

President Tornatta: That's fine.

David Miller: Yes, I e-mailed around today the WIC grant agreement amendment EDS# A709070136. This is a late addition to the agenda requested by Mr. Heck. I have reviewed the amendment. It is late in getting to us, but there is a deadline. Would you like to explain why we're asking for the Commissioners to address this at this time?

Gary Heck: We receive the contracts from the State. They just show up one day in the mail, and in the cover letter they ask for a seven day turnaround. We've explained to them before that we will do our best to try to meet that request, but that we certainly can't control County Commissioners schedules. It just so happened that this one came in, we were hoping to get it returned just because it would save us time later, but we certainly understand if you're not able to consider it. It is a, just a standard amendment where it's renewed funding for an additional, continuation funding for another grant year. This particular grant is on a Federal grant year which would start October 1 and then run through September 30th for the following year. The grant amount is for the same total amount. Some of the line items are slightly different, but other than that it's just a standard grant amount.

David Miller: \$473,622 is the amount of the grant.

President Tornatta: Alright.

Commissioner Winnecke: Mr. President, at this time I would move that we accept the late amendment to the WIC grant, as well as the two other grant agreements, one on the H1N1 grant and the other on the MiFi cards.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Further discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Tornatta: Thank you.

County Highway

President Tornatta: Department head reports, Chris, anything?

Chris Walsh: Chris Walsh, Vanderburgh County Highway Department. I'll take less than three minutes, I promise. I just have, as part of our on-going training, I just wanted to announce and invite you that October 15th, which is a Thursday, we're getting involved in a program that the State puts on, which is the Snow Plow Rodeo, and it's too late for us to get in at the State level this year. We want to do some training, we're going to go out to Burdette Park, we're going to set it up just like the State competition, and we're going to have an in-house competition. If this is successful, I would like to do it again next year and invite like Posey County, maybe Warrick County in to get us ready for the 2010, which I think is going to be in Indianapolis. That's through LTAP, kind of excited about it. They haven't done it in years. I think we've got some great drivers down here, would be very competitive. We talked to a gentleman with LTAP and he said if things go right we may be able to host an event here, either next year or the year after, and get some of the counties to come down here and participate with us. So, we're kind of excited, and I would like for you gentlemen....I'll e-mail you and give you the--

President Tornatta: Yeah.

Chris Walsh: --finals on it when we have it.

President Tornatta: That would be great. Then, you had talked about, in the process of you guys training at the Centre, in your training room, where are you with the process, and then, I think you've identified that there might be some software, you've looked through that software?

Chris Walsh: Yeah, we're doing a pilot program with some software right now. We've also went with the Emergency Management, I think you and I had talked about, and we've gone through some of the training. We're starting in the supervisory level and going to work our way through the whole staff with the Emergency Management. We also contacted the American Red Cross, and we're going to do some safety and CPR training for the people, because we feel like we are first responders in storms and snow events and that. Then, this is part of our on-going training, daily operational type training, just to get our people continually trained. So, we're kind of excited about it.

President Tornatta: Sounds good. Any questions? Thank you, Chris.

Chris Walsh: Thank you.

County Engineer

President Tornatta: John?

John Stoll: The first item that I have is a request for street plan approval for Carrie Hills No. 2 Subdivision. This street plan provides a cul-de-sac at the south end of Summertime Lane, and it also provides for some widening of Summertime. We've reviewed the plans, Bernardin Lochmueller has made the changes we had requested, so I would recommend approval.

Commissioner Winnecke: Motion to approve.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: I also have a sidewalk waiver for Carrie Hills No. 2. Since there are no sidewalks anywhere along Summertime Lane, it's recommended that the sidewalk waiver be approved.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: I also have a note here, I just wanted to let you know that we're working on a contract to repair the culvert out on Bridgeview Drive, and we hope to have those quotes submitted at the next meeting.

President Tornatta: Okay.

John Stoll: That's all I have.

President Tornatta: While you're here, I do want to try and let people know as early as we can provide that information, but you had talked about Friday afternoon, which is this Friday afternoon, which would be the 5th?

John Stoll: The 4th.

President Tornatta: The 4th? Okay, we look to switch over to the temporary bridge on Green River Road. Could you go down some of the highlights of what's going to happen in the next week or two?

John Stoll: As it stands right now they're estimating that it would be ready for the switch Friday afternoon. That's not definite as of yet, but that's what the project inspector told me late this afternoon. Basically, that would switch all of the Green River Road traffic between Hirsch Road and Pigeon Creek over to the temporary road that's been under construction for the past several months. When that's done, then the existing Green River Road and existing bridge would be removed, and half of the new road would go under construction. So, the temporary bridge will be in use until sometime next year. Also, along those lines, the Green River Road-Millersburg project, it looks like sometime next week they will switch traffic over to the east half of that road where the new asphalt's been placed over the last few weeks. The west leg of Millersburg would be shut off at that intersection for a period of up to six weeks. Traffic will not be maintained on that leg because the crest of the hill that's out there will be cut down as part of that project. We'll send out the media notifications that we always send out when we get a significant change, but that's the two major changes that both of those projects will probably be seeing next week.

President Tornatta: For those who, obviously, Millersburg Road, CFC, Christian Fellowship Church is in that area and Oak Hill School, so they would want to make different plans of travel.

John Stoll: While we're talking about projects, one other thing, on Baseline Road most of the fill is getting finalized out there, and there's going to be a settlement period out there. So, it looks like that within the next couple of weeks the contractor will pretty much pull off the job to let the settlement take place. So, I just wanted to make it known that the project is not being abandoned, it's just part of the settlement of the fill. It looks like sometime in October would be the estimated time that the project would, the rock would be placed and the asphalt would be placed. That all is tentative as well, but that will be coming up here soon as well.

President Tornatta: Okay. Anything?

County Attorney

President Tornatta: David?

David Miller: Mr. President, I have a settlement agreement and general release that we have negotiated with the assistance of the Commissioners involving Vanderburgh County and Eagleson Services LLC. This is an eminent domain action in connection with University Parkway. The county took some real estate to accommodate the new University Parkway thoroughfare, and we have reached an agreement to pay Eagleson the sum of \$30,000 for settlement of their property rights. We will require three signed settlement agreements. Mr. Eagleson has already signed.

President Tornatta: That would, in turn, put us at the end of our acquisitions on University Parkway.

David Miller: I believe this is the last one.

President Tornatta: This is just underground rights. So, we are finished. That's a good thing.

David Miller: Yes.

President Tornatta: Up to the point. So, we probably need to have a motion.

Commissioner Winnecke: I'll move to approve.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

David Miller: I have the original here, and, I believe Madelyn has two more.

President Tornatta: Okay. Alright, any other department heads?

New Business

President Tornatta: Any new business? Seeing none.

Old Business

President Tornatta: Any old business?

Public Comment

President Tornatta: Public comment? Seeing none at this time.

Consent Items

President Tornatta: I look to go through the consent agenda, fairly lengthy, would I have a motion to submit this to the record.

Commissioner Melcher: Well, we did that the last two times, I would like to go ahead and read this one.

President Tornatta: Okay.

Madelyn Grayson: Do you want me to go ahead and read them?

President Tornatta: Sure.

Madelyn Grayson: Approval of the August 18, 2009 Commission meeting minutes; employment changes from the various offices; travel requests, there's one from Area Plan Commission, one from the Health Department, one from the County Clerk; there's a request to redeem properties at 1407 and 1409 Ewing; the County Auditor has approval of the August 2009 A/P vouchers; the County Treasurer has the July 2009 monthly report; Evansville ARC, July 2009 meeting minutes and report of activities; Weights and Measures monthly report from July 15th to August 15, 2009; Girls in Bloom requests use of the Centre waiver of fees not OT for 2010 event; County Engineer has pay request number 86 for the Burkhardt-Green River TIF projects in the amount of \$710,781.27; the County Commissioners have a Cintas uniform rental renewal for Bennie Gossar; the settlement of University Parkway eminent domain action for Eagleson Services LLC; the Building Authority has a request to surplus 12 boxes of vinyl tile from the Centre; and department head reports from the County Ozone Officer, Burdette Park and the County Engineer.

Commissioner Winnecke: Mr. President, I'll move approval of the consent items.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Actually, we're going to, well, I guess, it doesn't matter about the settlement agreement. We'll approve it twice. So, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: If there's no other comment, motion to adjourn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

(The meeting was adjourned at 5:24 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the August 18, 2009 Commission meeting minutes.

Request to Redeem Properties at 1407 and 1409 Ewing.

Evansville ARC July 2009 Meeting Minutes and Report of Activities.

Girls in Bloom: Waiver of Centre Fee/Not OT for 2010 Event.

Cintas Uniform Rental Renewal: Bennie Gossar.

Settlement Agreement and General Release: Eagleson: University Parkway.

Approval of Surplus Request: Bldg. Authority: 12 boxes of tile from the Centre.

Employment Changes:

Recorder (1)

Circuit Court (1)

Burdette Park (2)

County Highway (1)

County Engineer (1)

Co-Op Ext. (1)

Auditor (3)

Prosecutor (2)

Sheriff (3)

County Assessor (1)

Travel Requests:

Area Plan Commission (1)

Health Department (1)

County Clerk (1)

Auditor: Approval of August 2009 A/P Vouchers.

Treasurer: July 2009 Monthly Report.

Weights & Measures: Monthly Report: 7/15-8/15/2009.

County Engineer: Pay Request No. 86: Green River-Burkhardt TIF Projects.

Department Head Reports:

Ozone Officer

Burdette Park

County Engineer

Those in Attendance:

Troy Tornatta

Stephen Melcher

Lloyd Winnecke

Bill Fluty

David Miller

Madelyn Grayson

Eric Williams

Z. Tuley

Chris Walsh

John Stoll

Others Unidentified

Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

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**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SEPTEMBER 15, 2009**

The Vanderburgh County Board of Commissioners met in session this 15th day of September, 2009 at 5:02 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright, we're going to start the September 15, 2009 Board of Commissioners meeting in room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Kay Johnson: Girls in Bloom

President Tornatta: Alright, Kay Johnson, Girls in Bloom. How are you? Before you start, would you please lead us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

President Tornatta: Good evening.

Kay Johnson: Hello. It's good to be here with you again. On behalf of our organization, I would like to acknowledge the support given to Girls in Bloom by the County Commissioners over the last six years, now in our seventh year. Thank you for supporting our signature event, the Girls in Bloom Expo, where over 600 fifth through eighth grade girls, parents, presenters and volunteers assemble on the last Saturday of February to explore the world and experiences of young girls in the tri-state area to create opportunities for girls to develop self esteem through education, self exploration and creative expression so they will become independent individuals, and, thirdly, to increase the awareness of issues of importance to girls in our community. Your continued support has allowed Girls in Bloom to establish a Girls in Bloom reading collection at the Willard Library that celebrates a one year anniversary on October 12th of this year. Through the expo event and the reading collection, girls attempt new experiences, such as art, music, physical movement, drama, science, finance, and career choices without peer pressure or competition. They learn about cyber bullying, relational aggression, body image issues and a healthy lifestyle. Thank you, County Commissioners, for making this possible through your continued commitment and your support, in particular, by providing the Centre as the venue for the 2010 Girls in Bloom Expo.

President Tornatta: That's, I believe, February 27th?

Kay Johnson: The 27th this year, yes.

President Tornatta: And when does it start?

Kay Johnson: It will begin probably around 8:30 with registration. The venue for the day, the processes for the day have not been determined. That's when we've started in the past. Then the first workshop usually begins at 9:00. The day continues through usually 2:00 or 2:30.

President Tornatta: Super. I know you had a packed house last year. How many do you think you had?

Kay Johnson: We did. I think counting everybody we probably had a little over 600, maybe 635. That's counting parents, presenters and the volunteers that were there. We had several counties in Southern Indiana represented, a group from Owensboro in Kentucky, a group from Illinois. So, I think people are beginning to hear even greater things from us, and they're coming from longer distances. We're providing more workshops each year, keeping the ones that are most popular and changing that so that we can provide girls with these new experiences.

President Tornatta: Can you give me the ages one more time?

Kay Johnson: It's fifth through eighth grade girls.

President Tornatta: Fifth through eighth grade.

Kay Johnson: Their age varies, you know, depending on when they started school.

President Tornatta: Well, super. Like I said, it really seemed like the girls were having a great time last year, and just kind of standing back and watching it, which anybody that's interested at all, I would have you go do that. It's really neat just to see the interactions, whether it's 12 girls at a table, or whatever the case they're having a good time. Thank you very much. Anything else? Questions, Steve?

Commissioner Melcher: No.

President Tornatta: Thank you for coming.

Kay Johnson: Thank you.

President Tornatta: Alright. By the way, you do have our support on the Centre. Thank you.

<p>Permission to Open Quotes: VC09-09-01: Bridgeview Drive Culvert #410 Sliplining</p>

President Tornatta: Alright, permission to open quotes for VC09-09-01, Bridgeview Drive culvert number 410 sliplining. I need a motion.

Commissioner Melcher: So moved.

President Tornatta: Second.

Ted C. Ziemer, Jr.: Now we need the quotes.

Commissioner Melcher: Yeah, I was going to say, I didn't see the quotes.

President Tornatta: Okay, any quotes?

Madelyn Grayson: I don't know if John Stoll has them.

Commissioner Melcher: That's why I looked over here because I didn't see them.

President Tornatta: Alright. We do have a motion to open quotes and a second. If there's no questions, roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: While we're waiting on the quotes to get here we'll go ahead and move on to action items.

Proclamation: Vanderburgh County Library Day

President Tornatta: We have a proclamation for Vanderburgh County Library Day. Kathy Solecki is here with the Vanderburgh County Library.

Kathy Solecki: Thank you. I am not only here to make a request, but also to invite you to a birthday party. As amazing that it might seem, Central Library opened their new building five years ago this Friday, on September 18, 2004. So, we're planning a big celebration, and you're all invited. The celebration will actually be a week from Sunday, November....September 27th. We're having a full day of activities at Central Library. So, I hope you all will come. Meanwhile I am here to ask you to offer a county proclamation of Vanderburgh County Library Day. There are some things that you may not know about our library system. One is that last year the public library system checked out over three million items, more than 54,000 people attended programs at the public libraries, a total of a million and a half people visited all eight branches of the public libraries, and the library returns \$322 in services per person in Vanderburgh County. So, it's a wonderful facility, it's a wonderful treasure for our community. We can all take great pride in our libraries. You have a copy of the proclamation in front of you.

President Tornatta: Kathy, I do, and if you don't mind, I'll go ahead and read that into the record, and then we'll approve it, sign it and get it to you so that you can take it and frame it up.

Kathy Solecki: That would be wonderful. Okay.

President Tornatta: Okay.

“Whereas, the Evansville-Vanderburgh Public Library’s mission is to inspire the residents of Vanderburgh County through education, information and entertainment; and, Whereas, the Evansville-

Vanderburgh Public Library provides \$322 in services per person in Vanderburgh County; and, Whereas, in five years of serving the community in this building total visits to Central Library in 2008 approached nearly 500,000; and, Whereas, total collections in the Evansville-Vanderburgh Public Library system number over 900,000 items; and, Whereas, more than 50,000 area residents attended library programs last year; Therefore, be it resolved that we, the Vanderburgh County Board of Commissioners, do hereby proclaim September 18, 2009 as “Vanderburgh County Library Day”.

Congratulations.

Kathy Solecki: Great, thank you very much.

President Tornatta: And, can I have a motion?

Commissioner Melcher: So moved.

President Tornatta: A motion and a second. If there is no discussion, roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: We will sign this right away—

Kathy Solecki: Okay.

President Tornatta: —and you can have a copy.

Kathy Solecki: Okay, great.

Road Closure Request: See Bob Run 5K Race
--

President Tornatta: The next action item, road race request, See Bob Run 5K Race. Tony Maier? Is Tony here?

Tony Maier: Basically, we’re just asking for permission for a parade permit. I think that’s typically what we’ve done in the past, for October 24th 9:00 a.m. at our north side location. I’m just here to answer any kind of questions. I think you have the road race route.

President Tornatta: Right.

Tony Maier: And the certificate of liability.

President Tornatta: And we do.

Tony Maier: Okay, basically, it's a charity race. It's, the proceeds benefit the Evansville's Boys and Girls Club.

President Tornatta: That's great.

Ted C. Ziemer, Jr.: I think the only question we might have is what have you done to arrange for stopping traffic on those thoroughfares?

Tony Maier: Okay, we have REACT, which is a volunteer service, who've done the race with us in the past. We also have a nice group of volunteers who, there's only basically three intersections that we really have to worry about. We also put out a mailer to all of the residents on that race route for the day. They are kind of aware of it happening on an annual basis.

Ted C. Ziemer, Jr.: But, there will be someone to stop traffic at the intersections?

Tony Maier: Yes, we have the REACT team, and then all of our people will be in vests and then we have cones out for it. It's only about 45 minutes that the actual roads will be even closed. We don't, I mean, if a resident needs to get out, we, you know, flag them through. We just make sure that it's clear.

Ted C. Ziemer, Jr.: Sheriff Williams, you had indicated that you didn't know anything about traffic control, does that sound satisfactory to you?

Eric Williams: Yes.

Ted C. Ziemer, Jr.: Okay, thank you.

Tony Maier: Any other questions?

Commissioner Melcher: I'll move for approval.

President Tornatta: And a second. A motion and a second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: Good luck.

Tony Maier: Thank you very much.

President Tornatta: Alright, sure.

**First Reading of Ordinance CO.09-09-016:
Amending Ch. 9.04: Fair Housing Ordinance**

President Tornatta: First reading of CO.09-09-016, an ordinance amending chapter 9.04, Fair Housing Ordinance. An ordinance amending the Fair Housing ordinance according to the HUD requests.

Commissioner Melcher: So moved.

President Tornatta: Second. A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

Building Authority: Request to Use Surplus Tiles for EFD

President Tornatta: Dave Rector, request to use surplus tiles for the Fire Department. You brought somebody with you, a special guest?

Dave Rector: I did.

President Tornatta: Fireman Sam?

Dave Rector: I thought I might need some help here. Good afternoon, Dave Rector, Building Authority. Last meeting you surplused some tile that we had left over from a job at the Centre that's brand new and we have a use for. Chief Jarboe would like to address that need, and, hopefully, we'll get an affirmative decision that can help the City Fire Department out.

President Tornatta: Okay.

Keith Jarboe: Thank you, Commissioners. It's a pleasure to be here today. It was brought to my attention by Dave that there was some surplus tile that would be available, and we are, at this time, going through our administration building and doing some renovations. It really hasn't had anything done since the building, when it was purchased by the city, at that time it went through a total renovation. We know that we have some things to do on the building. Once this was brought to my attention, we were looking at the front entry to our office at the administration building we're going to tile the front entry and the wear areas, basically from door to door, and then we also have some carpet that we're going to have installed in the administration building. It is our front door, it's the first thing that the community sees when they come into our office, and we want to put our best foot forward. We believe that this would be a true enhancement of our facility.

Ted C. Ziemer, Jr.: Generally when we're exchanging from one government entity to another, material like this, we have a resolution of the donor, which in this case would be the County Commissioners, and then a resolution by the receiving authority, and I'm not sure whether that would be the City Council or the Board of Works, or the Board of Public Safety.

Dave Rector: Would that apply, Ted, if it was surplus? See, it's surplus material now. It's not material that was, that is county to city. It's surplus for what I understand now any purpose.

Ted C. Ziemer, Jr.: Well, surplus for any purpose that the Commissioners want to make of it.

Dave Rector: Right.

Ted C. Ziemer, Jr.: I guess, I would like to see the Board of Public Safety, I think, is actually the board that works with the Fire Department, is it not?

Keith Jarboe: Yes, sir.

Ted C. Ziemer, Jr.: If the Commissioners approve this, I think the Board of Public Safety ought to adopt a resolution to receive the tiles from the County Commissioners. That's all, I think that would take care of it.

Dave Rector: Okay. They've done that in the past?

Ted C. Ziemer, Jr.: Well, yeah, we've done that in many instances of exchange of equipment.

Dave Rector: Okay, we'll get it taken care of.

President Tornatta: I was going to say, that should be—

Dave Rector: Then after their motion, then we go to Safety Board and have them do the resolution, and then we can use the tile after that?

Ted C. Ziemer, Jr.: Absolutely.

Dave Rector: Then I have some old, old, old surplus carpet, that we surplused three or four years ago that we're going to let the Fire Department use to try to clean that area up.

President Tornatta: Sounds great.

Commissioner Melcher: So, I'll just approve the motion of the tile and the carpet with the Safety Board approving it in a resolution.

President Tornatta: I'll second that. A motion and a second. Discussion? Seeing none, roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

Dave Rector: Thank you, gentlemen.

President Tornatta: Thank you now.

**CPO: Custodial Supplies Agreements (Deferred to 9/22)
EMA: Training Grant Agreement
Purdue Co-Op Extension Lease Agreement: Steve Kahre**

President Tornatta: Contracts, agreements and leases, Cooperative Purchasing Organization approval of custodial supplies agreements. Anybody? Okay. There was an e-mail–

Commissioner Melcher: Is Jim Harris here?

President Tornatta: An e-mail was sent to us–

Commissioner Melcher: Let's just put it on the next agenda.

President Tornatta: Okay. Alright, let's go ahead and make a motion to defer.

Commissioner Melcher: To defer to the next?

President Tornatta: Yes.

Commissioner Melcher: I make the motion that since nobody's here from the School Corporation that we'll move it to our next meeting.

President Tornatta: I'll second that. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: Alright, EMA 2007 LETPP CI protection training and equipment grant agreements. This grant is for an amount not to exceed \$215,000 for the law enforcement/terrorism prevention program for critical infrastructure program training, and for critical infrastructure protection equipment. Sherman?

Sherman Greer: Good evening.

President Tornatta: Good evening.

Sherman Greer: This grant is something that we just discussed today in our disaster planning council. What we are going to plan to do is hire a contracting company to do the infrastructure assessments of all 12 counties. Also hire two people, we've got \$15,000, we're supposed to hire two people to do the data entry and also the management of this project. What we're going to do is put that \$15,000 together, make \$30,000 and hire one person to do the data entry and to do the management of the critical infrastructure—

President Tornatta: Okay.

Sherman Greer: —information that we need. Once we get all of that put together and we get some templates from the Indiana Department of Homeland Security on what type of contracts and everything like that, we'll have to run those by Mr. Ziemer to see whether or not those are appropriate for, to be signed by the County Commissioners and by—

President Tornatta: Okay.

Sherman Greer: —the company that we choose. So, that's where we're going with this \$215,000.

President Tornatta: Alright.

Commissioner Melcher: Is this the one that we talked about Saturday at "Family Day in the Park"? Didn't we talk about this one?

Sherman Greer: No, sir.

Commissioner Melcher: Okay.

Sherman Greer: That was another one.

Commissioner Melcher: Okay, I'll move for approval.

President Tornatta: And, second. Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: Thank you.

Sherman Greer: That's all we've got.

President Tornatta: Okay. Thanks,

Sherman Greer: Thank you.

President Tornatta: Great to see you.

Sherman Greer: Alright.

President Tornatta: Commissioners, Purdue Co-Op Extension lease agreement. Ted, some information on that?

Ted C. Ziemer, Jr.: We have been in the process since last month—

Madelyn Grayson: Ted, can you see if your microphone is on?

Ted C. Ziemer, Jr.: I'm sorry. Our firm has been in the process for the last month of drafting a new lease for the lease by the county on behalf of the Purdue extension agent of space from Steve Kahre for offices for the Purdue extension agent. We have come to terms and provided the Commissioners with copies of a proposed form of lease, which would be acceptable to Mr. Kahre, and is acceptable from a legal perspective so far as the County Attorney is concerned. You have copies of that. It's satisfactory for approval, as I say, from a legal perspective.

President Tornatta: Okay. This actually is in agreement with Purdue extension at this time?

Ted C. Ziemer, Jr.: It is, it is, absolutely.

President Tornatta: Both groups came together and worked out an agreement, and I thought that it served both sides very well. So, if we could get a motion on that.

Commissioner Melcher: So moved.

President Tornatta: And a second. A motion and a second. Further discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: Alright—

Ted C. Ziemer, Jr.: Mr. President?

President Tornatta: Sorry.

Ted C. Ziemer, Jr.: Mr. President, I showed on the agenda a Cooperative Purchasing Organization agreement, approval of custodial supplies agreements which you—

President Tornatta: Right.

Commissioner Melcher: There's nobody here, so we made the motion—

Ted C. Ziemer, Jr.: Oh, that was the one that you, okay, I'm sorry. I didn't realize that's who you were talking about.

Commissioner Melcher: I'll help you out on that.

Ted C. Ziemer, Jr.: Okay. Appreciate it.

County Engineer

President Tornatta: Alright, department head reports. John Stoll, County Engineer?

John Stoll: I just have one issue and that was in regard to the Green River Road project. There are two culvert crossings of Green River that need to be installed, and in talking to the contractor they would like to close the road on Thursday and get those culverts installed, rather than trying to flag traffic through and get the culverts installed in half the time. I think, given the circumstances and the traffic volumes, I think it's a good idea. So, we'll need your approval to go ahead and close the road Thursday, September 17th, and we would close the road after 8:30 so that all of the morning traffic can get into work and to school. They would re-open the road as soon as the work was completed, but there's no guarantee that it would be done in time for the evening traffic. So, just requesting approval for Blankenberger Brothers to close that road, it would be between Heckel and Millersburg. We would provide a signed detour route of Heckel Road, Oak Hill Road and Millersburg Road to go around the construction.

President Tornatta: Right, and you and I both talked to Jim Jesse today with Blankenberger, and he assured me that this would be something that they could get started in the day, get done in that day, and, you know, I know there's always those issues, but the one thing that we did not want to see is that road to continue to be closed. In talking to him, if we did this in a phased process there would be issue with safety, and not only to his employees, but to our county residents. So, you know, I hate to close that road, but I would do it in an act of safety. So, it looks like we might only have to have the road closed for eight or nine hours to pull out that pipe. They would put it, essentially, back together and have it ready for whatever phase was up on the Green River Road process.

John Stoll: Right, they said they would hope to get it done by the evening traffic, but there was no guarantee. As soon as it is complete and ready for traffic they will get it re-opened.

President Tornatta: Okay, and that would be Thursday from all estimations 8:30—

John Stoll: 8:30 will be the start.

President Tornatta: —and their goal would be, we gave them a goal of 3:00, but that might be unattainable. So, they're going to try to be as close to that to make sure that the kids can get back home and everyone else. We need a motion to approve.

Commissioner Melcher: Okay, so moved.

President Tornatta: And a second. A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

John Stoll: That's all I have.

President Tornatta: Thank you.

John Stoll: Thanks.

County Attorney

Ted C. Ziemer, Jr.: Mr. President, I don't want to beat a dead horse, but getting back to these custodial agreements, just a comment. I know that the documents you have in front of you for the meeting today shows that Mr. Harris would be here. I wish he were, but I'm not sure it's necessary, and I don't know what the urgency is for the going ahead with purchases under this document. The Commissioners approved the purchase of custodial supplies from four vendors at the August 11th meeting of the Commissioners, and what these documents do is now memorialize, it's a contract with each of those four vendors to supply the custodial supplies that we need. We have reviewed the documents and the bid proposal forms and we do find them satisfactory and in accord with the understanding that the Commissioners at the August 11th meeting. So, all I want to suggest is that I think you could approve these today—

President Tornatta: Okay.

Ted C. Ziemer, Jr.: —if you wish. If you don't wish, of course, that's up to the Commissioners.

President Tornatta: That was more in line of, I wasn't quite clear if we were approving new vendors, or new products.

Ted C. Ziemer, Jr.: No, no, actually, the vendors have been approved at a prior meeting, what we're now doing is signing contracts with those vendors.

President Tornatta: Okay.

Madelyn Grayson: Jim Harris physically has the contracts. I don't know if that makes any difference or not. I do not have them with me tonight.

Ted C. Ziemer, Jr.: Oh, now that, you mean, he was to bring the contracts to the meeting to sign? Well, I didn't know that. So, if we don't have contracts here we can't go forward.

President Tornatta: Moving on, alright.

New Business

President Tornatta: New business? Seeing none. Old business? I do have, go ahead.

Ted C. Ziemer, Jr.: Yes, I do have one item, just under my report, and I'm sorry I got this to you late this afternoon, because I received it late this afternoon, but it's an agreement between the Red Cross and Vanderburgh County on behalf of the Health Department for certain Health Department employees to receive CPR and AED, AED is automatic electronic defibrillator, training, which may be necessary as we go forward with immunization of all of Vanderburgh County for H1N1 flu and so forth. The training classes are scheduled to start on Monday, and I did not want the Health Department to go forward with training classes on Monday on an agreement that had not been approved. So, I did e-mail you this, but you may not have had time to receive that, but I believe we have the copies signed by the Red Cross here, do we not, Gary? Madelyn, you have them? So, if you wish to approve that, it's satisfactory for approval.

Commissioner Melcher: Can I see it?

Ted C. Ziemer, Jr.: While you're looking at that, Commissioner, I'll just summarize for you that the agreement provides for CPR and AED training for Health Department employees. There's a minimum of eight employees required to have a training course. There are two courses set, one on September 21st, which would be next Monday, and one for September the 25th. The cost for the training is \$65 per person. That cost would be paid out of grant funds, which the Health Department has available for this purpose.

President Tornatta: Okay, and, Gary—

Gary Heck: We just received them today as well. That's the reason, sorry for the lateness.

President Tornatta: Gary, on the training, do you know, is that to, does that go beyond the Health Department? Or, who could be involved in this type of training?

Gary Heck: This will just be Health Department staff. This wouldn't be for anybody that's not employed by the Health Department.

President Tornatta: Okay. That's, and read what exactly, tell me what exactly the training would involve?

Gary Heck: It's going to be training in CPR and electronic, or the automatic electronic defibrillation. So, if somebody's heart were to stop, it would give you the ability to use the equipment to jump start that. Then, if somebody needed CPR, they would also give them the ability to try to save a life that way.

President Tornatta: And, that's only specific to the Health Department?

Gary Heck: Well, all of our medical professionals have it, but they would be the ones that will be doing the vaccinations. So, this would be the support staff and the data

entry people. Dr. Nicholson thought it would be a great idea to have them trained as well just in case. More than half of our staff already have CPR certification and AED certification. This would be just to get the folks who normally aren't in that position to be in that position should they have to be.

President Tornatta: Would we need anybody over here certified in any of those areas?

Gary Heck: It's certainly not a bad idea. We would certainly be able to include them in this class. We can have up to a certain number. We have to have a minimum.

President Tornatta: Right.

Gary Heck: So, if anybody would be interested, we would be more than happy to let them join our class.

President Tornatta: Okay, alright. Maybe what we'll do is get a list or send something out and if anybody is interested they could get with your staff.

Gary Heck: That will be fine.

President Tornatta: Okay? Alright.

Commissioner Melcher: I'll move for approval.

President Tornatta: Second. A motion and a second. Discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

Gary Heck: Thank you.

President Tornatta: Thank you. Any other new business?

Old Business

President Tornatta: Moving to old business. I did have something, there was a, somebody came in talking about some Countywide Guides. This is done in several other counties, and it looked like an opportunity for Vanderburgh County to be represented and have these guides represented, and at this point I would put that back out on the table. We haven't voted on it, but we did kind of mull it around. So, if there is interest, I would like to go ahead and act on it now.

Commissioner Melcher: So, this is the report from when the two gentlemen were here?

President Tornatta: Exactly.

Commissioner Melcher: About doing advertising and stuff like that?

President Tornatta: Warren Dissler, I think—

Commissioner Melcher: Was one of them.

President Tornatta: —was one of them. He's actually running the program.

Commissioner Melcher: And we're not out any funds?

President Tornatta: It won't cost us a dime. It just, we just give them information so they can put it in a booklet and get it out to people throughout the community.

Commissioner Melcher: Move for approval.

President Tornatta: And second. A motion and a second on the Countywide Guides. Any discussion? Seeing none, roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

<p>Reading of the Quotes: VC09-09-01: Bridgeview Drive Culvert #410 Sliplining</p>

Ted C. Ziemer, Jr.: Mr. President, I have the bid.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: There's only one bid. This is for Bridgeview Drive culvert number 410 for sliplining. The bid is from Deig Brothers, and the amount of the bid is \$15,460.

Commissioner Melcher: So, you need a motion for to give it to the attorney?

Ted C. Ziemer, Jr.: To take it under advisement.

Commissioner Melcher: Take it under advisement? So, I'll make the motion that we take it under advisement.

President Tornatta: And a second. A motion and second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

Public Comment

President Tornatta: Alright, public comment? Come on up.

Roberta Heiman: Commissioners, good evening.

President Tornatta: Good evening.

Commissioner Melcher: Good evening.

Roberta Heiman: I'm Roberta Heiman, President of the League of Women Voters of Southwestern Indiana. We are a non-partisan, grass roots organization. We work to improve our systems of government and impact public policies through education and advocacy. I'm here tonight to give you a heads up on something we're going to do, or rather that we're going to ask you to do.

President Tornatta: Okay.

Roberta Heiman: Okay, as you know, in 2006 the Indiana legislature enacted public law 1326, which allows our elected officials to consider a merger of city and county governments, subject to final approval by citizens in a referendum vote. The law promulgated as Indiana Code 36...oh, may I introduce Kathy Solecki?

President Tornatta: Sure.

Roberta Heiman: She is also with the League of Women Voters. The law promulgated as Indiana Code 36-1.5 provided two ways to initiate this process. Either by resolution by you, our elected officials—

President Tornatta: Uh-huh.

Roberta Heiman:—or by a petition signed by at least five percent of the registered voters in Vanderburgh County who voted in the last general election for Secretary of State. Well, three years have gone by and you, the elected officials, have not initiated the process. Now, if you would like to adopt a resolution tonight to do that—

President Tornatta: Okay.

Roberta Heiman: —I'll go home, otherwise, the League of Women Voters this week is beginning to circulate a petition to begin that process. We are not currently either endorsing or opposing the concept of a merger of city and county governments, but we believe that the worsening financial problems facing our city and county government require consideration of all possible ways to increase the efficiency, eliminate duplication in administration and delivery of services, and make local government more accessible, understandable and responsible to citizens, including

potential new corporate citizens who might want to come here and provide jobs. Our goal in this petition process is to obtain the required number of signatures, which is 2,632, and present it to the County Clerk for verification by October 15. We then would present that petition to you. By State law you would then have 30 days to adopt a resolution to either decline to move this process forward, or to propose a resolution for reorganization of local government. Then, if you propose the resolution it would go to the City Council, which would have the same, they could either decline to move forward on it, or adopt a similar resolution. If both of you do that adopting, then you would jointly appoint a citizens committee to develop a local government reorganization plan, which then would be submitted for a referendum vote. It would no longer have to go to the legislature for approval as it did in 2006. They blocked it then. The legislature, our proposal is to get the referendum on the ballot for the 2010 election. The legislature did not make this an easy process for a citizens group. If our elected officials decline to move forward, then we, or another group of citizens would have to go and get 10 percent of the registered voters to sign the petition, which would override your decision and automatically move it to a referendum vote. It's a long, and you've got several opportunities along the way to say, this is it. Okay, we believe now is the time to do it. We know, for one thing, that change is inevitably coming in local government structure. Some of it already has. When was it, last year the voters throughout the State voted, in almost every case, to eliminate the position of County, of Township Assessors. Our Governor and legislature in the coming session are going to consider more proposals for more change, one of them might be to eliminate two of you and just have one County Commissioner. We believe that public law 36-1.5 provides an opportunity for Evansville and Vanderburgh County to prepare a plan, a local plan that addresses the local community. Few things can be applied really to meet the needs of every community. Gary is very different from Evansville, Indianapolis is very different from Evansville, so this gives us an opportunity to develop a plan. So, that's why I came tonight. We hope you will agree to move forward on this. We would hope that the League would have representation on whatever citizens study committee is appointed, as well as people who might oppose government reorganization, so that everybody's voice can be heard. I have brought with me a packet of information for each of you and for Commissioner Winnecke. If I could present this to you?

President Tornatta: Sure. Alright.

Roberta Heiman: Kathy and I would be happy to answer any questions you might have.

President Tornatta: Any questions?

Commissioner Melcher: These were already being passed around at the "Family Day in the Park" Saturday.

Roberta Heiman: I know that. Some of our members just couldn't—

Commissioner Melcher: They couldn't hold back.

Roberta Heiman: Some of our members just could not wait, Steve.

Commissioner Melcher: So, I tell you where I stand on this, pretty much, and I said this, the Mayor already has, we already have a committee that's done a lot of research on this. Have you talked to John Dunn and that group of what they proposed?

Roberta Heiman: That group no longer exists, Steve.

Commissioner Melcher: Well, I thought it still existed, it was just hanging in. I didn't know it dis, not dis—

Roberta Heiman: That group no longer exists. It prepared its plan and presented it, and the State legislators declined to let there be a referendum vote on it. So, that organization does not exist, but, no, I have not talked with Mr. Dunn. This is a decision and action by the League of Women Voters of Southwestern Indiana.

Commissioner Melcher: Because—

Roberta Heiman: We believe that it's time for serious consideration of all possible things that might improve the efficiency of local governments. This, whatever plan is developed might be one that we don't agree with, but we think it's time that it be considered, and we think, most of all, that it's time for the citizens to be allowed to vote on whether to do this. It should be a citizens decision. That's what we really believe.

Commissioner Melcher: And I've said that from the beginning. I've said from the very beginning that we ought to be voting on something that we all know what it is. We know the timelines, it's not going to be thrown like the Assessors. The Assessors, when they did that to the Assessors here locally, I mean, we had Assessors that were renting buildings, and it was just chaos as far as I was concerned. I would like to see a timeline before I approve anything. I would like to see some kind of a savings. This is all that I explained to that citizens committee two or three times.

Roberta Heiman: Okay, we—

Commissioner Melcher: I want the people to vote on a referendum.

Roberta Heiman: We're not asking you tonight whether you approve or disapprove of the merger. We're asking you to agree to let this process move forward so that a plan can be developed, and that citizens can decide on whether to approve it.

Commissioner Melcher: Do you have anything?

President Tornatta: No, I mean, I think it's kind of in your court right now, if you're taking the lead on it, to get your vote, your voters—

Roberta Heiman: Right.

President Tornatta: —lined up, your 2,632 petitions ready to go.

Roberta Heiman: I have some petitions, if you would like to sign and circulate them.

President Tornatta: I appreciate that, but what I would like to do is let whoever is running with that go ahead and get that handled.

Roberta Heiman: Okay.

President Tornatta: And then bring it to us, and then we'll—

Roberta Heiman: Okay, I just wanted to—

President Tornatta: –move the process from–

Roberta Heiman: –let you know that this is what we’re going to do.

President Tornatta: –do one thing–

Roberta Heiman: Sure.

President Tornatta: –and say that I am available anytime that the League of Women Voters would like to talk about real change and talk about how some of the effects of a consolidated government would affect both positively and negatively, and just get a fruitful discussion going, because I think that maybe there’s some points that I would like to learn from the knowledge that you have, and maybe I can give another thought to some of the places where you might not have some knowledge.

Roberta Heiman: Okay. Yes, we will be, well, we hope that if this process moves forward and a plan, a citizens committee is, there will be a lot of public hearings on it, a lot of public discussions, and that we definitely will invite you two to comment on it. Definitely.

President Tornatta: That sounds great.

Roberta Heiman: Okay.

President Tornatta: Okay.

Roberta Heiman: Thank you so much.

President Tornatta: At this time, we don’t need a vote to move on–

Roberta Heiman: No.

President Tornatta: –but we do encourage you to get all of your petitions.

Roberta Heiman: Okay, thank you.

President Tornatta: Any other public comment? Seeing none.

Consent Items

President Tornatta: Madelyn, first, I need a motion for the consents.

Commissioner Melcher: I make a motion to approve the consent agenda.

President Tornatta: And second it. Madelyn?

Madelyn Grayson: The consent items for the September 15th meeting are as follows; approval of the September 1, 2009 Commission meeting minutes and department head meeting notes; employment changes from the various offices; travel requests, there’s one from the County Treasurer, four from the Health Department, three for the County Assessor, and one for the County Auditor; Area Plan Commission has a request for signature for participation in the 2010 census new construction program; the Treasurer has year-to-date reports for July 31st and August 31, 2009;

Burdette Park has a yearly comparison through August 2008 to 2009; the County Clerk has the July 2009 monthly report; the County Assessor is asking request to surplus various electronic equipment; the County Auditor is requesting to surplus fax machines, a laptop and office chairs; the Commissioners have a waiver of fees/not OT for use of the Centre on 9/16/09 for Hunt Construction pre-bid meeting; the Commissioners have a J.E. Shekell proposal for additional Old Courthouse chiller repairs; the County Engineer has an approval for pay request number 87 for the Burkhardt-Green River TIF projects in the amount of \$8,420.17; the Commissioners have appropriation and transfer requests; the Commissioners have a request to redeem 205 and 207 East Virginia Street; the Commissioners have a citizen letter regarding the Majestic Place development; and there are department head reports from the County Engineer, the County Ozone Officer and Burdette Park.

President Tornatta: Alright, we have a motion and a second. Any discussion? Then, we'll have a roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: Alright. Okay, with that being said, we'll need a motion for adjournment.

Commissioner Melcher: So moved.

President Tornatta: Second.

(The meeting was adjourned at 5:47 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the September 1, 2009 Commission Meeting Minutes.
Approval of the September 1, 2009 Department Head Meeting Notes.
Waiver of Fees/Not OT for Centre: Hunt Construction Pre-Bid Meeting 9/16/09
J.E. Shekell Proposal for Additional OCH Chiller Repairs.
Transfer: From SW IN Mental Health to Telephone Line Item.
Appropriation: Utilities at the OCH.
Letter from USI President: Majestic Place Development.

Employment Changes:

Sheriff (3)	Treasurer (1)	Circuit Court (1)
VCCC (2)	Co-Op Ext. (1)	

Travel Requests:

Treasurer (1)	Health Dept. (4)	Auditor (1)
County Assessor (3)		

Area Plan Commission: Approval of 2010 Census New Construction Program.

Treasurer: Year-to-Date Reports through 7/31/2009 & 8/31/2009

Burdette Park: Yearly Comparison: January-August 2008 to 2009.

County Clerk: July 2009 Monthly Report.

Surplus Requests:

County Assessor: Sony Mavica camera, Lexmark printer, Acer monitor, (2) Trinitron monitors, plotter, HP laserjet 4550
Auditor: (2) fax machines, laptop, (7) office chairs

County Engineer: Pay Request No. 87: Green River-Burkhardt TIF Projects.

Department Head Reports:

County Engineer	Burdette Park	Ozone Officer
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Those in Attendance:

Troy Tornatta	Stephen Melcher	Bill Fluty
Ted C. Ziemer, Jr.	Madelyn Grayson	Kay Johnson
Kathy Solecki	Tony Maier	Eric Williams
Dave Rector	Keith Jarboe	Sherman Greer
John Stoll	Gary Heck	Roberta Heiman
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SEPTEMBER 22, 2009**

The Vanderburgh County Board of Commissioners met in session this 22nd day of September, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright, we will start the Board of Commissioners meeting, September 22, 2009, room 301. Roll call vote, or roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Boy Scout Troop #301

President Tornatta: With us today is D.J. Kennedy and Austin Pont with the Boy Scout Troop 301 based at Methodist Temple. If you guys would come up, and before you tell us a little bit about yourself, if you'll lead the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Tornatta: Alright, who's up? How about D.J.? Don't sit down. D.J., how ya doing? Who you got with ya? Did I miss somebody?

D.J. Kennedy: Well, Austin Pont's not here yet. He's on his way.

President Tornatta: Okay.

D.J. Kennedy: This is Nicholas Fark and that's Jacob Vaught, they're both new to scouting.

President Tornatta: And who's your youngest member?

D.J. Kennedy: That's our community chairman.

President Tornatta: Okay, alright, that's fair. So, what's going on in the Boy Scouts?

D.J. Kennedy: Popcorn sales and I'm working on my Eagle. I should have it by the start of next year.

President Tornatta: Okay, what do you have to do to get your Eagle?

D.J. Kennedy: I have to finish my Eagle Scout project.

President Tornatta: Okay.

D.J. Kennedy: I'm going up to our church-owned camp property, and I'm going to renovate the shower houses.

President Tornatta: Oh, wow, that's great. Where do you go to school?

D.J. Kennedy: North High School.

President Tornatta: That's a good boy. Where do the other guys go?

D.J. Kennedy: Jacob goes to Washington Middle School, and Nick goes to Oak Hill Middle School.

President Tornatta: Okay, great. So, tell us about popcorn sales.

D.J. Kennedy: We haven't started yet, but we're getting ready for it.

President Tornatta: When do you start sales?

D.J. Kennedy: I think it's the weekend after this one—

President Tornatta: Okay.

D.J. Kennedy: —is when we start.

President Tornatta: So, everybody should be waiting by their door for you to stop by, is that right?

D.J. Kennedy: Yeah.

President Tornatta: Okay. Do we know how much popcorn is this year?

D.J. Kennedy: There's a variety of prices. There's a \$10 box, a \$15 box, and a \$20 box, and it goes all the way up to \$60 for like the caramel corn.

Ted C. Ziemer, Jr.: Are those different sizes, or it just depends on how much money the person has?

D.J. Kennedy: No, there's different sizes.

Ted C. Ziemer, Jr.: Okay.

President Tornatta: Ted will give you his address as soon as we get out of here. Anything else going on?

D.J. Kennedy: Nope, just trying to get my school work done.

President Tornatta: Alright, well, it sounds like you're well on your way. Questions?

Commissioner Winnecke: D.J., Marissa's going to give you my card, if you'll call my office, I'll buy some popcorn from you, okay?

D.J. Kennedy: I appreciate it, sir.

President Tornatta: Alright, now stick to that. And he buys it by the box.

Commissioner Winnecke: Actually, I love popcorn.

Ted C. Ziemer, Jr.: And the most expensive box is what he's going to want.

President Tornatta: That's right. D.J., thank you. Thanks, guys, for coming out. Alright.

**Second/Final Reading of Ordinance CO.09-09-016:
Amending Ch. 9.04: Fair Housing Ordinance**

President Tornatta: Getting started, action items, second and final reading of CO.09-09-016, an ordinance amending chapter 9.04, Fair Housing Ordinance. An ordinance amending the Fair Housing ordinance according to HUD requests.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Questions, comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Permission to Seek Bids: Old Courthouse Probate Courtroom:
Plaster Repair**

President Tornatta: Permission to seek bids, Old Courthouse probate courtroom plaster repair. This is the room adjacent to the ballroom. The Foundation Board has been working with VPS on plans of funding the Old Courthouse Contractual line item. It's \$100,000 in the Commissioners CCD budget.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Permission to Award VC09-09-01:
Bridgeview Drive Culvert #410 Sliplining: Deig Brothers**

President Tornatta: Permission to award VC09-09-01, Bridgeview Drive culvert number 410 sliplining to Deig Brothers Lumber and Construction, Incorporated for \$15,460.

Ted C. Ziemer, Jr.: They were the only bidder.

Commissioner Melcher: The only bidder last week. I'll move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Temporary Easement Grant on Bridgeview Drive

President Tornatta: County Engineer, temporary easement grant on Bridgeview Drive. All that is required of the Commissioners is that on the 9/22 meeting to accept the temporary easement grant subject to it being executed by the Mosby's. John?

John Stoll: We've been working with Ted on getting the format of that worked out, and the property owner has indicated that they would sign the easement, so that way it will allow the project to move ahead. So, on that, if you've got any questions, I'll be glad to try and answer it.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Permission to Advertise Notice of Public Hearing: Vacation of Fisher Road and Hornby Lane</p>

President Tornatta: County Auditor on behalf of petitioner Petersburg Development LLC, permission to advertise notice of public hearing of vacation of Fisher Road and Hornby Lane.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Permission to Advertise Notice of Public Hearing: Reis Road</p>

President Tornatta: County Auditor on behalf of petitioner Sylverius Elpers, Jr., permission to advertise notice of public hearing for vacation of a northern portion of Reis Road.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Vectren Utility Reimbursement Agreement: Univ. Pkwy.: \$45,681.31
Vectren Utility Reimbursement Agreement: Univ. Pkwy.: \$1,285,823
Vectren Utility Reimbursement Agreement: Univ. Pkwy.: \$52,006.02
CPO: Approval of Custodial Supplies Agreements (4)
OCH Lease Agreements: Kraftwerks
Health Dept.: South Central Media: H1N1 Vaccination Information

President Tornatta: If it's okay, we're going to take these next three contracts as one, County Engineer Vectren utility reimbursement agreement for University Parkway in the amount of \$45,681.31; the County Engineer Vectren utility reimbursement agreement for University Parkway in the amount of \$1,285,823; and the third is a Vectren engineer, or County Engineer Vectren utility reimbursement agreement for the University Parkway in the amount of \$52,006.02.

Commissioner Melcher: I'll move for approval that we approve all three of these Vectren utility reimbursement agreements.

Commissioner Winnecke: I'll second with the, just as a footnote for the public record that these reimbursements come from Federal highway funds.

President Tornatta: Motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Cooperative Purchasing Organization, approval of custodial supplies. This was before us last week, and the contracts were not here. I believe we do have the contracts.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Commissioners, Old Courthouse lease agreement with the Kraftwerks, Incorporated. The Vanderburgh County Old Courthouse event lease agreement for the use of public space in the Old Courthouse by Kraftwerks, Incorporated for the conduct, to conduct a craft show in the Old Courthouse on November 14th and 15th of 2009. The lease is identical to the last year's except for changes in dates.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Health Department, agreement with South Central Media for radio spots to advertise H1N1 vaccination information.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Gary, anything to add? You're on a roll here.

Gary Heck: No, nothing to add. If you don't have any questions, I'm just here to answer them.

Commissioner Winnecke: It might be helpful if you—

President Tornatta: Yeah, if you want to talk about your ad campaign and what type information you're going to get out, that would be great, Gary.

Gary Heck: Okay, the second one, the blitz, this is one where we're trying to make sure that the public is well aware that the H1N1 flu is not an ordinary flu, in that the response to that once the vaccine arrives will be an extraordinary response. It may mean that we'll have Health Department staff reassigned to be working at vaccination clinics, and other types of efforts. We want to make sure that the public can get information, so we have a special website set up which will be available to help share information, to answer questions and to go from there. This whole blitz for that first two weeks in October is aimed at that message.

President Tornatta: Gary, if you don't mind working with the Commissioners to at least put it on the front of our website as well.

Gary Heck: I would be happy to.

President Tornatta: To make sure that there is a link.

Gary Heck: I would be happy to do that.

President Tornatta: And that would be on the Commissioners website, vanderburghgov.org, and go to the Commissioners.

Gary Heck: And make, just, I'll get with Marissa—

President Tornatta: Marissa, yeah.

Gary Heck: —to make sure we get them done?

President Tornatta: Yeah, that would be super.

Gary Heck: Okay. Certainly.

President Tornatta: Any other questions of Gary?

Commissioner Winnecke: Gary, just to reiterate, the focus of this, of the radio commercials is really just to drive people to the website, which has all of the vital information, that folks will know?

Gary Heck: That's correct.

Commissioner Winnecke: Okay.

President Tornatta: Okay. We have a motion and a second. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Health Department

Gary Heck: Are you at department heads?

President Tornatta: Yeah, go ahead.

Gary Heck: I just wanted to let you know, while we don't have the August numbers for the prescription drug card from the National Association of Counties, they do have a new feature on their website that would allow any participating county, any resident of a participating county can go check, and also print off a card online.

President Tornatta: Okay.

Gary Heck: I went ahead and brought you a copy of what the information would look like. We will also be getting additional information out about this. Rather than have to print and resupply cards, they have where this can get done immediately–

President Tornatta: That's great.

Gary Heck: –and is very similar to what some of the other counties use, and a different program has come up with. So, I wanted you to be aware of that, and I'll send you additional information about this.

President Tornatta: That sounds great. Thank you, Gary.

Gary Heck: You're welcome.

President Tornatta: Anything else? Alright, any other department heads with a report?

County Attorney

Ted C. Ziemer, Jr.: Yes, we have seven memorandums of understanding with EVSC, Vanderburgh Catholic schools, Indiana State Police, the Oral Surgery Group, the Youth Care Center, Southwest Behavioral Healthcare, and Hillcrest Washington Youth Home, under the terms of which they will make their facilities available to personnel from the Health Department who would go there with vaccine, when vaccine becomes available to vaccinate the, for example, the student populations at EVSC schools, or the student population at the Vanderburgh County Catholic schools, and so forth. Madelyn has the originals of these seven agreements and I've reviewed them, actually I helped prepare them. The State Department of Health provided a form of MOU which we felt needed some revision and we made that, and that's what's been signed by these seven institutions. So, we recommend that these be approved.

Gary Heck: I would be happy to answer any questions. The reason I said no was because Ted was bringing them up under his report.

President Tornatta: That's fine. Sure.

Gary Heck: We considered these pre-planning preparedness just in case type of agreements. Since we don't have the vaccine yet, and we're unclear about where we will be offering as many clinics as possible, we just wanted to be prepared in the event that we did need facilities that we would have the arrangements already pre-made. That's what these agreements are for.

Commissioner Winnecke: Gary, what's your timeline for sort of developing that action plan?

Gary Heck: It will all depend on when the vaccine actually arrives. We actually have a plan that would go into place where we would be doing walk-in clinics. We would be having opportunities to have some evenings, weekends so that folks who work would have another opportunity to try to come and get vaccinated. So, we're going to do everything we can to offer as many opportunities as possible, stretching the staff that we have and then using some of the grant funds that are available to augment that with either volunteers or hire temporary staff to be able to get as much vaccine in arms as possible. Some of the promising or encouraging news right now is that it appears healthy adults will only need one shot, as opposed to two a month apart, and it also appears, at this point at least, that children over the age of ten will only need one. We have, while those are encouraging and sort of the early release from the clinical trials, if that were to stand up it would greatly reduce the number of vaccinations that would have to be given in order to offer protection to folks.

Ted C. Ziemer, Jr.: Gary, you might mention how there are different populations and some are going to have priority over others. It's not as though we're going to immediately vaccinate everybody in the county.

Gary Heck: Well, when the CDC, the Center for Disease Control and Prevention's advisory committee on their immunization practices that make the recommendations, they did come up with five target groups that would be the first kind of tier. These would be the folks who are equally weighted among these five groups. So, there's not one particular, just because they are in a certain order here doesn't mean the first ones have a higher priority. Pregnant women would be in that category, the

household and care giver contacts of children under the age of six months, so this would be parents, siblings, daycare providers; health care and emergency medical services personnel; persons from six months through 24 years of age; and persons age 25 through 64 that have a medical condition that's associated with a higher risk of influenza complications. So, when the vaccine first arrives, those would be the tiers that we would try to reach first, and it would be offered to all of that group, and once we have saturated that to meet the demand, we can't force somebody to take a vaccine or a vaccination, but once we've met that demand then we will move on immediately to the general population and go from there. So, that's kind of where we are at this point.

President Tornatta: Okay.

Commissioner Winnecke: I would say kudos for working out the MOU's at this point, and clearly the earliest we can communicate the action plan, once you know what it is, the better off we'll be. Thanks.

Gary Heck: Thank you.

President Tornatta: We need a, do we need approval on that?

Ted C. Ziemer, Jr.: Didn't we already vote to approve the seven agreements, or did we not?

President Tornatta: No.

Ted C. Ziemer, Jr.: Okay, no, we do.

Commissioner Winnecke: Okay, I'll move that we approve the aforementioned memorandums of understanding.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Just, really this is a question for the Commissioners, you know that for the last several years, actually in 2007, 2008, and now in 2009 properties that are not sold at the tax sale we are taking steps to get titles run on those properties, and then to sell those properties at public auction, instead of taking certificates for title and so forth. It's been more productive. Last year we sold every

single property that we had for sale. This year, for 2009 it is now time to determine an auctioneer for this purpose. Kathryn Schymik of our office has sent an e-mail to all of you indicating what the auctioneer, Sohn and Associates would be willing to do it for. They've done it the last two years. There's been an indication from Commissioner Winnecke that he thinks perhaps it's time to again seek proposals for doing these services, and we want to know how you want us to proceed. Really it's whether we should again seek –

President Tornatta: What was the entire amount? Bill, you might know this, the entire contract amount to Sohn last year?

Ted C. Ziemer, Jr.: Oh, it was like \$3,500 or something in that neighborhood. It was based on a, I don't have it right in front of me, but it was based on a percentage of two percent of the total sales price, or \$3,500, I could be slightly wrong about that, but I'm very close, whichever was greater. And then, you know, that's how that proceeded. This year he's indicated a higher price, I don't want to mention that in this public meeting–

President Tornatta: I understand.

Ted C. Ziemer, Jr.: –if you're going to determine to accept quotes, then everybody should be quoting from scratch.

President Tornatta: Right, but, I think we got a really good value last year, I know. As far as I stand on it, I really, they did what they said they were going to do last year. They came up with a great price for us, it helped out the county immensely and it is a service that they provide, so we don't have to bid that out. I'm comfortable with staying and they know the program that we're on. Questions of the Board?

Commissioner Winnecke: Just, for the record, I understand they did a great job on behalf of the county. I have no problems with them, and they may be the best in the area to do it. I just think we ought to give other auctioneers the opportunity to express interest in it. If none do so, so be it, then we move on with the folks that have done work on our behalf in prior years.

Commissioner Melcher: Was that e-mail sent out today?

Ted C. Ziemer, Jr.: Yes, and, I'm sorry, Steve, it was probably after noon, so I know that you haven't had an opportunity to read it yet, but I pretty well summarized for you, I think, what the contents of the e-mail were.

Commissioner Melcher: Well, if we're going to go out and get proposals, how do we do that? Would you do that?

Ted C. Ziemer, Jr.: Yes, we would do that. We did it the first time. We would do this, we know of several companies that regularly provide real estate auctioneering services, and we would plan to contact them, we would tell them what the service is going to be and what it will entail and what we expect from them in terms of marketing and so forth, and they would then indicate to us what they're willing to do it for. We would also include, obviously, anybody that any Commissioner would want us to specifically include, if they weren't in fact on our list. I don't know what our list would be. I can tell you our list would certainly include Tucker, it would include Sohn, obviously, I'm not thinking, there is a third one that's obvious as well.

Commissioner Melcher: Has any of them sparked interest in the past?

Ted C. Ziemer, Jr.: They've all bid, but Sohn was the low bidder, but, you know, that doesn't mean that that would happen again. But, they all have entered bids.

Commissioner Melcher: Well, I don't really have a problem if we send it out. Can you do that, we won't meet for another couple of weeks—

Ted C. Ziemer, Jr.: We're satisfied that, I mean, we considered that this might be the determination of the Commissioners and what if, and we can have that process completed so that we could have the quotes available for review by you at the October 13th meeting, if that's the way you wish to go.

Commissioner Melcher: I don't think a two week delay would matter.

President Tornatta: Now that's sending it out and getting it back by that time?

Ted C. Ziemer, Jr.: Yes, we can do that.

President Tornatta: Okay.

Commissioner Winnecke: Do you need a motion on that?

Ted C. Ziemer, Jr.: I would appreciate it, just so we have some official direction.

Commissioner Winnecke: Mr. Chairman, at this time I would move that we direct the County Attorney's office to solicit proposals for real estate auction.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Okay, we have one other matter and this has also to do with the auction. For 2010 we now know the taxes, we know now what didn't sell at the 2009 tax sale, don't we, Bill?

Bill Fluty: That's correct.

Ted C. Ziemer, Jr.: That's happened, so, we're ready to start preparing for 2010, and the first step there is for us to seek quotes from title providers on providing us with

title searches as to each of those properties, which is a step that we have to take. We've done that each year as well. All we really want to know is are you satisfied with the way this procedure is working and want to continue it this way, and if you do, we'll take the proper steps to carry this forward for 2010.

Commissioner Winnecke: So, is the process in previous years to solicit proposals also for this, for the title work search?

Ted C. Ziemer, Jr.: Oh, yes, always, we've always done it for title work, every year.

Commissioner Winnecke: Okay.

Ted C. Ziemer, Jr.: All, our real question, Commissioner Winnecke, our only real question of you today is, we have two choices, to continue trying to sell these properties at public auction, or and the alternative to take certificates of title for these properties, and then, Bill, you can describe this better than I can, what was the next step after that?

Bill Fluty: The next step—

Ted C. Ziemer, Jr.: If we didn't have a public auction, how were we doing it?

Bill Fluty: Well, we would actually take title to those properties and then sell them at a later date. The liability of that is that they would be in our possession if we take certificates is, I think, how we would do it the other way.

Ted C. Ziemer, Jr.: Exactly.

Commissioner Melcher: Well, last year it worked well by doing the auction?

Ted C. Ziemer, Jr.: Right.

Commissioner Melcher: I don't have a problem with that.

Ted C. Ziemer, Jr.: Okay.

Commissioner Winnecke: Do you need a motion?

Ted C. Ziemer, Jr.: Yeah, to do it by having an auction in 2010.

Commissioner Melcher: Okay, I'll make that move, motion that we have an auction in 2010.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Thank you.

President Tornatta: Okay.

New Business

President Tornatta: New business?

Old Business

President Tornatta: If not, old business? Seeing none.

Public Comment

President Tornatta: Public comment? First off, let me bring back up, are you Austin? Okay, come on up to the podium, big boy. Who do you got with you? First say your name in the mic, will ya?

Austin Pont: Austin Pont.

President Tornatta: Okay, who do you got with ya?

Austin Pont: Troop 301.

President Tornatta: Troop 301, who's the big guy over there?

Austin Pont: Darrell Hess.

President Tornatta: What's he do?

Austin Pont: He's the assistant Scout Master.

President Tornatta: Okay. Alright, so where do you go to school?

Austin Pont: Glenwood—

President Tornatta: Glenwood.

Austin Pont: —Middle School.

President Tornatta: Does he go to Glenwood too?

Austin Pont: No.

President Tornatta: He doesn't? Okay. How long has he been your Scout Master?

Austin Pont: Since....

President Tornatta: That's okay, it's a tough question.

Commissioner Winnecke: He didn't know there was going to be a pop quiz today.

President Tornatta: When, what's your rank?

Austin Pont: First class.

President Tornatta: First class? Okay, you're selling popcorn here in a little bit, a couple of weeks, right?

Austin Pont: Yes.

President Tornatta: Okay, alright, they have a number there, if they don't call, this guy right here is going to buy some popcorn from you, okay? You might hit us all up, okay? Alright, big boy. Thanks for coming in, okay?

Austin Pont: Uh-huh.

President Tornatta: Alright. Any other public comment? Seeing none.

Consent Items

President Tornatta: A motion to approve the consent items.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: And, Madelyn, if would please read them.

Madelyn Grayson: The consent items for the September 22nd meeting are as follows; approval of the September 15, 2009 Commission meeting minutes; there were no employment changes submitted for approval today; there are travel requests, there's one from the County Clerk, one from the Health Department and one from the County Auditor; the County Engineer has pay request number 88 for the Burkhardt-Green River TIF projects in the amount of \$1,374,526.57; Weights and Measures has their monthly report from August to September 15, 2009; there's a waiver of fees/not OT for the Centre for immunization clinics; there are department head reports from the Ozone Officer, Burdette Park and the County Engineer.

President Tornatta: Okay, any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Motion to adjourn?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

(The meeting was adjourned at 5:26 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the September 15, 2009 Commission Meeting Minutes.
Waiver of Fees/Not OT for Centre: H1N1 Immunization Clinics.

Employment Changes: None were submitted for approval.

Travel Requests:

County Clerk (1)	Health Department (1)	Auditor (1)
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County Engineer: Pay Request No. 88: Green River-Burkhardt TIF Projects.

Weights & Measures: Monthly Report: 8/15-9/15/2009.

Department Head Reports:

Ozone Officer	Burdette Park	County Engineer
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Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
D.J. Kennedy	John Stoll	Gary Heck
Austin Pont	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
OCTOBER 13, 2009**

The Vanderburgh County Board of Commissioners met in session this 13th day of October, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright, we're going to call to order the Board of Commissioners meeting, October 13, 2009. I'm so glad that we have standing room only. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Jill Trautvetter: Deaconess Hospital

President Tornatta: We have with us from Deaconess, Jill Trautvetter. Jill, if you would first come up here and lead us in the Pledge of Allegiance. All rise.

(The Pledge of Allegiance was given.)

President Tornatta: Good evening.

Jill Trautvetter: Good evening. How are you?

President Tornatta: Fine.

Jill Trautvetter: Sorry Chris Ryan wasn't able to make it today. She had a last minute meeting. So, she asked me to step in for her.

President Tornatta: So we appointed her to something since she wasn't here. So, good.

Jill Trautvetter: So, then she appointed me.

President Tornatta: Okay.

Jill Trautvetter: I'm just here briefly to talk about our Deaconess-Riley partnership and the five year celebration we're having this Saturday. Five years ago in April we partnered Deaconess Hospital pediatrics with the Riley Hospital for Children in Indianapolis to bring excellent care to the community for the children of our area. Right now we have more than 27 physicians from Riley Hospital traveling to Evansville every year, and they see more than 4,000 patients right here in our community. We have researched, and that has saved our families more than

\$650,000 in mileage annually that they do not spend now going to Indianapolis for care, plus the countless hours that they're not taking off of work, they're not pulling the other children out of school, and the travel time and overnight expenses. So, in order to celebrate this partnership we're having an anniversary this Saturday, October 17th, it's at the Deaconess Gateway Hospital parking lot. It's from 10:00 a.m. to 1:00 p.m. We're going to have more than 35 local vendors talking about immunization, safe sleep, nutrition, obesity, education, all types of things for children. All of the families in the community are invited. We're also having tons of crafts, we're having pumpkin painting, face painting, inflatables. We're having an outdoor grill, and we're just inviting all of the families in the community out to celebrate this five year partnership with us, and we invite everyone to attend.

President Tornatta: Super. Any questions of Jill? Jill, thank you.

Jill Trautvetter: Thank you.

President Tornatta: Alright.

Final Reading: Rezoning Petition: VC-10-2008
Petitioner: Majestic Place LLC
Address: 333 S. Eickhoff Road, 201 and 351 S. Roesner Road
Request: Change from AG to R-2, R-4, C-2 and C-4 with UDC
Action: Postpone until December 8, 2009

President Tornatta: Getting a little off schedule. We will cater to the masses and go straight to rezoning and go to the final reading of VC-10-2008, petitioner, Majestic Place LLC. Alright, come on up.

Janet Greenwell: Good evening. Janet Greenwell with the Area Plan Commission. I wasn't sure whether we were hearing this tonight, but, basically, the petition has been amended from 220 acres down to 195. I believe you've all seen it, it's in the packets. We have the same displays that we had available with Plan Commission. Plan Commission voted to send it forward with a no recommendation vote, with four yes and three no votes.

President Tornatta: Okay. I believe, I made a request to the Commissioners, and released that that we, after talking to the petitioner, the remonstrators, talking to USI, and me as a Commissioner, I would like to see this put into a study committee. I have a list of study committees, or people on the study committee. If it works with this Commission, the first meeting will be 10/17/09, which is Saturday, at USI in the UC at noon. If Stan, Stan, I know you're here somewhere. If you would please come up. Appreciate the work that Stan Blaszczyk has done to work toward just bringing all groups together. Stan has found out a little bit of what it's like to be a politician. He's found a little bit of what it's like to be a neighbor, a friend, and somebody that could be a confidant of his entire neighborhood. I applaud you for the job that you did trying to bring the Commissioners together and at least getting voices heard out in that area, aside from e-mails and postcards, and I know you had a little bit to do with that too. So, the recommendation I would ask of this Board is to have a series of meetings with a group, and the RSVP's I have so far are; Stan, Mark Rozewski from USI, Tammy Nasiatka, is that—

Stan Blaszczyk: Nasiatka.

President Tornatta: Okay, I apologize. Okay, alright, thank you. She is a citizen. Kevin Goebel from the Hahn Group, he works outside, but he's working with the Hahn Group. Gene Hahn, Joe Kiefer, Gene Pfeiffer, all with the Hahn Group Development; David Robinson, citizen; Michael Lockard, citizen; Fred Padget, citizen; and Jim Raben will serve on that committee as well. He will be at his anniversary in another location. So, he said he would gracefully bow out of this meeting and be happy to participate in other meetings. I think a Dr. Colter is also somebody who has requested to be on this board. I have not heard from him. So, Stan, anything?

Stan Blaszczyk: Well, I would like to thank you for putting this together. You know, I've worked pretty hard to try to go from something that I was concerned about for myself, to something that I'm concerned about for this entire community. What you see behind you is really how important this really is. You know, zoning seems like such a mundane topic, and it really is about a man's castle and where he lives. I applaud these people for coming out, because it's important to them. I applaud you for setting this up, because it really needs to be done. So, thank you.

President Tornatta: One of the things that we are wanting to look and examine with this particular rezoning or lack there of is what this corridor means to this area, what it means to development, what it means to University Parkway. Hopefully, we will come to some consensus in this committee and try and find where our good points are, find out where we are deficient in some areas, and then, obviously, traffic issues and what not we need to address. All this has been brought out, some more eloquently than others, but we've listened to it all and we want to take action doing something different that we haven't done before, and that's get more than one person at a table and have some serious talks. So, we appreciate that.

(Applause)

President Tornatta: With that being said, what I would like to do is ask my Commissioners to give me a motion on the recommendation. After that, if there's anybody that would like to say something, we would enjoy hearing you. We have heard a lot, and we are fully aware of the issue. We have postcards to prove it in this binder. So, if there's nothing outside that we need, that you think we need to be brought attention to, then we would ask that if the motion goes through that we try this study committee and see if we can find some solid information.

Commissioner Winnecke: Mr. President, at this time I would move that we vote to delay the final reading on VC-10-2008, Majestic Place until the December 8th meeting.

Commissioner Melcher: I just wanted to make sure that we set a date, legally we have to do that. So, I'll second that.

President Tornatta: A motion and a second. Any discussion of the Board? That being said, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Okay, thank you.

Stan Blaszczyk: Thank you everyone for coming. Appreciate it.

(Applause)

President Tornatta: Okay, I'm opening the floor, but it won't be long. Anybody that wants to make a comment we would be here to listen. If not, thank you all for coming out and supporting your cause. Okay, I think we're okay. Do you want to come up and do the rest of the rezonings? Hey, you don't mind getting out of here early, do you?

Janet Greenwell: It would break my heart.

**First Reading: VC-9-2009: Petitioner: Bryan S. Wright
Address: 12501 Hwy. 57
Request: Change from C-4 to R-1**

Janet Greenwell: I believe we have one petition that's on for first reading, VC-9-2009, a petition by Bryan S. Wright to rezone his property from, if I have it. It's a petition for a rezoning on Highway 57 to down zone from commercial to residential. We'll bring that forward at a future date.

President Tornatta: Okay.

Janet Greenwell: The first petition we have for final hearing tonight--

Madelyn Grayson: I think they need to take a vote on that first.

President Tornatta: Yeah, we'll need to vote on that first reading.

Janet Greenwell: First reading, I'm sorry.

Commissioner Melcher: I move that we accept it on first reading.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? No discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Final Reading: VC-7-2009: Petitioner: Alstadt Plumbing, Inc.
Address: 2118 Harmony Way
Request: Change from R-1 and AG to C-4 with UDC
Action: Approved 3-0**

Janet Greenwell: Okay, the first petition we have for final hearing tonight–

President Tornatta: Steve? Steve? Steve, you're up. Okay, alright. Okay, alright.

Janet Greenwell: The first petition we have for final hearing tonight is VC-7-2009 for the property at 2118 Harmony Way. It's a petition by Alstadt Plumbing to rezone an additional portion of their residential lot to C-4 to expand their plumbing business. They have 2.75 acre lot, and with this expansion they will have 1.6 acres C-4. It was continued a couple of times at Plan Commission, first to amend the legal to include the driveway, and the second time to amend the legal to, to amend the use and development commitment to limit it strictly to the Alstadt's and their descendants. The Plan Commission voted September 10th to recommend, it was a no action vote. It was six yes and one no vote.

President Tornatta: Okay.

Commissioner Melcher: There was only seven there?

Janet Greenwell: There was only seven present, yes.

Commissioner Melcher: Okay.

President Tornatta: Steve?

Steve Bohleber: Thank you. Good evening, my name is Steve Bohleber. I'm here representing Dave Alstadt, who is somewhere, standing over there. He lives at 2118 Harmony Way, and that is the family plumbing business address as well. In 1995 he rezoned a portion of his property immediately behind his home to accommodate the business, which at that time consisted of basically a 50 by 80 foot pole barn and some parking to the rear of that pole barn, all of which was behind his house. Earlier this year he said, gee, I think I'll put my office in the garage behind my house. When he went to do that he discovered that that was not included in the original rezoning, and had to rezone it. So, he started out with a quest just to rezone a small additional portion to encompass the garage, as well as the pole barn. It was then determined that he probably needed some additional parking to the rear of the pole barn. He said, well, gee, so that I don't have to piecemeal this in the future, I'll just rezone everything behind the pole barn. So, that was included as well. Those are reflected as parcels one and two respectively on the site plan that you have before you. After we filed that, along with the use and development commitment, the Plan Commission said, hey, the drive adjacent to your house, which is one of the two

accesses that can be used to leave the Alstadt property, is not really a city street or a county road. It's not dedicated. It's nothing but a private drive, although it services not only my client's property, but also some residences behind it. So there would be continuity in zoning from the portion of the property behind his home to Harmony Way the Plan Commission suggested that he rezone that private drive. That was also included in an amended petition. So, parcel one, parcel two and parcel three were kind of piecemealed together to encompass the garage office, additional parking behind, and then connect the property to Harmony Way with a corridor of C-4 zoning, because we discovered that was not a public roadway. The business has 11 employees. They park behind the business during the day. The seven service vehicles are generally parked in the pole barn when not in use, and during the day traffic is minimal because everyone is out doing work. There are no plans to build buildings on this parcel. Nothing will change on the physical site because of this rezoning. We're just including more of what is there in the rezoning so that it can be lawful. That means the trees, the buffer, everything will remain. There are no signs on the property identifying it. In fact, if you drive by you would never know there was anything there other than another home. The residence is on Harmony Way. It's still R-1. It will remain that. The Alstadt family has lived there for decades. I suspect being westsiders like me, they're going to live there the rest of their lives too. This come with a use and development commitment that is very restrictive. It limits it just to a plumbing contractor business, and just to the Alstadt family. So, if at any time in the future they stop, either David or his lineal decedents, his kids and grandkids stop operating Alstadt Plumbing Service at that site, any further commercial use would have to be approved by this entity and the Plan Commission among others. So, we think it's good zoning, it's an expansion of an existing commercial use. It comes with a very restrictive use and development commitment. This is David's home, he's not going to do anything to mess it up or make it look bad, or be a detraction to the neighborhood. It comes with a 6-1 yes vote, although it takes seven to get a do pass recommendation. There was a shortage of Plan Commission members last time. We ask that you approve this rezoning this evening. David is here to answer any questions, as am I.

President Tornatta: Okay, any questions right now? Okay. Thank you. We look for remonstrators to the project. You're a remonstrator? I'm joking.

Steve Bohleber: Hey, I'm a lawyer, Troy. I can say anything you want me to.

Commissioner Winnecke: It depends on who's paying the bill, right, Steve?

Steve Bohleber: That's right. That's right.

Commissioner Melcher: Since there's no remonstrators, I'll move to approve.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any further discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Steve Bohleber: Thank you very much.

President Tornatta: Thank you. Congratulations.

**Final Reading: VC-8-2009: Petitioner: Randy Sheffer
Address: 11900 Old State Road
Request: Change from AG to C-4
Action: Approved 3-0**

President Tornatta: Final reading, oh, that's your line.

Janet Greenwell: Final reading for ordinance VC-8-2009, 11900 Old State Road. This is a petition by Randy Sheffer to rezone a nine tenths of an acre, triangular piece of property that's south of an existing C-4 property. Mr. Sheffer has submitted preliminary plans that show he's going to incorporate this triangular piece into an overall new development, tearing down all of the old buildings there and building a whole new commercial development. The Plan Commission recommended approval with seven affirmative votes. It is in compliance with the comprehensive plan because it is a continuance of the commercial corridor along 41.

President Tornatta: Anybody want to speak to the petitioner? Remonstrators to this project? Seeing none.

Commissioner Melcher: There's nobody here to speak on it?

Commissioner Winnecke: The Sheffer's are here.

President Tornatta: The Sheffer's are here.

Commissioner Melcher: Okay, it would be good if somebody would speak on it.

President Tornatta: Okay, Randy?

Commissioner Melcher: Just for the record. It's just a lot better if you get up and state kind of what you're going to do.

Randy Sheffer: My name is Randy Sheffer of Sheffer Construction and Development. I'm going to rezone, or want to rezone that last triangle of that lot. I bought the lot next to it as well, four and a half acres. I'm combining it all and making it one large development there where I'm going to put a couple of restaurants and a car wash and whatever else I can put on it.

Commissioner Winnecke: At this time, Mr. President, I would move that we approve, for final reading, VC-8-2008.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Congratulations.

Commissioner Melcher: Was that eight, or was that nine? 2008 or nine?

Madelyn Grayson: It is 2009.

Commissioner Melcher: Yeah and your motion was eight.

Commissioner Winnecke: I will amend my motion for VC-8-2009. I apologize.

Commissioner Melcher: I didn't want you to do it again. Second.

President Tornatta: Okay, a motion and a second to amend the, to read VC-8-2009. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Congratulations again.

Commissioner Winnecke: Thanks.

Commissioner Melcher: If somebody would have caught that, they would have asked you to come back. I was just trying to save you a trip.

President Tornatta: Alright, thanks, Randy.

Commissioner Winnecke: Thanks, Randy.

President Tornatta: Okay, Janet, thank you for being imprompt.

Janet Greenwell: Thanks for letting me out of here a little bit early.

President Tornatta: Okay.

<p>Public Hearing and First Reading of Vacation Ordinance CO.V-10-09-001: Vacation of Fisher Road and Hornby Lane</p>
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President Tornatta: Alright, going back to the top of the agenda to the action items, public hearing and first reading of vacation ordinance CO.V-10-09-001, vacation of Fisher Road and Hornby Lane. Any public comment to this vacation? Come on up. Go ahead. I'm sorry.

Scott Buedel: Sorry. Scott Buedel with Cash Waggnar and Associates. We're asking for the vacation of Fisher Road and Hornby Lane. The portion of the roadway that is to be vacated lies entirely within Creekside Meadows, which was filed and approved as a primary subdivision back in 2005. I guess, last week we went back, we amended a few of the lots. Last week it went back to Plan Commission and received approval for the revised lay out last week. The vacation of that roadway is necessary for the development of the subdivision. The new layout of the roads in the subdivision don't conform to what's out there now. So, the vacation is necessary for the development.

President Tornatta: Okay. Thank you, Scott. Come on up. Long time, no see.

Wayne Fehd: Yeah. I'm Wayne Fehd. I live at 13040 Green River Road, which is on the corner of Hornby Lane and Green River Road. The section where you'll go west on Hornby Lane goes past our property. The way I understand it, it would be just dead ended there at their property, the petitioner. I think it needs a cul-de-sac back there to let the public turn around, for the public safety and courtesy. The way I see it they could do that on the Petersburg Development property that they already own that's shown on that map that I received.

President Tornatta: Okay.

Wayne Fehd: What's happening now is people drive back there, then they back out the road, and when it gets snow and ice here they're going to be off in the ditch. Then also they come back to our property and turn around in our driveway, use our driveway. I think that's unfair. I think it needs to be back there with a cul-de-sac where the public can just turn around right back there when they realize that it doesn't go through anymore and come back out to Green River Road.

President Tornatta: Alright. Any questions? Thank you, Wayne.

Wayne Fehd: Okay.

Commissioner Melcher: This is first reading?

President Tornatta: Uh-huh. Anybody else to speak to this?

Craig Miller: My name is Craig Miller, 4420 Atkins Lane, which Hornby Lane from where it's going to vacate is at the corner of our property, the backside of our property. He's right about the road. Right now it's gravel, a gravel road, and until they put the barricade up cars were flying down the road. You know, we've got kids in the yard, all that separates that is a little embankment. People are driving erratically. If that goes through, will that road be paved up until that point?

President Tornatta: John? How long is that road?

Craig Miller: Or a guardrail, or something?

Commissioner Winnecke: Several hundred yards.

John Stoll: I'm sorry, I didn't hear the question.

President Tornatta: How long is that road?

John Stoll: Off the top of my head, I'm not real sure. There wasn't ever much right-of-way dedicated out there from what we've found in the past. There's no practical way of taking a traffic count on a rock road. So, I don't know what the traffic count is, but I would suspect that it's very low. Because of that it was never a priority as far as getting it paved. I'm not aware of any push to getting it paved in any recent years. So, there's nothing in the works that I know of.

President Tornatta: Okay, but could be on the list if we—

John Stoll: Right.

President Tornatta: —if there was some dedication to that area.

John Stoll: You could pave it at it's existing width. It would just be a matter of comparing that to your priorities as we get requests like we do every year.

President Tornatta: Yeah, road hearings. Okay.

Craig Miller: It's not a matter of the amount of traffic, it's just the rate at which they drive.

President Tornatta: Okay.

Craig Miller: Plus, they fly down that road, our whole subdivision just fills up with dust. I mean, that's all it is. I mean, you've got kids out there playing. I mean, it's not healthy to breath that.

President Tornatta: One thing, whether we grant this request or not, I would ask you to get everybody in your neighborhood out during the road hearings.

Craig Miller: Uh-huh.

President Tornatta: We will advertise that. Normally it's in the February area. If you guys will come out, we will definitely look at that project.

Craig Miller: Okay.

Commissioner Winnecke: I guess, the question that I have, and, John, this is kind of probably a John question. To eliminate the traffic that, it's Craig?

Craig Miller: Yes.

Commissioner Winnecke: I'm sorry, that Craig is referring to, could we move that sign, the "Road Closed" standard closer to Green River? I mean, there's really no—

John Stoll: We could put "No Outlet", "Dead End" sign, something like that, back at Green River.

Commissioner Melcher: That's what I was going to say, a "Dead End" sign.

John Stoll: We could have the County Highway Department, I guess, run a guardrail across the end of the road. We just need to make sure we've got plenty of signs, so that way nobody comes up on it and crashes into the guardrail.

Craig Miller: We haven't had any traffic since that roadblock has been up, even though it's on the backside of that hedge.

Commissioner Winnecke: But, wouldn't it be helpful if it were closer to Green River Road?

Craig Miller: Yeah, I mean, like I said, now we haven't had any, but I didn't know if once that gets developed if people are going to be driving down it then. If there was going to be an entrance into that development, whatever's going to be built, if they're still going to be coming down into there. Or is it just going to be the back side of that development that has no entrance? That's what I'm just trying to get an idea of that.

John Stoll: Hornby doesn't connect, if I remember right. Your plat doesn't connect Hornby to—

Bruce Biggerstaff: There's right-of-way.

John Stoll: There's right-of-way, but you don't intend to build a road connection? The developer has stubbed out a right-of-way, but the construction of that road is not part of his plan. So, in the event that the county ever widened and upgraded Hornby, we could make the connection through the right-of-way he is platting through his development, but he won't build it, which in turn won't draw more traffic through a substandard Hornby Lane.

President Tornatta: Okay. Any questions of Craig? Okay, thank you, Craig. Anybody else?

John Stoll: In ballpark terms, it's probably 1,000 to 1,500 feet is the distance from Green River Road to the start of this vacation.

President Tornatta: Okay. Alright.

Commissioner Melcher: I'll go ahead and make the motion to approve first reading.

Commissioner Winnecke: I'll second.

President Tornatta: A motion and a second. Any further discussion? Roll call....oh, I'm sorry.

Commissioner Winnecke: I'm just thinking here. Well, never mind, disregard that.

Commissioner Melcher: I would think that, John, I would think that we ought to probably get that "Dead End" sign closer to Green River Road as soon as we can, because the sooner it gets there, if this passes or not passes, we probably still would need it.

John Stoll: I'll check and see what we have, get with the developer, what road construction signs he has, and we'll figure out whatever we need to try and notify the drivers as much as possible.

Commissioner Melcher: Okay, because this is just first reading. We'll have it again.

Bruce Biggerstaff: My name is Bruce Biggerstaff. I am part of the development of the project. We have a road construction closed sign right at Green River Road. A large sign. It couldn't be 15 feet off the pavement that says that road is closed, along with the barricade at the end, on both ends of the road.

Commissioner Melcher: But, that's your sign, right?

Bruce Biggerstaff: Yes, sir.

Commissioner Melcher: Okay, I think the county still needs to put one up. Because that is what everybody's going to look at probably more than yours.

Bruce Biggerstaff: Just a "Dead End" would probably suffice.

Commissioner Melcher: Yours are all on the right? I understand.

Bruce Biggerstaff: Okay, thank you.

President Tornatta: Wayne?

Wayne Fehd: I just wanted to go back over that, there is already a sign there that says "Road Closed".

President Tornatta: Okay.

Wayne Fehd: There is a barricade sitting up there, but the wind blows the barricade over—

President Tornatta: Okay.

Wayne Fehd: —that's in the road up on top of the hill. Yesterday the Conservation Officer drove all the way back there, turned around and come all the way back, backed out, turned around in my driveway and left.

President Tornatta: Okay.

Wayne Fehd: There's more than just him, there's quite a few people like the other gentleman said that lives in Asbury Subdivision, there's quite a few people that use that road going back through there.

President Tornatta: Okay.

Wayne Fehd: That's why I think the cul-de-sac is the cure for the long term.

President Tornatta: We'll ask Bruce to address that for now, to make sure that everything's standing up back there, if that's your sign. Then we'll have this on second reading.

Bruce Biggerstaff: The sign had blown over. It is erected back up.

President Tornatta: okay.

Bruce Biggerstaff: And supposedly sandbagged down again.

President Tornatta: Okay.

Bruce Biggerstaff: The big problem we have is people going back there and dumping their trash.

President Tornatta: Okay, alright.

Commissioner Winnecke: How far...I'm sorry.

President Tornatta: Go ahead.

Commissioner Winnecke: How far do people need to go, I mean, I've driven, I drove out there, but I'm trying to figure out why anyone needs to go down Hornby Lane?

Wayne Fehd: Well, Jim Marx has a piece of property on the right hand side, or the north side.

Commissioner Winnecke: Okay.

Wayne Fehd: And it goes all the way to where the "Dead End" sign is at, and what's in your drawing.

Commissioner Winnecke: Right where that standard is in the middle of the road? The "Road Closed" sign?

Wayne Fehd: The "Road Closed" sign is right off of Green River Road, right by my house.

Commissioner Winnecke: But, the one that's back—

Wayne Fehd: Back, it's in the middle of the road.

Commissioner Winnecke: Correct.

Wayne Fehd: At the end of where the road, where you're proposing to close the road.

Commissioner Winnecke: No, I've seen that, I guess, my question, I'm trying to figure how many people would need to have access down Hornby Lane and how far? If we elected to put a guardrail up or something—

Wayne Fehd: Well, then you would be keeping Jim from getting to his property.

Commissioner Winnecke: That's what I'm asking, how far we would need to go?

Wayne Fehd: You're going to need to go all the way back to where they're talking about closing it off.

Commissioner Winnecke: Okay.

Wayne Fehd: That's why I came about the cul-de-sac.

Commissioner Winnecke: Right.

Wayne Fehd: You've got to really let the public all go back there, because Jim's going to probably develop his ground some day.

Commissioner Winnecke: No, I understand. I just didn't realize how many people needed access to it.

President Tornatta: Okay. Thank you, Wayne. We have a motion and a second. If there's no further discussion, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Public Hearing and First Reading of Vacation Ordinance: CO.V-10-09-002 Vacation of the Northern Portion of Reis Road</p>

President Tornatta: Public hearing and first reading of vacation ordinance of county V-10-09-002, vacation of northern portion of Reis Road. Krista?

Krista Lockyear: Mr. President, members of the Commission, Krista Lockyear. I'm here on behalf of Sylvester Elpers, Jr., who is owner of the property on both sides of the portion of Reis Road that we are asking you to vacate. The need for vacation came about kind of a series of events. My client wanted to sell a portion of his property, and we're kind of out in the western portion of the county, farmland. He's got a lot of property and acreage around this road. He wanted to sell some land to his sister for her home, which required a minor subdivision. In the process of

preparing the subdivision plat, the engineers found an old dedication of a public roadway, which I'm not even sure, we were all certain that that was a public road, it occurred back in 1949. We got with John Stoll and Ted Ziemer to discuss what we could do about this property, because my client had a garage that was sitting on the northern, about 14 feet of the 60 foot right-of-way. The culmination of that process and brainstorming, we decided that vacation of the northern 20 feet of this right-of-way would not affect anybody other than my client and his sister, and that the county had no objections. We followed all the statutory process, sent notices to the other neighbors that are out there. We do have some Vectren facilities that are located in the right-of-way, as well as AT&T, they take a line to service my client's garage put a drop across this portion that we are vacating. Accordingly, an ordinance that we have provided we're reserving easements for Vectren and AT&T. All the other utilities have consented to the vacation. For that reason and to remove this encroachment of my client's garage on county property we would ask that you approve this vacation request.

President Tornatta: Alright. Any questions of Krista? Any remonstrators?

Commissioner Melcher: Seeing none, I'll make a motion to approve it.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Further discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Krista Lockyear: Thank you.

President Tornatta: Thank you.

<p>First Reading of Ordinance CO.06-09-012: An Ordinance Regarding Telework</p>
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President Tornatta: First reading of CO.06-09-012, an ordinance regarding telework. This is the employees working from home in Vanderburgh County.

Commissioner Winnecke: Mr. President, if you'll recall, this became an issue through one of the offices and the topic of some spirited debate around the building. With the assistance of the County Attorney's office we have presented the ordinance that is before us that, I think, provides transparency to taxpayers, and also flexibility for

officeholders and department heads. Just kind of the Reader's Digest version is that it sets forth, it amends the personnel policy to allow, in a limited fashion, a working from home situation, approved by this body on a month-to-month basis.

President Tornatta: Alright. Any questions? I would like to say that I do think this is something that needed to be addressed. Whether it will be, and I appreciate, Commissioner Winnecke, you taking the lead on this, whether it will be a work in progress, or whether it will stand on its own merits. Obviously, it is something that will wait to be seen, because as you dove into it, and we found out, that there's a lot more facets to this than just saying that somebody can or can't work from home and how they are about to be able to do that. So, appreciate your work on this, and the attorney's work in this matter, and we'll try and, if it passes, go and take this on from there.

Commissioner Winnecke: Mr. President, I'll move approval on first reading.

Commissioner Melcher: Second.

President Tornatta: A motion and a second.

Commissioner Winnecke: That would be county ordinance 06-09-012.

President Tornatta: A motion and a second. Any other discussion? If not, roll call vote, please.

Commissioner Melcher: Any public comment? Okay.

President Tornatta: Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Letter of Agreement: EPD Security for H1N1 Immunization Clinics
Health Dept: Bio-terrorism Preparedness & Response Grant
Health Dept: MOU with Deaconess for H1N1 Immunization
Health Dept: MOU with St. Mary's for H1N1 Immunization
Health Dept: Emerson Network Power Agreement
Health Dept: HR Solutions H1N1 Immunization Agreement
Health Dept: HR Connects H1N1 Immunization Agreement
Health Dept: Visiting Nurses Plus H1N1 Immunization Agreement
Health Dept: ESRI Quote and Maintenance Agreement
Health Dept: Affiliation Agreement with Vincennes University
Health Dept: Sub-Grant Agreement: Purdue University
Bldg Comm: Mobile Home Tie Down Agreement: Ascension Development
Sheriff: Grant Amendment: DUI Taskforce Grant
EMA: Agreement with J&S Communications: Radio Project

President Tornatta: Alright, contracts, agreements and leases, and we do say that all have been reviewed by the County Attorney and are satisfactory for placement, and all have been reviewed by the County Commissioners, to my knowledge. We are going to take, if it's alright, the Health Department in one big lump. I will read them, and if there are no problems with taking them all, I'll do that all at once.

Commissioner Winnecke: That's fine.

President Tornatta: The first one is the Health Department, letter of agreement with the Evansville Police Department to provide security for Health Department at certain sites where H1N1 immunizations will be dispensed; the second will be a bio-terrorism preparedness and response supplemental fund grant. The grant is from the Indiana Department of Health. The Vanderburgh County Health Department is for \$10,000 in support of the required public health emergency activities. The grant is for a period of August 10, 2009 through August 9, 2010. The Health Department would assume all reporting and other requirements provided for the grant. The next is a memorandum of understanding with Deaconess Hospital in connection with the receipt and administration of the H1N1 vaccine. Another one is the memorandum of understanding with St. Mary's Hospital in connection with the receipt and administration of the H1N1 vaccine. Another is a renewal of Emerson Network Power agreement, quote and form of agreement to be entered into between the county on behalf of the Health Department and Emerson Network Power to provide battery back up power, services for the freezers and refrigerators in the Health Department lab. It is identical to last year's agreement, except for a price increase from \$5,388 to \$5,506 per year. These funds are in place. Next we have an agreement with HR Solutions to provide nurses for the administration of H1N1 vaccines. Next we have an agreement HR Connections LLC to provide nurses for the administration of the H1N1 vaccine. Next, Visiting Nurses Plus to provide nurses for the administration of the H1N1 vaccine. Agreements with all of the above three agencies are to provide nursing services for the Health Department, as needed by the Health Department, in connection with administering vaccines for the H1N1 virus. The Health Department will first attempt to use the Public Health Nurses who are county employees and the nurses from these companies depending on the availability of nurses, personnel and cost. The Health Department has grant funds available to pay these services. Next is an ESRI quote and maintenance agreement. On March 1, 2009 the Commissioners approved the acquisition of five handheld devices and one desktop ArcGIS from ESRI for use by the Health Department for a cost of \$9,095.25. Now, through the use of the attached maintenance agreement,

ESRI is proposing the maintenance to maintain those devices on an annual cost of \$1,803.83. We know that those funds are in place at this time. Next, affiliation agreement with Vincennes University. Agreement under the terms of which a student or students of Vincennes University would spend some designated time working under the direction of the Vanderburgh County Health Department in furtherance of the nursing education experience of the student. Finally, sub-grant agreement with Purdue University for Indiana Public Health system quality improvement program. Agreement between Purdue University and the county on behalf of the Vanderburgh County Health Department under the terms of which the Health Department is awarded a \$10,000 grant as a sub-grantee under a grant made by the State Department of Health to Purdue University. The purpose of the grant is to continue work with the Health Department in furtherance of the Indiana Public Health System Quality Improvement Program.

Commissioner Winnecke: Well read.

President Tornatta: Thank you.

Commissioner Melcher: I'll move, at this time, that we accept all 11 of the contracts and agreements of the Health Department.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Gary, we'll talk to you in just a second. A lot of H1N1 things on here. So, if there's no other discussion, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Gary, one of the things that I wanted you to come up here and talk about, I know with H1N1 out there, and we still really put a focus on making sure that we're ahead of the ball, so to speak, what are some things that we need to know about the juvenile population, maybe the elderly population, and just people in general about how this is going to be administered and what they could look for from the Health Department?

Gary Heck: Thank you, Commissioners. Gary Heck, Vanderburgh County Health Department. The H1N1 has been a challenge for various reasons. One of them is the recommendations from the Center for Disease Control and Prevention Advisory Committee on Immunization Practices has identified five groups that should receive priority because of their, the way that this particular virus will attack their certain conditions, if you will. Those five target groups would include pregnant women, the household contacts of anybody under the age of six months, because those six

months old and younger can't be vaccinated to protect themselves. This has what is known in the health care industry as a cocooning effect, inoculated if they can protect the contacts, they protect that infant as well. We're also looking at individuals between the ages of 2 and 24 years of age, well, excuse me from six months to 24 years of age, regardless of their condition, because this particular virus has been very, very harmful to young folks, in particular. They also are looking at health care workers and EMS workers, because those are the individuals that need to be able to take care of the sick people once they become sick. Probably the best way to think of this, if you've ever been on a plane and they've gone through the presentation with the oxygen mask that comes down, and they advise you that you put it on yourself first before you try to worry about the folks that are with you, it's the same theory with the health care workers. They are the individuals that are in the close contact, and, if you'll remember, influenza is certainly believed to be spread person to person and with real close contact. Then, the final group would be the folks over the age of 24. So, from 25 to 64 that have a health condition that would be severely compromised should they catch any type of influenza. So, those are your five target groups. Then, when they approve the vaccine for the H1N1, it is coming from a variety of different manufacturers, because no one company could make enough that was needed to be in place worldwide, and each of the five different manufacturers, their particular vaccine is for different ages, and some of them come in multi-dose vials, some of them come in pre-filled syringes, some come in single dose files. So, there's not a one size fits all. I guess, the primary thing that we would want people to remember about the H1N1 vaccine for any child nine years of age and under is that they need a second dose. It's, when we were, when people my age were growing up they used to call them boosters. I think you might hear that term from time to time. You need that second boost of the dose to make sure that you are fully immunized. In this particular case, they're recommendation is that it's approximately a month. It just needs to be longer than 21 days in order to get that second booster, and then the full immunization where they would consider you inoculated and protected would take place about ten days after that second dose.

President Tornatta: Okay, Gary, for those who have children that don't necessarily like needles, there is another option. Could you go over the option?

Gary Heck: Well, there is an option as long as they're at least two years of age and healthy, and that is intranasal spray or mist. That's what we actually had received last week, and that's what was administered during the clinic that was held last Friday. The fact that there isn't a needle is very attractive to young children, because they had nothing to worry about there. It is administered with a mist in each of their nostrils. It's actually a very unobtrusive kind of protection, and once you get over the fact that you're getting some spray in your nostril, it's not an unpleasant feeling at all. There were very few tears administered during that particular portion of the clinic, which, of course, the Health Department is always glad about.

President Tornatta: Right. So, for those who have kids, and this comes about, I do recommend that you schedule to go down there and get them taken care of. It's no worse than having a little nasal spray. For those who are applicable, but, I mean, I think it's probably best to be safe than sorry at this point. Hats off to Doc Nick for really pushing to make sure that this is first and foremost in the county's mind, at least in Vanderburgh County.

Gary Heck: Thank you, and, we, once again just would advise, we're still in the second week of our radio blitz. It's hard to, if you listen to WIKY you won't miss an ad or a public service announcement for the Health Department when it comes to

this particular message. What we're encouraging the public to do is to listen to any of their media sources, or read it in any of your favorite newspapers, it's all shared equally. It's on their websites. We have banners on all of the sponsors websites that we have, and we post it on the Health Department's website. So, if you go to vanderburghgov.org/H1N1, that particular page, and you can get to it from the Commissioners home page, there's a link directly on the Commissioners home page. I believe you insisted on that at our last meeting. I should say requested.

President Tornatta: There you go.

Gary Heck: That it be placed on your all's home page so people could get there directly. We update the information regularly. Anytime we release a public health alert to the media it's posted on our website. That's the easiest and the fastest way to get the information. It's very difficult for the Health Department staff to be working on this project and to try to answer phones, but we certainly do. It takes us a while to get back to them, because we are working diligently to make sure that this all gets done.

President Tornatta: Gary, if you would do me a favor, when you find out there's another clinic day, when you have, you're getting the vaccine in, when you release that to the public could you also release that to the Commissioners office. We will release that to everyone in this building, and get it out to our Facebook friends just to try and saturate as many spots as possible.

Gary Heck: Well, we certainly will. We'll make sure that you get added to that distribution list so that you all will have it as well. I'm sorry that I didn't do that previously.

President Tornatta: Well, that's okay. We're a work in motion. So, we appreciate that. Any questions of Gary?

Gary Heck: I would like to thank the County Attorney for giving us the time this last month. We have, as you can tell, have been very, very busy preparing contracts and agreements in anticipation of what could happen. They have been very, very helpful in getting those to you.

President Tornatta: Thank you.

Gary Heck: Thank you.

President Tornatta: Alright, Building Commission mobile home tie down agreement with Ascension Development LLC. This is a standard tie down agreement. Is this just added, David, to what we've had in the past?

Dave Balew: Yeah, this is an additional contractor.

President Tornatta: Okay.

Dave Balew: Dave Balew with the Building Commission.

President Tornatta: Where are we in the process?

Dave Balew: As far as finalizing? We are actually just about complete with the first grant. We've started the application process for an additional grant and possible extension.

President Tornatta: How many do we think we lack to have this project complete? Any idea?

Dave Balew: County-wide total?

President Tornatta: Yeah.

Dave Balew: Uh—

President Tornatta: Not to put you on the spot.

Dave Balew: Yeah, I'm sorry, I just found about coming to the meeting here about five minutes ago.

President Tornatta: That's fine. If you could get an idea.

Dave Balew: Yeah, you know, we've got the biggest parts completed.

President Tornatta: Good.

Dave Balew: Right now we're actually finishing up Westbrook, which is the largest in the county.

President Tornatta: Okay.

Dave Balew: So, it's approximately 650 homes.

President Tornatta: For those who don't know, we did get a grant after the 2005 tornado. We did find out that there are some preventative measures to take care of mobile homes, as best we could protect them. Obviously, in an F4 or F5 which we might have experienced, there's not a lot that you can do, but for those that did have tie downs we found they had more success in keeping their home in tact, and, obviously, all of the people inside it. So, appreciate all of the work that you've done, that Roger Lehman has done, and congratulations to the new Building Commissioner.

Commissioner Winnecke: Are you looking for approval on this?

President Tornatta: Please.

Commissioner Winnecke: Mr. President, I would move that we approve the tie down agreement with Ascension Development LLC as presented.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you.

Dave Balew: Thank you.

President Tornatta: The Sheriff's Department grant agreement to support of a DUI Taskforce Indiana for 2009. Grant agreement under the terms in which the Vanderburgh County Sheriff's Office will receive \$22,197.50 for the purchase of ten Genensis radar units at \$1,800 per unit, which together with shipping costs will require a total of \$18,450, and 10 Alco sensor units for a total cost of \$3,747.50.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Emergency Management Agency, agreement with J & S Communications for Indiana Homeland Security 10 Radio Project. Sherman?

Sherman Greer: Sherman Greer, Emergency Management. This radio agreement is with J & S Communications for the amateur radio grant that we received about a year ago. We're in the process right now of getting the equipment and starting to install the equipment. I have Mr. Utley here with me that is with J & S Communications. So, if you have any questions for us, we would be more than happy to answer them for you.

President Tornatta: Any questions?

Commissioner Winnecke: Sherman, if you could just maybe in a little more detail explain the agreement and what the project is.

Sherman Greer: Well, the project is, as you can see here at the Indiana State Police Post 35, we have a remote service that's going to go in there, and then we have eight UHF remote links that will be going out throughout District 10, which is made up of 12 counties. The, we have about \$302,000 to work on this project to get all of these remotes put in. This is going to link all of the 12 counties together in Southwestern Indiana. We applied for this grant not thinking that we were going to get it, and then we got it. So, we're out there right now trying to put it together to where that in a disaster situation such as the earthquake type situation, conventional radios and things like that may be down. Amateur radios will be up and running. So, this way, this grant that we got is setting the standards for the rest of the state as far as this project.

Commissioner Winnecke: In the situation that you described where we would be relying on the amateur radio operators, help us understand how sort of the coordination of that occurs?

Sherman Greer: Let me ask Mr. Utley to do that for you.

Commissioner Winnecke: That's fine.

James Utley: How you doing? James Utley with J & S Communications. Basically what the, the services that we provide right now, the storm chasers, we watch the storms come through, we report back to NOAA weather, which is down in Paducah. We report back to them what weather we have and it confirms what they saw on the radar. So, we work hand in hand with the National Weather Service, not only during earthquakes or anything like that we lose the 800 radio systems, we still have some type of a back up radio system to get a hold of people for services like food, blankets, things of that nature. So, it's amateur radio. That's what they relied on in Katrina back when they had the hurricane down there so. All the infrastructure was down, the ham radio stuff was still working. So, just another avenue to help the public people out.

Commissioner Winnecke: And the contract with your company, you're actually the coordinator in a major disaster, is that—

James Utley: No, that's Sherman's job, I'm the vendor providing the equipment.

Commissioner Winnecke: Okay.

James Utley: But, I'm also a volunteer too.

Commissioner Winnecke: Right, okay. I understand now. Thank you.

Sherman Greer: Mr. Winnecke, that service will be up and running. I mean with amateur radio people they can go out, take a radio, put it on a car battery and start talking to anybody in the United States or in the world. When we did our deployment last year in November to Mascatatuck, which is up by Seymour, we had some amateur radio people with us, and we asked them to reach out to two large cities in the State of Indiana. So, they called Indianapolis and , of course, they called Evansville. Then after they called Evansville I told them to reach out as far as they could and then let me know and let me talk to the person. They called me back in and I spoke to this gentleman in Australia. So, it can be used to have communications in a major disaster emergency situation. A back up to the back up systems that we have.

Commissioner Winnecke: Great. Thank you.

President Tornatta: Looking for a motion.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Madelyn Grayson: Mr. Utley, can we get your signature on these documents before you leave?

James Utley: Certainly.

Sherman Greer: Thank you, gentlemen.

President Tornatta: Thank you.

<p>Approval of Sherman Greer as Commissioner Tornatta's Proxy on Central Dispatch Board</p>
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President Tornatta: While Sherman's here, if I could skip forward. There have been times when I have not been able to make the Central Dispatch Board meetings, and I would just like to ask the favor of this Commission to let him be my proxy. Also in times when we need to talk about this communication system it would be helpful if he could at least sit in as part of the Emergency Management. So, if I could ask just approval to have him be my proxy, I would appreciate that.

Commissioner Winnecke: I have no problem with that. I don't know, I served on that board formerly, but I don't know if the by-laws allow for a proxy to vote. I mean, I don't know. It may.

President Tornatta: And we'll check that out.

Commissioner Winnecke: Okay. I mean, I think it's a good idea, but let's make sure we're legally doing it.

President Tornatta: You know, they might decide at some point to incorporate the Emergency Management into the fold. Right now it is not on their agenda, but at least if I can't, couldn't be there.

Sherman Greer: For another thing, just so I could be there to see what they're planning to do, because not only with this system here, it's the 800 megahertz system that the State has put millions of dollars in, the Emergency Management Director is the one that is in charge of that by all the State's, I mean, all the county's within the State of Indiana. So, what I want to do is just be there to see exactly what they're doing and what they're planning and everything, so that all of our communications will work together.

President Tornatta: That would be until such time that they might decide to have him a spot on that board.

Commissioner Winnecke: Okay. Thank you.

President Tornatta: Do we need a motion for that?

Commissioner Melcher: Yeah, I'll move to approve him to be your proxy if that's permitted.

President Tornatta: Okay.

Commissioner Winnecke: Can we, I mean, it's procedural I understand, but can we make a conditional vote like that?

President Tornatta: He could be my proxy, but if he couldn't vote, he couldn't vote.

Kathryn Schymik: Subject to the by-laws.

Commissioner Winnecke: Yeah, subject to the by-laws of the organization. Second.

President Tornatta: Okay, a motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Sherman.

Sherman Greer: Thank you.

County Engineer

President Tornatta: Back to the department head reports. County Engineer, John Stoll?

John Stoll: The first item that I have is a change order for the Bergdolt-Clover drainage project. This is for an increase of \$1,559.11. The increase is a result of extra sod that we placed and some extra rock that was placed. I recommend approval of the change order.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: The next item is also a change order. This is on the Baehl Road culvert project. This is for an increase of \$3,155.86. The primary reason for the increase was due to some additional asphalt, as well as some additional rip rap that was needed due to the culvert alignment.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: The third item that I have is a right-of-way certification letter for phase two of the Burdette Park-USI bike path. This is a letter that's required by INDOT that just basically says that all of the right-of-way is secured. Right now we are in the process of getting an amended easement from USI. I will wait until we actually secure that easement before I send this letter to INDOT, but in working with the County Attorney it looks like we should have that amended easement signed by USI within the next few days.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That should keep us on track to get that project on a January bid letting through INDOT. The next item that I have is a street acceptance request for section eight of Stonecreek Subdivision. This acceptance is for 334 feet of Admiral Drive, 424 feet of Mooring Road, and 584 feet of Chatteris Road. All the streets have been inspected and are recommended to be accepted.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, next I have a storm sewer acceptance for Stonecreek, section eight. This is for 112 feet of reinforced concrete pipe that's located outside street rights-of-way. The acceptance fee will be \$224, and it's recommended that these pipes, this run of pipe be accepted for maintenance.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, next I have a change order on the Green River Road-Millersburg Road intersection project. This is for an increase of \$43,884.54. This covers the installation of the storm sewer that runs along the east side of Green River Road north of Millersburg that I sent you an e-mail on some time ago. We basically enclosed a large ditch that was originally designed on that project. Then, also we had some modifications to the traffic signal design. This is federally funded, so, actually this should be 100 percent federal funds covering the costs of this change order.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second, and just to note that this was, these changes were made as a result of issues that were raised by neighbors in the area, if I remember correctly.

John Stoll: Correct.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: The next item is also a change order on that same project. The way INDOT's new system is set up, to increase, not increase, to extend the time of the contract also requires a change order. This second change order extends the completion date of the project by 16 days until November 30, 2009. This is on the basis of a review that Clark Dietz did. They basically determined that there were enough weather and utility delays that warranted this 16 day increase in time. So, I would recommend approval of this change order.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Also on the Green River-Millersburg project, I was working with Clark Dietz today in regard to the profile of the west leg of Millersburg at that intersection. They've come up with some design changes that will allow the road to be raised anywhere from a few inches to up to two feet which should improve the yard grading situation that I know your office has received complaints on, as well as my office. It should also help improve the driveway approach slopes as well. It will make it better. It still won't be flat like some of the residents wanted, but this at least provides some additional relief to what was originally designed. In talking with Clark Dietz's inspectors, the dirt was actually being placed out there to make those adjustments starting this afternoon. It may result in some additional increases in rock quantities, so we might see a little extra cost in this, but don't know exact numbers as of yet. But they are proceeding with getting it done.

Commissioner Melcher: So, this is going to correct a problem in the woman getting hung up in her four wheel drive?

John Stoll: Part of it. That was primarily because the temporary access that was provided by the contractor was not suitable and it wasn't passable. The contractor did get out there, I guess it was Friday—

President Tornatta: Friday.

John Stoll: –to try and correct that. It is better. They informed me yesterday that they had fired one of their employees who was overseeing the project. So, in discussion with the contractor they felt that they were making the necessary steps to improve everything out there, but the complaints, some of the complaints that we've been receiving were the temporary access, but in conjunction with those complaints, that's where we also received additional complaints regarding the yard grading.

Commissioner Melcher: Right.

John Stoll: This will fix the yard, not fix, but will adjust the yard grading, and the temporary access has been redone in a whole lot better shape than it was early last Friday.

Commissioner Melcher: Okay.

President Tornatta: Thank you.

John Stoll: One last change order, this is on the Cross Pointe project. This is a decrease of \$3,880.91. That makes the net change in the overall project cost a total decrease of \$240,032.81.

President Tornatta: That happens all the time.

John Stoll: I wish, but I need your approval on that last change order.

Commissioner Melcher: So moved.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. We will take no discussion on that. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

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

President Tornatta: Yeah, thank you, John.

Commissioner Winnecke: Thanks, John.

County Attorney

President Tornatta: Anything from the County Attorney?

Board Appointments

President Tornatta: Chris, pop on up here, if you would real quick. While we're going, while Chris is coming up, I will go to board appointments. I have a recommendation for the Airport Authority Board in David Gunn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: And, have a recommendation from the chair of the Domestic and Sexual Violence Commission of Chris Ryan.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Highway

President Tornatta: Okay, Chris, where did we finish on the paving? Are we done?

Chris Walsh: We're close to done. We have about three miles left.

President Tornatta: Okay, and how many miles have we paved so far? Do you know?

Chris Walsh: Close to 20.

President Tornatta: Okay.

Chris Walsh: I believe it was 23 miles, 23 ½ miles, and we're at 19-20 miles.

President Tornatta: Okay.

Chris Walsh: So, we should be, weather permitting, we should be done by the end of October, I would say.

President Tornatta: Okay.

Chris Walsh: The rodeo that I had informed you on, we've moved the date. We had some scheduling problems. It's going to be the 30th, and I'll send an e-mail and an invitation out when we get that.

President Tornatta: Super. Any questions of Chris? Thank you, Chris. Appreciate it.

Commissioner Winnecke: Thanks, Chris.

New Business

President Tornatta: Alright, any new business? This really isn't business, but I would like to note that the Ohio River Bearcats, on October 10, 2009 at Central Stadium won their MFL Championship game against the Wildcats of West Central, 25-22. So, congratulations to our semi-pro football team.

Old Business

President Tornatta: Okay, under old business, we will actually cancel that until we get all the quotes in.

Kathryn Schymik: We need to do the title searches.

President Tornatta: Okay.

Kathryn Schymik: We need to grant that.

President Tornatta: Okay, title searches, alright. If you will go over the title search information.

Kathryn Schymik: This is for, as you all know, the Commissioners over the last couple of years have acquired title to over 300 parcels of real estate following tax sale. Those were properties that did not sell at tax sale. We contacted several title companies in town and asked that they submit proposals to us for how much it would cost to do the title searches that are required on each property. We did not get responses from a few, but did from several. I think I had summarized those in an e-mail to the Commissioners, but Bosse Title submitted a bid of \$225 per search, Regional Title was \$200 per search, but it could only perform 50 out the roughly 300, and Trustworthy Titles was able to perform all of the searches at \$150 per search. So, we need to, given the statutory deadline that we're under, we need to move forward with this as quickly as possible.

President Tornatta: Okay.

Commissioner Melcher: I move for approval.

President Tornatta: Of Trustworthy?

Commissioner Melcher: Uh-huh.

President Tornatta: Okay, which is the low bid.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Anything else?

Public Comment

President Tornatta: Alright, any public comment? Mr. McKeon?

William McKeon: Yes, good evening. My name is Bill McKeon, 2611 Deerfield Drive, Malibu Park, which is off of Route 57. My questions, if I may, hopefully you can help me with some of your answers. First of all I commend you for meeting with the

people from the Majestic Place in reference to their complaints about traffic and whatever else. However, my complaint or my business here tonight is in reference to the regional airport here in Evansville, which I'm quite sure you're cognizant of that they plan to extend the runway, whether it be runway 422 or 1836. If it happens to be runway 422, it's going to be very effective on the people of Hedden Road and Malibu Park. I was wondering if you people are cognizant of any of this, and have you had meetings with the Airport Authority or the project engineer, and, if so, what's going on? The airport did have three meetings held at the Marriott, I've attended them. You can ask a thousand questions and you can get no answers. It's like your plaques up on the wall there, there's, I think 13 of them, in the Marriott they had maybe 20 to 25 pictures of different proposals, and as a gentleman not familiar with engineering and traffic and so on and so forth you would ask questions and you don't get any answers. I did speak to the project engineer and he said that he did, or he has had meetings, or did meet with you people, or some representatives or whatever it may be. I was just wondering what's going on? One of the big questions that I've got is if they extend 422 north you're going to have to re-route Oak Hill Road, which is a county road. You'll have to shift Highway 57. That affects me. That affects us. I was wondering if you're cognizant of all this? At the same time, today, or for the last couple of weeks they, or a week anyway, they've been, the bulldozers are out there moving dirt, and I've called quite a few Evansville city and county and state personnel and asked questions, and wanted to know about zoning laws how they have been affected, and, if so, where does the county come in on all of these points that I have? Pertinent to, one of the points that I have is if that is extended, will I be incorporated within the city?

President Tornatta: No.

William McKeon: That would become city property, will it not? That area, will they encompass me?

President Tornatta: No, because you wouldn't be inside the airport.

William McKeon: Right, but—

President Tornatta: I'm just saying without further annexation, no.

William McKeon: Right, right. Well, I understand, and I got it this morning from this fine gentleman here, your County Engineer, that some of that property was annexed a couple of years ago, which I was not familiar with.

President Tornatta: The airport.

William McKeon: The airport, well, the city...was I correct when, the city acquired that property? The city acquired that property, therefore they've extended over Oak Hill Road, they're now into Hayden Road or Hedden Road.

President Tornatta: Hedden.

William McKeon: And 57, right in between.

President Tornatta: Right, but no one can build on that property as it stands right now.

William McKeon: I understand that.

President Tornatta: And they don't have any buildings on there that I'm aware of.

William McKeon: Okay, well, one of the points that I have, and you might have seen an article that I had in the paper, which was relative to, I'm quoting now, Robert Working, the Evansville Airport Regional Manager, and Mr. Bob Hanneken, who is the project engineer, and both suggested that they go extend highway, or run 1836 south on the Whirlpool property which is going to be vacant in a year or so. It would be less expensive, they wouldn't have to alter any of the flights, they wouldn't have to move people, and I believe they wouldn't have to be in court in possibly a litigation case if people pursue that avenue. So, anyway, could you answer any of the questions? I know I've been quite lengthy in my deliberation here, but is there anyone that can help me at all? Because one of the State Representatives said you better see your County Commissioners, they're the people that are responsible. So, this is why I'm here.

President Tornatta: Okay. First off, the FAA has a lot to say in direction. They also have a lot to say in the timeline that we have to follow. All of this has to be done by 2016. Now, although that seems a long way off, to get all of the acquisitions done, to get all of the design work done, and to get the approval of the FAA, we're on a time crunch as we speak. As silly as that sounds. It might be 2015, and I apologize for not knowing that number. The opening up of Whirlpool has presented a neat opportunity, however, because that particular runway is not the favored runway of the FAA, from what I've heard, and that's because of wind direction and the amount of wind that comes through that area, in diverting planes they like the northward route. That's an FAA security measure that they take on to talk to the, to assess the normal pattern of wind and how it affects planes when they're taking off and landing, and what the primary way that they can take off and land because of the wind. All motions have been made to take that northern route. All plans have been made to take the northern route for several of those issues, not knowing that Whirlpool was going to open up. Even though Whirlpool does open up, we could vacate that road, you know, all those things are possible, the timeline crunch goes down to the point that if we don't have that northern segment done by that 2015 deadline, then we could be put in a situation where our FAA dollars can be cut, and we would not be in compliance. So, all these are factors in why they chose a northern way. In their meetings at the Marriott it was merely to try and ask the citizens, or the general public, which direction they thought they would like to see those roads go, and that's why they lined up several of those, I don't know, pictures, if you will, just to show different routes that they had. Now, it seems to me like they are going Oak Hill Road, and the favorable route from the FAA is going Oak Hill Road into a roundabout which would head off to Hedden, head off to Millersburg, and then head off, I guess, to 57. That would go around and connect to probably Kansas Road, and then go to 57. The issue that they're going to have at that point is to decide what the offshoot roads would be on 57, and I think that's going to deal with the FAA and the Indiana Department of Transportation. I don't think we have that answer yet.

William McKeon: Well, one of the things that I asked the project manager in those meetings, and I also asked the young lady who is your EPA representative, sound barriers. Right now, in talking to Mr. Working that night and Mr. Hanneken, one of the things I didn't understand, I'll be honest with you, was the 2,000 feet, whether it's 2,000 feet beyond the airport runway, or 2,000 feet in height, I'm not sure, but, then they can make a turn. Where I live, I'm using an estimated guess now, looking at you, Troy, let's say you're 1,000 to 2,000 feet away from me.

President Tornatta: Okay.

William McKeon: Which again the flight of the planes coming in or taking off doesn't bother me, but there are times I'll say instead of 1,000 to 2,000 feet they might be 500 feet where I could even see the pilot.

President Tornatta: Right.

William McKeon: I've called the airport and said that those planes are deviating from their flight path. That's where that 2,000 comes in. Sometimes, as I complained to them one night, we had the meeting at the Marriott, I spoke to these gentlemen and the same night, at 11:49 I was awake from my sleep because some jet had come in, roared their engine, it woke me up, and then at 1:15 another flight came in, and when I called the airport the next morning I was told it was a freight flight that came in, not a passenger. Now, these things, you know, you people are elected to protect us and help us and so on, and you say FAA, well, it's true, but I said, going back to the sound barrier, is there going to be a sound barrier? Well, who knows? If you go to major airports in different parts of the country, you go on your Interstate highways you'll see sound barriers all over the road protecting people.

President Tornatta: Well, I would, just two points, the first question is normally what happens is when they start to get close to your house, and the reason why they are extending that runway to where it is, is not because they need it for a normal landing circumstance. It's because of how that wind affects the plane when it is landing. Sometimes they will make that plane come at a different path because of a wind situation. So, that's why you might have had two or three or four come in at the same path, because they were recommended to go that path because of wind and how that winds affects the stopping of that plane. That's one. Two, what I can do is we do have two appointed, one was tonight—

William McKeon: Right, I noticed that Mr. Gunn. I wrote it down, David Gunn.

President Tornatta: David Gunn and Rick Kaskel.

William McKeon: Yes.

President Tornatta: Both of these individuals I will make contact with and tell of your concerns.

William McKeon: I would appreciate it.

President Tornatta: And have them address that with the Air Board.

William McKeon: Well—

President Tornatta: And they are the decision makers, by the way.

William McKeon: I know that.

President Tornatta: Okay.

William McKeon: And I read in the paper they've extended their decision because of the new members, and possibly because of this Mr. Gunn you appointed tonight, but, whatever, I did have a chance to speak my piece and I appreciate that very kindly. Like I said, I am an irate citizen in that area, a county taxpayer and my first

time before you, and I do appreciate your time and your effort and your patience in listening to me. Thank you kindly.

President Tornatta: See you at the Wagner's around Christmas.

William McKeon: Thank you.

Bill Jeffers: May I speak briefly to some of those points? My name is Bill Jeffers, I live at 2641 Malibu Drive with my wife, Brenda Jeffers. We are the closest resident property owners to the new runway extension. We are within 125 feet of State Road 57, and within a couple, 300 feet of the flight path currently. So, the impact to us will be greater than anyone other than three people also on Malibu. Immediately adjacent to us there's two other homes, home lots. Us three property owners, or we three property owners will be those that are most affected of anyone near the airport, other than the horse farm which will be displaced completely, and more so than anyone else in Malibu Subdivision. So, I would like to go ahead and speak to some of the questions that were asked. First of all, there were three meetings, I attended one, and there will be an additional meeting for us to attend. I have had some very heated conversations with Mr. Hanneken, and one very productive conversation with Mr. Hanneken. So, I am a remonstrator against the plans, but I do have some encouraging things to say in answer to the gentleman's questions. First of all, it was my understanding that the Air Board understood that they only had to have one meeting and they could go forward with their plans. One public meeting. I believe Mr. Working was under the impression that they only had to have one public meeting and they could go forward. They were advised by their consulting engineers to have more than one public meeting so that we would have more opportunity to view the plans, make comments and have interaction between us and the board. So far they've had three, and, like I say, they're going to have one more. This same engineering company did the expansion at Lambert Field in St. Louis, and at Indianapolis, the new airport in Indianapolis. They found that this interaction between the neighbors and the Air Board was beneficial in those two locations, much more extension revitalization of airports than here in Evansville, they're just moving one, you know, twenty something hundred feet of runway here. They built huge airports in the other two places. The runway choice as Troy, as Mr., as President Tornatta pointed out, is due to, as he said, the prevailing winds. Mr. Hanneken told me that over 70 percent of the flights take off in that direction over the year. So, obviously, that has to be the runway of choice, the one which they intend to extend up to the current location of Oak Hill Road. They cannot use Whirlpool. We looked at that at the last meeting, there's not enough room on Whirlpool's property to move that runway far enough south to avoid the conflict. There would still be a conflict. They can't use any other runways because any other shift would still result in some conflicts where the taxiway would cross the runway and the FAA finds that an unacceptable conflict. Re-routing Oak Hill Road, they're down to two choices, both choices will come into 57, this is the way I understand it, I'm not saying it's absolute, but I was told that they're down to two choices, and both of them will enter 57 south of Kansas Road and preferably south of the Windemere entrance. So, it would be between Windemere and Deerfield, about halfway in between Windemere and Deerfield. It would be through the current horse farm, who wants to be relocated because they cannot operate a horse farm underneath that landing pattern with the high noise. The noise at my back door will be right at 60 decibel threshold allowed by FAA. That's too high for the horses. The threshold at the horse farm would be higher than that. For a human 60 decibel threshold is the maximum. So, now we're to the point are there going to be any sound barriers, because I don't want to sit on my back porch, the back porch that Brenda built for her to sit on and

enjoy at 60 decibels, and I've discussed that with Mr. Hanneken and he said that they are looking at the piece of property that currently is within Malibu, it's an outlot that's not used for anything, to acquire that for a sound barrier consisting of a dirt, an earthen berm plus trees. That's very acceptable to me. That was very encouraging. Without even prompting, Mr. Hanneken then said that they are also looking at a solid sound barrier, some type of wall, whether it be, you know, concrete, metal, what have you, but it's an actual physical structure along the taxiway, because that's the, this gentleman mentioned the dirt moving, that's what's going on, apparently to me. They're bringing dirt from the county side of 57, down near the airport entrance, and they're hauling it into what is going to be the new taxiway, even though they said they're not moving forward with the plan because the board was still skeptical and new board members were still skeptical, they're moving dirt today. They've been moving dirt for over a week. They're obviously filling the taxiway. Mr. Hanneken indicated to me that they're pursuing the idea of putting a solid structure sound barrier along the taxiway to muffle the sound between us. So, that should answer that question. If they do that, I'm really getting happy. Shifting 57, yes, because the taxiway is going to be so close to 57, if you go out there you can see where it's being worked on, they're going to shift 57 over several feet, before you get to the current intersection of Oak Hill Road, it will not be shifted over in front of Malibu Park. It will not be shifted over north of current Oak Hill Road intersection. So, that shouldn't be any concern to residents of Malibu. It doesn't concern me. Zoning laws, pretty much the airport is exempt from zoning laws. I'm a member of Area Plan Commission. That freaked me out when they came to be rezoned and I found out that they were exempt from zoning laws, but it's a fact. You can't fight facts. City limits currently are the southeast boundary line of Malibu Park Subdivision. I mean they are right on us right now. If they buy the property behind my house, maybe it will, maybe it won't be in the city limits. Maybe they'll have to annex, maybe they won't. I don't really care if they put that sound barrier up, it won't be used for anything else but the sound barrier. Also, Mr. Hanneken told me that the new runway extension, all the way back to Oak Hill Road will be somewhere between 12 and 15 feet vertically higher than the current surface of Oak Hill Road. I mean, because they need that height to begin that run up to the take off. So, with the engines that much higher off the ground than Oak Hill Road, a lot of that sound will go above Malibu Park. The sound waves will be, although it will increase our sound up to 60 decibels right at the entrance of our subdivision. I think that covered all the questions that the gentleman asked. I would like to say to him that I was extremely concerned, at least as concerned as he is now, but after having a very constructive interaction with Mr. Hanneken and his staff at the last meeting, and after the last meeting, many of my initial apprehensions have been satisfied, and I'm looking forward to working more closely with them, because it's going to happen. The best we can do is make the best of it.

President Tornatta: Okay.

Commissioner Winnecke: Thanks, Bill.

President Tornatta: Thank you.

Commissioner Melcher: Bill, did you say that there's going to be another meeting?

Bill Jeffers: They indicated to us at the last meeting there will be one more meeting, because they're really down to two choices for the new intersection of Oak Hill and 57, and they're taking into consideration all of our comments that we made at the last

open house a couple of weeks ago. Then they'll have some more well developed ideas to present to us at the next one and then that will be it.

Commissioner Melcher: Okay, can you—

Bill Jeffers: So—

Commissioner Melcher: —e-mail the Commissioners office so they can mail it out to us so at least we know when it happens?

Bill Jeffers: As soon as we find out when it is, where it is, sure.

President Tornatta: I think it will be, I mean, it will be probably—

Bill Jeffers: It will be in the newspaper—

President Tornatta: Yeah.

Bill Jeffers: —but, I mean, I'll be happy to e-mail you when I find out.

Commissioner Melcher: Yeah, thank you.

President Tornatta: Okay. Any other public comment?

Brenda Jeffers: Brenda Jeffers, 2641 Malibu Drive. The only comment I have is the re-routing of Oak Hill Road. They're going to bring it out onto 57. The first plan was to take it to Hedden Road and take it out there, but the people on Hedden Road made such a big deal and they remonstrated so heavily that the airport said no. But, I don't understand why do those people have so much clout about the re-routing of Oak Hill Road, and we in Malibu Park have hardly any? That's a question I really want to pose.

President Tornatta: Well—

Brenda Jeffers: Hedden Road is a county road, by the way, it's a public road.

President Tornatta: Right, and I could take that back to our representatives on that board.

Brenda Jeffers: Okay.

President Tornatta: And tell them about it.

Brenda Jeffers: I mean, as far as I'm concerned that seems the most logical.

President Tornatta: Well, it just depends what upgrades you would have to make to it for the amount of traffic. I think that, have you had an opportunity to see their 3C plan that—

Brenda Jeffers: I saw them all at the last meeting.

President Tornatta: Okay.

Brenda Jeffers: I went over all of them.

President Tornatta: INDOT has a lot to say about that.

Brenda Jeffers: I don't think, but I really don't think that was the issue. I think the issue was the people who live on Hedden Road didn't want it, and it's not going to happen.

President Tornatta: Okay. Anybody else? Come on up, Wayne. Come on down, how about that?

Wayne Fehd: Want to go from the airport to the farm now?

President Tornatta: Yeah.

Wayne Fehd: I don't have anything on the airport part.

President Tornatta: Okay.

Wayne Fehd: On the farm side, we own some farm ground. I'm Wayne Fehd, and along the county road right-of-ways we've got trees that's four, five, six feet tall already growing, sprouts, and cedar trees bad. If you let them go and don't mow them while the grass is green and the trees are green, it becomes a fire hazard. A year or so ago they mowed the county road right-of-way for me going north of Kansas Road on Green River Road on both sides, and it mowed that mulch all down and it was dry after the frost had just come through and it just made a mat for a fire. Somebody flipped a cigarette out going down the road, and before McCutchanville Fire Department could get there, it burned out of the county road right-of-way, up into our cornfield and where our backhoe was sitting it burned underneath of it and burned the tires all off of it. I got four locations that needs to be gotten mowed.

President Tornatta: Okay. Chris Walsh is in the back. If you will give him those locations, he will see if he can go out there and look at them and see where they sit on his list. If he can get to them, he sure will.

Wayne Fehd: Okay.

President Tornatta: How about that?

Wayne Fehd: In the past when I get a promise from the County Garage it never happens.

President Tornatta: Well—

Wayne Fehd: It's always we'll take care of it, but nothing ever happens.

President Tornatta: Okay.

Wayne Fehd: That's how come the last time—

President Tornatta: Chris is new and improved. How about that?

Wayne Fehd: —Green River Road went for 15 years with promises and the rubbish was thick, then it finally got mowed.

President Tornatta: Right now, I promise that he will look at it and put it on a priority list to where things are in the county.

Wayne Fehd: That's why I'm saying it under public comments here too is because of the fire hazard.

President Tornatta: Okay.

Wayne Fehd: Right now, the crops are green, part of them, the beans, and later on it's going to get worse as everything gets dry and the wind gets to blowing maybe, we hope.

President Tornatta: Alright. Wayne, he's back there in the red shirt, if you'll talk to him.

Wayne Fehd: Okay.

President Tornatta: Okay?

Wayne Fehd: Thank you.

President Tornatta: John, while you're here, I do have a question that came up. I've been approached by a group that would like to have, would like to mow some of the University Parkway, whether it's in our median, or whatever the case is, and put a sign for their soccer program, like a Build-A-Spot, or–

John Stoll: Oh, like Keep Evansville Beautiful?

President Tornatta: Exactly. Do we have any issue with doing that out there? Would they have to sign some type of liability set up to do that?

John Stoll: I was getting ready to say, I would guess it would be just an encroachment agreement, but then the question would be insurance provisions–

Kathryn Schymik: Right.

John Stoll: –because that's the one thing that usually becomes a sticking point. Other than that, I mean, if it's just landscaping–

President Tornatta: Is it easier to do that through a place like Keep Evansville Beautiful? Or is it, I'm just trying to figure out how do they have an Adopt-A-Spot anywhere?

Kathryn Schymik: I don't know that, I've not ever specifically looked at that. I mean, I think the issue is more just, you know, any potential liability on county owned property, allowing people to go out there for work. You know, just having the proper agreement in place, making sure that insurance, you know, provisions are in place. Obviously, if you've got people out there, you know, using equipment too–

President Tornatta: Okay.

Kathryn Schymik: –it's more just from a liability and insurance standpoint and wanting to make sure that the parties are covered.

John Stoll: I can do some checking and see how it's been done in the city. I don't know, off the top of my head, where we have any in the county, on those type of situations where Keep Evansville Beautiful spots are in the county. There may be, but I'm just drawing a blank on it right now.

President Tornatta: Okay.

John Stoll: But, I can do some checking and see what I can find out and then get back with Kathryn or Ted.

President Tornatta: Kathryn, can I have somebody talk to you about it? Okay, I'll have them call, and then if we want to do something, we can do something on the 20th.

Commissioner Winnecke: So, is the issue that someone wants to, in lieu, they will mow it in exchange for us allowing them to use the space to promote an event?

President Tornatta: No, they will mow it in lieu of letting people know that they are doing it.

Commissioner Winnecke: Oh, I'm with you.

President Tornatta: So, they are not promoting an event, it's like a soccer league.

Commissioner Winnecke: It is literally an Adopt-A-Spot–

President Tornatta: Adopt-A-Spot situation.

Commissioner Winnecke: Okay.

President Tornatta: So, the cost would be nothing to the county. All we would be in for, if they have their sign or qualifying a sign for them, or getting them a sign, whatever the case is to say that they are taking care of a certain amount of spot.

John Stoll: Would they just be mowing it and not putting any landscaping?

President Tornatta: Just be mowing it. So, if we can check into that and I'll have, it will be Rick Weber, and I'll have him get in touch with you. Okay, thanks. Sorry, I forgot to....okay. If there's no other public comment.

Consent Items

President Tornatta: Then we'll move to the consent agenda. On the consent agenda if you would hold out employment changes one, and then read all the rest of them as follows.

Madelyn Grayson: The employment changes, I'm sorry, the consent items for the October 13th meeting are as follows; approval of the September 22, 2009 Commission meeting minutes; the current employment changes from the various office, current employee changes from the various offices; travel requests there's three from the Health Department, one from the County Highway, and two from the County Assessor; the County Engineer has a Xerox renewal agreement and approval for pay request number 89 for the Burkhardt-Green River TIF projects in

the amount of \$473,379.13; the Sheriff has a surplus request for two Crown Victoria vehicles, one 2005 and one 2008 vehicle, and a rental of two vehicles per month for investigative purposes; the Information Technology Advisory Council recommendations; the County Clerk has the August 2009 monthly report; the County Treasurer has the August 2009 monthly report; there are citizen comments regarding Majestic Place rezoning; the Commissioners have a Stone Tablets Consulting end of lease with Old Courthouse notification; AMR second quarter report of income and expenses; the County Auditor has the September 2009 A/P vouchers; and there are department head reports from Burdette Park and the County Engineer.

Commissioner Winnecke: I move we approve the consent items as presented.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. If there is no discussion, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, okay, and then the new employment changes, the thing I want to bring up on this is the County Council presented us with a hiring freeze, I kind of want to know where this Commission stands on this, but, I believe if we signed a hiring freeze into place we should probably be in conversation with the County Council to discuss what a hiring freeze means. If we thought a hiring freeze, then we should have that in there as well. I don't really know, they say it's a case by case basis, I have a little bit of problem with that, because I don't know which employees are more important than the other. I figure if those employees are in those offices, they're pretty important. So, for that measure, I wanted to set this aside, because I will want more clarification from the County Council on what they intend to call a hiring freeze.

Commissioner Winnecke: Just to clarify, the position that we're speaking of, this Superior Court Probation Officer has been approved by the Council, is that correct?

President Tornatta: I don't know—

Madelyn Grayson: It's been initialed by the Executive Assistant.

President Tornatta: Okay. I know that there will be some come through. I don't have a problem with replacing people that leave, if that's the intent of the County Council, but right now I really don't know what the intent is, and I would like clarification, and have no problem with replacing people when they leave a job, because I'm assured that they have a definite worth to Vanderburgh County as an employee. However,

we're left here with picking and choosing which ones are in that position, and I would like clarification.

Commissioner Winnecke: Well, as having both formerly sat on that body, you know, it's in the eye of the beholder at any given month when any office holder comes before that body asking for dispensation on a hire, whether it be a new employee or a replacement. I don't know that you will get a black and white description of what that means, because in any given month anybody's request may seem more vital to the county's best interest than another.

President Tornatta: Steve?

Commissioner Melcher: I am confused on what our role is now more than ever. I understood they had a hiring freeze, but I thought they could promote within, and that's just part of the paper, where I've read in the paper and that. Then I was told tonight by some people that we don't even approve office holders, but we've been doing it. What I said was, if we're not supposed to approve office holders' employee changes, then we don't need to get them. So, I would like to have somebody research that. I don't know if that would be the attorneys, it probably would be, and find out what our role is on okaying or not okaying what's going on. I didn't sit on the County Council. I sat on the City Council and the Mayor made all the decisions on who was hired and who wasn't.

President Tornatta: Right.

Commissioner Melcher: So, and, so, I don't know. But, if they're having a hiring freeze and they're not hiring any, I think it's going to be hard for even them, what I read in the paper last, that didn't office holders that were elected, some are getting them and some aren't. I don't know how one is more important over the other. I mean, I don't know how to pick that. It sounds like it's coming down to us as the final ones that's going to have to make that decision, well, I don't know if that's the case or not the case. So, I think we do need some more input of what their really intention is. Is it a real freeze? Or is it a partial freeze? If it's about attrition, you know, what the city did, the 17 years I was on the city, if we was going to eliminate positions, we came out with them early, and as those jobs was finished with the person leaving, then that was it. We knew those jobs ahead of time. That was a plan. That's what, you know, how we did it. Now, I don't know, I don't see a plan of what I read in the paper or anything. I don't know how this works.

President Tornatta: I think you bring up a good point. When individuals are running their office and somebody takes a job and they give a two weeks notice, how do we know what the effect is in one office versus another? I know it's subjective to what the Council thinks on that particular, in that particular office, but I know that the people in the office have a worth, as they've had, and if they don't have that worth, I mean, I think we need to know and let the office holder know who is at that point expendable, if that's the case. I think attrition works in some areas, and I think on the whole as a county we're asking people to work through attrition and not knowing if they're going to get replaced, not allowing office holders to be able to plan for the future.

Commissioner Winnecke: I guess, I don't see a non-replacement, a statement of non-replacement of an employee as a statement of non-worth of someone. I think, clearly the county, like every other governmental entity or private entity is in an unprecedented economic time, and if that means not filling new, means not filling

existing positions, or not hiring new positions, it doesn't mean someone's not valuable or not worthy for a department. I think it's a reaction to the economic times and not a statement of that employee or that department's worth to the county. I would be surprised if that's what the Council thinks.

President Tornatta: So—

Commissioner Melcher: And, I guess, it was also brought up that since the courts are different, and even the Sheriff said that up here when we were talking about the security, the courts can do what they want to do, so, do we even have to vote on a court one? So, that's where I'm a little confused.

President Tornatta: With that in mind, I would like to ask the County Council to give a clarification on what their position is, and I would also like the County Council, and I think that this is in the process through Job Study, to look at measures on future employment and having a separate handbook for future employees that would address some of the issues on cost savings as opposed to doing that through existing employees or changing the existing handbook.

Commissioner Melcher: Well, it's like, you know, I understand that we're going to have an opening out at the Garage, so are we going to get another mechanic or not? We only have three diesel mechanics and we've got winter coming up, and one's retiring, so, I don't know where we're going to go on that one. So, to me, that would be a critical one, but I don't know if that would be a critical one to them. Maybe there should have been a list from them which ones they felt like was critical and which ones were not, that way the office holder knew what to do and knew how to transfer within. But, I think, can you still transfer within? Is that possible?

President Tornatta: I don't know, and that's probably part of the reason that I would like to see this clarified. So, anyway do we have a motion to approve the new employee?

Commissioner Winnecke: So moved.

President Tornatta: Without a second, the motion dies.

Commissioner Melcher: I wouldn't mind revisiting it next week if we could get some kind of an answer.

President Tornatta: We do have a meeting next week.

Commissioner Melcher: I don't want to keep a person from a job, but I just kind of want to feel comfortable in what I'm doing.

President Tornatta: Okay. We do have a meeting next week on the 20th. So, we could address a new position at that time. With that being said, motion to adjourn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

(The meeting was adjourned at 6:57 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the September 22, 2009 Commission Meeting Minutes.
Information Technology Advisory Council Recommendations.
Citizen Comments Regarding Majestic Place Rezoning.
Stone Tablets Consulting end of lease with OCH Notification.
AMR 2nd Quarter of Income and Expenses.

Employment Changes:

Superior Court (1)*	County Highway (2)	Health Dept. (1)
Legal Aid (2)	County Clerk (2)	Auditor (2)
County Assessor (1)	VCCC (4)	Sheriff (5)

*Reference minutes of meeting.

Travel Requests:

Health Department (3)	County Assessor (2)	County Hwy. (1)
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County Engineer:

Xerox renewal agreement.
Pay Request No. 89: Green River-Burkhardt TIF Projects.

Sheriff:

Request to Surplus (1) 2005 & (1) 2008 Crown Victoria vehicles.
Approval for Rental of (2) vehicles per month for investigative purposes.

County Clerk: August 2009 Monthly Report.

Treasurer: August 2009 Monthly Report.

Auditor: September 2009 A/P Vouchers.

Department Head Reports:	Burdette Park	County Engineer
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Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Kathryn Schymik	Madelyn Grayson
Jill Trautvetter	Janet Greenwell	Stan Blasczyk
Steve Bohleber	Randy Sheffer	Scott Buedel
Bruce Biggerstaff	Krista Lockyear	Wayne Fehd
Craig Miller	John Stoll	Gary Heck
Dave Balew	Sherman Greer	James Utley
Chris Walsh	Bill McKeon	Bill Jeffers
Brenda Jeffers	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
OCTOBER 20, 2009**

The Vanderburgh County Board of Commissioners met in session this 20th day of October, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good evening. Welcome to the Board of Commissioners meeting, October 20, 2009. It is 5:00 p.m. in room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Charlotte Roesner: Boo at the Zoo

President Tornatta: Charlotte Roesner? If you would come up, and you're with the zoo, but aside from that if you would lead us with the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Tornatta: Now, Charlotte, we hear there's a little Boo at the Zoo.

Charlotte Roesner: Yes, we've had some excitement these last few weekends, well, actually last weekend, and we've got some more brewing for this coming weekend. We have our largest event of the year at the zoo, called Boo at the Zoo. Previously we've attracted about 9,000 people. This year we're on track for another great attendance record. Saturday alone we had over 2,400 people.

President Tornatta: Wow!

Charlotte Roesner: So, it's coming up this Friday and Saturday as well, and if anyone is not familiar with Boo at the Zoo I'll tell you a little bit about the format. If anyone's ever been to our new entry, you know how gorgeous that looks at night. It's got lots of lights, a great plaza area, we have that all set up for Halloween, and that's where the Boo at the Zoo starts. We have a big magic show, about four magic shows going on throughout the course of the night, lots of booths set up, it's just a lot of fun for all ages. It's very family friendly. So, the visitors start out in the plaza area of the zoo and they trick or treat their way around several of the main features of the zoo, visiting over 25 different stations, 13 of those stations are candy stations. We've got some toothbrush stations to kind of counteract the effects of the sugar. It's just a lot of fun. We also have face painting, clowns, a mad scientist that's a lot of fun and that's set up in the research station of Amazonia, lots of local organizations coming out to lead the crowd in activities and crafts. Two really cool features of this event, you get to go through Amazonia, our newest exhibit at night, so that's really neat to

see. Plus, you also get to visit our newly renovated nocturnal exhibit in the Clay Building, so that perfectly fits in with the Halloween theme. Everyone seems to have a really good time, and we've heard it's one of the best bargains in town. The attendance figures, or the admission rates are \$6.00 for general admission, \$5.00 for zoo members, and then McDonald's is our featured sponsor and you can pick up dollar off coupons at McDonald's. So, it's very reasonable, a lot of fun, and if everyone's not doing anything this weekend, come on out and see us.

President Tornatta: What are the ages?

Charlotte Roesner: It's, well, that leads to another good point. Anyone can come and will have fun. We have a new addition this year which is the tent of terror. So, we added that because we found that a lot of the kids who are teenagers are still coming with their families and their younger siblings, so they wanted something fun to do for them. So, we've added this haunted tent for the older kids, and we also have a more mild haunted feature for the little ones. It's more like a trick or treat trail that they go through through the Master Gardener's Garden at the zoo. So, you can bring your newborns all the way up through teenagers and there will be something fun for everyone to enjoy.

President Tornatta: Super! Any questions?

Charlotte Roesner: Alright, I'll leave you handouts--

President Tornatta: Good luck.

Charlotte Roesner: -- and some Boo at the Zoo chocolate for everyone at the back door sitting on one of the chairs. Help yourselves.

President Tornatta: We got some. Ted approves.

Charlotte Roesner: They say, "Boo".

President Tornatta: Okay, good. Good.

Charlotte Roesner: Thanks a lot.

President Tornatta: Okay, thank you.

<p>Second/Final Reading of Vacation Ordinance CO.V-10-09-001: Vacation of Fisher Road and Hornby Lane</p>
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President Tornatta: Action items for tonight, second and final reading of vacation ordinance CO.V-10-09-001, vacation of Fisher Road and Hornby Lane.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Public comment? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Second/Final Reading of Vacation Ordinance CO.V-10-09-002: Vacation of a Northern Portion of Reis Road</p>
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President Tornatta: Second and final reading of vacation ordinance CO.V-10-09-002, vacation of northern portion of Reis Road.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Public comment on this? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Second/Final Reading of Ordinance CO.06-09-012: An Ordinance Regarding Telework</p>

President Tornatta: Second and final reading of CO.06-09-012, an ordinance regarding telework.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Commissioner Melcher: I want to thank you, Commissioner Winnecke, for putting this together and having your team and the attorneys, because I think this is something that we needed. So, I agreed with you in the e-mails and that.

Commissioner Winnecke: Appreciate it. Thank you.

President Tornatta: Yeah, and I echo the motion.

CPO: Permission to Advertise APA-025-2010: Commercial Fuel

President Tornatta: Cooperative extension purchasing department, permission to advertise APA-025-2010, commercial fuel. If anybody has any questions, Jim Harris is in the audience.

Commissioner Winnecke: Tonight we're just giving permission to advertise, right?

President Tornatta: Just giving him permission to advertise.

Jim Harris: Good evening. I'm just seeking permission to advertise for the unleaded fuel for the Cooperative Purchasing Organization.

President Tornatta: Alright.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Jim Harris: Thank you.

Commissioner Winnecke: Thanks, Jim.

President Tornatta: Thank you, Jim.

<p>Southern Indiana Classic Marathon Road Runners Club: Classic Marathon & Half Marathon Race Proposal</p>

President Tornatta: I believe we have, okay, we have a request of us from the President of the Race Directors of Southern Indiana Classic Marathon Road Runners Club to conduct a marathon. If you want to come up, Jill. Jill Gehlhausen is with us, and she's going to talk about the potential to have a marathon race held in Vanderburgh County.

Jill Gehlhausen: Do you care if I give you more paper?

President Tornatta: Absolutely, come on.

Jill Gehlhausen: Okay. Do you have a copy of the map in front of you already?

President Tornatta: Yes.

Jill Gehlhausen: Okay, great. Well, we're excited to announce that Evansville will have its first Boston qualifier Marathon, half marathon, wheelchair half marathon, and partner marathon on April 11, 2010, We have formed a road runners club of America event club that's been working on this since July the 1st. Our board of directors is putting on the event. It's a 13 person board of directors, and every single one is a marathon runner. So, they are wanting to put on a race that runners can't wait to register for. It's going to start and finish, upon your approval, at the beautiful Vanderburgh County 4-H Center. We're wanting, we have purposefully avoided State highways, so that we don't have to involve the State in anyway, but we have a proposed route drawn up, and we're wanting....and you can see the route in front of you. That's the full course. The half course takes part of the full course, and then at—

Gordon Benfield: It splits off at about four and a half miles and works it's way back to the 4-H Center.

Jill Gehlhausen: So, there's only a small part that just the half marathon runners or walkers would be using by themselves. We're wanting to close down completely the area from—

Gordon Benfield: From Fleener Road all the way up to (Inaudible) Road on St. Joe, if possible. We know that the New York City marathon closes down all five boroughs for a marathon. We think that for the safety of our runners, that if we can get the roads closed off as much as possible, that limits the chances of any accidents. We know that people who live on the course will have access in and out of their driveways. If we have total shutdown, we know the safety is good. If we can't get

total shutdown then we have to cone the whole 26 miles with half open for runners. We will put letters out to every person who lives on the course explaining the situation to them, saying that they have limited access, but they still have access in and out. We've canvassed all of the churches in that area, what time their church services are. We don't go through, we don't go past any church during their church service time. There's one church that has a service at 8:00 and 10:00, our race starts at 7:00, but the race doesn't go in front of their church, but it has a road that goes to their church that we would like to see shut off for the safety of the runners. So, all we're asking is that from, if we can get approval, work with the Sheriff's department on getting as much closed down as we can for the safety of between four and six thousand runners and walkers, people with baby strollers are out there running. We have maps on the ground for split timing that need protection, because they are a valuable map, expensive maps. We're just asking if we could get this approved in the near future so that we can go ahead with promoting our race.

Jill Gehlhausen: For the support, we have contacted the National Guard. We have not given them a copy of the route. We've not gotten to that point yet. But, they are so excited about this event for Southern Indiana, and they have sent a proposal to the state level, just to the National Guard, to see if they can supply security for that day, in addition to what we will have already from the community. We're also, we have a plan in place for hundreds and hundreds of volunteers. So, we just want to see what you think about it.

Gordon Benfield: It benefits the American Diabetes Association.

President Tornatta: Okay. Any questions of the Board?

Commissioner Winnecke: I do.

President Tornatta: Okay.

Commissioner Winnecke: First, how many participants do you anticipate at each level?

Jill Gehlhausen: We anticipate 2,500 to 6,000. We are capping it at 6,000. Standard race entry across the U.S., typically one sixth of those participate in the full marathon. So, at the most, the second half of the course will probably have about 1,000 runners on it. We are advertising a marathon partner, a partner marathon where we bus them out to the halfway point. We don't anticipate a large percentage to participate in that, but we want to at least leave it as an option.

Commissioner Winnecke: Then, how long would you propose that the entire route be closed?

Jill Gehlhausen: We've put a time limit of 17 minutes per mile on the half marathon, and 15 minutes per mile on the full marathon. So, that being said, if they started at 7:00 in the morning, then they should be completely done, even if they're walking, by 1:30.

Gordon Benfield: We would, we can open up roads as we pass them and they don't come back on them again, we could open roads up. As the last runner goes through we can open roads back up.

Commissioner Winnecke: As you've staked out your course, have you done any sort of head count, I mean, do you know how many residences are involved along the route?

Jill Gehlhausen: We would be happy to bring that data back to you.

Gordon Benfield: What we can do is we could sit down and come back to another meeting and break down exactly what roads and what hours, what times we need them shut down, and we could probably get that number for you and let you know.

Commissioner Winnecke: I think that would be helpful. At first blush, I don't know why I wouldn't support this, but I think it would be important to kind of get that data, and would probably be fruitful for everyone concerned if you sat down and had some discussions with the Sheriff's department.

Jill Gehlhausen: Right.

Commissioner Winnecke: I would ask that you coordinate, you know, at least begin some safety discussions with them.

Jill Gehlhausen: Sure.

Commissioner Melcher: I want to echo that too, because I think, have you talked to the Sheriff yet?

Jill Gehlhausen: Well, what we did was we called the Commissioners office, and then they talked to the Sheriff. They sent our documents, the receptionist said that the Sheriff called her back already about it, and said to proceed to this meeting.

Commissioner Melcher: I would want the Sheriff to feel comfortable with the security.

Jill Gehlhausen: Sure.

Commissioner Melcher: So, National Guard or not National Guard, I don't know if I'm happy or not happy with that, but, again, I just want to make sure, I think the other Commissioner has said everything I was going to pretty much say, but, I want the Sheriff involved even if we have to change the routes just a little bit or something.

Jill Gehlhausen: Sure.

Commissioner Melcher: It would be good to know exactly what's happening, so that everybody knows what's happening. Because you're going to have water stations and everything else along this thing.

Jill Gehlhausen: Oh, yeah.

Commissioner Melcher: So, that's going to take up some time.

Jill Gehlhausen: Sure, and we'll have entertainment along the course too, but in our discussions with the National Guard we know that we'll be recycling help. So, that, you know, the first mile is done within 30 minutes. So, those people will move.

Gordon Benfield: To the back end of the course.

Jill Gehlhausen: Uh-huh. So, we'll have a whole strategy for that. So, we would be happy to meet and discuss it in further detail.

Ted C. Ziemer, Jr.: I just want to mention, maybe somebody has already told you this, but you'll need insurance coverage.

Jill Gehlhausen: Sure, and we already do, and we name the county as an additional insured.

Ted C. Ziemer, Jr.: Additional insured, and a minimum of one million dollars per occurrence, three million dollars in the aggregate, and then the certificate has to provide that it won't be cancelled or amended, at all, without the county having 30 days prior notice of any such cancellation.

Jill Gehlhausen: Okay.

Ted C. Ziemer, Jr.: We need that before the race could begin.

Jill Gehlhausen: Sure. Our insurance provider is the Road Runners Club of America, and their policy negotiations are in October, so we'll have this document by the end of the month. We've already paid for our fees for that.

President Tornatta: Okay.

Madelyn Grayson: Sir, would you state your name for the record?

Gordon Benfield: Gordon Benfield.

President Tornatta: Alright. Any other questions of the Board? This is where you understand that we are interested in this project. We're not going to vote on it tonight. We would like you to do a little bit more legwork, just to talk to the Sheriff and make sure everything is set up to your liking and the Sheriff's liking, and any of those other entities that you have to get. Then, we'll be happy to meet back here at a Commissioner meeting date, and then put it before the Board then.

Jill Gehlhausen: Okay, great.

President Tornatta: Okay?

Jill Gehlhausen: Thank you very much.

Commissioner Winnecke: Thanks.

President Tornatta: Alright. Thank you.

**Health Dept: Amendment No.1: H1N1 Grant Agreement
Superior Court: Professional Services Agreement: Troy Hardin
Sheriff: ICJI Grant Agreements: Domestic Violence Coordinator
EMA: Homeland Security Sub-Grant Agreement
Commissioners: Humana Group Medicare Plan
Commissioners: Met Life Insurance Agreement
Commissioners: Health Resources Dental Contract**

President Tornatta: Alright, contracts, leases and agreements. Health Department, amendment number one to grant agreement approved September 1, 2009 for \$188,402 for the H1N1 flu pandemic. Revised 2009 public health preparedness and response for H1N1 grant agreement for up to \$188,402 for the period of 7/31/09 through 7/30/10. Gary?

Gary Heck: Gary Heck, Vanderburgh County Health Department. I would be happy to answer any questions. I believe that the County Attorney has reviewed this amendment.

President Tornatta: Anything?

Commissioner Winnecke: Move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Any questions?

Commissioner Winnecke: I just have a real quick one.

President Tornatta: Go ahead.

Commissioner Winnecke: Gary, will you hang around? I have a question, I would like to ask you about something under new business.

Gary Heck: Certainly.

Commissioner Winnecke: Okay, thanks.

President Tornatta: Okay, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Superior Court, agreement with Deputy Sheriff Troy R. Hardin for home verification services.

Commissioner Winnecke: Move approval.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Sheriff, ICJI grant agreements for domestic violence coordinator position.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Homeland Security grant, 2007 Homeland Security grant program sub-grant agreement EDS-C44P-0-107A for a maximum amount of \$14,894 for acquiring network switches.

Commissioner Melcher: I'll move to approve them.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Commissioners, Humana group Medicare plan. Is Jim with us? Jim Snyder, please come forward.

Jim Snyder: Good evening. I'm Jim Snyder with Humana. I'm here, I don't know what all you've been provided, so if you can tell me where you are in the process I will be happy to summarize.

President Tornatta: I think we've received some e-mails on the Humana Medicare plan. If anybody has any questions on—

Jim Snyder: Why don't I just give a brief, general overview—

President Tornatta: Okay.

Jim Snyder: —then we can go from there. As you know, you folks started a retirement plan for your retirees a few years ago, and this is the annual renewal that comes up every year. The renewal this year, the premium has gone up, as it does with all insurance. We are pretty much controlled by the Medicare, the CMS folks, they tell us, basically, how much their reimbursement is going up, just like they tell the doctors what they are going to pay them. The plan that your employees have now has gone up to, I believe, \$74. I think you'll have that in front of you, per month. There is an alternative plan with lesser benefits for \$59 a month. So, the plan you have now is what's called a Private Fee For Service plan, and that means that anybody that accepts Medicare, your folks can go there. The cheaper alternative is what's called a Regional PPO plan, which most of you are probably in a PPO. That is still available. In 2010 that goes away after 2010, or, excuse me, the Private Fee For Service goes away after 2010 and everyone will be in a Regional PPO. So, the question is, do you want to leave your folks in the plan this year, similar to what they have now? Or go ahead and move to the Regional PPO? That's the question before you. I believe you were furnished with spreadsheets to show the difference in the plans.

President Tornatta: I don't have a spreadsheet at this time. What might have to happen—

Jim Snyder: I can take just a few moments, if you like, and just kind of run through some of the differences. The biggest difference is going to be that the, if you switch out of the plan that you are in now to the Regional PPO, they will have to be in a network. Now, Evansville is fortunate, because the network is very strong in Evansville. I would not expect much disruption. The co-pays are higher in a cheaper plan. For instance, the daily co-pay, in hospital, which your retirees this year pay \$180 a day for under their current plan, that's going up to \$225. If you went to the Regional PPO plan, it would go up to \$675 a day, that's co-insurance.

President Tornatta: Okay, Jim, when do you have to have this information? I mean, when do you have to have our approval? Do you have a time line?

Jim Snyder: Well, technically we have to get something done by the end of October.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: These are the spreadsheets you're talking about, aren't you? I think.

Jim Snyder: That's the actual plan description, yeah.

Ted C. Ziemer, Jr.: What other spreadsheet was there? I mean, they do have copies of these.

Jim Snyder: May I approach?

President Tornatta: Yeah, sure.

Jim Snyder: This is one of them.

Ted C. Ziemer, Jr.: Okay, yeah, I don't think we've seen that. At least I haven't.

Commissioner Melcher: I haven't seen that.

Jim Snyder: I think it would be helpful to look at.

Ted C. Ziemer, Jr.: This, actually, we had word from the company prior to the October 13th meeting that it needed to be heard then, because you needed it by October 15th, I think,

Jim Snyder: Well, we needed it back by the 15th, because we have to have everything filed by the end of the month.

Ted C. Ziemer, Jr.: Right, then, that was extended so, you couldn't be here, I think, on the 13th?

Jim Snyder: No, I couldn't.

Ted C. Ziemer, Jr.: You could be here today, so, that's been extended.

Jim Snyder: Right. When is your next meeting?

Ted C. Ziemer, Jr.: November the 3rd.

Jim Snyder: Well, we can spend a few minutes and go through the spreadsheet if you want. I mean, it's your call.

Ted C. Ziemer, Jr.: I don't know if it helps, I did try to summarize these in my e-mail to you. The plan that you now have is available for only one more year, and then it's not going to be available at all. So, for 2010 will be the last time that you can have that plan. That will go from what is now \$29 a month up to \$74 a month per retired employee for the year 2010. They would have all the same coverage they have today, which essentially means they can go to any physician, any hospital, anywhere that provides Medicare coverage and receive coverage.

Jim Snyder: Right.

Ted C. Ziemer, Jr.: The new plan, which is the RPPO plan, will be the only plan available starting in 2011. That plan is a PPO, and there will be some limitation on the physicians and hospitals where you can receive service, though I did see an indication that in our area.... I saw a map which had some indication of the various, and I think you have that as well, that shows where the providers are located. It looks like in the Vanderburgh County area it would largely cover the hospitals and physicians who are in this area.

Jim Snyder: Yeah, I don't—

Ted C. Ziemer, Jr.: The cost of that will be \$59 per retired employee per year, instead of \$74. You understand that the \$74 plan is only available in 2010. In 2011 the only plan that will be available will be the one that costs \$59 per month in 2010. There are other distinctions that perhaps you could go through, but that's really the choice the Commissioners face in this regard. Then, maybe you'll tell us also, just while we're at this, there are Rx options, and you provided two different Rx options, and I don't know whether one applies to one plan and one applies to the other. That was one thing that I had marked that you would be able to explain to us today.

Jim Snyder: Right, I saw that, sir. I think those Rx comparisons were from 2009-2010. Whichever plan you choose, the Rx option is going to be the same. Frankly, I don't think that the decision should be based on whether you have a network or not have a network, because in Vanderburgh County, they're still going to have plenty of coverage. To me, the decision is whether you take the plan with lesser benefits and lesser premium, or you pay a little more and you have the better benefits.

Ted C. Ziemer, Jr.: Excuse me, the question is, you said you don't think there's much difference given Vanderburgh County, the area that we're in.

Jim Snyder: Right.

Ted C. Ziemer, Jr.: Then you say lesser benefits. I don't believe they understand what the lesser benefits are going to be.

Jim Snyder: Just let me give a few examples.

Ted C. Ziemer, Jr.: Yeah.

Jim Snyder: The, in the Private Fee For Service plan, as we said, the co-pay, in hospital, is \$225 a day. In the Regional PPO plan it's \$675 a day. So, in the inpatient cost alone, in my opinion, that's more than enough difference to offset the

premium to take the more expensive plan, on hospitalization. Another example, mental health, outpatient health 25 percent co-insurance in the Private Fee For Service plan. In the Regional PPO, \$85 co-pay, then 30 percent co-insurance. Surgery services, 25 percent co-insurance in the Private Fee For Service plan, \$185 co-pay, then 30 percent co-insurance in a Regional PPO plan.

President Tornatta: Let me understand, this is strictly voluntary for those who want to pick it up?

Jim Snyder: Yes.

President Tornatta: With Vanderburgh County as a sponsor?

Jim Snyder: It's offered to all of your Vanderburgh County retirees.

President Tornatta: Right, and once again, it's \$74 for the top plan, 74 and some change?

Jim Snyder: Yeah, your choice is between the \$74 plan or the \$59 plan.

President Tornatta: But, that's a year?

Commissioner Winnecke: Per month.

Jim Snyder: Per month, yes.

President Tornatta: Per month?

Jim Snyder: So, it's a 15 buck difference, \$180 a year difference. In my opinion, and I don't care which one you choose, in my opinion the benefits are better in the more expensive plan.

President Tornatta: Because, rationalizing that this all goes away next year, so they've got a year to find either a better plan, or they can fall back on the new plan, which is the RPPO.

Jim Snyder: That's correct.

President Tornatta: Okay.

Commissioner Winnecke: My inclination is that we renew this, and make sure that we alert, probably through the Auditor's office, those retirees who participate that 2010 is the final year for this plan, and that going forward there will be a new Regional PPO.

Jim Snyder: Actually, we have counselors, well, there's an 800 number that they can call that will talk them through that individually. Most seniors like the one on one contact. So, there is an 800 number they can call and talk about their choices.

President Tornatta: For the difference in the premium, it sounds like the \$74 plan is, it's going to give them more bang for their buck.

Jim Snyder: I don't think there's any question about that.

President Tornatta: Okay, okay.

Commissioner Melcher: Did you send anything out to them? Do they know anything about an increase coming up?

Jim Snyder: We can't really send anything out to them until you decide which plan you're going to have.

Commissioner Melcher: But, you didn't send anything saying that it could be changing?

Jim Snyder: I don't think so.

Commissioner Melcher: When does the new fee go into effect?

Jim Snyder: January 1. The senior market, they're pretty well aware now that every year at this time that that's when you make your decisions about your Medicare supplement plan. I mean, it's in all the papers, full page ads—

President Tornatta: Right.

Jim Snyder: —seminars. So, it's, I mean, it's nothing that they're not used to. They know there's something coming, they just don't know what yet.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: I just want to be sure we understand that they don't have a choice, the choice is with the Commissioners. They're not going to be able to say we want the 74 or the 59.

Jim Snyder: Right, that's correct.

Ted C. Ziemer, Jr.: You're going to decide that.

Jim Snyder: That's correct, that's a good point, that's because it's a group plan, and the rates are a little better in a group plan. So, you make a decision as a group.

Commissioner Melcher: One time in the hospital.

President Tornatta: Yeah, one time in the hospital and you've saved that, your premium—

Jim Snyder: Yeah, my professional opinion is that there's not much choice.

President Tornatta: Okay.

Commissioner Winnecke: Mr. Chairman, at this time I would move that we renew the Humana Group Medicare plan.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Any further discussion? Do we have to signify which one, or by renewing this that tells you the Private Fee For Service?

Jim Snyder: Your renewing the Private Fee For Service.

President Tornatta: Okay, just clarification there.

Jim Snyder: Right.

President Tornatta: If there are no, any comments from anybody in the audience on this one? Seeing none. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Madelyn Grayson: Jim, I was informed that you would have the actual document for them to sign.

Jim Snyder: I do.

Madelyn Grayson: Okay.

Jim Snyder: I'll leave that with you?

Madelyn Grayson: Yes.

President Tornatta: Thank you, Jim.

Ted C. Ziemer, Jr.: What about the Rx option? Is action needed on that today?

Jim Snyder: The Rx option is the same in both plans. The one you're referring to was comparing '09 to 2010.

Ted C. Ziemer, Jr.: Okay, so their motion has approved the only Rx option which is available—

Jim Snyder: That's correct.

Ted C. Ziemer, Jr.: —under that plan for 2010?

Jim Snyder: Yes, sir.

Ted C. Ziemer, Jr.: Okay, thank you.

President Tornatta: Okay, thank you.

Jim Snyder: Thank you.

President Tornatta: 2010 Met Life Insurance agreement. Amendment to policy which provides the active, full time county employees may purchase varying amounts of term life insurance for various costs, all depending on an individual employee's circumstances, such as age, whether they smoke or not, etcetera. With such costs to be paid by the individual employee. In addition, the amendment changes the policy anniversary to the January 1, 2010 and January 1st of the subsequent years instead of 4/1 two thousand, ten thousand twenty, which is 2020. The amendment will be in effect January 1, 2010. Nice typo. Okay. That being said, do I have a motion?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: 2010 Health Resources dental contract, dental benefits plan for the year of 2010.

Commissioner Winnecke: Move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Burdette Park

President Tornatta: Alright, any department head reports? Steve, anything? John, you're on deck.

Steve Craig: Steve Craig, Manager of Burdette Park. I got a few answers for what you had asked for last week on the Lodge. The Discovery Lodge will be used on 76 weekend dates from today through the end of 2010. It is booked for use for 67 weekdays during this same period of time to date. We do have one Saturday open, and it's in December from a cancellation, that's December 5th. If anybody needs a nice place to have a Christmas party we do have an opening.

President Tornatta: December 5th, okay.

Steve Craig: December 5th, of course, these numbers change weekly due to the requests of our buildings during the year. Then, on our, you got our comparison report. After a horrible summer and swimming season, I was surprised to find out that our facility income is only about one percent behind last year.

President Tornatta: Okay.

Steve Craig: Which at the six month break I think we were just about even, maybe a few dollars ahead. So, even though the summer didn't go well with the swimming pool, the rest of it carried it through, which was a very strong showing. Compared to the state of the economy and the record breaking cold and wet summer we had I felt good about that. Earlier this summer we had received three Readers Choice Awards. Our day camp was voted on as the outstanding day camp by Evansville Living. Awards are always satisfying to the park, especially when voted on by the patrons that use your facility daily. Recently we were nominated for three different areas for our landscaping. These awards are judged by the local Master Gardeners for Keep Evansville Beautiful. Over the years we have had some success. This is not easy with the stiff competition that we're up against amongst the other venues. Many of them have large budgets and full time employees tending to their beautiful landscape. We have neither. I was totally surprised when Burdette Park's three projects were voted first, tied for second and third place in the recreational division. We were shocked that we was considered for more than one, let alone to win all three of them. At this time I would like to bring some special recognition to the people that was responsible for that, and that was Aaron Alexander, he's a part time employee for Burdette, he's been with me for nine years, but his specialty is doing the landscaping and taking care of the bushes and trees out there. Of course, he done a wonderful job. He has two part time helpers that help him in the summer; Keith Mosby, Jr. and Jacob Farney. They've managed to make the park one of the truly beautiful places to spend a day in the tri-state. 170 acres is a huge area to keep pristine enough to win awards like this. I just thought that we should make it known to these kids that work, I mean, they're just part timers, they're not union workers and that, but they've brought us to that point where people recognize what they've done. I think it's something that we need to acknowledge. I would like to invite not only the Commissioners, but everyone to come out this weekend and spend some time, it is one of the most beautiful color displays that we've had in many years at the park. It's just absolutely gorgeous now. This weekend it will probably be at it's peak. We cannot take the credit for the incredible display of color this year, but we will make sure that you enjoy your visit to the park. I want to invite everybody out.

President Tornatta: Steve, if we could sometime get those guys to come to a meeting, we would like to recognize them for the hard work that they do.

Commissioner Winnecke: Maybe they could lead us in the Pledge.

President Tornatta: Absolutely.

Steve Craig: Okay.

President Tornatta: So, hook that up with Marissa or Kristin in the office. As well, if you could get those lists of dates and we'll hyperlink that on the website to either your website and those dates, or put it on ours, just talking about the dates that Burdette Park has some openings in their lodging.

Steve Craig: Okay, we do post it at the Lodge, what days we have, and if we get a cancellation or something, which we do get. I mean, two years is a long time, you know, to have a reservation. We do have emergencies come up, some weddings don't, or marriages don't last two years. So, the engagement sometimes don't last two years either.

President Tornatta: We'll get a cabin and some type of recognition on our website, and they can hit that and maybe hit to your area where it shows where you have any reservations, an updated list and whatnot.

Steve Craig: We can do that where we can change it. I can have, you know, Laurel, the girl at work, she can just, if we get a cancellation or something she can go in and put that in there where they would come up immediately.

President Tornatta: Yeah, if you put that on yours, we can link to it. I think we could provide a little service. Anything else?

Steve Craig: No. That pretty well covers it.

President Tornatta: Once again, great job.

Steve Craig: Well, thank you. You all have a good evening.

President Tornatta: Alright, you too.

County Engineer

President Tornatta: John Stoll? Gary, we're going to have you up next after John.

John Stoll: I just have one item and it's a request for a time extension on the concrete repair contract. This is being done by JBI Construction, and they are requesting a time extension from October 30th to November 25th. The reason they are asking for the extension is because the weather has just put them behind schedule. I would recommend approval of their time extension.

Commissioner Winnecke: John, this is the repair work out in some of the subdivisions?

John Stoll: Right, this is Autumn Winds Subdivision off Mt. Pleasant, Copperfield off of Mt. Pleasant, and then Romain Park which is Congress, Iroquois, it's out off Bergdolt. They've been making good progress in the Autumn Winds Subdivision, and it's my understanding that they're going to get started in Romain Park here in the next week or so.

President Tornatta: Okay.

Commissioner Winnecke: Move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have. Thanks.

Commissioner Winnecke: Thanks, John.

President Tornatta: Okay.

Health Department

President Tornatta: Gary?

Gary Heck: Yes, sir.

Commissioner Winnecke: Gary, thanks, we had an e-mail this afternoon regarding, from a gentleman who was at the clinic today seeking an H1N1 vaccination, I think with a child, and at 1:50 was told that, I mean, he was turned away that they were already out of vaccine. Could you walk us through when the time apparently was from 2:00 to 5:00 how at 1:50 we could be out already?

Gary Heck: They weren't out. There were more than 400 people in line in front of him, and every one of them were there to get the exact same vaccination that he was. In fact, the first client was at the Health Department at 6:30 this morning for the 2:00 clinic. So, they actually were just finishing up when I was on my way over here. They had probably another 40 people who had been in line in front of that gentleman who were just waiting. The line actually went from the Health Department, inside the interior hall, outside our adjoining building, back over to Welborn and then out to

Sixth Street. There was that many people who were there. Once we were able to check with each one person that was in line, we knew that we had a limited number of vaccines, and once we had reached the correct number of people that would exhaust the supply we had, that's when we informed everybody else that was in line that there's really no point in them staying, because the supply will be exhausted as soon as those people get inside. So, that's the answer. It's not that they had already been administered in somebody's arm, it's just that they could certainly see the number of people in front of them, and with a limited supply that's the answer.

Commissioner Winnecke: So, is there a, is it just a matter of supply and demand? Is there a better way to run the vaccinations?

Gary Heck: If there is, we would certainly, I guess, welcome some suggestions, but part of the difficulty in this is that the Federal government has approved four vaccine makers at this time, and there's a fifth one that's in the wings that's remaining to be licensed. Each one of those manufacturers have a different age indication for their particular vaccine. In the multi-dose vials, one manufacturer, their vaccine is rated for anybody over the age of six months. So, that is the one that gives you the most options, if you happen to receive that multi-dose vial. Another manufacturer, theirs is good for four years of age and over. The other manufacturer theirs is good for 18 years of age and over. So, depending on what vaccine you actually receive, and we never know until it actually arrives, you don't know how to announce what type of clinic you're going to have and what target group that you're trying to reach with that particular presentation of vaccine. The very first shipment we had was the live attenuated nasal spray mist, which while the manufacturer says it's good for anyone between the ages of two and 49 that's healthy, when you factor in the priority groups that you're supposed to reach, the appropriate audience for that would be someone who was healthy between the ages of two and 24, or that was under the age of 50 that was the household contact for a child six months of age or younger, or was a health care worker under the age of 50, and assuming that they are all healthy. It's not an appropriate vaccine for anyone who's pregnant. So, until you actually get, and there's nine different presentations of this vaccine. So, until you actually get which presentation and know the manufacturer, what type, whether it's in a pre-filled syringe, or whether it's in a multi-dose vial, you really don't know what kind of clinic you can have, and then depending upon the quantities, when you look at....we have in the provider network within our community there's over 59 different entities that have offered their vaccinators to be able to offer it to large groups in what would be called a closed pod, point of distribution, and until, and we've received 6,300 doses so far in the first three shipments. So, it's, eventually this will clear up as soon as enough vaccine starts to show up in each community, you'll be able to have clinics where you've got the multiple vaccines available to reach every appropriate age, but until we get to that point, we're doing the best that we can. We would ask people to be patient with us. We can't control when people arrive at a public building. That's kind of like a concert where people show up to get tickets days in advance. This stuff isn't quite as popular as a concert, but I never, I guess, really thought someone would be there at 6:30 this morning either. Fortunately, I was there before then and could explain to them that our building doesn't open until 8:00, and there's really not, until the clinic actually starts, there's not much they're going to be able to do except wait, but, if they're content doing that. So, you know, I understand the gentleman's frustration. You would say, okay, you're going to have the clinic from two, you show up at whatever, an hour before, it just so happens that other people in the community were willing to wait an extra two or three hours to try to be closer in line to whenever the vaccinations take place.

Commissioner Winnecke: Okay. Thank you.

President Tornatta: Thank you, Gary.

Gary Heck: You're welcome.

President Tornatta: Alright, any other department heads? Seeing none.

Board Appointments

President Tornatta: We do have board appointments. Pigeon Creek Greenway Advisory Board, we did check with these individuals, they did want to continue to serve. That's Ann Ennis, Lester Steinmetz, Blaine Oliver, Steve Craig and Fred Padget.

Commissioner Melcher: I'll move that we approve them.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

New Business

President Tornatta: New business, any new business?

Commissioner Winnecke: A couple questions actually.

President Tornatta: Sure.

Commissioner Winnecke: Are you going to bring us up to speed on your Saturday meeting regarding Majestic Place?

President Tornatta: I sure will. In a meeting Saturday at 12:00 at USI we had a discussion of the Majestic Place. Essentially I was the referee, if you will, facilitating discussion. We had a group, somebody from USI from the administration, we had a group from the development, and we also had a group from the residents. Essentially laid down a lot of groundwork on why the development wanted the development where it was and the background with it. We had reasonings why USI had some reservations in certain areas, and had some, obviously, some background

on why the residents did not necessarily want that either in their backyard or in that area in that type of magnitude. It was a very fruitful meeting. I think that there were a lot of points of understanding. There, the group felt like they were getting something out of the discussion, but wanted some more information. At that time we set a meeting for November 7th. At this point it's at USI, I'm not real sure, just e-mailing the committee to find out what works for them, but there looks like there will be another meeting just to talk about issues and get some more information from the developers. At that point we expect that if there's another meeting that group will ask for another meeting, and then I will participate as long as the meetings are fruitful and keep everything on point, as a facilitator would do.

Commissioner Winnecke: Is it, do you still believe that we'll vote on the matter December 8th?

President Tornatta: I don't know. The thought in that group was not to rush the process, and I think that's what I pulled away from it. Don't rush the process to meet a date. Closer to the date I think we'll have an idea of if there's a good back and forth, or if there are some exchanges that would allow the neighbors to feel more comfortable with development out there. If not, development might decide that they want to pull back and retool. All options are open. As we walked away, all parties said they were keeping an open mind, and all options are on the table. I think that's where you want to have any type, I call it negotiations, but any type of back and forth between two opposing sides.

Commissioner Winnecke: The only issue on timing would be that, I think it's about December 10th, their 90 day window through the Area Plan Commission process expires. So, that, you know, I guess the developers could withdraw it.

President Tornatta: Right.

Commissioner Winnecke: But, December 8th is kind of the—

President Tornatta: Right, and I'm going to leave that up to the attorneys that handle it and advise our client. I think, you know, the last thing I want to do is advise them on how to proceed. They know, their attorney has been represented many times in zoning, and zoning appeals, and, so, I believe they pay for a good service and they'll get that type of service. If they don't, then they have recourse with their attorney. My job is to just facilitate good talks and keep on point, and not get outside of the bounds of talking about this particular development. Then, if something progresses and a group like this wants to get together, I or one of the people on the Commission, if they ask us to, can sit on it and continue talks about things like the continuing happenings down the Parkway, but at this time, our main focus is just talking and discussing Majestic Place and either getting people comfortable or noticing that it's too far apart to salvage and letting the cards fall where they may.

Commissioner Winnecke: Thanks.

President Tornatta: Sure. Any other questions?

Commissioner Winnecke: I had one other issue.

President Tornatta: Okay.

Commissioner Winnecke: Sorry.

President Tornatta: Issue or questions?

Commissioner Winnecke: No, well, question, it's not–

President Tornatta: Okay, sure.

Commissioner Winnecke: –this has to do with the security–

President Tornatta: Okay.

Commissioner Winnecke: –in the Civic Center. We talked about last week, to some extent. I know that there was a meeting of the security committee, whatever it's called, earlier today, and the Sheriff spent some time with me this afternoon. I think I have a better idea based on that meeting of what's proposed, and I know the proposed rollout date is November 2nd. I think it would be fruitful if there was a presentation to this body, and probably to the City Council, on the 2nd and 3rd of November of what the entire proposal is, so everyone gets sort of a public vetting of the proposal. We can push back the implementation date a week, or two weeks, whatever, but I think it would be important for all the members of the City Council, for Steve and I to, along with you, to, you know, fully digest what the proposal is.

Commissioner Melcher: I think the City Council meets on the 2nd.

Commissioner Winnecke: Right.

Commissioner Melcher: And we meet the following day.

President Tornatta: Okay. The Sheriff is here. The one thing I did pull away from the meeting, and the Mayor agreed, is this is a security issue, and although we want to play a big part and there are some things that we want to digest, obviously, security falls in the hands of the Sheriff, and, so, I'll turn it over to you.

Eric Williams: Well, alrighty then. Thanks. I did, we did have a meeting earlier today, we discussed a lot of issues. I brought forward a draft of some of the issues that we've continued to discuss. I don't know that we've officially agreed to anything. We do have an anticipated rollout date of November 2nd, which was the first Monday in November. I did spend roughly an hour with you today going through how we arrived at many of the decisions we arrived at. Nobody's claiming that this is the perfect decision, but based on all the circumstances and everything that we have available to us, we all feel pretty comfortable that it's the right route to go for us. That being said your suggestion of doing a final presentation to the Council and the Commission and anybody else is not an all bad one, the only dilemma in that may be in coordinating with the people who are going to move the equipment that's already in place to the new location that was going to occur the weekend before the 2nd. But, I did speak to Dave Rector anticipating this, and he said as long as we know kind of when and have some lead time to coordinate that move, that that shouldn't be a huge issue. So, you know, all that being said, I don't have any issue with explaining how we've arrived at the decisions we've arrived at, and why we're going to do the things that we're anticipating doing to anybody.

Commissioner Winnecke: I think that would be helpful.

President Tornatta: Anything? Okay. Do we want to set this up for November 3rd?

Eric Williams: And we can certainly do that. I don't know that the Commission really needs to take any official action. I think between myself and Dave Rector we will just postpone this. I mean, I don't think that you need to deliver a directive, but I think a request to have a presentation, I'll take that at face value and we'll plan on that. I think the City Council would like the same thing, and then that way everybody can get their answers, their questions answered.

President Tornatta: Is there anyway that we could, I don't know how hairy this will be, but call a meeting with the Commissioners and City Council and go over it all at once? Where we can, if the media wants to come here, they come here one time and it gets out to the public at that time. I mean, is there any thought about going that direction?

Eric Williams: That's absolutely in your bailiwick. I will appear wherever you need me to appear and make the presentation. I don't have an issue.

President Tornatta: I mean, if we work something out with the City Council and the County Council, if they want to be represented, call a meeting before the November 2nd date, if that's an option.

Eric Williams: Well, I think, at this point in time, you know, we are so far along in the process that if there's the potential that we're going to have a meeting and there's going to be some changes made, we need to go on and postpone the November 2nd—

President Tornatta: Okay.

Eric Williams: —just so that we can coordinate with all the vendors that are going to have to be here to move equipment. I think they need, you know, a good week to two weeks lead time to make that happen. So, I don't mean to put words in Dave Rector's mouth, if he differs from me, he can absolutely come up here, but the indication is that's going to be the last little tricky piece is coordinating that to happen over a weekend so we can from what we're doing today to what we will roll out that Monday morning, whatever Monday morning that might be.

Commissioner Melcher: I think that would work better, because I thought the November 2nd meeting was just announcing what you were going to do, not actually the plan of doing it.

Eric Williams: We were going to roll it out Monday morning, November 2nd.

Commissioner Melcher: No, and I—

Eric Williams: We were going to deliver all the information. The goal of the security committee was to deliver all the information in the final format and providing it to everybody and to answer any questions that they need to. The concept or idea of doing a public presentation to the Commission and Councils is relatively new, but absolutely, it makes perfect sense and we certainly don't mind doing it.

Commissioner Melcher: I'm not against the one, but I also think it might be better if you did two, only because if it's going to be televised, if the person can't watch one of them, he can watch the other one. I think the public needs to know what's happening too.

Eric Williams: Absolutely. Part of the rollout was a public description doing some kind of media release, or getting media to walk through it with us before it actually rolled out so the public had some understanding of what we were going to be doing. Quite honestly I don't think that the public is going to see that big of a difference. Anybody that's used to going into the courts building now will see basically the exact same scenario in this building. Most people that frequent this building have also frequented the courts, or at least been in there and know what to expect. But, we also want them to understand so that we don't catch them off guard. So, if two meetings works better, it makes me no difference. I want people to have the right information—

Commissioner Melcher: Right.

Eric Williams: —and be informed so that they're supportive of what we're doing, as opposed to opposed to it.

President Tornatta: I'll check with City Council. If we can work it out, we will. We'll do it at one meeting. If we can't, we'll do it in two.

Eric Williams: I'll make myself available at the next couple meetings for both bodies—

President Tornatta: Okay.

Eric Williams: —just to make sure. I will take this discussion as stand back and we'll go on and postpone the November 2nd, because we are within two weeks of that now, and we need to coordinate with those people.

Commissioner Melcher: Yeah, I'm glad you did, because I was thinking about what I can do, or whatever, because I still don't understand why we're letting people go through passes, but we'll discuss that when you bring your presentation.

Eric Williams: Absolutely. I think when you hear the presentation, or you get the full meat of the information you'll understand how we arrived at that decision. Again, I am not saying that's the perfect solution, but based on all the information and everything that we have available to us here, the physical layout of this building, the finances that are available to us, that decision is what we believe to be in the best interest, at least starting off.

President Tornatta: Just for clarification, it is as secure as what we've had in the courts building for—

Eric Williams: I think the easiest way to summarize that, and I think that will be part of the presentation, but the original goal that we had was to provide a more secure environment to this building, mimicking what we were already doing in the courts building, because everybody believes that to be a fairly secure building. So, we were trying to take the screening and the security policies and procedures that we have in place over there, and just reduplicate them with some tweaking. I would tell you that that's pretty much what's moved, what we intend to accomplish, with some enhancements. They're going to see some enhancements over in courts, and those enhancements are going to be delivered over here also. So, it will be increased somewhat, but it's very similar to what we've been doing, and I think the judges would tell you that we've been doing very well for the last 20 plus years.

Ted C. Ziemer, Jr.: I have a question.

Eric Williams: Yes, sir?

Ted C. Ziemer, Jr.: When you come in the main entrance downstairs and you want to go to juvenile you do go through (Inaudible)--

Eric Williams: Basically, we're taking that and rolling it to one of the doors.

Ted C. Ziemer, Jr.: That will go to the front door?

Eric Williams: Right.

President Tornatta: Okay, any other questions?

Commissioner Winnecke: Thanks.

President Tornatta: Alright, thank you. Dave?

Dave Rector: Do you have a suggested rollout date then, so that I can try to coordinate things?

President Tornatta: Dave asked about a suggested rollout date, and I would say, no. I will talk with President Watts and see if he wants to try and get together with the Commissioners on a meeting date and go over this. If not, obviously, we wouldn't hear it until November 3rd. Okay? Alright.

Commissioner Winnecke: That's all I have.

President Tornatta: Is that it? Okay.

Old Business

President Tornatta: Any old business? Seeing none.

Public Comment

President Tornatta: Public comment? Mr. Jeffers?

Bill Jeffers: Bill Jeffers, County Surveyor. As an elected official with a very small staff who come on a staggered schedule between 7:30 and 9:00, we have flex time and then we leave between 4:00 and 5:30-6:00. Whatever you do at those front doors, back doors regarding security is not really going to affect my office all that much. But, I would suggest that whenever you do your rollout date, well, number one, don't have it on December 8, 2009 coinciding with the Majestic Place hearing, because you'll never get all of those people through the door in time for the hearing. But, whatever you do regarding this, I've read what the comments were in the paper, and I tended to agree at first with what Commissioner Melcher had said, but after thinking about it, you might want to have a test run or two, and you might want to direct your County Auditor to dysfunction the KRONOS system, time clock system, because it's going to be 356 monkeys in a barrel the first couple of times you run everybody through there, whether or not everyone has to be scanned and checked. Whether or not you use a wand or a card there's going to be failures, there's going to be just misunderstandings at the gate, and I really think you're going to need some dry runs. Just a suggestion. I think you need to forget about people being here at 8:00 in the

morning sitting at their desk. So, those considerations, I believe, should be taken into account. In particular, when you have lawyers who are operating over at that court house, and then having to rush over here to a juvenile court to represent a client or to represent the State, you're not wanting them to wait in line behind everybody being searched.

President Tornatta: They will actually be able to use the bridge.

Bill Jeffers: Well—

President Tornatta: So, they—

Bill Jeffers: —possibly.

President Tornatta: —once they come in, they're already checked.

Bill Jeffers: If they're coming from downtown, they're not going to go through this building, what are they going to do walk around the building, go through that court real quickly and then come over here?

President Tornatta: No, they'll go ahead and walk through the front gate, or—

Bill Jeffers: Depending on who's idea prevails, whether they can use a pass or they have to stand in line, that's kind of my point.

President Tornatta: Right, and they're going to have, I think what we're going to see is they will have the same privileges that they do in the courts building, because that's where we're mimicking the—

Bill Jeffers: Right.

President Tornatta: —security.

Bill Jeffers: Right, that was your presentation, and then some of the other Commissioners were wanting everybody to go through the same procedure.

President Tornatta: Well, I'm just telling you the presentation that was approved by the security board.

Bill Jeffers: Right, right.

President Tornatta: Yeah.

Bill Jeffers: Oh, yeah, I understand that, I was just acting on what I read in the newspaper.

President Tornatta: Yeah.

Bill Jeffers: I really think you ought to have some test runs whichever one—

President Tornatta: Well, the newspaper doesn't get it. So, I'm not worried about that. The newspaper does not have a clue on what the rollout is until we explain the rollout to them.

Bill Jeffers: Okay.

President Tornatta: Here say has a bad steering factor. So, to me, I believe that we will talk about this presentation when it comes before us, and if they want to get some ideas from the Sheriff they can sure go to him and ask, but right now they don't have any idea what's going on.

Bill Jeffers: Okay, there was quite a bit of scuttlebutt going around the building the last couple of days about—

President Tornatta: Right.

Bill Jeffers: —how long the lines might be.

President Tornatta: Sure.

Bill Jeffers: So, okay, thank you.

President Tornatta: Okay.

Consent Items

President Tornatta: Okay, consent agenda. Do we have a motion to approve?

Commissioner Melcher: I've got to ask a question here again.

President Tornatta: Okay.

Commissioner Melcher: It's got new employees down, and I know there's five Confinement Officers, but we don't sign off on them, right?

President Tornatta: Not to my knowledge.

Commissioner Melcher: So, can't we just take these new employees off the consent agenda? That way we're not voting for any of them.

President Tornatta: Any that we don't sign on, I'd rather not see on this agenda, if we could.

Madelyn Grayson: There's actually not any in the packet tonight that you will approve.

President Tornatta: Okay.

Commissioner Melcher: Yeah, but since it says it here.

Ted C. Ziemer, Jr.: I thought you had one, the Commissioner that you had to approve.

Commissioner Melcher: Not a new employee.

Gary Heck: I thought it was going to be under the current employment changes.

Commissioner Melcher: It's a current employment.

Ted C. Ziemer, Jr.: Oh, okay, you're saying there's no new employees, okay, sorry.

Commissioner Melcher: No, there's five Confinement Officers, but we don't sign off on them.

Madelyn Grayson: Gary, I don't even have one for the Health Department at all.

Gary Heck: Okay, I have, I brought copies of what we sent over, I would be happy to provide to you.

President Tornatta: Are these hiring employees into vacant spaces?

Gary Heck: It's—

President Tornatta: Because—

Gary Heck: Gary Heck, Vanderburgh County Health Department. What it's doing is we have three vacancies right now, and it's taking a current employee and moving them to a higher priority vacancy, then there will still be three vacancies left when this is done. We were at the County Council's meeting and requested this. We didn't view it as being a violation of the hiring freeze because we have three vacancies, we're going to end up three vacancies.

President Tornatta: Okay.

Gary Heck: In the meantime, we have this H1N1 and we actually need somebody to oversee grants and finances.

President Tornatta: Right.

Gary Heck: That's what this is doing is allowing us to fill a higher priority vacancy, and still, at the end of the day, having the same—

President Tornatta: Right.

Gary Heck: —number of vacancies that we started with.

President Tornatta: Okay.

Commissioner Melcher: Yeah, I asked Kristin to look at it and give it to me, because we didn't have it in our books Friday when we picked up our binders. We got one step increase, two requests for FMLA, one promotion and one resignation and one transfer.

Gary Heck: Those all aren't mine. I have someone who's coming back from a Family Medical Leave, and then I have—

President Tornatta: Okay.

Gary Heck: —the one, did you say promotion, but it's moving from one position to another position.

President Tornatta: Okay.

Commissioner Melcher: So, the County Council is okay with moving from one position to another?

Gary Heck: They are. The motion was made—

Commissioner Melcher: I'm okay with that, but I'm just—

Gary Heck: Yes, sir, they are. I mean, it was approved, I should say, at their last meeting.

Ted C. Ziemer, Jr.: But, does Madelyn have the paperwork now for that?

Gary Heck: I gave her the copies I had, but it's not the original. You probably would want the originals, but that is what was submitted by me.

Madelyn Grayson: I don't know where those originals are in the rotation. They get submitted to our office, then the County Council comes and picks them up and reviews all of the information. The Executive Assistant signs off on them and then she brings them to me, and I haven't seen them yet.

Gary Heck: I don't know if, on the list that you had if you can compare names or anything to see if those are the same people that you're talking about.

President Tornatta: Okay, alright. So, we have no issue with that, that I know of.

Commissioner Melcher: No, I don't have any.

President Tornatta: Anything else?

Ted C. Ziemer, Jr.: I guess, I'm sorry, but, do you need this approved today? If so, we have to do something about the paperwork. Or, is November the 3rd okay? I mean, is it—

Gary Heck: Well, we were hoping to get it done today because we've needed this all along.

Commissioner Melcher: Did the County Council okay it?

Gary Heck: It was approved at the County Council meeting. I don't have the minutes yet, but Mr. Fluty was there.

Commissioner Melcher: Can't we go ahead and do it and you clarify it, since you've got paperwork now?

Bill Fluty: Well, I think you can add them to your meeting—

Commissioner Melcher: That's what I'm trying to say.

Bill Fluty: —and approve them. Normally they have Sandie Deig's, the Council Administrative Secretary, signature on there to check those out. There was a lengthy discussion at Council, I would say these are okay, but we'll take them tomorrow and

move them through, and if there is a problem we'll get back to you. But, I think we're alright on these, even though that paperwork is not with ours.

Commissioner Melcher: Well, that's what I'm trying to say.

Bill Fluty: But, I think they're fine.

Commissioner Melcher: That's what I'm trying to do here, because I think as long as that paperwork is somewhere and they okayed it, then I don't see why we can't do it and catch the paperwork up.

Madelyn Grayson: If you chose to—

Bill Fluty: And I agree with that.

Madelyn Grayson: If you chose to approve those tonight I could have you initial these copies and then I could attach them to the actual original pink slips.

Commissioner Melcher: Okay. I'm okay with that. Do we need a motion to add that to the consent agenda? Those two?

President Tornatta: Yes.

Commissioner Melcher: I'll make the motion that we add the two that Gary gave us for the Health Department.

President Tornatta: And approve?

Commissioner Melcher: And approve.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second to approve consent items and add Gary Heck's request. Madelyn, if you will read those items.

Madelyn Grayson: Okay, the consent items for the October 20th meeting are as follows; approval of the October 13, 2009 Commission meeting minutes and the department head meeting notes; the two employment changes for current employees from the Health Department; travel requests, there is one from the Auditor; the County Engineer has pay request 90 for the Burkhardt-Green River TIF projects in the amount of \$944,151.18; the County Auditor has a request to surplus three office chairs; Burdette Park has a yearly comparison from January to September from 2008 to 2009; Weights and Measures has a monthly report from 9/15 to 10/15/09; the Sheriff has a request to surplus a 1993 Chevy Suburban; and there are Majestic Place citizen comment letters.

Commissioner Winnecke: Move approval.

President Tornatta: We did that. Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Gary Heck: Thank you. If you would bear with me just a second, I would want to share some information from the State Health Commissioner about the H1N1 effort. She did go on record and was quoted as saying that the only thing that seems to move faster than the H1 pandemic is rumors, and that apparently, and misinformation from that. As of through the first ten and a half months, the Vanderburgh County Health Department has administered over 5,000 more vaccinations so far this year than we have last year, and there's still two and half months to go. Indiana, as I understand it from a conference call we had with the State is fourth right now in the country in receipt and administration of the H1N1 vaccine. We're doing an excellent job with the limited amount of vaccine that actually is coming forward, and we'll do an even better job once we get it. I have all the confidence that our Health Department will be delivering this vaccine as quickly and efficiently as any other Health Department that there is. We are very well prepared to be able to do this, once it starts to arrive here. You all have been very helpful in approving agreements that puts us in a position, that once we know what type of vaccine we have, and who's the appropriate audience, we have agreements in place that's going to allow us to deliver that to the citizens, which will include evenings and weekends that we will be able to have clinics. So, I want to thank you for that, and just let you know that you don't have to worry about the Health Department when it comes to this.

President Tornatta: Thank you, Gary.

Commissioner Winnecke: Thank you, Gary.

President Tornatta: Alright, any other comment from this Board? If not, motion to adjourn?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

CONSENT ITEMS:

Commissioners:

Approval of the October 13, 2009 Commission Meeting Minutes.
Approval of the October 13, 2009 Department Head Meeting Notes.
Majestic Place Citizen Comments.

Employment Changes:

Health Dept. (2) Sheriff (6) County Clerk (3)

Travel Requests: Auditor (1)

County Engineer: Pay Request No. 90: Green River-Burkhardt TIF Projects.

Surplus Requests:

Auditor: (3) Office Chairs.
Sheriff: 1993 Chevy Suburban.

Burdette Park: Yearly Comparison: January-September 2008-2009.

Weights & Measures: Monthly Report: 9/15/09-10/15/09.

Department Head Reports: Burdette Park County Engineer

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Charlotte Roesner	Jim Harris	Jill Gehlhausen
Gordon Benfield	Gary Heck	Jim Snyder
Steve Craig	John Stoll	Eric Williams
Bill Jeffers	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING
OCTOBER 29, 2009**

The Vanderburgh County Board of Commissioners met in special session this 29th day of October, 2009 at 8:05 a.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Okay, this will be the 8:05 version of the Board of Commissioners special meeting, Thursday, November 29th ¹, in room 301. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance

President Tornatta: We'll do the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

**Approval of INDOT Contract for Work on University Parkway
between Upper Mt. Vernon and Marx Road**

President Tornatta: Okay, we're here today for the INDOT contract for work on University Parkway between Upper Mt. Vernon Road and Marx Road.

John Stoll: The contract basically just outlines the federal funding for the project. We've got \$5.2 million in Rural Highway Funds, and then there's another \$2.699 million that was from an earmark or an appropriation from a couple of years ago. We'll have a 20 percent local match on top of all that. The agreement states that anything above these figures the county would be obligated to pay. The County Attorney had reviewed the contract, and he found it acceptable.

Commissioner Melcher: So, we do have the funds to match it?

John Stoll: Yes.

Commissioner Winnecke: John, just for clarification, over the last several years, I know this goes back to my time on the Council, we've been budgeting about \$700,000 a year in Local Roads and Streets for our local match. Last year, I

¹The correct meeting date is October 29, 2009.

think, we accrued about \$770,000 or so, and there's another \$700,000 in the budget for '10, and then also, I mean for '09, and then also for '10, correct? That's all for our local match?

John Stoll: Right, and we've also had some other carry over funds in other accounts. There's some CCD money, there's some Cumulative Bridge money, and then when the Major Moves distributions came out a couple of years ago, we also got some of that in the Highway Fund as well. I believe that's about \$700,000. So, the local match will come from multiple sources, but we do have it in place. Then, anything that we don't use would turn around and roll over into the local match for the next phase.

Commissioner Winnecke: Then, this, by signing, by approving this contract today will ensure that the next phase is let for bids next week, correct?

John Stoll: Correct. November 4th is the bid opening.

President Tornatta: Any other questions?

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Further discussion? Seeing none, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: If there's nothing else to talk to about, motion to adjourn?

Commissioner Melcher: Move to adjourn.

Commissioner Winnecke: Second.

(The meeting was adjourned at 8:10 a.m.)

Those in Attendance:

Troy Tornatta

Joe Gries

Unidentified

Members of Media

Stephen Melcher

Madelyn Grayson

Lloyd Winnecke

Others

**Vanderburgh County
Board of Commissioners
Special Meeting
October 29, 2009**

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**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
NOVEMBER 3, 2009**

The Vanderburgh County Board of Commissioners met in session this 3rd day of November, 2009 at 5:01 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good evening. We're going to start the Board of Commissioners meeting, November 3, 2009, just a hair after 5:00 in room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Patchwork Central

President Tornatta: Normally we have a name, but we don't today, anybody from Patchwork Central? Come on up. Who do we have today?

Amy Rich: Hi, I'm Amy Rich, and I'm one of the co-executive directors at Patchwork, and this is Alyssa Powers who is a teen who participates in our program and in our leadership training.

President Tornatta: I'll tell you what, first of all, if you guys would lead us in the Pledge of Allegiance, we would appreciate it.

(The Pledge of Allegiance was given.)

President Tornatta: Okay, Amy, tell us about your holiday sale.

Amy Rich: Sure, Patchwork Central is having our annual holiday sale on November 14th from 9:00 in the morning until 3:00 in the afternoon. We feature a lot of art by local artists, so it's a great chance for people to come down, support local artists, and also support Patchwork Central, because part of the proceeds from the sale go to support Patchwork. Patchwork is a small, non-profit that serves the neighborhood near downtown. We're located at 100 Washington Avenue, and we have a variety of programs that include an after school and summer children's program that Alyssa is part of, that's offered to kids free of charge. We also have a food pantry that's open in the mornings, it's an emergency food pantry, and bicycle programs for giving bikes to homeless people, and a lot of just neighborhood hospitality and being open for people who are in need and helping to connect them to services that they need.

President Tornatta: Super. Any questions of Amy? Alyssa, why don't you step up to the mic and just tell us a little bit of how you been affected by Patchwork.

Alyssa Powers: Well, I started going there when I was three years old, but there's an anti-drug and alcohol program that I'm a part of, and I help teach the younger kids not to get into drugs and stuff. We look up our lessons, and, you know, different teen volunteers and we teach it to the middle school age and elementary school kids.

President Tornatta: Super, so, you're a successful teacher of the anti-drug campaign. Alright, well, thank you for coming out and leading us in the Pledge.

Amy Rich: Thanks.

President Tornatta: Good luck with your sale.

Amy Rich: Thanks.

President Tornatta: Alright.

Introduction of Job Shadows from Youth Resources

President Tornatta: We have two guests with us from Youth Resources. My special guest is Harper Speciale. What school do you go to, Harper?

Harper Speciale: I go to Harrison.

President Tornatta: Alright, Harrison High School. And, Steve?

Commissioner Melcher: Well, I always let them introduce themselves.

President Tornatta: Okay.

Haley Speciale: I'm Haley Speciale, and I go to Harrison High School.

Commissioner Melcher: What grade?

Haley Speciale: I'm a Freshman.

President Tornatta: Alright. Lloyd, you were left out today. That's okay. That's alright.

Permission to Open Bids for OCH Plaster Repair Project

President Tornatta: We're going to quickly run through a couple of things, just orders of business here, and then we would like to have a special presentation from the Sheriff. So, permission to open bids, Old Courthouse plaster repair.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second to open the bids. All in favor say aye.

All Commissioners: Aye.

President Tornatta: Alright.

**First Reading of Ordinance CO.11-09-017: An Ordinance Amending
Ch. 2.40: Dental Procedures and Fees**

President Tornatta: Action items, first reading of CO.11-09-017, an ordinance amending chapter 2.40 of code of ordinances for dental procedures and fees.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Any questions or discussion? Roll call vote.

Commissioner Winnecke: I would just—

President Tornatta: Oh, go ahead.

Commissioner Winnecke: —add that this is request made by the Board of Health, adding services to the very important dental clinic in our inner city.

President Tornatta: I know that Gary's been working on that list to try and make sure those fees are compensable for what they get. So, appreciate that, Gary. That being said, roll call vote.

Commissioner Melcher: Is there any public comment?

President Tornatta: I saw none.

Commissioner Melcher: Okay.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Health Dept: Phase 3 Grant Agreement: H1N1
Prosecutor: Certified Assurances & Special Provisions
Weights & Measures: Tenant Estoppel Agreement with Exec. Inn
Lease Amendment for Reising Real Estate Condemnation**

President Tornatta: Health Department phase three grant agreement by Indiana State Department of Health to Vanderburgh County for the Vanderburgh County Board of Health for H1N1 preparedness and response.

Gary Heck: It's been reviewed by the.....Gary Heck with the Vanderburgh County Health Department. It's been reviewed by the County Attorney, this is the third and final phase which will give us the funds that we will be using to actually implement the H1N1 response plan. This would be the funds that would allow us to pay for vaccinators and other use of buildings or anything else as we find that we need them, on the agreements that you have approved for us in the last several months.

President Tornatta: And that's for \$375,221?

Gary Heck: That's correct.

Commissioner Winnecke: Mr. President, before I move approval, maybe it would be helpful if Gary reiterated the upcoming clinic sites.

Gary Heck: I would be happy to. We're having an H1N1 clinic tomorrow. It will be at the CK Newsome Center from 2:00 p.m. to 6:00 p.m. So, primarily, if people get in line by 6:00 p.m. we should be able to get them through and done within a reasonable amount of time. That hopefully will allow some folks, when they get off work at 5:00, to still be there and be ready for that particular clinic. This one is for the tier one target populations. Those include pregnant women, people who live with and care for children under the age of six months, health care or emergency medical services personnel, persons between the age of six months and 24 years of age, and then people from 25 to 64 who are a higher risk for the H1N1 because of some chronic health disorders or compromised immune systems. That's the first of three clinics. Next Tuesday, this would be on November the 10th, there will be a special clinic for pregnant women only at the Vanderburgh County Health Department at 420 Mulberry Street. That clinic will be from 1:00 to 6:00, Tuesday, November the 10th. Then, on Thursday, November the 12th, there will another H1N1 vaccination clinic at the CK Newsome Center, and that will be from 2:00 to 6:00 for the same tier one populations that we just mentioned.

President Tornatta: On the 10th that's for women who are pregnant only?

Gary Heck: That's correct.

President Tornatta: Okay. Alright, so, 11/4 from 2:00 to 6:00 at CK Newsome; 11/10 from 1:00 to 6:00 at the Health Department; and 11/12 from 2:00 to 6:00 at CK Newsome?

Gary Heck: That is correct.

President Tornatta: And, any website, what website would they go to?

Gary Heck: The website would be www.vanderburghgov.org/h1n1 that would take you directly to the Health Department's H1N1 webpage, and there's a blue vaccination clinic button that you will find on that page, and that will take you directly to when all of our next clinics are for this.

President Tornatta: Okay.

Gary Heck: It's also, the H1N1 is linked directly from the Commissioners home page as well.

President Tornatta: Super. Okay.

Commissioner Winnecke: Mr. President, I will move approval of phase three of the grant agreement between the State Board of Health and the Vanderburgh County Board of Health.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions or discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: As Gary said, that makes up 53 percent of the population in that tier one which is approximately 90,000 individuals.

Gary Heck: That's so.

President Tornatta: We've got a lot of stuff working.

Gary Heck: We sure do.

President Tornatta: Alright, thank you.

Gary Heck: Thank you so much.

President Tornatta: Prosecutor's office, drug and crime control division program certified assurance and special provisions. This is an ICJI grant.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Next, Weights and Measures lease at Executive Inn tenant estoppel certificate. The certificate which Browning Investments wishes the Commissioners to execute relative to Weights and Measures lease at the Executive Inn.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Questions or discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, and condemnation of Reising real estate for University Parkway construction. In March 2009 in conjunction with settling the Reising eminent domain matter the county agreed to take title to the Reising property and lease it back to them for a certain period of time. As part of the settlement the county agreed to pay the installment of taxes due in November 2009 and all subsequent taxes. Therefore it's recommended that we amend the lease agreement to make that provision.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions or discussion? If not, roll call vote please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

New Business

President Tornatta: John, if you'll come up, and before you do we're going to go to new business. Come on up and we'll go to new business and then get right to you. Under new business, the January 2010 meeting date. The schedule for the rest of the 2010 to be set in the ordinance of the meeting for, is that for zoning? Okay, it's not in here. That's for zoning. The first Tuesday in January is the 5th. I think that would be the first meeting that we would set. Is that clear as mud?

Commissioner Winnecke: Our first meeting in January.

President Tornatta: Notes not so good.

Commissioner Winnecke: Our first meeting is January 5th, and at that time we'll—

President Tornatta: For the rezonings, yes.

Commissioner Winnecke: – set the meetings for the balance of the year by ordinance.

President Tornatta: Correct.

Commissioner Winnecke: Okay. I'll move approval.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Questions or discussion? If not, roll call vote please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Engineer

President Tornatta: John?

John Stoll: First I have the right-of-way certification letter for phase three of the USI-Burdette Park bike path. This is the segment of the path between Nurrenbern and Broadway Avenue. This is the part that we're attempting to get stimulus funds on. We just need to certify to INDOT that the right-of-way is secured. That's why I brought that letter for you to sign this evening.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I need to go before County Council to transfer \$2,000 from our County Line Road Account to the Local Road and Street Legal Account. The Legal Account is running out of funds, and the County Line project was stopped, so we've got surplus funds in that account. So, I would request approval to go to Council to make that transfer.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second.

Commissioner Melcher: That's the one you sent us an e-mail on? You sent us an e-mail on that one?

President Tornatta: Yes.

John Stoll: And on the next one that I'll bring up as well, yeah.

President Tornatta: Any questions, discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, next is also a request to go to County Council, this would be to transfer \$450,000 from the Baseline Bridge project, \$60,000 from the Baehl Road Culvert project, \$40,000 from the Mohr Road Bridge project, and \$25,000 from the Sensmeier Bridge project to the First Avenue Bridge Rehab over Pigeon Creek. This would give us an approximate total of about \$1.5 million, and that should cover the construction and the construction inspection on that project. In talking to Bernardin Lochmueller, the plans should be ready to go probably sometime in January, so we would be able to bid that project out sometime in early 2010, with this transfer.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Questions or discussion?

Commissioner Winnecke: Just, John, for clarification purposes in terms of the timing, all of the Lloyd Expressway work, or the majority of it should be done, so that bottleneck should be relieved?

John Stoll: I spoke to INDOT's project engineer last week, they will have traffic running over the top of the new bridge on Fulton Avenue within the next couple of weeks. I don't remember the exact schedule, but that should help alleviate some of the congestion, and, hopefully, we won't have a big problem with overlapping detour routes.

Commissioner Winnecke: Refresh our memory on the time line for the First Avenue Bridge Rehab.

John Stoll: I don't have the specific completion date, but in talking to the consultant they thought that it shouldn't be a problem to get it completed within 2010, by the end of 2010.

Commissioner Winnecke: Okay, thank you.

President Tornatta: Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: One other thing on the First Avenue too that we will have two lanes open throughout the course of the project. So, we won't be closing the road down for that. It will be done half at a time.

President Tornatta: Okay.

John Stoll: The next item I have is the notice to bidders for section four of the Burdette Park bike path. This is the section that takes off from the east end of the path that was constructed a couple of years ago, and ties into the parking lot beside the Discovery Lodge. This would open bids on November 24th, so, I just need approval for the notice to bidders and for the advertising.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I have a change order on the Bridgeview Drive culvert project. This is an increase of \$283.92, and the primary reason for the increase was there was additional grout required when they were pumping grout into the old culvert. We think there was a void, and that's what caused the overrun in the grout quantity.

Commissioner Winnecke: Move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: Then, last, I've got the notice of intent letter to submit to IDEM for phase three of University Parkway. This would cover everything, even though it's just listed as phase three, it would cover everything from Marx to Diamond Avenue. This just says that land disturbing activities will take place. We don't have a specific time table as of yet, but if we were able to secure additional funds through stimulus funds, or whatever the case may be, this would allow us to be ready to go and use those funds to get the rest of it to construction.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have, unless you have questions.

President Tornatta: That's all?

John Stoll: That's it.

President Tornatta: Okay. Alright, thanks, John.

Commissioner Winnecke: Thanks, John.

John Stoll: Thanks.

Old Business

President Tornatta: Okay, alright, moving to old business, and probably put in that category because we've discussed this on the Commission floor, however, we did ask that we have a presentation from Sheriff Eric Williams, and this has to do with the Civic Center security, building security. With us today in the audience is Police Chief, Brad Hill; City Councilpersons Dan Adams, Dan McGinn, Don Walker, B.J. Watts, Missy Mosby and John Friend. County Councilmembers Tom Shetler, Ed Bassemeier and Russell Lloyd, Jr.

Commissioner Winnecke: Wendy Bredhold.

President Tornatta: Hiding behind somebody, Wendy Bredhold. Sorry, Wendy. Those of you from the City and County Council, if you would like to come up here for the presentation, I invite you to do so.

Eric Williams: How did I know that you were going to be the taker.

Dan Adams: I didn't want to disappoint you.

President Tornatta: There are plenty of seats up here if you would like to be in on the discussion. There might not be plenty of seats, but we'll get seats, how about that?

Eric Williams: Thank you, I appreciate it.

Commissioner Melcher: We've got chairs in the back, don't we?

President Tornatta: Does the County side want chairs? We'll be happy to get you some.

Tom Shetler, Jr.: No, we're okay.

President Tornatta: Okay. Sheriff Williams, the stage is yours.

Eric Williams: Thank you, I think. Number one, I appreciate the opportunity to come and speak about the issues that we have. This has been a relatively well debated topic, and it's been debated for the last 18 months aggressively, two years in this building. I wanted to give you a little bit of information before we really talked about the nuts and bolts of the security screening. How did we get here today, is the first part that I wanted to at least tell you, from my perspective. Early last year, the former Commission, the body that made up the Commission, and several other elected office holders began to openly discuss the need for increased security in this building. There were events in the public, events in other similar cities that caused some concern that maybe we were not being proactive enough. We began having some discussions and meetings. You know, those people included the Commission, the Councils, the Mayor, the Building Authority, and several other persons through time. We developed what I have no other way to describe other than kind of an ad hoc committee of people that were willing to sit down and discuss these issues, and were interested in the process. It consisted of myself, the Police Chief, the Mayor, Circuit Court Judge Heldt, Superior Court Judge Pigman, a member of the County Commission, Troy Tornatta, the Building Authority Superintendent, the Building Authority Security Manager, and from time to time we had participation from other persons. At those committee meetings, and as we met, we discussed a lot of things,

and we discussed primarily what were we trying to accomplish by meeting? What was our goal? What did we want to have happen? Basically what we came out of there with was we wanted to provide enhanced security for those working in the Civic Center and those who visit the Civic Center. We wanted to do that in a manner using available technology and within a reasonable budget. As we looked at that, what came about was that what we really wanted to do was duplicate what we were doing in the county courts currently, what we've been doing very successfully for the last 20 to 30 years. I think if you asked anybody that works in that building right now, the judges, the Clerk's office, the Clerk, they would say that they feel much safer with our presence there, and they think that a good job is being done in the courts building. Why not just duplicate that in this building? It works, we know how to do that, and we've done it fairly well, and do that with some enhancements. Make it a little bit stiffer. Do a little bit more even than what we're doing over there. I also want to explain why I'm here today and why I'm even involved in this. Number one, I got asked to give my two cents worth, and I did. I said that I would participate in the meetings. As we developed that plan, it became apparent that one of the most cost effective ways of doing a duplication of what we do over there is for us to do it. We already are doing the juvenile hallway in this building. So, I have a contingent of people that are providing screening and security going down the juvenile hallway, which includes the juvenile courts and the Prosecutor's office. It seemed to make sense that we just take that screening station, do what we're doing there, which is duplicated over in the courts, move that to one of the two primary entrances of the security, or of the Civic Center, and then duplicate that again on the other side. So, we would basically have three primary entrances to this facility. We talked about other avenues, but in Indiana the Constitution is fairly clear, my responsibility is to the courts, and I was not going to give up that responsibility and let somebody else do the screening into this building and be accountable for what happened in juvenile court. So, it just made sense that if I was going to take that hard line of a stand, that we would take on the responsibility of the screening. We worked out some plans with the Building Authority that it didn't seem appropriate for the county to bear that entire burden of this new process, that it seemed to make sense that the Building Authority would reimburse the county for the increased costs with adding this security, which then their costs would be easily distributed amongst the city and county government equally. I think everybody agreed on that, it made sense. So, we began to develop a plan to duplicate that security by doing what I just said. We were also going to add things like adding the stations at the front, adding i.d. cards for all employees, some vendors and guests in the building, adding turnstiles at all three screening points, and I'll explain the importance of those in a minute, increase the video surveillance on all the entrances and exits, and limiting access to the building for the majority to the three main screening points. The vast majority of people that come and go from this building would enter and exit from the through the three main security points. I think it's important to note that this building was designed way before we had Homeland Security, pre 9/11, it was designed in the mid 60's with an idea of an open atmosphere. I remember the debates a few years ago when they were talking about putting Main Street right back through the middle of this building and the design elements of welcomeness in public. If we were to design this building again today, it would look dramatically different with what we know about securing a government facility, but we can't re-design this building. We have to work within what we've got. So, where are we today? We've employed three new screeners to compliment the current Sheriff's office staff. Some people have been critical of the number. I know three sounds like too few to take on what we've done, but you remember I was already screening the vast majority of the people in that main hallway, so I'm going to move those people up front. I thought long and hard about the number that I asked for when we did this, and it seemed to make sense to me that I ask for a

limited number with the caveat that if it doesn't work I'll be back asking for more, as opposed to asking for several and having the idea that I've got more than I need and now I've got to figure out how to get rid of them or make them appear to be busy when they aren't. I would rather start small and let it grow, as opposed to start big and try to reduce it. I still think that three, with overtime, will work. We have or are nearing completion of the issuance of all the i.d. cards for the employees. That's going to be an on-going process, but we are, we're getting done with that. Bruce Hargrave and the Building Authority is taking care of that. We have added the new screening equipment in all three locations, other than the x-ray machine at the back entrance, and we'll just relocate the x-ray machine and the magnetometer from the juvenile hallway to that back entrance. We've added the new surveillance, and the committee's been meeting to formulate policy on how we're going to implement this. Some general things, to let you know what we've worked out so far, the general hours for screening in the building is going to be from 7:00 a.m. to 5:00 p.m. That's generally the hours we plan to keep on the screening stations. I have to recognize that there's going to be exceptions for governmental meetings that occur late in this building that have public access, and some other scheduling things, but, in general, that's going to be the hours. We've established three levels of screening getting into the building. The three levels are the general, or the public, non-employees, just the everyday person, the non-frequent person coming in and out of this building. Those people will enter through one of the three primary screening facilities, the front or back door of this building, or the courts, they would go through the magnetometer or the metal detector, they would place property and baggage on the x-ray machine and we would review that, they would be required to take off any large objects, jewelry, empty their pockets, take their belt off, those kinds of things, place that on the scanner and go through. They may also be subject to a possible hand scanner if we're having trouble determining if they've still got something on their person. That's exactly what we're doing at both locations today. The second level is the card and visual screen. That is the element of the employees. The employees will be issued an i.d. card like I see Commissioner Melcher, Commissioner Tornatta, and Commissioner Winnecke all wearing right now. That will be their access to the building. They'll come in the three main points, in general, but instead of going through the magnetometer, they will go to the turnstile where they'll present that credential, it will be scanned, if it's still valid we recognize it as valid, it will release the turnstile for one rotation. They'll be able to pass through at the same time that the current file picture that you see there is displayed to my screening personnel that are standing there. So, they can make a visual inspection to make sure it looks as though that the employee is the right employee and it's not somebody has gotten somebody else's i.d. card, that the right people are going through. They're going to be screened. I also reserve the right at all times for my staff to screen anybody to the nth degree to get into this building if we have reasonable suspicion or cause to do so, not just on a whim, but have reason to do that. Then, the final level of screening is what we've termed alternate access. There are going to be people that work in this building everyday that need access to the building through other than those three points, based on where they park, handicap issues, how they get in and out of this building, and they are going to have access, via that card, to specific doors in this building. Now, I can give you several examples of who those exceptions are going to be, number one, the Evansville Police Department are inside the confines of this building, they have several entrances that are all going to be electronically controlled in their section. We don't believe that it's reasonable to make them all come down and go through screening, they're going to have card access to their offices. The security personnel, office holders, key department officials, and those people that we've designated for other reasons that need that kind of access to the building. They're all going to still be monitored electronically when they come in and

out. A log is going to be produced that they came in and out. Those doors are under video surveillance, so we can look at that. They're all going through some level of screening, it's just a different level based on their clearance into this building. One of the other things that we were able to do is that with us screening in both buildings, when both buildings are being screened actively, we consider that to be that the environment is the same on both sides, we're going to open the bridge back up to the public and to the employees to use. A couple of things, convenience for the employees and the public to move back and forth between the two buildings, but the other thing, the reason that's more important to me is to help load balance. We have a considerable number of people that come to this building that come from the front of the Civic Center to make an appearance in court, so, as opposed to having them come in through screening to get in to find out that they needed to be in the next building to make their court appearance, with the bridge open we've already accomplished the screening that would have occurred on the courts side of it, we can send them across the bridge and they can make their court appearance, do their business with the Clerk's office without having to screen again and go through that. If both of them aren't open, the bridge is closed, but when both of them are open and we're actively screening the bridge would be open. Security proposal in a nutshell, while I'm happy to answer questions, please understand that there are going to be questions that I'll answer to you in private, that we can discuss, but there are some things that I would prefer not to talk about in public, because I don't think it makes a lot of sense for me to expose the weaknesses that we do have. There are some. Like I said, this is an older building designed with openness, and there are some weaknesses in our security proposal. I'm the first to tell you that it's not a perfect proposal, but I think it's the most reasonable proposal that we could come up with based on all of the things that we've discussed. I'm comfortable with this plan. I believe every member of that committee is comfortable with the plan. In fact, have endorsed it and said that's the way we think we ought to do business for today. I've got, you know, I don't know how to say this other than I've got great faith and confidence in my staff, the people that are doing this everyday, and I think that if you talk to the judges and the Clerk and the people that have been dealing with us for a long time over there, they would agree. I also have to assume that as an office holder to other office holders and elected officials that we have faith in our employees, and that we trust them to do something. I use the analogy that, you know, somebody's trusting us to do the screening. Nobody's screening my people coming in every day to do this for them, to do this. You trust us, and until we do something to violate that trust, that exists today. I would assume that most office holders, department heads and people feel that way about their employees. You know, I have talked to a lot of people, and I can tell you that I've not had anyone tell me that they are afraid of the public. In general I've not had anybody say, you know, Sheriff we're scared to death of the public coming in and out of this building. You know, in fact, I've heard quite the opposite that we serve the public and we want to serve them as efficiently and as effectively as we can. I've also not heard any employee tell me that they're afraid of their fellow employee. I've asked and we've talked and that's not come up, you know, gosh, I'm scared to death of standing next to me. Now, they may make you nervous from time to time, but not fearful. But, what I do hear is that people are fearful of the unknown. The greatest unknown that we deal with in this building is the occasional person that doesn't come here frequently, they may be disgruntled or have an issue that wants to come down here and cause a problem. That's the public that comes in and out of here. We've tried to make this as reasonable as we can, as efficient as we can, as effective as we can, without causing great problems, and without creating undue turmoil, without causing a lot of delay in being able to get in here and do their business, but provide everybody with a basic sense of security. I think that's the mission that we were given, I think the

plan that we've proposed provides that. I think everybody that sits on that committee and have been through the discussions for the last 18 months agrees that this is the right proposal and this is the right plan for this building today. I would open myself up to questions.

President Tornatta: Questions?

Eric Williams: I knew you couldn't resist.

Dan Adams: I mean, you know I'm going to ask a question. First, I would really, honestly like to laud you for your efforts. I think you've explained the system as you feel, imperfect as it is, in a very cogent manner. I would ask you really just one question—

Eric Williams: Sure.

Dan Adams: —because you and I have debated this—

Eric Williams: Yes.

Dan Adams: — for the last—

Eric Williams: I use the word banter.

Dan Adams: Yeah, right, okay. Fair enough, banter. In your experience, and also if you go on line and look at workplace files, what is the most common group of people that actually causes workplace violence?

Eric Williams: I'm not in a position to quote statistics to you. I have done several bits of research and I've found that there is cases of employee violence. There is cases of public violence. There is lots of those kinds of cases out there. So, to answer that, we figure we're not reinventing the wheel, that there are a lot of other government agencies out there that do similar things. What are they doing? What have they found? And, I surveyed all of the Sheriffs in the state, and those that would answer to me, which was a lot of them, the majority of them have more lax situations for their people than we do, or at least what we're getting ready to implement. I look at other governmental buildings and find out that the vast majority of them allow their employees to electronically access their building through the back or some other alternate access, as opposed to the main screening station. So, they don't screen their employees. You can travel around our community and look at other businesses, big operations that have lots of reasons to maybe be security conscious, and they don't screen their employees coming in and out. I would tell you that if we could redo this building, and we did it, I would screen everybody. I don't see any reason, but we would be able to do it then because we designed it that way from the ground up in an efficient and an effective manner that we would be able to cost....and, I don't think we can do that here, with the exceptions that I think this group is going to want to make. The idea of saying that we want to screen every employee I don't think is a realistic or a reasonable position to take because I know we're going to make exceptions to that. When you begin making exceptions, I think you have to make reasonable exceptions, and categorize them appropriately. I think that's what this plan has done for us. I don't know if I answered your question, so, I can't give you a stat that it's more often than not employee, or more often than not public. I can't answer that for you today.

Dan Adams: Well, let me answer it for you.

Eric Williams: Okay.

Dan Adams: The most common cause of, group of people that cause workplace violence are people that obviously work in the place. In D.C. the only person who doesn't go through screening, secret service people go through screening, is the President of the United States.

Eric Williams: But, I will correct you, that's not true. I talked to our Congressman.

Dan Adams: Oh, really, and what did he say?

Eric Williams: I went with him to Washington to the Capitol Building—

Dan Adams: Uh-huh.

Eric Williams: —and he zipped right on by and I got stopped.

Dan Adams: Okay, well, then—

Eric Williams: So.

Dan Adams: —I stand corrected, but the people that I talked to told me in D.C. that that's not true. So—

Eric Williams: I think there are a lot of exceptions, and I would agree.

Dan Adams: What I would suggest to you though, if indeed the highest statistical, by far, are the workplace people, why don't you just scan the employees and let the public come in free and not be scanned?

Eric Williams: Because, again, and when we bantered back and forth, I would like to see those statistics—

Dan Adams: Sure.

Eric Williams: —and see who's accumulated them, who's compiled them, because I don't necessarily accept them as factual just based on just somebody accumulated them. I look at everything and I look at the history of this building. We've not had that here. Now, it's not saying that it can't happen, but we've had significant issues with a member of the public trying to come in here with something. I ask you to sometime stop over at court security and take a look at what we've taken off of people trying to get into this building. That's members of the general public coming in for one reason or another. A lot of times it's because they forgot or they're not familiar with the process, but other times it's not necessarily. We've not had that issue of employee violence inside this building that I'm aware of. Now, we do have issues periodically with disgruntled ex-employees, but I think we've got a system in place to deal with that, if all of the office holders and department heads cooperate with us.

Dan Adams: You and I have played this debate for, and I really appreciate the demeanor that we've done it in. We just agree to disagree.

Eric Williams: To me, just so you know, I'm going to go on record, this is not personal to me, not at all. You know, I campaigned on I am serious about your safety. I want to make this as safe an environment as I possibly can for everybody involved; the public, the employees and everybody, but I've only got a certain amount of resources and tools to make it happen, and I think that we have to look at being reasonable.

Dan Adams: And I want to go on record that I hope I'm wrong. I really do, but if you notice tonight I'm not wearing an i.d. badge and I'm not going to get one because I think it's very important for all of us, all of us to do exactly what our constituency does. I think it's an inappropriate privilege to tell you the truth. You don't have to agree with me.

Eric Williams: No, and we can professionally agree to disagree—

Dan Adams: Right.

Eric Williams: —and that's fine, and I understand that. I don't look at it as employees of this building being any better than anybody else. It's not about that. It's about working efficiently, smartly and reasonably. You know, I'll use this analogy, and Lloyd and I have talked about it, some other people have talked about it, the people in this room make very difficult decisions sometimes. The tax collector does a very difficult job collecting taxes, and there's a lot of times that there is a segment of the general public that aren't excited about it. In fact, they're very excited about it, but not happy about it. Every once in a while you get the people that might decide that they want to cause harm to somebody that's making that decision. If they know that you're coming through security everyday because that's what you do, that's where I'm going to wait for you. That's where I'm going to wait. I'm not saying that you shouldn't come through security, and I welcome that, but there are those times when I think it's more appropriate that we bring people in safely and securely. Not only for your safety, but when an attack like that occurs I also have to be conscientious about all the other people that happen to be standing around at the same time that may unduly be injured or affected by this incident. There are a lot of reasons why I think that the employees of this building should be able to come in the back door and other doors at certain times for certain employees. That by far is not the majority. The vast majority of them are going to go through one of the three main check points, they are going to be screened, via their credentials, they're going to go through the turnstile, they're just going to bypass going through the magnetometer and the x-ray machine, unless we have reason to stop them. I don't disagree with you, that in a better world, or in a perfect world we wouldn't need security, but if we had a different situation we would screen everybody. But, I just, I think the committee beat this to no end in looking at it and found that it not to be a reasonable solution for what we have today.

President Tornatta: I have a question for Council—

Dan Adams: I hope you're right.

Eric Williams: I do too.

Dan Adams: If you're wrong it's big time—

Eric Williams: Well, if I'm wrong, I'm still providing a better service than what we're providing today. Anything I do tomorrow that's different than today that enhances

security puts us in a better position than we were today. You know, we do this exact same thing over in the courts with all the judges consent, with everybody over there, this is how they want business done and they are very comfortable with that. It's not perfect, and I would tell you that no matter what security system I put in place, it's not going to be perfect and if somebody wants to violate it and get through it, it's going to happen. We just have to trust our people that are here on the ground floor, working in these buildings to be mindful and conscientious to their environment, watching what's going on, watching who's doing things so that we can catch those.

Dan Adams: But, even in light of the rare background checks that have not been done, or quite a number of background checks that have not been done with the people who work in this building?

Eric Williams: I do background checks on my people. Significant—

Dan Adams: And I laud that.

Eric Williams: —ones. I know the Police Department does, and I think there are other office holders that do background checks that they feel is appropriate, but those office holders trust their employees and until somebody gives me a reason not to trust them, I'm going to trust them too.

Dan Adams: Well, if I believe the newspaper, they have not done the background checks. I mean, I know you would, that's a given. I know the Chief would, but it doesn't seem like there are any.

President Tornatta: I want to get some other questions on the floor.

Dan Adams: Sure, yeah.

President Tornatta: Councilperson Mosby?

Missy Mosby: Hi, Sheriff Williams, thank you for coming this evening. One question I have—

Eric Williams: Okay.

Missy Mosby: —so, the security is going to stop at 5:00?

Eric Williams: No.

Missy Mosby: Okay.

Eric Williams: Public screening—

Missy Mosby: Because I'm concerned with our Council meetings.

Eric Williams: That's what I said, there are exceptions to that.

Missy Mosby: Okay.

Eric Williams: When there are governmental functions going on, City Council, Board of Zoning Appeals, Area Plan Commission, those meetings that run into odd hours, we will keep public screening live until that meeting is closed and adjourned.

Missy Mosby: Okay.

Eric Williams: We intend to do that. That's one of the issues with the personnel, just so you understand, I can't predict those and it's very hard to schedule people, so those are going to be comp time and overtime slots because they are not predictable, and it doesn't make a lot of sense to have a full time person to cover those odds and ends. Now, we may end up utilizing some part time help down the road to cover those slots, but we're going to try to get a feel for how it works first. This is new to me. I have never been responsible for security in this building before. My office has never been responsible for overall security in this building before. I can do my best based on my experiences with the juvenile hallway and the courts building to try to provide the same level in this building. But, I'm telling you right now, we are going to make changes as this grows and progresses.

Missy Mosby: Thank you.

President Tornatta: Councilman?

John Friend: If we screened every employee, we have, what about 700 here? Something like that? So, we would, how, that would take probably 15 minutes in the morning at least to get all of them through.

Eric Williams: Well, I don't think there's a real good answer to that, because every employee is going to come in dressed differently.

John Friend: Sure.

Eric Williams: If you come in with nothing in your pockets and no belt on and no jewelry, you're going to skate right on through full screening no problem. But, a lot of people in here are going to wear belts, they're going to wear jewelry, they're going to have their pockets full of things, and we're going to go through that process. Usually we can estimate that it's about 45 seconds to do that, if you've got to take your belt off, get on through before we can cue the next person through that. 45 seconds is not a ton of time. I recognize that. However, 45 seconds, and if we just use the number of 700, say there is 700 employees, and let's just say they get screened twice because they leave for lunch, which I think a lot of the employees in this building leave for lunch or they go outside to go on smoke break or go get a soft drink or whatever it is they do the reason they leave the building, let's just say twice, so you take 700 employees, twice a day being screened at 45 seconds, you've now added about 20 hours of queue time to the lines at one of those three spots. So, that 20 hours of queue time you would like to think that you're going to be able to distribute that evenly amongst the three locations and all eight hours of the day, but if you spend any time in this building you would know that the traffic into this building is not equally distributed amongst all eight hours of the day. It's very heavy in the morning, it picks up around lunch time when people are leaving their workplace to come here to pay a water bill or do some business with city or county government, and it picks up in the afternoon when people are rushing in when they got off work at 3:00 to make the 4:00 or 5:00 deadline here. Those are when our peak periods are. So, if you concentrate that, you're looking at about adding, overall, 20 hours of queue time to, and that's just an estimate, that's just real rough math. We could accommodate that, but my fear is that that's going to stack people up way more than they want to and they would be much, much, it would be very inefficient.

John Friend: So, Sheriff, you were saying with this then what would happen is that somebody would get to their desk at 8:00 in the morning they would have to get here at quarter till eight or ten minutes till eight, that could bring some—

Eric Williams: Yeah, if you're the employee that cuts it to the last minute and you show up here at 7:59 hoping to hit the door at 8:00, then, yeah you may get slowed down. The turnstiles are going to slow you down some. That's a remarkable increase from what we do today with our employees going to the courts, because they are physically going to be stopped, they are going to present credentials, those credentials will be cleared on the computer as still valid, we will see their picture and it will queue them through one at a time. So, they are going to get slowed down some already, but we're taking out the magnetometer and the x-ray machine.

President Tornatta: Councilman? President Watts?

B.J. Watts: Sheriff, what's your proposed time line as far as—

Eric Williams: I would like to start November 16th.

B.J. Watts: —things, and.....start November 16th? How long does it take to have everything in place? You're saying we could be up and running November 16th?

Eric Williams: I think we're ready to go basically now. We still have some i.d.'s to issue, dependent on the outcome of this meeting and other debates and things we do may change some things, you know, as far as delivering a final policy statement to everybody that works in and out of this building. But, I think, you know, we were ready to start on the 2nd. I've had some questions about well can you do some test runs, and we've done some practice scenarios and some tests, you're either on or you're not.

B.J. Watts: But, you have all of the equipment?

Eric Williams: I can't say, well, you're going to get screened and you guys aren't, and then you're going to get screened and you guys aren't because we're testing it. We're just going to turn it on.

B.J. Watts: You have all of the pieces of equipment that you need currently?

Eric Williams: Yes. All the hardware is in place and operational.

President Tornatta: Anything?

Wendy Bredhold: Well, I was just going to comment that when Sheriff Williams and I discussed this before, we were discussing this idea that we're creating perhaps an elite of people who can enter, you know, and the fact is that it may be that the public will appreciate the fact that you don't have all of these employees filling up the cue and causing them greater inconvenience because they have to wait longer to get inside to register to vote, or to pay a bill or whatever business they would have to do here. I think that's a compelling argument. Then, also the fact that you said that that line of people may extend out the door if it were to back up sufficiently?

Eric Williams: Well, if by default, and the thing that you have to look at in this building, the back door is a little better for entry. I'm going to tell employees if they can come in the back side of the Civic Center to please do that, and guests. That's

where we think the majority come in because they park in the back lot more often than not. It's backed away from those doors enough where there's a little bit of lead room in there where you're under cover. That's what, I don't want people to stand outside getting wet when it's raining, or standing in the snow when it's snowing, I want them to be able to get inside and get cover and then go through the process. The unfortunate thing about the design of this building the way the front stairs are in the Civic Center, we basically had to back that equipment right up to the very front door. So, more than a few people standing at that front door is going to create a line outside. It's going to happen, I mean, it happens now over in the courts. If you've ever seen Monday night Night Court when all of the traffic ticket people are coming in to deal with the traffic tickets, that line can be yards, you know, 100 yards outside the door. It happens from time to time. It's not very frequent, but it does happen.

Wendy Bredhold: (Inaudible. Mic not on.)

Eric Williams: No, they stand in the rain.

Wendy Bredhold: (Inaudible. Mic not on.)

Eric Williams: I guess we could.

Commissioner Melcher: Troy?

President Tornatta: Go ahead.

Commissioner Melcher: I guess you know where I stand too.

Eric Williams: You've made that apparent.

Commissioner Melcher: Yes, I have. Only because I try to treat everybody equal. I've tried to do that my whole life. I believe in public safety. I'm big on public safety. My understanding was, when we were putting this together was that we were going to secure the building, but this looks, to me, just like a piecemeal. It's better than what we have, I'm going to agree with all that. I think everybody has done a great job so far, but I really believe that everybody wants to be treated equal. Even when I go into the court building, I have over the last 20 years or whatever over here, I have to take my belt off, well, that just started a few years ago, but we used to, I had to go through it and I didn't like it that people were passing me. Everybody would just wave and say, good morning, good morning, and I had to go through it. I thought, well, you know, this is wrong, everybody ought to be doing it. So, when I thought we were going to do it for the whole building, I was really amazed that we're cutting people out that don't have to go through it. Then you read about there's not any background checks, that kind of amazed me too, I think that's something, I think we might have to look at, as County Commissioners, about having some background checks for the future. Then, I didn't really know about this third tier, I mean, I think we've hinted about it, but I didn't even think about it. Now we've got three tiers of people coming in. That's not, and maybe this counting the people that are going to bring in their toolboxes and work here and everything else—

Eric Williams: It is.

Commissioner Melcher: —somebody's got to secure, check them.

Eric Williams: We do.

Commissioner Melcher: I just wanted everybody to be checked equally. I don't think the badge thing, if you've got one or you don't have one matters, I think it's probably good that we've got badges, because I think when people are in and they're in an office and they have a problem with somebody if you've got a badge on then you know who you can report to, or who the person is. But, I've always tried to treat people equally, and it looks like we're not going to do that. Then the way the thing kept going I kept saying well we're going to have a say on this, we actually don't have a say on this. That's kind of where I'm sitting over here on the side that I don't have a say on what's going to happen, because it's going to happen. So, I don't know.

Eric Williams: Well, if I could respond, and I'll try to respond in order. I don't think this is about treating people equally or unequally. I too have spent my life believing in the justice system and treating people equally and fairly and uniformly and all those things. I don't disagree with you a bit. But, it's not about treating people equally or unequally, it's about providing security to this facility in a reasonable manner. There are things that happen all the way, all the time around this building, everywhere we go that by your definition of equal we're not treating people equally. The assignment of parking spaces around this building is the most simplest example. The assignment of office space in the building based on window view or not. We're not treated equally, there are things that happen because of your tenure in the building, the job you perform and the number of hours you spend there in a day. I just, I don't think it has anything to do with me thinking I'm better than any one of these people that are sitting in this audience, because that is farthest from the truth. I think you do have a say in this, because that's why I'm standing here today. Because if I really didn't think you had a say in this, I would have just done it my way and I wouldn't have bothered with this, but I do care about what the people that are in this room think about this, and I want them to buy into it. Again, we've gone through this so many times, and the committee would like to do some things differently, but I don't think we have the ability to do it. I don't have ultimate control over all of the other offices and the department heads and what they do. I think you, by what you said, do have some say in the level of background checks we do on employees in the future, and I applaud that, and the Sheriff's office is standing willing and ready to help you accomplish that. You know, but I still stand by this, and, I guess, as Doc Adams said, and we've talked about this several times, I'm going to eat this if it fails. But, I was going to eat it over there in the courts if it failed, and ultimately public safety falls under the Sheriff and the Police Chief. The Police Chief, I guess I should have let him come up and put his two cents in if he felt it was appropriate, but I think he's probably happy to be sitting back there right now.

Commissioner Melcher: I believe he is too.

Eric Williams: You know, I think, you know, he thinks security-minded all the time. That's what he does. That's what I do. We are comfortable with this solution for today in this building. You know, I look at the jail for example, probably the most secure building in county government. I don't screen my employees coming in and out of there. They've got key cards, they come in the back door, and they go to work. I trust them. When they violate that trust, I deal with them. I don't disagree with anything you said, but I think we have a definition issue about the terminology. It's not about being unequal or equal. It's about doing what we need to do to secure this building.

Commissioner Melcher: I really don't think you're going to eat it. You know, I don't see how anybody's going to blame you, because this was a committee—

Eric Williams: Well, I don't know, they'll, somebody will find a way.

Commissioner Melcher: No, it was a committee function, you know, and I can't see that, because like you said before, and I agreed with that, we're going to have better security than what we had. But, I just wanted everybody to be treated fairly. I wanted everybody, I'll probably end up going through the scanner, I mean, I will, because I said that from the beginning.

Eric Williams: That's great.

Commissioner Melcher: I don't want to have the people out there go through it and look at me up here, that's not going to happen.

Eric Williams: I would ask you, for me, and I'm just going to run this scenario by you, I would ask you, for me, and for the people that are down there, the night when you're getting ready to vote and the world knows how you're going to vote and it's not a vote that makes some people very happy, and they're waiting for you down there at the screening station, that you please on that night not go through screening and come through the back door and let us bring you up that way, so that I don't have to deal with it on that night.

Commissioner Melcher: You know, I've really never had a problem in the 18 years with that.

Eric Williams: Well, we've not had a problem with employee violence in this in 20 years either.

Commissioner Melcher: No, I'm agreeing with that, I'm just saying, you know, I ran for this office, we've got people waiting in line to work in this building, and you're right, nobody's scared to work here. When you're elected to something you just take that option. I've been threatened, you know.

Eric Williams: It's part of the territory. It goes with the job.

Commissioner Melcher: But, I just wanted to get everything out tonight.

Eric Williams: I'm glad you did. Please don't take me wrong, I absolutely, I've made lots of notes through the course of this, I haven't had time to write tonight, but I think a lot of the things that people have said, you know, I took a lot of what Doc Adams said, because he bantered aggressively with me—

Dan Adams: Not really.

Eric Williams: Well, compared to everybody else. I know you're capable of much more, but we talked, and I took some of the things that he said and took them to heart and relayed those when we talked in those committees and talked about those issues, but this is where we wound up. Again, this committee was not established by a statute or an ordinance or anything, this was a group of people that were concerned enough to just begin meeting and talk about the issues. You know, my statutory constitutional responsibility is to protect the courts. Beyond that, I'm just in this trying to do the right thing.

President Tornatta: Commissioner Winnecke?

Commissioner Winnecke: First, thanks for your patience, and information, and I've got three quick questions. First, have you estimated sort of the queing time going through the turnstile?

Eric Williams: We've looked at it, but we don't have a good estimate on it, because it's going to be such a new thing for us. We've not had any ability to see how fast that machine is going to read. We were down practicing with it today, it's pretty quick. You know, about every five seconds you can screen that, the picture comes up, it releases one. But, no, we've not done a study on the actual cue time of employees using the turnstiles.

Commissioner Winnecke: Secondly, help us understand, because there are people who, for one reason or another, arrive at work before 7:00 a.m., even when there's not a public meeting, how will they access the building, how will that work?

Eric Williams: Well, very similar to how they are doing it today, depending on the tier that they are in. For example, I would assume that you, the Mayor, the office holders are going to have card access from the parking lot to come in the back door. You'll be able to come in, it will be electronically logged, it will be on video, we'll know you came in, we'll know that information. The average employee that's allowed to come in, basically, will do what they do today, there will always be somebody from the Building Authority in here. They staff this building all the time, there's a buzzer at the front door, they buzz that, they come down, greet them, they log them in, sign them in. We're probably going to have them go ahead and keyfob through the turnstile because that will be active all the time to have a record that they made entrance. Then they'll go to their office. A lot of that just continues to be just pure coordination and communication between all the offices and departments about who has that kind of access to the building. That is a very difficult part of this, because we're dealing with so many different entities out there to make sure that we always know who's allowed to have access to that office at any given time. The Election Office is a great example, because certain times of the year there are all kinds of wild hours. You know, there's other offices, depending on what's happening, what's going on that they keep some strange hours and have to prep up. The Prosecutor's Office is a good example. They come in very early in the morning, certain members of their staff, to prep up for morning court. So, there's a lot of variable in that that we're trying to work through, but that won't be all that different than what we do today.

Commissioner Winnecke: My third question has to do with communication, what is the, sort of the plan in your mind or the committee's mind to communicate the policy for security in the building to the employees and to the general public?

Eric Williams: Once we get a definitive start date, and we know where we're at and we know what the starting policy is going to be, it's our plan to distribute that to all of the office holders, department heads in writing so that they can disseminate it how they see fit, how they see best. We'll probably make it available on our, the Sheriff's office internet page or something, if somebody wants to read it. Then we're going to use e-mail. We're going to use reporting from office holders and department heads to my staff that works in this building as their first line of something's happened, the office holder needs to get hold of somebody, we've lost an i.d. card, we've terminated an employee, we've got a disgruntled employee situation, much as they do today with their access to this building, but, we plan to distill it in writing. Now, as that moves down through the road, through one of the other meetings we had on this very topic, I think it may eventually warrant some action by the legislative bodies of our county, and the city, to introduce some ordinance in the form of in their

personnel handbooks, so that this is what the personnel policy requires of these people. But, I'm very thankful that the bodies have given us the latitude to start this without generating ordinance yet to find out how it goes and make sure we fine tune it before we distill that into including it in the personnel handbooks for both the city and the county. I see that as an eventual happening, and then it will just, I truly believe that within a very short period of time this will be second nature and nobody will remember the difference.

Commissioner Winnecke: Thank you.

Commissioner Melcher: I've got one more.

Eric Williams: Sure.

Commissioner Melcher: You mentioned the Building Authority, so when we get done I would like Dave Rector to come up here.

Eric Williams: Sure.

Commissioner Melcher: Because I had talked--

Eric Williams: Well, I can't say sure for him, I guess.

Commissioner Melcher: I talked to him for about two minutes--

Eric Williams: I can escort him up here, if you would like.

Commissioner Melcher: We could do that. Did he get screened? No, I just need him to get up here and kind of explain, because I think there's a misunderstanding of who's building it belongs to and all that, so I would like to get him up to explain all of that.

President Tornatta: First of all, I would like to find out if any of the other Councilmen have anything to say. First we're going to deal with the elected officials, then I will be happy to take public comment. Nothing? Anybody else.

Dan McGinn: I just have a comment.

President Tornatta: Sure. Absolutely.

Dan McGinn: Sheriff, thank you for coming. When this first came about, having no background in any type of security, you know, I had some pre-existing opinions, but in my lifetime I've done a lot of things, I've been a short order cook, I've been a lawyer, a zoo director and a Councilman, but I've never been a security expert. So, I'm going to do what I have done in the past when there's an area that I need to know about, I'm going to rely on the expertise of someone with superior knowledge that I trust. You endorse this plan, do you not?

Eric Williams: I do.

Dan McGinn: Thank you.

President Tornatta: Anybody else? I would just like to--

Eric Williams: Did we just get married? Chief?

Brad Hill: I just, I will be very brief. I just want to share the blame with the Sheriff for this plan, because I fully endorse it as well. I thought I ought to at least go on record to say that. It's not perfect, but it's reasonable, and it is 100 percent better than what we've got right now.

President Tornatta: Just to follow up, I will say that serving on that committee, it brought a lot of people together that were far apart in the beginning. I think we realized that the courts had a different look at how to do security than what the Civic Center had, and we made healthy compromises. I do appreciate the work of that committee, and it was a working committee, and I do appreciate that. I did want to say that, you know, I believe we have a tight network in this building. If you don't believe me, spread a rumor. You will hear back in a short period of time, and it's because we do have a knowledge of our employees, and we do have, the office holder has a great knowledge of their employees. The employees have a great knowledge of one another. They might spread that rumor, but they also have concerns when somebody is ill and they know what their capacity is and always keep track. So, when we talk about work forces and other places, I do consider it different in the public realm, because how people are hired, and normally the knowledge of that person that's hired is, I believe, a lot greater than it is anywhere else. So, I just wanted to make that comment. I believe that this plan will be a more secure plan than even the magnetometers, and I'll tell you why. After two weeks, I believe your Sheriff deputies, or your staff know who's coming through that door for those who come in quite often, and especially for those employees, as you've seen over in the courts building. A lot of times we've seen there's a waive or a pass through. If that happens today, and we theorize that we're going to send everybody through a magnetometer, is that truly going to happen? I believe, and converse to what has been said, that we will be more efficient and we will actually do a better job of security because not only will we see a face pop up, which we wouldn't see in a magnetometer, but we will see that person go through and be scanned and then released from the turnstile. That will happen every time, no exceptions. So, I do believe those are two points that I would like to just hit on. I appreciate all of the Council people coming up here, the Commissioners input, and, Sheriff, Chief, and I know Rose Young is out in the audience for the Mayor. So, I appreciate everyone coming out. If there are no other questions—

Eric Williams: Can I?

President Tornatta: Absolutely.

Eric Williams: I absolutely do appreciate all the comments, especially from my friend Doc Adams, because he forced me to think about some things that I hadn't thought about before. I appreciate that. That's how we get things done. We may still continue to professionally agree to disagree on this, but I appreciate that. I appreciate the questions we got, because that's how, in this building, we can solve problems, by communicating with one another and finding a mutually agreeable solution. It may not be perfect for everybody, and I think that's been accomplished here. I do endorse this. I think it's the right thing to do, but I am always open to suggestions. As you come in and out of this building, if you see short comings, or issues that you would like to have addressed, please don't wait until something bad does happen, please bring them up and let us know so that we can begin the process of addressing those also. Am I relieved? Do you want Dave Rector now?

President Tornatta: I think we're needing Dave.

Eric Williams: Thank you for your time. I appreciate it.

President Tornatta: Thank you, Sheriff.

Dave Rector: Good evening, gentlemen. Dave Rector, Building Authority. While I am a member of that committee, and we relied heavily on the Chief and the Sheriff, I just want to make it clear I also agree, as a member, that I think it's a good recommendation and it's a good plan that they put together for us.

President Tornatta: Questions?

Commissioner Melcher: David, basically what I want you, would like you to do is explain that the building's paid off and while we've got all these Councilmembers and everybody here, how this building works and who appoints people and that.

Dave Rector: The Building Authority—

Commissioner Melcher: Because some people think you should be making this decision by some calls that I got, and I said, I don't really think he should make the decisions.

Dave Rector: I'm glad I'm not.

Commissioner Melcher: Go ahead.

Dave Rector: The Building Authority was formed in 1966 under an Indiana Code statute 36-19. We have three Building Authorities in this state, ourselves, New Albany and Indianapolis, Marion County. We're formed for the purpose of financing, acquiring, purchasing, operating and maintaining governmental buildings. We own this building, the Centre and the new jail, and we do just that we operate and maintain that. Our cost back to the city and county are nothing more than the actual costs to operate, pay the bills and maintain these facilities. We're appointed by a Board of Trustees that the Commissioners have two appointments, the County Council an appointment, the City Council an appointment and the Mayor. Those Trustees then appoint a Board of Directors that then hire me and the Building Authority employees. That's the same way the other building employees also work.

Commissioner Melcher: So, basically you're the facilities director over this building?

Dave Rector: For a simpler term, yes.

Commissioner Melcher: Okay. Thank you.

President Tornatta: Any other questions of Dave? Alright, thank you. I will take some public comment, and since everyone's here, and while you're coming up, Bill, we'll lead off with you, our Surveyor. Like I said, I would like to sincerely thank the Council people for coming here and participating today. Thank you.

Bill Jeffers: Bill Jeffers, County Surveyor, an elected office holder by the voters of Vanderburgh County. First off, I would like to say that I support 100 percent the Sheriff's plan as he presented it, and as the committee endorses it, because it's a responsible plan. I would like to point out that there was some concern about

collateral damage, the Sheriff made two pointed comments towards that that someone might be down here to harm, for whatever reason, whether they're disgruntled or just plainly insane, to harm a target, like a public official, but yet collateral damage could occur and I would like to point out James Brady comes to mind in that regard. I've worked in this building since 1981, and, so, I've seen a lot of changes. I saw the original courts building go under security. At that time I was offered a pass to go through the tunnel, etcetera. I've never had a pass until it was issued by, under the current system. But, I do know of every entrance, public and private in this building. Secondly, I would like to say that if security checks become an issue, if anyone believes that the employees or office holders in this building should be given background checks, I volunteer to have a background check for myself. I will say that my employees will have background checks done under my orders, if that's the wishes of the County Commissioners that will happen. What I really came here to say was that this committee that you put together developed and recommended security procedures, that committee consists of the County Sheriff, the Chief of Police, the security chief for this building, who's a former Sheriff, former County Sheriff, two judges, along with the director who was a former County Commissioner, and all of these people are familiar with the threats, the dangers, what needs to be done. County Commissioners traditionally have, and regularly, have depended upon their legal, technical and professional advisers to give them good advice. How much more professional and responsible could a panel be than the one comprised as this security panel that you have here making this recommendation. Yet, there are elected officials who have reg.....well, I don't want to get into that. Consider for a moment that this committee's recommendation is to adopt the exact same security procedures that exist over in the court building, and have worked over there in that court building for many, many years. There's one entrance to that court building through which the public is fully screened, but through which court employees, judges, bailiffs, defense attorneys, prosecutors, security personnel, County Clerk employees, housekeeping staff, others enter with a keyfob or a card swipe. Then there's some other entrances, I don't really want to get into that, because the Sheriff alluded to, you know, weaknesses in the system, I don't want to get into all that, but there are other means of entry, not just in the morning, but for smoke breaks, lunch breaks, etcetera. Those are keyfob and card swipe entries. Has anyone of the persons that who is now objecting to this system, whether you consider it selective or nonegletarian or whatever you want to call it, has anyone objected publicly to that system over there in the last ten, twenty years? I haven't heard any objections to it. I hadn't heard of any problems with it, but all of a sudden it becomes some sort of media opportunity today. Consider that there are County Clerk employees over there, as well as the judges employees and so forth, is there any difference between those County Clerk employees and County Auditor or County Treasurer employees? The system that's working for them and is going to continue to work for them under the judges authority, I assume, wouldn't that be unfair and unequal for them to card swipe their way through and then the employees over here be subjected to TSA screening? It happens all the time. Additionally, there are, probably shouldn't say the number, but there are basically 14 entrances to these buildings, which one of the people who object, which one of the Councilmen who want every person to be screened that comes and goes out of this building, who's going to go to their Council and make the motion that there will 14 magnetometers put up in this building? Those doorways, all but three of them currently, out of 15, all but three of them currently have secure entrances. Then, with the two that will be put down here, we'll be down to just the two front entrances to the Police Department that will have to be secured by card swipes and keyfobs. Then the entire building is secure under a system that is currently in place at the court building and

has worked for many, many years. If you want to go to a split system, you're going to have to close, keep that, well—

President Tornatta: The bridge?

Bill Jeffers: The bridge. Everybody knows what's going on at the bridge. I can get a card and I have been able to have a card since 1990 to swipe my way over through there, and those employees come this way, and these employees go that way. That will all come to an end, and I don't know, it's just so confusing. I'm skipping over a lot because most of it was covered. So, basically, I support the recommendation from this committee as an elected office holder. If there is anything I can do to make sure that my employees are properly background checked, or to enforce the personnel policy, if it's upgraded to include whatever, I will do that. I really don't feel that everybody entering this building needs to be TSA screened every single time they come and go for a smoke break, a lunch break, or whatever. I just thinks that's excessive. Then we have to consider board meetings like Area Plan Commission, the Water Board, the Board of Works, the Parks Board, the Alcohol Beverage Commission, the Levee Board, the Redevelopment Commission, all that kind of thing. Those people are volunteers. I mean, they have to leave their place of work to come over here and serve a volunteer civic duty and we're going to ask them to leave an extra half hour early from their work and come over here so they can be magnetometered? In closing—

President Tornatta: Is that a word?

Bill Jeffers: TSA, whatever.

President Tornatta: Okay.

Bill Jeffers: I can understand, you know, I've worked in controversial subjects, you know, drainage and planning and zoning and all that for 30 years and I can understand how come, why there might be some people out there that want to take some action on me. I mean, I have had threats, and I can understand that, but I just don't understand the threat of, you know, these employees that just come down here to work for—

President Tornatta: Right.

Bill Jeffers: Okay. In closing, I've heard the committees full proposal twice now. The President's, I mean, excuse me, the Sheriff's presentation twice, and I concur with their recommendation and their proposed security procedures. They will be expensive and burdensome enough. Don't complicate them just for the sake of appearances. Thank you.

President Tornatta: Thank you, Bill. Come on up?

Mike Wilson: Hi, everybody. My name is Mike Wilson. I live in Evansville. This was informative. One of the questions that I have is what is this going to cost? The Sheriff has evidently done due diligence in that area. Could I ask you what this is going to be, the yearly cost of manning these, this security system?

President Tornatta: And include the County Council and City Council there. I mean, well, I guess this would be County Council on this one.

Eric Williams: Part of the economies of scale of this proposal was being able to use existing employees doing existing positions securing the juvenile courts. That was part of the economies of being able, of my involvement in this. Because trust me, it would have been easier for me to just stick down there in the juvenile courts and leave this to the Building Authority or somebody else, but that didn't make sense. That wasn't the right thing to do. We've hired three new civilian screeners to help accomplish this. Those three screeners, I believe, their starting salary is about \$29,000 plus benefits. They all started on the first of, the middle of October, so we'll have a partial year, and then you can figure from there next year what those salaries are going to cost, but that's the additional salary level. You know, their benefits, their longevity and those issues. So, they are between \$29,000 and \$35,000 employees. I don't know if that answers your question or not.

Mike Wilson: Well, it's heading in that direction. First of all, I think we have not only the yearly cost to support this, but we also have the equipment cost, which I never heard mentioned. I'm sure it's quite expensive. We also have costs that might not have been thought about, and that is in inclement weather people are going to have to stand outside of that machine. It is close to the door. People are not going to be able to get through that quickly. The employees here will be able to just get in and get out quick, that's what I've been hearing, but the average person that comes up here, not because they are on a site seeing trip, most of the time a person that comes up here, unless it would be for a legislative meeting such as this, has to come up here because they have to. So, my question is, how will they be appropriately accommodated in inclement weather conditions? That's something to at least consider.

President Tornatta: That's a good point.

Mike Wilson: Also, if you're carrying a pocket knife, is that going to be a dangerous weapon that we'll have to do something with? I mean, if you've got to take off your belt, jewelry and things like that, some people carry a pocket knife. A pocket knife in the court building probably would not be a good thing, and I kept hearing this slippery slope that is fear based, and the court building was used in example of why we need this here. Well, we've got all kind of stuff that we've confiscated over there, and, yet, over there you are sentencing people, criminals, some of which are dangerous, you have a lot of people going in and out of there that you may not have in this building.

President Tornatta: Well, you will, the new way of doing this process you will because the door will be open. So, the people that come to this door will go over to the courts building. So, we have to take all of those pieces off of everyone.

Mike Wilson: Well—

President Tornatta: Or, once it gets to a point, I think people will know don't bring it in. I don't think they are necessarily over in the courts building they're not throwing your merchandise away, they're storing it for you, as I understand it.

Mike Wilson: Well, it's either that or they tell you to take it outside and hide it, because that's happened to me before when I've accidentally had a pocket knife on me. When I've went into, to go to small claims court, or pay a ticket. So, I don't think it's a real fair example to use the precedence that was set over there in regards to this building. Secondly, there's another big hole in this whole security idea. That is if there is a need, and it's to protect the employees here, what happens when they

go to their car? If someone's got an axe to grind, they're going to wait for them outside of this building. So, I'm not sure this Draconian measure is really a need that's justified. I think it's fear based. Also, to kind of tag on to Dr. Adams comment about employee based violence, I don't know whether anyone has every heard the term of someone "going Postal"? Now, that was a real issue at one time, and it came from the inside out. It wasn't the people that visited the Post Offices. So, the third, one of the other questions I have in my mind, what legislative body makes the decision? Or is this decision already been made and we're working out the details now of how you will enact this? Has the decision been made that we are actually going to have a screening device down there on the front door?

President Tornatta: Yes.

Mike Wilson: Who made that decision?

President Tornatta: Well, that was a committee decision. Not to throw it all on the Sheriff or the Chief, but it was brought to their attention that this building needed to step up its security, and at that point, who do you trust to take care of security? They didn't look at me. They looked at the people who do security on a day in and day out basis. So, obviously, they were drivers of a process to make sure that this place would be more secure, and it will be.

Mike Wilson: Are you telling me that the legislative bodies, the City Council and the County Council and the County Commissioners, could not make that decision?

President Tornatta: What expertise do we have?

Mike Wilson: Well, whether or not it's needed. I'm not sure the need has been justified. I would say it's fear based, and it's a want not a need.

President Tornatta: Okay.

Mike Wilson: So, the, this committee that was what, had nine, eight or nine people in it made a decision that you will screen all of the people that will come in and out of the Civic Center?

President Tornatta: We made recommendations to enhance the clientele that we have, and the employees that we protect. We made those recommendations, but I wouldn't say, by any means—

Mike Wilson: So, this is a recommendation?

President Tornatta: This is a plan that's going to happen. How it's worked out and how it's tweaked that's why we're here today. We want to make it good for as many people as we can for the vast majority. I think that's what we've been talking about all day today, or all night tonight.

Mike Wilson: Well, I wasn't under that impression then. I'm sorry that that decision was made that's going to affect anybody that comes in and out of the building without public comment.

Dan Adams: Commissioner Tornatta, I think this gentleman, and I don't want to speak for you, sir, but, I think his problem is that a committee of some elected officials, some not elected officials have made a decision without any corroboration

or without any passage by the City Council, the County Council and the County Commissioners. Now, I, obviously know that my opinion is going to be voted down. I mean, I'm in a healthy minority, but the bottom line is, I think, that for the sake of the legislative process, it would be worthwhile for the appropriate bodies to pass an ordinance saying that they want this kind of thing, or not. I mean, he's coming from the point he doesn't think it's necessary. I'm coming from the point that I think more is necessary, but I do think you need to have some sort of ordinance—

President Tornatta: Okay, Ted, I guess—

Dan Adams: —referred to the legal (Inaudible) on this. But, I think a recommendation of a committee doesn't really put it into a legal form.

President Tornatta: I think where we've come to the realization is we don't run security for the courts, the Sheriff does. I mean, and at that point if it's funded, then you had your say.

Dan Adams: But, if I listen to the wonderful presentation by my colleague, he's saying he's taking over something totally new. This is not the courts at all. This is the public building, and I think we ought to—

President Tornatta: When that door—

Dan Adams: I would like to say that I think there should be an ordinance passed by you guys and us, equally, and actually pass it and affirm it. I mean, I don't think that's too much to ask. I think that's what you're asking.

Mike Wilson: I think it can be stopped and a little more time given to it, to let the people that we elected make a decision, and not some group of people—

President Tornatta: That we elected.

Mike Wilson: —make it for it. That has made a decision for everyone here. We elected people, such as you, to exercise your best judgement. And you didn't make the decision, a committee did. That's what I hear you saying is to write an ordinance to say that, well, the bodies that are responsible for the Building Authority, that they have to answer to, has some control over what they do. As far as the Indiana statute is concerned, I see some gray areas in there. There's 19 pages of it. I sifted through it quickly today. I don't know whether anybody else has, but there's not a clear route to who controls and who the Building Authority answers to.

President Tornatta: As long as—

Mike Wilson: Now, maybe Mr. Rector could—

President Tornatta: —Mike, as long as the Sheriff controls the security on the courts, this becomes a pretty moot point. We are clearly trying to be advisors to what we see as pitfalls in the Civic Center, because that is going to be a straight cut through over to the courts building. Now, I mean, Sheriff, I'm not trying to talk for you, if you have any comments to that effect, but the way I see it, when we open up that door, it's all yours, baby.

Eric Williams: Well, I'm responsible for the courts and the security of those that go into the courts of the county, be it Superior, Circuit, and we have a dedicated courts

building. I became involved in this by the design because we needed space for juvenile court, which is a part of Superior Court, and when we moved it into this building, I had to assume some security role for that section of this building. My involvement in this is because that section happens to be in this building, and the economies of scale of using my people to go on and secure the entire building seem to make the most sense to the committee. Now, with all that said, my constitutional responsibility is for the courts, and that's where it ends as far as that goes. I welcome the idea of the City Council and the County Commission creating this adhoc committee as an official Civic Center campus security committee and empower them to make these decisions. The majority of the people that sit on that committee currently are elected office holders, and we're elected by the people for their areas of expertise. I have no issue with that. It makes me no difference. I think the plan that we've laid forward makes the most sense, I think it's reasonable, but I'm willing to work with this body and anybody that inhabits this building to try to make it a better place.

Ted C. Ziemer, Jr.: Just from a legal perspective, the city and the county lease this building, lease their space that they have in this building from the Building Authority. Under the terms of the lease they, the lease provides that the Building Authority will manage and operate this building on behalf of the tenants. So, strictly, unless there would be an objection by a tenant, the Building Authority has the authority, and they do in many respects indicate how this building is run, and we don't have the Commissioners and the City Council enact an ordinance or a resolution about every single act that the Building Authority takes with regard to the operation and management of this building. If the Commissioners and the City Council want to take a position regarding the operation of this building, they can, by adoption of a resolution. It doesn't need to be an ordinance, they can just simply say that it's the, the Commissioners for example are resolved that they either agree or disagree with the opinion of the Building Authority and this committee regarding this particular action they are going to take. But, the Commissioners are only one tenant in this building, the City Council is another tenant, or the city is another tenant, and the City Council can, as the legislative body for the city, take a vote that it would like to take regarding the recommendations of this committee. After they have taken their respective recommendations, if they differ, then there will have to be a sitting down together and resolving that difference. I think where we are right now is that tacitly the City Council and the Building Commissioners have indicated they want security for this building, and they know that a committee has been formed to study it, and the committee has made a recommendation. Unless the Commissioners, or the City Council by a vote indicate that they don't like that recommendation, it would be that recommendation that the Building Authority would follow in operating this building as the landlord.

Mike Wilson: Thank you, gentlemen, lady.

President Tornatta: Thank you. Come on. Good evening.

Bernice Tirmenstein: Good evening. I'm Bernice Tirmenstein. I live at 1636 East Blackford Avenue. I'm kind of approaching this maybe from an unusual position, but set me straight on the chain of command in the operation of this Civic Center. I understand Dave Rector is the Building Authority Director of the Civic Center. There's the Board of Directors who appoints the Board of Trustees, we have on the members of the Board of Directors five; John Stanley, Joseph Theby, Steven Titzer, Andrew Goebel, Matthew Singer, these members serve for four years, they meet once a year in January, and then they appoint the Board of Trustees. The Board of

Directors, one member is appointed by the Mayor, one by the City Council, one by the County Council, and two the County Commissioners. The people are taxpayers, pay no tax on the building since it's a public building, and the Mayor we remember makes appointments to 47 boards and commissions. How does Dave Rector get his job?

President Tornatta: He's appointed by the Board.

Ted C. Ziemer, Jr.: The Board of Directors of the Building Authority hire him.

Bernice Tirmenstein: Thank you.

President Tornatta: Thank you, Bernice.

Jeff Day: Good evening. My name is Jeff Day. I live at 6000 Berry Lane. Pretend for the moment it's election night 2010. All of you folks are either with the Democrat parties having their celebration, or the Republican party where their celebration is. But, between 6:30 and 7:00 I'm in this building. Almost every election I'm an inspector or a judge. I wonder if any of you have any idea how many people have to come into this building within just a matter of a few minutes. I carry a big machine box that has the disk that goes in the voting machine that stores all of the information and I carry a satchel. Everything that's in those two things would set off your magnetic machines. Am I lead to believe that it's election night in November, with November weather that we're going to all stand outside while you go through and open every one of those boxes and go through every one of those bags? Thank you.

President Tornatta: Hold on, I know we've got an answer because I've heard this. That's okay, it wasn't addressed and I think we can address it.

Eric Williams: Again, I go back to the statement of reasonable exceptions to the policy. I've talked with Susie Kirk at length about this, we talked the other day, that we are going to make exceptions on election night with the people that will be credentialed coming in and out. We'll know what that equipment is, but we will be standing security and screening for the other people that come in to help protect the workers that are coming in trying to tally votes and do their business. But, no, we're not going to anticipate that the county property that you're going to be bringing in we're going to run through, quite honestly will damage it.

Jeff Day: Well, that's what I would think. Well, you're telling me because I have the credentials of being the poll inspector or judge, according to the particular election year which one I am, okay, that I'm going to be able to go through just as if I was an employee that one night?

Eric Williams: Well, I think that if you look at the scenario you've just laid out, that is a completely different evening than normal, and we will probably make a different allocation of resources for that night, and you'll have your credentials and we'll probably bring you in the door and try to get you hustled in as fast as we can so that we can get the votes tallied.

Jeff Day: Thank you, because I don't want to stand outside in November.

President Tornatta: Okay, thank you.

Eric Williams: Nor do we want you to.

President Tornatta: Please.

James Braker: Good evening, Council. I have a question for the Sheriff.

President Tornatta: Your name please.

James Braker: James Braker. I live at 1700 East Blackford here in Evansville. This is a question for the Sheriff, what about the media?

Eric Williams: At the present time we're going to make media go through full screening.

President Tornatta: Come on up.

Mike Mahan: My name is Mike Mahan. I live at 1140 East Gum. I came to hear about the security system, the benefits of it, which I've heard quite a few good ones, and this is nothing more than like going on a flight. Everyone is subjected to screening when you get on a flight. So, what's, why does everyone have such negative comments about this? I think you're looking out for our safety instead of looking for negative things. You should be looking for the benefits.

President Tornatta: Right.

Mike Mahan: Thank you.

President Tornatta: Thank you, Mike.

Dan Adams: I would suggest, sir, that it is very helpful when you see the pilots and the stewardess going through the security scanner.

President Tornatta: Come on up.

Toby Spring: My name is Toby Spring. I attend North High School, senior. I live at 220 East Eichel. I have a few questions about, apparently not everybody is going to be screened? I think everybody should be screened. It's unfair that some are being left out, whether they work here or not, because "going Postal", which was referred by somebody here, more chances are that somebody here is going to commit an act of violence than somebody just a random person walking in, a visitor. Two coincidences, Virginia Tech, which was done by a student there, not a visitor, not a parent, but somebody actually there. So, was Columbine, which was done by somebody there, once again, not a visitor. So, I think everybody should be screened, whether they work here or not. Honestly, people when they're leaving they shouldn't be screened, because, I mean, what are they going to take out? They were screened walking in, what would they possibly take out?

President Tornatta: They won't be.

Toby Spring: Okay. When, I don't know why, but me and two other gentlemen when we walked in we were not screened. I don't know if—

President Tornatta: It's not started yet.

Toby Spring: Okay. The officer said that cops and employees here are not screened because they are more trusted—

President Tornatta: Right.

Toby Spring:— than other people, but, I mean, you can only trust them for so long, until they commit a crime or whatever, you know. When they do commit a crime, then we're having to force everyone to be screened. I think everybody should be screened now, that way we won't have to, that way if a coincidence as of a cop or an employee, or whoever does commit an act of violence, then we suddenly have to enforce the law that everybody must be screened when they walk in. Supposedly not all of the entrances are going to be screened?

President Tornatta: They will.

Toby Spring: Okay, they will?

President Tornatta: Not, your definition of screened might not be mine or the Sheriff's, or somebody else's.

Toby Spring: The metal detectors?

President Tornatta: There will not be a magnetrometer over there, there will be a screen with a, there will be a buzz in, which you use your badge.

Toby Spring: Okay.

President Tornatta: And a camera.

Toby Spring: Alright, thank you.

President Tornatta: Thank you. Thanks, Toby.

Dan Adams: Sir, I would ask you, if you've seen the movie that talks about Harvey, is it Milk or Silk?

Unidentified: Milk.

Dan Adams: Milk, I suggest you watch it.

President Tornatta: Anybody else with public comment about...Councilman?

Russ Lloyd, Jr.: Just thinking, Mr. Wilson mentioned if we are going to run into a problem with people backed up outside the door, we could look at something like Anchor Industries, a little awning on aluminum poles would be a very cheap way for government to provide for that in inclement weather. So, I mean as the system unfolds it's something we might want to think about.

President Tornatta: Thank you.

Russ Lloyd, Jr.: Thank you.

President Tornatta: I think, one of the things that has been brought to our attention is that we will be a work in progress, and there will be things that we will change. I

think that's why we have not adopted an ordinance to the personnel handbook initially, because I don't know that it's prudent that we change the handbook five times just to make sure that we're on target with our projections. However, it was brought up by the Surveyor that that would be a good place to start once we get all of our kinks out, and I think that that's a great idea. Hopefully, it would be in the handbook. Anything else?

Mike Mahan: (Inaudible. Not at mic.)

President Tornatta: I've got to have you up, sorry. It's part of being public.

Mike Mahan: Before you go to the handbook, which I agree with 100 percent, when you distribute the badges, why not have a form for the employee to actually sign so he can have it for their personnel file acknowledging their responsibilities. That way you know that each one of them received it and you have a permanent record of it.

President Tornatta: I know that almost all of the employees have a badge now.

Mike Mahan: Well—

President Tornatta: So—

Mike Mahan: —you could do a follow up by simply a small sheet.

President Tornatta: Yeah.

Mike Mahan: You, I hereby have received this, whatever you call it formally, here are the, you know, just like bullet points.

President Tornatta: Correct.

Mike Mahan: Here is your responsibility towards maintaining the badge, the items that the Sheriff recommends that you not have on your person, and, you know, just a few bullet points, not that it has to be anything technical or a big legal, and then follow up with your handbook with, that way you know who has the badges and who doesn't have the badges.

President Tornatta: Okay, thank you. With that being said, we're switching gears. Roberta, come up quick.

Commissioner Winnecke: While she's doing that—

President Tornatta: Oh, sure, sorry.

Commissioner Winnecke: —maybe just a comment. I do think it's important, I'm not sure I agree with everything Mr. Wilson offered, but I do agree that I think it's important for the legislative bodies to approve or not approve what is being presented. I'm not exactly sure if I had to vote tonight what I would do. I would move that this body consider a resolution at its next meeting to consider this proposal as presented by the Sheriff at that time. I think it's important that we give it a thumbs up or a thumbs down vote. I would think the City Council would have the same obligation, because I do agree with Mr. Wilson, I do believe, in this case the legislative bodies should have a say in the recommendation.

President Tornatta: And that would be what day?

Commissioner Winnecke: November 17th.

President Tornatta: The 17th.

Commissioner Winnecke: Sorry, Sheriff.

President Tornatta: That would be the 17th.

Commissioner Winnecke: That's our next meeting.

Eric Williams: Things happen.

President Tornatta: Okay.

Commissioner Melcher: The City, Dan, are you meeting the 16th?

Dan Adams: I think we're meeting on the 9th. I don't think we're meeting the 16th. I don't think it would be appropriate for me to foster a resolution that—

Commissioner Melcher: No, no.

Dan Adams: —(Inaudible). Perhaps (Inaudible).

President Tornatta: One that you don't believe in, okay.

Commissioner Melcher: I was just checking when your next meeting was so that they would have it.

President Tornatta: We will pass that along.

Dan Adams: I'm not sure of the dates right now, but I think we meet on the 9th, I'm not sure after that.

President Tornatta: That's fine. I've got no problem with it, the way this has started is through the County Council who approved the money and approved it through and the process was going through, and, then, at some point everyone heard less and less.

B.J. Watts: Hey, Chief?

President Tornatta: So—

B.J. Watts: Chief Hill, may I ask a question? We didn't have any, do we have any money in this game from the City's standpoint? We don't, do we?

Brad Hill: No, we're not participating as far as, it's all county employees, and, now, I think we are sharing, the city shares with as far as some of the expenses for the, yeah. Okay.

President Tornatta: So, in some way you have a dog in the fight and some ways you don't, but, at the end of the day, I mean, I don't have a problem with going through and getting approvals. The key is that at some point we have better security than we

do now, because it has been recommended that we need that level, and it's all moving that direction. So, I'm fine with doing that, and if two weeks gets everybody.

Unidentified: What about the new arena?

President Tornatta: Moving on. Roberta? I asked you to come today—

Roberta Heiman: You did.

President Tornatta: —because you're a little shy. Not a shy personality, you would like, I would like you to tell people how to get in touch with you if they would like to sign a consolidation petition, if that were to be done, and those who didn't have the opportunity or did not know that it was out there and wanted to support something of that nature. I felt that our due diligence to at least let them know about it.

Roberta Heiman: Well, I thank you very much, Troy. First, I am Roberta Heiman, I am president of the League of Women Voters of Evansville and Southwestern Indiana. Before I get into that, I want to applaud the County Commissioners and the City Council for this joint discussion. It was a very civil exercise in civics. In fact, it kind of relates to what we are doing. We are circulating a petition asking that our elected officials begin the process that will allow citizens, the voters, to decide whether to merge city and county government. The state law requires that we get the signatures of 2,632 registered voters in Vanderburgh County. We are now at about the 2,000 count. We've gotten more signatures than that, some of them have not been verified, and I wanted to bring that up because many of them that are not being counted are registered voters but they have moved to a different address than that at which they lived when they registered. So, their signatures are not being counted. So, if somebody asked you to sign our petition, please put down the address at which you lived when you registered to vote. Other than that, anybody who wants to sign our petition you may contact the League of Women Voters on the website at www.lwv.org as in victory s as in Sam win, League of Women Voters of Southwestern Indiana. Or, and you can download from our website a petition and mail it into us, the address is there. Or, you can stop by the Pagoda at the Visitors and Convention Center, and they have the petition there that you could sign.

President Tornatta: Alright.

Roberta Heiman: Thank you very much.

President Tornatta: Alright.

Roberta Heiman: We'll be back with all those signatures to ask you to start that process.

President Tornatta: Okay, and at this point we're not promoting or slamming the idea, we're just giving you the fair shake to try and get your job done.

Roberta Heiman: I understand.

President Tornatta: Okay.

Roberta Heiman: Thank you.

President Tornatta: Thank you, Roberta.

Bids for the Old Courthouse Plaster Repair Project

President Tornatta: Looking at the consent agenda–

Ted C. Ziemer, Jr.: Are we going to read the bids?

President Tornatta: Oh, we'd better, we could do that.

Ted C. Ziemer, Jr.: These are bids for the Old Courthouse plaster repair. There were four bidders, each of them had a base bid, an alternate one, alternate two, and alternate three. These are going to be reviewed by the architect for the project, so if the Commissioners agree, I'll just read the base bids and not the three alternates. Empire Contractors, base bid, \$110,000; ARC Construction, the base bid, \$60,100; Danco Construction, base bid, \$87,870; Deig Brothers Construction, base bid, \$89,756.

Commissioner Winnecke: Mr. Chairman, I'll move that we take these under advisement.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Consent Items

President Tornatta: Okay, motion to approve the consent agenda?

Commissioner Melcher: Before we do that, I would like to probably just make a motion to take the one new hire for Legal Aid out of the consent and vote on that separate.

President Tornatta: That's fine. Make that in the form of a motion.

Commissioner Winnecke: Mr. Chairman, I'll move that we move the, we approve the consent items with the exception of the employment change.

Commissioner Melcher: I'll second that.

President Tornatta: A motion and a second. Discussion? If not, if we'll read those into the minutes, please.

Madelyn Grayson: The consent items for the November 3rd meeting are as follows; approval of the October 20, 2009 Commission meeting minutes and the October 29, 2009 special Commission meeting minutes; employment changes from the various offices excluding the Legal Aid society; travel requests there are two from the Commissioners and one from the Health Department; the County Engineer has pay request number 91 for the Burkhardt-Green River TIF projects in the amount of \$7,488.52; there's a waiver of Centre fees/not OT for the arena pre-bid meeting; Hillcrest-Washington Youth Home has third quarter service fees reimbursement; Evansville ARC has the September 2009 board meeting minutes; the County Auditor has approval of October 2009 A/P vouchers; the Public Defender Commission reimbursement; a Legal Services transfer request; the Prosecutor's office has a JAG grant and the Drug and Crime Control grant; and then there's also department head reports from Burdette Park and the County Engineer.

President Tornatta: Further discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Commissioner Melcher: I would like to kind of discuss the part time. According to the resolution of the County Council only emergency and exceptions, how do we know what's an emergency and what's an exception?

Commissioner Winnecke: Well, in this case, the Council has made the approval.

Commissioner Melcher: I know, but I just, I guess, it gets back to that fairness again. Like if Bill needed somebody and they turn him down, and then somebody else needed one and they get that down, are we the ones that are supposed to...I'm just trying to go by what they said.

Commissioner Winnecke: No, I think, I mean, it's, in my opinion it's their, they made the resolution and they're the ones that ultimately decide to fund positions. So, they're making the call, and we're affirming or not.

Commissioner Melcher: Well, you know, I just didn't know what was so big about an emergency for Legal Aid. I mean, that's the one, I mean, you know somebody that's going to be doing a snow plow truck or somebody, you know, somebody's got something that's really important. I mean, it's all important, but I just, I'm trying to follow what they want to do, because I disagree with what they are trying to do. I think that we ought to be able to refill slots as they come open, not new slots.

Because I don't think they took that money out of the budget, unless they did away with that job or something.

President Tornatta: This is FMLA. FMLA.

Commissioner Melcher: For the one person—

President Tornatta: Correct.

Commissioner Melcher: —that's going to be off, so they're going to be paying that person for 12 weeks. They're not going to pay that person for 12 weeks?

Gary Heck: I think FMLA is the Family Medical Leave—

Commissioner Melcher: Uh-huh.

Gary Heck: —when they are either returning or going on, one way or the other.

Commissioner Melcher: Yeah, they could be on four different FMLA's at the same time. I'm not against anybody working, I'm just trying to get a handle on what they did.

Bill Fluty: I was at the Council meeting if you would like to know what the discussion was.

Commissioner Melcher: Well, that's kind of where I was heading next.

Bill Fluty: Okay, I can tell you that, because there was lengthy discussion. Legal Aid has an employee that's been on Family Medical Leave for an extended period of time. They hoped that she would return, but in her absence they would like to hire an employee to fill that position and do her duties. The Council, they were asking for 40 hours a week, and the Council actually funded, or gave approval, I think the money was there, to do 20 hours a week just to help them out until, hopefully, this employee returns. That was the discussion and that was the reasoning. I don't know if they, emergency, I don't know if that was, if it was proposed as an emergency, just a need for that office to function.

Commissioner Melcher: Well, and this is what their resolution says, "in case of emergency or extraordinary circumstances".

Bill Fluty: But, I think with that, Steve, it was seven Councilmen that all voted to continue with this even though it varies from exactly what the resolution said. So, at that time they did have that office come up and present, and they did agree.

President Tornatta: Did we sign a resolution by this body?

Commissioner Winnecke: No.

Commissioner Melcher: No.

President Tornatta: Did we sign a resolution or affirm the hiring freeze?

Ted C. Ziemer, Jr.: No, it's a resolution solely of the County Council.

Commissioner Melcher: And I've just kept it. Kiefer was absent, I guess, at the meeting. He's the only one that didn't sign it. I don't have a problem with voting for them, but I would kind of like to vote against it so we could stick with what the County Council wants to do. I'm trying to support them, but they change the rules. So, I don't know.

President Tornatta: I agree. I mean, that's the one problem that I have is, you know, you have a lengthy discussion over something you wrote that's supposed to take care of the situation, and, yet there's always this loophole that allows certain people to get certain things from, on the hiring side. I just, I don't believe it's equilateral as well, to be in a situation where you don't run the office, but you're telling people in the office when they come and ask for somebody, you're relying on their salesmanship to sell that position. In this case, I don't know, I guess, I have a little bit of issue, but, I mean, somebody's on Family Leave, at that point, you know, I'm sure they need the help in that office.

Commissioner Winnecke: Mr. Chairman, just for the sake of moving the business along and not trying to cut anyone off, I mean, I do think, I mean, the Council passed the resolution, they saw the need because of the case that was brought to them, at this time I would move approval of the employment change as presented.

Commissioner Melcher: I'll go ahead and second it.

President Tornatta: I would like for the Council to rescind that resolution. A motion and a second. Further discussion?

Commissioner Melcher: I just think that every time we get one of these we're going to have to have this discussion. Then, I think we're going to see a pattern, unless they do something. So, that's basically the way it is.

President Tornatta: Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p style="text-align: center;">Rezoning Petitions First Reading: VC-10-2009: Petitioner: T&T Development Address: 15901 Petersburg Road Request: Change from C-2 with UDC to C-4 with UDC</p>

President Tornatta: Okay, rezoning?

Madelyn Grayson: I know Janet is not here tonight. I have the information if you would like me to read it into the record.

President Tornatta: If you would please.

Madelyn Grayson: There's one first reading tonight, it's VC-10-2009. The petitioner is T&T Development. The address is 15901 Petersburg Road. The request is a change from C-2 with a use and development commitment to C-4 with a UDC, and this is just to forward it on to Area Plan Commission.

Commissioner Winnecke: So moved.

Commissioner Melcher: Yes, I'll second the motion to move it to Area Plan.

President Tornatta: A motion and a second. Further discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: I'll entertain a motion to adjourn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

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

CONSENT ITEMS:

Commissioners:

Approval of the October 20, 2009 Commission Meeting Minutes.
Approval of the October 29, 2009 Special Commission Meeting Minutes.
Waiver of Centre Fee/Not OT: Arena Pre-Bid Meeting.
Hillcrest-Washington Youth Home 3rd Quarter Reimbursement.
Evansville ARC September 2009 Board Meeting Minutes.
Legal Services line item transfer request.

Employment Changes:

Health Dept. (2)	Burdette Park (2)	Public Defender (1)
Prosecutor (1)	Sheriff (7)	VCCC (2)
Legal Aid (1)	County Highway (1)	

Travel Requests: Commissioners (2) Health Dept. (1)

County Engineer: Pay Request No. 91: Green River-Burkhardt TIF Projects.

Auditor: October 2009 A/P Vouchers.

Public Defender: Public Defender Commission Reimbursement: 7/1-9/30/09.

Prosecutor: JAG Grant and Drug and Crime Control Grant Applications.

Department Head Reports: County Engineer Burdette Park

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Amy Rich	Alyssa Powers	Gary Heck
John Stoll	Eric Williams	Dan Adams
Missy Mosby	John Friend	B.J. Watts
Wendy Bredhold	Dan McGinn	Brad Hill
Dave Rector	Bill Jeffers	Mike Wilson
Bernice Tirmenstein	Jeff Day	Mike Mahan
Toby Spring	Russ Lloyd, Jr.	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
SUMMARY MINUTES OF SPECIAL MEETING
NOVEMBER 5, 2009**

The Vanderburgh County Board of Commissioners met in special session this 5th day of November 2009 at 9:08 a.m. in room 305 of the Civic Center Complex for the sole purpose of meeting with the District Deputy Commissioner for INDOT, Vincennes District, to discuss Vanderburgh County road and bridge projects.

Members present were:

Troy Tornatta	<u> X </u>
Stephen Melcher	<u> X </u>
Lloyd Winnecke	<u> X </u>

Others in attendance:

Bill Fluty	John Stoll	Steve Craig
Rusty Fowler	Dave Robinson	Brad Mills
Dewey Colter	Pam Drach	Troy Woodruff
Madelyn Grayson	Members of Media	

A Power Point presentation was given on completed and current road and bridge projects in Vanderburgh County by Commission President Troy Tornatta and County Engineer, John Stoll. Upcoming projects and future financial needs of Vanderburgh County pertaining to road and bridge projects were presented to members of INDOT's Vincennes District.

The meeting was adjourned at 10:30 a.m.

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

ATTEST:

William J. Fluty, Jr., County Auditor

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
NOVEMBER 17, 2009**

The Vanderburgh County Board of Commissioners met in session this 17th day of November, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good evening. Welcome to the Board of Commissioners meeting, November 17, 2009. It is straight up 5:00, in room 301. Roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Jamie Morris: Boys & Girls Club

President Tornatta: Alright, Jamie Morris and friends, if you will come up and honor us by leading us in the Pledge of Allegiance.

Jamie Morris: Please join me in the Pledge of Allegiance to our country.

(The Pledge of Allegiance was given.)

President Tornatta: Jamie?

Jamie Morris: Yes?

President Tornatta: Who are your guests?

Jamie Morris: These are two of our, my proudest members of the Boys and Girls Club of Evansville. Again, my name is Jamie Morris, I'm the Resource Development Director at the Boys and Girls Club. My girls are both members there, have a great time, they both had assistance doing their homework earlier today already, which is one of our trademarks at the Boys and Girls Club right now. Every kid that comes in the building after school, the first thing they do is they receive assistance with their homework, you know, education is critical in terms of helping the thousands of kids we serve get to the next level in life and achieve their dreams that they have. Right now, this evening though, on behalf of the Boys and Girls Club, I'm here really more than anything else to just say thank you to the county, to the entire, our entire community. This past year has been filled with a great deal of change for our organization as we moved to our new facility at Bellemeade Park, and certainly we are very pleased to report that the immediate impact that we've had has been well worth the move, well worth the toil of the change, the expense of the change, and, again, certainly we want to say thank you. This is a special week for us, we're celebrating our 52nd anniversary of serving the children of our community. Again,

two of these little monkeys next to me here are two of them that receive the benefit of our organization, but, you know, again, we truly do thank our entire community for the tremendous support you've shown for our organization. Thank you very much.

President Tornatta: Now, Jamie, you have a dinner and auction, and when does that come up?

Jamie Morris: That is actually this Thursday evening, and it is the official celebration of our 52nd anniversary. Again, another thing that we're just very proud about is that we sold out through sponsorships.

President Tornatta: Super.

Jamie Morris: So, you know, it's a great testament to the support that the community shows for our organization when you don't have to send an invitation.

President Tornatta: That's good.

Jamie Morris: Yeah, again, thank you all very much.

President Tornatta: Thank you, Jamie.

Introduction of Youth Resources Job Shadow

President Tornatta: Before we move on, Lloyd, if you will introduce our special guest.

Commissioner Winnecke: Absolutely. We have Kristina Solagado, a junior at Memorial High School who is here. Kristina, welcome.

Kristina Solagado: Thank you.

Commissioner Winnecke: Hope you enjoy the meeting.

President Tornatta: Alright. Hopefully shorter than most, but anyway.

Comments on Former County Commissioner Rick Borries

President Tornatta: I do want to break out of our normal Commissioner set up here to recognize somebody who has been near and dear to Vanderburgh County, has served on the Board of Commissioners for 16 years, a four term Commissioner. Richard "Rick" Borries passed away on Friday. He was 66 years old and a consummate educator, a consummate steward of public service. So, if you will join me in a moment of silence.

(A moment of silence was observed.)

President Tornatta: Thank you.

Road Race Request: Swift Athletics

President Tornatta: Alright, action items for tonight, road race request from Swift Athletics. A request to hold a 10 and 20 mile race near Burdette Park on December 20, 2009. Come on up. Good evening.

Rebecca Paxton: Good evening. I'm Rebecca Paxton, and my husband and I own Swift Athletics. We want to put on a 10 and 20 mile race called Run This Way to benefit the parents of galactosemic children. Our daughter, the baby in the back, who I'm sure you will hear her in a second, she has the disorder. It's a genetic condition where they can't break down galactose. We actually live in one of the best states, Indiana, it's tested on their newborn screening. So, a pro to living in Indiana.

President Tornatta: Super. We have checked everything with the Sheriff and we have all of the paperwork in place.

Rebecca Paxton: Okay.

President Tornatta: I will announce it once again, it's a 10 and 20 mile race. It's near Burdette Park on December 20, 2009.

Rebecca Paxton: Yes.

President Tornatta: Any other information that you can give us for anybody who's watching?

Rebecca Paxton: The applications are online at swiftathletics.com, and they can come into the store. It's also on the Greater Evansville Runners and Walkers Club website.

President Tornatta: And Swift is S-w-i-f-t?

Rebecca Paxton: Yes it is.

President Tornatta: Okay. Any questions?

Commissioner Winnecke: I just have a quick question, and I have no problem with approving this tonight, but I'm curious how you will communicate to the neighbors about the road closures and what not.

Rebecca Paxton: I have a letter that's ready to go out once it was approved. I have a gentleman in the Sheriff's office who said he would help me find out the addresses of those people and then send it out. If they have any questions or concerns they can contact us at the store.

Commissioner Winnecke: Super. Thanks.

Commissioner Melcher: I guess, the only question I have was the security part and the road closures. So, the Sheriff's okay with everything, and the Sheriff's Department is actually going to do it, not the National Guard?

Rebecca Paxton: It will be, yeah, it will be the Sheriff.

Commissioner Melcher: Okay, I feel better with the Sheriff's Department doing it.

President Tornatta: Okay. If there are no other questions, I will ask for a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you and good luck.

Rebecca Paxton: Excellent. Thank you so much.

President Tornatta: Alright.

Rebecca Paxton: We'll let you know how it goes.

President Tornatta: Sounds great.

Rebecca Paxton: Thanks.

President Tornatta: Okay.

County Treasurer: Permission to Seek RFP: In-House Tax Bill Printing

President Tornatta: County Treasurer, in-house printing, Rick Davis to discuss.

Rick Davis: I have a Power Point presentation with this proposal and it will take just a second to load it up. Okay. Thank you for having me here this evening. My name is Rick Davis, I'm the Vanderburgh County Treasurer. I took office in January, and I'm in my eleventh month. One of the duties of the Treasurer is to bill property taxes. We collect taxes and then the funds that we collect are distributed to the governing bodies in the county; the School Corporation, the city, the county, the Levee Authority, the libraries, etcetera. I wanted to go over the way the billing works first of all. I will try to go through this as quickly as possible. The basics, property taxes are due twice a year in May and November. In order to save on postage we send both the May and November, spring and fall, coupon together at the same time, so

we only have to bill once instead of twice. State law requires a minimum of 15 days notice, postmarked between the postmark and the due date. Once upon a time the Treasurer's office gave 30 to 45 days notice, recently, due to changes in state law and mandates from the state, that number has been whittled down to anywhere from 15 to 18 days over the last three or four years. Next year we should improve upon that, at least that's what the Department of Local Government Finance has said. Ideally we would be mailing bills in March. The deadline in '08 was June 6th, and '09 was June 16th due to circumstances mostly out of our control. The DLGF took time to approve some of the bills around the state. Actually, although June 6th was late, I believe we were the first county, the previous Treasurer was the first county to bill last year. This year we were, I think, 12th. 2010 is being hailed the year of no excuses by the DLGF Commissioner. He wants everybody in the state to bill on time. The reason why, if we do not bill in a timely manner and disperse what we've collected by July 1, governing bodies have to borrow money to keep the lights on and make payroll. In order to do that, you know, borrowing money, no one wins under that circumstance. So, we, Vanderburgh County has been very lucky the last couple of years, we've been able to disperse by the July 1 date, and the county's not had to borrow money, nor have any of the other governing bodies. We do expect, as of now, to be billing on time next year. We would like to start printing the bills in-house. This is something that was done about 18 years ago, within two decades. It was done manually. It was very laborious. We have 100,000 parcels in Vanderburgh County. I could see why this service was bid out over the last few years, because with our old system it was very cumbersome. But, we spent, and when I say we I mean the county, around \$500,000 for a new property tax billing system that went online February 6th of this year. The new property tax billing system has made it a lot easier for us to be able to print bills in-house. The 2009 bill costs Vanderburgh County taxpayers \$46,300. That's not counting postage. That's just the bill itself. Only one vendor bid on this project last year. That vendor was from South Carolina. They have a local office here, yes, but the bills were actually printed in South Carolina. I think this is something that we can do in-house with our folks here in Vanderburgh County, and not something that needs to be done three or four states away. Also, I don't think one vendor is very healthy. The bills generated \$177 million in revenue for local government entities for '08 pay '09. Some, I mentioned earlier that we have 100,000 parcels in Vanderburgh County. Some people own more than one. As a matter of fact a lot of people own more than one. We would like to put a proposal together where we have the ability to group bills, meaning that there will be a software that looks for an address and if it sees that Troy Tornatta owns four properties, all four properties are grouped together and put in one envelope, saving on postage. The bill itself, I'll show you how it looked this year. It came on a color envelope with some very good information explaining to folks that if they've recently purchased their home the name on this envelope may not be theirs, but to make sure the bill gets to the appropriate person. That's because people buy and sell property year round, and once we hit the print button and in between that time frame and the time it comes in the mail somebody may have moved into a home that wasn't there two weeks prior. The front page has the remittance coupons, spring and fall, with some information about where they can pay. There is a TS-1 form, which basically tells whether or not your taxes went up. This year it was three years data. Next year it's only going to be two. This page right here is mandated by the state, the DLGF, we have no control over how this is presented. Finally, the last page showed all the different ways of paying. It included a form for people to fill out their credit card information if they wanted to pay by mail through a credit card. It also has a debit option where we can withdraw their taxes straight from their bank account. All those are very popular features with our taxpayers. The, next year there is a new form, for the next three years there will be

a homestead exemption form. Basically the state wants to weed out people who may own several homes in one county, or several homes throughout the state and they're getting a homestead exemption on all of those homes. Those forms will be filled out by the taxpayer and mailed back, and the Auditor will verify that they only have one homestead mortgage. To tell you how the DLGF likes to do things, they even mandate that we do it on rose colored paper next year, which is a little more expensive than plain paper. On the back of the current bills that we have the ability to print out, and I've given you examples, is a change of address form. This is something that doesn't have to be printed at the last moment. It could be printed well in advance. On the back of the TS-1 form is information on how to read the form, and, again, this is information that could be printed well in advance. It does not have to be done at the last moment. I've given you an example of what the homestead credit form appears to be on the rose colored paper. Altogether, we're dealing with around 800,000 impressions. When I mean an impression, the front of the TS-1 form, the back of the TS-1 form, etcetera. 600,000 of these impressions can be done in advance, meaning from January through March. They are not going to be crunch time printing. The TS-1 form and the remittance coupons are really the only crunch time printing that we'll have. That's about 100,000 of each, 200,000 impressions. The outside vendor that we hired to do the work required two work weeks to print, fold and insert the bills for printing. In order for us to accomplish that goal we would need printers that would average 83 impressions per minute. We have been preliminarily proposed a printer from a local company, actually two printers for \$20,000 total, at 100 pages per minute combined, which exceeds the 83 we would need. We still have around \$18,400 left over from this year's budget, and I might add we made two printings this year. Not only did we print in the spring, we printed an adjusted fall bill that we did in-house, I might add. Anyone who had a homestead credit received another bill the first of October with a condensed version of our bill. I confirmed with Old National Bank today that they had zero problems with this form going through their readers. So we, I've already put in a request for the County Council, and I'll be going to their December 3rd meeting to pay for these printers. Recently the Board of Public Works and the City of Evansville entered into an agreement with Xerox. It was within the last week, so Computer Services is going through the proper purchasing channels. We may even be able to beat that. I will have all of those facts and figures for the Council by December, I think it's December 2nd actually, I said 3rd. The remittance coupons require a special ink, Magnetic Ink Character Recognition, MICR, for Old National Bank to process our payments in an orderly time. The preliminary proposal for the printers include eight toners per machine, they would do 1.2 million prints for regular toner, and 580,000 prints for MICR. One full year of insurance is covered for each printer, that includes service, parts and labor. After one year, in order to have a service agreement, it would cost .015 per print, that's \$12,000 a year. That's, I would not recommend that we do that. We could buy a new printer for \$10,000, obviously, why would we spend \$12,000 for everything else. The toner costs in year three plus would be \$244 a piece for 72,000 prints. For us to do the job that would be \$678 total. For regular toner it would \$834 total. The folder and inserter and the software, this is where the complicated machinery comes into play. The preliminary bid we've received, and I'm asking today for a Request for Proposal, so what I've done is a feasibility study to make sure that we could do this for around the amount of money that's been budgeted to do the job. It came in at \$56,708. The supplies, all of the envelopes, paper came in around \$9,000. The maintenance fee for this equipment was \$6,000 a year beginning year two, and I do recommend that. This is equipment that is very complex. You just don't go down to Best Buy and buy one. The first year cost for everything is \$85,000 and change. The second year printing cost, including equipment maintenance and printing supplies, is around \$16,500. That compares

to the \$46,300 we spent this year. I might add we also have some other quality control measures that can be done. If it does come down to crunch time, I can have our staff come in on a second shift, or a Saturday or a Sunday and give them comp time to get the job done in an orderly manner and a timely and efficient manner. If it's in South Carolina done by another company, I can't do that. Our 2010 bill printing budget is \$65,000. If we are successful buying the printers the first week of December, that leaves around \$66,000 to pay for the equipment needed. The savings over a five year period is \$80,000 versus our current outsourcing vendor. I also sought a local person who could do the job, all of it, and they came in at \$39,320. That's not counting postage. So, our in-house savings compared to having a local vendor do this is still \$45,000. I don't think \$1,000 is going to keep the Council from saving this kind of money. I estimated, without having done this feasibility, that it would cost around \$50,000 to buy this equipment. It came in at \$56,000. So, I was very close. I have one additional caveat to this proposal, last week I received two weeks notice that an employee from my office is transferring to the County Auditor's office. We are going to eliminate that position within the next two weeks. In 2010 this eliminated position was to pay \$38,372 in salaries and benefits. Due to the efficiencies of the software that went online February 6th, we will transfer her current duties to another employee in the office. I'm also going to have that same employee be in charge of this printing project. Due to consolidated duties of the current workload and additional duties of the proposed print job I am going to take the new, revised position to the Job Study, it will likely mean an increase in pay for the employee, but, again, we're eliminating a position and benefits. So, we're still coming out way ahead. One of the, I talked to, or I sent an e-mail to Commissioner Tornatta, and he was concerned about whether or not we would be able to handle the foot traffic in the office with the eliminated position and the extra duties. We installed a drop box in front of the Civic Center this year, and I would like to thank the Sheet Metal Workers and the Cement Masons for doing that. They donated that box for the county taxpayers. In the spring we had 860 envelopes dropped off the last two days of the deadline. In the fall that was 491. So, that's 1,351 people that were at the Civic Center grounds that we did not have to wait on because they dropped their bills off in the drop box. Overall since it went in, we've had nearly 2,000 envelopes dropped into the drop box, and many of them contain more than one bill. So, due to the consolidated duties, whoops, I'll go back to the foot traffic, it backed up on me. We have Old National Bank locations, 18 of them, in five counties and two states collecting property tax bills. We take payments, we allow people to pay over the phone. There's an online payment system, which includes a 2.75% fee, which I think that discourages a lot of people, especially when they have a \$1,600 bill. I'm drawing up a plan right now where we have an e-check capability next year where people can go online and pay their check online for only 50 cents a piece. It's not through yet, but I'm expecting that to be done within the next few weeks. With gas being the price it is, and stamps being 44 cents, it's almost worth it to go online for everyone to pay for just 50 cents. So, I think, I'm going to heavily promote that next year, in addition to the drop box, and Old National Bank, which will seriously cut down on traffic coming through the building. I hate to say this, unfortunately, I think the enhanced Civic Center security next year is going to cut down on our foot traffic. I think a lot of people when they get to the door and they see that they have to take off their belt and get scanned and stand in line, I don't know how long that's going to take, I think they would just as soon drive through the drop box, drop it off and go, rather than deal with all of that. We have room in our office to print the bills, and ironically it's going to be printed right where they were when they were doing them manually 20 years ago. Once the equipment is decided upon, I'm going to have the Building Authority make sure that we have the proper electrical circuitry in the room. When we printed our in-house bills, at one point we were printing about 122 pages

a minute on our desktop printers. They're not made for that type of bulk, excessive printing in just one or two days. It only took us two days to do around 40,000 bills. So, the problem we had was we blew a fuse. We had so many printers going and using so much electricity, the lights went out. So, I will definitely have the Building Authority check our circuitry and make sure we're in line for this new equipment. We also already have the drops and the computer equipment necessary to print the bills. So, that is my proposal. I hereby respectfully request that you guys join me on board with this project. I spent a lot of time and effort in this, and I would love to put this to a Request for Proposal, and get the equipment bid out, and try to get a vendor in place by the first of the year in order to start printing in March. I would be glad to take any questions you have.

President Tornatta: Questions?

Commissioner Winnecke: I have some. Rick, first of all I think this is a great idea. I have conceptually no problems with it. Just help me with the math a little bit. Our costs primarily are four, for year one, primarily four line items; two printers, at about \$20,000, is that right?

Rick Davis: Yes, but with this Xerox signing in with the city and the county, I think that's going to drop considerably.

Commissioner Winnecke: Okay.

Rick Davis: Computer Services is going through the proper purchasing channels to make sure that that happens.

Commissioner Winnecke: Okay, and then we have about \$56,700 on the folder, inserter—

Rick Davis: And the software.

Commissioner Winnecke: —and the software.

Rick Davis: Right.

Commissioner Winnecke: Then, another approximately \$9,000 in supplies and maintenance.

Rick Davis: Exactly.

Commissioner Winnecke: That comes up to \$85,600?

Rick Davis: That's correct.

Commissioner Winnecke: Okay.

Rick Davis: And that counts the \$20,000 for the printers, which puts us, if you take the \$20,000 away from the \$85,000, right at the \$65,000 budget that the Council set. I'm, again, if they see the savings that we're going to reap over five years, I don't think they'll mind going less than \$1,000 over budget to get this project going.

Commissioner Winnecke: I came up with a slightly different number, but I'm just doing my math on the fly. But, we're close enough that, the bottom line is, I think in the big picture this makes a lot of sense.

Rick Davis: Okay.

Commissioner Winnecke: I think the overall efficiencies that you're looking at, big picture wise, are going to be really beneficial to the county.

Rick Davis: Thank you. I did want to show you the software too. I gave you a slip of paper, it's highlighted. This will basically group this bill with this TS-1 form, and it's a sequence, a set of sequences. We have received, we need a little clearance here on this column, white space, we've received permission from the Department of Local Government Finance to move the 2009 and 2010 tables where 2007 and 2008 are showing on your current remittance coupon.

President Tornatta: Okay, Rick, okay, first off, have we been able to address any way of sending, or will the DLGF let us send anything online if somebody signs up for a program? So, if they want their tax bill online, can they get that?

Rick Davis: Beginning next year, people do have the ability to receive a bill by e-mail. We have gone through so many upgrades with our computer system over the last year, and this would not only affect me, it also affects the Assessor and also affects the Auditor. We're trying to get it to where our software vendor, Manatron, receives that information electronically, the taxpayer puts in the return e-mail address so they can verify, you know, we don't want Rick Davis to go online and as a joke say Troy Tornatta wants his tax bills sent to Ted Ziemer.

President Tornatta: Uh-huh.

Rick Davis: So, we have to verify that. Ted would be happy to pay your bill, Troy, I'm sure.

President Tornatta: Tell me how that works.

Rick Davis: We want to depend on Manatron, our current software vendor to do this process, where it would probably entail someone going online and verifying, you know, my name is Rick Davis, I am verifying that I want my bill sent electronically. They'll send an e-mail back to my home address, I will go to a link and verify that I received it, and then, or they receive a postcard in the mail. But, this is something that we're really depending upon Manatron to do, because we do want some security features in there to make sure people aren't going online and playing havoc with other people's property tax bills. I was hoping to do that next year, where people get the bills e-mailed, but Manatron has been busy on other projects, they've been helping other counties come across the finish line and bill properly for this year. Some counties billed two years in this year alone. So, I think next year Manatron will work more heavily on that, and possibly in 2011 I hope to have an e-mail system set up. Right now we're very dependent on Manatron for 2010, and I just don't see it happening for 2010. It's a new law that's just going to take effect January 1. A lot of times with our state laws it's like Detroit you don't want to take the first model off the line. Sometimes it's better to let other counties iron out all of the wrinkles the first year, and then you take advantage of their guinea pig pilot program the first year.

President Tornatta: Okay, then my second kind of thought for this Board, and maybe if we could work with you to just go through this. I mean, good presentation, exactly what we need to see, a business plan coming through here, but I don't want to move so fast that we don't have all the questions answered through the process.

Rick Davis: Okay, what are your questions?

President Tornatta: Well—

Rick Davis: I would be glad to answer them.

President Tornatta: —my thought is, we get a chance to look at this and just kind of digest where these numbers are coming from and make sure. Lloyd has a few numbers, I mean, I think everything looks good, you know, as all plans can be in place and ready to roll, just to throw it up against the wall a couple of times, see how it's affected. Throw questions to you, ask you questions, maybe talk to the Auditor, make sure that everyone is in line, see if there's any gaffes in there, any places that we need to fill before we go and make that type of purchase. This is a great first start. I think this gives us a lot of information to digest. We have a meeting on the 24th, if we can get some of those, you know, just digest this, if we think that it's ready to go, I mean, I don't see any reason why we couldn't—

Rick Davis: Okay.

President Tornatta: —be ready to go at that time.

Rick Davis: If it's just a week I'm not against that at all, because the equipment, when we order it, it takes a solid eight weeks for it to be made, delivered and set up. So, if we order January, February there are our first two months out of the way, we want to be printing in March.

President Tornatta: Well, I would, and I would say, I would get this to the County Council tomorrow, if their packets aren't—

Rick Davis: I'm scheduled—

President Tornatta: —out, maybe you can get it in their packets so they can look at this. It's great, it spells out what you're trying to do, but it allows them to get a chance to look at it so they can see if they have any issue or if they have any questions and able to work that out.

Rick Davis: Regarding the figures, we just had our property tax billing last week, and I've fielded several quotes, and we've worked with number ten envelopes compared to six by nine envelopes, compared to nine by twelve. So, somewhere along the lines, you know, one line item might have gotten left in or taken out or forgotten to be substituted. So, I apologize if the numbers weren't exactly right on the penny, but we've been manipulating all of the supplies. This is a very complex thing, not only with the printers and the software, the toner, envelopes, paper, perforated paper, rose colored paper, mixing and matching, taking in and trying to get it under budget, possibly something may have been added twice or omitted.

President Tornatta: I think what we normally do, even when we have a vendor we open up their bids and we have a clear, somebody that has clearly underbid everyone, and we still take it under advisement and look through the process and

just make sure that there are more than one set of eyes on it. I think, you know, if everything holds up, the numbers look real good, we, I would just like a chance for us to digest that, let the County Council do the same.

Rick Davis: Okay. Again, I am appearing, they meet the first week of December. My main goal is to have it out as a Request for Proposal and showing that we can meet, you know, right at the budget, so that they feel comfortable purchasing a printer with funds left over that we did not use this year. So, that's kind of why we're in the hurry, we have to encumber that cost in December in order to use monies left over this year for the project. So, that was one of our main goals and why I was a little worried about you wanting to take a little more time, but if it's only a week, I have no problem with that at all.

President Tornatta: Do you, are you, you're going to talk to them at the end of the month?

Rick Davis: I was planning on going the first week of December, but I can go the last meeting of the month as well.

President Tornatta: They have their, they more or less have their explanation round the last of November.

Rick Davis: I would be glad to go, yes.

President Tornatta: Yeah, I would hit them then, and then they would vote on that, if there was vote it would be the first part of December. However, there's going to be, they couldn't vote on anything, but there will be a meeting like on December 16th, 17th, probably the 16th, as well, that would be a Personnel and Finance, I believe. But, they would be meeting together, so if there was something they needed. Now, encumbering money, Bill, would be as easy as letting them know that you would potentially be encumbering the money and we can encumber it regardless of whether they were in favor of this project or not?

Bill Fluty: Well, he would have to have a contract in place.

President Tornatta: Okay.

Bill Fluty: Or a P.O. in place, which we would know who he is going to spend the money with—

President Tornatta: Okay.

Bill Fluty: —would be the two ways he could do that.

President Tornatta: So, even if you had a P.O. in place, at some point then that could be taken care of at a later date, even in December if people had more questions or if there was some type of issue, but that can all be handled. Okay? Any other questions?

Rick Davis: Yeah, if you have any questions I'll be glad to answer them now, or you can send me an e-mail, give me a call, schedule an appointment, I would be glad to meet with you. I'll look over these numbers again, and if I see where a mistake was made, I'll send you a revised.

President Tornatta: Okay.

Commissioner Winnecke: Appreciate it, thank you very much.

President Tornatta: Thank you, Rick.

Rick Davis: Thank you.

**Second/Final Reading of Ordinance CO.11-09-017:
An Ordinance Amending Ch. 2.40: Dental Procedures and Fees**

President Tornatta: Okay, second and final reading of CO.11-09-017, an ordinance amending chapter 2.40 of code of ordinances for dental procedures and fees.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

CPO: Permission to Advertise Annual City-County Pipe Bid

President Tornatta: Permission to advertise annual pipe bid. Is Debbie here?

Ted C. Ziemer, Jr.: She isn't. She asked me to stand in for her. This—

Madelyn Grayson: Ted, your mic's not on.

Ted C. Ziemer, Jr.: This annual pipe bid, the advertising dates, if permission is granted, would be November 23rd and November 30th, with the bid opening to be December 15, 2009 and an award date anticipated at December 29, 2009.

President Tornatta: What do we do if we don't, the 29th was known as the emergency meeting in December. So, I guess, my question is, could they be discussed and opened on the 15th?

Ted C. Ziemer, Jr.: Well, the opening is December the 15th, then ordinarily they would be taken under advisement—

President Tornatta: Okay.

Ted C. Ziemer, Jr.: –to review, and then, which is why the award date was set for December 29th. That award could be anytime after December, is there another meeting after December 15th?

President Tornatta: Only the 29th, but that was if there was any issue that–

Ted C. Ziemer, Jr.: What are the two meeting dates that we’ve got set now?

President Tornatta: It would be the 1st, 15th, and 29th. Is that correct, or the 8th?

Commissioner Melcher: It’s the 8th.

Madelyn Grayson: It’s the 8th.

President Tornatta: The 8th, the 15th, and the 29th.

Ted C. Ziemer, Jr.: Eighth, 15th and 29th. I would think it would be unusual to be able to award on the same date that you open, but, you know, maybe it’s going to be very clear cut, but we couldn’t know that until we received the bids.

President Tornatta: Okay.

Commissioner Melcher: We could wait until then.

President Tornatta: Until when?

Commissioner Melcher: The 15th, until we open them.

President Tornatta: That’s what he’s saying, to open them, it’s approving them on that date that we wouldn’t know about. Okay.

Commissioner Winnecke: Can we approve them in January, you’re looking to not meet on the 29th, I assume.

President Tornatta: Well, no, all I’m saying is it was tentatively planned, because normally–

Commissioner Winnecke: Right.

President Tornatta: –this place is–

Commissioner Winnecke: Right.

President Tornatta: –a skeleton crew.

Commissioner Winnecke: But, legally, if we can approve them in our first meeting in January, could we do that?

President Tornatta: Is there any problem?

Ted C. Ziemer, Jr.: No, no, unless they need the service prior to that. John, is that a problem? I mean, if we need the pipe before that time.

President Tornatta: I don't think we've bid this in over a year.

John Stoll: I was going to say I believe the current bid is already expired. So, I just asked Chris if he would be buying any pipe in that time frame, he didn't think so. Any contracts that we would work on we could hold off on any pipe purchases until January, so I don't see a problem carrying it over until January.

Ted C. Ziemer, Jr.: What's the first meeting in January? Do you know that?

Madelyn Grayson: The 5th.

Ted C. Ziemer, Jr.: Marissa?

Madelyn Grayson: January 5th.

Ted C. Ziemer, Jr.: January 5th?

President Tornatta: Yep.

Commissioner Melcher: We'll just do it then.

President Tornatta: Okay.

John Stoll: I was going to say, typically, with multiple vendors and multiple different kinds of pipe, I don't think you could get it reviewed and awarded on the same evening that you open it. So, it would be best to carry it forward to January.

President Tornatta: I need a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Resolution CO.R-11-09-011:
Approving an Amendment of the Plan for the Burkhardt Road
Economic Development Area & Permission to Advertise Notice of
Public Hearing of Vanderburgh County Redevelopment Commission for
December 2, 2009**

President Tornatta: Resolution CO.R-11-09-011 approving an amendment to the plan for the Burkhardt Road economic development area. Ted, if you just want to go over the redevelopment, or actually–

Ted C. Ziemer, Jr.: On October the 9th the Vanderburgh County Redevelopment Commission adopted a resolution to amend the economic development plan for the Burkhardt Road economic development area by including some additional projects. That was then sent to the Area Plan Commission for review and a determination that that fit within the plan for Vanderburgh County. The Area Plan Commission met on November the 12th and did adopt a resolution finding that the proposed amendment did fit within the plan for Vanderburgh County and approving the resolution adopted by the Vanderburgh County Redevelopment Commission on October 9th. Two things need to happen now, one, the resolution adopted by the Vanderburgh County Economic Development Commission needs to be approved by the Vanderburgh County Commissioners, and you have a resolution before you today which, if you adopt it, will approve that resolution that was adopted on October the 9th. Secondly, today you would be asked to give permission to publish notice for a public hearing of the Vanderburgh County Economic Development Commission on December 2, 2009 for a public hearing prior to final adoption of the amendment.

President Tornatta: Okay.

Commissioner Winnecke: Mr. President, I would move that we approve resolution CO.R-11-09-011, and include in that motion the permission to advertise the next public hearing of the County Redevelopment Commission.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Superior Court: Grant to Juvenile Court & Youth First Agreement
Health Dept: Red Cross Oxygen Administration Training Agreement
OCH Plaster Repair Contract with ARC Construction
Markham Security Agreement for Clerk, Treasurer and Recorder
Aids Resource Group OCH Lease Agreement
Sit-Co OCH Bell Tower Lease Agreement
David Miller & Toby Ellis OCH Lease Agreement
EPA Lead/Arsenic Sample Consent Form: County Owned Properties
BLA Consulting Agreement: University Parkway: Phase 2**

President Tornatta: Okay, contracts, agreements and leases, Superior Court grant to Superior Court Juvenile Division and provider agreement between county and Youth First. The contract for projected and maximum compensation of \$470,348 for Youth First, Incorporated, which would be paid in monthly installments based on details off the invoice monthly by Youth First to the Superior Court Juvenile Division.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Health Department, oxygen administration training agreement with the American Red Cross. The agreement is to be entered into between the Southwestern Indiana chapter of the American Red Cross to Vanderburgh County on behalf of the Health Department for oxygen administration training. The course will be offered on January 15, 2010, and the cost will be \$20 per student, minimum of eight, and eight dollars per person for pocket oxygen masks. The Health Department has sufficient funds to take care of these fees.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Alright, Commissioners permission to award contract to ARC construction for the plaster work in the Old Courthouse. That is work to be done as described in appropriate documents in article nine of the agreement. The work will commence November 17th, which should be sometime after this goes down until March 1, 2009.¹

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Agreement with Markham Security Specialists, Incorporated for courier service for the County Clerk, County Treasurer and County Recorder's offices for a period of November 1, 2009 to October 31, 2010 at \$20 per carry.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

¹The correct completion date would be March 1, 2010.

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Old Courthouse office space lease renewal for AIDS Research Group. The renewal of the lease for the AIDS group for the space in the Old Courthouse for a period of 11/1/09 through 10/31/10. The annual rental is \$12,063.32 payable monthly, which is a three percent increase.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Sit-Co lease of the bell tower space in the Old Courthouse, renewal of the lease with Sit-Co LLC for the space in the bell tower of the Old Courthouse for a period of 11/27/09 through 11/26/12. The annual rental is \$4,326 payable monthly, at \$360.50, which is a three percent increase. The lease is otherwise identical to the prior years three year lease.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Old Courthouse lease agreement with David Miller and Toby Ellis for band rehearsal space. I didn't know David played.

Ted C. Ziemer, Jr.: Different David.

President Tornatta: Oh, sorry. Lease agreement to be entered between the county and David Miller and Toby Ellis. Lisa Daugherty is here to discuss if we need to talk about it. The band practice area is for lease in suite 108 for \$297 per month for an annual rental of \$3,564. The lease is for one year from 12/1/09 till 11/30/10. There is a specific time that they're allowed to beat the drums and bang the cymbals, but all of that is discussed in the provisions of the contract and has been sent to all of the Commissioners. Any questions of Lisa?

Commissioner Melcher: No, I'll move for approval.

President Tornatta: Aha, second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-1. Commissioner Winnecke opposed.)

President Tornatta: Alright, consent to sample county owned properties for lead and arsenic levels contamination. Consent for EPA to take soil samples and test lead and arsenic on some of the parcels currently owned by the county by virtue of the county receipt of tax deeds.

Commissioner Winnecke: Move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: County Engineer, consulting agreement between the county and Bernardin Lochmueller for work on the University Parkway.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? We've obviously had this sent to us via e-mail.

John Stoll: Yes, it's just to cover the construction inspection for the next phase of the project.

President Tornatta: It's not to exceed?

John Stoll: \$898,100.

President Tornatta: Sounds good. Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Stay.

County Engineer

President Tornatta: Alright, you did have something under there about BLA, we took care of that. Street plan approval?

John Stoll: Yes, I've got a request for street plan approval for section four of Deerfield Subdivision. This is an extension of the existing streets in Deerfield, which is on the south side of Mount Pleasant between 41 and Old State. I would recommend approval of the plans, subject to the developer would still have to provide the street signs and stop signs once we provide him with the final specs on the making of those signs, which I hope to bring to you sometime in December. So, subject to him providing that, I would recommend that the street plan be approved.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Tornatta: And we do, on Monday we're going to have an unveiling of the Baseline bridge?

John Stoll: Yes, Monday at 1:00 Baseline bridge will be open to traffic, after the ribbon cutting.

President Tornatta: I was going to say.

John Stoll: Not prior to.

President Tornatta: Not quite 1:00, but right after the ribbon cutting we will have a ribbon pushing—

John Stoll: That hasn't stopped some people from using it already from what I've been told.

President Tornatta: It will be very interesting for those who want to attend out there, 1:00 will be the ribbon ceremony. We will have a special memento or a special acknowledgment out there. So—

Commissioner Winnecke: Are we going to vote on that?

President Tornatta: Uh.

Commissioner Winnecke: I don't know. To name the bridge.

President Tornatta: Yeah, I'll get back to you on that.

Commissioner Winnecke: Do we need to vote on naming the bridge?

Ted C. Ziemer, Jr.: There's a procedure for naming streets. I don't know. I'm sorry I would have to research that. I don't know what we do to name bridges. It would be the first bridge that we ever tried to name since I've been around.

John Stoll: I was going to say the only thing I've dealt with in the past was installation of plaques on the bridge with county officials and the contractors and the designers, but the bridge wasn't named.

Ted C. Ziemer, Jr.: I'm going to suggest that if the Commissioners want to name the bridge, you can name it. I mean, I haven't researched that, but I can't think of any reason why you can't.

President Tornatta: Well, it's named. It's just not to give that out until it's time.

Ted C. Ziemer, Jr.: Well, that's fine.

President Tornatta: I guess, that's not a good answer.

Commissioner Melcher: He just said it's fine.

Ted C. Ziemer, Jr.: Yeah.

Commissioner Melcher: That's our attorney.

Ted C. Ziemer, Jr.: Yeah, you're not going to get in any trouble for doing that.

Commissioner Melcher: That answers the question.

President Tornatta: Well—

Commissioner Winnecke: You know, it seems to me that we ought to do this. I mean, I don't know that by withholding that we're going to generate—

President Tornatta: Well, and we're going to have it covered until that point, but, I mean—

Commissioner Winnecke: I think the right thing to do, to me it seems like is to vote on what we're proposing—

President Tornatta: Okay.

Commissioner Winnecke: —so we, you know, it's not that big of a deal.

President Tornatta: Well, that's fine. It was to keep a little suspense. To be honest with you, this was something brought up to Lloyd, given to John, John brought it back to me, I took it to Steve—

Ted C. Ziemer, Jr.: And no decision was made outside this public meeting.

President Tornatta: Absolutely, but—

Commissioner Melcher: I was going to say that.

President Tornatta: –yeah, okay, so you caught me. But, it was all in the way of honoring a guy that has meant a lot in one way or the other to the county. Lloyd and I were able to serve with him. We would like to, the motion would be to throw it out there and name this the Curt Wortman Memorial Bridge.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion?

Commissioner Winnecke: He did serve on the County Council from 1979 until 2006.

President Tornatta: Yeah, and he actually passed away in office. So, Curt was the sometimes the lone zero vote, but he was good guy nonetheless and that's his neighborhood. So, we did want to honor him with that designation. So, if there is no discussion, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: No more surprises.

John Stoll: That's all I had.

President Tornatta: Thank you, John, 1:00.

New Business

President Tornatta: Okay, Dave Rector. This is under new business, Dave you have some type of repairs at the Centre?

Dave Rector: I do. That's a sample there for you.

Commissioner Winnecke: I hope this is the old and not the new.

Dave Rector: That is the old.

President Tornatta: I would recommend that goes into the public record.

Dave Rector: What you have there is a sample of a piece of the caulking that is coming out from between the panels at the Centre. Obviously it needs repair.

Unfortunately that is a very small section of a lot of it. We do have some leakage inside that's damaging the drywall. So, I'm here to request spending some F&B money to make those repairs. I'm estimating that it will be, by the time we cut all the caulk, re-caulk it, put in backer rod, repair the cap and the drywall and painting and all on the inside, \$8,000 to \$10,000.

Commissioner Winnecke: Dave, what time line would that be?

Dave Rector: Well, obviously, we need to get on it quickly because it is damaged now and leaking now. We've tried intermittent repairs over the last year, and finally we just got up there on a JLG and got to the top and started looking and you can see what we started finding. It's just deteriorating.

Commissioner Winnecke: So, do we need approval of a not to exceed amount?

Dave Rector: Yeah, why don't we do \$10,000. Obviously, I'll have time sheets and cut sheets to show what we spent.

Commissioner Winnecke: I would approve that we make the said repairs with not to exceed \$10,000.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Dave Rector: Thank you, gentlemen.

President Tornatta: Okay, thank you, Dave.

Old Business

President Tornatta: Under old business, the Coroner's office landscaping invoice for the County Commissioners in the amount of \$7,000 paid out of the Commissioners Infrastructure line.

Commissioner Winnecke: Move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Did want to say that we appreciate Annie getting out there and getting this handled. It does dress up the area and makes it more presentable for those families that go over there. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Next we're going to talk about approval of the Civic Center security plan. This plan was actually delivered in our last meeting. We had an opportunity to talk to the Sheriff. It was approved on an 8-1 basis by the City Council for approval. It is before this Board today before implementation. If it's passed, potentially, and, Dave, I don't know would it be the first of next week? Sorry, I let you go.

Dave Rector: Actually, we have everything in place, ready to go, except for moving the security station that we've talked about that's in the juvenile hallway. The monitors and making the connections with Thanksgiving week being next week, and then labor is double time over the holidays, we've talked with the Sheriff and we would like to make 12/7 the start date to go live, if this goes through.

Commissioner Melcher: So, that's a Monday?

Dave Rector: That's a Monday, Pearl Harbor Day.

Commissioner Melcher: So, you're going to move it over the weekend?

Dave Rector: We would move it over the weekend.

President Tornatta: Okay. Are there any questions or comments about the plan, or do we have a motion?

Commissioner Winnecke: I would, if it's alright I would like to make a couple of comments.

President Tornatta: Sure.

Commissioner Winnecke: First, I would like to commend the committee for its hard work. I know you did spend a lot of time on it. I especially appreciate the fact that the Sheriff and the Police Chief were instrumental in drafting the proposal and endorse its implementation. Knowing that our community's top two security experts approve this plan gives me greater comfort. That being said, I still believe we should have, we should provide a more comprehensive security plan for this campus, but it's

obvious to me that from a practical standpoint we're not in a position to do that at this time. It appears to me that the building has enough shortcomings that it would make a more extensive security plan just really unworkable at this time. Because of the size of the equipment, the way the entrances are structured, and just the way the building is designed, I think it's going to be common for folks who visit this building, once this is implemented, to be out in the elements. While security is I don't ever think about convenience, I think we should be cognizant of the shortcomings of this building. So, I'm going to vote yes tonight, because we have a plan in place and its been endorsed by the Sheriff and the Police Chief and because we have a plan that's ready to implement. I think if I vote no tonight or a no vote out of this body, I think we would just go even longer with the current security level, and I think we all agree that it is inadequate for today's world. I do have two suggestions to go along with my yes vote tonight. That is one for the committee to continue its work by examining the current entrances to the building, coming back and making recommendations on how structural changes can be made that would accommodate a more stringent security plan going forward, as well as the required personnel additions that would undoubtedly be required. Then, second, from the vote on the security plan, I think it's important for this body to amend the county's personnel policy so that the Sheriff's office would be required to screen all prospective new employees going forward on a background check. As we've learned recently, it's kind of a hodge podge, office by office, but I think for consistency's sake it would be nice if going forward new employees had a screening by the Sheriff's office.

Commissioner Melcher: I would like to say something too. I, pretty much everything I was going to say Lloyd just said it. So, I don't want to repeat everything. I do believe we do need to look at looking at background checks. I know the city does. I thought the county did. So, I think that, for all new hires I was going to go with that. I think Eric and the Police Chief and all that did a great job. I'm still not convinced that we need this, but, obviously that's the way it's going to go this evening. I kind of wish we were voting on it another way, do we want it or we don't want it. That's kind of the way I would go. I also would agree with Lloyd, after looking back on it and talking to a lot of people and if you look in our audience tonight, there's not a lot of people here for it or against it, or at least going to speak. But, I was thinking, I guess it's a step in the right direction. I too was going to recommend that the committee stay together and maybe meet quarterly, if nothing else, just to see how we can continue to upgrade this, because maybe there's going to be a time when you notice what just happened at Fort Hood when a Major could get on and start having some problems. So, he, you know he went through Second Lieutenant, First Lieutenant, Captain, just became Major, two ranks out General and he did that. I think that's something that we need to be kind of looking at, but I agree, and I do think we need to build something out front. I think that's going to be another cost, but if we're going to have people standing out there in the weather, they need to do that. We need to build something, not just a tent, but something more down the line. So, I do want to thank everybody that's been on the committee, even though I disagree with a lot of it, but I also know that if we're going to do it, we need to do it right, and I do trust the Sheriff a whole bunch. I really think, Eric, you're the best Sheriff that I've worked under since I've been involved, bar none. You've got everything on the ball, you're more electronic, technical than anybody I've ever known. So, I think you're doing everything that you believe is necessary.

President Tornatta: Thank you. Good points from both sides. I do see the committee staying in place. I think that's one thing we talked about. I do see this being a fluid committee. This will not be a set in concrete committee. We have issues of 800 plus individuals in this building that we need to address, and I think that we will take any

problem, much like we do in county business, city business, and we will bring it before the committee in this case, and the Commissioners if need be to address the issues at hand. That was talked about in the committee and I think that's a good plan. As far as background checks, I think they're recommended, but I think we need to know, on the background checks, are we exempting anybody if a check comes back at a level, how are we going to handle that particular person? So, I think things should be open, and we're going to have time to put that in the manual. The handbook will be updated, and we talked about the handbook being updated, but it will be at a time when we have more issues revolving around security addressed. So, please be patient, we do have that in the foremost of our mind, our Surveyor brought that up to us and it was a great point. So, we're taking all of these points in, and they will be talked about. We're creating the list as we speak. So, if there are no other questions I at least need a motion.

Commissioner Melcher: Does Eric have any?

President Tornatta: Well, let's have a motion first and then we'll take public comment.

Commissioner Winnecke: Mr. Chairman, I would move that this body approve the Civic Center security plan as presented.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? From the audience? Sheriff?

Eric Williams: Sheriff Eric Williams. Thank you for the kind words. A lot of effort went into this by the committee. By no means does anybody on the committee think this is a perfect plan. I take your comments very seriously. I do intend to have the committee continue to meet on a regular basis. By our sheer design and how we set the committee up it's going to have to as we address the needs of people with different access levels and those kinds of things. So, we're going to continue to meet to address those. I think we'll have to look at some of those structural issues. We'll find out some things as this goes into work and we know what works and what doesn't. If all goes well, we'll implement this December 7th. I'll continue to report back on a regular basis how it's going, what we're seeing, what we're finding. I would mention to you, just since we're in a public forum, the City Council when they made their recommendation they added an amendment looking at some kind of random detection or a random way to screen certain city and county employees as they came through. We've looked at that, we're not finding a real good solution for that, but we'll continue to look at that as an option. If that gives some people some peace of mind as we're going through it. Again, I appreciate your support on this. This is a work in progress, but we've done a good job over in the courts, I've got a great staff of people, we've got good people in place, and I think they'll continue to perform at that level. So, and, as you see comments, as the people that are coming in and out of the building, please forward them on to us right away so that we can address them quickly as opposed to waiting for a meeting to address problems that may come up, because there will be problems. Thank you.

President Tornatta: Thank you. Dave?

Dave Rector: The idea of a cover or some kind of weather protection at the entrances has been discussed, and I've started to look at what we might do. I would

like to do something that's aesthetically pleasing and blends with our building and not just put a tarp out there or a canvas. So, I'll work on that and come back to you on it and kind of let you know what we come up with and how much it might cost, but we are cognizant that we need to do something for protection.

President Tornatta: Once again, I think it's imperative that we keep in mind we don't know the levels that we're going to see at each of the entrances. They might be heavier in one spot that we didn't think of and lighter in another. So, I think we need to be very fluid on how to address these issues. Then, once we identify them then we need to get on the ball and get them handled.

Dave Rector: Keep in mind too, right now we have everybody in the building badged, but we have a number of employees that aren't in the building that initially will be going through screening that once we get them badged, and the security committee agrees, they'll be a little more fluid and reduce that queueing up. So, you're exactly right, Commissioner, you know, we need some time to see how that's going to flow.

President Tornatta: I appreciate your staff getting those badges done and making everything as easy as possible on us.

Dave Rector: Thank you.

Commissioner Winnecke: Can't say much for the pictures.

President Tornatta: Yeah, the picture taker was horrible.

Dave Rector: Blame the photographer.

Commissioner Melcher: He's not in here.

President Tornatta: Okay, any other comments? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I guess I want to just say, one more time, that my vote tonight is because we're going to have an on-going process of what we're going to be looking at for the future, because I really think if we really want full security and we need to lock it down then we need to do that. So, I vote yes.

President Tornatta: And, I vote yes.

(Motion approved 3-0)

President Tornatta: Thank you very much.

Public Comment

President Tornatta: Any public comment? Seeing none.

Consent Items

President Tornatta: Madelyn, if you will, oh, if I could have a motion on the consent items.

Commissioner Winnecke: Mr. President, I'll move that we approve the consent items as presented.

Ted C. Ziemer, Jr.: We do have one about which I e-mailed you which is the request of Pedcor Investments for the Commissioners to rate their project known as Phase II of the Delaware Trace Apartments. There's one through five, with one being the lowest and five being the highest as to the extent that the project contributes to the economic and housing needs in Vanderburgh County. A simple yes vote on the consent agenda would not assign a number to that. So, I would suggest that you pull that one out, assign a number, and then vote on it separately.

Commissioner Winnecke: I'll amend my motion to remove the Pedcor Investments notification.

Commissioner Melcher: I got that e-mail, so I'll second that.

President Tornatta: Okay, a motion and a second. Madelyn, if you will read the consents.

Madelyn Grayson: Alright, the consent items for the November 17th meeting are as follows; approval of the prior minutes, the November 3rd Commission meeting minutes and department head meeting notes, and the November 5th special meeting summary minutes; there are employment changes from the various offices; two travel requests from the Health Department; the County Treasurer has the October 31, 2009 year-to-date report; the County Treasurer² has a request for waiver of fees, not overtime for the Centre for January 25-29 for IAAO course; Superior Court has a request to surplus two copiers; Area Plan Commission has a request to surplus various office equipment; the Building Authority permission to surplus used restroom partition for corrections; the County Clerk September 2009 monthly report; the County Treasurer September 2009 monthly report; Burdette Park yearly comparison from January to October from 2008 to 2009; the Commissioners Majestic Place citizen letters: the County Engineer approve pay request number 92 for the TIF account in the amount of \$5,000; the ICJI grant proposal form; Burdette Park annual day camp donation letter; and department head reports from Burdette Park and the County Engineer.

President Tornatta: Any discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

²This request is from the County Assessor, not the County Treasurer.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Okay, and dealing with Pedcor Investments proposed development government notification. Steve?

Commissioner Melcher: Yes, is this going to be a Section 42?

Ted C. Ziemer, Jr.: Yes.

Commissioner Melcher: Alright, I've done a Section 42 grant, and I've also been involved on the City Council in a lot of Section 42's, if you don't give them the top number they won't even score enough points to even get awarded. There's usually tax abatement too, are they asking for tax abatement?

Ted C. Ziemer, Jr.: Not that I'm aware of.

Commissioner Melcher: Okay, usually on tax abatement it's the same thing, what they do is when they go up there they're going to be competing with everybody in the state and they're only going to award so many dollars on the Section 42. So, if we want this, then we have to score it a five, give them a five. If they don't get the five they won't even get close to the points.

President Tornatta: I would take a recommendation.

Commissioner Melcher: Then the recommendation would be five points, if you want them to do the job.

Commissioner Winnecke: Is that a motion?

Commissioner Melcher: Yes.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? For those of you on the City Council, prior on the City Council—

Commissioner Melcher: Yes.

President Tornatta: —it's tax phase in. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: I'm just badgering you, Steve.

Commissioner Melcher: I'm just telling you what the state calls it.

President Tornatta: Alright. Motion to adjourn?

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

(The meeting was adjourned at 6:10 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the November 3, 2009 Commission Meeting Minutes.

Approval of the November 3, 2009 Department Head Meeting Notes.

Approval of the November 5, 2009 Special Commission Meeting Summary Minutes.

Pedcor Investments Proposed Development Government Notification.

Majestic Place Citizen Letters.

Employment Changes:

Health Department (1)

Co-Op Ext. (1)

Sheriff Office (3)

Auditor (2)

Prosecutor (1)

Circuit Court (1)

VCCC (2)

County Assessor (1)

Travel Requests:

Health Department (2)

Treasurer:

Year-to-Date Investment Report through October 31, 2009.

September 2009 Monthly Report.

County Assessor: Waiver of Centre Fee/Not OT: IAAO Course.

Surplus Requests:

Superior Court: (1) Xerox desktop copier and (1) Xerox digital copier.

Area Plan: various office equipment.

Building Authority: restroom partitions to corrections.

Burdette Park:

Yearly Comparison: January-October from 2008 to 2009.

Annual Day Camp Donation Letter.

County Engineer: Pay Request No. 92: Green River-Burkhardt TIF Projects.

Superior Court: ICJI Grant Proposal Form.

Department Head Reports: Burdette Park

County Engineer

Those in Attendance:

Troy Tornatta
Bill Fluty
Jamie Morris
Rick Davis
Eric Williams

Stephen Melcher
Ted C. Ziemer, Jr.
Kristina Solagado
John Stoll
Others Unidentified

Lloyd Winnecke
Madelyn Grayson
Rebecca Paxton
Dave Rector
Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
NOVEMBER 24, 2009**

The Vanderburgh County Board of Commissioners met in session this 24th day of November, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright, welcome to our Board of Commissioners meeting, November 24, 2009. It is 5:00 in room 301. Attendance roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Danny Thomas: Rock ‘Em Sock ‘Em Boxing

President Tornatta: Okay, Danny T. Thomas, come on up, buddy. We want to hear about what you got going, but, before that, could you please lead us in the Pledge of Allegiance?

Danny Thomas: Okay.

(The Pledge of Allegiance was given.)

Danny Thomas: Thank you.

President Tornatta: How are ya?

Danny Thomas: I’m doing okay. How about you?

President Tornatta: Good. Tell us about Rock ‘Em Sock ‘Em Boxing.

Danny Thomas: Rock ‘Em Sock ‘Em Boxing and Kickboxing is located at 962 Adams, right here in Evansville, Indiana. I’ve had the gym open for about ten years. What I’m trying to do is keep a bunch of the kids off of the streets, give them something positive to do. Hopefully, one day, you know, that one of these guys will become a world champion. Like Tom Johnson, he became a world champion. Bones Adams he ended up becoming a world champion. My son, he just fought Friday night in St. Louis, he knocked the guy out, it was six and two in the first round in a minute and 49 seconds. You know, I’m just trying to do all I can do to try and help these young kids nowadays and get them off the streets and give them something positive to do. I’m open Monday through Friday from eight in the morning till eight at night, and Saturdays from eight to four. I teach boxing, kickboxing, weight gain, weight loss and body tone.

President Tornatta: That’s great. Now tell us what you do with a kid, he comes in there, he’s looking for some type of direction, and then kind of follow us from when he comes in there to where you hope he’s going to be later on down the road.

Danny Thomas: Well, when a kid comes to the gym, I usually ask him about, you know, if he's in school, or how he's doing in school, because, you know, the main thing is education. You know, the only way I'm really going to be able to teach someone if they are going to stay focused on what's going on in front of them, you know. So, I mean, you know, it's been helping a lot of kids out with their education in school, because what happens is they learn to listen, instead of talking so much, you know. I had a lot of kids that's done won the Golden Glove tournaments, Junior Golden Gloves, Junior Olympics, Silver Gloves, just about every tournament there is, state champions, USA/BFA state champions. I had one guy that tried out for the 2008 Olympic boxing team. He got ranked number four as a heavyweight.

President Tornatta: That's great. Do you guys do any fundraising?

Danny Thomas: No, I just basically do it myself, really, you know. I mean, I just dedicate myself to it, you know, it's almost just like I done dedicated my whole life to these kids, you know. I mean, I'm there from eight in the morning till eight at night. So, that don't really give me a life, you know. I really don't have a life outside the gym, because I just dedicate myself to the gym to try to help these kids out and lead them in the right direction. I mean, you know, the way the world is today, somebody's got to try to do something to try to help them out, and I'll give it 110 percent.

President Tornatta: Danny, who did you bring with you today?

Danny Thomas: I brung my son with me today.

President Tornatta: If they want to come up here and just say your name on the record.

Danny Thomas: John Richards, Alex Mullen, Caleb Guard, his dad, Matt Guard. I thought me and my son was the only two father and son combination here, but we got Matt and Caleb as a father son combination too.

President Tornatta: If everyone would just come up here and state your name, and then if you're going to school where you go to school.

David Thomas: David Thomas.

John Richards: John Richards.

Alex Mullen: Alex Mullen, SMS, South Middle School.

President Tornatta: Alright.

Caleb Guard: Caleb Guard, Glenwood Middle School.

Matt Guard: And, Matt Guard.

President Tornatta: Okay. Well, Danny, thank you for coming out here. Any questions, Lloyd?

Commissioner Winnecke: No, I'm grateful that not everyone that comes before us wears boxing gloves.

Danny Thomas: Well, what we was going to do is put on just a little, quick demonstration for you guys, you know, if you didn't mind.

President Tornatta: I've got no problem with it. Just don't break anything.

Danny Thomas: Alright, let me grab my mitts.

Commissioner Winnecke: Or anybody.

President Tornatta: If you want to step right here in the middle, let's do that.

Commissioner Winnecke: That's our ring, right here.

President Tornatta: That's right.

Danny Thomas: Alright, do a (Inaudible.) He just won by a knock out.

President Tornatta: Alright. I could see that.

Danny Thomas: He was in St. Louis. Throw a four punch combination straight. Good, good. Same thing, four punch combination. Good.

President Tornatta: Alright.

Danny Thomas: Same thing, four punch combination (Inaudible).

President Tornatta: There you go.

Danny Thomas: That's the next world champion. Same thing. Good job.

President Tornatta: Alright. Very good.

(Applause)

Danny Thomas: Appreciate you guys having us here and letting us put on a small demonstration about what we do at the gym. These guys right here I'm looking forward to them being world champions real soon.

President Tornatta: That sounds good.

Danny Thomas: I'm trying to get a fight scheduled down here for my son, to fight for the WBF Intercontinental title.

President Tornatta: Okay.

Danny Thomas: So, hopefully, we'll be doing that real soon. We had it scheduled for October 17th, but the guy he was going to fight got cut over his eye. So, they say he got cut.

Commissioner Winnecke: Likely story.

President Tornatta: Stand in front of that mic so we can hear everything your saying, because this is pretty interesting.

Danny Thomas: Yeah, hopefully, we were supposed to have had him fought here in Evansville, October 17th, my son was going to fight for the WBF Intercontinental title, and I was going to fight too, fight my last fight, I was going to retire after this one here. I was supposed to retire after the last one, but I knocked the guy out. So, I figured I would get a little stiffer competition. But, anyway, we're trying to get something scheduled, re-scheduled back here in Evansville so that my son can fight right here in Evansville and fight for the WBF Intercontinental title. It's going to happen. We're going to make it happen.

President Tornatta: Tell us again how to get in touch with you if anybody wants to try and beef up their boxing skills.

Danny Thomas: I'm at 962 Adams, on the corner of Kentucky and Adams, right off of Washington Avenue and Kentucky, right in back of the Old National Bank. My telephone number is 471-4177. I'm there from eight in the morning till eight at night, and Saturdays from eight till four.

President Tornatta: Okay. Well, one of the main reasons I wanted you to come out here and talk is because there is a lot of youth that need direction and need a person to look up to, and, obviously, your young man is trying to be that person as well, but you're trying to lead these kids in a positive direction, and I think that's, you know, my hats are off to you and all of your staff that help you.

Danny Thomas: Well, I appreciate it, and I appreciate everything that you guys are doing right here in Evansville.

President Tornatta: Okay.

Danny Thomas: I wouldn't want to be anywhere but here.

President Tornatta: Thank you.

Danny Thomas: Thank you.

President Tornatta: Thank you, Danny.

Danny Thomas: Alright, thank you.

President Tornatta: Thank you all. Okay, you never know what you're going to see at a County Commissioners meeting.

<p>Permission to Open Bids for VC09-12-02: Burdette Park Bike, Pedestrian and Nature Trail</p>

President Tornatta: Permission to open bids for VC09-12-02, Burdette Park bike path and pedestrian and nature trail.

Commissioner Winnecke: So moved.

President Tornatta: Second. Questions? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

County Treasurer: In-House Tax Bill Printing RFP Request

President Tornatta: Alright, action items, Treasurer in-house printing project. Rick?

Rick Davis: Good afternoon. I feel better in front of you now after seeing them. I wouldn't stand a chance with any of those guys.

President Tornatta: Rick, we asked you to come back. I know we've had some talks, communicated with Commissioner, the Commissioners in our last meeting about getting you to just discuss some different things. Kind of tell us what your plan is now, moving forward, and then will we have a decision at a later date?

Rick Davis: Okay. Generally, I proposed to you guys that we print our bills in-house at the Vanderburgh County Treasurer's office. Currently it's bid out. A company in South Carolina has printed the bills the last few years. Last year's, or actually I should say this year's bills came in at \$46,300. I've presented to you guys a business plan last week showing that we could do the same job with purchasing some capital up front in year one, with a significant savings in year two through five. What I would like to do, at this point, is, I've basically done a feasibility study to see if it's within our grasp to do such a thing. I do believe it is. I would really love for you to put a Request for Proposal out so that we can get proposals in from vendors to buy some of the capital required to do this job. I would like to do it as soon as we can, because we do want to get the equipment in. Some of this equipment is very complex, and it takes up to eight weeks to make and be delivered and set up. So, at this time, I humbly request that you do a Request for Proposal for an in-house printing project for the Vanderburgh County Treasurer's office.

President Tornatta: Okay. I, as we talked, obviously I still feel there's some more questions that need to be answered, but, after we talked, I think you understand, and I understand that we have to get those numbers in and get some hard numbers to really navigate through. One question I did have, Vernon, can I borrow you for a minute?

Vernon Stevens: Certainly.

President Tornatta: You kind of helped Rick to develop some of the numbers that he's brought to us. Can you go over with me the longevity of like a folder. I know we talked about a folder/insert envelope machine?

Vernon Stevens: Sure.

President Tornatta: Oh, introduce yourself.

Vernon Stevens: I'm Vernon Stevens with Southern Business Machines.

President Tornatta: Okay.

Vernon Stevens: A folder/inserter basically, with longevity built into it, and for what his estimated volume on it, should have a longevity of about seven years.

President Tornatta: Okay.

Vernon Stevens: At the end of seven years, not necessarily is it an obsolete piece of equipment, but new technology may deem that it be replaced at that point.

President Tornatta: Okay. Alright. Let me see here, okay, and then talking about the printing, you obviously helped him with the printing side of it too. How long on a printing machine, as far as, I know Xerox is the name, but whatever we're going to present, what's the lifetime experience of a machine like that?

Vernon Stevens: We're estimating these printers are going to have at least a five year, with the rating that we placed on them. Each printer has built into it an obsolescence for volume rating, and we know of the estimated volume that he's going to be running, these printers that we're projecting should be five years at a minimum.

President Tornatta: Okay. Alright. Any questions?

Commissioner Winnecke: Just maybe a couple of observations, if I may.

President Tornatta: Okay.

Commissioner Winnecke: One, I think Rick has done a really nice job in presenting a lot of detail to us. I've read this several times since you presented it to us last week. I don't know why we wouldn't take it to the next step, which would be to go out for RFP. You know, at that point, if we get the numbers back and there are still questions we will certainly have that opportunity to get those answered at that time. But, I think, based on the due diligence that Rick has done to this point, we should proceed with approving a request for RFP's.

President Tornatta: I'll second your motion.

Commissioner Winnecke: I'll make that in the form of a motion.

President Tornatta: Alright, a motion and a second. Other discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: Then, at that time, Rick, we'll come back and circle the wagons and see how the, I'm really concerned and just want to, you know, Vernon, I'm sure

we'll be using your skills later, but just want to see where the time cuts are and what we think we're going to make back on our investment, so to speak.

Rick Davis: Absolutely. It is very complex. I understand your trepidation going forward, but there are many webinars that can be, just, we can take a webinar where you can come in and view how the product works, maybe we can get a demo set up somehow. It might ease some of the concerns you have. I totally understand, and this is very complex, that's why we only had one vendor bid last year. So, I totally understand that. I would like to thank Southern Business Machines. They and Pitney Bowes and Van Ausdall Farrar all worked very closely with me on this project. They've brought these total up in public, where their competitors could potentially see them. That took a lot of gumption on their behalf. So, I really appreciate the amount of time and effort they've put into this project so that we could get something positive for the taxpayers of Vanderburgh County in the end. It's been very beneficial. I couldn't have done it without them.

President Tornatta: Okay. Alright, thank you.

Commissioner Winnecke: Thanks, Rick.

Polling Place Advisory Board Update
--

President Tornatta: Polling Place Advisory Board update. Tony?

Tony Bushrod: I'm Anthony Bushrod, Co-Manager of the Vanderburgh County Voter Registration Office. The reason I'm here tonight is to make you all aware that there's been some things that have been annexed from the county into the city, and those need to be re-assigned city polling places. According to state statute that's something that is the responsibility of the Commissioners. Just wanted to make you aware of it. Connie Carrier and myself, we got together and pulled information together, we have to get it all on paper and get you all's approval on it, and then submit it to the Election Division, or even the Election Commission to get final approval. Then thataway we can do the rest of our job as far as moving the people in from the county precincts into the city. There's two areas involved, one of them is what they call Pig 3 which is down by the LST, and that's going into the city. The City Council assigned that Common Council 4. So, that can be put into like 4-2. Then the Knight area, which the City Council put into Common Council Third Ward. That can stay where it is and just rename the precinct 3-1. The Knight area you're talking less than 600 people. The Pig Out area you're talking like less than 20.

President Tornatta: Okay. Will you bring us a recommendation of the polling places and where people would vote?

Tony Bushrod: Right.

President Tornatta: At a subsequent meeting?

Tony Bushrod: Yeah.

President Tornatta: Okay.

Tony Bushrod: I just wanted to make you aware that we do need to get it done.

President Tornatta: Okay.

Tony Bushrod: Okay.

Commissioner Winnecke: Tony, what's your time line on getting approval for that?

Tony Bushrod: We would like to get it this year, before the end of the year. We have to have it done before, you know, the primary in May of 2010.

Commissioner Winnecke: Right. Okay, thanks.

President Tornatta: Thank you, Tony.

Tony Bushrod: Uh-huh.

Approval of Burdette Park Rates for 2010-2011
--

President Tornatta: Approval of suggested Burdette Park rates for 2010-11. Steve?

Steve Craig: Steve Craig, Manager of Burdette Park. I had sent these to you for you to take a look at. It's kind of self explanatory. Last year we did a pretty thorough overview of all of our pricing and that, and we made adjustments on them last year. We actually lowered some of the buildings, gave special rates during other times. I didn't want to raise them too much, if at all, because of, the first thing that came to my mind was that we have the rate raised on our part time account for the minimum wage went from \$5.85 two years ago to \$7.25. So, the building part of them we did, or I did suggest a two percent increase in our buildings, but as far as the rates go for our services, I had put in that no increase for them at all for this year, and that includes the Aquatic Center, the miniature golf, the Pavilion picnic package, camping. I did not put any of them in for that. I do seek your input into them. If you would like to make adjustments we can go back. It's not something that has to be done tonight, but we do need to get it done before the end of the year.

President Tornatta: I would like to have the chance to just go over some of these like we did last year with you. I know Commissioner Melcher, who's mom passed away just recently, and that's why he's not here, would probably at least like to give you a shout on this. I know he's been pre-occupied here lately. So, if we could just postpone the setting of these numbers until maybe the 8th's meeting, because at that point it should be pretty easy to—

Steve Craig: And that's fine, and if each Commissioner would like to get a hold of me, if they've got any questions or suggestions, I would appreciate that. Then we can go over them from there. If there's any questions on why they're where they're at I can sit down and explain to you. Like I said, we did quite an adjustment last year. We do have until the last meeting of the year to set them, so we're not in a problem at this time.

President Tornatta: Go ahead.

Commissioner Winnecke: Steve, just real quickly, and I will give you a buzz to chat with you privately about it, but I was a little, you're proposing these prices through 2012, is that right?

Steve Craig: Just, the only one that goes through 2012 is the Discovery Lodge. We rent it out two years. The rest of them are for 2010 into 2011.

Commissioner Winnecke: Oh, I see that.

Steve Craig: The two year one is for the Discovery Lodge only. That's the way it reads.

Commissioner Winnecke: But the same header is on all three pages. That's what confused me. Okay, I'm good. Thanks.

President Tornatta: Okay.

Steve Craig: Okay?

President Tornatta: Thank you.

Steve Craig: Thank you.

President Tornatta: Alright.

Permission to Advertise and Seek Bids for Trending Services
--

President Tornatta: Permission to advertise and seek bids for trending services.

Commissioner Winnecke: Is there anyone to speak to that?

President Tornatta: Actually, I don't, it was sent to us. So, I didn't know if you had any questions.

Commissioner Winnecke: No, I just thought someone would....I'll move that we advertise and seek bids for trending services.

President Tornatta: Second. A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

First Reading of Ordinance CO.11-09-018: Amending Ch. 9.04: Fair Housing Ordinance

President Tornatta: First reading of CO.11-09-018, amendment to fair housing ordinance. Additional changes to this ordinance to meet HUD requirements requested by the Human Relations Commission. David?

David Kent: Good afternoon, gentlemen. David Kent, attorney for the Human Relations Commission. The HUD provides funding to the Human Relations Commission, and after we amended the ordinance, I believe, in September, they came back with two additional changes. They're pretty minor. Specifically, in section one what we're amending is we're removing the term that the Commission may award reasonable attorney fees and costs. It did say against the prevailing party, or for the prevailing party. They felt that that was a bit chilling and that they wanted that to be just the respondent by virtue of the fact that we have to do investigation before they even get to a hearing. So, there has to be a determination of probable cause. Then, secondly, on the section two on 9.04.100 (A), they changed the word "of" to "or". The very first "or". It did say that there had to be the occurrence of the termination of the discriminating, now they want it both ways, the occurrence or the terminating of the offending action. Those are required by HUD to obtain our funding.

Commissioner Winnecke: Mr. President, I'll move that we approve on first reading as recommended.

President Tornatta: Second. A motion and a second. Discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

David Kent: Thank you, gentlemen.

President Tornatta: Thank you.

Commissioner Winnecke: Thanks, David.

**OCH Lease Agreement: Jesika Ellis, Jenny Smith & Valda Alsop
Treasurer: American Financial Credit Services Agreement**

President Tornatta: Contracts, agreements and leases, County Commissioners Old Courthouse lease agreement with Jesika Ellis, Jenny E. Smith and Valda Alsop. Agreement to be entered between the Commissioners and these three for the artist's studio in suite 107. Tenants have the right to tear down two drywall partitions in the space at the tenants expense.

Commissioner Winnecke: Just to, for the record, since we are televised, those walls do not have any historic value—

President Tornatta: Correct.

Commissioner Winnecke: —to the building or the room. Mr. President, I'll move approval.

President Tornatta: Second. A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: County Treasurer, vendor services agreement with American Financial Credit Services. Vendor services agreement to be entered between the Commissioners on behalf of the County Treasurer and American Financial Credit Services, AFCS for collection of delinquent personal property taxes. Rick?

Rick Davis: Yes, I've been working with County Attorney, Ted Ziemer. I'm very excited by this. Our current vendor is American Financial Credit Services, and they have been with us since March of '06. In that time they have handled our delinquent personal property taxes. Personal property taxes include things like RV's and if you own a business, the equipment that is inside the business. For example, I think Whirlpool, I think they pay \$400,000 on their building, and they pay \$1.2 million on the equipment inside the building, that's personal property. If someone becomes delinquent, they're more than a year behind, after sending notices in the mail, we turn it over to the collections agent. This company has 54 counties in the State of Indiana, and since 2006 they have brought in two million dollars to the county, actually in excess of two million. When I came in they told me that the original contract was a 25 percent fee to the delinquent taxpayer. That fee went up to 27 percent at the beginning of this year. I felt that was a little high. They may be delinquent taxpayers, and we want them to pay on time, but my philosophy is they're our delinquent taxpayers. So, I renegotiated this contract with AFCS after another vendor approached me about taking over this job. Nearly 80 percent of our delinquent taxpayers fall in a category where they will only be charged a ten percent penalty. That's a significant savings, going from 27 percent to ten percent. Then there's a sliding scale where some of them have a 15 percent fee, and some of them have a 25 percent fee. But, as I said, almost 80 percent of our delinquent taxpayers only have a ten percent fee. On top of that, we get one of their employees in our office for one week when the certified bills go out, and that's when the phones start ringing the most, people call up and have questions about the delinquent bill they're getting in the mail, or they may contest something saying they have paid the bill. AFCS is going to have an employee in our office for one week after that mailing comes out when we get the most calls, and they will be fielding questions from the taxpayers at that point. We can just transfer them over to them and they can handle the account from there out. That's an extremely beneficial service to the county.

President Tornatta: Questions?

Commissioner Winnecke: Mr. President, I'll move approval of the agreement with American Financial Credit Services as recommended by the County Treasurer.

President Tornatta: Second. A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

Rick Davis: Thank you very much. I appreciate your time.

President Tornatta: Thank you.

County Highway

President Tornatta: Alrighty, department head reports. Let me start with Chris.

Chris Walsh: Good evening. Chris Walsh, Vanderburgh County Highway Department. I wanted to bring a paving update. As you may know we started to get the snow plows and the big box spreaders on. We finished with 22 and a half miles. It was one mile less than what I had initially planned on doing. A couple of things resulted because of that. One was the Baseline Road was in such bad shape, John Stoll had contacted me, his department was out of money to award a project and we felt like it was an emergency basis. I have some pictures of it here. So, my department went over and we paved from Baseline to that bridge and did a lot of repair work. But, at this point, I really need to convert over, I would like to encumber the money for Waterworks Road, which is the one road that I had left. Which if I would have done that would have run me over my 25 miles. So, I'm kind of asking that we could do that.

President Tornatta: Okay. Bill, do we encumber the money here, or is that County Council?

Bill Fluty: Well, he can have a purchase order or a contract in place and that will move the money forward into next year.

President Tornatta: Okay.

Chris Walsh: But, you can see the condition of the road was terrible. It was, we felt like it was an emergency basis and we had to. Actually, in the long run we wound up saving some money, because if John would have had to contract that out it would have been quite a bit more.

President Tornatta: Well, I drove down it, it was a lot nicer to say the least.

Chris Walsh: Yeah. Now, we're not done, we're still patching and doing some things, and then I'll put that Waterworks Road onto next year, in addition to next year's list.

President Tornatta: Okay. Then, give us the two minute rundown of the rodeo.

Chris Walsh: The rodeo went real well. You know, my concern was that they would buy into it, the drivers and that, into the idea of the competition and that, and they

did. It turned out extremely well. I would like to have a couple of them come up and maybe get, I have some certificates that I would like to maybe—

President Tornatta: We'll do that on the 8th.

Chris Walsh: Okay. I'll see if I can get them up here.

President Tornatta: I was out there and it was a difficult course. The guys knew it.

Chris Walsh: I have some slides, maybe at that meeting I could bring up and we could show them to you a little bit.

President Tornatta: Okay, that would be good.

Chris Walsh: Then, I would like to individually talk to you maybe about next year expanding it a little bit and trying to grow it.

President Tornatta: We're potentially looking at other counties, some cities, anybody who has an interest in it. The one thing that I think we all agree that it does is that it hones the skills—

Chris Walsh: It does.

President Tornatta: — and it makes them think about those skills when they are out on the beat.

Chris Walsh: It humbled some drivers who have 25 and 30 years experience and thought, initially, that this would just be a piece of cake to go through, and they found out pretty quickly that it isn't. So, the competition kind of stepped up immediately.

President Tornatta: It's a great training exercise.

Chris Walsh: It really was.

President Tornatta: Appreciate you getting that going. Any other questions? Okay, thank you.

Chris Walsh: Thank you.

Commissioner Winnecke: Thanks, Chris.

County Attorney

President Tornatta: David?

David Miller: I have a few additional matters. One is an interlocal governmental agreement between the county and DMD for the investment of economic development funds. This is just like the one last year, it's just a continuation of the current arrangement. It limits the payment to ten checks a year. We need the Commissioners approval on that and signatures.

President Tornatta: Okay.

Commissioner Winnecke: Mr. President, I'll move approval.

President Tornatta: Second. A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

David Miller: The second thing that I have is a proposed lease of suite 107 in the Old Courthouse. It's a lease to Jesika Ellis, Jenny Smith and Valda Alsop for an artists studio in that suite.

President Tornatta: And we approved that in another, under the contracts. Sorry, we stole your thunder.

David Miller: Oh, that's okay. You already approved it. Well, you better sign off then. Finally, I have opened the bids on the bike path, pedestrian and nature trail. The following bidders submitted bids. The bids need to be examined, of course, to determine if everything is in the packet that is required to be in there. ARC Construction bids \$330,154.06; BMB, Inc. bids \$280,800; J.H. Rudolph and Company bids \$253,444; Deig Brothers Lumber and Construction bids \$245,660.86; and Ragle Construction of Newburgh bids \$235,646.84.

Commissioner Winnecke: Mr. President, I'll move that we take those under advisement.

President Tornatta: Second. A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: And, we have one other item, Lloyd, that Grammar settlement agreement.

David Miller: Yes, the Grammar settlement agreement is here for your signature. This settles a dispute on the Green River Road project for \$5,000 for damage to trees in the temporary easement.

President Tornatta: Okay.

Commissioner Winnecke: Mr. President, I'll move approval.

President Tornatta: Second. A motion and a second. Questions or discussion? Seeing none. Oh, sorry.

David Miller: Go ahead.

President Tornatta: Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

David Miller: I have one other item, it's been brought to my attention, and I believe to each of your attention that there's going to be some need for infrastructure improvement at the EVSC site for the new North High School. There's going to be a necessity for improvements on Pike Road and on Baseline.

President Tornatta: Peck.

David Miller: Peck Road?

President Tornatta: Peck, uh-huh.

David Miller: The Vanderburgh County Redevelopment Commission is meeting on December the 12th to begin the amendment process so that TIF funds can be used for that purpose. Mr. Ziemer and I were talking about it earlier today and he indicated that you might want to give encouragement to the Redevelopment Commission to proceed with that process.

Commissioner Winnecke: Mr. President, I'll move that we do that. I do think it's important to get a handle on what those transportation improvements would be. I'm not opposed to, in theory, using TIF funds to make those, but I would like to know specifically what that amount is.

President Tornatta: It is and it isn't in the preliminary stages. They just opened up their bids. That allowed EVSC to see what monies they had to work with. Obviously, the promise from me as a Commissioner is that we will work with EVSC the best we can to try and get their needs met, but also honoring the fact that we have constituents out there that we're pulling from the same pot of money. So, we are in negotiations, just preliminarily, to talk about some of the issues at hand. No decisions have been made, but we do have, I think we were able to get some type of idea that it would be in the \$250,000 to \$260,000, or \$450,000 to \$460,000 range for what they wanted, minus right-of-way. So, just bringing that to the forefront, but haven't got any firm numbers as of yet.

Commissioner Winnecke: So, do we need a motion to send this to the Redevelopment Commission?

David Miller: No, no, no. The Redevelopment Commission has the original jurisdiction over the matter.

Commissioner Winnecke: Right.

David Miller: It was my understanding that we just wanted to bring it to the public's attention at this time.

President Tornatta: Okay.

David Miller: That's all I have.

President Tornatta: Okay.

County Engineer

President Tornatta: Any new business? Oh, filling in for John Stoll, Patrick Seib.

Patrick Seib: Good evening. Patrick Seib, Assistant County Engineer. The only item that I have tonight is to recommend approval for a time extension on contract VC09-06-01, that's the concrete repair of various roads. JBI Construction, the contractor, has requested an extension to December 25th. This is due to inclement weather that they experienced back in October.

President Tornatta: They may not work Christmas Eve or Christmas Day.

Patrick Seib: We hope they can get it done by then.

President Tornatta: So, let's make that the 23rd, how about that? Okay.

Commissioner Winnecke: Mr. President, I'll move approval.

President Tornatta: Second. A motion and a second. Discussion? I'm serious about the 23rd.

Patrick Seib: If that's the way you want to approve it.

President Tornatta: Okay, they're not going to throw up roadblocks in front of somebody's Christmas. So, anyway, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

Patrick Seib: That's all I have unless you have any other questions.

President Tornatta: Okay. Alright, thanks.

Patrick Seib: Thank you.

New Business

President Tornatta: Any new business?

Commissioner Winnecke: Patrick? Excuse me, are you going to hang around for Drainage Board?

Patrick Seib: I can if you want me to.

President Tornatta: Yeah, it will be a quick one.

Commissioner Winnecke: I don't know.

President Tornatta: Okay. Under new business, one of the things we try and do is to push our vendors to find efficiencies and opportunities for the county to not spend as much money, or to get rebates. We were able to do that. Old National Insurance was able to, on our property and casualty side, give us a return investment of \$13,860.11. So, I'll turn that over to the Auditor's office, if we have a motion to accept that reimbursement.

Commissioner Winnecke: So moved.

President Tornatta: Second. A motion and a second. There should be no discussion. So, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

Old Business

President Tornatta: Any old business?

Public Comment

President Tornatta: Any public comment? Come on up.

Philip Austin: Good evening. My name is Philip Austin. I'm not familiar with your format here, I haven't attended before. I guess, this is under public comment.

President Tornatta: Okay.

Philip Austin: Specifically I would like to address the intersection of North Green River Road and English Way.

President Tornatta: Okay.

Philip Austin: Millersburg Road has a new light, that project is moving right on, it's soon to be finished at that intersection, which is a separate contract from south of there. English Way, I live on that street, we had a concrete street before this started all the way to the edge of the drive lanes of Green River Road.

President Tornatta: Right.

Philip Austin: They had to come back across the right-of-way, and maybe some more, I'm not sure, but several feet from Green River Road was removed and I understand that. This is being replaced with blacktop from several feet, I'm guessing 30-40 feet from Green River Road into the subdivision with blacktop that we used to have concrete. I called the County Engineer to see what was going on there and after a couple of calls and he talked to someone, whoever I spoke with, that the reason they are using blacktop is because it's cheaper. That's pretty obvious when you look at it, it looks cheaper. We felt like we had concrete when the project came, why can't we have concrete out to the drive lanes of Green River Road when they leave? There is about 35 private drives in this project, that's not an exact number, but close to that from Lynch to Millersburg, and regardless of the surface of their driveway when the project started, 80 to 90 percent of them was some kind of rock, (Inaudible), gravel, whatever, no curb, no nothing, and that's fine, it was a county road. They all have new concrete drives with curbs and the concrete goes into their property reasonable amounts to connect with what they had. If they had a concrete drive, I think there's five out of 30 some had concrete drives, so those were met back to their old drive with concrete. But, when we get to this one only thing, it can't be concrete, it has to be blacktop, and I don't understand why. The reason I didn't know what that was going to be to say well, why didn't you....excuse me, say something prior to this, the project's moving right along, I did not know they were not going to put concrete back without some lengthy detailed study of the plan at the Old Courthouse. I've been there several times just to look, to see kind of what to expect.

President Tornatta: Right.

Philip Austin: I didn't know to look at that, but they, just last Thursday or Friday, I guess, were paving on the lanes or whatever, right in that immediate area they had a half a load or a truckload of blacktop left at the end of the day, and they just kind of made an approach, they are going to have to fill that in with that blacktop in the next few days or weeks, whatever it is. So, there's very little finished surface, of any kind, now. So, I wanted to address this before they get the blacktop finished and it's kind of a moot point after that, I think, and it may be right now.

President Tornatta: Patrick, could you address this or take this back to someone to address this? I don't particularly know how the decision was made to go from one surface to another, but maybe you could help explain.

Patrick Seib: I was not involved in that decision. I know that that was, the design was through a private consultant. I don't know how far back in English Way the asphalt is going. I would have a reasonable assumption that the pavement that we're putting in is going to withstand the traffic. I'm not sure if it's not a functionality concern that you have?

Philip Austin: Probably not, but I think it degrades from the neighborhood to have the cheap blacktop. That's their words, not mine.

President Tornatta: Right.

Philip Austin: Replace the concrete that was there, so that it all looks the same. As the street comes off of Green River, as you turn off of Green River, about the end of the Green River right-of-way is a boulevard. So, there's one lane going out of the subdivision and one coming in with a boulevard in between. Well, as they broke the concrete up to do what they had to do with the sewers, one of those lanes goes farther than the other. So, now we don't have a match of across the line of the street—

President Tornatta: Right.

Philip Austin: —even with that, so here we've got one that goes this far and another one that goes ten or fifteen feet farther, and then we come to concrete like we had before. So, it may be just a cosmetic, appearance kind of thing from an engineer's standpoint.

President Tornatta: Right. I mean, I think right now, and I could be wrong, but I think asphalt actually costs more than concrete today. That being said, I'm like you, I don't necessarily know what the difference would be except aesthetic values.

Philip Austin: I'm all for the people who obtained a new driveway, that's fine—

President Tornatta: Right.

Philip Austin: —and concrete didn't seem to be a problem to pour their driveway, whatever width it was—

President Tornatta: I understand.

Philip Austin: —and the length it was, and that's okay. Then, all of a sudden we get to here—

President Tornatta: Yeah.

Philip Austin: —and, oh, we can't do that. That costs too much.

President Tornatta: I think it comes down to, and on smaller jobs concrete is preferred because it's easy to set up. If you have to try and bring a paver back into an area it's tough to bring a paver down a driveway. When that paver lays that asphalt down, they're normally going in big sections, sections that you have a lot of space. I know English Way and I know that there's probably a lot of space, and I just assume that that's the direction that they took, because on a concrete situation it would take longer to, I don't know, it might take longer to set up in that case. I'm just throwing that out there, but I know on the shorter pieces, obviously, concrete is obviously a little bit easier and cost prohibitive to do the pavement.

Philip Austin: Okay, and the Engineer's office their only suggestion to me was if you want to get the neighbors together and say we all in this subdivision, there's only nine houses on the street, don't like this, that may have some bearing with you. I don't know that. I don't know what kind of a thing that would be, or if it's just a—

President Tornatta: It was just brought to my attention late today. So, I was—

Philip Austin: Yeah, I was here earlier at the office and–

President Tornatta: Right.

Philip Austin: –your lady at the desk, I kind of explained–

President Tornatta: And she sent us an e-mail. It just got to me late because we were busy.

Philip Austin: So, I don't know if I'm whistling in the dark or not.

Commissioner Winnecke: I think the best thing we do is talk to John when John gets back....John is out for the holiday, Patrick?

Patrick Seib: Yeah, he is. What I was going to say is, I can go out tomorrow and take some pictures, because–

President Tornatta: Okay.

Patrick Seib: –I haven't been out there to take a look at it myself. I can take some pictures and talk with John whenever he gets back next week.

Commissioner Winnecke: Okay, and then we have a meeting again on the 8th, and I'll make sure that I get out there to look at it and chat with you before that so that I have an idea and we'll figure out what to do on the 8th.

Philip Austin: Okay, I cannot be here on the 8th, but–

President Tornatta: We'll have somebody in touch with you.

Philip Austin: Okay, and if, I can contact the neighbors, if signatures of the neighbors are of any benefit to you, that's fine that people feel that way, but–

President Tornatta: I don't know that it's necessary. I mean, right now we were just kind of brought up to speed on what was going on, didn't have any idea.

Philip Austin: The underfill for the blacktop is there, it's ready for whatever surface is going to come along, whether that be blacktop or concrete, they may, I don't know which would need to be the thicker of the two to take the traffic kind of thing, I'm not into that, but that's kind of open, ready for whatever–

President Tornatta: Okay.

Philip Austin: –pavement is going to be, and that small amount that's there now is rather insignificant. So, I just kind of wanted to get a timeout, let's look at this for a week or two–

President Tornatta: Okay, sure.

Philip Austin: –before they pave it tomorrow–

President Tornatta: Sounds good.

Philip Austin: –or the next day.

President Tornatta: We'll do it.

Philip Austin: Thank you very much.

President Tornatta: Alright, thank you. Just—

Commissioner Winnecke: I'm sorry. Go ahead.

President Tornatta: Just a word to those who might not have heard, we do have Baseline Bridge open. So, that is a road that you can use now over the railroad tracks. It's now named the Curt Wortman Memorial Bridge.

Commissioner Winnecke: Right.

President Tornatta: Thank you.

Commissioner Winnecke: Pat, I was just going to say. That's what I, you don't need to stay for Drainage Board. That's the issue I was, I misspoke earlier. So, you're free.

Patrick Seib: Very good.

Commissioner Winnecke: Thank you.

President Tornatta: Alright.

Consent Items

President Tornatta: Motion to approve the consent agenda?

Commissioner Winnecke: So moved.

President Tornatta: Second. Madelyn, if you will read those.

Madelyn Grayson: The consent items for the November 24th meeting are as follows; approval of the November 17, 2009 Commission meeting minutes; employment changes from the various offices; there are two travel requests for the Health Department; the County Engineer has approval of pay request number 93 for the Burkhardt-Green River TIF projects in the amount of \$2,342,671.28; the County Engineer has a request to surplus two cameras and one laptop computer; Evansville ARC has the October 2009 meeting notes; the Commissioners have a J.E. Shekell quote for Old Courthouse boiler repairs; the Commissioners have a resignation letter from Don Gibbs from the PTABOA Board; there's a waiver of fees/not overtime for use of the Centre on December 8th for an arena pre-bid meeting; there's a transfer request for the Commissioners, and a department head report from the County Engineer.

President Tornatta: And we had a motion and a second. If no discussion, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 2-0)

President Tornatta: Alright, if there's no other public comment. Motion to adjourn?

Commissioner Winnecke: So moved.

(The meeting was adjourned at 5:50 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the November 17, 2009 Commission Meeting Minutes.

Evansville ARC: October 2009 Meeting Notes.

J.E. Shekell: Old Courthouse Boiler Repair Quote.

Don Gibbs Resignation Letter from PTABOA Board Appointment.

Building Authority: Waiver of Fees/Not OT: Arena Pre-Bid Meeting: 12/8/09.

Commissioners: Transfer Request (4).

Employment Changes:

Co-Op Extension (1)	Health Department (1)	Treasurer (1)
Commissioners (1)	Auditor (1)	

Travel Requests: Health Department (2)

County Engineer:

Pay Request No. 93: Green River-Burkhardt TIF Projects.

Surplus Request: Two cameras and a laptop computer.

Department Head Reports: County Engineer

Those in Attendance:

Troy Tornatta	Lloyd Winnecke	Bill Fluty
David Miller	Madelyn Grayson	Danny Thomas
David Thomas	John Richard	Alex Mullen
Caleb Guard	Matt Guard	Rick Davis
Vernon Stevens	Steve Craig	David Kent
Chris Walsh	Philip Austin	Patrick Seib
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
DECEMBER 8, 2009**

The Vanderburgh County Board of Commissioners met in session this 8th day of December, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Alright, it's 5:00 somewhere. So, let's get this thing started. Board of Commissioners meeting, December 8, 2009, just about 5:00 in room 301. Call to order, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Boy Scouts of America

President Tornatta: Where is Miranda with the Vanderburgh Humane Society? Is Miranda here? Okay, where are my Boy Scouts? Come on up, boys. Stand around that mic, if you would. Okay, does everybody know the Pledge of Allegiance?

Unidentified: I think so.

President Tornatta: Okay, can you lead us in it?

Unidentified: Yeah.

President Tornatta: Okay, good.

(The Pledge of Allegiance was given.)

President Tornatta: Okay, guys. Whoa, whoa, whoa, whoa now. Alright, I need your name and your rank, how about that? Start with you.

Jeremy Belli: Jeremy Belli, Tenderfoot.

President Tornatta: Okay, who's next?

Eric Bell: Eric Bell, I'm a Life Scout.

President Tornatta: Alright.

Elliott Bailey: Elliott Bailey, I'm a Life Scout.

Jordan Belli: Jordan Belli, First Class.

Lane Buente: Lane Buente, Star.

Michael Kercher: Michael Kercher, Life.

President Tornatta: Alright, well, thanks for coming out and filling in in a pinch, guys. Anything going on with the Boy Scouts?

Unidentified: Camp outs.

President Tornatta: We had a successful popcorn campaign, yes?

Unidentified: Yes.

President Tornatta: Made a little bit of money?

Unidentified: Yeah.

President Tornatta: Next year more popcorn has to be sold, right?

Unidentified: Yep.

President Tornatta: Okay. Alright. Thanks guys. Thanks for being here.

(Applause)

Evansville ARC Quarterly Presentation
--

President Tornatta: Deidra, they saved you from having to do the Pledge of Allegiance.

Deidra Conner: Awesome.

President Tornatta: Alright, great. Come on up.

Deidra Conner: Hello, my name is Deidra Conner. I am officially the President of Evansville ARC, but I'm also now a board member for the Boy Scouts Buffalo Trace Council.

President Tornatta: Congratulations!

Deidra Conner: So, I can say we had a great popcorn sales event, but buy more if it's out there to buy. Thank you for inviting us to come today. We have a special guest who you're going to hear from in a little bit. As I said, I'm the President of Evansville ARC, A-R-C. For those of you who do not know us, we have been around since 1954. We are a not-for-profit organization that was founded in the early 50's by a group of parents who were seeking services for their children with developmental disabilities at a time when there were not services in the local community. Basically, they were looking for a school for their kiddos at a time when there was not special education services, and those services didn't evolve in the school system until the 1970's. So, that's how we started. As those children grew and changed, we grew with them. So, today Evansville ARC serves over 750 individuals, on a daily basis, adults and children, and a wide variety of services to allow individuals with disabilities to live as independently as possible in the

community. So, we do that from, everything from job supports, we have a manufacturing facility, we have a traditional adult day program for adults with severe and profound disabilities. We have a volunteer corp where we help individuals volunteer in more than 70 not-for-profit organizations in our community. One of the crowning points, one of the things that we're most proud of is our Child Life Center. Partly because we started as a children's service, but because we have what I would say is the best inclusive child care facility in the region, possibly in the state. We're very proud of what we do. We are NAEYC accredited, which means we achieve the highest standard of quality that very few child care facilities achieve. We work closely with the EVSC to provide pre-school services to children three to five. We started out as purely therapeutic in 1954, meaning we only served children with disabilities in 1993. We evolved into an inclusive center. Fortunately for you, you don't have to listen to me this entire time. I have Laurie Seals with me today, who is the director of our child care facility. She has great experience in early childhood education, and is an awesome director for us. So, she is going to tell you more.

Laurie Seals: It's hard to follow that. Basically, like Deidra said, we are a unique program in that we serve children of all abilities. Approximately 42 percent of our total enrollment is made up of children that do have special needs. Those needs range from medical, developmental, behavioral, emotional. Some specific examples would be things like autism, spina bifida, Turner's syndrome, muscular dystrophy, and even issues like life threatening food allergies. Last year our teachers provided 80,000 direct service hours to children with special needs, and a total of 180,000 hours to children of all ability levels. Just some additional demographics, 35 percent of our children are from low income families, 22 percent of our children receive tuition assistance through the voucher program. We have licensed, degreed teachers in all of our pre-school classrooms. Many of our assistant teachers are actually pursuing higher education as well for special education or early childhood ed. We have a long standing partnership with the Evansville-Vanderburgh School Corporation in that we provide special ed services for them for children three to five years of age. We partner with other agencies such as United Way's Early Childhood Development Coalition, the 4-C's, and area colleges and universities to help them with teacher training and other community outreach efforts. We have a few challenges with our program, I'm sure you can imagine. Finding and retaining qualified staff is definitely a hardship for us, because early childhood, the profession as it stands is not one that's highly paid. So, the demands of the job are not equal to the pay. Purchasing and maintaining equipment for children with special needs, this equipment is often very costly, and often times we have to make adaptations so that all children can participate fully in the program. As Deidra mentioned earlier some successes that we've had this year, we were re-accredited through the NAEYC, and we maintained a level four rating on the past equality program, which is the highest level. Just one thing to mention, we are one of five within a 50 mile radius of here that has these honors. We served over 165 children with and without special needs, ages six weeks to 12 years, last year, and one of the most telling statistics is that 45 percent of our children who received special ed services with us, who went into Kindergarten for this school year, either had an elimination or a reduction in services. So, it's definitely saving funding for schools on down the line. Right now I would like to invite Tammy Burke, she's one of our parents, to come and just tell you a little bit about her experience with the Child Life Center.

Tammy Burke: Hi, my name is Tammy Burke and I've got two kids that have been to the Child Life Center, and I'm very grateful for the Child Life Center. They've done a lot for us. My first child is Brandon Burke and he is a very loud, happy little boy that, he just bounces off the walls. He's in Kindergarten now, but every day he asks

me can I go back to the Child Life Center to go back to school. My second child is Preston, and he's got some difficulties that we're handling. He's got four things going on, we're still trying to find out what the fifth thing is. If it wasn't for the Child Life Center and their response to recognize what was going on and to advise us to get help, we probably wouldn't have gotten help as soon as we had. I am very thankful for every teacher there, because my child probably wouldn't be as moved and advanced as he is now if they had not caught what was going on. Preston is two years old, almost two and a half, he's not able to walk, talk, chew. He's, we still don't know why, you know, he's not able to do those things, but thanks to the team there and all of the teachers, I mean, they sincerely work with him day in and day out. I'll walk in at different hours throughout the day, I'll see a teacher, you know, from a different classroom, you know, going, oh, my goodness, you're not going to believe what he did today. I'm very grateful to every person there, and cannot tell you how much it means to me to have a place here in Evansville that I trust my child to go to. I'm very grateful. So, thank you.

President Tornatta: Thank you.

Deidra Conner: We do what we do at Evansville ARC very well, if I can say that on behalf of the agency. We do it for the people we serve, but we also do it for the family's, because our ability to help children and adults be as independent as possible also allows their parents and their grandparents and their aunts and uncles and brothers and sisters to work and be active in the community and know that there is a place that their loved ones can go. Because of great supporters like the Vanderburgh County Commissioners, we have the ability to go over and above and be the best of the best, and I truly believe that we do that. We're licensed by the State in terms of our child care facility, we're regulated by Family and Social Services on the adult side, but we truly want to be the benchmark, the place that people go to to say we want to know how to do it right. Our CARF accreditation for the Child Life Center is a very rare thing. That's one way that we do that. On the adult side, this summer we also went through our CARF accreditation, the Commission for Accreditation of Rehab Facilities, we not only were accredited but we had zero recommendations for improvement. A first for ARC, and only three percent of accredited facilities nationwide do that. We do that with our ISO registration at the manufacturing facility, and that is a hallmark of quality for manufacturing facilities. You are part of that. You allow that to happen. That partnership means so much to us. I say this every time I'm here, our successes are your successes. I mean that sincerely. We're very appreciative of what you do for us. So, thank you. I don't know if you have any questions for Tammy or for Laurie or for me.

President Tornatta: Anything?

Commissioner Winnecke: I would just say that your successes are the community's successes, not ours. While we've been a financial partner for decades and the good work you do clearly improves the quality of life here. I applaud you, the staff and all the clients there. So, congratulations.

Deidra Conner: Thank you. I encourage anyone listening, we are available to families, whether they actually need our services or not. Part of what we do is provide guidance and support. We're a phone call away, 428-4500. You can ask for me, personally, Deidra Conner, get on our website, evansvillearc.org. We are here as a community resource and we want to be utilized fully. So, thank you.

President Tornatta: Thank you, Deidra.

County Highway Snow Plow Rodeo Presentation

President Tornatta: Chris Walsh? Chris is our Highway Superintendent, and did something for the first time in Vanderburgh County. Chris, if you'll kind of explain what we did.

Chris Walsh: I had a short slide show, but it went with my umbrella across the parking lot. So, I'm just going to have to wing it. I brought a couple of my drivers and I think I have one more driver out there. We did the practice session rodeo, which we hope to tie with the main state event next year. We did that out at Burdette Park a few weeks ago. I would like to thank Steve Craig and his staff for having us out there. They did a wonderful job. We started the day with some safety training, going around the trucks and then did a walk through on the actual course. BFI does a rodeo similar to what we're trying to put on and it's pretty big nationally. The snow plow rodeo for municipalities is pretty big as well nationally. We're trying to tie into that, and we hope to make it a bigger show next year. Our objectives were safety training and get our drivers agility and awareness to a higher level. I think they can attest, all of these guys are veteran drivers, been on the road for many years, and they can tell you that the course was not an easy course to drive. So, we hope to grow this and hope to turn it into a nice little event in the years to come.

President Tornatta: Well, we would like to recognize some of the drivers that excelled in their areas. For outstanding driving, in second place in the 2009 snow plow rodeo Jim Brandle. Jim?

Chris Walsh: Is Jim here?

President Tornatta: Congratulations.

Commissioner Winnecke: Good job.

President Tornatta: Also, finishing second place for outstanding driving at the 2009 snow plow rodeo, Mark Bassemeier. Congratulations.

Chris Walsh: It was too close to call, so we had to have two second places.

President Tornatta: How many cones was that? Okay, and for first place in the 2009 snow plow rodeo, for outstanding driving, John Hauschild. Congratulations.

Commissioner Winnecke: Good work.

President Tornatta: John was kind of the one to beat when it all came out I heard.

Chris Walsh: Yes, and you came out and saw, and saw how difficult it was. I was hoping that everyone would buy into the idea of the competition and I think that everyone did. I think it did go a long way with some comradery within our department. What we want to do is show the community that we're striving to be the most professional Highway Department in the state. I've got some terrific drivers and I'm awful proud to be with them.

President Tornatta: Thank you, Chris. Any questions? Thank you.

Chris Walsh: Thank you.

President Tornatta: Congratulations.

Jim Brandle: Thank you.

Mark Bassemeier: Thank you.

John Hauschild: Thank you.

President Tornatta: Okay.

(Applause)

President Tornatta: I mean, this course, this course left them scratching their heads when they got done. So, I mean this was a good thing.

Commissioner Winnecke: I hope that's the hardest they have to drive their snow plows this season.

President Tornatta: Yes. Amen. Okay.

<p>Second/Final Reading of Ordinance CO.11-09-018: Amending Ch. 9.04: Fair Housing Ordinance</p>

President Tornatta: Second and final reading of CO.11-09-018, amendment for fair housing ordinance. Revised ordinance to meet HUD guidelines.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: I'll second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote.

Commissioner Melcher: Is there anybody from the audience? Okay.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**First Reading of Ordinance CO.12-09-019:
Amending Ch. 2.96: Travel Request & Expenses**

President Tornatta: First reading of CO.12-09-019, amendment to county travel expenses ordinance. Ted?

Ted C. Ziemer, Jr.: The County Council determined that it would like to personally approve, as part of their cost cutting measures, they would like to personally approve travel requests and reimbursement for that travel beginning January 1, 2010. The county ordinance currently provides that the County Commissioners accede to those requests. Assuming that the Commissioners wish to permit Council to do that, as they would like, we've prepared this ordinance which would change the approving body from the County Commissioners to the County Council.

Commissioner Winnecke: Mr. President, I'll move approval as presented.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**CourtView Justice Solutions: Software Maintenance Agreement
OCH Lease Agreement: Ellis, Smith & Alsop: Suite 113
OCH Lease Agreement: Ivie & Burns: Suite 111
OCH Lease Agreement Addendum: Quantum Health**

President Tornatta: Software maintenance agreement with CourtView Justice Solutions for county court IT system. The agreement provides for the software maintenance of the courts IT system for a one year period from October 1, 2009 to September 30, 2009¹ for a fee of \$137,434, which has been appropriated by the County Council and approved expenditures by the State of Indiana.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

¹ Actual term date would be September 30, 2010.

Commissioner Tornatta: A motion and a second. Discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: If there's no problem with this can we take these two at once?

Commissioner Winnecke: I'm fine with that.

President Tornatta: Okay. Old Courthouse lease agreement with Jesika Ellis, Jenny Smith and Valda Alsop for suite 113. A rent of \$297 per month for \$3,564 per year. The second is an Old Courthouse lease agreement with Erin Ivie and Tricia Burns in suite 111. A one year term—

Ted C. Ziemer, Jr.: Thirteen months.

President Tornatta: —thirteen months, excuse me, \$517.50 per month for \$6,210 per year.

Commissioner Melcher: Move for approval.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion?

Commissioner Winnecke: I would just offer that I've lost track, I think this is the sixth or seventh or eighth suite that we've leased out since we've entered into the agreement with the commercial division of F.C. Tucker/Emge and I think it's been a great move for the county.

President Tornatta: And I do too.

Commissioner Melcher: I think we all agree to that one.

President Tornatta: Yeah, that's right. Anytime we're seeing more of these come across we appreciate it. Okay, we have a motion and a second. If there's no discussion, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: New business, request for extension of payment of back taxes. Owners of parcels that did not sell at the 2009 tax sale have been notified that back taxes are due in full by January 11th. We've received a request for extension on payment of 1621 Florence.

Ted C. Ziemer, Jr.: Pardon me, we missed one lease. The third one is an amendment to the Quantum Health lease for suites 103, 104, 301 and 300.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: Which you have there. What that's doing is correcting a prior amendment. The prior amendment said that the lease would terminate November 30, 2008, and what the parties anticipated was November 30, 2010. This second amendment will provide for that.

Commissioner Melcher: Did you e-mail that today?

Ted C. Ziemer, Jr.: No, this was sent....what's today? The 8th? It was sent on December 7th.

Commissioner Winnecke: I'll move approval.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

New Business

President Tornatta: Back to new business. The extension, we have received a request for an extension on payment for 1621 Florence.

Commissioner Winnecke: Mr. President, I would move approval, but I would be more comfortable if we set a deadline of March 1st. I would like for this taxpayer to feel like there's a date out there for them. So, I would move approval with a deadline of March 1st.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Discussion? If not, roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

<p>Rezoning Petitions: Final Reading: VC-10-2008 Petitioner: Majestic Place LLC Address: 201 & 351 S. Roesner Road and 333 S. Eickhoff Road Request: Change from AG to R-4, R-2, R-3, C-2 and C-4 with UDC Action: Sent Back to APC (3-0)</p>
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President Tornatta: Alright, real quickly, I would like to move to....Ted, do you have anything?

Ted C. Ziemer, Jr.: I do not.

President Tornatta: Okay. I would like to move to rezoning. VC-8-2008², petitioner Majestic Place LLC. Hello.

Janet Greenwell: Good evening.

President Tornatta: Janet.

Janet Greenwell: Janet Greenwell with the Area Plan Commission. I know I don't need to be long. We've all heard about Majestic Place a lot. I'll tell you that on September 10th Plan Commission voted, with no recommendation, with four yes and three no votes to send it forward to the Commissioners for their vote. I don't want to beat a dead horse, so I think I will sit down and let other people speak.

President Tornatta: Thank you, Janet. Petitioner?

²Correct rezoning petition docket number for Majestic Place LLC is VC-10-2008.

Les Shively: Mr. President, Commissioner Melcher, Commissioner Winnecke, the last time this matter was on your docket, I believe it was back in October following the vote by the Plan Commission. At that time the Commissioners tabled the matter, did not take any action, but instead formed a committee made up of representatives of the developer, representatives of the adjacent landowners to meet and to review and to discuss concerns and try to fine tune this particular plan. It's my understanding that there were two meetings, and one of the major issues coming out of those meetings concerned the existing intersection at the overpass which provides access to the University of Southern Indiana, concerns about the future of University Parkway and overall traffic to be generated in that area. From these meetings, it's my understanding that there was a request that a study be done of the entire University Parkway corridor. It's my understanding too that the County Council has made some initial steps, if not they haven't been completed by now, to fund such a study. So, rather than asking you to vote on this particular request, the action we are requesting on behalf of the developer/petitioner is that the Commissioners vote to send this matter back to the Area Plan Commission with the Area Plan Commission then to conduct another public hearing after the corridor study is completed and has been disseminated to the public so the public can review that study and any recommendations in that study. I would be happy to answer any questions that you have at this time.

President Tornatta: Any questions?

Commissioner Winnecke: No.

Commissioner Melcher: No.

President Tornatta: No questions at this time.

Les Shively: Thank you.

President Tornatta: Thank you. I guess, I would like to ask a couple of the people that have spoken and somebody who we've received a letter from, Stan Blaszczyk and David Robinson if you could please make your way to the front. Of course, we'll listen to any remonstrator that wants to speak, but these two gentleman have, with Michael Lockard, and I'll go down the list of names, have tried to herd the cats, so to speak, and get everybody in a, at least informed to a point to where we hope that they got as much information as possible. So, David, if you would want to start—

David Robinson: Yes.

President Tornatta: —and just tell us what you sent us.

David Robinson: Yes, thank you. We have had numerous meetings with the neighbors and numerous meetings with the three of you individually, and meetings with the developer individually and then as a group. Again, I want to thank you for those individual meetings, and thank you, Troy, for setting up this process. It has really worked well. This is really a welcome development to initiate and fund this study, because as one or more of you have said, we really have one chance to do this right, to get University Parkway right. The way that is going to be healthy not only for the westside, but for the entire county. So, we welcome this development. We're looking forward to being a part of that. Again, thank you very much. I don't think as a group we have any objection to it, but there may be individuals here who

may have some objection to it, I doubt that, but, again, thank you very much. We look forward to working with you.

President Tornatta: Stan?

Stan Blaszczyk: I agree with Dave. I just want to say one thing here, I came across a quote, and it is by Albert Einstein. He said, "We can't solve problems by using the same kind of thinking we used when we created them." Today we're moving in the direction where we have citizens and elected officials really embracing that thought. This is a new way of doing things, I think, and I can assure you that we as a community will be there at every opportunity. We'll be prepared, and we will be thorough. We really want to make this work for this community and this county. I think I speak for just about everybody here. Thank you.

President Tornatta: Thank you.

(Applause)

President Tornatta: Any questions? Is there anybody else that would like to say something to the request to take this back to APC until a corridor study has been done and that has been presented to the neighborhoods? Okay. Thank you guys.

David Robinson: Thank you.

President Tornatta: Do you have anything else to say?

Les Shively: No, sir.

President Tornatta: Okay, I would like a comment, if they wish, from the Commissioners, please.

Commissioner Winnecke: First of all, I would like to thank all of the parties involved; the developers, the remonstrators, the University, as well the professional staffs of the County Engineers office, the Area Plan Commission, the Metropolitan Planning Organization. What I've witnessed is a strong example of representative government. I applaud everyone's patience and their perseverance. My opposition to the rezoning, as I have communicated to many people, is based upon the infrastructure and its ability, or in this case its inability to handle the large volumes of incremental traffic. All one has to do is try to drive to the University of Southern Indiana at a peak traffic time to understand just how bad the congestion is. Traffic counts performed as recently as this last spring by the MPO verified the anecdotal evidence, 6,400 cars a day use the west bound off ramp from State Road 62 to University Parkway. The MPO's modeling for the year 2025 projects that growth to increase 58 percent just by using growth, current growth assumptions. It increases 115 percent by using a high density growth model. That's almost 14,000 cars a day. INDOT has this information and I believe that it will ultimately help convince them to make a commitment to improve the interchange that we all know is needed. I will certainly continue to do my best to lobby for such funding. My last point really has to do with the proposed corridor study. I think it's an excellent idea. I have two suggestions, first that we get input from many levels on defining what the scope of the study is. I think it's important that the County Engineer start by defining the scope from his perspective, but also include input from the MPO, the APC, this office, the University and from concerned residents. Once the scope is defined and everyone understands what kind of data to expect from the study, then we should hire an

appropriate consultant to do the work, and as part of that consultant's work, I think it's imperative that we require public hearings to be a part of that. I've said this before, Mr. Robinson said it, I'll repeat it tonight, we have one chance to get it right, and as a result we'll need input from as many interests as possible.

President Tornatta: Thank you. Steve?

Commissioner Melcher: That's why I always let Lloyd go first. He says pretty much everything that needs to be said. I think a lot of you should also know that the Commissioners did set up a meeting with the State, and had that meeting with the State, and we were able to push more, because I want and I'm pushing for the State to take ownership of that interchange. I believe the County Commissioners years ago was wrong when they built it. They should have made the State build it up front, and they would have, but, I guess, they were waiting to see which one was going to flinch first, and the county did. So, that's one of the problems that we have, but I think that's something that we need to work with. We need to all understand we all work in this community together, we all live here together, so we want what's best for all of us, the developer, and the residents and the traffic and everything that's out there. So, with that, I think, is the committee still going to, is your committee still going to meet? The advisory—

President Tornatta: If need be.

Commissioner Melcher: Because that might be where you would be able to get your residents side that Lloyd said.

President Tornatta: Uh-huh.

Commissioner Melcher: That would already be the springboard and you've already got it sitting there waiting. So, I think that's something that you should do. Thank you.

President Tornatta: Thank you.

Commissioner Melcher: I want to thank everybody for coming out in the rain tonight and going through our security this evening. So, I had to go around two entrances to get in. So, at least we know we got in.

President Tornatta: Okay. First off, I would like to thank Stan Blaszczyk for being a trailblazer in this movement. Very few would stick their necks out, as uncomfortable as this was for Stan. An engineer by trade, really this is not his forte, but he believed in the process and he came and he addressed things and he really, he impressed me with the way that he came out and took care of business in a manner. Now, the first time wasn't beautiful, but we had talks, and he truly wanted to learn the process and learn, he did learn what it's like sometimes to be a representative of the people. I can't say that he's going to jump into politics after that, but he did an outstanding job and I appreciate all that you've done, Stan.

(Applause)

President Tornatta: Somebody who is in front of people quite a bit, and really was a guy that helped bring all parties along, in my opinion, and sometimes threw some bones to Stan to help him with what he was not confident with, was David Robinson. David did the right things, and he seemed to do the right things all the time. I'm sure there will be a day in court that I won't be on his side, if I were he's well represented

you all and he's a fantastic guy that took a lot of initiative to move this process along. So, I thank David. The rest of the committee; Dewey Colter, at every meeting, including with INDOT; Fred Padget has been a champion for the westside; Michael Lockard burned more of my cell minutes than I'm willing to admit, but he has a passion for making sure that everyone is taken care of on the westside; Tammy Nasiatka was the lone lady and I'm going to tell you what, she stood in there with the boys and really made her presence known, and had we not had Tammy on there we would have missed a great component. So, I thank Tammy. Mark Rozewski, from USI, and Mark just took his knowledge that he has for city and county planning and helped break it down for us, and then gave us a lot of the aspects from USI. So, we appreciate Mark. From the development group, Joe Kiefer was not wearing his political hat at all, he was wearing his work hat. I think that's strong to have a guy that could try and influence people politically that did not, because he did not want to cross that boundary. So, his integrity was paramount. Gene Hahn, Gene came to every meeting, and I don't think is something that Gene's ever done before, so this is blazing new territories for him as well. Then, you know, somebody from the development group took a lot of ribbing, Gene Pfeiffer, and Gene came to me and never once did he say anything that was inappropriate or try and coerce me in any way. He came to me as a guy that has development on his mind and an idea that he has, and although it might be ahead of its time, he has the best intent for that corridor and for his land. He's a good man. So, I appreciate everyone understanding that Gene is a good man. For our government side, James Raben came to the meeting at the Highway Garage and really showed his true colors. He was there on the finance side, he really recognized that to get this done there needed to be some type of financing, so from the County Council and his district he pledged that he would do what he could to get that study financed, and we're going to lean on Jim and the County Council a lot, and we appreciate his support. Thanks to the Commissioners for letting us go with this what we're going to call a study group, because we found out we didn't set up a committee, but we did set up a study group so we could all move back and forth with our ideas to come out with a resolution that you did on your own without the Commissioners moving you in a direction. One side made a motion, the other side agreed to that motion and you brought it to us, which is how things should be. Thanks to John Stoll and Bill Jeffers for all of their work. As the process has been delivered by Commissioner Winnecke, what I believe that we will do is work on that scope, get all who have been involved, involved. I appreciate those who have stuck with me in a time when I was not going to give you any answer from where I was coming from because I wanted those answers to come to you. It's tough not to be able to tell people how you really feel, but I think that this group of neighbors, once they got the process, worked through the process to a "t" and they were able to come up with a decision that made sense at this time in our county. We did not wait for the storm to pass. We just learned how to dance in the rain. I appreciate all of you that danced with me. So, thank you very much, and as this goes.....yes, Stan?

Stan Blaszczyk: May I say something else?

President Tornatta: Absolutely.

Stan Blaszczyk: I just want to say I want to thank the three of you guys for coming to my house. You know, a lot of these people weren't there in my living room, but you guys came to my house, and that's part of this too. I never did believe when I started this that I would get you guys to even show up. You know, it's amazing to me this process, and this is democracy in action. You know, you see all of these people, thank you so much for coming. You know, of the people, by the people and

for the people, that's what it's all about. You guys have lead, and these people have lead, and it's worked the way it's supposed to. So, I just wanted to say thanks to you.

President Tornatta: And we're not done.

Stan Blaszczyk: And we're not done.

Commissioner Melcher: Just for the record, those were three separate events.

Stan Blaszczyk: I wasn't trying to get you guys in trouble.

Commissioner Melcher: No, just for the record—

Commissioner Winnecke: We can do that on our own.

Commissioner Melcher: —three separate events.

Stan Blaszczyk: Yes, they were.

Commissioner Melcher: I'm glad I had my Jeep the first time I went out there, because it was dark.

Stan Blaszczyk: And, Lloyd, my son's in the audience too.

Zach Blaszczyk: Right here.

President Tornatta: Alright, thank you. With that being said, do I have a motion?

Commissioner Winnecke: Mr. President, I'll move that rezoning number VC-8-2008, Majestic Place LLC, be delayed, or rather be sent back to Area Plan Commission pending the outcome of a corridor study between State Road 62 and State Road 66.

Commissioner Melcher: I'll second the motion.

President Tornatta: A motion and a second. Any discussion? Seeing none, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you all very much.

(Applause)

Madelyn Grayson: Commissioner Tornatta, just for the record, the correct rezoning number is VC-10-2008.

Commissioner Winnecke: I'm sorry. I apologize.

Madelyn Grayson: I have the petition here.

Commissioner Melcher: Yeah, I've got VC-10-2008.

Commissioner Winnecke: I'm sorry.

Commissioner Melcher: That's the number, VC-10-2008. It started in 2008.

Commissioner Winnecke: We'll just, we'll go back and amend it here in a minute.

Commissioner Melcher: Thank you.

President Tornatta: Janet, let's go ahead and go to the first reading.

Rezoning Petition: First Reading: VC-1-2010
Petitioner: James A. & Randall A. McCune
Address: 7419 Oak Hill Road
Request: Change from CO-2 to R-1

President Tornatta: VC-1-2010, petitioner James Randall, James and Randall McCune.

Janet Greenwell: Yes, we thank you for taking it on short notice. We have made an accommodation to the public trying to get down zonings, we made exceptions to our filing deadlines so that they can get through the system a little quicker. They don't involve quite as much work, so it's easier. I thank you for putting it on. We would like to hear it in January, at our January 14th hearing.

President Tornatta: Okay.

Commissioner Melcher: I've got a question first.

Janet Greenwell: Yes?

Commissioner Melcher: We talked about this before in the past, and maybe you and I have talked about this—

Janet Greenwell: Uh-huh.

Commissioner Melcher: —all this is due because of the banks not wanting to fund money and stuff unless they're residential—

Janet Greenwell: This—

Commissioner Melcher: —at one time everybody went out and did these blanket industrial, and we're trying to change it. We were talking about maybe doing some cheaper way for them also, have we ever got to that point?

Janet Greenwell: Um—

Commissioner Melcher: I know I talked to Brad about it a few times, and I said you really need to be cheaper because they're trying to sell a house on Main Street—

Janet Greenwell: The biggest cost of a rezoning—

Commissioner Melcher: Is the advertising.

Janet Greenwell: —is the advertisement. I believe I told you last month Blaine Oliver went to the Courier Company and they did revisit their policy and we have had a couple of the petitions that have refigured their cost, and they did bring it down some. At this time the only legal way to finalize an ordinance is to have it published in the legal section of a daily newspaper. Unless there is something done at the State level where it could be done electronically, that's the only way that I could see that it would be cheaper. We do have, Plan Commission passed a hardship, not an ordinance, just a policy, people who can't afford to file, the filing fee, can request from our Director some leniency in the filing fees, and we have accommodated the filing deadline schedule so that we can take those particular types of zonings in late.

Commissioner Melcher: Okay.

Janet Greenwell: In this instance it was actually four weeks late. So, we're stretching it.

Commissioner Melcher: No, I'm okay with it.

Janet Greenwell: Okay.

Commissioner Melcher: Because I understand a lot of time they're trying to sell a house or they're trying to buy a house and they've got to, and because it was zoned some way years ago. Okay.

Janet Greenwell: This is an unusual case because it's not a legal non-conforming, but it had a covenant that was accepted when it was rezoned and the banks will not give clear title to the property—

Commissioner Melcher: No, no, I understand.

Janet Greenwell: —unless it's rezoned.

Commissioner Melcher: And you still kind of help too, don't you, on helping them so they don't have to have all the words in the—

Janet Greenwell: Yes, we eliminate, we put the legals down, we eliminate all the duplications.

Commissioner Melcher: Well, and I think as long as you keep doing that, that really helps too. Thank you.

Janet Greenwell: We're trying.

President Tornatta: Do you want to make a motion?

Commissioner Melcher: Yes, I'll make a motion to approve it on a first reading.

Commissioner Winnecke: Second.

President Tornatta: A motion for VC-1-2010. Any questions or comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Rezoning Petition: Final Reading: VC-9-2009
Petitioner: Bryan S. Wright
Address: 12501 Highway 57
Request: Change from C-4 to R-1
Action: Approved 3-0**

President Tornatta: I guess, the last one is VC-9-2009, petitioner Bryan Wright.

Janet Greenwell: Which is another down zoning. This is a C-4 zoned house at 12501 State Road 57. In order to refinance or sell they are going to have zone it down to residential and that's what this petition is about. Plan Commission voted unanimously to approve.

President Tornatta: Okay.

Commissioner Winnecke: Mr. President, I'll move approval.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions or comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Clarification of Vote on Final Hearing of Majestic Place LLC

President Tornatta: If we could go back to the mistaken identity.

Commissioner Winnecke: Yeah, I'm sorry, that was my mistake on the motion regarding Majestic Place. I read the wrong number. Mr. President, I will revise my motion and identify it as VC-10-2008, not VC-8-2008.

Commissioner Melcher: I'll second the motion.

President Tornatta: A motion and a second. Questions, comments? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Burdette Park

President Tornatta: Okay, we're going to go back to department head reports. Steve? Steve Craig, anything?

Steve Craig: Steve Craig, Manager of Burdette Park. I don't have a lot of things. We're in the process of getting ready for the busy holiday season and putting together some plans on remodeling stuff at Burdette, buildings, going through and taking care of what needs to be done. The one thing I do have, I want to pass out a Burdette rate that we had kind of went over, and I want you guys to take a look at and get back with me. We do need to get this in by next week so that we can get it into our computer system.

Commissioner Winnecke: So, Steve, as we....I'm sorry, is that alright?

President Tornatta: Oh, yeah. Go ahead. Sure.

Commissioner Winnecke: As we discussed earlier, the only changes that you are proposing now versus the changes that we had looked at previously are on the chalets, correct?

Steve Craig: Yes, sir.

Commissioner Winnecke: Okay.

President Tornatta: And that's going to be, that's going to try to be an upgrade of those chalets in a few different ways. So, that's to try and just offset the cost of what that upgrade would be. So, I appreciate you going forth with that. Any other questions?

Commissioner Winnecke: No.

President Tornatta: Are there any questions of these? Or do you need to look at them?

Commissioner Winnecke: We can act on them next week, right?

Steve Craig: Yeah, yes we can have them till next week. I don't know, it would be too late to do it on the 29th. Or if you wanted to do them tonight you could, that's up to you.

President Tornatta: I didn't know if you had—

Commissioner Winnecke: I don't have a problem with them.

Commissioner Melcher: Yeah, I won't be here on the 29th.

President Tornatta: I would just accept a motion, if there's no questions.

Commissioner Winnecke: I have no questions. I'm glad we backed off some of the others, and I think the ten dollar increase for the chalets and given the improvements that we're going to see is very reasonable. I would move approval as presented.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: How about that?

Steve Craig: Thank you very much.

Commissioner Winnecke: Thanks, Steve.

President Tornatta: Okay, thank you, Steve.

Steve Craig: You all have a good evening and be safe.

President Tornatta: Alright.

Old Business

President Tornatta: Any old business of the Commission?

Public Comment

President Tornatta: Public comment? Doc, anything?

Ray Nicholson: Just for the record I would like to say that the immunizations for H1N1 has been going very well. However, there has been a lot of apathy among the public. I think that they're being led to believe that this epidemic is over, and I want to point out that we're just entering the flu season. Flu season usually traditionally runs, starts in October but it really picks up the first of December and goes all the way through to March. Usually this epidemic of H1N1 is a, comes in waves. This next wave could be coincident with seasonal activity. So, I would urge the public to get immunized. That is how you fight it. Only 17 percent of our population has been immunized. That's not enough to stop an epidemic. If this picks up in its severity, we could be in a lot of trouble. So, I hope that the citizens will take this seriously, help themselves, help their neighbors, help their families and help the community as a whole. That's how we're going to do it.

President Tornatta: Thank you, Doc.

Ted C. Ziemer, Jr.: I read about this in the newspaper, are we now finished with tier one? Are we going, when you have immunizations now are they for everybody in the community? Or are we still limiting it?

Ray Nicholson: I wish we were finished with tier one, because we've only immunized 17 percent of tier one. However, we are going ahead and proceeding to the entire community, with the exception of nursing homes. We are going to open all the clinics to everyone, and then because only, I think, it's like point six percent of the cases have been in nursing homes, we're going to delay those until everybody that gets the vaccine that wants it. Then as soon as the demand goes down, then we will put it out to nursing homes also.

Ted C. Ziemer, Jr.: Okay.

Ray Nicholson: Or just offer it to them.

President Tornatta: Any other questions?

Commissioner Winnecke: I'm going to get mine.

Ray Nicholson: Fine, thank you. I got mine.

President Tornatta: Alright.

Commissioner Winnecke: Well, I haven't gotten it yet, but I'm going to.

Ray Nicholson: Well, we have plenty of clinics scheduled in the coming days. The State of Indiana has offered this to selected pharmacies, and after the 20th of December people will be able to go to a pharmacy and get it. There will be charges for those, where as the ones that we give will be free to the public.

President Tornatta: Thank you, Doc.

Commissioner Winnecke: Thanks, Doc.

Commissioner Melcher: Doc, since you're up there, Doctor? Does the VA....up here.

President Tornatta: Here you go. Sorry.

Commissioner Melcher: Does the VA give those too?

Ray Nicholson: See, I don't know. I would, I just don't know.

Commissioner Melcher: I guess, I'll find out on the 17th.

Ray Nicholson: They would get it from a different source. We get the vaccine then we are able to—

Commissioner Melcher: Yeah, I thought you might know since you're here.

Ray Nicholson: I don't think we've given any to the VA.

Commissioner Melcher: Okay.

Ray Nicholson: I know we haven't.

Commissioner Melcher: Alright. Thank you.

Ray Nicholson: I'll look into that for you. Thank you.

Consent Items

President Tornatta: Motion to approve the consent agenda, please.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Madelyn?

Madelyn Grayson: The consent items for the December 8th meeting are as follows; approval of the November 24, 2009 Commission meeting minutes; employment changes from the various offices; travel requests, one from Soil and Water Conservation District and one from the Health Department; County Engineer, approval of pay request number 94 for Burkhardt-Green River TIF projects in the amount of \$27,454.45; County Clerk October 2009 monthly report; County Auditor November 2009 A/P vouchers; County Auditor Barrett Law lien releases, there are

three for Evergreen Heights and ten for Oak Hill Barrett Law project; Weights and Measures monthly report from October 15th to November 15, 2009; citizen concern comment cards regarding Majestic Place rezoning; Commissioners lobbyist activity report, and department head reports from Burdette Park and the County Engineer.

President Tornatta: Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: If there's no additional public comment, motion to adjourn.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

(The meeting was adjourned at 5:50 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the November 24, 2009 Commission Meeting Minutes.
Citizen Concern Comment Cards Regarding Majestic Place Rezoning.
Lobbyist Activity Report: May 1, 2009-October 31, 2009.

Employment Changes:

Health Department (2)	County Clerk (2)	Legal Aid (1)
Sheriff Office (1)		

Travel Requests:

Health Dept. (1)	SWCD (1)
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County Engineer: Pay Request No. 94: Green River-Burkhardt TIF Projects.

County Clerk October 2009 Monthly Report.

County Auditor:

November 2009 A/P Vouchers.
Barrett Law Lien Releases: Evergreen Heights (3) and Oak Hill (10)

Weights & Measures: Monthly Report: 10/15/09-11/15/09.

Department Head Reports: Burdette Park County Engineer

Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Eric Bell	Elliott Bailey	Michael Kercher
Lane Buente	Jordan Belli	Jeremy Belli
Deidra Conner	Laurie Seals	Tammy Burke
Chris Walsh	Jim Brandle	Mark Bassemeier
John Hauschild	Les Shively	Janet Greenwell
Stan Blaszczyk	David Robinson	Steve Craig
Ray Nicholson	Others Unidentified	Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
DECEMBER 15, 2009**

The Vanderburgh County Board of Commissioners met in session this 15th day of December, 2009 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: Good evening. Welcome to the Board of Commissioners meeting, December 15, 2009. It's a shade after 5:00 in room 301. Roll call, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Tornatta?

President Tornatta: Here.

Pledge of Allegiance: Aaron Alexander: Burdette Park

President Tornatta: We have Aaron Alexander from Burdette Park. Aaron, if you would first lead us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Tornatta: Good evening.

Aaron Alexander: Hello.

President Tornatta: Welcome.

Aaron Alexander: How's it going?

President Tornatta: Great. Tell us a little bit about Burdette Park.

Aaron Alexander: I've prepared a little written statement.

President Tornatta: Absolutely.

Aaron Alexander: It would probably get it in an organized fashion. My purpose for preparing this became clear to me when I was asked by Steve Craig, Burdette Park's Manager, to sum up how and why we won all three places in our category for the Keep Evansville Beautiful's 2009 Beautiful Business Awards. It became obvious that it was more involved than making a simple statement, thus I felt it was necessary to prepare this in writing so that the information would be organized and in order not to forget the major details. With that said, it is important to put 2009 into perspective as it relates to Burdette's past performances over the last ten years in this competition. From 2003 to 2009 Burdette has won eight Keep Evansville Beautiful Beautiful Business Awards. Three of them first places; 2004, 2008 and 2009. The

remaining five awards were mixed second and third places. Our category in which we compete is tough, recreational facilities. Most of the businesses that we are up against have large budgets and labor resources. I am proud of Burdette's achievements in the following ways; we do not have a dedicated landscape budget, our gardening team is usually comprised of two to three part time employees, one to two of those being seasonal due to high school and college, and because of the nature of our facility that is primarily recreation, landscaping is not always a number one priority. In spite of these things I have mentioned, I am proud to say that we are still competitive and have achieved these honors for Burdette Park and Vanderburgh County. After describing the details of Burdette's achievements, I would like to explain what we have done in order to attain them. To begin, I will tell a brief and humorous story explaining how I started my career as Burdette Park's gardener and tree guy, as I am sometimes called. I started working at Burdette Park in August of 1999, and up until that point I was not affiliated with gardening or landscaping. My initial position was to collect trash from around the park, clean buildings and chalets, and to work large picnics. In the spring of 2000 I came to work one day and Steve told me to hop in the truck there was something he wanted me to do. That's never a good thing. We arrived at the Oasis miniature golf course only to be greeted by a semi-truck full of 1,200 landscape plants and a parking lot full of Master Gardener volunteers. Steve put me in the semi and had me help them unloading the plants. I had no idea what I was doing, and everyone thought I knew something about plants because I was working for Burdette. A few awkward days later all the plants were in the ground, the mulch was down and the volunteers were gone. Steve told me in no uncertain terms that this was my new baby, and that I was going to be responsible for making it succeed. I am glad he had faith in me, because I certainly did not. It was a starting point though, and with Steve's help, many calls to Larry Caplan, several meetings with Rick Mitchell, the landscape architect, and a ton of anxiety, I got through my first year with a high level of success. The Oasis miniature golf landscaping won Southwestern Indiana Master Gardener's Association Outstanding Project of the Year in the fall of 2000. Over the next decade Steve repeatedly placed his faith in me. He gave me the resources to accomplish the goals he set before me, and challenged me to my limits. It was awkward at times, because the park up until this time had never had a unified system for taking care of the landscape or the trees. So, we were creating it as we went along. In the process we installed the following major landscapes; the waterfall at the O'Day Discovery Lodge, the massive planting around the Discovery Lodge, the new spray park, revamping the main park entrance, the aquatic center entrance, the Jean Cook Tree Memorial, and upgrades to numerous of the rental buildings landscapes. We have continually added to our plate without leaving anything else behind. All of this has been a major challenge, stretching us to the limits of our resources. In 2009 the main entrance won third place, the Lodge won second place and the aquatic center landscape won first place. All of this hard work has been paying off. In addition to all of this, Steve and I happen to be tree lovers. One thing that concerned me early on as a gardner was the loss of trees that the park experiences annually due to weather, insects, and vandalism. Steve and I decided early on to mitigate these losses with an aggressive tree planting agenda that has spanned the entire decade. I took some time last week to get a number together so that you could get an idea of the scope of our tree program. From 1999 to 2009 I have planted 860 trees in Burdette Park. That number only counts the success stories, I chose not to include the losses in the total. Our park also boasts an impressive species count of 130. Some of these are naturally occurring, and others we have brought in from all over the United States. I have also spent the last ten years cultivating many of our native trees from seed in order to preserve species who's numbers are in decline. Recently I added a rare tree, the Sand Hickory, which is native to Indiana by working with the

Department of Natural Resources to collect seeds from one of the only places in Indiana where they can be found. I feel that the overall impact of our attention to trees has augmented the general public's perception of Burdette Park, and in doing so aided us in the Keep Evansville Beautiful business competition. With all of that said, I would like to describe what I do over the course of the year. One of the most common questions I am asked by people is what do I do all year? Do I work at Burdette Park during the winter? This used to catch me off guard because it seemed obvious to me that there was plenty of work to do. However, I began to see this as an opportunity to educate people on how their tax dollars are being spent. Here is my workload starting with the fall and winter; I fertilize all the trees, the flowers, and the turf, I remove leaves and organic debris from the flower beds, repair mulch if needed, prune all of the trees, winterize all equipment and any irrigation equipment, plant any trees that we get, protect 860 young trees from deer and beaver damage, mulch at all of the buildings, pardon me. In the spring I clean out flower beds again, touch up mulch at all the buildings, begin weed control, which is extensive, lay out any landscape plantings and revisions for the year, order any trees for spring plantings, get the Oasis miniature golf ready for opening, including the four water features, prepare the aquatic center plantings and spray park for Memorial Day weekend, and begin regular inspections of plants and trees on a weekly basis for insect, pest and human damage. In the summer it's weed control, pest control, irrigation and all plantings, cleaning off of the golf course every morning and maintaining the water features. In addition to these responsibilities, I, like everyone else at Burdette Park help clean buildings, work large picnics, mow grass, and generally do anything and everything so that the park functions smoothly. Credit must also be given to the crew of part time workers who take care of nearly all of the mowing and also help with large scale applications of mulch at our largest plantings. All of this requires a tremendous amount of energy and dedication, but that is what Burdette Park employees are known for. Accompanying this work ethic is our general love for the land, nature, our neighbors, the park patrons, the weather, and the passing of the seasons. I am incredibly blessed to be in this position, and I believe that Burdette Park most of all to me is home. If you have any questions I would be glad to answer them.

President Tornatta: Any questions?

Commissioner Winnecke: I would just say thanks for your dedication. Burdette Park is a great asset for the county, as are the employees. We appreciate your efforts on our behalf.

Aaron Alexander: Thank you.

President Tornatta: Thank you very much. Thank you, Aaron.

Aaron Alexander: You're welcome.

President Tornatta: Thank you, Steve, for sending Aaron in here today.

**Permission to Open Quotes: VC09-12-01
Neu Road Culvert #1061 Grade Stabilization**

President Tornatta: Alright, permission to open quotes for VC09-12-01, Neu Road culvert number 1061 grade stabilization.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions or comments? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: I don't have any to open.

President Tornatta: Okay.

Ted C. Ziemer, Jr.: Now I do.

President Tornatta: On cue.

Permission to Open Bids for VC-52-2010: Trending Services
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President Tornatta: Permission to open bids VC-52-2010, trending services.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

**Roberta Heiman: League of Women Voters:
Presentation of Petition for City-County Consolidation and
Request for Public Hearing**

President Tornatta: Alright, action items, Roberta? Roberta is with the League of Women Voters, and she has a lot of paper in her hand.

Roberta Heiman: Commissioners, good evening. I am Roberta Heiman, President of the League of Women Voters of Southwestern Indiana. It is with pleasure and anticipation and relief that I present to you a petition calling for reorganization of local government in Vanderburgh County and the City of Evansville. This petition has been signed by more than 3,300 residents of the city and county, including 2,757 who signatures were verified by County Clerk Susie Kirk as those of registered voters. Some more than 600 others signed, but for a variety of reasons their signatures weren't verified. It was surprising, the leading reasons were that they had moved to a different address from which they are registered, or that they're not registered. A surprising number of people, I thought everybody was registered to vote, a surprising number of people are not. Nonetheless, they are residents of Vanderburgh County and they're very interested in this issue. The thing I want, above all, this is a people's petition. These signatures did not come from some special interest group. They came from people throughout the community, including some 800 who live in the county, outside the city limits. About 30 percent of the verified signatures are from outside the city limits. One of the fascinating things is several hundred, as you go through these you will see copies of the petition signed by just one or two people, and the vast majority of those, and there are several hundred of them, were from people who downloaded, they were so interested in this they went to the League's website, printed out, downloaded a copy of it, filled it out and mailed it in. You know, from your experience, usually you hear from people opposed to something, it's very unusual for people for something, that many for something, to have that kind of response. So, literally this is a people's petition. A few businesses circulated the petition for their employees to sign, but the vast majority were collected by the League. We're a small group and we had a handful of people doing this. We announced it in mid-September, but started in earnest in early October. So, in a little over two months we got more than 3,300 signatures. We did this, it was so interesting, we went to coffee shops, bars, neighborhoods knocking door-to-door, we went to grocery stores, bridge clubs, book groups, book stores, and what we found, oh, we went to businesses up and down West Franklin Street and North Main Street and downtown, and what we found was a really high level of interest in this issue. Many of the people who signed told us they are very for consolidation. Many who signed are very against it, but they were unanimous in feeling that this issue should be determined by voters. They want it on the ballot. So, that's what this petition is. It's a neutral petition that opens the door for preparation of a plan that voters can then determine whether they want it or not. Whether they get that opportunity is now up to you. As stipulated by the State Legislature in 2006 now, the next step will be for you, as Commissioners, to hold a public hearing and determine whether this process can move forward. If you determine it can, then we'll go to, we, the League, will take it to the City Council, and if they agree, then you'll jointly appoint a bi-partisan citizens committee to draft a plan. That creates a tight schedule for preparing a plan that can be on the ballot next fall, but it can be done. One reason is that we don't have to start from scratch. In 1973, 1990, 2006 consolidation plans were prepared. So, we don't have to reinvent the wheel here. A committee has a good starting point for looking at all of the issues and moving forward. With that deadline in mind, we ask that you move

forward quickly, and jointly appoint this committee so that it can get to work. The committee, we hope, will include a broad diversity of representation from this community in gender, race, geography and interest, and not put elected officials on the committee. It should be a citizens effort. You guys will have all sorts of say, you've got the authority under the law, but let citizens come up with this plan. We also hope the committee will conduct all of its business in meetings totally open to the public. So, here you are, gentlemen. Let's let the debate begin.

Commissioner Melcher: I think I would like to go ahead and say that I don't think there's any debate. I'm willing to let it move forward. I think this is something that people have asked me that they want to vote on. I think you're right. I appreciate it that your group was able to go out and get these votes, I mean, signatures. I'm glad you got 30 percent out of the county, because I didn't want them being left out, because I've had a lot of county people call me. I was so used to people in the city calling me. So, I'm glad you did that. I would kind of like to have a public hearing on it, and I would also like us to go ahead and invite the City Council at the same time, like we did that once before. So, that way they could be here and listen also, because then if we come back to file it....and I'm also thinking maybe we do it on the 12th. I think it ought to be a special night just for this. I think it's so important that we have a special night for it. We don't meet on the 12th, but we could come down here, maybe even at 5:30 when people get off work, that way everybody has the opportunity to come down and hear, or if they want to say something. Then, I think, from that, if the City Council is here too, or if some of them are here, they will get it, we can come back the next week and file a resolution and move on from there. That will speed the city up also.

Roberta Heiman: Thank you, Steve.

Commissioner Winnecke: First, I would like to thank the League for its great work in obtaining all of the necessary signatures. I think you should be commended for the energy and time that you've put forth to go out in the community. I know I saw you at a restaurant one Friday night, and I know you've worked diligently. I think it's important to note that they have asked the residents who signed the petition in favor of moving the process forward and as such, I don't think this body or any other elected body should stand in the way of moving this process forward. I think we would be wise to accept the signatures as presented tonight and schedule the required public hearing at our first meeting, which is January 5th. We have a number of things that are required at a first meeting, reorganization, board appointments, we can do that quickly and move right to the topic at hand, because as Ms. Heiman noted earlier, the time frame does get pretty tight into the new year and a week could make a lot of difference. So, congratulations, and thank you for your hard work. As you say, let the debate begin.

Roberta Heiman: Thank you. Could I also point out something? The League of Women Voters is the first citizens group in the State of Indiana to initiate this process under that law enacted in 2006. So, we're the first community to do it. For once, Evansville and Vanderburgh County are first.

Commissioner Winnecke: Not surprising.

Roberta Heiman: Okay, thank you.

President Tornatta: Okay. Probably I side with just going ahead and getting this on the books for the 5th. We will end up, Steve, to kind of get more of your wishes, we'll

just clear the schedule to only handle items of business that need to be done first off in that meeting in January, and then we'll go right into the hearing. At that point that will be all we will handle on that meeting, and all other subsequent topics will be on our next meeting's, next regularly scheduled meeting. You bring it up, people have brought up the right people, and we are, we will be concerned to get the right dynamic of people in there that will definitely have interests. I think the political element has to, not the political element, but as long as the thought is that we want to get information from politicians. Because we are in this business, and we have as much knowledge to give to any group as to the cause and effects of how things are run. So, I caution you not to avoid us, but to use us to gain the knowledge that might help you make a better decision and present to the public. But, in all this, I will not go through this so quickly that we would forget the sight of what we are trying to do. So, Roberta, I will put this on January 5th. I will do my best to get the dates as close as we can to our next Board hearing as possible, but I will not do this to a point to where we will go so fast that we lost sight of what we're actually trying to achieve. So, with that being said, if I can have a motion.

Ted C. Ziemer, Jr.: If I could just comment, please?

President Tornatta: Sure.

Ted C. Ziemer, Jr.: Commissioner Melcher mentioned including the City Council, and the statute says that this should be a public hearing of the County Commissioners. So, it needs to be your public hearing, but you certainly could invite the City Council to attend. That's a pretty good idea, because the statute does not require a public hearing by the City Council, after the County Commissioners have had one.

President Tornatta: Will you run down the process one more time?

Commissioner Melcher: It's a long process.

President Tornatta: Well, that's okay, we're in the process.

Commissioner Melcher: Okay.

Ted C. Ziemer, Jr.: Well, yeah, just briefly, I don't have it written in front of me here, but I think I've got it fairly well in mind. After the meeting on January the 5th, if this body adopts that, the County Commissioners then have 30 days to adopt a resolution to do one of three things. Either to accept the proposal to join Evansville and Vanderburgh County, or to put forward a different kind of proposal, I guess, joining Evansville and Warrick County, or deny, declining to participate at all in the process. At the same time, if they adopt either of the first two, and, of course, the likely one will be to merge city and county government here, Evansville and Vanderburgh County, they also would have to determine in that resolution whether the county-wide election for that process should be, what's the word? Help me here.

President Tornatta: Restricted.

Ted C. Ziemer, Jr.: Yeah, well, without—

Commissioner Winnecke: Rejection threshold.

Ted C. Ziemer, Jr.: Yeah, without a rejection threshold, which means it would be vote by the entire county, and if a simple majority of the entire county voting voted for it,

it would pass. Or it could be with a rejection threshold, and that would mean that there would be two separate counts, one of the people who in the county who live within the city limits, and one of the people in the county who live outside the city limits. If either one of those groups failed to have a majority, then it would also not go forward. So, those are things the Commissioners have to decide. After they adopt their resolution, which will contain some mixture of those things as provided by law, they then certify that resolution to the City Council, who can as soon as their very next meeting, there is no requirement for any public hearing at all by the City Council, consider the resolution that was adopted by the county. If they adopt a same or similar resolution at their meeting, then the city and county get together and start forming this committee that Roberta was referring to. If the city comes back with a different kind of resolution, then the city and the county have to get together, much as we're about to see the United States Senate and the Congress get together on some actions that they're considering now, to decide how we can get a resolution that's substantially similar. When that happens, of course, if that doesn't happen, it doesn't go forward. If they do adopt a similar resolution, so that both of them are essentially identical, then they go ahead with the appointment of the committee. The committee has one year, by statute, to come up with its decision. However, it can come up with its decision sooner than one year, but they have a year to do it. If they come up with a decision sooner than one year, then that goes to both the County Commissioners and to the City Council for approval. If either of those bodies do not approve the program developed by the committee, it goes back to the committee for further consideration. That process can go on from that point. So, basically that's what we're looking at.

President Tornatta: At that point, any questions? Questions of anybody in the audience that might be interested? Seeing none. I look for a motion.

Commissioner Winnecke: Mr. Chairman, I would move that we, this body schedule a public meeting to consider the unification study at our January 5th meeting of the Vanderburgh County Commissioners.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you very much.

Ted C. Ziemer, Jr.: And, just on the chance that that might be the motion, I have several different forms of public hearing notice ready, but, Madelyn, I provided you with a copy of the notice of the public hearing, which you should use for this purpose, and you and I have discussed this that could be published on the 21st I think we said, which would be well more than seven days prior to the meeting on January 5th, and it must be at least seven days. So, we'll be in good shape. Thank you.

Commissioner Melcher: We are going to invite the City Council?

President Tornatta: Yeah, we'll happily do that.

Commissioner Melcher: That's kind of why I wanted it on another night, that way it would have been a public hearing only, but we're okay. I just feel like it will speed things up, it will give everybody more opportunity, especially if there's a lot of people here.

President Tornatta: Okay.

<p>Second/Final Reading of Ordinance CO.12-09-019: Amending Ch. 2.96: Travel Requests & Expenses</p>

President Tornatta: Second and final reading, CO.12-09-019, amendment to county travel expenses ordinance. Amending to travel ordinance to change references to the County Commissioners to the County Council, and filing dates from two weeks prior to the scheduled travel to 30 days prior to scheduled travel.

Commissioner Winnecke: Mr. Chairman, I'll move approval of the final reading of CO.12-09-019.

Commissioner Melcher: I'll second it.

Commissioner Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Jim?

Ted C. Ziemer, Jr.: Excuse me, I have these bids, if you would like me to go ahead and read those into the record?

President Tornatta: Okay.

**Reading of Bids for:
VC09-12-01: Neu Rd. Culver #1061 Grade Stabilization
VC52-2010: Trending Services**

Ted C. Ziemer, Jr.: For the Neu Road culvert, two bids, one from Jack Hahn Excavating, Inc., the amount is \$13,040. For the same culvert, Deig Brothers, \$15,164. For the trending services agreement for the Vanderburgh County Assessor; A&S Associates, we have two bids, one A&S Associates for a bid of \$98,000, one from Tyler Appraisal and Property Tax Solutions for \$78,200.

Commissioner Melcher: I guess, we need a motion–

President Tornatta: On both is fine.

Commissioner Melcher: Yeah, I'll take a motion on both of them for–

President Tornatta: Advisement.

Commissioner Melcher: –advisement.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

Permission to Award APA025-2010: Commercial Fuel

President Tornatta: Jim Harris? Come on up. Permission to award APA025-2010, commercial fuel.

Jim Harris: Good evening.

President Tornatta: Good evening.

Jim Harris: Tonight I have before you the commercial fueling that was sent out for bid under the Cooperative Purchasing Organization, the joint group between the city, county, EVSC, and a number of non-profits. We've had eight bidders. Two were responsive, one was non-responsive due to the fact that they only bid for the EVSC delivery. The recommended company that we go with is Heritage Petroleum, which

is a local Evansville company. I'll be happy to answer any questions that you might have.

Commissioner Winnecke: Could you describe, Mr. Harris, the cost relating to their bid for us, please.

Jim Harris: Okay.

Commissioner Winnecke: Compared to the others.

Jim Harris: Basically, the city and the county require a different set up for delivery than the EVSC does. EVSC has, we have our own pumping stations. So, it's delivered in bulk and dropped off and we pump our own. The city and the county require local places for fill up at different various gas stations. So, that's one reason why only a few companies could actually supply both needs. The one unresponsive would only deliver to us in bulk. Currently we're looking at a flex price, which is off the OPUS system's oil pricing info service. So, it's a fluctuating price. So, as of the 19th, the amount was two oh four, two dollars and four cents. Currently that price is a little bit higher, but it fluctuates. What we're planning to do is lock it in once we see a downward trend, we will lock that price in. Currently we are playing the flex price, EVSC is doing the exact same thing.

Commissioner Winnecke: Mr. Chairman, I'll move approval based on the recommendation from Mr. Harris.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Further discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, Jim.

Jim Harris: Thank you.

F.C. Tucker Commercial Realty: Storage Space in Old Courthouse

President Tornatta: Lisa? Lisa is with F.C. Tucker Commercial Realty.

Lisa Daugherty: Hello, I'm Lisa Daugherty with F.C. Tucker Commercial. I represent the county for the Old Courthouse leasing. I wasn't really sure how to approach this, so I just asked them to put me on the agenda. We currently have, you have a list in front of you of five suites that are being used for storage purposes, and according to the maintenance manager, Otis, they are chalk full and he has no place else to put anything. When I asked him what he was storing, he said it's basically junk. Things that need to be disposed of.

Commissioner Winnecke: County junk, right?

Lisa Daugherty: County junk.

Commissioner Winnecke: Just to clarify.

Lisa Daugherty: Yeah, he's not in a position to dispose of this without authorization from the Commissioners. So, I'm not sure how we need to go about addressing that, but I am quickly running out of space to lease.

President Tornatta: Okay.

Lisa Daugherty: Most, the two spaces that I have left to lease are well over 1,000 square feet. My big demand has been for the smaller spaces, which three of those are housing things, surplus. He said it's broken furniture, different things that, so, you know, we need to figure out a direction to address this problem.

President Tornatta: You, my friend, are on the board over at the Courthouse.

Commissioner Winnecke: Yes.

President Tornatta: Is there any chance that you would ask them to go through that property? Or, I mean, are we sure that's county property? It is? Okay.

Lisa Daugherty: Some of it was left over by previous tenants that moved out and didn't take it with them. Some of it's county property. It's a conglomeration of a lot of—

Commissioner Winnecke: I'm wondering if the proper procedure is to get as close to a concise inventory of the junk as possible, and then maybe take action at a future meeting.

President Tornatta: Alright, who would—

Lisa Daugherty: Do you want to have Otis do that?

President Tornatta: Is that the proper channel?

Lisa Daugherty: He's the only one that really has access to the spaces.

President Tornatta: Okay. We'll direct him to start the process.

Lisa Daugherty: Okay.

President Tornatta: How about that?

Lisa Daugherty: That's good, because I've had a lot of requests.

President Tornatta: Is there any, I know we've taken out walls in some of these rooms, is there any way that we can take 1,000 square foot and put in a wall?

Lisa Daugherty: If you look at the size—

President Tornatta: Make it two 500?

Lisa Daugherty: —of the spaces that are housing the surplus, it's well over 1,000 square feet of stuff and he said they're full. These rooms are full.

President Tornatta: Okay.

Lisa Daugherty: So, he doesn't have anywhere else to put it.

President Tornatta: No, I'm not talking about that. I guess, I'm talking about of the available space.

Lisa Daugherty: 105 and 106 could be divided, but it's still going to put it right at 1,000 feet each.

President Tornatta: Okay.

Lisa Daugherty: We're trying to maintain the integrity of the building.

President Tornatta: Okay.

Lisa Daugherty: So, I'm encouraging people not to build walls, if they can get away with using the space as is.

President Tornatta: Okay.

Lisa Daugherty: With painting and, you know, maybe carpeting or restoring the hardwood.

President Tornatta: Okay.

Lisa Daugherty: So—

President Tornatta: We will direct him—

Lisa Daugherty: Okay.

President Tornatta: —to start that process, and, hopefully we can—

Lisa Daugherty: Then I have one more item. Mike Shoulders, I guess, is working with the Bar Association to redo that one courtroom.

President Tornatta: Shepard? I think it's the Judge Shepard room. Is that the—

Lisa Daugherty: On here it's, on my map it's called the Superior Courtroom. It's the old Superior Courtroom. I think the Bar Association donated funds to renovate that.

President Tornatta: Uh-huh.

Lisa Daugherty: He had indicated to Otis that he wanted to use suites 201, 202 and 202A also. So, I need to know what the time line is on that, if that's something that I can lease for a year, if they know they have to vacate in year. Or if we have any time line on when we're going to have those renovations complete?

President Tornatta: Okay, we'll try and get that information to you.

Lisa Daugherty: Okay.

President Tornatta: In the next couple of days.

Lisa Daugherty: I mean, should I go straight to Mike? I wasn't sure of the proper procedure.

President Tornatta: Well, I mean, to be honest with you it's probably Mike or Marissa, and then if she doesn't know she would be able to direct you to an appropriate person.

Lisa Daugherty: Because ultimately it's your decision, right?

President Tornatta: Well, it will be—

Lisa Daugherty: Okay.

President Tornatta: —but I wouldn't say that we are, we're acquiring information—

Lisa Daugherty: Okay.

President Tornatta: —the best we can.

Lisa Daugherty: Okay.

President Tornatta: So, if something comes up, we go and find out that information from those people.

Lisa Daugherty: Okay.

President Tornatta: So, if you want to cut to the chase.

Lisa Daugherty: So, can I go ahead and go to Mike and find that out? Is that okay?

Commissioner Winnecke: Yes.

Ted C. Ziemer, Jr.: What about that artistic, I can't think of what his corporate name is, but the guy that does the haunted house over there. I think he has things stored down there as well, does he not?

Lisa Daugherty: He's, I think, in the sub-basement.

Ted C. Ziemer, Jr.: Oh, that's the sub-basement.

Lisa Daugherty: Yes.

Ted C. Ziemer, Jr.: Okay, that's not affecting what you want at all?

Lisa Daugherty: No.

Ted C. Ziemer, Jr.: Okay, thank you.

Lisa Daugherty: No, I've got a couple of spaces that are in the basement, and they have windows in them, so they're nice, usable spaces, but they're just full of stuff.

President Tornatta: Okay. Alright.

Lisa Daugherty: So, you will direct Otis to do an inventory?

Commissioner Winnecke: Yes.

Lisa Daugherty: Super. Thank you.

President Tornatta: We'll do that.

Lisa Daugherty: Have a good evening.

President Tornatta: Alright, you too.

**Health Department: South Central Media Advertising Agreement
Purdue Co-Op Extension: SBM Equipment Service Agreement
Superior Court: Contractual Services Agreement: Troy Hardin
Superior Court: Contractual Services Agreement: Michael Collins
Superior Court: Contractual Services Agreement: Dion Wingerter
2010 YMCA County Employee Membership Agreement
2010 GAGE Agreement
2010 METS/USI Transportation Agreement
2010 Evansville ARC Grant Agreement
2010 Agreement for Televising Meetings: WNIN
2010 Fehd Farm Land Lease Agreement
2010 Mulberry Center Employee Assistance Program Agreement
2010 Youth Resources Agreement
J.E. Shekell Semi-Annual Maintenance Agreement: Old Courthouse
Burdette Park: Yellow Pages Advertising Agreement with AT&T
OCH Lease Agreement: County Engineer
Assignment of OCH Lease from Quantum Health to Gateway EDI
2010 METS Elderly and Handicap Transportation Services Agreement**

President Tornatta: Okay, contracts, agreements and leases, we are going to move through these, folks. South Central Media advertising agreement, this agreement is for a three month period and includes two stations, WIKY and WLFW. The cost is \$1,400 per month for both stations, and the three month total is \$4,200. The cost of the agreement is covered by the grant funds available to the Health Department for this purpose. Next, Purdue Cooperative Extension equipment service agreement with Southern Business Machines, Incorporated entered into between the county and Purdue Extension. The cost is \$625 and provides the maintenance for the period from 1/29/2010 to 1/28/2011. Moving on to Superior Court, each agreement to county agreement continues a prior agreement between the county and respective deputies. Under each agreement the respective deputies are paid \$29.14 per hour

for their services. This is from 1/1/2010 to 12/31/2010. The contractual services agreement with Troy Hardin for home verification services, contractual services agreement with Michael Collins for home verification services, and agreement with Dion Wingerter for home verification services. I'll accept those all as a motion.

Commissioner Winnecke: So moved.

Commissioner Melcher: Second.

President Tornatta: A motion and a second. Discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Commissioners, YMCA membership agreement for county employees for 2010. The agreement is identical to that of last year except dating and the increase of all rates by two dollars for each of the three plans. Funding for this has been approved by the County Council. Agreement for Growth Alliance for Greater Evansville for 2010, identical to 2008, including the annual payment of \$150,000, which is to be paid to GAGE in a lump sum during the first quarter of this agreement. Next, METS/USI transportation agreement for 2010. The agreement between the county and METS for the METS to provide van transportation services Monday through Saturday, 6:45 a.m. to 9:45 a.m.¹ between USI, Eagle Plaza, Schnucks Shopping Center on the Lloyd Expressway, the University Shopping Center and Golden Towers Apartments as set forth on the attached road map, which you can't see. The cost to the county is \$25,000 for one year, from 1/1/2010 to 12/31/2010. Evansville ARC grant agreement for 2010. Under the terms the grant for \$279,000 to the ARC for funding of programs described in the previous agreement. It's identical to last year's agreement. Agreement with WNIN for televising of meetings for 2010. It's between the county and WNIN, and it's identical to last year's agreement. Also an agreement with Fehd Farms land agreement for 2010. That is the same as last year's. Mulberry Center employee assistance program agreement for 2010, identical to last year's agreement. Youth Resources agreement for 2010, revised to provide the county receiving quarterly invoices from the Youth Resources for use in paying of \$20,000 in maximum compensation, and the rest is identical to last year's agreement. Semi-annual agreement with J.E. Shekell for preventive boiler maintenance of the Old Courthouse. It calls for a semi-annual payments of \$2,989. Yellow Pages advertising agreement for Burdette Park. On behalf of Burdette Park, this is with AT&T for Yellow Pages advertising for 2010. The cost of the agreement is \$3,102 for the year and a monthly rate of \$258.50.

¹Should be 9:45 p.m.

Next, an agreement, Old Courthouse lease agreement with the County Engineer. The lease agreement for the County Engineer to lease space at the county courthouse. It's identical to last year except for a three percent increase on rent. Assignment of Old Courthouse lease from Quantum Health to Gateway EDE² LLC. This has to do with the proposed sale of assets from Quantum to Gateway, which may or may not go through. On the likelihood that it will, Quantum is asking the Commissioners to approve the assignment. This was on the December 8th agenda and it was passed over. METS elderly and handicap transportation agreement, the 2010 version of the elderly transportation agreement between the Board of Public Works and the county. This agreement is identical to 2009, for a term of one year from 1/1/201 to 12/31/2010. The costs are identical to the years past, \$11,666.66 per month.

Commissioner Melcher: You want one motion for all of that?

President Tornatta: And I can repeat that.

Commissioner Winnecke: That's what I was going to ask.

Commissioner Melcher: Is there any discussion?

President Tornatta: How about giving me a motion and I'll go through all of my deal?

Commissioner Melcher: I'll make the motion that we approve them all.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Questions or discussion? If not, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

County Engineer

President Tornatta: John Stoll? Is he around? John, if you don't mind, I'm going to do the same thing. We have a bundle here, and we're just going to go through those, or you can go through them, however we want to do it. In fact, go through them and we're going to take them all as one motion.

²Should be Gateway EDI LLC.

John Stoll: Okay. I've got the phase four of the Burdette bike path contract with Ragle, Incorporated. This is contract number VC09-12-02. It's requested to be awarded to Ragle, Incorporated for \$235,646.84. This has been reviewed in my office as well as by Debbie Spalding and Purchasing and all of the appropriate paperwork was taken care of.

President Tornatta: And they do have that MWE contract taken care of?

John Stoll: Yes.

President Tornatta: So, we are—

John Stoll: Right.

President Tornatta: —they were due diligent?

John Stoll: Yes.

President Tornatta: Okay, thank you.

John Stoll: Second, I've got the adoption of the street sign standards. These are specifications that were needed in order to address a subdivision ordinance amendment that was done last year. I e-mailed the specs out to local consultants, and I also spoke to Bill Pedtke of the Homebuilders Association and I didn't receive any comments back from the draft. So, I'm requesting your approval of the specifications as they were circulated. These basically just give the material specs and the dimensions for street signs and stop signs, whatever the appropriate traffic signs are for subdivisions. The third item is, I need your signatures on the Mylar cover sheet for phase three of the Burdette Park bike path plans. This will, this section of the bike path runs basically from Nurrenbern Road to Broadway Avenue. We're still trying to pursue getting stimulus funds on that section. I don't have a definitive answer from INDOT as of yet, but the, if we do get the stimulus funds it would be on it looks like a February INDOT bid letting. Fourth, I've got change orders for the Green River and Millersburg project. The first change order is a no cost increase, just a time extension. It extends the completion date to April 22, 2010. The reason it goes out to 2010 is because INDOT specifications require that any time extensions beyond November 30th are added to April of the following year. I don't know if this will come into play as of yet, because they have been getting work done this week. They put the asphalt on all of the streets yesterday, so they're still working on the project. We're hoping that very little, if any work does need to get done in April, but this first change order does extend the completion date. The second change order adds \$16,680 to the cost of the project to address changing the pavement on English Way from concrete to asphalt. The fifth item I've got is a street acceptance request for Creekside Meadows Subdivision. This is section two. It involves 817 feet of Prairie Drive, 994 feet of Eagle Watch Drive, and 273 feet of Wildfire Drive. I've also got a storm sewer acceptance request for that same subdivision. This is for 293 feet of 12 inch pipe located outside of right-of-way, 367 feet of 18 inch pipe, and 315 feet of 36 inch pipe. All of this has been inspected and it's recommended that it be accepted for maintenance.

Commissioner Melcher: I'll move for approval.

President Tornatta: Okay?

Commissioner Winnecke: Second. I'm sorry.

President Tornatta: That's okay.

Commissioner Winnecke: Having a little discussion on—

President Tornatta: A little wording here.

Commissioner Winnecke: I was a little confused by something here.

President Tornatta: Just to clarify, English Way, we did go out there and look at that property, it was, at least in my best belief, that probably go back with the concrete as opposed to the asphalt. So, especially seeing what had been done at that time. So, that's what we're doing, we're just clarifying, not going with the asphalt, going back with the concrete—

John Stoll: Right.

President Tornatta: —as it was maintained back when.

John Stoll: I didn't speak to the inspector, but I believe it was, the concrete pavement was supposed to be poured today. I don't know if it did get finished, but that was the plan.

President Tornatta: Okay. Alright, we have a motion and a second to accept the County Engineer's report. Any questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Thank you, John. Have a Merry Christmas.

New Business

President Tornatta: New business? Anything?

Old Business

President Tornatta: Old business? Request for extension for payment of back taxes, this is 1322 South Parker Drive.

Commissioner Winnecke: Did we talk about this at the last meeting?

Commissioner Melcher: No.

Commissioner Winnecke: Oh, it's a different one.

Commissioner Melcher: We got a letter on it.

Commissioner Winnecke: At the last meeting we considered one and we put a date, a deadline of March 1. I would move—

President Tornatta: March 31st? Okay.

Commissioner Winnecke: I would move that we grant the extension with a deadline of March 1, 2010.

Commissioner Melcher: I'll second it.

President Tornatta: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Then we're looking at a cancellation date of the 29th meeting.

Commissioner Winnecke: So moved.

Ted C. Ziemer, Jr.: Second.

Commissioner Melcher: I'm not going to be here, so I'll second it.

President Tornatta: A motion and a second. Discussion? Roll call vote.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: And just under old business, we were talking, we do have an agreement with the DMD to handle some dollars that are the county's dollars that were going to be used for economic development. They're also proposed for being some seed money for our United Neighborhoods to start out in the county. For those who turned in your parks stimulus plans, we will have that money starting at the first of the year, and United Neighborhood we will just the same. So, wrapping that up.

Public Comment

President Tornatta: Any public comment? Seeing none.

Consent Items

President Tornatta: Motion to approve the consent items.

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

President Tornatta: A motion and a second. Madelyn?

Madelyn Grayson: The consent items for the December 15th meeting are as follows; approval of the December 8, 2009 Commission meeting minutes, there's one employment change from the County Highway, travel requests there is one for the Health Department, one for the County Engineer, and one for the County Assessor, the County Engineer has pay request number 95 for the Burkhardt-Green River TIF projects in the amount of \$1,089,540.50, the County Surveyor has a surplus request for various items, there's the appointment of the Local Health Officer, the Old Courthouse craft show 2009 financial report, and department head reports from the County Engineer, Burdette Park and the County Ozone Officer.

President Tornatta: Any further questions? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Tornatta?

President Tornatta: Yes.

(Motion approved 3-0)

President Tornatta: Motion to adjourn?

Commissioner Melcher: So moved.

Commissioner Winnecke: Second.

(The meeting was adjourned at 5:50 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the December 8, 2009 Commission Meeting Minutes.
Appointment Paperwork for Local Health Officer: Dr. Ray Nicholson.
Financial Report & Check: Kraftwerks: Fall Craft Show at OCH.

Employment Changes:

Prosecutor (2)	County Council (1)	Circuit Court (1)
County Highway (1)		

Travel Requests:

County Assessor (1)	County Engineer (1)	Health Dept (1)
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County Engineer: Pay Request No. 95: Green River-Burkhardt TIF Projects.

County Surveyor: Surplus Request Letter: Various Office Equipment.

Department Head Reports:

County Engineer	Burdette Park	Ozone Officer
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Those in Attendance:

Troy Tornatta	Stephen Melcher	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Aaron Alexander	Roberta Heiman	Jim Harris
Lisa Daugherty	John Stoll	Others Unidentified
Members of Media		

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Troy Tornatta, President

Stephen Melcher, Vice President

Lloyd Winnecke, Member

Recorded and transcribed by Madelyn Grayson.