

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JANUARY 5, 2010**

The Vanderburgh County Board of Commissioners met in session this 5th day of January, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Tornatta: We're going to call the Board of Commissioners meeting for January 5, 2010 in room 301. It is 5:00. 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: And, Annie, would you lead us in the Pledge of Allegiance, please?

Annie Groves: I would love to.

(The Pledge of Allegiance was given.)

**Moment of Silence in Remembrance of Former County Commissioner
Robert Willner**

President Tornatta: Thank you, before we get started I would like to just recognize somebody. It's been a tough year on Commissioners. We lost another fine steward of county government. Bob Willner passed away on Thursday, December 31, 2009 at the age of 81. He served as Scott Township Assessor and Trustee from '62 to '70, where he helped to establish the township's first volunteer fire department and served as their fire chief. He was elected to the Vanderburgh County Board of Commissioners and was the longest County Commissioner serving from 1971 until 1990. During his tenure on the Board, Willner, among the many things that he did, was a supporter of the Evansville to Indianapolis highway. Also, he owned and operated Willner Auto Service in Darmstadt for more than 30 years, retiring in 1985. He served in the Army from 1952 to '54 during the Korean War. If we would just take a minute, and a moment of silence for Commissioner Willner.

(A moment of silence was observed.)

President Tornatta: Thank you very much. My heart goes out to his wife, Betty, as well.

Election of Officers for 2010

President Tornatta: Alright, election of officers for 2010. I will nominate Steve Melcher as President of the Board of Commissioners

Commissioner Winnecke: 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 Tornatta?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Melcher?

President Tornatta: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Alright.

President Melcher: I would like to go ahead and make the motion.....oh, thank you. I was going to let him keep that.

Ted C. Ziemer, Jr.: Now you can do anything you like.

President Melcher: I would like to make the motion for Troy Tornatta to be Vice President.

Commissioner Winnecke: Second.

President Melcher: So, we have a first and second. Discussion? Roll call please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. So, we're just going to muddle along here for my first meeting.

**Permission to Open Quotes:
Weights & Measures Office Renovations: 2901 E. Morgan Avenue
Treasurer: Folder/Inserter Equipment**

President Melcher: So, we need permission to open quotes. We have a Weights and Measures office renovations at 2901 East Morgan Avenue, and then there's a Treasurer folder/inserter equipment. I need a motion.

Commissioner Winnecke: Mr. Chairman, I'll move that we open the quotes for both the Weights and Measures office renovations, as well as for the Treasurer folder/inserter equipment.

Commissioner Tornatta: Second.

President Melcher: Okay, I have a first and a second. So, I guess we'll need a roll call vote for that too.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: So, do you want to go ahead and open them and we'll come back, and maybe you could say it under your reports.

**First and Final Reading of Ordinance CO.01-10-001:
Ordinance Establishing Regular Commission Meetings for 2010**

President Melcher: Action items, right now we have a first and a final reading of CO.01-10-001. It's an ordinance establishing the regular Commission meeting for 2010. What this is is all of our meetings have to be scheduled prior, ahead of, for the whole year. We probably should have passed this in December, but since we've got to pass it tonight, we're going to have to hear it in both readings tonight. So, we want to waive the second reading. So, I need a motion for that.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Okay, all in favor, we need a roll call vote. This has to be unanimous.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: With that we'll now have the final reading. So, I need a motion for that.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you.

<p>Permission to Award VC09-12-01: Neu Road Culvert No. 1061 Grade Stabilization: Jack Hahn Excavating</p>

President Melcher: Permission to award VC09-12-01, Neu Road culvert number 1061 grade stabilization to Jack Hahn Excavating for \$13,040. Is John here?

John Stoll: Jack Hahn Excavating was the low bidder on the project, so it's requested that the contract be awarded to his firm.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Any discussion? Anyone from the public? Seeing none, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Coroner: Building Repair and Security System Quotes
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President Melcher: Okay, next is we have the Coroner building repair and security system quotes. We have the quotes in our packet.

Annie Groves: I'm just here if there are any questions.

Commissioner Tornatta: Mr. President, I would like to focus on the security issue. I don't know if Annie has called. I've tried to make contact to let everyone know that there is an issue with the security system and they need that upgraded to—

Ted C. Ziemer, Jr.: Excuse me, have the quotes been read into the record? The amounts of the quotes? I don't think so.

Commissioner Tornatta: Okay. I think I'm going to get there. Okay, all the quotes, is that what you're....okay. These are the bids, no, that doesn't say who they're from. I apologize. There's the list. Okay.

President Melcher: One more.

Commissioner Winnecke: The one with G-mail at the top.

Commissioner Tornatta: Uh-huh. Here we go. The quote, this quote is from ABK Alarms, and it's for a total of \$2,350.

Ted C. Ziemer, Jr.: Is that right? I mean, I was thinking it was—

Annie Groves: Well, there's two different security issues. One of them is for the monitors.

Ted C. Ziemer, Jr.: Okay, well, I guess we need...I don't know what you received, Annie. You need, you've got quotes for one project, I guess, and quotes for another project.

Annie Groves: Uh-huh.

Ted C. Ziemer, Jr.: If that's the way it was done. We need to know, first, what project we're talking about, and then what the quotes are for that project. Then the other project and what the quotes are for that project.

Annie Groves: Okay. I believe I have all of that in the packet.

Ted C. Ziemer, Jr.: Okay, but it has to be read into the record—

Annie Groves: Okay.

Ted C. Ziemer, Jr.: —it can't just be in the....so, I don't know if you can help the Commissioners maybe locate those?

Commissioner Tornatta: Okay, there was one from Southwest Communications, Annie does that sound right?

Annie Groves: Well, this particular one that we're talking about with ABK is the monitoring part of it, not the security part of it. They need to replace the equipment that was damaged—

Commissioner Tornatta: Right.

Annie Groves: —and they own that equipment. So, because of the equipment was damaged and the insurance company said it's not under insurance, I need to ask for that money so that I can get the new equipment.

Commissioner Tornatta: Right, and the—

Annie Groves: So, they're basically my sole vendor, because they are the alarm service.

Ted C. Ziemer, Jr.: Okay, excuse me, you're saying that ABK is the sole vendor for the monitor?

Annie Groves: Correct.

Ted C. Ziemer, Jr.: And that is \$2,350?

Annie Groves: Correct.

Ted C. Ziemer, Jr.: Okay, so that one is finished. Now, we're moving on to the next, whatever the next item is.

Commissioner Tornatta: Okay, the next one is the video security recorder.

Annie Groves: Correct.

Commissioner Tornatta: Okay, and that particular bid was \$8,118 even.

Annie Groves: No, there's three quotes in there.

Ted C. Ziemer, Jr.: Is this for the construction we're talking about now?

Annie Groves: Some of it, yeah, we've got the building construction also.

Commissioner Tornatta: Okay, okay.

Annie Groves: One of the quotes was—

Ted C. Ziemer, Jr.: Pardon me, I don't mean to confuse you. When you say video security—

Annie Groves: Uh-huh.

Ted C. Ziemer, Jr.: —is that the construction contract? Or are there three contracts?

Annie Groves: Well, there's—

Commissioner Tornatta: There's several.

Annie Groves: —there's several.

Commissioner Tornatta: There's several, that's what I'm—

Ted C. Ziemer, Jr.: Yeah, Annie, we need each separate contract for which you sought quotes—

Annie Groves: Uh-huh.

Ted C. Ziemer, Jr.: —the quotes you received for each separate contract—

Annie Groves: They are in their packets.

Ted C. Ziemer, Jr.: Okay, and they're having trouble finding them.

Commissioner Tornatta: Okay, but here's what I'm okay with today.

Ted C. Ziemer, Jr.: Okay.

Commissioner Tornatta: I'm okay with making sure that the security side is taken care of so there is no issue with security. We're going to review the other contracts that are here, and then make that decision as it comes along, but right now we have an issue with the Police Department sending out cars, or calling on a nightly basis, multiple times to make sure that no one is breaking in to the building.

Ted C. Ziemer, Jr.: And that was a separate quote?

Annie Groves: Yes.

Ted C. Ziemer, Jr.: Okay.

Commissioner Tornatta: So, what we need to do right now, is it just the ABK, or is it the other system as well?

Annie Groves: Well, we need the security system too. We're having problems with people...the way our door system works is the front door opens at the same time the back door does—

Commissioner Tornatta: Right.

Annie Groves: –and we can't see who's at that door. So, what has happened a couple of times is as we're letting someone in the front not realizing at the same time someone is coming in the back, because we don't have the monitors to see that back door.

Commissioner Tornatta: Okay.

Annie Groves: So, that's....I really do need both.

Commissioner Winnecke: Just, as I read through this the other day, I found, I think I'm reading this correctly, there are three quotes for this project.

Annie Groves: Uh-huh. Correct.

Commissioner Winnecke: Ohio Valley Communications in the amount of \$4,575–

Commissioner Tornatta: \$4,110.

Commissioner Winnecke: –and then another one from Southwest Communications in the amount of \$4,927, and the final for this project from Lee Hayden All American Locksmith and Alarm Service in the amount of \$8,118.

Annie Groves: Yeah, and the \$4,575 is actually ABK. Ohio Valley is the \$4,110. However, I would like to caution on that particular one, it appears to be the lowest, however where it says that they can, it doesn't say that they are going to install that security so that we can video it. The other ones include the video part of it.

Commissioner Winnecke: So, okay, I read that wrong. So, there are actually four quotes for this part of the–

Annie Groves: Correct.

Commissioner Winnecke: Okay, I did not understand that. So, the low bidder then is OVC or not?

Annie Groves: On paper, however, they didn't include the video part of it.

Commissioner Winnecke: So, what's the incremental cost with that?

Annie Groves: They didn't say. They didn't include it and I don't know if they can't do that.

Commissioner Winnecke: So, that being the case, would, based on the information that you have today, is the quote from ABK, Southwest and Hayden All American Locksmith are all equal–

Annie Groves: Yes, they're equal.

Commissioner Winnecke: –they've all bid on the same thing?

Annie Groves: Yes, they did.

Commissioner Winnecke: Okay. You're confident, based on the information that they provided that they can provide the services that you need?

Annie Groves: Yes, I am.

Commissioner Winnecke: Okay.

Commissioner Tornatta: Alright, so do we want to take these separate or all together?

Ted C. Ziemer, Jr.: I just, you threw out another number there, Annie, as we were going along. Could we, I think the record does have to reflect precisely what the three quotes, or four quotes are—

Annie Groves: Okay.

Ted C. Ziemer, Jr.: —for these items. I'm not clear yet that that's been done.

Commissioner Winnecke: Ohio Valley Communications is \$4,110.

Annie Groves: Correct.

Commissioner Winnecke: ABK is \$4,575, Southwest Communications is \$4,927, and Lee Hayden All American Locksmith and Alarm Service is \$8,118.

Commissioner Tornatta: And three are responsive to the direct bid?

Annie Groves: Correct.

Ted C. Ziemer, Jr.: And when you say that, that has nothing to do with the ABK separate bid for—

Annie Groves: No.

Ted C. Ziemer, Jr.: —\$2,350?

Annie Groves: Correct.

Ted C. Ziemer, Jr.: Got 'ya. Thank you.

Commissioner Tornatta: Okay.

Commissioner Winnecke: Mr. Chairman, based on the information the Coroner has presented, and based on the security issue with multiple calls during, at all hours, I would move that we approve the low bid from ABK in the amount of \$4,575.

Commissioner Tornatta: Second.

President Melcher: We have a first and second. Any discussion? Any from the public? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Annie Groves: Thank you.

Commissioner Tornatta: Well, we need one for the second system.

Annie Groves: Oh, okay.

Commissioner Tornatta: That's okay, Annie.

Commissioner Tornatta: I'll make a motion to accept the equipment replacement for the current security system from ABK for \$2,350.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Any discussion? Anybody from the public? Seeing none, Madelyn, go ahead and call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Annie Groves: Thank you.

Commissioner Winnecke: Mr. Chairman, then I would move that we take the rest of the repair and renovation quotes under advisement.

Ted C. Ziemer, Jr.: Commissioner Winnecke, are you not going to read the amounts of those quotes into the record?

Commissioner Winnecke: I would be happy to.

Ted C. Ziemer, Jr.: Alright, thank you.

Commissioner Tornatta: Can we submit those to the record?

Ted C. Ziemer, Jr.: They just need to be stated for the minutes.

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: I don't think Madelyn can get them unless they are read.

Commissioner Winnecke: And I would like for the Coroner to follow along to make sure—

Annie Groves: Sure.

Commissioner Winnecke: —or, maybe it's better if she actually reads these, because she, all I know is what I've read in the last several days.

Annie Groves: Okay, for the construction of the roof, the gutters, the painting and the caulk; Midwest Construction came in at \$45,700; Core Construction, for the same items, came in at \$51,929; and Key Construction came in at \$53,510. Those are all equal. They all quoted the same thing.

Commissioner Winnecke: I would move that we take those under advisement.

Commissioner Tornatta: Do we want to enter them all in?

Commissioner Winnecke: Oh, go ahead.

Commissioner Tornatta: Do you want to finish them?

Annie Groves: Sure.

Commissioner Tornatta: Finish the rest.

Annie Groves: The refrigeration unit; Shekell came in at \$13,171, and then, they sent me two things, let me see here. Shekell's would actually be \$15,131. Then, Jack Frost is \$16,680, and Schmitt Refrigeration is \$18,694.70. Everyone there bid it the same thing.

Commissioner Tornatta: Okay. I will second your motion to take under advisement.

President Melcher: We have a first and second. Is there any discussion? Any discussion from the public? Please call the roll, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Annie Groves: Thank you.

Commissioner Tornatta: Thank you.

President Melcher: Thank you, Annie.

Ted C. Ziemer, Jr.: Excuse me, if I could just call the County Treasurer to come up here, please. Thank you, this is in connection with these bids I'm opening. Thank you.

President Melcher: Is that a sideline deal?

Ted C. Ziemer, Jr.: Sideline.

President Melcher: Okay.

<p>Assessor: Addendum to Manatron Master Agreement CIO: Grow SW Indiana Grant Agreement: Telecom Systems Analysis</p>

President Melcher: Okay, next is contracts, agreements and leases. This is for the Assessor, an amendment to Manatron agreement for licensed software, hardware and services. It's an amendment to the currently existing master equipment between Manatron and the county under the terms of which Manatron C-A-M-A pictorial¹ tab software will be provided to the county for the Assessor for \$5,800, together with the installation and the training services for \$7,200, and maintenance services for one year for \$2,900. The Assessor has funds to cover this cost.

Commissioner Tornatta: Motion to approve the addendum.

Commissioner Winnecke: Second.

President Melcher: With that, is there any discussion? Any discussion from the public? If not, please call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the CIO, it's a grant agreement with Grow Southwest Indiana Workforce Board for a telecom system analysis. The grant agreement

¹Should be Pictometry Tab Software.

between the city, county and Grow Southwest Indiana Workforce Board, the agreement is for the short period from 12/30/09 to 1/22/10 and it's for the grant for the lesser of the actual cost of \$25,400 for the CIO of IT systems for Evansville-Vanderburgh County conducting a telecom systems analysis. The agreement contains usual and customary provisions for the subcontractor, Evansville-Vanderburgh County, to meet in connection with the administration of the grant and the grant funds. Matt Arvay as the city-county Chief Information Officer will have the responsibility of meeting all grant agreements requirements on behalf of the city and the county. So long as everybody understands that. I need a motion.

Commissioner Tornatta: Matt?

Matt Arvay: Any questions? Do you want me to elaborate a little bit?

Commissioner Winnecke: I would like for you to elaborate please.

President Melcher: Okay.

Matt Arvay: Alright, basically a couple of months ago the Grow Southwest Indiana Workforce Board contacted me indicating they had some grant monies available to explore broadband wireless studies. It just so happened about 45 days ago I was approached by the public safety community that our current data mobile radio system is starting to have problems as far as finding replacement parts. We know it's getting old. So, this opportunity arose where we can actually do a technical study and we can go out and look at our towers. We have seven towers, water towers and regular towers, we can look at the load bearing, can we put more dishes on there? Could we look at the line of site in between the towers? We will look at the licensed and unlicensed frequencies in between. This will provide us a lot of useful information as we look to finding out a replacement system, because sooner or later we're going to have to replace the old system. We know the speeds aren't adequate for today's technology, but it still works. But now when we run into not being able to find replacement parts, we're going to have to make some decisions. We have been meeting with the public safety community and we think this is a valuable study that will help us make those determinations in the future. In addition, if we decide to go for some ARRA stimulus monies to help with some funding, this study can also accompany that and hopefully benefit the selection process.

Commissioner Winnecke: How specific will this study be? Will it come back with a set of specific recommendations?

Matt Arvay: Yes, it will. I can provide some examples of some sample studies.

Commissioner Winnecke: Would you mind kind of describing this for the folks in the audience and at home as we're kind of looking at this?

Matt Arvay: Basically, they have mapping aspects that have the locations of the seven towers. They look at the various frequencies at the seven towers to see what type of activity are in the airwaves. They actually take pictures of the towers to kind of look at the health of the tower. Does it need any upgrades? Does it need to be fixed? They check all the antennas on the towers themselves. There will be diagrams that kind of show the activity that you'll see there, as well as a lot of actual text information that describes what the pictures are saying.

Commissioner Winnecke: So, to be clear, this study will actually be completed by the 22nd of this month?

Matt Arvay: It will, I will go to the Board of Public Works on Thursday, assuming they approve it, we'll start next Monday. It's a five day study that will be completed by the following Friday. The report will be delivered on January 21st.

Commissioner Winnecke: Okay. Okay, thank you.

President Melcher: Any other questions? Troy, do you have any questions?

Commissioner Tornatta: Not at this time. I would just like to make a motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Any further discussion? Any discussion from the public? Seeing none. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Okay, Mr. Arvay, that is the agreement that we've been talking about this afternoon?

Matt Arvay: Yes.

Ted C. Ziemer, Jr.: That we made the two changes to regarding the audit and regarding the one lawsuit?

Matt Arvay: That is correct.

Ted C. Ziemer, Jr.: Does Madelyn have the corrected copy of that agreement?

Matt Arvay: She does, and I have one extra one for her.

Ted C. Ziemer, Jr.: Is it signed already?

Matt Arvay: No.

Ted C. Ziemer, Jr.: Not signed? Okay.

Matt Arvay: We'll be the first to sign, BPW Thursday and then the Grow–

Ted C. Ziemer, Jr.: Thank you. Thank you.

County Attorney

President Melcher: Okay, next we had the public hearing, but we are going to hold that till the end. We're going to finish our Commissioner meeting. Department head reports, any department heads have any reports? Go ahead.

Ted C. Ziemer, Jr.: I have the bids, if you would like to have those? Alright, for the Armory building renovations; Deig Brothers Construction, \$36,070; ARC Construction, \$43,360; Empire Construction, \$33,806; Industrial Contractors, \$36,890.

Commissioner Winnecke: Mr. Chairman, I'll move that we take those under advisement.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anything from the public? Seeing none. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Then, for quotes sought by the Treasurer for folding machines and so forth, we have three quotes; one from Pitney-Bowes for \$74,908, showing zero for a service agreement. Hasler, in care of Southern Business Machines, \$56,708, plus \$5,995 for a service agreement after year five. Finally, Nepost, N-e-p-o-s-t, in care of Southern Business Machines, it's an identical quote, \$56,708, plus \$5,995 for the service agreement after year five. I'm unable to explain why we have two identical quotes from two individually named entities both in care of Southern Business Machines, but I think that will come through as they're reviewed, if you take them under advisement.

Commissioner Winnecke: Mr. Chairman, I'll move that we take those under advisement.

Commissioner Tornatta: Second.

President Melcher: We have a first and second. Any further discussion? Any discussion from the public? Seeing none. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Finally, as a County Attorney item, Mr. Miller and I have for you this afternoon the agreement between the Commissioners and Mr. Miller, as an employee, and Ziemer Stayman Weitzel and Shoulders, as independent contractors, for the rendering of services for designated fees to the county for 2010. The services to be provided and the fees for those services are identical to 2009, except for the amount of the salary for Mr. Miller is different, being lower than the contract amount for the firm, as it was in 2009.

Commissioner Tornatta: We need a motion to approve?

Ted C. Ziemer, Jr.: Yes.

Commissioner Tornatta: So moved.

Ted C. Ziemer, Jr.: Hopefully.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Any discussion? Any discussion from the public? Seeing none. Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: That's all I have.

County Engineer

President Melcher: Any other, John? Chris, you might want to come up next.

John Stoll: I have one item, it's a street acceptance request for St. Joe Village Subdivision. This is for 906 feet of Will Place and 523 feet of Liberty Court. These streets were constructed it appears in the late 80's. I'm sorry, early 80's, and the, from what we can find, it appears the acceptance just fell through the cracks. The county had a policy at that time that the streets wouldn't be accepted until a certain percentage of the lots were developed. Initially when the streets were constructed, obviously there weren't any lots that hadn't been constructed, no subsequent follow-up requests for acceptance could be found, so whether it was the developer, the county or both, this fell through the cracks and the streets were never accepted. So, I'm requesting that you accept the streets this evening.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Any other discussion? Anybody from the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have. Thanks.

County Highway

President Melcher: I don't know if you have anything, Chris, but I thought with the snow coming you might want to give us an update.

Chris Walsh: Yeah, to give you....Chris Walsh, County Highway Department. We've begun the pre-treatment of the county roads, doing the primary and the secondary road system. We're about 50 percent complete. We should finish it up tomorrow. All estimations look like it could be anywhere from one inch to six inches, but we'll be ready. This looks like it's going to be our first—

Commissioner Winnecke: Great.

Chris Walsh: —potential storm of the season.

President Melcher: So, how are our trucks? Our trucks are all ready?

Chris Walsh: In good shape. We're treating some of the salt. My sprayer didn't come in, there was some tie ups around Christmas getting the sprayer in, so we're hand treating the salt right now. So, we're going to put the treated salt out in this event.

President Melcher: Okay, are we still short a mechanic out there?

Chris Walsh: Yes, we are.

President Melcher: Because I know tonight there is, we've got three new hires tonight. So, you might want to be looking about seeing what we can do about filling that position.

Chris Walsh: Okay.

President Melcher: Any other, any questions of Chris?

Commissioner Winnecke: No.

President Melcher: Thank you, Chris.

Chris Walsh: Thank you.

Board Appointments

President Melcher: Next is board appointments. Commissioner Tornatta is going to handle these. He was doing this under his watch when he was starting. So, go ahead.

Commissioner Tornatta: Alright, under the Commissioners watch, I will take Central Dispatch, Coalition to End Homelessness, Domestic and Sexual Violence, and Economic Development Commission. Commissioner Melcher will have Evansville MPO, Mayor's Education Roundtable, Disaster Resistance Corporation, Community Corrections and Public Defender. Commissioner Winnecke will have the Old Courthouse Foundation, ITAC, GAGE and Area Plan. Alcohol Beverage Commission, Frank Daugul; Board of Health, Dr. Catherine M. Engel; Community Corrections Complex, right now Nancy Helms, and there's a couple more to appoint; Convention and Visitors Bureau, Greg Gee and Joe Vezosso; Domestic and Sexual Violence, Chris Ryan; Evansville ARC, Bill Nix; Economic Development Coalition, we'll actually have a spot open; Electrical Board, Jim Rexing, Randy Breivogel and Jerry Goedde; Emergency Management Agency, Tom Barnett, Eric Williams, and Randy Gentry; Homeless Commission, Craig Berkeley; HVAC, Bob Crowe, Wayne Ravelette, and John Dillingham; Library Board of Trustees, Walt Lowe; Minority Women Business Enterprise, Darrell Ragland, Andrew Mickens, and one spot open; Parks Commission, Kenny Overton; Polling Place Advisory Committee, Robert Faulkner, Connie Carrier, Tony Bushrod, Mark Foster, and, I believe there's still three to appoint.

President Melcher: We named five?

Commissioner Tornatta: We can go back to that. Pardon?

President Melcher: We named three, I think.

Commissioner Tornatta: I named four.

President Melcher: Okay, Bill Bennett was on.

Commissioner Tornatta: Okay.

President Melcher: And, we've got one vacant and Roberta Heiman.

Commissioner Tornatta: Okay. Then, for the polling place, in addition, Bill Bennett, and Roberta Heiman. Roberta is here. Roberta, give me a nod, because I never did get to talk to you. Are you still wanting to serve on that board.

Roberta Heiman: Sure.

Commissioner Tornatta: Okay. Okay, thank you. Redevelopment Commission, Kirk Knight, Chuck Whobrey, Jim Will and Chris Kiefer. Workforce Investment Board, Andy Goebel. Any additions to that at this time?

President Melcher: Yes, I would like to go back to one of them. I think we got it. The Construction and Roofing Board.

Commissioner Tornatta: Okay.

President Melcher: All of them want to go back on for one year. It's Steve Hagedorn, Heidorn, excuse me, Ron Dauby and John Elpers.

Commissioner Tornatta: Okay, and I will make all of those in the form of a motion.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Any discussion? Anybody from the audience? Seeing none, roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

New Business

President Melcher: Any new business?

Old Business

President Melcher: Old business?

Consent Items

President Melcher: Let's go ahead and move to consent items.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Thank you. Madelyn, would you mind reading them?

Madelyn Grayson: The consent items for the January 5th meeting are as follows; approval of the December 15, 2009 Commission meeting minutes; employment changes, there are three for the Health Department for the Commissioners to initial tonight; the County Auditor has the December 2009 A/P vouchers, an employee benefit rollover letter, the Substance Abuse Council December 2009 meeting minutes and 2010 budget recommendations; the County Clerk November 2009 monthly report; the County Treasurer October 2009 monthly report; Weights and Measures monthly report for November 15th through December 15, 2009; the County Engineer has approval of pay request number 96 for the Burkhardt-Green River TIF projects in the amount of \$66,004.55; the County Commissioners have a request for extension of payment of back taxes for 820 North Elliott, 401 NW Second Street, 1213 West Florida, 1410 North Garvin, 321 North Garvin, and 403 East Florida; AMR has a third quarter 2009 financial report and invoice; the Evansville Police Department has a request for waiver of Centre fees not overtime for various events for 2010; and there's a department head report from the County Engineer. Oh, and the extension on the payment of back taxes, I assume, is until March 1, 2010.

Commissioner Tornatta: Yeah.

President Melcher: Right, with that, do we have any discussion? Anybody in the audience? Roll call vote, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Public Comment

President Melcher: With that, we'll go to our public comments section, session. Is there anybody that has anything to say tonight, not about consolidation, but anything else? Because this is our regular public comment.

**Public Hearing for the Purpose of Reviewing and Hearing
Public Comment on a Proposed Reorganization of
Vanderburgh County and the City of Evansville**

President Melcher: With that, then we'll go ahead and go into the public hearing for the purpose of reviewing and hearing public comment on a proposed reorganization of Vanderburgh County and the City of Evansville. Now, I thought we would kind of start it with, Ted, would you mind going through the first couple of procedures?

Ted C. Ziemer, Jr.: No, certainly. As everyone knows, Roberta Heiman and the League of Women Voters collected and then presented to the Commissioners, I don't remember the exact date of that, but, I think a couple of meetings ago, the requisite number of signatures of qualified voters in Vanderburgh County to begin the statutory process for having a question regarding the consolidation of Evansville and Vanderburgh County be on the ballot. Following that, the Commissioners authorized the publication of notice of a public hearing on that question, and that notice was duly published and within the requisite amount of time prior to today, and today is the date set for that public hearing. Following the hearing today, the Commissioners have 30 days, starting today, so, they could today or anytime within the next 30 days adopt a resolution either supporting the process without a rejection threshold, meaning that when the election is held in November, if it is, the vote would be by the entire Vanderburgh County residents, and the majority of those voting would carry the day on that question. A second resolution might adopt would be to continue with this process, but to have it be with a rejection threshold, which would mean that if this is on the ballot in November there would be two sets of votes, one by residents of Vanderburgh County living outside the city limits of Evansville, and another by residents of Vanderburgh County living within the city limits. To carry the day it would require a majority of the voters inside the city and outside the city. The third resolution the Commissioners could adopt would be to reject this process, in which case this would stop now. If the Commissioners vote for it to go forward under either of the two guises, with or without a rejection threshold, then the day after that happens we would certify, or the Vanderburgh County Clerk of Courts would certify to the Clerk of the City of Evansville that this is a resolution of the Vanderburgh County Commissioners, and that resolution would be available to be heard at the next meeting of the Evansville City Council that it's willing to hear it. It doesn't necessarily have to do it at the next meeting after it receives that. The City Council is not required to hold a public hearing. The City Council would in its wisdom and in due course adopt a resolution, it must adopt a resolution, and to go forward the resolution needs to be substantially similar to the resolution adopted by the County Commissioners. If it is not, it comes back to the Commissioners and it gets reconsidered again. If it is substantially similar, for example, if both bodies voted to go forward with the process without a rejection threshold, then after that, within 30 days, the Commissioners and the City Council would appoint a committee to begin developing and fleshing out the form of reorganization of city and county government that they are proposing, and then it goes from there. I think I'll stop at that point.

President Melcher: That's good. I did ask, since this was a night that the City Council didn't meet, I did ask if they wanted, since they don't have to have a public hearing, if any of the City Council members wanted to come. They were invited. I know we're in conflict tonight, because we got one e-mail, since we put this meeting on and we got it actually yesterday saying that we're in, we're actually doing it at the same time as the fire stations. We set our meeting last year. I don't know when those were set, but this is a separate issue for us right now. It's not a city, but I did ask the City Council members to come if they wanted to. I also asked about the Town of Darmstadt and wanted at least somebody here from Darmstadt. I also asked about them doing a resolution too. Did you find out if they're going to do one?

Ted C. Ziemer, Jr.: No, no. The process would allow, right now all the process will allow is for the Vanderburgh Commissioners....I guess, there's a third thing the Commissioners could do, which would be to adopt a resolution to change the kind of unification that they request to be, for example, of Evansville, Vanderburgh County and the Town of Darmstadt. If the Commissioners adopted a resolution like that, then it would then go to the City Council and it would go to the Town Board, or the Town Council of Darmstadt for approval. I will tell the Commissioners that I have spoken to the attorney for the Town Council of Darmstadt, and he may be here, I don't know, he indicated that possibly he or some member of the Town Council would be present, but I never received any indication that there would be a desire to be included in this unification. So, as far as the County Attorney's office knows at this point, the only entities, governmental entities to be included in this process would be the City of Evansville and Vanderburgh County.

President Melcher: I just didn't want to leave them out, because I believe that if we had left them out that could have left a door open, like you and I discussed for a lawsuit down the road.

Ted C. Ziemer, Jr.: Yeah, yeah.

President Melcher: I really would feel comfortable if they would do one themselves, you know, either against or for it. Any other discussion before we—

Commissioner Tornatta: President Stobbs is in the audience. Come on up, if you would please. Bob, not to put you on the spot, but I didn't know if you had had any correspondence or....no, okay. Anyway, just trying to get your thoughts on the process.

Bob Stobbs: Okay, the Council we have been e-mailing back and forth between all of us and the discussion has come up on this, and over the last month or so we kind of did a little survey of the residents in the Town of Darmstadt as to what their feelings would be in regards to this. Basically, what it boiled back down to was that the Town of Darmstadt was incorporated in 1973, and at that time, I think that there was a movement going at that time to merge the city and county government together. That was one of the reasons why the Town of Darmstadt decided that they wanted to become incorporated and become an independent town. At this point, the consensus of the Council for the Town of Darmstadt, we have decided at this point that we do not want to be included in the consolidation of the government. We wish to remain as an independent town.

President Melcher: And that's kind of what the feelings were, and I kind of knew the history, but I just wanted to make sure that we got something on the record, because everybody brags about Indianapolis, and we're more consolidated than Indianapolis

is, because they still have Mayors and towns and that in Marion County too. So, but I just didn't want to leave you out if you were wanting to be part of it or not part of it.

Bob Stobbs: Thank you.

President Melcher: Okay.

Madelyn Grayson: Sir, can you state your name for the record, please?

Bob Stobbs: Beg your pardon?

Madelyn Grayson: Can you state your name for the record?

Bob Stobbs: My name is Bob Stobbs, S-t-o-b-b-s.

Commissioner Tornatta: Thank you, Bob.

President Melcher: Okay.

Bob Stobbs: Thank you.

President Melcher: Does anybody have any questions? Thank you. Do you have anything else you want to say before we get started? Well, probably, Roberta, since you got the, we'll let you go first. We'll spend as much time as we can. We want to hear as many people as we can. This is an open meeting.

Roberta Heiman: I'll keep it short, Steve.

President Melcher: I don't think we're going to get out of line here, but just in case we're going to be gentlemen and women about being here. So, we don't want to be putting anybody down on which way they want to go. We just want to move forward. Go ahead.

Roberta Heiman: Thank you. I'm Roberta Heiman. I'm President of the League of Women Voters of Southwestern Indiana. I'm a resident of Vanderburgh County and the City of Evansville. I'll just reiterate what I said to you a couple of weeks ago when I presented the petition to you. I also brought some more petitions, and I want to mention this because these came in over the holidays, people who went to the League's website, printed out a copy of the petition, signed it, put it in an envelope, addressed it to us and mailed it in, in favor of voters getting to decide this issue. How many times have you seen literally hundreds of people go through that effort in support of something? It just doesn't happen. Usually the only time hundreds of people come out for something is to protest, but in this case this is a citizens petition, signed by more than 3,300 residents of this county and city saying come up with a plan and submit it to the voters and let the voters decide whether they want to be a single community, a single community, or continue as a divided community through the rest of this 21st century. At this point the petition that the League submitted to you is taking a stand only on, it's a neutral petition on the question of merger. It's a petition saying let the voters decide it. This issue has refused to die for forty years. It keeps being recycled. If it's not decided this time, my guess is that it will come back. It's an issue that has refused to die, and it's time to submit it to the voters, and that's what we're asking you to do. We ask that you proceed with haste in order to get this on the ballot in November. A citizens committee, bipartisan citizens committee would draft the plan and have six months to do it. We think a good, hard

working committee can meet that deadline. That's what we're asking at this point for you to do. I will be glad to answer any questions. I would like to make a point that I've not heard raised in all of the discussions on this. Mr. Melcher you mentioned that in Indianapolis they still have all those separate towns and separate Mayors.

President Melcher: They do.

Roberta Heiman: Before Marion County and Indianapolis were consolidated, those little separate towns were not thriving. They were not thriving. Before Indianapolis and Marion County consolidated Indianapolis was known as "Indianoplace" or "Nap Town". Senator Lugar who was Mayor when the consolidation happened, Bill Hudnut who led the city for 16 years after the consolidation both say that transformation of Indianapolis would not have happened if the consolidation had not happened. The people in Speedway, a thriving community today, it would not be thriving today if that consolidation had not happened. No suburb anywhere thrives if it's the suburb of a stagnant city. Darmstadt will not thrive if it continues to be a suburb of a city that is not growing. It's a point that needs to be considered in the discussions that will come in the coming months. Thank you very much. I will answer any questions that you might have.

President Melcher: Any questions? Thank you.

Roberta Heiman: Thank you.

President Melcher: Alright, when you come up just state your name and your address and where you live so we would get all of this on the record. So, that way we can kind of figure whether you are city or county, outside the corporate limits.

Emmons Patzer: I can be clear on that. I am not in the city. I am in the county, and I would make a recommendation that if you do consider, you consider with a rejection.

Commissioner Tornatta: Name?

Emmons Patzer: Now, the—

Commissioner Tornatta: Name?

Emmons Patzer: —name is Emmons Patzer.

Commissioner Tornatta: Okay.

Emmons Patzer: I'm at 510 West Mt. Pleasant. I appreciate the fact that the League of Women Voters have brought this to your attention. It has festered in the community for quite some time. For that reason it should be brought forward, it should be discussed. I have a couple of key issues though with it. One of them that I'm concerned with is the time line. The time line between now and August is aggressive, in that sense I do disagree with what Roberta said. The reason that I feel that it will become clear when I look at some of the details about what the issues are on the table with respect to what consolidation means to people. For example, I'm concerned about land use designations. I've considered, for example, buying a large tract of land within this community, within the city limits, and found that the agricultural zoning situation doesn't allow a tax situation that's favorable for that investment. I'm concerned that that tax situation for agricultural land in expanding

into the county would extend that same issue to county residents, which include a lot of agriculture businesses. With that consideration, it's not a small scale issue. That agricultural zoning relationship has a state relationship that has not been rectified at this point in time. Secondly, I'm concerned that what we have is a city that has invested monies on a debt obligation creation basis. What it's done is it has built an infrastructure all around downtown, and it's funded it with debt obligations that it intends to pass to the county residents. In essence creating a taxation without representation issue. And, third, I think what we're missing is we're living back in the past. Think about what has happened to cities across this nation, cities are a centralization concept. Yet what we see today is social media, right? What's expanding in our world is the connection of people not through centralized government in a consolidated sense. We see our businesses reaching outward in our communities. We're building in Green River Road, we're building north, we're building south. In fact, do you realize that right now we're under consideration for a Metropolitan Statistical Area to be named Owensboro-Evansville Statistical Area? The growth to Warrick County, the flight, people have fled this city, and they have fled to the county for a reason. Darmstadt residents made very clearly what that reason was. We're going to see a flight from this community outward to other areas like Warrick County. Now, with that said, the other key point that I think Roberta made was that economic viability is critically dependent upon a consolidated government, and cited Indianapolis as an example for that. What I would like to make as an alternative example is Silicon Valley, one of the most vibrant economic areas of this country. Where is the consolidated government out there? Silicon Valley is not an entity. It's not a governmental entity. It's a leadership posture that has been taken by a community of people, a social network of people that have created that vibrance. Silicon Valley is made up of Palo Alto, it's made up of San Jose, it's made up of Sunnyvale. It flourishes with diversity. If you are familiar with those communities, those communities are made up where people want to live a particular lifestyle. The young people tend to go to Palo Alto. The families tend to go to Sunnyvale. What we want to create is an opportunity for people to live where they want and not be forced to a centralized consolidation. Now, with that, I think we should celebrate diversity and live with that diversity. We should not encourage a centralized business district that we have invested in for 30 years or more with walkways, with Victory Theaters, with stadiums that the population doesn't want, and now we're going to end up trying to consolidate and make the rest of the county pay for that. So, what I am suggesting is, at a minimum if you don't reject it, you allow this to go forward only with the rejection where we split the vote between county residents and city residents. Thank you.

(Applause)

President Melcher: Thank you. Any questions? We have an open mic, whoever wants to come next. I don't really want to put a time line on it, but I can't let people drag out ten or fifteen minutes. His was about the right time. So, if you just—

Brenda Bergwitz: Mine is going to be short. My name is Brenda Bergwitz, 3646 Orchard Road, Evansville, Indiana out in the county. I am totally against the merger, and I've talked to hundreds and hundreds and hundreds of people out in the county that are against this also. Dittos to the man, the gentleman that just spoke. Thank you.

(Applause)

Carol Davis: Carol Davis, 3905 Needle Leaf Point, Evansville, narcissistic County. I guess I get two votes since I live in the city and the county. Fifty years ago Evansville was about the same size as Nashville. Evansville has not only been stagnant in growth, but really has gone backwards in progress. Politics and collective bargaining has been successful all these years in keeping a stranglehold on growth for the sake of votes and a few government jobs. It's time for the media to do some real investigative reporting. Report the facts about the pp pay, pay and perks, of the County Commissioners down to the County Garage janitor. Inform the senior citizens freezing and doing without proper nutrition and the working poor trying to keep afloat in a job not related to collective bargaining or government, how their sacrifices are supporting jobs with amenities they don't have. It's time media does a Paul Harvey reporting story and report the rest of the story. People are ignorant of the facts. They are not dumb. Dollars and sense, s-e-n-s-e, investigations will reveal how the public is blindsided by rhetoric. Thank you.

President Melcher: Thank you.

(Applause)

President Melcher: Next?

Mike Sandefur: My name is Mike Sandefur. I'm a resident of Vanderburgh County. I guess, well I'm also a member of the Freedom Makers. I don't know if you guys have heard of us, but we're one of the groups that stopped Mayor Weinzapfel when he tried to secretly take away our homestead credits. I'm not speaking for that group, but I can say that this group is going to be very active in this matter. To discuss the direct issue here, I think, I personally think this Commission would be insane to move forward with this proposal. We have, essentially, to forfeit any of its sovereignty to the city, makes no sense at all. We have essentially a, at this time, a narcissistic dictator who had rather build an arena than fix the sewers and keep them from (tape flip) the citizens of this community. We have a Mayor that had rather shut down the fire stations than be fiscally responsible. We have a Mayor that has secret meetings to take away our homestead credits. We have Mayors and Councilmembers that meet in private to see how they can limit free speech in this community. I think that this Commission would be ill advised to give away any sovereignty of its own to an organization such as that. Thank you.

Commissioner Tornatta: Can I, I just—

(Applause)

Commissioner Tornatta: —want to ask one question. How do you feel about the general public making those decisions? I mean, you talk about the dictatorship—

Mike Sandefur: Well—

Commissioner Tornatta: —but, one would say we could close this down to your judgement and make the decision ourselves, or—

Mike Sandefur: We are, let me do say this, one of our cornerstones as the Freedom Makers is that we believe that you are either making freedoms or you are taking freedoms away. As an elected official we want you to look at every decision and say am I making you more free or am I taking your freedoms away. So, hence the freedom maker or the freedom taker. Now, we are fine working within the political

process, and if part of the political process allows you to say no, then you are welcome to say no. If you feel on the other hand that you need to bring this to a vote, you are welcome to bring it to a vote. You're welcome to do anything that your political process and the law allows. We support that. I'm only saying that I think it would be ill advised to bring this forward, because I don't think you're going to see very much support for it at all.

Commissioner Tornatta: So, let me get back to my point, and let me finish.

Mike Sandefur: Please.

Commissioner Tornatta: So, does your group stand for—

Mike Sandefur: My group—

Commissioner Tornatta: Let me finish.

Mike Sandefur: I'm sorry. I apologize.

Commissioner Tornatta: Does your group stand for letting the general public have the freedom to vote? Or does your group stand for a dictatorship to tell you how the vote, or how it's going to be?

Mike Sandefur: I cannot speak on behalf of my group. That's why I'm here speaking on behalf of me. So, that group will have to make that decision themselves.

Commissioner Tornatta: In your opinion, speaking as Mike Sandefur?

Mike Sandefur: My opinion speaking as Mike Sandefur is irrelevant to the group. The group would have to decide within themselves, within their own decisions of what they want to do, and that discussion I'm sure will come up, but I have no place in putting my opinion forward for the group.

Commissioner Tornatta: Okay, alright. Thank you, Mike.

Mike Sandefur: Thank you.

President Melcher: Alright, any other questions? Next?

Philip Fisher: My name is Philip Fisher. I live at 811 Southeast Third Street in Evansville. I also was the project coordinator for the study that was done 2004 and 2005. There have been three study committees, all of them came to the conclusion that a unified government would be both more efficient and more effective in carrying out the functions of government. Right now at our first public meeting, which was attended by over 100 people, one of the things that we learned people do, generally, many people do not understand the functions of local government. They don't understand the division of duties among the townships, the county and the city. So, a unified government would be simpler. It would be simpler for economic development purposes. Instead of having to meet with Commissioners and the Council and the County Council, you would have one chief executive, probably, and one Council. Every city that we studied that has done this, the elected officials, the business leaders that we talked to thought it had been successful and a good idea. One of the concerns that has been expressed is that county residents would be taxed for city obligations and city services. That is not necessarily so. In some

unified governments all residents are taxed the same. Nashville, for example, but Lexington, however, set up different taxing districts so that people were taxed according to the services that were being provided. So, if you had a volunteer fire department, you would pay for a volunteer fire department rather than a full time fire department and so on. The 2005 recommendation that the committee gave called for the creation of such taxing districts and modeled it on Lexington, which at that time had 11 different taxing districts, which really gave the Council a lot of flexibility because they could add services incrementally as they were needed or requested, rather than in annexation where you have to provide all of the services all at once. So, I think that would be a very good idea. Then I would like to address the issue of whether this should be a single vote or a split vote with a rejection level at each level. As a city resident I pay all of the county taxes. I pay for a Sheriff's Department which does not patrol my street. They have jurisdiction, but we don't get any services from them. As it stands now, city taxpayers, to some degree, are subsidizing county services. The unification of government would provide at least the opportunity for a fairer system of taxation than we have now. Thank you. I would be glad to answer any questions.

President Melcher: Any questions?

Commissioner Tornatta: Not right now.

President Melcher: I know you did the committee and you was part of it and you did a great job when you did that committee. I think you tried to answer a lot of questions, that's why I feel like if the committee gets going here pretty soon, the committee will be able to take your study, and you might even be asked to serve on it.

Philip Fisher: Whether I'm asked to serve or not, I do have all of that stuff organized—

President Melcher: It's just a matter of tweaking that and getting other stuff?

Philip Fisher: Well, I would say I agree with Mr. Patzer, the time line of getting it done by, in time for a November election is very short. The committee that I worked with, with me as a part time employee, or consultant rather, took two and a half years to do the work. To ask a volunteer board to do this from scratch would be impossible. To the extent that they can use our work, that might speed things up.

President Melcher: Well, that's what I was thinking. If they use your work that gives them a footprint.

Philip Fisher: Yes.

President Melcher: Okay.

Commissioner Tornatta: The only comment I'll make is the same one I made before, I am in no mood to rush this to the point that we do it wrong. So, if it's done, I am in no mood to do it wrong. To say that we'll get it right the next time, that's not going to be on my watch. So, whether it goes or whether it doesn't, it's going to be done the correct way.

Philip Fisher: Also, if you expect a detailed report of findings, there had better be some funding for this project. Because I think to ask a volunteer board to do that is not realistic. Thank you.

Commissioner Tornatta: Thank you, Phil.

President Melcher: Thank you.

(Applause)

Brenda Bergwitz: Again, my name is Brenda Bergwitz. I won't be here but just a second. I proudly belong to the United Freedom Makers, but there again, at the same time, if it put on the ballot in the fall, let the people vote. But, again I am very proud and honored to be a part of the Freedom Makers. I guess, one thing, really, I'm against it is we have outstanding fire departments here in Evansville, we have outstanding volunteer fire departments, and right now the other Freedom Makers are at the other meeting out on First Avenue at Ivy Tech, because we couldn't be at both, and I live in German Township and we have an awesome German Township Fire Department, and I don't want nobody taking my fire department away from me. Thank you.

(Applause)

Richard Clements: My name is Richard Clements. I'm a resident of 818 South Lombard Avenue in the City of Evansville. Thank you for allowing this opportunity to express our thoughts and beliefs before you on this issue. Just real quick, I'm a fifth generation resident of Vanderburgh County. My family has been here and has deep, deep ties. So, this is an issue that I think very seriously about. In 2006 when this last issue came before us, I headed a group that was opposed to consolidation for a number of reasons. I would just like to talk to, real quickly, about the study that took place. I would request that the Board ask for any study that was produced during that effort, and I also find it interesting the mention of money when the last issue of a report was paid for his services. That aside, what I want you guys to think about is what is the nature of this whole endeavor? Is it for better representation? Is it for more effective government? Is it more efficient government? Then to ask yourselves, what does that mean? Does combining two layers of government into one large body necessarily translate into cost savings? I say no, and I think the evidence supports that. There are a number of legitimate academic studies which have looked at a number of consolidation efforts, and don't seem to support what appears on the surface to be something that is cost effective. As a matter of fact, what you often see is that the government grows in relation to economic development efforts. Then, really to think about why this is being asked. It ultimately boils down to tax money. The government's role, as you are all well aware of, is to pass laws. What is law, by the aggregate use of force to defend life, liberty and property. No more, no less. Beyond that it becomes either sanctioned theft, or petty oppression. I don't mean to get so philosophic, but it is what it is, and that's what our system of free government does. If we consolidate our government, is it to push economic development? If that's what it is, does economic development mean taking more tax payer dollars to do what, to build edifices here or there? Does that necessarily translate into a more vibrant community? Or, is it the people themselves that make the vibrant community? I ask as we go along this path, that you think deeply and you think clearly about what it is you are being asked to do, and that you consider the voice of the people outside this city with equal weight as those within the city, so that we don't have a takeover. Thank you very much for your time.

(Applause)

Bill Jeffers: Good evening. My name is Bill Jeffers. I'm the Vanderburgh County Surveyor. I wanted to comment on similar issues to what Dr. Fisher commented on. I believe he said something to the effect that unified government would be more effective and efficient. Well, we surely would like to have that. There's no problem with more effective and efficient government. Restructuring government for that purpose would be laudable. But, he also said, in the next sentence, I believe, that he noticed during....well, first of all, I would like to say that I worked against the consolidation committee, spoke against it. I spoke negatively when they first started, but over a period of time I came to really appreciate Dr. Fisher's methodical and deliberate approach to the issues, and the way that he and his fellow committee members came into our offices, the elected offices, and really looked to see what we did, as opposed to what some of the other planners of restructure have done. They actually came in, when you look at that report, while I might not agree with everything that was recommended by that unification report, it is a methodical approach. It was deliberate. He gathered as much information as he could from all of the departments and office holders who were willing to speak with him and his fellow committee members. It would be a good place to start. But, I want to drop back to some other notes that I had jotted down. Like I said, I'm not opposed to reforming government through a restructure, maybe that will take the form of a complete consolidation of city and county structure, maybe it will be some hybrid of that, maybe it will be eventual. I really don't see the need to charge head long towards that end. As Commissioner Tornatta said, if it ends up not providing full services, the highest degree of services for the price that we taxpayers, all of us taxpayers pay, and have come to expect, particularly with regard to public safety, police and fire. Also including in public safety, engineering services, highway maintenance, highway building, those are all public safety issues, flood control, traffic planning, etcetera. I don't think any of that should be sacrificed just to get, as one previous speaker said, in a hurry, or with haste, I believe was the comment. I truly believe it has been the case, in more than one instance, that so called government restructuring plans came from pressure from outside special interests, certain special interests, and resulted in faulty plans based on insufficient effort to fully discover what the real functions of the government offices are. I would give you, as an example of that, the Indiana State Chamber of Commerce's complete plan. I think the date is 1999. That was poorly conceived. Where they recommended, for example, and, I guess, maybe you'll see that I took it personally, but it's just an example that's close to home and I use it as an example. I don't take it all that personal, I'm retiring in three years and what happens will happen. But, the State Chamber of Commerce, and I'm not saying that the local Chamber of Commerce agrees with it, I'm just saying what I read online, reduced the County Surveyor's office to a single person supervisor operating out of the County Garage. A single employee, with no technical staff, called a Drainage Supervisor. That shows you the incomplete nature of their investigation into what a County Surveyor actually does. That didn't happen with Dr. Fisher's report. I'll just throw that in there. He actually came in and looked at what we did. But, all the statutory duties currently assigned to the County Surveyor by State law and local code, keep in mind that those are activities, the majority of activities assigned to us by State statute and local code take place outside of county right-of-way, on private property, serving the public, and are not completed by the City Engineer when annexation takes place. The County Surveyor continues to perform those tasks, even under annexation. So, when you go county-wide, if the city were to be the premier, or the end result, county boundary to county boundary city, the Board of Works while they might assume the Drainage Board functions, they will not assume, the Engineering Department will not assume all the other functions that the County Surveyor carries out on private property. Meanwhile under the compete plan, the County Highway Department cannot work

off right-of-way on private property, therefore all of those services under some forms of consolidation would just go away. Those, or they would be contracted out to a private firm, consulting firm at \$150 to \$200 an hour, whatever, per man. Unfortunately, other plans that have followed the compete plan have kind of mimicked the Chamber's plan, including the Shepard-Kernan recommendations. So, what I'm suggesting is that we, if we do move forward, I hope we move forward with the study, that we do so deliberately and carefully so that the resulting recommendations reflect reality rather than a blind rush to the goal line pushed by special interests. That's why I take exception at the suggestion that we should proceed in haste. That's just a recipe for an incomplete plan. Consolidation, I believe, if it does happen, should happen from the county side. I think the county should end up being the municipality, not the city. Why? Because we need to retain accountable elected office holders in policy making positions, rather than department heads appointed and beholden to a "Boss Hogg" type single executive. I don't think a vertical, linear structure of government reflects the intent of the original constitutional of county government in the State of Indiana. It's been called "horse and buggy", this current structure has been called "horse and buggy", but those original founders of our Nation and the Northwest Territory which eventually became this State and four other states, five other states, "horse and buggy" was good enough for them, and it's good enough for me. Many proponents of the top down, single executive, vertical structure of local government, I hear from them the slogan, well, "the buck stops here". That's convenient, but I say to them, so does accountability. Those department heads come into a meeting on Monday morning with that top executive, he tells them what he expects out of them, they go back to their offices and the accountability is only at the Mayor's office or the single executive's office. When someone, you'll find....well, I don't need to go there, I think everybody knows what happens when you call an elected officeholder compared to what you call, when you make a telephone call to an appointed officeholder. Also, I think a three member executive commission provides great opportunity for diversity on that Board, rather than a single Commissioner. It provides the opportunity for three civic minded individuals of diverse profession, ethnicity, gender to simultaneously share and serve in a part-time capacity. I think that's much better than a single executive. A three member Commission, with staggered elections, election dates also tends to maximize the opportunity to oust an ineffective administration. We've seen that happen many times. If you're effective, you stay. If you're not effective, it changes. I've run out of notes, I appreciate your time. Thank you.

President Melcher: Thank you.

(Applause)

Taylor Payne: Good evening. My name is Taylor Payne. I live at 501 Park Plaza Drive. I have no comments for you this evening either pro or con on the subject of unification, but would instead comment that I would ask you to submit this question, allow this question to be submitted for a referendum to the people. As to the nature of that submission, I would ask that, as with other county-wide determinations, like elections etcetera, that that be done under a one man one vote rule, with no threshold set for a carve out of people who live outside of the city limits, but let each one person who is a resident of Vanderburgh County have their one vote on the issue. Thank you.

President Melcher: Thank you.

(Applause)

Steve Schaeffer: President Melcher, members of the Commission, Steve Schaeffer resident of outside the city limits in Vanderburgh County, 11942 Wayland Court. In addition to being a resident of Vanderburgh County, I also represent the Chamber of Commerce of Southwest Indiana. Before I begin, I wanted to pass out a letter that I think that you have all received. Can I pass that out?

President Melcher: Sure. Do you have an extra one?

Steve Schaeffer: Yeah. Yes.

President Melcher: Can you give one to the attorney? I'll get you one.

Steve Schaeffer: I have more copies as well. On behalf of our member companies and their employees and all of the individuals that signed the petition, we respectfully urge the Commissioners to move forward and adopt a resolution to move forward with this process. To look at the city-county reorganization process that is commonly referred to as House Enrolled Act 1362 that was passed in the 2006 legislative session. I actually came from Indianapolis today, and it was interesting to walk in the State House and almost every single individual that I encountered asked about the process that is potentially going to happen in Evansville and Vanderburgh County. You have legislators that are continually talking about how local governments are going to survive in the current environment and with the possibility of property tax being implemented into the Constitution. Every community is looking at ways to become more efficient, and to spend their money wisely. This is a great opportunity to look at ways to do that. If you recall, the Evansville City Council produced a plan in 2005, that developed a plan, that came up with a process to look at consolidated city-county government, however that plan was not granted a referendum. Instead the legislature created the process, as I mentioned before, a process that any community in the State of Indiana could go through to look at these types of reorganizations and possibly enter into them. Without a doubt, the reorganization process is complex, but it contains numerous checks and balances for the entities that are participating throughout the process. So, there are many safeguards throughout the process that look out for the interests of the entities that are participating. As you continue discussion on this process in whether or not to move forward, we ask that you look at a couple of things; first it's been mentioned before, look and use the 2005 proposal as a starting point. In 2005 or '06, I believe all of the bodies in local government, the Commissioners, City Council, the Mayor and the County Council all approved resolution supporting that that plan go to the public for a referendum vote. It was a result of a two year study, numerous hundreds of interviews, and research was done, so, I think, as it was mentioned before, it would be a good place to start. Not only the 2005 study, but in 1990 and the other reports that have been done over, I think, a 40 year period. So, there's a lot of data and work that's already been done that a committee can potentially look to. Secondly, we urge that you grant a county-wide referendum without a rejection threshold. State statute allows the legislative bodies to determine the type of referendum, but I believe, as Taylor Payne just mentioned, referendum votes that have occurred in the past, whether it be gaming, the EVSC strategic plan, the township Assessor referendum, even Vandi-Gov, they were county-wide elections without rejection thresholds. I can personally attest to being there during the session when the city-county reorganization process was being developed, and the rejection threshold language was inserted into the legislation as a roadblock to success. So, that's something to consider when you're making your decision. It should be pointed out that, I believe

when the League of Women Voters submitted the signatures, that about 900 of those signatures, of the 3,300, or of the certified signatures were from individuals outside the city limits. Finally, administrative support, I would like to, the Chamber would like to offer any administrative support to the reorganization committee. Obviously, it is a complex process with an aggressive time line, but it can be done. It doesn't have to be done hastily. I think with a full time coordinator and a staff of volunteers it can be done. There's a lot of research out there. We've been talking about this for forty years, long before I was born. So, we wanted to make that offer out there to staff and potentially help this reorganization committee meet the proper deadlines and other work that needs to be done to meet that August, I believe, 1st or 2nd deadline to have the County Election Board certify a question to be on the ballot. As you've mentioned before, the merits of a consolidated government are to be examined by the reorganization committee during this process. This hearing is just to decide whether or not that examination should take place. With that said, we strongly encourage you to move forward as quickly as possible so that this process can begin. A process that will hear input from supporters and opponents alike of consolidated government, and to make sure that the public is aware, through an aggressive public education campaign, after a plan is developed, but we strongly feel that it should move forward. So, thank you for your time. If you have any questions, feel free to answer any.

President Melcher: Thank you. Any questions? Thank you.

(Applause)

Les Shively: Good evening. My name is Les Shively. I am a property owner in the county. I live in the county at 1226 Longmeadow Way, and due to the efforts of the City Council and the Mayor, I now own property in the City of Evansville where my business is located. Although you have to go through Warrick County to provide those services. I don't think the city has figured that out yet. That's my position, my constituency, if you will, on this issue. Also, I'm one of the older people involved in this issue. It's goes back to the days when I was an intern for Russ Lloyd, Sr., when the ill fated Vandi-Gov was considered and defeated quite handily at the polls. The interesting thing about that was, it was because it was a plan conceived by, as someone mentioned, special interests or a narrow group of people, with all the right intentions, but the public was not included. In fact, I think if you look at the analysis, if you broke down the vote between city and county, it was defeated even within, among the voters located within the corporate limits of the City of Evansville. Now, here's the reality we face, and we have a wonderful tool that the creativity of the General Assembly gave us in 2006. This act that Steve just outlined, lets us start from scratch. There are no parameters except for a few things that Ted described a while ago, some constitutional offices, things of that nature. For the most part, we can create any type of local government formation we want. We're going to have to, and it can address all of the concerns, it can address the zoning concerns. It can make sure that it's equitable that farmers, which are an intrical part of our economy aren't paying additional taxes for the land they own, for the productive activities, just because we're now a metro government. It can deal with all those issues. It can preserve volunteer fire departments, by the way, I represent the Knight Township Department, allow them to continue to provide those services. This is as creative, the limitations are really the limitations of the people within the county. We have a clean slate to work with. Why should we look at it? Well, here's some reasons, some factual reasons, we're the second smallest county geographically in the State. We have a population less than 200,000 people, and we have all of these layers of government, and whether this contributes to economic development or not, the

reality of it is, Lexington's growing because they're a consolidated government. They compete with us for jobs and industry. Same with Louisville, same with Nashville. So, intuitively you think, well, maybe we need to look at how government is structured and how it delivers services and how it does it in a way that allows the economy to grow. The economy is not growing here. Now very well at the end of the study we may very well find that what we have is working just fine, and that in and of itself, the process itself is worth doing. But, the one way not to grow this community is through annexation. Annexation is draconian, it's regressive, all it does is create more money flowing into the coffers of the city with no new services, no new opportunities for the folks here in Vanderburgh County. I favor a county-wide vote because I entrust the Commissioners and the City Council members to put together a study committee that is diverse that would put together a form of local government that embraces all of the constituency groups, because we all are one community. The second smallest geographically, only 170,000 people. We've lost sight of one thing, we've been the leaders on consolidated government, whether we realize it or not. We did so 55 plus years ago when we put together one of the first forms of county-wide school systems. People in Indianapolis are still amazed how successful the Evansville-Vanderburgh County School Corporation has been, consolidating all of those township schools. We lead the way. We can lead the way again. We're not here to talk about a proposal. We're here to say how can we, with our collective creativity and wisdom, make this community better? We can do it. Let's take the opportunity. Yeah, we're going to have to buckle down to get things done by August. We can do it because we have quality people in this community that can get the job done. Thank you.

(Applause)

President Melcher: Next?

Chris Palitinous: Good evening. My name is Chris Palitinous, city resident, 4204 Hunters Trace in Evansville. The last time I actually came to a meeting in this chamber it was for the City Council for the annexation. This is a small crowd tonight. I don't know why you all don't draw a bigger crowd than the city does, but I think that it has something to do with—

Commissioner Tornatta: Marketing.

Chris Palitinous: —the fact that....marketing? Yes. I think that it has a little bit to do with the fact that they spoke their piece, the people who are against annexation, I think that many of the people in the county are against the consolidation for that reason. That's a practical thing that I just said. But, I would actually like to talk about a principle thing, because I hear lots of things that are being talked about practically tonight. The principle is that we have government that's been set up with checks and balances. Parts of those checks and balances are having towns and cities and counties and states and a federal government. Each one of those has a separate government so that you can't have the efficiency that's bad efficiency. If you have a government that's tyrannical because it's consolidated all the power into one place, buying into the premise that power corrupts and absolute power corrupts absolutely, that if you all are a good County Council, or whatever government is created through the city, that's fantastic, and we can have economic growth, we can have wisdom, great. But, what happens when you get one that's not so good and they're efficient? Well, then you go backwards faster. So, when you look at these things, I think that our Founders put these things into place as a checks and balance, not just against bad legislation, but against bad legislators and bad elected officials.

So, Mr. Tornatta asked the question, should we put this to the voters? Well, there's a principle here, and that principle is that we use the word democracy a lot, but we're not a democracy, we're a representative republic. In that you all have an authority that's a delegated authority, and elected authority to exercise things that promote, not just economic prosperity, but maintain freedoms. Consolidation of government eliminates the possibility of people having a closeness to the government. You can look at the Kernan-Shepard report and some of this township thing, I'm opposed to that based on this same principle. The principle is separation of powers, checks and balances. We don't want bad efficiency, although good efficiency would be nice. We have to look at the balance of separating those things out. So, one of the folks that talked about this social networking that we see, that when people are allowed to be free these things spread out, but when we consolidate these things into one thing, it becomes more difficult. I can come here and have representation with you fairly easily. Much harder for me to deal with somebody on the State level. Much, much harder for me to deal with somebody on the Federal level. The more you break that down and consolidate it, the more you bring that power in, the more you separate yourself from the people. I'll give an example, the last time that I spoke at a Council meeting was the City Council and that was two years ago, before it got real popular in the paper to discuss who's going to be able to go through those little check boxes downstairs. So, I went through them for the first time today, and it has a real Communist kind of feel to it going through there. But, what it does, it set up an aristocracy where the elected officials are a little bit more separate from the people. When you consolidate the government, I think you'll be doing that. So, I'll answer any questions, you know, I have more thoughts on that, and maybe I'll write you all a letter later.

President Melcher: I do want to say one thing, I had to go through it three times to pass to come in tonight. Just so you know, I'm going through it. Thank you.

Chris Palitinous: Thanks.

(Applause)

Manfred Stahl: I'm Manfred Stahl. I live on Old Boonville Highway. I haven't heard anything said about Indianapolis and Marion County. Is that a bad example of consolidated government? For a while I thought maybe it cost them rather than saved them. If consolidated government can save the city taxpayers and can save the county taxpayers, then definitely do it. It's probably fine. If not, why it should definitely stop before we consolidate. Each one of the city and county offices can probably do things better. I in my own business can do things better, I can do it without incorporating or without partnershiping. There's always something that we can improve on. I think the part that makes things work well is whenever we can elect officials and officeholders and, hopefully, that they can do better than the last person. We strive for that, and that's part of our process. So, I'm a little bit concerned about putting too much power in too few of hands. It can be good, but it can be bad. So, if we can get some definite savings to the county taxpayer and also the city taxpayer, why fine. If not, why I think we need to forget it. Thank you.

Commissioner Tornatta: Thank you.

President Melcher: Thank you.

(Applause)

Mike Shopmeyer: Mike Shopmeyer, 862 South Lombard, live next door to Richard Clements. I have a different view than Richard. I have traveled to Lexington for extended visits, as well as Louisville and Nashville with all three of our Commissioners, and have studied this for a long time. When I was a much younger man I served on the unification reorganization committee under Frank McDonald. I don't know when that was, but it was before the subsequent two committees, and I too, like Dr. Fisher, have, as I know Joe Harrison, Jr. does as well, has files and files of information from those studies. That group likewise, which was set up to be diverse, have pro, con, city, county, again the same set up, came to the same conclusion as did the most recent studies. I think it's important to look back at history and ditto some of the things that Steve and Les Shively said. Our country was founded by conventions that formed our Constitution, and many people tonight have cited the Constitution, and as an attorney I would be first to point out that our Constitution has no allowance for this county government, for a Surveyor, for any of those branches of government. All that our Constitution provides for is the State of Indiana and the United States government. In fact, in our government, when we were originally formed, was a confederation. Eventually they all came back and there was the same disagreements that are in this room right now. There wasn't referendums back then, but the same group, they were dispatched from very different places, Catholics from Maryland, Baptists from Rhode Island was it, I think? You had diverse groups from all over the country that these states were formed for those purposes. They originally came in to form 13 different states, with no United States of America. No united government, and after many, many, many meetings, just like we've had over the 40 years, they elected to unify this great country that allows me to hop in my car and drive to California without going through however many checkpoints I would have had to have gone through, which allows my children to have all the rights of all 50 states, and all of the other blessings that this great country has created. So, this is not a new issue that is before us. It's an issue where people have unified before, and greatness has come of it. Les pointed out aptly, and as did Steve, what's before us, because of the new legislation that we worked hard to enact through the Chamber of Commerce and many, almost everyone in this room that's in front of us, is legislation that allows us to mold, unify, reorganize, not consolidate power. It's very important that what is put together by the committee, and I certainly support, as does Taylor Payne who I've worked with for years on this effort, that we need to let the voters have the right to vote, and it needs to be county-wide. I'm a taxpayer, I live in the city, as Dr. Fisher pointed out, I've subsidized the Sheriff's Department, which is the largest part of your budget, for years and years. I've served on your side of the table as well. I know that I make a lot more money as a lawyer representing and doing local government work in this current disorganized, duplicating, inefficient, ineffective system we have. It is very much a "horse and buggy" system that was created in 1816 and needs to be modernized to take into account all of the social media and the new technology we have today that can make it much, much more effective for our people. What did we find when we went to Louisville? What did we find in Nashville? What did we find in Lexington? Well, we found not a single minority group that spoke in opposition. We didn't find a single Democrat or Republican, because that comes into this every time, that this is all an attempt to consolidate power in the Democrat Party or the capital "R" Republican Party. We found in all communities, all three of them, that was no longer an issue. In fact, there was no organized opposition in any of the three communities, and we sure as heck looked for it. None of the three communities. Nashville had the most interesting story and they have, undoubtedly, in my opinion, been the most effective, in Davidson County, very, very large geographic county. Les pointed out aptly we are the smallest geographic county, so it will probably work best here. So, they had all kinds of interests because it was so large. What they found was they supported it,

the newspaper supported it, both parties supported it, and it lost, just as we lost the first time around. So, they dispatched themselves on an annexation program. I too have represented, in fact represented Les in the annexation on the east side. I know what annexation does. It is very much heavily balanced in favor of the city and the people have no vote on the organization of the government they receive. Zero vote. It is an awful manner in which to reorganize, to unify our governments. It is the wrong approach. In Nashville, once that approach started, they voted again, I forget what it was, eight years, and they voted it in overwhelmingly. I've seen the polling data in this county, and most people support unified government. It's almost at the same level, interestingly, most of us worked on the referendum for the riverboat, and it almost tracks that the same. County, city, interestingly, there is almost more people in the county in favor of it than the city, which is ironic, for the reason I stated. From a taxpayer's standpoint, I live in the city, I pay for the Sheriff, your biggest line item, I get none of the services. We've had the Sheriff driving over the county to go to Waterworks Road, we've got the County Garage driving out from St. Joe to get to Waterworks Road on my side of the county, driving right over the city's garage and their people. It's heavily ineffective and inefficient. So, I would ask that we not let annexation be the way in which we form our local government, but that we allow the voters, that we allow a group to come together for, against, Richard Clements has served on the committees with me, put everyone on it and see if we can form a government that has bifurcated taxes to protect folks, that forms districts for every different neighborhood based on ethnicity, whatever we think is appropriate and that there be 15 seats up here in a local governmental legislative body, instead of two legislative bodies, two executive branches, which costs us a lot of money anyway. So, I would move that we let the people vote. Thank you.

President Melcher: Thank you.

(Applause)

Commissioner Tornatta: Hey, Mike, I do have one comment.

Mike Shopmeyer: Sure.

Commissioner Tornatta: How many people from the city are in the county jail? That's where you just say touche and you go on.

Mike Shopmeyer: But, I fund the county jail to the same level.

Commissioner Tornatta: You're right.

Mike Shopmeyer: Touche, I got you on that one, just the same as the Sheriff.

Commissioner Tornatta: But, it's just my point, my point is sometimes we forget that the Sheriff does and the county does maintain the jail, and the city has no part in that, the city coffers has no part in that budget.

Unidentified: (Inaudible. Not at microphone.)

Mike Shopmeyer: I think that, and those are good points, and in the unification, reorganization effort those need to be studied. There are forms of government where the Sheriff, an elected Sheriff, as has been pointed out by Mr. Jeffers, I mean, whatever we form, we may very well have the Sheriff as the law enforcement for the county elected. I mean, that, I don't know—

Commissioner Tornatta: I think all these points are—

Mike Shopmeyer: Giving people the right to vote for it, that's the point.

Commissioner Tornatta: Yeah, great point to deliberate.

Mike Shopmeyer: And we get to form our government. Think about that, the State gave us that power, which they don't have to do. So, we have very limited home rule in Indiana. This is a big deal that this legislation passed. Thank you.

Eldon Maasberg: My name is Eldon Maasberg. I live in Armstrong Township, 14747 Lutterbach Road. Ted, did I understand you right, that the City Council does not have open meetings?

Ted C. Ziemer, Jr.: They have open meetings, but they are not required to have a meeting dedicated to a public hearing on this issue. In other words, they could take this up, if it got certified to them in time, they could take it up at their meeting next Monday. It's a public meeting, you certainly could go to it, but they don't have to advertise it as a public hearing.

Eldon Maasberg: I misunderstood you then. I thought the way you said it that they were just going to be, their meetings are closed—

Ted C. Ziemer, Jr.: No, no.

Eldon Maasberg: —that's where I think a lot of your meetings, there's three of you sitting up there, where we've got one Mayor with blinders on like horse and carriage days and he appoints people around him to do the work. Talk about consolidation in our school corporation, I live in Armstrong Township, I seen what happened with the corporations. Then you've got, because they, the people in the country did not vote for it, but the city did. It went in that way. We in Armstrong Township had to buy our school back.

(Applause)

Eldon Maasberg: We also, I sat in a meeting with Berkman², talked about, he drew a line just north of Cynthia Heights, says we do not have but one school north of this line. I said, I asked him, I says, you know why? I says it was your corporation that done away with Armstrong School. Now, I as a farmer, we've got land that's going to be in creek bottoms, will never be publicly housing or that, or buildings. It cannot be put in commercial use because of the floodplain, just like Union Township. There will be no houses down there, Federal law says you can't build in a floodplain. Now, the city wants to tax us for their new stadium across the street, which he paid somebody around him, which he only can put people around him that was on his side. He don't listen to other people. They talked about that survey four years ago, I understand a farmer was on that thing, when it come time to stand up, they did not listen to a word that farmer said. He, they went and put what they want in that study that suited themselves. If that's what we're heading for, I would rather see a county government rather than a city government, because at least we've got three people up there instead of one person. Thank you.

²Should be Bertram. Dr. Bertram, Superintendent of EVSC.

Commissioner Tornatta: Thank you, Eldon.

President Melcher: Thank you.

(Applause)

Commissioner Tornatta: Find out how many more people want to speak.

President Melcher: Is there--

Commissioner Tornatta: How many more people wish to speak? Could we have a raise of hands, just so we know. So, Cathy, you're it.

Cathy Edrington: Cathy Edrington, 6236 Country Lane. President Melcher, and other Commissioners. I actually wrote my comments expecting the City Council to be here, and possibly the County Council.

Commissioner Tornatta: We have representatives today.

Cathy Edrington: Right, right.

President Melcher: I think we have one.

Commissioner Tornatta: They're listening.

President Melcher: Don Walker is here, so. Is there another Councilman here?

Commissioner Tornatta: John Friend.

President Melcher: Oh, I didn't see you, John, sorry.

Commissioner Tornatta: President Russell Lloyd from the County Council.

President Melcher: Okay.

Cathy Edrington: I've lived in Vanderburgh County for 20 years, as a county only resident. I work in downtown Evansville at one of the companies receiving city tax abatement. I've had city water and sewer everyday I've lived in this county, and wouldn't go without it. I think one of the big issues to me is consistency and fairness. In recent years one company got denied tax abatement by the county, I believe, and was awarded it by the city. Whichever side was right, it was an inconsistent message that we sent, and it's got to be a little confusing. I watch all of the county government meetings, and it seems to me that in these tough times it is getting more obvious sometimes that the employee benefits aren't necessarily always the same. It just seems like we would have more consistency and fairness with one Council making those calls. The other thing to me is, as I've mentioned before, is tax abatement. I don't even like the word, and I think most people know that, but we all benefit from tax abatement. As I said, I live in the county, and I work for a city company, I work for a company in the city with tax abatement, and that, I mean, it almost needs to be spread across the whole population, because otherwise you're not, you know, it's impacting people differently and you're not, everybody's not paying their share. A comment was made earlier by Mr., I'm sorry, by Mr. Patzer, that the debt obligation to the city would be passed on to the county residents, it already is. That's one of my big issues. As a county resident it bothers me that the

City Council handles issues that impacts all of us, particularly the park bonds are county-wide even though the City Council has the power over them. As I said, I get water and sewer, but the City Council, through the Water Department, or Water Board, whatever, makes those calls and votes on those bonds, and specifically as we handle the bigger issue of the CSO situation it's a huge cost and the City Council is making those calls. Although every county resident obviously isn't on city water and sewer, the boundaries extend farther than the city limits. Also, when the City Council deals with big issues like the arena, I think those are huge issues that should be decided by a board that represents all of us. One other issue, none of you were Commissioners at this time, but when the tornado hit, I felt better when our Mayor got involved, because he's the central point in this community. The tornado actually hit in the county, but I feel it's more of a, I felt better when our Mayor was involved in that crisis. My summary point is this, often consolidation gets delayed by how it will impact police and fire, and whether there will be savings. I would suggest that if we're going to get into that conversation, I would suggest we somehow figure out a way to move some of our financing to a board that is over the whole community, specifically water and sewer and park bonds, I guess need to go under the County Council if we're going to delay stuff. I just would like all of the major projects to be decided by a board that represents all of us. That's my comments.

Commissioner Tornatta: Thank you, Cathy.

President Melcher: Thank you.

Cathy Edrington: Thank you.

(Applause)

President Melcher: I want to make sure that everybody has their turn. Does anybody else have anything to say? Because one thing we want this process to be is going to be open. I think people need to be educated on what's happening. I think that's the most important part is the education. So, when we have these meetings, I'm sure they are going to be open, they'll probably have a question and answer period after every meeting. That's kind of what I'm looking for, because I want everything open. I want everybody educated, because if you don't get educated, you're going to have a hard time which way you want to vote. Did you want to say one more thing?

Brenda Bergwitz: (Inaudible. Not at microphone.)

President Melcher: You have to say it at the microphone. That's the only way we get it on record.

Brenda Bergwitz: Again, my name is Brenda Bergwitz, and I want to thank you all for having it put in the paper today. That is the best way to get the message out there if that's what you want to do is get the public involved. Again, thank you very much for putting it in the paper, because that's what it's going to take is getting the word out. Thank you.

President Melcher: Well, that's our plan, our plan is to make sure that everybody's involved and everybody has their say. Anybody else have anything else to say this evening? Alright.

Commissioner Winnecke: First, I would like to thank everyone who came out tonight on a raw winter night to share a diversity, or a diverse number of opinions. We've

heard history lessons, just by my notes, all of which are good, I'm not poking fun. We've heard philosophical points, we've heard practical points, we've heard a pretty unified thought on annexation, we've heard about fairness, we've had questions on the motives of this process and the timing, but I think the most important thing we've heard is that there is a great diversity of opinion in this community. One of the more interesting thoughts that I think was expressed was by Mr. Shively, in the sense that the opportunity that is before this community based on the legislation that is in place is that we can create a clean slate and form a government really the way we envision it as a community. Having said all of that, the matter before us tonight, to me, is whether we move, how we move forward? I favor moving forward with the process, because I do believe from the bottom of my heart that the voters of the City of Evansville and Vanderburgh County should vote on this and there should not be a rejection threshold. I believe we should move, we should start the process quickly, but as several mentioned tonight, we should do so in a deliberate fashion that makes sense for everyone.

Commissioner Tornatta: Thank you. I will say that, you know, this has come on pretty quickly, but I think that it has been a deliberate push thus far. So, I do enjoy the, just the many personalities that have come forward to express their opinions and the people tonight as well. Seeing that, I think that there are some things that we've realized over the past three or four years, and that is we must find new ways to run government. Government as it was is not as it is today. There are new ways. We have groups talking to groups, the city talking to the EVSC, the city, the county and the EVSC talking about how we are going to be more efficient. We're not in the same environment that we were 100 years ago, 200 years ago, 50 years ago, ten years ago when I started. I think the process needs to move forward. At what speed, as I've cautioned the groups, we must make sure that we do it right. In fact, I want to throw out a couple of things that I've talked to even the Chamber about and they were very prompt in getting me back some information, but instead of worrying about people serving on this committee, what about the criteria that the people serve under, serving on the committee? You may look at me puzzled, I say instead of picking, for instance, Mr. Maasberg, we do look at a farmer to serve on this committee. Instead of picking "x" business guy, we look at a businessman, and that person is chosen from the authorities that will place people on this committee. That way we have criteria for the committee first, then put people into place. I think you will get your best suitors for that committee at that point without bringing politics or any ulterior interests into the mix. Then, you know, we've had three or four studies on consolidation, I think we need to have those individuals that have the most knowledge that headed those committees sit down and talk about how they did that process, so we do have at least some type of structure when we start our new slate or our new process. I think it is exciting that we at least had the opportunity to go through a process like this, whether it's voted up or down. I am of no, I have no opinion at this point, because I have not seen one ounce of what this potential new government structure would be, but I'm excited if people are excited to look at the efficiencies. Knowing where our finances are, and could be in the next few years, any efficiency and any opportunity we have to make our community better when others are stalling I'm in favor of. So, with that being said, I thank everyone for coming tonight. I am with Commissioner Winnecke for the least restrictive, I don't believe as much as, and I've lived in the county as well, that we put any more weight into a city or a county vote than one vote. We don't do it at election time when we're electing our officials, and I sure wouldn't want to do it in any other measure. So, at this point I'm for the non-rejection measure and to move forward.

President Melcher: I too want to thank everybody for coming, and the Chamber did offer to help. I think we also have to thank the Women League of Voters with their interest group about getting this to the table. Most of the time when this thing happens, a real citizens committee is like the rezoning on Majestic Place. The citizens got together. It wasn't any group, it wasn't any thing, they just started calling all of their neighbors, and started beating at the houses. I think that's the real citizens group. I wanted it with a rejection threshold, because I kind of felt like the county members, the county people have moved out of the county to get out of the city, and they will be overwhelmed with the city vote. But, I also know how to count, and that's one thing I've learned, right away there's going to be two. So, that's the one it's going to be done by us, naturally. But, I do want to thank everybody, and I think we are going to move forward with this, because I want to move forward with it also. I think we just need to move forward with this. I don't know the time frame on the resolution. You know we could do it at our next meeting, and then it can move on. Or, will you bring us a resolution so we can read it and see what it says?

Ted C. Ziemer, Jr.: Well, I have, as you know I have submitted several forms of a resolution—

President Melcher: Yes, you have.

Ted C. Ziemer, Jr.: —to you, and if you, for example, you could adopt this tonight to get the time frame moving. Or you can wait till your next meeting which is the 19th, or any time in between that you are having a meeting, a duly called meeting.

President Melcher: I would, on the resolution, like I told you already, I want one without all of the fluff, just straight forward. I think the fluff out to be the committee. They're the ones that ought to decide what's going to be in there and what's not going to be in there, how it's going to handle. I don't think we need to say anything, we don't know. We don't have nothing to back that up. So, I would like to at least see a straight resolution.

Commissioner Winnecke: Mr. Chairman, based on the, I think we can accommodate that based on the resolutions provided by our County Attorney prior to this meeting. I would make a motion that pursuant to the authority granted under Indiana Code 36-1.5-4-11 (a), the Board of Commissioners of Vanderburgh County propose a reorganization between the political subdivisions of Vanderburgh County and the City of Evansville. Further, that pursuant to Indiana Code 36-1.5-4-12 (b) that the vote on the public question regarding reorganization between Vanderburgh County and the City of Evansville be conducted on a countywide basis without a rejection threshold. Further, that pursuant to Indiana Code 36-1.5-4-15, within 30 days after the adoption of this resolution by both Vanderburgh County and the City of Evansville, a reorganization committee be established pursuant to the provisions of Indiana Code 36-1.5-4-16 (a) (1). I make that in the form of a motion.

Commissioner Tornatta: Second.

President Melcher: We had a first and a second. Is there any further discussion?

Commissioner Winnecke: Just to clarify the process, assuming this is approved by this body tonight, the next step is for it to be certified by the County Clerk, and then be sent to the City Council for its consideration. Is that correct?

Ted C. Ziemer, Jr.: That's correct.

President Melcher: So, when can you have it ready for us to sign?

Ted C. Ziemer, Jr.: It's ready tonight.

President Melcher: Okay, that's kind of what I thought.

Unidentified: Can you move a little faster? It's going a little slow.

Commissioner Winnecke: We have the other versions also.

President Melcher: Yeah, we were kind of hoping we could get another version, but we're not. So, with that, any other discussion? Okay, Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: With my vote I'm just giving the people the right to vote on what kind of government they want. I vote yes.

(Motion approved 3-0)

President Melcher: So, with that it passes unanimously.

(Applause)

President Melcher: Is there any other business to come before the Commissioners this evening?

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

President Melcher: We are adjourned.

(The meeting was adjourned at 7:05 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the December 15, 2009 Commission Meeting Minutes.

Request for Extension of Payment of Back Taxes to March 1, 2010:

- 820 N. Elliott
- 401 NW Second St.
- 1213 W. Florida
- 1410 N. Garvin
- 321 N. Garvin
- 403 E. Florida

AMR Third Quarter 2009 Financial Report and Invoice.

EPD Request for Waiver of Fee/Not OT for 2010 Centre Events.

Employment Changes:

County Assessor (1)	Auditor(1)	VCCC (1)
Health Dept. (3)	County Clerk (1)	Public Defender (2)
Prosecutor (1)	Circuit Court (1)	Sheriff (1)

Auditor:

December 2009 A/P Vouchers.

Employee Benefit Rollover Letter.

Substance Abuse Council December 2009 Meeting Minutes & 2010 Budget.

County Clerk: November 2009 Monthly Report.

County Treasurer: October 2009 Monthly Report.

Weights & Measures: Monthly Report: Nov. 15- December 15, 2009.

County Engineer: Pay Request No. 96: Green River-Burkhardt TIF Projects.

Department Head Reports: County Engineer.

Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	David Miller	Ted C. Ziemer, Jr.
Madelyn Grayson	Annie Groves	Matt Arvay
John Stoll	Chris Walsh	Bob Stobbs
Roberta Heiman	Emmons Patzer	Brenda Bergwitz
Carol Davis	Mike Sandefur	Philip Fisher
Richard Clements	Bill Jeffers	Taylor Payne
Steve Schaeffer	Les Shively	Chris Palitamous
Manfred Stahl	Eldon Maasberg	Cathy Edrington
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JANUARY 19, 2010**

The Vanderburgh County Board of Commissioners met in session this 19th day of January, 2010 at 5:02 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We would like to go ahead and call to order the Vanderburgh County Board of Commissioners. It's January 19, 2010, it's about 5:02, we're a couple of minutes late. We need a roll call vote, Madelyn.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance

President Melcher: We can stand for the Pledge of Allegiance. Madelyn, would you lead us in the Pledge this evening?

Madelyn Grayson: Sure.

(The Pledge of Allegiance was given.)

Introduction of Teen Advisory Council Shadows

Commissioner Tornatta: Mr. President, I have a guest with us today, Ellen Dippel. Ellen, you are from?

Ellen Dippel: Memorial.

Commissioner Tornatta: Memorial High School. Welcome.

President Melcher: Okay, we also have one from Signature School. Would you like to give your name and class?

McKenzie Thomas: Hi, I'm McKenzie Thomas.

President Melcher: What class?

McKenzie Thomas: 2012, I'm a Sophomore.

President Melcher: Thank you. Do we have any more?

Discussion of City-County Reorganization Committee Selection Process

President Melcher: Okay, with that I would like to get away from the agenda for a minute. We've been talking about consolidation for a couple of meetings now, and talking to the City Council members, they're stuck on three members and they're not going to get off. I've spoken with the Mayor, I've spoken with the President of the County Council, there's a feeling in the community that all of us ought to have the same amount of appointments. I believe, right now, everybody's pretty much, not that everybody agrees to it, but the City Council is not budging. I think the Mayor is okay with three, the County Council is glad that they've got some. So, they're okay with three, so, it's up to us.

Commissioner Winnecke: I think 12 is a good working number, I think, for the work that's ahead. I think, you know, at some point we have to trust that the system is going to work. I think it would be prudent for each of us to submit to you a list of potential committee members, and then I would suggest maybe the best thing for you to do is to sit down with the Mayor and the leadership of the other two bodies to formulate the list based on the names that we submit and the names they bring to the table.

President Melcher: That's kind of what B.J. Watts, the President of the City Council, said. He said, how do we do it? I said, I'm not sure, probably it's that we would all pick three and then we would check and see if nobody's picking the same person three times. That might be an answer. Troy, do you have—

Commissioner Tornatta: I think that there's several ways to go about it. Originally we had talked about a criteria basis. I think at some point the criteria basis takes as much politics out of the program as possible. But, in all of this we have to work together, and I'm very flexible on how we're going to put these people in place. I've talked to some individuals in the community that would be willing to facilitate if we were to go beyond that. My only issue in any circumstance is that if we pick the people in this place and it associates back to one board or another, does that compromise the study? That's the only thing I'm really worried about. My object here is to put the best foot forward for each of the entities, and for us all to work together and have faith in each other's members on this particular panel. I really think the best way to do that would be to have a criteria based plan, everyone agrees with the criteria first, the second part of the plan would be then to all submit names for that criteria and everybody be in agreement of each other's names. Much like they do on a panel at Congress. They approve judges because the Congress looks over the criteria of that judge to be the apolitical way to do things. But, there are other ways. So, if it's the privilege of this Board to move with a certain number and put people in place, I will yield, but if it's to go a way that keeps it as apolitical as possible, I'm for that as well.

President Melcher: I think we could kind of do it two-folded. I think when we submit the names we could put their criteria and what they are, but I think we do have a list, like a business person, a police officer maybe, maybe a sheriff, a farmer, somebody that's against it, a union representative, there's just a whole bunch of criterias, we have about 15 of them. Maybe between the four of us, one from each body, we might be able to come up with the right mix and then we'll vote on the names. I think that might, we could do both, you know, at the same time as what you're talking about, Troy.

Commissioner Tornatta: Well, I've talked to Dr. Fisher, I've talked to the former President of USI, Ray Hoops, and President Steve Jennings, they would serve as facilitators for this group of names, or this group of criteria, if we saw fit to have that type of input from those three gentlemen. They are very much into trying to learn the system and how it goes. They have some from the past study, they learned a lot, but they're educators and they're upstanding individuals in this community, and I think that maybe, here again, we might use some outside services to facilitate between all boards.

Commissioner Winnecke: So, just to, I'm not entirely sure I understand what you're saying, but under that scenario the leadership of the four organizations or the four branches would come up with a number of names, 12 names, and then those three people would evaluate whether....I'm not sure what those three people would evaluate. Are they approving our recommendations?

Commissioner Tornatta: I don't think they're approving the recommendations. They are, they would be the go between if there were issues between the boards that were unresolved to try and make sure that those names were fitting with the whole fabric that we're wanting to kind of come up with. I mean, what we're saying is, is three is the number. I don't know if three is the number to be real honest with you. It might be 15 for the entire group, it might be 27, I really don't know what that number is. Twenty seven might be too many, 15 might be not enough. Initially, what my thought was, if we did a criteria base, we would all agree on the criteria of what we wanted on that board, and it might be 16 criteria points. That being said, then that's the number we would look for people to put on that board. If, just saying 12 might not cover all of our bases, might compromise the study, making it invalid in several different areas and potentially sure to fail in one way or another. I want to set this up so that it comes out to the public with the best opportunity to get their vote on the particular measures that are set before them.

President Melcher: I think it's almost going to have to be the 12, only because the City Council's not going to budge off the three. They're not going to let us have more than them. Then if we don't get it done by the 10th, it automatically falls on the 11th it goes out of our hands, it comes back to us picking three and the Mayor picking three.

Commissioner Tornatta: Then they get no votes.

President Melcher: Then there will only be six.

Commissioner Tornatta: So, I mean—

President Melcher: They get no votes. That's why they said three, and they said they weren't budging.

Commissioner Tornatta: Well, then they can have three or zero the way I look at it.

President Melcher: Well, the State law says they get three.

Commissioner Tornatta: Well, the Mayor would get three.

President Melcher: Right, but they would get three if we agree to the three. If we don't agree with them and they don't agree with us, and the 30 day clock ends, then we don't have anything. That's the way it is.

Commissioner Tornatta: When the shot clock ends, then the Mayor and the County Commissioners—

President Melcher: Pick three each—

Commissioner Tornatta: Three a piece.

President Melcher: —and that's six.

Commissioner Tornatta: Right.

President Melcher: So, this is a starting point. I think if they want other people to come they can do that. I'm sure a lot of people is going to be going to these meetings and we want these meetings to be open, we want people to be able to testify, we want people to ask questions after the meetings. So, I think everything is going to be open. But, if we can't agree on the number we're not going to get going and you said yourself, Troy, you wanted us to move this thing along, we won't be able to pick them, we won't be able to vote on them until our next meeting, which is only a few days before the cut off date. Everybody meets at a different time. So, we're trying—

Commissioner Tornatta: Well, keep in mind, I don't really care about the moving along, that's not my intent, my intent is to set it up so that it has an opportunity to be, to have its day in court. Whether, as I told Roberta, we will not hastily move this forward just to get a vote by November. So, if the process fails because people don't want to play in the same sandbox, then it's not going to get past the first hurdle. So, you know, but it's—

Commissioner Winnecke: I guess, I'm still not entirely clear what the role of the three educators that you referenced would be.

Commissioner Tornatta: Just facilitators.

Commissioner Winnecke: Facilitators of the committee's work?

Commissioner Tornatta: No, initially they're going to be facilitators to make sure that the people get put in a spot, okay? If we were, depending on what we were doing, if it's criteria based that they're working out with the other bodies on a criteria point if that's a doctor, a lawyer or whatever it is, there might be three or four names thrown out there and they would go back and try and work it so that there's one name in that spot.

Commissioner Winnecke: Okay. I think I have a better feel for where your line...you know, to me, I think at some point we have to trust the leadership of the people that we, in this case we've entrusted Steve to be our President for this year, and, you know, I have a list that I'm almost ready to send to whomever. I would trust that he would be able to sit down and visit with the Mayor and leadership of the other two bodies and represent our interests. I would think that the President of those two bodies and the Mayor and President Melcher could formulate a 12 or so member committee that's diverse, and represents, as you say, the fabric of the community. I mean, with all due respect to the gentlemen you mentioned, I think we could save considerable time by entrusting those that we've elected, in my opinion.

President Melcher: I do think what you said a while ago, if it comes down to where we do have a problem, we might be able to get those three involved at that time. If we don't have a problem, then we're moving forward. So, if we're okay with that, we probably would need an official motion that we're going to pick three.

Commissioner Winnecke: Mr. Chairman, I would move that, I'm trying to remember how, think of how to word this, that the reorganization committee consist of 12 members, three of whom are appointed by this body, three of whom are recommended by the County Council, three of whom are recommended by the City Council, and three of whom are recommended by the Mayor.

President Melcher: Okay.

Commissioner Tornatta: Second.

President Melcher: So, we have a first and second. Madelyn, would you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: So, with that we'll start the paperwork and I'll call the Presidents and say let's get some names together. On the name I would like to see what their role is, maybe a resume or something to, or something. Alrighty, so we'll move on now with action items.

Ben Miller: Building Commission Report

President Melcher: The first one is Ben Miller, Building Commission report. Is Ben here? I didn't see him. Alright, we'll skip that one.

Southern Indiana Classic Marathon
--

President Melcher: Okay, the Southern Indiana Classic Marathon, a road race scheduled to take place in Vanderburgh County. Jill Gehlhausen will be here, is going to be here to talk about it.

Jill Gehlhausen: Hello. Do you care if I approach and hand out a hand out to you guys?

President Melcher: Yes, go ahead.

Jill Gehlhausen: Is that alright?

President Melcher: Be sure to state your name and that for the record.

Tim Roman: My name is Tim Roman.

Lee Rudisill: My name is Lee Rudisill.

Jill Gehlhausen: They're board members of the Southern Indiana Classic Marathon Road Runners Club. My name is Jill Gehlhausen and I'm race director and president of the Southern Indiana Classic Marathon Road Runners Club. We presented to you a few months ago, and we talked about the excitement with the event, and you asked us to talk with the Sheriff's Office. We have met three times with them and have several other scheduled meetings with them, but they have given us their approval to approach you again and see if you would be willing to approve the roads being closed for April 11, 2010. The document in front of you shows exactly at every mile marker how long it will need to be closed based on the fastest runner and the slowest walker allowed for our time table. We have a committee of 12 people alone just working on the course. That includes someone from Animal Control, that includes the Fire Department, and someone from the Sheriff's Office.

President Melcher: Okay. Eric, would you mind speaking on this? Because I just want to make sure that you're satisfied and you're secure with this since your men are doing it.

Eric Williams: Sheriff Eric Williams. We have met with them on several occasions. I have assigned a member of my staff to their core committee to meet with them on a regular basis. We have gone over the course. We feel like we've got a good handle for it. The only thing that's yet to be determined, and we're still working those numbers out is the remuneration or the cost factor to the county for providing security. What I had hoped to do was present numbers to their organization based on our projected overtime and fuel and equipment costs, let them see that, agree that that's a good cost and then come to you and ask for permission to basically contract our services as the county Sheriff's Office to them for that flat fee based on what we expect to see happen out there. That's kind of where we're at right now. We're in the final stages of fine tuning that number. So, am I prepared to say, yes, move forward, minus that number with the understanding that we work that out, yes. We've worked with them, we feel like that this is a very doable event. It's going to be a very large event. It's going to be very labor intensive, and there are going to be some dollar costs associated with that, but in our meetings with their organization and giving them our rough numbers they've not hesitated yet and said they could cover that. I've taken the stance that, and the feedback that I felt that I got was that this was something that the county was going to help with but we were not going to be out any dollars doing it.

President Melcher: Exactly. I don't know if I feel comfortable voting on it to move on tonight without those numbers. But, I think there's a consensus that it's okay to move forward. I mean, if I'm wrong somebody needs to speak up.

Commissioner Winnecke: Yeah, I agree.

President Melcher: Troy?

Jill Gehlhausen: Great.

President Melcher: Okay. So, if you don't mind, you go ahead and keep going, but until we get real actually numbers and you agree to the numbers and the Sheriff agrees to the numbers, that's the night we need to vote on it.

Jill Gehlhausen: Sure. Are you okay with us going ahead with course certification to have the final stage of the Boston qualifications?

President Melcher: We're okay as long as you know it's going to hinge on you agreeing with the Sheriff.

Jill Gehlhausen: Okay.

President Melcher: And being able to pay the amount, the money.

Jill Gehlhausen: Sure. The last item is, when we were here last we had a request for the addresses along the course. We have not only counted all of the addresses on the course, but any road that only has access through the course, and that total is 633. We are working on contacting every address, in numerous ways, but making sure that they are very aware of what time their area of the course will be closed. It won't just be for the entire time. Each area will have just only a specific time.

Commissioner Winnecke: 633 residences in total on the course?

Jill Gehlhausen: Uh-huh.

Commissioner Winnecke: This chart is very helpful, by the way, in terms of, I don't know who designed that, but it's—

Jill Gehlhausen: Lee Rudisill.

Commissioner Winnecke: Good job.

Jill Gehlhausen: Thank you.

Eric Williams: If I could add, I would just comment and compliment them, this is a fairly aggressive undertaking and they have done an outstanding job of providing the information that we've asked for, because we tend to pick things apart pretty thoroughly and they've been very responsive to my requests through Major Molden. Like I said, Major Molden has been assigned to their core committee, and he's been meeting with them on a....as a matter of fact, he's meeting them and the fire service as soon as this meeting is over with tonight. So, I have no doubt that if we can work that number out that there's no reason not to let this move forward from our perspective and everybody else's.

President Melcher: Okay, any other questions by anyone? Okay. Thanks very much.

Jill Gehlhausen: Thank you.

Commissioner Winnecke: Thanks.

County Treasurer: 2010 Board of Finance

President Melcher: Next we have the County Treasurer, Rick Davis. They're going to discuss establishing the Board of Finance for 2010 review--

Rick Davis: Yes.

President Melcher: --and approve bid for in-house printing.

Rick Davis: We'll start out with the finances first. Good afternoon. Rick Davis, the Vanderburgh County Treasurer. I'm here today first of all because State law requires the Treasurer to meet with the Vanderburgh County Commissioners in the month of January and establish the Board of Finance. 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 something that you generally make in the order of a motion.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Is there any discussion? Bill, do you have anything to say on that?

Bill Fluty: I would be happy to serve.

President Melcher: Okay. With that, Marilyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Rick Davis: I apologize. I'm battling a cold, so bear with me. My chief deputy, Zachary Heronemus, handed out an interest summary from our Trust in Indiana investments. Every month our office provides you a list of CD's and what they've earned in interest earned, and I printed out, we started in April with Trust in Indiana. It's one more way for us to diversify our funds and also keeps us liquid in the event we have some claims come in on a Friday with maybe one extra zero in the end of them that we weren't anticipating, Trust in Indiana allows us to move that money the same day, without....you know, a CD, historically, if you break a CD there are penalties and interest that you have to pay, with Trust in Indiana you make a money maneuver as I call it, before 11:00 in the morning and it's done that day. So, it's been

very helpful this year. As you can see we earned almost \$150,000 in interest just off of Trust in Indiana with all of our sub-accounts including our General Fund. Overall, I kind of warned you in the beginning of the year that this was not going to be a very fun year with investments. The Fed cut interest rates down to nothing, and as a result our, the money that we have earned off of interest this year is right at one million dollars. I'm very happy with that, because it's amazing that we were able to make a million. Our average interest rate was only one percent for the entire year on our CD's. It was 1.02943. Our CD's earned \$868,000, including the Trust in Indiana, \$1,017,000. I'm sorry, one million, yes, that's correct. In 2008 we earned three million dollars in interest, but that was with an average rate of 2.7, and that's almost three times what we earned this year. To put that in perspective, at the end of '07 there was an eight day investment of three million dollars and we had a 4.3 percent interest rate on a three million dollar investment that was only eight days. In 2009 that same investment was .35. That is almost a 92 percent decrease in interest. So, again, that puts the one million dollars we earned this year in perspective. Things are looking up for this year. I went to a Treasurer's conference here in Evansville, and one of the speakers was Bob Jones, the President of Old National Bank, who is also a Federal Reserve member in St. Louis, at, this was the end of September, he predicted we had four to six more quarters before things turned around economically. In this area, I learned from Mr. Jones today, things are looking up for this year, even compared to September of last year. So, I'm very hopeful for next year. The last three investments of the year we made three million dollars each. One for 182 days, and one for one year and one for two years. The interest rates were .5, 1.05 and 1.46 respectively. In just those three investments we're going to bring in \$128,000. Now, one of them doesn't mature until 2011, but as you can see with what we've done with Trust in Indiana we were able to extend the number of days of our investments to earn more interest. That's really, when you're dealing with public investing, the best way in this economy is to link in the number of days of your investment to get a better interest rate. That's what we're shooting for. Also, I would like to add, because of the rotten economy, and not knowing where we were going to be, I did not estimate a very high amount of money for us to earn in interest for 2010. I put in there basically \$200,000 in investments for 2010. We're going to easily surpass that. So, I hate to say I low balled the County Council on what we were going to earn, but I didn't want to overestimate what we were going to bring in, let them spend out the wazoo and then have me be to blame because we didn't earn money interest-wise, but, already, if the CD's that we've invested for 2010 come due, we've already surpassed the \$200,000. So, when we have our budget hearings this July, I should be able to give a much better economic outlook for the rest of this year, and make it a little rosier for 2011. That's all I have as far as the investments go. Do you have, I would be happy to answer any questions.

President Melcher: Questions?

Commissioner Tornatta: I guess, we have to have a motion to accept the report.

President Melcher: Okay. So, is there a motion?

Commissioner Tornatta: I make that in the form of a motion, to accept the report.

Commissioner Winnecke: Second.

President Melcher: So, we have a first and second. Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Approval of Bid for In-House Printing of Tax Bills

President Melcher: The next one is approve the bid for in-house printing.

Rick Davis: Okay, I'll try to be brief, but also try to educate everyone watching at home what we're about to do. Last year the Vanderburgh County Treasurer's office spent \$46,300 to have our bills printed. They were printed in South Carolina. The last two years Vanderburgh County has not met the statutory May 10th deadline for spring, but we were the first county in the State in 2008, and among the top 13 counties in 2009 to bill in a timely manner. In 2010 Vanderburgh County is set to achieve on-time billing as we speak. To do so, I've determined that it would be best if we printed our bills in-house rather than having a vendor do it outside. To do so we would have to expend some capital costs up front. Last meeting, two weeks ago, the Commissioners opened three bids for a folder/insert/sealer, and we had two bids of \$56,708. I do feel that is the most responsive bid, and the reason why is the County Council has set our budget for 2010 at \$65,000. The other bid, which was from a very good competitor, Pitney Bowes, was above the \$65,000 limit. It would be best for us to proceed staying under budget. Additionally, we would need to purchase \$20,000 for two printers and toner and maintenance kits that I feel would do this job for three years. That line item would come from the County Council under an Office Machines budget, and in February I'm going to the Council to get that approved. It would not need to come before the Commissioners. In future years the cost of supplies, which would be envelopes, paper, toner, printer maintenance should drop our budget down from the \$46,300 we spent last year to around \$16,300 a year on average in years two, three, four and five. That \$16,000 figure includes \$6,000 for a maintenance agreement on the equipment and about \$10,000 in supplies. Another reason that I feel the bid from Hasler is more responsive is that it includes a maintenance agreement for years two, three, four and five at \$5,995 per year. The bid from Pitney Bowes had a one year maintenance agreement, or warranty I should say, but did not specify how much it would cost in years two, three, four and five. I have also looked to see if printers in the state and in the city could do this job, they can, but there would be additional costs. They're in it for profit, we're not in it for profit. I believe that we could see a savings of \$46,000 over a five year period with the costs that the local printers, which were much cheaper than the \$46,000 we spent out of state. The three quotes that I had talked to you about before, again, they were opened January 5th at the Commission meeting. If you were to approve this request today, my next step would be to go the Council for the \$20,000 in printers. I visited Old National Bank, their operations area, the same type of series printers that are being proposed to us, they have two printers, one of them

had nearly five million impressions in its history, the other had four million, for a total of nine million impressions. To do our job would take approximately 800,000 impressions per year. So, the machinery we are getting is built to last and it will be able to handle the load, with proper maintenance and care. We're always looking at ways to cut costs to taxpayers, I'll be able to answer any questions you may have for me. My recommendation at this time is to approve Hasler as the winning bid at \$56,708 for the folder/insert/sealer and software.

President Melcher: Any questions? Lloyd?

Commissioner Winnecke: Rick, what about the service agreement?

Rick Davis: Yeah, years two, three, four and five at \$5,995.

Commissioner Winnecke: So, that's in addition to the \$56,708.

Rick Davis: Yes, the 56 is the first year—

Commissioner Winnecke: Right.

Rick Davis: —and it includes the first year warranty and the software, everything. Years two, three, four and five, the county, and this is what I would put in my request to Council when I do my budgets in August, I would put the \$6,000 in my Printing requests to pay for property tax billing knowing that \$6,000 of that would go to pay the maintenance agreement on this equipment. Southern Business Machines is the dealer who handles Hasler. They have provided a purchase agreement with you today that I would be glad to give you as well, if you do approve it. We, time is of the essence as well. We, it will take approximately six to eight weeks for the equipment to be manufactured, delivered and set up in our office. My goal is to begin printing bills in March, if the Auditor's office calculates the bills and hands them over to us, which I believe will be the case. At that time we'll have the printers in place, our staff can focus all of their time and energy on doing that one portion of the bill, especially since this is the first year, printing the bills, organizing the, making sure the quality is high. The folder/insert equipment will be inserted in later on, and then the staff can focus all of their attention on feeding the folder/insert and learning a new job. I think it's almost perfect for them to be able....next year they're going to have to kind of do a little bit of both, print, fold, insert, print, fold and insert, but this year being their first year I think it's a good idea for them to do all of one task, get it done, out of the way, and then complete the task with the folder/insert. It's, I hope it works out. I have a plan, I just have to execute it at this point.

President Melcher: Troy, do you have anything?

Commissioner Tornatta: No, just it looks like Rick and Zach exhausted all opportunities to make sure that we were going down the right road, and appreciate you guys taking care of that side of the business. They've also extended that once they get their production up and running that there might be opportunities to do some more, help some more offices out with their printing load and or stuffing load or whatever they need to do. As long as they're prepared and ready to go, I'm going to back 'ya and approve this. I make a motion to approve this expenditure with the referenced party and get these things rolling.

Commissioner Winnecke: Second.

President Melcher: So, we have a first and a second that we're moving to accept this bid from Hasler, right?

Rick Davis: Yes, that's correct.

President Melcher: Madelyn, will you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Rick Davis: I'll give you these purchase agreements.

President Melcher: You want to give them to the Attorney first.

Madelyn Grayson: Rick, is that what they need to sign this evening?

President Melcher: Anything else, Rick?

Rick Davis: No, I'm on the agenda later. I'll be back.

President Melcher: Okay.

Rick Davis: Thank you for your time. I appreciate it. There's an old saying in the counsel of many there is wisdom, and I want to tell everyone at home that the Commissioners have been very involved in this whole process, as has the Council. I've received lots of favorable input and suggestions on the bill printing for this year. I intend to use them to the best of our ability, and hopefully people will have more than a two week or three week window to get their bill and pay this year. It's my goal to have at least one solid month where people get the bill in the mail and are able to pay their bill in a timely manner. May 10th is the deadline this year and we hope to stick to it. Thank you.

Commissioner Winnecke: Thanks, Rick. Nice job.

President Melcher: Thank you.

<p>First Reading of Ordinance CO.01-10-002: Rescinding CO.04-09-009 & Amending MBE/WBE Utilization Board</p>

President Melcher: Next is the first reading of CO.01-10-002, an ordinance rescinding the county ordinance CO.04-09-009, and amending the county ordinance entitled MBE/WBE joint utilization board. The ordinance rescinds, the ordinance to

be adopted in 2009 needs to be amended to align with the city ordinance. This is something I think we're always trying to do is make the city and the county, as much as possible, to be the same. Is there any discussion even?

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: I have a first and second. Madelyn, call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you.

Sale of County Real Estate to An Abutting Property Owner

President Melcher: Next is the sale of county real estate to the abutting land owner. I understand, David, you're going to discuss this?

David Miller: Well, Mr. President, this is real estate that has been taken by the county for non-payment of taxes, and the statute requires that abutting land owners be given the first opportunity to buy, and that is done by a notice pursuant to the Indiana Code section 36-1-11-16. I think pursuant to that statute it's appropriate for you to authorize the issuance of this notice. I have it here for your signature subject to the approval of the Commissioners.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Anymore discussion? Anybody from the audience. Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Naming of New City Precincts Due to Annexation

President Melcher: Next we have naming of new precincts due to the annexation. What the city did they moved in to Knight Township, and Pigeon. Pigeon Three is going to be the city 4-2, and then it looks like Knight Three is going to be in the Third Ward, the First Precinct. Tony, did you want to discuss any of this? Okay, so, we're going to need a motion.

Commissioner Tornatta: I guess, what we do need to say is P-3 would vote at 609 Southeast Second Street, and 3-1, which was Knight Three would vote at Good Shepard Assembly of God Church at 4330 North Burkhardt Road. So, those are the two changes.

David Miller: I believe that's the same place they voted last year.

Commissioner Tornatta: Okay.

Commissioner Winnecke: Should that be City Four, 4-2, instead of P-3?

Commissioner Tornatta: I'm sorry, City 4-2 would vote at 609 Southeast Second Street.

President Melcher: Yeah, and they were voting in the Civic Center. It's only a few houses.

Commissioner Tornatta: Then City 3-1 would be at the Good Shepard Assembly of God. I make a motion to approve.

Commissioner Winnecke: So moved, second. Sorry.

President Melcher: Any discussion from the public? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Treasurer: Agreement with RBF Recovery Solutions
Superior Court: 2010 CASA Contract
Co-Op Extension: 2010 Purdue Contract
OCH Lease Agreement: Robert Collier
County Right-of-Way Encroachment Agreement: Hamilton Creek
Burdette Park: Protech Satellite Service Agreement
Burdette Park: American Structurepoint Change Authorization
Sheriff: ARAMARK Amendment Number Three
Sheriff: 2010 Integrated Consultants Contract
Sheriff: 2010 Agreement for Community Corrections
Sheriff: 2010 Compensation Agreement

President Melcher: Next is contracts, leases and agreements. The Treasurer, I guess you're back up sooner. You're gonna, with the RBF Recovery Solutions, LLC for the NSF collections.

Rick Davis: Yes, just to give you a brief synopsis. Again, Rick Davis, the Vanderburgh County Treasurer. Our office deposits a lot of money, obviously, with the bank, but not all of the money is generated from our office. The county, in general, receives a lot of money, take Burdette Park, for instance, their day care, the Health Department, Area Plan, those entities come to our office and quietus the money into accounts. Then we deposit into Old National Bank. If someone bounces a check or stops payment or gets rid of their account, you know, closes out their account, our staff is the one who's encumbered with the time and expense of collecting that check, even though we weren't the ones who received, cashiered the check originally. Bottom Line Services gives us an advantage. We will have to give notice, fair warning to the taxpayer when we mail out our bills, which I will do, and also at the windows of every place in the county where they receive checks, but if someone bounces a check, let's say for \$50, they've only got 45 in their account, this company will take over the collections of that account. They can electronically withdraw the funds from someone's bank account. They keep an eye on that account, and the moment that it has enough money in there to cover the bounced check they electronically withdraw it and the county gets our money at no cost to the county whatsoever. There is a \$27.50 fee to the person who has written the bad check or dishonored check, however, let's all keep in mind it is against the law to be writing bad checks. Again, this is very important to our office because my co-workers are the ones who have to work these bad checks, even though they may not generate from our office. This will give our small staff, we're down to 12 people now, the ability to wait on the public at the counter, rather than trying to find dishonored checks that have been written all over the county. After 180 days, they keep an electronic eye on that account, after 180 days if no one puts any more money in that account, this company is licensed in the State of Indiana as a collections agent, and then they treat it like it's a collection, a collection account. They will send letters and make phone calls to try to collect on the account. I think it's a very good thing for the county to do this.

Commissioner Tornatta: Is there some type of fee outside of when you go to that period, do they have a different fee structure?

Rick Davis: No.

Commissioner Tornatta: It's all the same?

Rick Davis: There is no cost to the county at all.

Commissioner Tornatta: Okay.

Rick Davis: Now, as far as the consumer goes, I think there is an additional fee if someone pays by debit over the phone of five dollars, but I've been told it's \$27.50, it's the State allowable. Actually the County Attorney may know if it's higher than that, but they are going only by the State allowable limit.

Commissioner Tornatta: Okay.

President Melcher: David, did you have something to say?

David Miller: Well, just so you know, if they go to collection through a legal process on a bad check, there is a statute that authorizes charging attorney's fees. I'm sure that this company would recover it's fees and expenses that way.

Commissioner Tornatta: On the recommendation of the Treasurer, I would like to recommend that we put RBF Recovery Solutions LLC as the payment collector.

Commissioner Winnecke: Second.

President Melcher: A first and a second. Any other discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Rick Davis: I would like to thank our County Attorney's office for the work they put into this. I have received stickers in the mail that we'll be putting at all of our cashier's stations. I'll be sure to get a hold of Burdette Park and the Health Department and make sure that everyone who receipts money in from the county will have fair warning at the cashier window when people write checks. Thank you for your time.

President Melcher: Thank you.

Commissioner Winnecke: Thanks, Rick.

President Melcher: Next is Superior Court 2010 CASA contract. A renewal contract with CASA for the period of January 1, 2010 through the 31st. This is the same contract that we've signed in years past except it's been decreased from \$96,164 to \$96,000.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a motion and a second. Any discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Then next is an agreement with Purdue University for a grant for \$72,934 for the Vanderburgh County Purdue Extension Services. This is amendment two of the 2008 agreement. It was approved and extended through 2010. The grant amount was going to remain the same as 2009, which is \$72,934.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion on that? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is a lease agreement with Robert W. Collier for the Old Courthouse suite 304. It's a lease of 304 courthouse to him for one year, two thousand one ten, through 1/31/11 for the use of manufacturing rep for automated equipment. The rent is going to be two hundred a month and it starts....is there any discussion? Is there a motion?

Commissioner Winnecke: I'll move approval.

Commissioner Tornatta: Second.

President Melcher: We have a motion and a second. Any more discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Pretty soon we might have the whole thing leased up. Next is the county right-of-way encroachment agreement with Hamilton Creek. David, are you going to discuss that?

David Miller: Well, for purposes of explanation, the developer and the homeowner's association in Hamilton Creek Subdivision have asked that the roadways be accepted for maintenance by the county. The County Engineer, as we understand it, has indicated that the roadways are of sufficient quality for acceptance to be approved, however, there are encroachments onto the right-of-way that exist, notwithstanding the quality of the roadways, and this agreement would permit the county to remove those encroachments, if and when necessary, at no cost to the county. That's the purpose of this county right-of-way encroachment agreement.

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

Commissioner Tornatta: Second.

President Melcher: We have a first and second. Any further discussion? Is there anybody from the public that would like to speak on this? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is Burdette Park, an agreement with Protech Satellite Service for Dish Network service for six chalets. Do you want to tell us a little bit about this, Steve?

Steve Craig: Steve Craig, Manager of Burdette Park. What this consists of is that we were wanting to put cable television in our chalets. We started working on this probably five or six months ago. It entailed a lot more than what I thought. Some of the cable companies had to run the cable, they wanted to charge us for that, and we finally dealt with two or three different companies that did dishes, and this is the best deal that we could come up with. It is, I think, very reasonable for all six chalets and that is going to be \$80 a month. I wish mine was that cheap at home.

President Melcher: So, it's actually \$80.98 per month for all six?

Steve Craig: Yes, sir.

President Melcher: Because I had that down as a question.

Commissioner Tornatta: Good. Motion to approve.

Steve Craig: Thank you.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody from the public? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Mine cost more at home too. Thank you, Steve.

Steve Craig: I've got the next one too.

President Melcher: Oh, that's right, American Structurepoint change in service authorization. Did you want to discuss?

Steve Craig: Yeah, what this is, is the 30 acres that we purchased two years ago, Structurepoint's been doing all of the engineering on it for the infrastructure. They have that part finished, and what this is is the extension of the storm sewers and the storm overflow into the present parks storm system. They're going to, I had them amend it, I had talked to Troy earlier in the year and this is going, they're going to tell us how to connect to our electric, our sewers and our storm service in the park so that the new 30 acres will be tied into the park. Then, another part of it was to do the parking and the camping area at the campground. When this money was given to us by the Evansville Visitors and Convention Bureau, they instructed that we should have some excess parking put up there for the BMX and that is included in here for

them to lay out the extra 50 parking spots on the northwest side of this property. This is just a continuation of our development of this property to get it ready to where we can start utilizing it.

Commissioner Tornatta: Right, as I was talking to the engineers out there, it seemed like, which I believe it's \$18,000, is that what—

Steve Craig: \$18,900.

Commissioner Tornatta: \$18,900, and that would take them through, if we were to extend this contract, I think we'll find savings that, they're out there, they're familiar with the properties and they're able to continue what they've done as opposed to them going out and hiring somebody to learn the properties and do everything. So, at this point I would make a recommendation to continue with American Structurepoint.

President Melcher: So, that's a motion?

Commissioner Tornatta: Yes, it was.

Commissioner Winnecke: I'll second it. I would like to ask a question.

President Melcher: Okay.

Commissioner Winnecke: At the right time. Is this the right time?

President Melcher: Yes.

Commissioner Winnecke: Steve, how are you going to account for the \$18,900? How is that going to be paid?

Steve Craig: That money was going to come out of Parks and Recreation CCD money. That's where the other monies that we took for last year came out of.

President Melcher: Okay, we have a first and second. Any other discussion? Anybody from the audience? Seeing none. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Steve Craig: Thank you.

President Melcher: Thank you.

Commissioner Winnecke: Thanks, Steve.

President Melcher: Next is the Sheriff, amendment number three to the agreement with ARAMARK Food Services. The agreement will extend it to January 15, 2011, but the per meal cost is going to stay the same at \$1.227 through January 15, 2011.

Commissioner Winnecke: Mr. Chairman—

Commissioner Tornatta: Do you want to take all of these?

President Melcher: Do you want to do all of them?

Commissioner Winnecke: Sure.

Commissioner Tornatta: They're all the Sheriff's.

President Melcher: Okay, then agreement with Integrated Consultants for computer consolidation for 2010, the agreement for Sheriff Williams to operate the Community Corrections program for 2010, and agreement for the compensation of the Vanderburgh County Sheriff during 2010. So, we're just going to take a motion for all four?

Commissioner Tornatta: I would recommend all of these be approved as written.

Commissioner Winnecke: Mr. Chairman, I will make the second just for, we probably ought to read the amounts into the record.

President Melcher: Okay.

Commissioner Tornatta: On the agreements for computer consultant services between Integrated Consultants and Vanderburgh County on behalf of the Sheriff this is identical to last year's agreement. It is for one year, 1/1/2010 to 12/31/2010. The cost of the agreement is \$10,609. As I said, same as last year. The agreement for Sheriff Williams operations of the Community Corrections for 2010, this agreement is identical to the form of agreement used for 2009 and 2008, including additional compensation to be paid for the operations of the program, and the cost of that agreement is \$34,147. The agreement of compensation of Vanderburgh County Sheriff during 2010, identical to the 2009 agreement, even keeping the level of compensation at \$85,921, the same as it was in 2009.

President Melcher: So, with that we have a first and a second. Do we have any further discussion? Anybody from the public? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Engineer

President Melcher: Department head reports. Does anybody, John, do you got anything?

John Stoll: I have one item and it's a street acceptance request for Hamilton Creek Subdivision. This acceptance request consists of 514 feet of Derrington Drive, 460 feet of Cannelton Court, 231 feet of Barrington Court, and 735 feet of Mannington Court.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Any discussion? Seeing none. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have. Thanks.

President Melcher: Anybody, any other?

Old National Bank 2010 Property & Casualty Insurance Presentation

President Melcher: Dennis Feldhaus, ONB Insurance. I saved the presentations till last.

Dennis Feldhaus: Does that mean you were saving the best till last? Dennis Feldhaus with Old National Insurance. Good evening, Commissioners. I'm here this evening to propose to you the renewal of the property and casualty insurance program for Vanderburgh County from February 1, 2010 to February 1, 2011.

Commissioner Tornatta: Thank you.

President Melcher: Thanks.

Dennis Feldhaus: I do have some good news to share with you, but before we get to the last page, I do want to point out just a few highlights in the large proposal that

was just placed in front of you. Under the tab of property coverages, I would just like to highlight the fact that what we are insuring for Vanderburgh County, about half way down the page there's a little star, we have \$180,931,523 worth of insurance value, including all county properties, all county contents, all of the scheduled equipment. Some of that is listed there. This all includes the fiscal damage value of all the fleet, under the auto schedule. So, I just wanted to point that out as the total exposure of the county that we are currently insuring. Down at the bottom of that page, last year you approved an additional ten million, excuse me, yes, ten million of earthquake coverage, for a total of, a sub-limit of \$76 million on that 180. We also have blanket flood for \$35 million. I would like to propose before we leave this evening, to the Commissioners, to purchase an additional \$24 million of earthquake coverage. There's been plenty of coverage on earthquake in the past week and a half. I don't need to explain to you the severity of that peril. That additional \$24 million would run \$28,750. I will come back to that in my premium summary page. Under the tab of liability coverages, just to highlight again that we have a ten million limit of liability, one million underlying and nine million excess liability, including law enforcement, public official, commercial auto and general liability. No changes from the expiring. Under workers compensation we are basing our excess premium for workers comp on the payroll submitted there. Annually Mr. Fluty does provide us the payrolls by class, we run the audit and we adjust accordingly. This is what we currently have as payroll by class. The most important page for your consideration this evening is the premium summary page. I am very pleased with what we were able to broker and provide for the county's consideration this evening. The first column is the lines of coverage that I quickly went through by the tabs. The second column is the expiring premiums that you paid in the past twelve months. The third column is the renewal premium that we are asking for your approval this evening. The fourth column is the variance, and the fifth column is the variance in percentage. So, if you're a bottom line person, you want to run down to the totals, you can see that the offer for renewal is five percent less and a savings of \$47,000 over expiring. That's good news. The optional excess earthquake that I mentioned earlier, there's that figure of \$28,750. If you choose to purchase that additional coverage, the total including the excess earthquake still would be two percent less than expiring premium. I think a good bargain for the Commissioners consideration this evening. Last is the good news is, we all have to run according to budget. We projected a five percent increase on this program on expiring 2009, we budgeted \$1,213,122 for this year. With the excess earthquake addition, we would be coming in at \$1,136,706, still a savings of seven percent under expiring. I would entertain any questions. I know that was a quick run through of a large proposal.

Commissioner Winnecke: Mr. President?

President Melcher: Go ahead.

Commissioner Winnecke: Dennis, to what can we attribute the reduction?

Dennis Feldhaus: A soft market still in the commercial property insurance. My experience for the past seven years I've been taking a lot of reduction in cost to a lot of commercial clients. Unlike some of my commercial clients where their exposure has been reduced by either revenue, sales or payroll, the county's exposures still say the same. In fact, payroll was up a little bit. So, we got the reduction even without the reduction in exposure. That's the good news.

Commissioner Tornatta: So, we see a savings of a little over \$76,000? Is that what I read? Off what is budgeted for 2010?

Dennis Feldhaus: Yes, off of the 2010 budget figure. So, there's two comparisons I'm making, one to budget and one to expiring.

President Melcher: And that's adding the \$24 million to the earthquake?

Dennis Feldhaus: That would give us \$100 million of coverage on quake, with \$180 million exposure.

Commissioner Winnecke: Dennis, are you looking for approval on this tonight?

Dennis Feldhaus: Yes. We have a February 1st renewal date. I would need to order that binder coverage.

President Melcher: So, do we have any questions?

Commissioner Tornatta: One other question, what is the average coverage of a municipality? As far as, I know where we are and what we're covering, where do we stand on that average?

Dennis Feldhaus: I'm not sure how to answer that question. The exposure is based on population of the entity and that varies. I could compare the county with two other entities that I currently insure, but they're not near the size in population, and they're not near the size in property values or payroll. So, that would be hard to do a comparison.

Commissioner Tornatta: I mean, I'm comfortable right now with offering more in your service and less in our cost to the tune of \$76,000. So, I would make a motion to increase the earthquake insurance, and accept the budget of \$1,136,706.50.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Any discussion? I have a question or so. Since we have to approve this tonight because of the February 1st, could next year we get it a little sooner? Or does this create a problem?

Dennis Feldhaus: It's difficult to get underwriters to get those pricings, I've requested that, obviously, I would like to have it by 1/1. This is not uncommon in my industry.

President Melcher: No, I understand, but if we could get it right after that and we have it at our first meeting, we could approve it at our second meeting comfortably.

Dennis Feldhaus: The first meeting would be in January?

President Melcher: Uh-huh. I'm just, I think you could try.

Dennis Feldhaus: I will attempt to get that accomplished.

President Melcher: As far as Troy's question, I don't know how you would get it, but I think you might be able to call a couple of other cities, everybody seems to be sharing information on what everybody makes. I think you might be able to call, you know, Ft. Wayne and a couple of others down the road and have some kind of comparison. That would probably help with Troy.

Dennis Feldhaus: Okay. I can provide that.

President Melcher: With that, any discussion from the public? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Dennis Feldhaus: Thank you, Commissioners.

Commissioner Tornatta: Thank you, Dennis.

President Melcher: Thank you.

Commissioner Winnecke: Thanks, Dennis.

Waggoner Irwin and Scheele: Operations Study Proposal
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President Melcher: We have Kent Irwin with us with Waggoner Irwin Scheele and Associates on an operations study, I guess, or efficiency study, or something like that.

Kent Irwin: Yeah, a little of both. My name is Kent Irwin. I'm with Waggoner Irwin Scheele and Associates, based out of Muncie. I've provided you with an offer of services to conduct an operations review of Vanderburgh County, with a focus on human resources. The review would be all inclusive in terms of all departments, all offices of the county, and would include things such as the delivery of services in each office and department, the staffing of each department, potential reorganization or restructuring of both departments and jobs, looking at what is currently done in-house that might be outsourced, looking at things that are outsourced and what might be brought back in-house, the use of technologies and the effectiveness of those technologies in the performance of the delivery of service, looking at policies and past practices, looking at your reduction in force and layoff policies in the event that that day would come to make sure that those policies and procedures are non-discriminatory and that they're carried out in an equitable way throughout the county, collecting external data, staffing, budgets, how other counties of like size do their business compared to Vanderburgh. We've done similar studies in St. Joe County, which I think would be a good comparative one to select. I think Allen would also be another one here in the State. I think maybe (tape flip) the United States would be good, but it's somewhat difficult at times to compare Indiana counties to the way other states have their counties structured. For example, North Carolina has the courts, has the clerk's office, prosecutors, those are all state employees. I know that sometimes that's on a wish list of a lot of county officials here in Indiana, but that's not the way it works. So, principally we stick to looking at the jurisdictions here in our state. We would also review areas of collaboration where if we can collaborate in-

house with various offices, various departments, as well as looking at the potential for collaborating with other units of government, other entities. I don't know, that may tie into what you were talking about earlier, but the delivery of service, I think, is coming to a point where cities and counties are having to look at the potential of doing more things together. Now, I know from having worked with the City of Evansville, having worked with Vanderburgh County many years ago, there are a number of things that you do through interlocal agreements such as your Plan Department, which is, at least in my view, a very positive way to deliver that service. There may be some other potential with some of your other offices and departments as well. We'll also review the use of or lack of performance measures to be able to put or quantify the way we perform our services into some way of measure. Are we delivering the best we can with what we got to the citizens? The International City Management Association is a national group that has a set of benchmarks that virtually any municipality can enter into their data base and make comparisons through the use of that service. That may be a possibility. There's a number of other statistically driven benchmark systems that are used by various cities and counties throughout the United States. This may be, again, something that you would want to focus on. Our approach would be to put together a work plan with the Commissioners setting out the priorities of your study. It will be tailored to meet your needs. We don't have anything to pull off the shelf and say, here Vanderburgh County this is what you need. We would go through a process of collecting information directly from each of the elected officials. I think their input, the employees input are very important in this process so that we can get all the ideas on the table and then end up with a report that will come back to you with a set of findings, as well as recommendations for the future. I'm guessing, estimating based upon other studies that this would require six to eight months to complete. Again, depending upon the detail and depth that you want to see in certain areas as we go along. I'm estimating the cost is going to be somewhere between \$60,000, what did I say here, \$60,000 to close to \$65,000, plus travel expenses. I have provided a bio of our company, as well as my own. We've been in business for over 30 years. We've worked in over 50 counties throughout the State, and that many cities and towns. Currently finishing up a project similar to this down the road in Vincennes.

President Melcher: I know the Mayor speaks highly of you and what you did for the city, because he told me that again tonight.

Kent Irwin: Thank you. Glad to hear that.

President Melcher: Any discussion?

Commissioner Winnecke: You know a couple of months ago I thought this was a great idea, and I still think it's a great idea. I think the timing probably now is not as great given what is going on with the discussion to study the possibility of merging city government and county government. I don't know how I could justify in my mind voting to approve an expenditure of \$60,000 to \$65,000 knowing that a reorganization committee is about to begin a process. I think, we could pay this money and come back with a number of recommendations and many of them could be moot based upon what happens with the reorganization committee. So, I would have hesitancy, great hesitancy in moving forward as presented.

Commissioner Tornatta: I would propose to Kent that we possibly take this to the County Council. Send them this packet, let them review kind of a list of issues that are before them. The County Council, I know President Lloyd wanted to do something very similar. I asked him if we could continue down this road to see what

would be the best option. Take this to the County Council, get some feedback from them on the scope of services, if they're looking for some type of services. You know, it might come to light that we want to take this and combine it with the study on the merger. At that point, if those individuals wanted to take this study and kind of go with the county on it, there's a potential of cost savings for the fee. So, I mean, there's a couple of different ways to skin this cat, and I think that at some point we need to get the blessing of the County Council, the scope of services that they would like to see, if any, in this process, and then see if this ties in with where the merger committee wants to evaluate.

Commissioner Winnecke: I guess, I mean I understand that and appreciate where you're going with that. I guess, I still have an issue if the committee comes back and recommends, you know, consolidation at whatever level, what good is a county efficiency study that we're paying a lot of money for if another committee is doing something and is going to recommend something maybe totally different?

Commissioner Tornatta: Yeah, I mean, I don't know if we can rest our hat on the fact that that committee is going to be favorable for consolidation. So, I mean, we have to look at it in two different lights. I mean, if consolidation goes through, that's fine, yeah, you're right this turns into a moot point. If it doesn't, then we're left at the altar without a plan in place on how to handle employees, even changing our employee handbook and going through particular issues that affect how we control our, the employees without an HR Department. Right now we're in a hiring freeze, yet we don't really quantify what that means. I mean, we've discussed that. It's awful hard to tell our officeholders, assuming we will have officeholders, that one employee is more compensable than another. Then, how do they plan out the future with their plans knowing that they're going to be down two employees.

Commissioner Winnecke: I guess, I'm willing to, I don't know that the county has that much liability by saying hey, we're going to wait a number, you know, six to twelve months, the committee will have, by statute, twelve months to complete its work, I don't know that the county has any really greater exposure than what we haven't had, than we've had for years by waiting a number of months to see what happens with that. Then we could, I totally agree with you, yeah, let's move forward, but I've made my point.

President Melcher: So, your suggestion is that he goes to the County Council?

Commissioner Tornatta: Well, I'll just, he sent an e-mail, I'll send this, that with a packet to the County Council and, you know, I mean, I understand Lloyd's point. I, you know, it is a timing issue, there's no question, but they were also going to pursue this type of individual to go ahead and do a service for them. So, if they're still thinking along those lines, having the job study, you know, maybe we need to get together and talk about a scope. Maybe the scope is not as broad as what's been presented here today.

President Melcher: Well, I think maybe at this point we just send it to the County Council. Would you be okay with that? Because if they're looking at doing this—

Commissioner Winnecke: I guess, theoretically, I mean—

President Melcher: I'm not—

Commissioner Winnecke: –theoretically, I still feel the same. I mean, I still feel the same that it doesn't matter if we're voting on it or the County Council. That doesn't change my mind.

President Melcher: Okay.

Kent Irwin: I might make two points here. One, there are certain items in the Evansville study that touched upon collaboration with the county that have not been thoroughly reviewed on the county side. Secondly, is this other group going to have a professional study done, or is it going to be the group developing the ideas and coming forward? I think if the group doesn't have support in terms of someone who's staffing and following up between meetings, then I've seen these committees often times end up being a lot of people meeting and talking, listening to the public, but then not having a plan on the table where you have to do some homework, you have to collect data. You need to show where you're going to have a savings. There are certain things that, I think, the general citizen doesn't clearly understand. They see you all coming to work in the same building, but we have the courts, the judiciary has their responsibility that is carved in statute that we're not going to have the Mayor being the head of Vanderburgh County Courts. I mean, that's a State function. But, we do have employees that work for the courts that are county employees. We have a number of county programs that are dedicated to the county. How that gets translated in terms of any consolidation, I think you're looking at a long term plan or theory at that point. What we're talking about here is taking a look at the way you're currently conducting business and how perhaps you can conduct your business more effectively and to avoid costs. It's a cost avoidance in terms of some of the liability that comes by the way of how you conduct layoffs or reductions or mergers. So, I think that there's a broader picture here. Since it came up, and I would like to share a name with you, any of you to follow up with, and that is a guy by the name of Eric Kelly, who is the former Dean of the Architectural School. He's a nationally known consultant in planning. He's at Ball State, and he's currently heading up the committee that you're talking about for Muncie and Delaware County. He's chairing that committee. I think he may be someone who could throw some light on the process that they've gone through, and perhaps some of the issues that have come up that you would like some answers to that you're not completely satisfied at the moment.

Commissioner Winnecke: I think you make a great point, and, I guess, you know, down the road, and it may be sooner rather than later, once this reorganization committee is constituted and really begins its work, they may raise their hand and say we need professional services. Then, I think at that point this body, in conjunction with the leadership of the city, would sit down with your organization or whomever and then engage them in a manner that can really advance that group's work versus once the county goes ahead and spends sixty some odd thousand dollars initially and it may or may not pan out down the road.

Commissioner Tornatta: Right, and I'm not in any position to recommend this tonight. But, I would want to at least get this in front of the County Council so we don't have, if we decide that we want to wait a little bit before doing some type of services, that they're on board with that, and not going out there and trying to do the same thing that we're cautioning moving forward tonight.

President Melcher: Okay, so your recommendation is we're going to–

Commissioner Tornatta: But, at this point I would recommend that we just take it, serve it to the County Council, let them look at it, get some feedback from them, and then tell them of our issue with the consolidation moving forward, recognize that Kent was here tonight, and tell them that those services are out there for their utilization at some point.

Commissioner Winnecke: I mean, we really don't need to take an action on it?

Commissioner Tornatta: No, we don't take an action tonight.

President Melcher: No, no.

Commissioner Winnecke: If Kent, and, you know, it's probably a good idea, if he wants to contact them and be placed on their agenda, which I think is not unreasonable, they may have a totally different take on it.

Kent Irwin: Very good. Thanks for your time.

Commissioner Tornatta: Thank you, sir.

President Melcher: Thank you.

Commissioner Winnecke: Appreciate it.

Discussion of 2010 Trending Services Agreement for County Assessor

President Melcher: I guess, now we ought to go to one that's not on the agenda. David, don't you have one that's not on the agenda tonight? Something about the Assessor and trending, I think that's what Mike's here for.

David Miller: Ah, yes.

President Melcher: Mike, you might want to go ahead and come up. It was on the agenda, off the agenda.

David Miller: Since it went off the agenda, I did not know we were going to take it up in the meeting, but it is, there is a combination of bids that have been submitted to the County Assessor. Bids by Tyler Appraisal and Property Solutions and A & S Associates, both of them offering trending services for the Assessor. The Assessor is interested in resolving this as soon as possible. My understanding is that the Tyler bid is somewhat less than the A & S bid, but there are certain reasons that the County Assessor may have for wishing to take, for wishing to accept the A & S Associates bid. In my absence from the city last week, Mike, Michael Schopmeyer, who is at the podium, has been in touch with my partner, Ted Ziemer. Michael represents A & S Associates, and there are some questions that Ted Ziemer is addressing with Mike Schopmeyer wishing to examine into the completeness and the details of the respective bids, in order to determine if there would be any legal problem, in Ted's opinion, if the County Assessor would choose to accept the higher bid. That determination has not been made by Ted yet, and that is unfortunate because the County Assessor, who I understand is not present tonight—

President Melcher: But Glen's here.

David Miller: Glen is here?

President Melcher: Yes.

David Miller: The County Assessor wants to move forward with this matter as soon as possible. So, Ted and I discussed this this afternoon, we concluded that subject to what the Commissioners wish to do, in order not to delay this any longer than possible, it would be acceptable if the County Commissioners determined that the Assessor is authorized to accept either of these bids subject to the opinion of the County Attorney, which will be forthcoming after further investigation that the county is not exposing itself legally to claim by the lower bidder.

Commissioner Tornatta: That would also be a bidder that's most responsive to the needs of the Assessor, and could eventually be a lower bidder potentially.

David Miller: It could potentially be either bidder.

Commissioner Tornatta: Right.

David Miller: At this point.

Commissioner Tornatta: Exactly.

David Miller: The requirement is that the officeholder select the most responsive and lowest and best bid. That issue is still in the air in terms of the legal determination.

Commissioner Tornatta: Just for clarification, the reason why this is in the air is because the lowest bid has been deemed not as responsive as the higher bid, and that's the reason why they are going through this process.

David Miller: There is that opinion.

President Melcher: I guess, the only question I have, and, Glen, you will probably have to come to the microphone and answer this one, this trending didn't start now, who's been doing it?

Glen Koob: Glen Koob, Real Estate Deputy County Assessor's Office. Chuck Simon has done it for the last two years.

President Melcher: So, which one is Chuck Simon?

Glen Koob: Oh, I'm sorry, A & S Associates—

President Melcher: Okay.

Glen Koob: —has been. He was kind of like on a three year plan, considering that he got appointed by the Commissioners, or his contract was okayed by the Commissioners.

President Melcher: A couple of years ago, right?

Glen Koob: Yes.

President Melcher: Okay.

Glen Koob: He's been doing this since 2007-2008, 2000, yeah '08 and '09, and this will be '10.

President Melcher: Okay.

Glen Koob: But, he also helped clean up the 2006. We had another company, and we trust Chuck and he does a good job. He goes in, he does the informal hearings, he does multi-unit residential, GRM, which I'm not sure the other bidder is going to do, and he has a few other services. I don't know if I can say this or not, the bids really don't relate to the services that are going to be provided. Tyler Technology has a \$600 per day clause in there for anything that they consider over and above commercial and industrial.

President Melcher: And A & S doesn't have that? They just gave you a fee?

Glen Koob: A & S has zero. A & S does informal hearings, they do the multi-residential at no charge, it's included in that price. So, they really don't compare as far as what you're getting for \$78,000, or whatever the price is, and what you're getting for the \$98,000. They really don't, the \$78,200, I believe.

President Melcher: You really don't know what you're getting is what you're saying, for the 78.

Glen Koob: Exactly. For the 78 there's some things in there that we're going to have to pay \$600 a day, and it's going to, you know, come around after the contract's...\$600 a day, I'm sorry, and it's going to come around after the contract is signed.

President Melcher: Yeah.

Glen Koob: I really don't think....that happened before.

President Melcher: No, that's like a blanket deal. How long does this normally take?

Glen Koob: How long does the trending normally take?

President Melcher: Yes.

Glen Koob: We have to be finished with that trending, speaking of time line, by, Jonathan, the Assessor, wants to be finished by March 1st, or sorry, May 1st of 2010. The State wants it up there, our assessments up there and our trending by May the 31st of 2010. So, January's already gone, so they have three months.

President Melcher: So, there's a lot of days at \$600 maybe?

Glen Koob: Yes. Well, and let me say this too, Commissioner, after it's finished there's a lot of days. They don't only do it up until May the 31st, after that they have to go to the informal hearings for the PTABOA or the Board of Review. Anybody that would file an appeal, they need to go in and say, sit down and talk with that and see if they can come to a conclusion before it goes to the Board of Review, a recommendation actually. So, that goes on after the May 31st that we send it to the State for their approval.

Commissioner Tornatta: 45 days would be around \$27,000. I mean—

Glen Koob: Uh-huh, well—

President Melcher: It could be more than that.

Commissioner Tornatta: Well, I'm just—

Glen Koob: Yes.

Commissioner Tornatta: —saying if it was a 45 day period in a year, you're looking at \$27,000.

Glen Koob: Yes.

Commissioner Tornatta: I don't know how much the other group, how many days they worked outside the contract.

Glen Koob: It was all included in the contract.

Commissioner Tornatta: Well, I guess, their extra services—

Glen Koob: Uh-huh, yes.

Commissioner Tornatta: —are part—

President Melcher: Well, you know what the price is with that.

Glen Koob: Right.

Commissioner Tornatta: Right.

Glen Koob: You know what the price is with that. That's the problem with the other contract, or the other bidder is that you don't know what they're going to charge. I know there's some things in that contract that is in the other one that we need to be done that is going to be \$600 a day.

Commissioner Tornatta: Well, as I see—

Glen Koob: I don't know how many days.

Commissioner Tornatta: Mr. President, as I see it, we have to let the attorneys come up with an opinion on how the contract is read and what services that Tyler would have the \$600 stipend on. At that point he would have to make a decision with the County Assessor, but, I'm okay with the lowest and most responsive bidder. At this point I don't think it's clearly available to us.

Glen Koob: Okay, did Mr. Schopmeyer...since he's here did he have anything to say about the legal part? I do have an e-mail from County Assessor Weaver about his opinion and what he would like to see done, because he would like to have it settled as soon as possible. He e-mailed me at—

President Melcher: No, we understand.

Glen Koob: —4:25 today.

President Melcher: We understand that.

Glen Koob: Okay, thank you.

President Melcher: Mike?

Mike Schopmeyer: We're agreeable with the County Attorney's recommendation, which is for you to give the authority to the Assessor's Office, in consultation with the County Attorney's office, and to give them the authority to contract with whichever of the two bidders is lowest, most responsive and best, which is the statutory requirement.

Commissioner Winnecke: I really don't care which vendor gets the business. I would agree whoever is the lowest and most responsive. I guess, I feel, I'm not really comfortable with the process that's been proposed, although I can appreciate why it's being proposed. I don't think we would lose too much time, I mean, I'm assuming that we'll have an opinion from the County Attorney's office some time this week, I assume. We would receive that, we could post 48 hours notice and have a special meeting. I would be more comfortable doing it that way than saying, than what's been proposed. That's my personal opinion.

David Miller: It can be done either way.

Commissioner Winnecke: Right.

President Melcher: I just don't want to sign on two contracts.

David Miller: We would not recommend that you sign on two contracts, sir.

Commissioner Tornatta: The process would be, if we approve the Attorney to give his legal opinion, that would be made to all three of us and to the Assessor. The Assessor would make his recommendation, and then we would sign it or not sign it.

President Melcher: And, the Attorney agrees with that?

Commissioner Tornatta: That's how we will--

David Miller: You would then, if you would authorize this process that has been suggested in order to accelerate the process as much as possible, it would avoid the necessity of the special meeting, but we would circulate the contract that was first selected by the Assessor and approved by the written opinion of our office.

President Melcher: So, the end result is going to be the same if we have the special meeting?

Commissioner Tornatta: The end result is we would not have the liability on the county--

President Melcher: Right, but I'm just saying if we go ahead and have the special meeting we're going to vote on the one that he suggested anyway is what you're saying?

Commissioner Winnecke: The difference would be timing, because we would provide the necessary legal requirement to post a special meeting, so that's 48 hours. So, that's the difference, it's timing.

Commissioner Tornatta: And, I guess, a little cost for the difference in the prices.

President Melcher: I don't have a problem either way with it.

Commissioner Tornatta: I just—

President Melcher: I've kind of made up my mind which one already, I mean, it's obvious.

Commissioner Tornatta: I would just make a recommendation, I mean, I make a motion to follow the recommendation of the County Attorney.

President Melcher: Okay, I'll second the recommendation of the County Attorney. Any further discussion? Anybody from the public? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

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

Permission to Advertise 2009 Statement of Receipts & Expenditures
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President Melcher: Okay, board appointments.

Commissioner Tornatta: Did we do this? County Auditor?

President Melcher: Oh, I don't know.

Commissioner Winnecke: We didn't do that.

President Melcher: No, we didn't.

Commissioner Tornatta: I would like to make a motion for permission to advertise 2009 statements of receipts and expenditures legal ad to be published on 1/22/10 for the County Auditor.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Board Appointments

President Melcher: Okay, board appointments. We only have one and that's on the PTABOA Board, that was talked about already this evening, just now.

Commissioner Tornatta: I think they're going to do both of them.

President Melcher: We're going to do both of them?

Commissioner Tornatta: I make a recommendation on the PTABOA Board for Kurt Kiefer and for Aaron Kendall.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

New Business/Old Business

President Melcher: New business? Old business?

Public Comment

President Melcher: Any public comment? Anybody from the audience that would like to say anything this evening?

Mike Mahan: For your records, my name is Mike Mahan, it's M-a-h-a-n, and I live at 1140 East Gum, Evansville. I have one question, please. Who is going to absorb the cost of the consolidation committee?

Commissioner Tornatta: Last time this was done there were private funds raised.

Mike Mahan: Okay.

Commissioner Tornatta: The consolidation committee, now I don't know if that's the intent this time.

Mike Mahan: One reason I ask that question was at the City Council meeting, the City Attorney, you know, for the Council said that the committee could hire an attorney. So, that doesn't leave it clear whether it was private funds or public funds.

Commissioner Tornatta: I'm just going off of what it was last time.

Mike Mahan: That's fine. I do think that that is one point that should be made clear to the public. If it is going to be privately financed, fine. If it's going to be publicly financed, fine, but there should be some clarification on that.

Commissioner Tornatta: Right, and I agree. I don't necessarily know at this point what it is. I mean, I think we're going to have to put in some type—

Mike Mahan: Right.

Commissioner Tornatta: —of public funds for some of the aspects that we want to find out.

Mike Mahan: I had one other recommendation, and I spoke at the City Council meeting also, whomever you select for the committee, there should be one at least retired or senior citizen on the committee, because these decisions could adversely affect people in that position. Thank you.

Commissioner Tornatta: Thank you.

Commissioner Winnecke: Thanks, Mike.

President Melcher: Thank you. Next?

Eldon Maasberg: My name is Eldon Maasberg. I was listening to what you guys talked about that feasible study a minute ago. It seems like to me, unless you're going to crawl in bed with the Mayor, you ought to go ahead and run that study, because we, as a county, it might be to our advantage to hear what he's got to say in the end. We've got the Sheriff back there, we don't have a city jail, we've got a county jail. We need to know where he's going to fit in in the end. Thank you.

President Melcher: You're welcome. Any other public comment?

Consent Items

President Melcher: Alright, consent items.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Madelyn, would you like to read them?

Madelyn Grayson: The consent items for the January 19th meeting are as follows; approval of the January 5, 2010 Commission meeting minutes; employment changes, there are two for the Commissioners to initial this evening, one for Legal Aid and one for the Health Department; the Commissioners request to extend deadline for payment of back taxes to March 1, 2010 for the following properties; 2828 Dennison, 719 Covert, 1201 N. Main, 501 E. Mulberry, 907 N. Elliot, 530 E. Franklin, 745 Bellemeade, 213 W. Indiana, 812 E. Gum¹, 615 Bayard Park, 817 Blackford, 620 E. Gum, 927 E. Mulberry, 710 E. Gum, 1001 Cherry, 836 Bellemeade, 1405 Adams, 826 Judson, 820 E. Gum, 200 S. Grand, 301 W. Maryland, and 1406 Fountain Avenue; the County Treasurer has the November 30, 2009 year-to-date report and the November 2009 monthly report; Center Township Trustee has the 2010 standards and procedures; the County Assessor has a surplus request for one laserjet printer; the Building Authority has a request to waive the fees/not OT for an arena pre-bid meeting on February 9th; the County Engineer has pay request number 97 for \$580,725.72 for TIF projects, and a department head report; the County Auditor has a covered bridge certification; Burdette Park has a comparison report from January to December from 2008 to 2009 and a department head report; and the Ozone Officer has a December 2009 monthly report.

President Melcher: Is there any further discussion? Anybody in the audience that has a question? We have a motion already. Madelyn, call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: With that, is there anything else to come before the Commissioners this evening? We don't have a Drainage Board meeting this evening right afterwards, so we'll stand adjourned.

(The meeting was adjourned at 6:40 p.m.)

¹Should be 810 E. Gum.

CONSENT ITEMS:

Commissioners:

Approval of the January 5, 2010 Commission Meeting Minutes.
Request to Extend Deadline for Payment of Back Taxes: 22 Properties.
Center Township Trustee 2010 Standards and Procedures.
Building Authority: Waiver of Centre Fee/Not OT: 2/9/10 Arena Pre-Bid Meeting.

Employment Changes:

Treasurer (1)	Auditor (1)	Legal Aid (1)
County Assessor (1)	Sheriff (3)	Prosecutor (1)
Health Dept. (1)		

Treasurer:

November 30, 2009 Year-to-Date Report.
November 2009 Monthly Report.

County Assessor: Surplus Request Letter: One Laserjet Printer.

County Engineer:

Pay Request No. 97: Green River-Burkhardt TIF Projects.
Department Head Report.

Auditor: Covered Bridge Certification.

Burdette Park:

Comparison: January to December 2008 to 2009.
Department Head Report.

Ozone Officer: December 2009 Monthly Report.

Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	David Miller	Madelyn Grayson
Ellen Dippel	McKenzie Thomas	Jill Gehlhausen
Tim Roman	Lee Rudisill	Eric Williams
Rick Davis	Dennis Feldhaus	Kent Irwin
John Stoll	Steve Craig	Glen Koob
Mike Schopmeyer	Mike Mahan	Eldon Maasberg
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
FEBRUARY 2, 2010**

The Vanderburgh County Board of Commissioners met in session this 2nd day of February, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: I would like to call to order the Vanderburgh County Board of Commissioners, February 2, 2010 in room 301. Madelyn, will you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here. Thank you.

Pledge of Allegiance

President Melcher: Pledge of Allegiance, Judi Freson.

Judi Freson: Pardon?

President Melcher: Yes.

Judi Freson: Are you ready for me?

President Melcher: Ready for you. You're the development director of SWIRCA?

Judi Freson: That's correct, Steve.

President Melcher: You're supposed to lead us in the Pledge this evening.

Judi Freson: What?

President Melcher: You're going to lead us in the Pledge of Allegiance. That's what I was told.

Judi Freson: You are joking, aren't you?

President Melcher: No. That's what's on the paperwork. So, go ahead.

Judi Freson: Well, now, that was new. I wasn't expecting that. Thanks, Troy.

Commissioner Tornatta: Hello, Judi. Hey, I didn't get here late.

Judi Freson: I got caught in the security thing down there.

President Melcher: So, did I.

Judi Freson: SWIRCA Development Director

Judi Freson: Did you? So, do you want me to just–

President Melcher: Just go ahead and start.

Judi Freson: Okay, I'm development director for SWIRCA. In taking over that position it's been a real interesting experience. I want to see if it's as interesting for me as it is for you. As Councilmembers, tell me about SWIRCA. What services does SWIRCA provide, Ted?

Ted C. Ziemer, Jr.: Services for the elderly.

Judi Freson: Troy?

Commissioner Tornatta: I do know a couple of these things, but I know that it does provide some unique services for the elderly, but it provides meals, and I believe you even take meals to homes. You're going to ask me more, aren't you? I'm going to stop there.

Judi Freson: Steve?

President Melcher: Well, basically, you've got a great building and there's a lot of meetings being held over there. That's one thing for your community, and also, I think, you have the Handy Man program, which is a big help for the low income and the people in our community. So, I think a lot of your stuff is around seniors, you also have people over there from time to time to help with the taxes and that, for the people coming up on taxes. You're kind of like a social service agency really, helping people. You serve meals, is it once a week?

Judi Freson: Every day.

President Melcher: Every day? I couldn't remember.

Judi Freson: Okay, Lloyd, you should have an idea.

Commissioner Winnecke: Outside of the meal services, I probably could not pass a quiz on it.

Judi Freson: Shame on you. Okay?

Madelyn Grayson: I'm going to have to plead the same. I do not know.

Judi Freson: What am I going to do? Bill?

Bill Fluty: I'm here for financial advice.

Judi Freson: That's why I'm here, Bill.

Bill Fluty: You'll get around to me sooner or later here.

Judi Freson: The point that I'm making here is that no one really knows what SWIRCA does. It's been there since 1974. Did you know that a third of our clientele are infants and youth?

Commissioner Winnecke: Clearly not.

Judi Freson: Evidently. Did you know that the other third of our clients are 18-59? The remainder, the last third are 60 and above. So, the fact that we originally started years and years ago, and elderly, has been surpassed by the fact that we now deal with people of all ages. Did you know that SWIRCA has one of the largest home delivered meals in the State of Indiana? That we have, we prepare over 1,200 meals a day that are served in the six counties in Indiana. In the process of doing that we drive 5,290 miles a week. It's the largest program available. Everybody thinks we're Meals on Wheels, and that's just not it. It's huge, absolutely huge. Now, did you know that our activity center serves over 35,000 people? Duh, you guys are looking....you don't know any of this do you? Huh?

Commissioner Tornatta: That's why you're here, Judi.

Judi Freson: That's why I'm here, okay. Did you know that SWIRCA is dedicated to the development of a service network that provides families the ability to maintain their ability to stay at home, with their families, maintain their nuclear families, independent living. We do that through our providers like Healthsouth Rehabilitation Center, Need-A-Nurse Companion Care, hundreds of them. Most of that, you know, think that basically they're the ones doing the service, but as a whole they have to be recommended through SWIRCA. They cannot go into any kind of assisted living or any other program without being recommended by SWIRCA. So, primarily, everyone that receives those services has to go through SWIRCA. Our case managers have to allocate the importance of what they do and how they are instituted into the level of importance. Did you know, now this is a big one, this hits me hard, and if you think I'm going to ask for money, this is a great reason. Do you know that for 18 people that we keep in their homes and out of long term giving, or out of long term living, we save the taxpayers a million dollars? That's in our area alone. If we keep them out of that long term living, or assisted living, the million dollars is reflected in this area. Did you know that we have 159 youth and adults on waiting lists that we can't presently serve because we don't have the money to do that? It makes me sad, because I've seen these people, and these people need a great deal of service. This is why we have to do fundraisers, to bring discretionary funds like the auction that's coming up in March, the winery, brewery and spirits festival, which is absolutely huge because it's so much fun. But, we have to do that to be able to bring the people off the waiting list, but it's not enough. It takes \$7,000 to take an individual off the waiting list, and our goal is to make sure that every one in these six counties is provided service for, and then extend their life and allow them to remain at home with their families. Some time and I won't take your time now, I'll tell you some wonderful stories about autistic children and women who've been in comas that we've brought out, they are now with their families, their kids are valedictorians at schools, they are all together, we just built a home, Humanity Home. Hundreds and hundreds of these stories that you have absolutely no idea about, and it kind of upsets me, because I've seen it happen, and I had no idea until I went to work for SWIRCA. So, those of you that have not had that experience would not know that unless I brought a video in to show you, and I won't do that now. Did you know, you're going to love this one, did you know that the County Council does not presently financially support this organization that's critical to the personal and financial well being of Vanderburgh County, in any manner?

President Melcher: I knew that.

Judi Freson: None. The last thing that I'm going to say to you, I do have a folder for all of you that has the Fantasy Finds auction in it, and you can look at it if you would like to be involved. That would help. We are down about \$3,000 this year because of the nature of the economy. I put together this letter myself, and I did it because I've had to deal with some of these issues.

President Melcher: You're not on the record, please. If you could stay on the microphone.

Judi Freson: I like to walk around.

President Melcher: Well—

Judi Freson: I have to be here?

President Melcher: Unfortunately, for the minutes.

Judi Freson: Oh, guys. Huh?

President Melcher: For the minutes you have to be there.

Judi Freson: Okay. The, we at SWIRCA care because each time we help an individual facing difficulties, and their ability to care for themselves and their family, you face a fact and the fears and consider for the moment what if this were me? You know, you never expect that until it happens. Never. What if this were my child? My sister? My brother? My mother? My father, and me? What if the individual had no one there to turn to for help? You would be amazed, some of the best known people in this community have come to me, attorneys, or lawyers, doctors, Judi, we need help, they don't know they need help until it's past the time. We can't provide it for them at that time because we have a waiting list. Where would they have a place to turn? What if SWIRCA wasn't there? We need your help. We need your help. Do you have any questions?

President Melcher: Go ahead.

Commissioner Winnecke: You might give the date of the fundraiser and how folks can get involved, since we are televised live.

Judi Freson: Oh, okay, the date of the auction, it's call Fantasy Finds Auction. It got named that by Hugh Miller who said he does auctions and events all over the country, Chicago and all that, National Heart Associations and Cancer Associations, he said that he's never had an auction that has such fantastic auction items available. It's like a fantasy. We said, we like that. We liked that so it's called Fantasy Finds. It's August the 13th from six to nine at SWIRCA. I will, do you want me to leave sponsorship packets here for you to pass out later?

Commissioner Winnecke: You might give information on how folks, it's in August or March?

Judi Freson: Sir? March 13th.

Commissioner Winnecke: Okay, you said August.

Judi Freson: I'm sorry.

Commissioner Winnecke: That's okay. Then you might just announce how people could buy a ticket or a table, if they want to.

Judi Freson: They can contact us at SWIRCA at 464-7800. We do need sponsor dollars. As I said, we're down a little bit. The tickets are \$75 a ticket, or a table of eight for \$600. It's a wonderful event. It's a wonderful event. Does anybody have any questions? If you can think of any businesses that would be interested in volunteering, or sponsoring, they do get about \$85,000 worth of free promotion. On the events that we do we have that much marketing potential for you. Please let me know. What do you want me to do? Do you want me to provide cards for somebody to pass out?

President Melcher: Yeah, if you could just give them to Madelyn she could give them to us.

Judi Freson: I can do that. Thank you very much, you all. I hope you know this is very nerve racking. It really was. You would be surprised, but it made me nervous. Thank you all. Any other questions? Thanks.

President Melcher: Thank you very much.

Commissioner Tornatta: Thank you, Judi.

Introduction of Youth Advisory Council Job Shadows

President Melcher: I guess, while she is doing that we can introduce our guests. Lloyd, would you want to—

Commissioner Winnecke: My job shadow student is Maria, where are you, Maria? Over here, we have a lot of students today. Maria Anderson from Memorial.

President Melcher: Go ahead, you can get on the mic.

Lauren Klipsch: I'm Lauren Klipsch, I'm a sophomore at Memorial.

President Melcher: I get two of them tonight.

McKenzie Thomas: I'm McKenzie Thomas, and I'm a sophomore at Signature.

Commissioner Tornatta: And we have Ryan Schultheis from Memorial. He's a junior. Welcome.

President Melcher: And, you've got another one.

Ellen Dippel: I'm Ellen Dippel from Memorial. I would like to welcome you all here.

Permission to Open Bid CPO-017-2010-11: Various Pipe Materials, Guardrails and End Sections

President Melcher: Next we need permission to open bids for various pipe.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Madelyn? Oh, I'm sorry. Can you go ahead and call the roll, real quick?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Indianapolis Colts Proclamation
--

President Melcher: Okay, we have an action item on proclamation for Indianapolis Colts.

Commissioner Tornatta: We have, Mr. President, we have a proclamation, I thought it apropos that we just send our support to the Colts. So, this proclamation will read;

“Whereas, the Indianapolis Colts are a professional American football team based in Indianapolis, Indiana; and, Whereas, the Indianapolis Colts won Superbowl XLI in 2007, and is the first team in league history to win 12 games or more in seven consecutive seasons; and, Whereas, the Indianapolis Colts defeated the New York Jets on January 4, 2010 to become the AFC Champions; now, Therefore, we the Board of Commissioners of Vanderburgh County, Indiana recognize the Indianapolis Colts for their outstanding season, the AFC Championship and wish the team luck as they play in Superbowl XLIV.”

Commissioner Winnecke: This will undoubtedly put them over the top. Second.

Commissioner Tornatta: Absolutely.

President Melcher: So, I believe that's a first and a second. So, all in favor, say aye.

All Commissioners: Aye.

President Melcher: Thank you. We'll have to sign all of these. You've got another one to sign.

**Permission to Award Armory Building Renovations for
Weights & Measures to Empire Contractors**

President Melcher: Okay, the next one we need Debbie Spalding. Is she here? Do you want to come up about the permission about awarding some bids? I guess, the first one is going to be the renovations to the OMS shop of the National Guard, the old one, the building on Morgan Avenue.

Debbie Spalding: Yes. You received a packet with the bid calculations. I believe the low bid was provided by Empire Contractors for a total price of \$33,806. That would be our recommendation for award for renovations to that building.

Commissioner Winnecke: Mr. President, I'll move approval based on the recommendation.

Commissioner Tornatta: Second.

President Melcher: Okay, we have a first and a second. Is there any discussion? Would anybody from the audience like to say anything? Seeing none, would you like to call the roll, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Debbie Spalding: Thank you.

President Melcher: So, that passes.

**Permission to Award Beverage Pouring Rights to RC Beverage Company
for Burdette Park and Other County Owned Properties**

President Melcher: The next one is the beverage pouring rights to RC Beverage Company for Burdette Park and other county owned properties.

Debbie Spalding: Yeah, if it's okay with you, I would like to punt to Jim Harris. He has a presentation for you on that award.

President Melcher: Since we're talking football tonight, that's fine, you can punt.

Debbie Spalding: Thank you.

Jim Harris: I would do a fumble joke, but that would be too easy. You should have before you the beverage recap.

President Melcher: I don't have one.

Jim Harris: Okay. A few months ago we opened up the bids, and after careful review from the CPO, it was determined that RC Cola, a local beverage provider in town offered the best proposal for the city and county. The recap that you should have in front of you is up here on the screen. They all provided all of the necessary forms and material requested. The commission percentage for Coke was 32 percent, Pepsi offered 40 percent and RC offered 40. Up front cash, it's listed here, and the advertising money. This is yearly funds provided to the city and county. All three companies bid on all of the locations in the city and county. RC Cola, which we're recommending, this is a quick synopsis of what they offered to Swonder, on 100,000 cans advertising at a value of \$100,000; Burdette Park the same arrangement for a four year commitment of \$100,000. They also agreed to supply Burdette with three radio remotes, eight weeks of radio tags, five patio umbrellas, t-shirts, and etcetera, other banners and outside signage. The total four year incentive for all advertisements of \$201,000. RC Cola also offered Mesker Park Zoo a can incentive, four year commitment totaling \$100,000, radio remotes, 12 weeks of radio tags, five patio umbrellas, banners, and to also purchase six family memberships, totaling \$314,896 for a four year commitment. Incentives and funding, RC Cola offered a total estimated \$605,896 for four years. This well outpaces Coca Cola, which offered zero incentive dollars, and Pepsi.

Commissioner Winnecke: Jim, who audits the vendor to ensure that they do provide the radio remotes and all of the promotional value?

Jim Harris: Generally, each location has a point person. The zoo has someone, Burdette Park has someone, and out of my office also we have an analyst that looks at making sure that we're getting everything that we're required to get.

Commissioner Winnecke: So, is that reconciliation done on an annual basis?

Jim Harris: We actually look at it monthly.

Commissioner Winnecke: Monthly? Okay. Thank you.

Jim Harris: The beverage companies provide monthly totals to me.

Commissioner Winnecke: Okay, thank you.

President Melcher: Okay.

Commissioner Tornatta: Then, Jim, how, what's the break down between city, county and EVSC? Have you figured that out yet?

Jim Harris: Well, EVSC was not part of this.

Commissioner Tornatta: Okay.

Jim Harris: Our contract is still on-going.

Commissioner Tornatta: Okay.

Jim Harris: We're going to jump in later on.

Commissioner Tornatta: Alright.

Jim Harris: This is all city-county. There's some other funding available also, but these were the highlights at the three big locations; the zoo, Burdette Park—

Commissioner Tornatta: How do you figure a break down from city to county? Is there—

Jim Harris: By break down, what do you mean break down?

Commissioner Tornatta: Well, you're saying that they're offering certain incentives.

Jim Harris: Yes.

Commissioner Tornatta: How are those incentives based on the city side versus the county side? Have you looked into that?

Jim Harris: Well, the incentives are based on location.

Commissioner Tornatta: Okay.

Jim Harris: The zoo had certain requirements, Burdette Park had certain requirements to pools, all had certain requirements. That's how that's assigned. So, it isn't a total \$605,000, as a pool more goes to the zoo because they had more requirements than Burdette Park and Swonder and the other arenas.

Commissioner Tornatta: Okay.

Jim Harris: The money that comes back in commissions and other funding, that's determined how it's allocated by the city. That's, I don't deal with that. That's through the Controller's office here, and on the county side. Am I making sense?

Commissioner Tornatta: Is that per institution? I mean, is that—

Jim Harris: For example, the Fire Department will have machines.

Commissioner Tornatta: Yes.

Jim Harris: Those commissions are generated through the Fire Department. How those funds are allocated, that's through the Controller's office here.

Commissioner Tornatta: Okay.

Jim Harris: On my side, the money goes generally back to the school. So, a lot of times those commissions are used to fund things like electric, to pay some of the bills, and provide certain services for the employees who work there.

Commissioner Tornatta: Okay. What I would like to do is just, I would like to have just a little bit clearer picture on how those incentives will be funded back. If you're doing this for the city and the county, get that back to at least the county so that we know—

Jim Harris: Well, there's someone here from RC who could probably explain in a lot more detail.

Commissioner Tornatta: Okay, sure.

Gary Johnston: Hi, I'm Gary Johnston. I'm Sales Manager at RC Cola.

Commissioner Tornatta: Okay.

Gary Johnston: What we do is we put, as Jim said, we put vending machines in each location, and we collect money from each one of those vending machines, and a percentage of that money goes back to wherever we're told to send it back to. You know, if it's the zoo, they get their money unless determined by you that the money would go somewhere else. The same with Burdette, the same with Goebel Soccer Complex, etcetera. So, the funding, basically, is determined on how much is sold. As far as the advertising, we do radio advertising all through the year. What we do is we tag radio spots that say, you know, I'll talk to somebody at the School Corporation or at each one of the facilities and say what do you have coming up, and then we'll advertise it on the radio for them. Each radio commercial, or each spot is about 85 commercials a week free on each station. We do, probably, all of South Central stations. So, there's a lot of radio advertising. We also get radio remotes. So, we'll go to each one of the facilities and we'll ask them what a good time to have a radio remote will be to try to generate more business for each one of those. So, the money is determined, needless to say, by the sales.

Commissioner Tornatta: Okay.

Gary Johnston: But, the money then is funded back to wherever we're told to send it to, whether it goes to Burdette, whether it goes to the School Corporation, to Swonder or wherever.

Commissioner Tornatta: Okay.

Gary Johnston: Then we send, as we send the money back to each facility, there's also a spreadsheet that designates where the money is generated, from what machine, and what building, etcetera, etcetera.

Commissioner Tornatta: Okay, thank you.

Gary Johnston: Thank you.

Commissioner Tornatta: Do we have any joint offices that we're using vending machines?

Jim Harris: Shared offices, city-county? I'm not aware of any.

Commissioner Tornatta: Okay.

Commissioner Winnecke: Mr. Chairman, at this time, based on the recommendation of the Purchasing Department, I would move that we approve the contract to RC Beverage.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Is there any further discussion? Anybody in the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Jim Harris: Okay, thank you.

Commissioner Winnecke: Thanks, Jim.

President Melcher: So, that passes.

<p>First Reading of Ordinance CO.02-10-003: Repealing Ch. 2.16: Licensing of Tradesmen</p>

President Melcher: Next we have the first reading of CO.02-10-003, an ordinance repealing chapter 2.16, licensing of tradesmen. This ordinance is repealing an older conflicting ordinance pertaining to the licensing of tradesmen through the Building Commission. Is there a motion to approve?

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: With that, Ted, I think you sent something in an e-mail to us about this. Is this, do you want to explain it just a little?

Ted C. Ziemer, Jr.: Yeah, only that there was an earlier ordinance in chapter 2.16 which addressed the formation of the county Building Commission office and also included a section on tradesmen licenses. Subsequent to that the city and the county entered into an interlocal agreement, that was in 2008, which replaced the part of the ordinance that addressed the formation of the Building Commission. Then, later, a new ordinance was adopted, and that's 15.36.100, which addressed tradesman's licenses and fees and many other fees for renewal of licenses and so forth. That ordinance did not indicate that it was repealing the prior ordinance. The courts have held though that if there is a new ordinance enacted on the same subject as a prior ordinance, then the prior ordinance is deemed repealed. However, for the record we would like to adopt this ordinance actually repealing it.

President Melcher: Which should have been done the first time.

Ted C. Ziemer, Jr.: It should have, yes.

President Melcher: Okay, we have a first and second. Any discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: So, this passes.

<p>Second and Final Reading of Ordinance CO.01-10-002: Amending Ch. 2.26: MBE/WBE Joint Utilization Board</p>
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President Melcher: Next we have the second and final reading of CO.01-10-002, the MBE/WBE ordinance.

Ted C. Ziemer, Jr.: As amended.

President Melcher: As amended, you're right.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion on this one? Anybody from the audience who would like to speak? Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Owned Real Estate Auction Proposals

President Melcher: The next one, we have tax property auction. This says here, the County Attorney's office received the proposals from Sohn and Associates and from Kurtz Realty. The County Attorney recommends the contract be to the low bidder which is Sohn and Associates.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Then we need to have discussion. Do you have any?

Commissioner Winnecke: No, just for the record, we ought to, I'm looking for it real quick, we ought to read the amount into the record.

President Melcher: Okay.

Ted C. Ziemer, Jr.: If you would like for me to do that, Sohn's bid was for a maximum of \$19,000, and the bid of Kurtz Auction was for a maximum of \$24,860.

President Melcher: Thank you. Is there any further discussion? Anybody from the audience? Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you.

County Assessor: Rejection of Bids for Trending Services

President Melcher: The next one says rejection of all quotes on behalf of the County Assessor for trending services. The County Assessor has determined that commercial and industrial trending for 2010 pay in 2011 will be done in-house by the Assessor's office staff. Now he is recommending that all bids for trending services be rejected. The Assessor is requesting permission to advertise services for a professional appraiser to assist his office with handling of appeals. Do I have a motion?

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: With that, is there discussion?

Commissioner Winnecke: Is—

Ted C. Ziemer, Jr.: The Assessor is here if you have any questions.

Commissioner Winnecke: If he could come up.

President Melcher: I was going to ask him to do that.

Jonathan Weaver: Hello, Jonathan Weaver, your Vanderburgh County Assessor.

Commissioner Winnecke: There was a lot of discussion on this a month or so ago—

Jonathan Weaver: Yes.

Commissioner Winnecke: —if you could kind of give us kind of a synopsis of how we got to this point.

Jonathan Weaver: Well, we went through, we looked at the bids over the last four trending cycles and we realized you, as a body, had approved the highest of all the bids that have come in. We looked at it this year, we had some conversation with Mr. Ziemer, we came to the conclusion that we could save a lot of taxpayer dollars by doing it in-house. So, I'm asking for the rejection of the bids. I would like to seek permission to seek bids to get assistance with the appeals, commercial/industrial appeals that would come in for '10 pay '11.

Commissioner Winnecke: If I remember correctly, and correct me if I'm wrong, but the range of the two vendors was somewhere like, one was in the 60 to 70 range and the other was in the 90 range?

Jonathan Weaver: I think it was mid to upper 70's to the upper 90's.

Ted C. Ziemer, Jr.: One was \$98,000 and the other was \$68,000, no \$78,200.

Commissioner Winnecke: What, how much do you envision requiring for an independent appraiser to come in and do, to assist with this work?

Jonathan Weaver: With the appeals? If I had to guess, hopefully, half that, of the lowest bid.

Commissioner Winnecke: Okay, so, 35-ish, more or less?

Jonathan Weaver: That's what I'm hoping.

Commissioner Winnecke: Then, what's your time line, because the last time there was a sense of urgency. So, I assume there's a greater sense since we're a month further along.

Jonathan Weaver: No, there's actually a bigger time period right now. The appeal deadline is going to be, it's going to be 45 days after the tax bill. So, when we know the date on the tax bill, actually the postmark on the tax bill is when we'll take it from there.

Commissioner Winnecke: Then, is it your anticipation that you would be able to hire an appraiser from Evansville or Vanderburgh County to do this work?

Jonathan Weaver: We've looked into that in the past. A lot of them have not wanted to get involved with that for certain reasons.

Ted C. Ziemer, Jr.: In addition, they must be professional appraisers, qualified by DLGF and meeting the provisions of the statute. Not everybody has been certified by DLGF.

Jonathan Weaver: Right.

Ted C. Ziemer, Jr.: In fact, I'm not sure anybody else in Evansville, other than A&S has been certified. I could be wrong in that.

Jonathan Weaver: They are slim pickings.

Commissioner Winnecke: Okay.

Ted C. Ziemer, Jr.: I would expect the bidders would be the same bidders that we had for the overall agreement for trending services.

Commissioner Winnecke: Okay.

President Melcher: Any further discussion? Any other questions? Do you have anything else to say?

Jonathan Weaver: That's it. Thanks for your time.

President Melcher: Thank you. Anybody from the audience? Seeing none, Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you.

**Burdette Park: Lease Agreement with David Austill
Auditor: KRONOS Annual Support Services Agreement
EMA: Homeland Security Sub-Grant Agreement
CIO: Internet Services Agreement with Wayport, Inc d/b/a AT&T WI-FI
CIO: SMG Reimbursement Agreement for WI-FI for the Centre
Health Dept: Amendment No. 9 for CLP Grant Agreement
Health Dept: South Central Media Agreement: H1N1 Radio Ads
Health Dept: Addendum to Lease with Southwestern Healthcare, Inc.
Health Dept: Agreement & Addendum with Statewide Medical Waste
Commissioners: Phillips & Phillips State Legislative Lobbying Agreement
Commissioners: Phillips & Phillips State Executive Branch Lobbying
Commissioners: Barnes & Thornburg Federal Lobbying Agreement**

President Melcher: Contracts, agreements and leases. Each of the contracts have been reviewed by the County Attorney. I'll go ahead and read them. It looks like there is two of them; Burdette Park lease agreement with David Austill for the real estate located on Nurrenbern Road. Burdette Park maintains a year-to-year lease on a strip of land for additional parking at Burdette. The county pays the owner, David Austill, \$400 per year for the use of the land. This lease is for the period of January 1, 2010 to December 31, 2010. The County Auditor, KRONOS annual support service agreement. The annual renewal for KRONOS timekeeping software support. The current term expires May 23, 2010. The new quote covers the period from May 24, 2010 through May 23, 2011. The quote for this period is \$12,608.58, which is a four percent increase over last year's quote of \$12,123.59. So, do I have a motion?

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: We have a motion and a second. Is there any discussion? Discussion from the audience? Seeing none, Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. EMA 2008 Homestead¹ Security Grant Program Sub-Grant agreement EDS-C44P-0-208A. This grant is in the amount of \$50,000.

¹Should be EMA 2008 Homeland Security Sub-Grant Agreement.

The period of the grant is for two years from January 1, 2010 through December 31, 2012.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Discussion? This is just a carryover from 2008, isn't it?

Ted C. Ziemer, Jr.: It is, yes, sir.

President Melcher: Any discussion from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. Chief Information Officer, Matt Arvay, Arvay, excuse me, internet services resale agreement with the Centre. Provided that the current Wi-Fi installation will stay in the Centre, but the Centre will pay Wayport, Inc. Wi-Fi Services \$400 a month for the service.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: I'll second, but since Matt's in the audience, it might be helpful to get him up and explain.

President Melcher: Okay. We have a first and a second. Matt, you're on.

Matt Arvay: Matt Arvay, Chief Information Officer. What you have is an agreement with Wayport Incorporated through AT&T Wi-Fi Services. A few years back AT&T approached the county about a revenue sharing type of agreement that they would put in Wi-Fi services and over a certain dollar amount they would pay back the county above that dollar amount. I wasn't involved with those contracts, but since that time it didn't work out. I mean, not enough people used the services, a pay per day service over there, so it became actually a problem where the events came in, we had to make special arrangements to use that internet service for the various events that come through the Centre. So, what I've done is now that this contract came to me, I've worked with SMG, the County Attorney, Mr. Ziemer, and gotten the original proposal down to \$400 a month. SMG has agreed to reimburse the county that \$400 a month out of their current Centre line item in their existing budget. It will then be open for all of the events, people will not have to have their credit cards to

use Wi-Fi services at the Centre. I think nowadays people expect Wi-Fi services to be available, especially at a facility of that nature.

Commissioner Winnecke: Great. Thank you, Matt.

President Melcher: Is there any further discussion? I think it would be appropriate if we go ahead and take both under the same motion. Ted, would that work?

Ted C. Ziemer, Jr.: Certainly.

President Melcher: Okay, so we'll just consider the two motions changed and consider both of them.

Ted C. Ziemer, Jr.: Yeah, the second one is an amendment to the general—

President Melcher: Right.

Ted C. Ziemer, Jr.: —contract, making some changes that I required.

President Melcher: Exactly.

Commissioner Tornatta: I amend my motion.

Commissioner Winnecke: I amend the second.

President Melcher: So, with that, any further discussion from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. The Health Department, amendment number nine EDS grant agreement number A70-7-7985. Amendment number nine to a previously approved grant by the State Department of Health for lead poisoning prevention. The amendment increases the amount of the grant \$8,737 to a total amount of \$185,270.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn, call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. Agreement with South Central Media, radio spots to advertise H1N1 continued vaccination programs. The agreement between the county and South Central Media for various 30 second media spots relative to H1N1 vaccines. The cost of 66 spots between March the 1st and March the 8th, the initial 22 spots for public service announcements is \$2,020. The Health Department has the funds to cover the costs.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Is there any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. An amendment to the lease by Southwestern Healthcare, Inc. to the Health Department. The Health Department currently leases office space from Southwestern Healthcare under a ten year lease. This is the second addendum to the original lease. It provided the additional 441 square feet on the third floor, effective February 1, 2010 at the same rate as paid for the other non-storage space.

Commissioner Tornatta: Motion to approve the addendum.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. Agreement with the Statewide Medical Waste Services, the Health Department agreement with Circle Cycle?

Commissioner Tornatta: Steri-cycle.

President Melcher: I'm pronouncing that wrong. Steri-cycle, I guess, will expire on February 26th. The Health Department wishes to use Statewide since both the Sheriff and the Coroner's office obtained less expensive quotes for waste management, and Statewide—

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next, we have the state lobbying agreement with Phillips and Phillips. The agreement for lobbying the legislative for a fee of \$6,000 for 2010. The fees are the same as last year and paid at a monthly rate of \$500.

Commissioner Tornatta: Mr. President, let's take both of these at the same time.

President Melcher: An executive branch lobbying agreement with Phillips and Phillips, an agreement for lobbying the Indiana executive branch of government for

a fee of \$6,000 for 2010. The fees are the same as last year paid at a monthly rate of \$500.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Before I second, I just had a question about this. I forget, last year we used another firm. We used one firm, didn't we, for—

Commissioner Tornatta: They, I don't think they've got their contract in. That's been the only difference. They're up there lobbying and they do not have the contract in.

Ted C. Ziemer, Jr.: Yeah, the Mathies and Long.

Commissioner Tornatta: Long and Mathies.

Ted C. Ziemer, Jr.: Yeah, right.

Commissioner Winnecke: So, they did not present to us?

Commissioner Tornatta: Well, I think, do you have the contract or not?

Ted C. Ziemer, Jr.: No.

Commissioner Tornatta: Okay.

Commissioner Winnecke: So, they did not seek to do the work again?

Commissioner Tornatta: Well—

Ted C. Ziemer, Jr.: I think, Lloyd, that they plan to, but they have not yet submitted the contract to us.

Commissioner Winnecke: Okay, and, so we're satisfied that Phillips and Phillips can do—

Commissioner Tornatta: They are working with Long and Mathies as we speak. I don't know what the contractual issues are with getting that in.

Commissioner Winnecke: But, it's our—

Commissioner Tornatta: I know that they're tied up right now.

Commissioner Winnecke: But, after this, assuming we execute these contracts, it's our assumption that Mathies and Long will no longer be—

Commissioner Tornatta: I'm not assuming that.

Commissioner Winnecke: So, that will be an additional expense?

Commissioner Tornatta: Well, it would be the same expense that we had last year.

Commissioner Winnecke: Okay.

Commissioner Tornatta: They are actually splitting, because they handle two different parts of the state. So, they split the contract that would be one, that would be essentially \$12,000 per unit, they split that.

Ted C. Ziemer, Jr.: Commissioner Winnecke, last year there were two separate lobbying agreements with Phillips and Phillips, one for executive and one for legislative, and a separate lobbying agreement with Long and Mathies.

Commissioner Winnecke: Okay, I misunderstood. I don't recall their being two for Phillips and Phillips. So, I apologize. With that information I will second the motion.

President Melcher: Okay, is there any further discussion? Anybody from the audience?

Commissioner Tornatta: Just a little FYI, this is still, these two agreements, even as they stand, if we would enter into an agreement with Long and Mathies, took us down about half of what we were spending the prior two years.

Commissioner Winnecke: I remember that.

President Melcher: Anybody from the audience again? Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. The federal lobbying agreement with Barnes and Thornburg, an agreement with Barnes and Thornburg to provide federal lobbying for the Commission for 2010. The fee of this service is \$2,500 per month, which includes all expenses incurred by Barnes and Thornburg to provide the lobbying services. It's identical to last year's agreement.

Commissioner Tornatta: Once again, this was brought down by more than half from what it has been over the past five years.

Commissioner Winnecke: I'll move approval.

Commissioner Tornatta: Second.

President Melcher: So, we have a first and a second. Any further discussion? Anybody from the audience? Seeing none, Madelyn, would you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: And we also need to, we have had a call from Brad Bingham to get in any of our federal earmark projects that we want to put in. So, we would probably need that before next meeting. So, just a heads up.

President Melcher: Okay.

County Attorney

President Melcher: Department head reports. Ted, I thought I would start with you. Have you got the bids?

Ted C. Ziemer, Jr.: Thank you. Yes, I've opened these bids. Let me explain to the Commissioners that these are bids for pipe arches, steel culvert pipes, pipe liners, box culverts, coated steel culverts, galvanized steel culverts, galvanized curved culverts with hardware, etcetera. There are 22 separate items that the bidders can bid on, and they can bid various unit prices for one or more of these, with extended totals. So, I'm not going to try to read the amounts of the various bids. I will say for the record that the bidders are Ferguson Enterprises, and they bid on various items in various amounts; St. Regis Culvert, Inc., who also bid on various items for various amounts; Sherman Dixie Concrete bid for various items at various amounts; and, finally, CPI Supply, who bid for various items at various amounts.

Commissioner Tornatta: I guess, as we've done in the past, and I don't know if this is a John Stoll or a Debbie question, but, probably what I would recommend is that we accept all bids as they were written, because there are some issue with delivery costs, and that might put them over the top on certain items. If we accept all of the bids that would allow us to have the cheapest price.

Commissioner Winnecke: Wouldn't we be better off to take them under advisement first to examine them?

Commissioner Tornatta: Well, here's my one point, if there is a culvert and there is one individual that's cheaper on the product than another individual, but one doesn't have delivery costs and the other one does, that could be a difference that's not showing up on that page. There's a threshold that some will deliver freight free, and there's a threshold where some won't. It depends on the cost of the product.

Commissioner Winnecke: I guess I'm following that, but, I mean, unless I've totally misunderstood the process it seems to me we ought to at least take them under advisement and examine them before we just cart blanche accept them and award them.

Commissioner Tornatta: That's fine. I think what we're going to find though is that there are so many different pieces to it, that it might be tough to qualify whether somebody is lesser priced because of proximity, time and delivery.

Commissioner Winnecke: That may be, I guess, I would like to know that versus just assuming that.

John Stoll: We can look into that, but typically in the past it has been awarded to multiple vendors, if not all of the vendors who did submit bids. So, that is routine that the concrete pipe supplier isn't necessarily going to provide metal pipes, and a metal pipe supplier may not supply the plastic pipe. So, multiple vendors will be awarded this, but we can take a look at it and let you know for sure.

Commissioner Winnecke: Personally, I would be more comfortable having someone look at them and provide us that specific information.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: With a first and a second. So, John, you will look at them and get back with us?

John Stoll: I can get with Debbie and Ted, if necessary, and figure out what we've got there.

President Melcher: Okay. Any further discussion? Anybody in the audience? Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Does any other department heads got anything?

County Engineer

President Melcher: I should have told you just to stay.

John Stoll: I just have a couple of items. First, we need to submit maintenance letters to the Water and Sewer Department for the water mains and sewer lines that were constructed on the Cross Pointe Boulevard project. These are letters that state that the county will be responsible for any maintenance for the first year after

acceptance, and it also establishes the final value of the water and sewer lines. We've got two separate letters that need your signatures.

President Melcher: Okay, we'll need a motion probably to accept them.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then, the other item that needs your signature is the final acceptance letter for the Millersburg-Green River project. This is part of the final record that has to go to INDOT. Clark Dietz has had their inspectors look the project over and recommend that we go ahead and accept the project so it can be, all of the final records can be submitted to INDOT and we can close out the project.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Any discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I had, thanks.

President Melcher: Thank you.

Commissioner Winnecke: Thanks, John.

President Melcher: Any other department heads?

Board Appointments

President Melcher: Okay, board appointments. I don't know of any board appointments.

New Business

President Melcher: New business? We need to set a date for the road hearings. The proposed date is March the 3rd, 6:00 p.m.. I guess, they are going to check to see if the Southern Indiana Tech Center...does anybody have a problem with that date?

Commissioner Winnecke: Fine with me.

Commissioner Tornatta: We would just do one road hearing this year, like we did last year. I think we can take care of things.

President Melcher: As far as I know, at this point, that's fine with me. So, do we need to make a motion?

Commissioner Tornatta: I think we're putting that out there. Do we need a motion on the date?

Commissioner Winnecke: Just advertise it.

Commissioner Tornatta: Yeah.

President Melcher: Yeah, okay.

Commissioner Tornatta: A motion to advertise the date of March 3rd at 6:00, well, we need to check with the Tech Center.

President Melcher: Check and see where we're going to have it.

Madelyn Grayson: I don't think we've actually advertised, published that in the paper before. Is that what you're intending to do? I mean, we can, I just don't think we've done that before.

Commissioner Tornatta: I would rather have our media partners get it out, to be honest with you.

Madelyn Grayson: I think what was done is your office sent out a media notice, yeah.

Commissioner Tornatta: We'll send out a press release.

President Melcher: We can do that.

Commissioner Tornatta: We'll check with the Tech Center and then send out a media release.

President Melcher: So, we had a first—

Commissioner Tornatta: We don't need it.

President Melcher: We don't need it? Alright.

Old Business

President Melcher: Under old business, I guess, Annie, do you want to come back up?

Annie Groves: Annie Groves, Coroner. I'm here to ask, I think a couple of weeks ago I gave you the prices and you were going to review them. So, I'm coming to see if you've done that and if you're ready to move forward.

President Melcher: Troy, do you have anything to say?

Commissioner Winnecke: Mr. President, it seems like that all of the vendors were bidding—

Annie Groves: Apples to apples.

Commissioner Winnecke: —apples to apples, thank you. Based on the information provided to the Coroner that she forwarded to us, I would move that we approve funding in the amount of \$45,700 to Midwest Contracting for the work it proposes relative to the roofing, guttering, down spouts, painting, caulking, windows and general work to the facility.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Annie, do you have anything to say?

Annie Groves: No.

President Melcher: Anybody from the public? Seeing none, Madelyn, do you want to call the roll on that?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Before I vote yes, I would say that is the lowest bidder—

Annie Groves: Correct.

Commissioner Winnecke: —of the three. I should have added that. Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: So, that passes. Any other.

Commissioner Winnecke: She also presented a request regarding refrigeration replacement. There were three bidders on that, the low bidder was J.E. Shekell in the amount of \$13,171, and I would move approval of it.

Commissioner Tornatta: Second.

President Melcher: What did you say the amount was?

Commissioner Winnecke: \$13,171.

President Melcher: Okay. Any discussion?

Annie Groves: Is that total?

Commissioner Winnecke: That was just for the refrigeration? The air conditioning was separate.

Annie Groves: Okay.

President Melcher: So, that's this page here?

Commissioner Winnecke: Yeah.

President Melcher: Okay.

Commissioner Winnecke: I'll do that separately.

President Melcher: Alrighty. Any discussion from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Winnecke: Finally, I believe, finally, the other need of the facility is for air conditioning replacement. There was one bidder who offered a quote on that and that was from J.E. Shekell also. I would move approval of it in the amount of \$1,960.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Annie Groves: Thank you all very much. Can I go ahead and start contacting these people to start?

Commissioner Tornatta: Yes.

Annie Groves: Okay, thank you.

President Melcher: Any other old business?

Public Comment

President Melcher: Okay, public comment?

Mark Rigney: Good afternoon. My name is Mark Rigney. I work with an organization called Congregations Acting for Justice and Empowerment. I have what I think is a very simple request, but it will take just a little bit of explanation to make sense out of it. My organization's acronym is CAJE. We're a 501c3 non-profit organization. We're made up of 14 area congregations, and we work on secular issues. We work with elected and appointed officials on both sides of the political aisle with an eye toward improving our community. We like to try and find systemic issues where we can work on something not as a charity organization, but as a group that wants to come and identify problems that in the long term maybe we don't need so much charity in the future if we do our job right now. We've been focused on issues of mass transit in the last year, and we've been trying to do our homework on that. We've been working with the MPO, with Brad Mills and his staff, with METS, with other stakeholders, and we've reached a point where we have plotted out some specific routes, and we're recommending that METS look into expanding some of their service areas so that we can connect large employers on the north side of Vanderburgh County with our employee base here in the City of Evansville. The next step in trying to make this a reality is a request from METS, METS has said we will go ahead and do a full cost analysis of what those routes would actually cost, because it would probably wind up being a contract service where the county would have to pay for their portion of a route, but the city would provide buses and infrastructure. In order to get that cost analysis done, Ed Ziemer at METS has requested that we get, on county letterhead, a letter requesting that this cost analysis be done. My group and I met with Russ Lloyd, Jr. this morning, he's enthusiastic about that, he said he would be very willing to write that letter, but he

also said that he would like the County Commissioners to also create a letter to that effect. I'm here today to ask you to draft a letter and to provide it either to me or directly to Ed Ziemer at the Department of City Transportation and Services. I would be happy to answer any questions. I probably left something out.

Commissioner Winnecke: Mr. President?

President Melcher: Go ahead.

Commissioner Winnecke: I've met with Mark and his transportation committee, probably a year or so ago when the organization first brought it up, and I think it's on, the committee is on to a good topic and this seems like a logical next step. I applaud you for your group's tenacity—

Mark Rigney: Thank you.

Commissioner Winnecke: —I would, I have no problem supporting writing a letter, making that request for the cost study.

Ted C. Ziemer, Jr.: I'll probably be writing that letter.

Mark Rigney: Okay.

Ted C. Ziemer, Jr.: Is somebody going to give me some details? I don't know—

Mark Rigney: I would be happy to give you any details required.

Ted C. Ziemer, Jr.: Okay, let me give you my phone number. It's 424-7575. Call me tomorrow and we can talk about it. My name is Ted Ziemer and I'll guarantee you that I can write a letter that will satisfy Ed Ziemer.

Mark Rigney: I had a feeling that might be the case. A wild guess on my part.

Commissioner Tornatta: Second.

President Melcher: Okay, we have a first and a second. I was going to get you involved, Ted. He's also been to almost every MPO meeting. I sit on that board. They have talked to us too on the MPO, and this is something that we need to look at. Again, it's all about money, so, but since Ed's asking it, you know, and he says he's going to do it, then at least it's not going to be any money, because we haven't allocated any money from it.

Mark Rigney: Right, we're not asking to put a bus on the ground at this time. We're asking for a letter to get us to the next step towards putting a bus on the ground.

Commissioner Winnecke: Right.

President Melcher: Okay. Is there any further discussion? Is there anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Mark Rigney: Thank you.

President Melcher: Thank you very much. Is there any other public comment?

Commissioner Winnecke: Thanks, Mark.

President Melcher: Yes? You're part of the public.

Bill Fluty: I just want to thank the County Highway on doing a good job this Saturday. I was a little surprised to get up to seven inches of snow. I do live on a snow route, so I have some advantage, but I got out early after I shoveled out, they did a great job, appreciate it.

President Melcher: I think they done a good job in both of our snows. They really have.

Consent Items

President Melcher: Okay, we've got consent items.

Commissioner Winnecke: Mr. Chairman, I would move that we exclude one for a separate vote. I would like to consider the request for overtime, or, I'm sorry, the fee waiver request at the Centre separately.

President Melcher: Okay. So, we're pulling that one out. Do you still want to make a first minus the—

Commissioner Tornatta: Yeah, amend the motion.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Seeing none, Madelyn, do you want to read them into the record?

Madelyn Grayson: The consent items for the February 2nd meeting are as follows; approval of the January 19, 2010 Commission meeting minutes; there are employment changes, the ones the Commissioners will be approving tonight are two from the County Highway, one for Weights and Measures and three for the Health Department; Hillcrest Washington Youth Home fourth quarter fees for services; Weights and Measures monthly report from December 15th of '09 to January 15, 2010; Key Government Finance disbursement; we have four surplus request letters for various office equipment and furniture, one from the County Assessor, one from Superior Court, one from Burdette Park and one from Purdue Co-Op Extension; we

have the Perry Township Trustee 2010 standards; the County Treasurer's December 31, 2010 year-to-date report², County Highway Superintendent request to transfer a 2002 Ford Explorer to the County Coroner; the County Clerk December 2009 monthly report; the County Auditor approval of January 2010 A/P vouchers; the County Engineer approval of pay request number 98 for Burkhardt-Green River TIF projects in the amount of \$18,633.84; the Westside Improvement Association, Neighborhood Association registration for 2010; then we have department head reports for the County Engineer and Burdette Park.

Commissioner Winnecke: Well read.

President Melcher: Any discussion? Anybody in the audience. Madelyn, do you want to call the roll for that?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: I would make a motion to waive the Centre fees, not overtime for the Boy Scouts 100th anniversary celebration on February 8th.

President Melcher: I'll second it. Is there any discussion?

Commissioner Tornatta: Yeah, this is, we do some stuff for Girls in Bloom, and this fits right in with a situation like that for the boys. We are having the First Lady, the former First Lady of the United States come in town. So, I think it's a wonderful opportunity to raise money for the Boy Scouts, and it's a fee that we can waive and help them out.

Commissioner Winnecke: I have great respect for the Boy Scouts and certainly support them and their efforts. This is a fee in excess of \$3,000 and more than a third, or probably a third of the organizations that rent the Centre are not-for-profit groups. I think we open the flood gate, or once we approve this, the flood gate will be opened. I think the distinction between this and the organization you previously mentioned was that was an organization that this body, former members of this body founded and we originally sponsored. That's the distinction, but that's why I won't support this. Again, nothing against the Boy Scouts, just I have a theoretical issue with approving fee waivers for not-for-profit groups because many more will be back.

President Melcher: Alright, any further discussion? Anybody in the audience? Madelyn, will you call the roll?

²This should be December 31, 2009 year-to-date report.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

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

President Melcher: It passes. We're going to hear rezonings.

**Final Reading: VC-10-2009: Petitioner: T & T Development LLC
Address: 15901 Petersburg Road
Request: Change from C-2 with UDC to C-4 with UDC
Action: Approved 3-0**

President Melcher: The final reading on VC-10-2009, T & T Development LLC, 15901 Petersburg Road.

Janet Greenwell: Good evening, Janet Greenwell with the Area Plan Commission. There's not a lot to say about this one. It was approved in January of 2009, ten acres. They went to site review, had a little issue with a vehicle/building, and they came back to rezone a small section of the same parcel, about four one hundredths of an acre, to C-4 so that they can park or keep the vehicle on that one little spot. Plan Commission did recommend approval with eight yes and one no vote on January 14th.

President Melcher: Any discussion?

Commissioner Winnecke: I'll move approval.

Commissioner Tornatta: Any remonstrators? Second.

President Melcher: Any other discussion from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Madelyn Grayson: Is there a representative here from T & T Development? Okay, I'll call them in the morning.

**Final Reading: VC-1-2010: Petitioner: James A. & Randall A. McCune
Address: 7419 Oak Hill Road
Request: Change from CO-2 to R-1
Action: Approved 3-0**

President Melcher: Okay, final reading of VC-1-2010, James & Randall McCune, 7419 Oak Hill Road.

Janet Greenwell: The McCune's are requesting to downzone the residence that was zoned back in 1976. It had a private covenant, we're not requiring them to downzone it, but they need clear title and they're downzoning it back to R-1 so that they can get financial approval from the bank. The Plan Commission did vote to recommend approval nine to zero at their January 14th meeting.

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

Commissioner Tornatta: Second.

President Melcher: Any discussion? I think it's almost automatic today, the banks are not going to loan money on a commercial, if it's a house for residential people. We've been doing this all the time. With that, Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: So, that passes also. Is there any further business to come before the Commissioners this evening? We'll have the Drainage Board immediately following. We stand adjourned.

(The meeting was adjourned at 6:04 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the January 19, 2010 Commission Meeting Minutes.
Hillcrest Washington Youth Home 4th Quarter Fees for Service.
Key Government Finance Disbursement: Networking Project.
Perry Township Trustee 2010 Poor Relief Standards.
Westside Improvement Neighborhood Association 2010 Registration.
Waiver of Centre Fees/Not OT: Boys Scouts 100th Anniversary: 2/8/10.

Employment Changes:

County Highway (2)	Circuit Court (2)	Auditor (1)
Sheriff (2)	Weights & Measures (1)	Election Office (1)
Health Department (3)		

Surplus Requests:

County Assessor: 2 computer tables, 2 chairs, 1 file rack, 4 cubicle dividers, 1 large frame.
Superior Court: 1 computer, 1 keyboard
Burdette Park: 2 computers
Purdue Co-Op Extension: Various audio visual and office equipment.

Weights & Measures: Monthly Report 12/15/09-1/15/10.

Treasurer: December 31, 2009 Year-to-Date Report.

County Highway: Request to Transfer 2002 Ford Explorer to County Coroner.

County Clerk: December 2009 Monthly Report.

Auditor: Approval of January 2010 A/P Vouchers.

County Engineer: Pay Request No. 98: Green River-Burkhardt TIF Projects.

Department Head Reports:	County Engineer	Burdette Park
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Maria Anderson	Lauren Klipsch	McKenzie Thomas
Ryan Schultheis	Ellen Dippel	Debbie Spalding
Jim Harris	Gary Johnston	Jonathan Weaver
Matt Arvay	John Stoll	Annie Groves
Mark Rigney	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
FEBRUARY 16, 2010**

The Vanderburgh County Board of Commissioners met in session this 16th day of February, 2010 at 5:08 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: Okay, we'll call the Vanderburgh County Board of Commissioners to order. It's February 16th. It's about eight minutes after five, in room 301 of the Civic Center. Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance: Elexcia McAlister: Census 2010

President Melcher: The Pledge of Allegiance is going to be Ms. Malaster? How do you pronounce that?

Elexcia McAlister: McAlister.

President Melcher: McAlister, okay.

(The Pledge of Allegiance was given.)

President Melcher: You just go ahead and introduce yourself and what you represent, and it's yours.

Elexcia McAlister: Well, first I want to go ahead and thank you Commissioners Tornatta, Melcher and Winnecke for giving me this opportunity and the time to speak on the census 2010. My name is Elexcia McAlister. I'm the HR Recruiting Administrator for Energy Systems Group. I'm a member of the Complete Count Committee and the social action chair for the Evansville Alumni Chapter of Delta Sigma Theta Sorority, Incorporated. Delta Sigma Theta Sorority, Incorporated is a private non-profit organization who's purpose is to provide assistance and support through established programs and local communities throughout the world. The sorority was founded in 1913 by 22 women, students on the campus of Howard University. Collectively they wanted to promote academic excellence, scholarships and provide support to those that have been under served. We now have a national initiative to make sure that no one is counted out in the 2010 census. So, we have chapters all over the United States that are implementing programs and projects in our various communities to ensure that everyone is counted in the 2010 census. We do know that, historically, that the census is not perfect, but I do want to be here to represent those that are undercounted. Traditionally, the minorities are the ones

that, out of the entire population, that is under represented. Undercounted in 1990, 8.4 million people were not counted, 4.4 million were counted twice. In 2000, 6.4 million people were counted, were not counted, and 3.1 were counted twice. So, your partnership in the 2010 census will send a very strong message to our community about the importance of the census and the benefit of being counted. The Evansville Alumni chapter is canvassing Caldwell Homes, which falls in tract 14. We're going to be canvassing them on March the 27th. We also want to target tracts 11 through 13, which also had a low rate of return. You're welcome to join us on March the 27th. We're also planning other activities to encourage these specific tracts to return their census forms. So, some of the key messages that we're asking the Commissioners to help us get the word out in these areas is to make sure that everyone is counted once and in the right place. Let them know that the census information is confidential. Let everyone know that cooperation is a must with the census workers, and that there are only ten questions. The ten questions should only take ten minutes. Also, that everyone's census form should arrive in March, the beginning, the 1st through the 15th everyone should have their forms. There are assistance centers. There's going to be one at the C.K. Newsome Center and also at Nativity. That's going to be held March the 19th through April the 19th. Also know that all of this is just around the corner. So, we want to make certain that we get the word out and have our newer neighborhoods and those specific tracts counted. So, if you could help encourage cooperation and emphasize the confidentiality on these people that are represented in our communities. So, that's kind of what we're asking as far as the 2010 census is concerned. I am actually standing here in Maura Robinson's stead as she is out of town, but I do have contact information for her if you need additional information regarding the 2010 census. Thank you. I appreciate your time.

President Melcher: Can you give us the dates again of when the centers are going to be open? The Newsome and Nativity and what times?

Elexcia McAlister: It's, the centers are going to be open March the 19th through April the 19th. C.K. Newsome Center and Nativity are the sites for that. The times I do not actually have, Maura Robinson has the specific times, but she just wanted to let you know that those were the dates.

President Melcher: So, she could get us the times?

Elexcia McAlister: Uh-huh.

President Melcher: Because that's, we're going to need them to get that out.

Elexcia McAlister: And, I will get that to you tomorrow.

Commissioner Tornatta: Elexcia? We talked about the confidentiality—

Elexcia McAlister: Uh-huh.

Commissioner Tornatta: —and some people are a little nervous about when these people come to the door. Obviously, there is, they even take that confidentiality a step further, even with law enforcement, I mean, there is no way that the information that is given will go back to any federal agencies, or go back to any other law enforcement agencies, as I understand it.

Elexcia McAlister: Correct.

Commissioner Tornatta: So, if somebody was to fill out this particular form, they don't have to worry about somebody else knocking on their door the next day wanting to look for them.

Elexcia McAlister: That's correct.

Commissioner Tornatta: So, you know, I know that's kind of tough. We never want to think that there's an instance like that, but if there is, we want to make it well known that there is confidentiality.

Elexcia McAlister: Yes. Thank you.

President Melcher: Lloyd, do you have anything?

Commissioner Winnecke: No, thank you.

President Melcher: I just know this is a very important project for our community. All of our block grant money, and a lot of, they call it ARRA money, and everything that's coming lately all comes off of the old census.

Elexcia McAlister: Uh-huh.

President Melcher: So, it's very important that we get the correct number in so we can get our fair share. As we notice, a lot of times we don't get our share out of the state, that was reported a few weeks ago in the paper, but we do need to get our fair share from the federal government and the only way we're going to do that is to have an accurate count.

Elexcia McAlister: Yes, and that everyone is in fact counted.

President Melcher: Okay.

Elexcia McAlister: Thank you.

Commissioner Tornatta: Thank you.

President Melcher: Thank you.

Introduction of Teen Advisory Council Job Shadows

President Melcher: I think we have some students with us tonight. I'll start off with mine and let her introduce herself.

McKenzie Thomas: Hi, I'm McKenzie Thomas. I'm a sophomore at Signature.

President Melcher: Okay, thank you.

Commissioner Tornatta: We have Ryan Schultheis, I believe you are with Memorial, and Ellen Dippel, Ellen is with Memorial. Okay.

Lee Jerstad: I'm Lee Jerstad. I'm a senior at Reitz High School.

President Melcher: I want to thank them for being here this evening.

**Second/Final Reading of Ordinance CO.02-10-003:
Repealing Ch. 2.16: Licensing of Tradesmen**

President Melcher: Okay, next we have under action items, we have the second and final reading of ordinance CO.02-10-003, repealing chapter 2.16, licensing of tradesmen ordinance. It's repealing it because I think there is some duplication in it. It had two different copies in it. I need a motion to approve.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: I have a first and a second. Do we need any further discussion on that? Is there anybody in the audience that would like to say anything about this? Seeing none, Madelyn, would you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Resolution CO.R-02-10-002: Amending the Plan for the U.S. 41
and Baseline Road Economic Development Area &
Permission to Advertise Public Hearing for VCRDC on 3/3/2010**

President Melcher: Resolution R-02-10-002 approving the amendment to the plan for the U.S. 41 and Baseline Road economic development area. It's permission to advertise for the public hearing, for a public hearing of the Vanderburgh County Redevelopment Commission on March 3, 2010. We need the motion to read a certain way. If somebody would like to make that motion.

Commissioner Winnecke: Mr. President, I would move to adopt resolution CO.R-02-10-002 to add new projects to the economic development plan for Highway 41-Baseline Road economic development area and to give permission to advertise for a public hearing of the Vanderburgh County Redevelopment Commission on March 3, 2010.

Commissioner Tornatta: Second.

President Melcher: So, we have a first and a second. Is there any discussion? Any questions from the audience? Seeing none, Madelyn, call the roll please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Approval of J.E. Shekell Bid to Purchase 317 and 319 W. Tennessee St.
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President Melcher: Next we have a J.E. Shekell bid to purchase a property at 317 and 319 West Tennessee. The notices were sent to the abutting property owners to submit bids if interested in acquiring this property. J.E. Shekell submitted the sole proposal to acquire the property located at 317-319 West Tennessee Street for \$100. If the proposal is approved, the county has provided the Commissioners with a quit claim deed conveying this property. Is there a motion?

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: I have a motion and a second. Is there any discussion? Anybody from the audience? Seeing none, Madelyn, would you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Approval of Notice to Abutting Property Owners to Submit Bids for 401 Garfield

President Melcher: Notice to abutting property owners to submit bids for 401 Garfield. An abutting property owner has expressed interest in the property acquired by the Commissioners.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: I have a first and a second. Any discussion? Seeing none, Madelyn, call the roll, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**EMA: IDHS Sub-Grant Agreement: Task Force Equipment
Health Dept.: South Central Media Advertising Agreement: H1N1
United Consulting Agreement: I-164-Millersburg Road Study
BLA Supplemental Agreement No. 4: University Parkway
American Structurepoint Agreement: GRR from Surrey Way to Kansas
Cripe Architects Consulting Services: Burdette-USI Bike Path**

President Melcher: Okay, contracts and agreements. EPA¹ on 2007 SHSP district task force development grant for a two year period following the obtaining of all signatures in 2010 is for \$113,200 for obtaining task force equipment. The county office of Environmental Management² under the direction of Sherman Greer will be responsible for meeting the requirements of the grant on behalf of the Vanderburgh County as sub guarantee, grantee, excuse me. I need a motion.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: I have a first and a second. Any discussion? Sherman, do you want to say anything about it?

Sherman Greer: Not really. That's fine.

President Melcher: Okay. Any discussion? Anybody from the public? Madelyn, do you want to call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

¹Should be EMA.

²Should be Emergency Management.

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The Health Department, agreement with South Central Media for the H1N1 announcements. Under the agreement, which South Central Media will provide 80 spots urging the obtaining of the H1N1 flu shots, plus 20 public service announcements during March 2010. The cost of the agreement is \$2,000 and the Health Department has funds to carry, to grant the pay of these funds.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: A first and a second. Any discussion? Anybody from the public? Seeing none, Madelyn, call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have the County Engineer, we're going to have a couple of contracts here. John Stoll is going to discuss them. The first one is a contract with United Consulting for an interchange study on Millersburg Road. John?

John Stoll: That study covers an interchange justification, an interchange justification study to see if INDOT and federal highway will approve an interchange at Millersburg and I-164. The scope of work includes doing the environmental work that's required by INDOT to get the project approved, if it can be approved, does the traffic studies and all of the assorted work that's required. I've had some other discussions with United Consulting in regard to this. One of the issues is the 100 year flood elevation of Millersburg Road relative to, I mean, the 100 year flood elevation of Blue Grass Creek relative to the elevation of Millersburg Road. That will be something that's evaluated as well. So, I think we've got all of the parameters covered in that scope. The amount was \$210,000, and I believe it was going to take them 400 some odd days to get the work done, exclusive of review time. So, sometime next year we would have the study done, hopefully.

Commissioner Tornatta: And this justification study has to be done before INDOT would accept an interchange at that location, one, and, two, this has been approved by the Redevelopment Commission.

John Stoll: Right. It went through Redevelopment, the TIF funds would be used to pay for this study. This is just the first step. If the study gets approved by INDOT, then the county would have to follow up with design contracts and do the actual design of the interchange. Since this location lies right on the county line, there would be coordination with Warrick County. So, there's quite a bit of work to be done, even after this study is completed, assuming that the study does say that the interchange is justified.

President Melcher: Okay, I think this is also a good, I think a lot of people don't know, Highway 57 is number five in accidents in the State of Indiana. Talking with INDOT over the years and that, if we could get an intersection here and upgrade Millersburg Road, we won't have the number five anymore on Highway 57 and 41. I think that's kind of a shame that of all the busy, up in Indianapolis and different areas, we've got number five down here. So, if we get this interchange down the road that could help save lives in our community. I guess, we need a motion for that one.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Mr. Chairman, well, go ahead.

President Melcher: Okay, I'll second the motion. Discussion?

Commissioner Winnecke: I have an issue, not with this consultant, and not with this project. I'm going to raise the same point a little later, two points down in the agenda, with another contract. Again, nothing to do with the specific consultant that's being recommended, but we're going to recommend using, by my math, about \$1.1 or \$1.2 million of money, and we're just going to award these contracts to two consultants. We haven't bid these out, we haven't sought proposals, we don't know if this consulting firm could do better on the North Green River Road project or vice versa. It concerns me that we have large contracts that we're not putting up for bid, and I think we should, I think we should not act on these tonight until we seek proposals from all consultants who would be interested in these projects.

President Melcher: Do you have anything to say, John? In your tenure, didn't you tell me you were here so many years, 17 years, and you've had, three times that you've done that?

John Stoll: Correct. The only recent projects that I can recall we had RFP's on locally funded projects were the phase three design of Green River, the Baseline Road bridge, and Cross Pointe Boulevard. Other than that, off the top of my head, I can't recall any other locally funded projects that we did request proposals on. They are required for federally funded projects, which, of course, we go through the INDOT procedures on that, so we do follow the INDOT RFP process, but on locally funded projects, traditionally, no, we haven't had RFP's other than those three projects.

Commissioner Tornatta: I've actually checked with a lot of the different firms that we've dealt with in the past, and none of the firms that I've talked to have ever practiced that type of bidding process on a local project. Not saying that it's out of

the box to do something along those lines. I just know that that has not been a practice, and I don't, I think we have a good idea, you have a good idea of the numbers when they come back whether they are in line through other projects, and in case, I know in some of these they are actually under what has been proposed in the past from some other projects. So, I mean, I think we've got a good base line to know if somebody's in line or out of line without having to do it with a state or a federal project. I mean, I don't see any issue with moving on from here.

Commissioner Winnecke: To me it's just a matter of transparency. I think the more competitive we make the environment, the better, the more bang we're getting for our buck, is a phrase that we use up on this Board from time to time. I think now is no better time to start than now to make consultants earn the dollars that they are bidding for, or, in this case not bidding for, and to spend, or to commit to spend in the neighborhood of \$1.1 to \$1.2 million, not on this contract, \$200,000 here and 900 and some odd thousand dollars in a contract a little later, without going out for bid, I just don't think we're doing the taxpayers service by doing it that way.

Commissioner Tornatta: Well, on the contrary, there is a lot more costs in the bidding process. So, although we think we're getting the better bang for our buck, we might find much to the contrary that we are not going to get that bang for our buck because of the amount of money that goes into doing the RFP's to get this thing going. I also checked with those, with a group of vendors to find out what that cost would be, and it would be substantially higher than if we would, if we go along the processes that we've been going on on these local projects. So, I kind of disagree with the fact that we're going to get some better number, because it's going to cost more to have five, six, ten groups bidding on that project, because they are going to consistently have to bid on those projects.

Commissioner Winnecke: How do we know, in this case, that American Structurepoint, which is on the agenda in a couple of minutes, couldn't do a better job on the Millersburg Road study than United Consulting? Why do we know that United Consulting couldn't do a better job on the North Green River Road project until we ask them to bring that information to us?

Commissioner Tornatta: I think it's all about relationships. You have relationships with these individuals and that's, those are the questions that you ask. How do you perceive your viability on this project? What do you think, if we're looking at the IJ study, is this a project that is in your repertoire of skill sets? I think by talking with these companies on a consistent basis with getting, having relationships where you can go to them and ask them those questions, you do find out that information. John has dealt with a lot of these companies in the past to be able to know which companies do things potentially better than others. In fact he's steered us to make sure that oh, that company doesn't do bridge work, so, they might not be in the mix. Or, they're not certified to do this particular job, so, they wouldn't be in the mix. It helps us, because sometimes we might not know or have that relationship with a company.

Commissioner Winnecke: So, did I hear you say, or did I understand you to say that we should award the contracts based on relationships and not based on competitive pricing?

Commissioner Tornatta: No, I said that the relationships help us understand what these companies do.

Commissioner Winnecke: Then why can't we build on that and ask them to price things competitively so we understand why company "A" can do a better job than company "B", "C", "D" or "E"?

Commissioner Tornatta: We are not in this....we're not after...the, not to get twisted, because we're very....we have a duty to find these jobs and to see if we can get these jobs done. Our goal is not to take these jobs out six months, a year through processes when we can do it quicker. This allows us to get these jobs done, to get them shovel ready, to get them on the books so that we can product out there and we can get the job done. That's what we're doing here. We're not trying to stall a process—

Commissioner Winnecke: Oh, I'm not trying to stall the process.

Commissioner Tornatta: —we're not trying....I don't think that we're going to save money. If we did think we would save money, I think we would choose to go a different direction.

Commissioner Winnecke: Well, first of all, I resent the fact that you think I'm trying to stall the process. I'm trying to make sure that the process is transparent...by...the process by which we're spending tax dollars are transparent. That's my point.

Commissioner Tornatta: I understand. I think the transparency is that this is how it's done. Not saying it has to be done a certain way every time. This is how it's been done because it has been transparent. It goes along the lines when you factor in cost per mile, or whatever your measure is against other projects. Many times we've dealt with projects and they've come in and we've said that's not going to work, that's too high. We know what those numbers are, and I don't think we're being competitive by doing what we're saying. I think much to the converse, we're actually going to drive the cost up.

Commissioner Winnecke: Well, okay. I disagree, but point made, I guess.

John Stoll: One thing too—

President Melcher: John, with these projects, all four of them coming tonight, you've already worked with them, right?

John Stoll: Yes.

President Melcher: They're all ready to go as of right now?

John Stoll: Well, by worked with, do you mean as far as reviewed the contracts?

President Melcher: Right.

John Stoll: Yes. The Structurepoint contract, for example, through some changes that I worked on with the County Attorney's office, it's 220 something thousand dollars lower than what it was initially submitted at. In regard to the RFP issue, I know that, I guess it really doesn't affect either side of the argument, when we did the RFP's for Baseline, Cross Pointe and Green River, I believe we didn't get prices, estimated design fees from the consultants until we held the presentations. I believe there were four or five different consultants who came down and did the presentations, and I believe in two of the three cases the fees were, the selection

was for the consultant that provided the lowest fee, but, I know in one of the cases it was not the lowest fee after listening to the presentation. So, it didn't necessarily end up being a low bid situation. Likewise you could hear the discussions from the various consultants. So, it didn't play out to like when David opens up bids where we said, okay, low price, this is what we're taking. Even with the presentations that we had over next door in the meeting room. So, that's the only experience I had to draw off of in regard to locally funded RFP's.

Commissioner Winnecke: And, how were these two consultants selected?

John Stoll: Going back to discussions with Commissioner Tornatta and Commissioner Melcher, trading e-mails, that's the direction that I thought we were headed, and that's when I started working on the contracts with the two consultants. Back in, I guess it was early January, I believe, I sent all three of you an e-mail with a list of all the upcoming projects that we needed to hire consultants on. These were two of the projects. We'll also have Millersburg Road, we'll have the Maryland Street bridge design, we'll have the University Parkway corridor study, we'll have whatever work that the county ends up dealing with in regard to the new school site, which I believe at this point will probably be some work at Baseline and 41. So, it was just a list of all of those projects that I believe it was the first week of January that that went out. After that that's what lead into these two contracts being submitted.

Commissioner Winnecke: Thank you.

President Melcher: Well, when you sent that out, that's when you and I started talking about them. I was asking you some of these same questions, that's why I knew that you said in your 17 years this has only happened three times. I'm not saying we can't do that down the road. Maybe that's something that we need to look at, but I think as of right now as you have already worked with them and it's moving forward, so I think that's probably what we should be doing this evening.

John Stoll: One of the main complaints that I've heard about, I've heard from consultants over the years in regard to RFP's is if they don't really feel like it's open and available, that it's, they're throwing their name into the hat for a project that's already designated for a particular consultant. That's when it gets back to the waste of funds, because they spend a significant amount of time and money putting their proposal together, and then there would be even more cost associated with coming down to do a presentation. That's where some of the consultants have expressed concerns about the RFP process, if it's not truly open and available. So, we can always put out an RFP, that's not a problem. It's just traditionally, in fact I don't believe INDOT's procedures even allow you to request the price in the proposal. I believe that all is strictly negotiated after the selection. So, like I said, it wouldn't be a situation where you could turn around and have the County Attorney open a bid and say, we're going to award it to this lowest priced consultant.

President Melcher: It's usually not the lowest a lot of times. At least that's what I've tried to find.

Commissioner Tornatta: Well, I mean, I don't know if I agree with that. The one thing that the Commissioners and the engineer will do is to make sure that the price is within a range that is affordable and acceptable for the project. I mean, that's—

President Melcher: No, and I understand, but what I guess I mean by that is that sometimes you've got some people, if one is lower just because they low balled it,

and then somebody else has done everything in the work, like that one project we had before us on trending, you know, there was such a big difference in there, we found out later that there was stuff left out. That's kind of what I'm bringing up. Sometimes, you know, and a history of working with people too. I think it's something that has merit. I think that's something maybe we could look at, but I would like to go ahead and move on unless there's any more discussion. Seeing none, we've already got a motion on the first one. A first and a second. Any discussion from the public? Seeing none, Madelyn, call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

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

President Melcher: Next is a supplemental agreement number four for Bernardin Lochmueller and Associates design engineering for phase two and three of University Parkway. I need a motion.

Commissioner Winnecke: So moved.

President Melcher: I'll second it. So, do we have discussion?

Commissioner Tornatta: Yeah, I just do have one point. We started this project at \$488,000, and now we're in our fourth change order, and now it's up to \$702,000. My only issue is, you know, when do we watch these change orders and say no? I mean, another \$20,000 dinger, at this point, on a project that banks it up to \$702,000. I mean, the three change orders prior to this, and here's the fourth one. So, I mean, you know, when do we say whoa?

Commissioner Winnecke: I think your point is well made, and I think, I can't speak to the three previous agreements, but to this one it's an INDOT mandated change and process which changes the scope of the previous agreement with the consultant. That's why I support it.

President Melcher: That's what I found out too. Is that true? Is it an INDOT request for them to do more?

John Stoll: They changed—

President Melcher: Because INDOT keeps changing the rules during the game?

John Stoll: INDOT changed the pavement design procedure, and because of that this new analysis had to be done. That was a part of this supplemental agreement. Then the other part was the shop drawing review, INDOT has changed their procedures on that as well to where the original design consultant is supposed to

take care of the shop drawing review. That's an off shoot of their new local public agency guidance manual. So, in effect, they're both results of INDOT issues. If I thought the consultant had made some errors that resulted in this, I certainly wouldn't have brought it to you with any recommendation to get it signed. Likewise, I understand that these contracts get pricey. This one is significant.

Commissioner Tornatta: Yeah, they're at \$680,000, I think they could take care of this as a measure to the county. I think we've extended plenty.

President Melcher: Okay, any further discussion? Anybody in the audience? Madelyn, call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: No.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-1. Commissioner Tornatta opposed.)

President Melcher: Next we have the agreement with American Structurepoint, Inc. for the design engineering right-of-way services for Green River Road and Surrey Way to Kansas Road. John? Well, let me get a motion first.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. I guess I'm seconding them all tonight. Go ahead.

John Stoll: That agreement covers the design of Green River Road between Millersburg Road and Kansas Road, and it also covers the right-of-way engineering and acquisition services for that same section. The right-of-way portion of this contract, and the total contract amount was \$956,890, is over half a million dollars. Just taking a preliminary count based on the number of parcels, we think there are more than 70 right-of-way parcels that could be affected. Ultimately, the billing rates will only reflect the right-of-way parcels that are ultimately acquired by the county. So, that number is strictly an estimate based on counts off the, property counts off the GIS website. About half the contract, slightly over half the contract is right-of-way, and the other is for the design. Like you had said previously, in comparison to previous, the previous sections of Green River Road, this is slightly higher. It's, I believe it's around \$400,000. The previous section of Green River, section three, was around \$300,000. I believe Cross Pointe, when it was done, was around \$300,000. All of the sections were roughly a mile, but this is 2010 and those contracts were originally set up in 2006, and there are a lot more side road intersections that require some additional design work on this phase of Green River than what was done on the prior sections. So, after working with the consultant and we got the fees changed, I think we've got a contract that reflects what needs to be done and the prices seem to be fair.

Commissioner Tornatta: That was done, as you said, there were two issues, one was we believe that they were high on their contract price, we addressed that, then once we looked at it they did have the side streets and there were more issue based monies spent in those cross section areas that weren't spent, didn't have to be spent on the other section.

John Stoll: Right, and we also have potential mitigation issues as well. There are cattails growing out in the ditches, which means we get to go do the investigation. So, that was another aspect that was in this. So, there's a number of different things, but all in all after we got the fees, and the fees have changed, like I said, it's over \$200,000, so, I think we've got the best contract we're going to get.

President Melcher: Any further discussion?

Commissioner Winnecke: I would just reiterate the previous point. I don't want to beat a dead horse, but needless to say if I didn't care to award a \$210,000 contract without any competitive review, obviously, I would feel even more strongly about a \$956,000 contract that's being awarded without any more public scrutiny than what we've allowed thus far.

President Melcher: Any further, anybody from the audience? Madelyn, call the roll, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: No.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

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

President Melcher: Agreement with Cripe Architects and Engineering for construction inspection of Burdette-USI bike and pedestrian trail.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Mr. Chairman, I'll second that motion, and just with the caveat this is different than the previous, any of the previous three. This is one where the three of us and our County Engineer scored competitive letters of interest some time last spring or summer. We each scored them through an INDOT scoring system, and this is the firm that was selected to be the most qualified for this project, which I think is a great way to go about it. So, that's why I'm going to vote in favor of this tonight.

President Melcher: And the scoring system, this has got some federal money in this project—

Commissioner Winnecke: Correct.

President Melcher: –so that's why. It's a mandated scoring system.

John Stoll: Right, we had to go through the INDOT RFP process in order to be eligible for the federal funds.

President Melcher: Any further discussion? Seeing none, anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Engineer

President Melcher: Okay, under department heads, do you have anything left?

John Stoll: Yes, I've got a couple of things. First, I've got the Mylar cover sheets for section three of University Parkway. We just need to get those signed so the plans will be ready to submit to INDOT. Right now there's another round of stimulus money that's potentially going to be out there. It's called the Jobs Fund, and if that becomes available we want to make sure that we've got all of the plans ready to go. So, hopefully, we can get some of those funds, because, once again, they are 100% federal. Anything we can get 100% federal would save the county's 20% local match.

President Melcher: You need a motion on that, right?

John Stoll: Yeah.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Any discussion? Anybody in the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then I also have the Mylar cover sheet for the First Avenue bridge over Pigeon Creek. Those plans should be ready for bidding next month. I need your signatures on that, so that way we'll be ready to go on getting that done. It is all locally funded, so we're not submitting anything to INDOT, but based on the preliminary estimates the Bridge Fund, the funding that we have in that account through the Cumulative Bridge Fund will be sufficient to cover the project.

President Melcher: Okay, we need a motion.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any discussion? Anybody in the audience? Madelyn, call the roll, please.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: The last item that I have is a claim for \$202,467.83. That's from INDOT, and that's for the county's 20 percent local share of the bike path construction between Burdette Park and USI. This is for phase two which runs from roughly Broadway Avenue up onto USI's campus. We just received the invoice from INDOT today, so that's why it didn't make it on the consent agenda. I just need your approval on that, and we'll get the check sent to INDOT this week.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? We want to make sure they get their money. Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

Commissioner Winnecke: Thanks, John.

President Melcher: Thank you.

John Stoll: Thanks.

County Highway

President Melcher: Chris, you're sitting in the front row. I thought you might want to be next.

Chris Walsh: Chris Walsh, County Highway Department. I didn't really have anything specific, other than to try and bring you up to date on the weather and our salt supplies and that. I just got off the phone with one of my foreman, and apparently we've got another weather system headed our way this weekend, which could or could not be potentially a pretty good sized storm. I think we'll make it through this storm, and I have some salt left on our State contract. I've also been thinking about the idea since early on, we ordered some de-icing agents at a good price, that if we get in a situation where I cannot get anymore salt, which, you know, with the national 49 states with snow on the ground, and states that have never had any snow on the ground buying salt, there is the potential we may not get anymore salt other than what we had contracted for. This product should give me, towards the end of the season when the temperatures should be up, if we get hit with another couple storms, the ability to de-ice the roadways and get them safe. So, we're looking at that. I'm going to get some of that product in tomorrow, and we're going to take some little side roads and just kind of experiment with it and make sure it's up to what we think it will do for us. So, other than the fact that...and we're still looking. I'm contacting the city, and, Dennis Hudnall and myself and we're trying to get anymore salt that we can. So, we still have some hope out there that we might be able to, I'm operating under the assumption that I won't be able to.

Commissioner Tornatta: Chris, where do we sit on overtime?

Chris Walsh: I haven't run the numbers yet. It wasn't too bad until these last two events. They happened....but we should still have plenty of money in our overtime accounts, but we're getting close to the end.

Commissioner Tornatta: Okay.

President Melcher: I know you and I have talked about trucks breaking down—

Chris Walsh: Yeah.

President Melcher: –and we're short a mechanic.

Chris Walsh: I'm glad you brought that up.

President Melcher: We upgraded a mechanic.

Chris Walsh: One thing I think I would be remiss if I didn't say what a good job I think all the men and women did out at the county, from the operators, the laborers and the truck drivers. It's a dangerous, there's a certain amount of danger involved in driving late at night, on a terrible road, with no visibility. So, I would like to give them the credit, because they are the ones that are really out there doing the work and getting the job done for everyone.

President Melcher: That's how I was going to end mine. So, you done it for me. Give us an update on the accident. How is our employee?

Chris Walsh: What limited knowledge I have about all of the specifics, about midnight we had one of our trucks was involved in an accident. The truck went into the ditch, and has since, we have yet to get a formal evaluation, but the truck is, obviously, in my mind totaled out.

Commissioner Tornatta: It's totaled.

Chris Walsh: So, it's taken out of the fleet, which we've had to make some adjustments and that. So, we're going to try and get into the insurance phase of this and try to get a new truck for the county. We really need one desperately.

President Melcher: No, I understand, and the employee?

Chris Walsh: We had one of our past employees passed away, so the gentleman I was using for a mechanic, on a temporary basis was not available to me through these last two events. So, it's really put us short handed and short on equipment, but we're making it through, but I will be coming to try and get at least one more new truck. Maybe we'll get that covered under the insurance.

Commissioner Tornatta: Did you, have you received, I think you've received something from a mechanic or two, have you not?

Chris Walsh: Yes.

Commissioner Tornatta: Okay.

Chris Walsh: There's been some interest, and I would like to, if it's possible, as soon as we get through this weather, I would like to sit down and see what we could do to get that job filled. We're really stretching everybody pretty thin.

Commissioner Tornatta: I mean, I would recommend that we send a message to the Council to get that mechanic position filled. That's an important position, especially when we're dealing with situations like we have, and if we have some people who have been laid off that might be pretty–

Chris Walsh: The upside is–

Commissioner Tornatta: –good mechanics.

Chris Walsh: – in a down economy like this, there are some very specialized and talented people out there that we might be able to take advantage of in filling our spot.

Commissioner Tornatta: Well, I send them all to you.

Commissioner Winnecke: So, you do have some qualified candidates?

Chris Walsh: Yeah, we've got, we've had some interest. There's been just, I guess, through word of mouth people knew that there was the potential for an opening. I've had some interesting applications come across the desk.

Commissioner Winnecke: I would agree with Commissioner Tornatta, we need to make an overture to the Council that we fill that right away.

President Melcher: Yeah, I brought that up I think at our last meeting, and I think it's time to do that. Especially now, because you even said that a couple of trucks broke down the other night and you were fighting to get them back on the road.

Chris Walsh: Yeah, we're really stretched. I mean, everybody is doing a great job.

President Melcher: Being a truck short, that's not going to help you out. Your crew did a good job, it really did. You know, I think it all starts at the top, from the leadership down. You deserve a lot of thanks too to keep it going. I know when you call me at 2:00 a.m. in the morning and wake me up, I know you're out there doing it.

Chris Walsh: I called you first.

Commissioner Winnecke: He's the President.

President Melcher: I know, and then I told him to call the other two, but I said give them a little bit more sleep.

Commissioner Tornatta: He knew better.

President Melcher: I said give them a little more sleep yet. I said, don't wake them up at 2:00.

Commissioner Winnecke: Sometimes it's good just to be the Member.

Commissioner Tornatta: That's right.

President Melcher: That's right, but I do appreciate what you're doing out there and that, but I think we could send something. I guess it would be–

Chris Walsh: I'll keep you all up to date on the availability of any more salt. We still have some left on our contract. So, we'll make it through this weekend, and if this other product works like I think it will, we'll use it the rest of the season if that's what we have to do, and we'll get through.

Commissioner Winnecke: Thanks, Chris.

Commissioner Tornatta: My request was in the form of a motion.

President Melcher: Okay.

Commissioner Winnecke: Second.

President Melcher: And yours was in the form of a second?

Commissioner Winnecke: Very good.

President Melcher: Any further discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Wholeheartedly yes.

(Motion approved 3-0)

Chris Walsh: Thank you.

Commissioner Tornatta: Alright.

Commissioner Winnecke: Thanks, Chris.

President Melcher: Thank you.

Burdette Park

President Melcher: Steve, do you have....okay.

Steve Craig: Steve Craig, Manager of Burdette Park. The one thing that I wanted to bring up is that I'm going to appear before the Council at the next Personnel and Finance meeting about hiring of part time employees out at Burdette this year. When they had the hiring freeze, they did include part timers in it. So, we're going to go...I've talked to several of the Councilmen and discussed on how to proceed with hiring back our part time employees for the summer. At this time I was just wanting to advertise a little bit and tell anybody if they're looking for a part time job this summer and that, that we will be hiring. We have all available positions from concessions to lifeguards to ground crew to office help. So, anybody that's looking for a job, we're going to have some open. Then, the other thing that I have is on the consent items, but I didn't know if you guys had any questions on the project sheet.

President Melcher: I don't. Do you have anything on this?

Commissioner Winnecke: No.

President Melcher: No?

Steve Craig: That would be it.

President Melcher: Thank you.

Steve Craig: Thank you.

President Melcher: Health Department? Nothing? Okay. Any other department heads? I don't think I see any more.

New Business

President Melcher: Any new business?

Old Business

President Melcher: Old business? There's one about the road hearing on March the 3rd at 6:00 p.m. at Assembly Hall at USI, USI Career Tech Center³ on Lynch Road. Any questions?

Commissioner Tornatta: It was the same place it was last year.

President Melcher: Yep.

Commissioner Tornatta: What we would ask is those who want to bring a road project to that particular area, just have the specifics and the addresses, and we would be happy to bring it up on the screen, talk about it, and let all of the appropriate individuals know about it at that time. Then we can see if we can get it on the schedule. It's a pretty seamless process. Last year it was very fruitful to find out where the areas of concern were, and I think we addressed a couple of major areas that were not brought to our knowledge before hand. So, it's very informative. We invite everyone to come out.

President Melcher: The only thing I was going to bring up just quickly is that our, at 5:30 on the 23rd is going to be the first meeting, right here in this chambers, of the county and city government reform committee. So, we would just like everybody to be coming if they would like to. It's going to start right here, and hopefully they will be able to get started, and we'll just see what happens with that committee.

Eldon Maasberg: Could you repeat that?

President Melcher: It's going to be the 23rd at 5:30, that's a week from today, on Tuesday night, here in this building. I'm going to ask them to have all of their meetings in the evening when it's accessible for people to come.

Eldon Maasberg: That's the committee that's doing the consolidation?

President Melcher: Yes, sir.

³Should be Southern Indiana Career & Technical Center.

Eldon Maasberg: Thank you.

Public Comment

President Melcher: Any public comment?

Eldon Maasberg: I suppose I want to say something.

President Melcher: As always you have to state your name for the record.

Commissioner Tornatta: That's ol' Eldon.

President Melcher: I mean, we know, but for the record.

Eldon Maasberg: My name is Eldon Maasberg. I live out in Armstrong Township. I hope all of you's took a good look at the roads, because the county done a heck of a lot better job than I have seen right here in the city. Another thing I was going to mention, since I bid on ditches, it's odd that for \$300 I have to bid on, then you pass out these here what you call other stuff, for no bids at all. And you're running up literally hundreds of thousands of dollars. It don't seem right. Thank you, Lloyd.

Commissioner Tornatta: Things aren't what they seem.

President Melcher: Any other public comment?

Consent Items

President Melcher: Consent items. Is there a motion?

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Okay, and, Madelyn, do you want to read them? I think there's one late one that was added.

Madelyn Grayson: The consent items for the February 16th meeting are as follows; approval of the February 2, 2010 Commission meeting minutes, and the February 16, 2010 executive session summary minutes; employment changes, there are two for the Health Department and one for the County Highway that the Commissioners will be approving this evening; Union Township Trustee 2010 standards; Burdette Park winter and spring 2010 projects; the County Treasurer, January 31, 2010 year-to-date report; there are three surplus request letters for various office furniture and equipment, one from the County Clerk, one from the Health Department, and one from the County Engineer; AMR has a fourth quarter, it says 2010, I think it should be 2009 report of income and expenses; EMA has a letter appointing Sherry Fetters to the District Planning Council for the Indiana Homeland Security District 10; the Sheriff has an equitable sharing agreement and certification; there are department head reports from the County Engineer and Burdette Park; and the late request for extension of payment of back taxes to March 1, 2010 for 1518 South Governor Street.

President Melcher: Any discussion? Will you call the roll, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Is there any further business to come before the Commissioners? Okay.

Commissioner Winnecke: I'll move to adjourn.

Commissioner Tornatta: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

President Melcher: Opposed? Thank you. We stand adjourned at 6:00.

(The meeting was adjourned at 6:00 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the February 2, 2010 Commission Meeting Minutes.
Approval of the February 16, 2010 Executive Session Summary Minutes.
Union Township Trustee 2010 Poor Relief Standards.
AMR 4th Quarter 2009 Report of Income and Expenses.
Request for Extension of Payment of Back Taxes to 3/1/10: 1518 S. Governor.

Employment Changes:

Health Department (2)	County Clerk (1)	VCCC (4)
Sheriff (6)	Auditor (1)	Circuit Court (1)
County Highway (1)		

Burdette Park: Winter and Spring 2010 Project List.

Treasurer: January 31, 2010 Year-to-Date Report.

Surplus Request Letters:

County Clerk: various office equipment.
Health Department: various office furniture and equipment.
County Engineer: one 13" Compaq monitor.

Sheriff: Equitable Sharing Agreement and Certification.

Department Head Reports:	County Engineer	Burdette Park
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	David Miller	Madelyn Grayson
Elexcia McAlister	McKenzie Thomas	Ryan Schultheis
Ellen Dippel	Lee Jerstad	John Stoll
Chris Walsh	Steve Craig	Eldon Maasberg
Sherman Greer	Others Unidentified	Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MARCH 2, 2010**

The Vanderburgh County Board of Commissioners met in session this 2nd day of March, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We're going to go ahead and call this meeting to order of the Vanderburgh County Board of Commissioners, March 2, 2010. Madelyn, will you call the roll please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here. Me, and all three members, we have a quorum.

Pledge of Allegiance: Dave Rector: Building Authority

President Melcher: Dave Rector, would you mind leading us in the Pledge this evening?

Dave Rector: Certainly, an unexpected honor.

President Melcher: You're going to be the first one up, so you might as well be there.

Dave Rector: Oh, okay.

(The Pledge of Allegiance was given.)

Art Concept for the Centre

Dave Rector: Do you want me to stay here?

President Melcher: Yeah, go ahead, just give your name and that, so.

Dave Rector: By way of explanation on your first presentation and item on your agenda tonight, some months ago I think now, Mike Shoulders and Chris Jackson had approached the Building Authority talking about doing some artwork or art features of some kind in the Centre. I asked, probably the best way to do that was to put together a presentation for you all to consider and look at, take under advisement. I think they've done a really nice job, but that's why Chris is here tonight to show you some of the things, thoughts behind what may or may not be able to happen at the Centre. With that, I'll introduce Chris and let her show you what she is considering.

Permission to Open Proposals: First Avenue Bridge Over Pigeon Creek

Commissioner Tornatta: Can we hold on one second? We've got a minor business matter we need to take care of, just to get the meeting started. If we can take these bridge inspection—

President Melcher: Okay.

Commissioner Tornatta: —bridge inspection qualifications.

President Melcher: I was going to do that. We need permission to open the proposals for the bridge, the First Avenue Bridge inspections.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Okay, Madelyn, will you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Introduction of Teen Advisory Council Job Shadows

Commissioner Tornatta: Then, if we could just announce who is here today? Starting, hit your marker over there and tell us who you are.

Claire Alvey: I'm Claire Alvey.

Commissioner Tornatta: Where are you from?

Claire Alvey: I go to Mater Dei High School.

Commissioner Tornatta: Okay.

Maddie Harmon: I'm Maddie Harmon, and I go to Reitz.

Lee Jerstad: I'm Lee Jerstad, and I'm a senior at Reitz.

Rebecca Reidford: I'm Rebecca Reidford, I go to Memorial.

President Melcher: Alright, and the reason why they're sitting at the chairs, they've all disappeared back here. Since you're over the building, David, I would suggest having six or seven chairs up here.

Dave Rector: They were up there. I don't know where they went.

President Melcher: Okay.

Dave Rector: We'll find some again.

Commissioner Tornatta: I think we have a full audience out here. What school are we all from, gang?

Unidentified: North.

Commissioner Tornatta: North, okay. Go Huskies! Okay, good. Okay, sorry, proceed, Dave.

Continuation of Art Concept for the Centre

Dave Rector: No problem. I'm done with what I was going to say.

Commissioner Tornatta: Okay.

Dave Rector: I'm going to let Chris take it from here.

Commissioner Tornatta: Alright. Thank you.

Chris Jackson: Well, first of all I would like to thank you very much for having me here tonight. My name is Chris Jackson, and I am the director of the Begley Art Source, which is a division of the Evansville Museum Shop. We work with area corporations who are interested in purchasing original pieces of art for a new building or renovation project. Which is why we're here tonight is to present to you an original art concept for the Centre. What we're going to show you are some before and after shots. The concept for the Centre, before I get started, is really based around the idea that people come from all over the world to visit the Centre. They share ideas and information and celebrate special events and performances. So, we're going to start off in the main entrance area, which as you can see is a very beautiful, architectural area offering lots of natural light, which would lend itself to a beautiful floating sculpture. Here what we're proposing could be considered is a sculpture piece that's representative of carrier pigeons, which we all know carrier pigeons transferred information long ago. These could be designed out of plexiglass, which would offer lighting, a beautiful array of light, not only at the ceiling level, but also on the floor. Then just beyond the entrance is, we have the orchestra wall, which is, as you can see, is a large, two story wall. Here we are proposing some beautiful fabric pieces. These are sculptural pieces which can be designed in any color, or size, and we actually have a few of these in front for you to look at. Then, just beyond the orchestra wall, on the second floor we have the tier lounge. As you can see we have a nice backdrop of wall space here. What we're suggesting is you could create a beautiful contemporary wall piece which could be designed out of metal, it could be of any coloration. Back downstairs we have the Brooks exhibit hall, and as you can see, again we have wall space up above. What we're suggesting for an area here, for this particular area, is a global piece. Again, keeping

in mind that people come from all over the world. This could be a two dimensional piece made out of metal, wood, or actually any type of hard surface material. Then, just off the main entrance, we, there's the ticket area and we have a recessed wall space. Again, showing a beautiful painting that could be designed of multi-colors, could actually be representative of a kaleidoscope design, tying back into the art concept that we are a colorful, melting pot of personalities and cultures. Then, as you move towards the event area of the Centre, we have this escalator wall space, which you can see is quite large. Here what we are suggesting is a beautiful landscape piece that could be out of mixed media. Again, could be suggesting our local landscape. Then moving on, we have corridor lounges, and these lounges are on the first floor and the second floor. I do believe this is the only existing artwork in the building. What we're suggesting for this area is to share a glimpse of our history. We could show old images of buildings and landscape scenes from our past. Here we have another corridor lounge, which is just off of the ballroom. Again, nice wall space on both sides of the seating. What we're suggesting for this area would be landmarks, current landmarks of Evansville. Then we have the north and south atrium, and this is the area that's west of the building. What we're proposing in this area, which is two stories, you can see this space from below and above. Again, a hanging piece of sculpture. This could signify the fact that we have some new buildings that are being built, which is the arena and the new hotel. This piece of artwork could suggest how these buildings could work together to create a campus. Just adjacent to that we have a nice spans of wall space, and a suggestion for this area would be to consider an art gallery that could be juried exhibitions and offer regional artists an opportunity to have changing exhibitions. These works could also be for sale, so visitors who would be visiting the complex could have that opportunity. This completes the presentation. Just a brief summary, I think that in doing, considering original art for the Centre, we would have the opportunity to boost the city's image, reflect our diverse culture, give strength and beauty to the space, and hopefully attract more visitors and leave a lasting and memorable impression. So, that completes the presentation, and thank you again. Does anybody have any questions?

President Melcher: Do you have any?

Commissioner Tornatta: Thank you for your time.

Chris Jackson: Okay, thank you very much.

Commissioner Winnecke: My question is probably best suited for David. David, how would you envision sort of moving forward with this proposal, and time line, and approval of different creative works, etcetera?

Dave Rector: As we're all aware, unfortunately, we don't have the financial ability that we've had in years past in doing some things at the Centre that would enhance it. I do think, as you see the before and afters here, how much it can change and bring something to the Centre. I would suggest, if we move forward, we do it in a phased approach, and kind of take a look at this year's CIP and how this may or may not fit into that, and maybe start phasing it in over the coming years.

Commissioner Winnecke: Is there an estimate on what the cost would be if we wanted to fully implement what has been proposed?

Dave Rector: If it was fully implemented, I think Chris did put in some budgetary figures. Keep in mind, the presentation proposed systems and design and art, and

if we wanted to pursue, she would work with you and try to really pick that piece that you think is going to be something to feature in the Centre, and do what you're wanting it to do. So, I had asked for her to just to put some budget numbers together for you to give an idea of what you might be able to do in which area.

Commissioner Winnecke: Okay, I didn't see that. I'm sorry.

Dave Rector: Oh, that's alright. I'll be coming to you soon, in the next couple of weeks with this year's CIP, an obviously much scaled back from previous years. I will chat with each of you and see how you might to move forward with this, and we'll include that if you do.

Commissioner Winnecke: I would just tell you, I mean, I like, conceptually, I like the idea. I mean, it's a great facility, and clearly there are some things missing visually. So, I mean, I'm pleased that we're looking at this.

President Melcher: I think you did a great job too. I think, this is something I think we need to move forward on something, it's just a matter of how we fund it, and where we get it. As far as bringing in art, I think that's a great idea to have some art there where people could purchase it if they want to.

Dave Rector: Thank you, gentlemen.

President Melcher: Thank you very much.

Chris Jackson: Thank you very much.

President Melcher: And thank you, Dave.

Dave Rector: You bet.

Southern Indiana Classic Marathon Update

President Melcher: Next we have the Southern Indiana Classic Marathon and Half Marathon. Is Jill here?

Jill Gehlhausen: Hi, I'm Jill Gehlhausen. I'm race director for the Southern Indiana Classic Marathon and Half Marathon. For those of you at home, I just want to let you know that this is the first Boston qualifier marathon Evansville has ever had. Well, southern Indiana has ever had. We're very excited because at this point, well, first of all the date is April 11th, and it's at the beautiful Vanderburgh County 4-H Center. The course runs through northwestern Vanderburgh County, and it goes all the way up to I-64 and then comes back. The website for this is www.sicmarathon.com. At this point we have almost 1,000 people registered, including the comp entries for the sponsors, and we're still over five weeks out. At this point, over 40 percent are tourists. So, what this is doing for our economy is just so exciting. We have 15 host hotels. It's, the support from the community has just been amazing. We have an all you can eat after party that all proceeds from that also go to the American Diabetes Association, in addition to what proceeds are made from the event. We have had such an outpouring of sponsors that it looks like we're going to be able to give a very large donation to the American Diabetes Association. That will stay in the Evansville area. So, we're really excited about it. The community is invited to come to the after party, and that will be two dollars a person for the community to enjoy the all you can

eat food, and the live entertainment that we'll have all day long, from 8:00 a.m. to 3:00 p.m. So, this is really shaping up to be an exciting event. We have 13 board members that formed a non-profit, and this non-profit is going to choose a different charity then each year to give the proceeds to. That's kind of the background of what this is. This is our third time here, and the last time we were here you asked us to come to an agreement on the cost of security to the Vanderburgh County Sheriff's Office on that day. We've met, I believe seven times with the Sheriff's Office, and we have come to an agreement on the cost. The cost for that is going to be \$14,039.71, at the most. Now this involves 38 deputies on race day to be available nine hours each. This is the most it will be. So, for instance, if they decide that it is looking like security is more than covered, and they decide to let some of the folks go home early, then what we are, have agreed upon is that we will pay what the exact bill is for the cost of that security. So, the salaries for those folks. So, I just want to let you know that we have agreed upon that cost. We believe it's fair, and we want it to be the most secure event that we can do. It's shaping up to be a very large event. With registration at 1,000 at this point, we can pretty much be sure that we're going to have more than 3,000. So, that, and then if you, we look at having about two persons come to the after party as fans per participant. So, right there you are looking at 9,000 people, and that's if we have our minimum that we expect. So, we really need to have a very secure event. We already have over 1,200 volunteers lined up. We've had some great support from some of the area schools, some of the political parties and different entities, so it's really added up to a lot of volunteers. So, we need security for that too. So, we just really agree with that amount. I do want to ask a couple of requests, if I may?

President Melcher: Go ahead.

Jill Gehlhausen: Is that okay? Okay, well, first of all we want to know if we need to name the Vanderburgh County Sheriff's Office as additional insured? We already have Vanderburgh County named.

Ted C. Ziemer, Jr.: That's sufficient.

Jill Gehlhausen: Okay, great. The second thing is that we would like to post signage along the roads ahead of time to allow....because this is a first year event, allow folks to know that these roads will be closed on this date, some different times.

Ted C. Ziemer, Jr.: I don't know.

Commissioner Tornatta: Are any of them going to be State roads, that you know of?

Jill Gehlhausen: No. None.

Commissioner Tornatta: They will all be county?

Jill Gehlhausen: Yes.

Commissioner Tornatta: Okay, I have no problem with it. As long as the signs are picked up.

Jill Gehlhausen: Okay.

Commissioner Winnecke: I don't have a problem with it either. I think in one of our initial meetings, one of us, or all of us expressed concern that the organization would

communicate with residents, in some fashion before that, so that they're just not seeing the signs a week before.

Jill Gehlhausen: Sure.

Commissioner Winnecke: But, I'm fine with the signage as a reminder.

Jill Gehlhausen: Okay, great.

Commissioner Winnecke: As long as they're not, you know, in the right-of-way, blocking right-of-way.

Jill Gehlhausen: Okay.

Commissioner Winnecke: So, it doesn't create safety hazards.

Jill Gehlhausen: Then on...oh, I'm sorry.

President Melcher: And when people are pulling in and out of their driveways and that they've got to be able to see.

Jill Gehlhausen: Right. In regards to your comment about notifying the residents of the course. We have identified over 600 addresses. We had a campaign last weekend where the addresses that we actually were going to place like a water station in front of their house, or possibly a restroom facility in their area, that we would request permission. If they weren't okay with that, then we would take it somewhere else. So, that campaign went out to a little over 60 residences, and that was hand delivered. So, we got face to face permission. If they weren't there we left a note on their door about what we were asking for, a letter, and then we are going to make a phone call for those places to get permission first. Then, a letter campaign is going out to every single address. We also believe that we're either in the process or we have permission to use those signs that are along the major highways that say, like INDOT warnings about road closings and things like that on the day of. So, that looks like it's going through, through Lieutenant Preston, I believe is coordinating that. Can you think of anything else about notifying them?

Lee Rudisill: We're also sending out the letters to all the people that may be affected. They may not be actually on the course, or landlocked by the course, but they will be, they can't travel one direction coming out of their driveway. Those people will be notified as well.

Madelyn Grayson: Would you please state your name for the record?

Lee Rudisill: Lee Rudisill.

Jill Gehlhausen: We also attended the neighborhood associations meeting, and so we spoke to all of the neighborhood associations last Thursday. We also attended the volunteer fire department meeting, including all of the folks from all of the fire departments at the same time and spoke to them about it. So, we're really trying to blanket the community with awareness. So far I've had just such a positive response about it. So, we're trying to really make sure that, hopefully, as many folks know as possible about this major road closings. The last thing, the second thing that I want to ask is, we have some vehicles that we would like to use on race day for safety and security. Two different kinds of vehicles that are not typically allowed on the roads.

One is a Mule, and the other type of vehicle is a Japanese truck, which is a smaller truck that is not typically allowed on the roads. So, we wanted to find out if for that day, because both of these vehicles go slower than the typical car. If we could use those for first aid, our course monitors, and then our medical team to use these 20 vehicles.

Ted C. Ziemer, Jr.: I'm not sure what kind of vehicles you're talking about. Did you talk to the Sheriff about those vehicles?

Lee Rudisill: We have talked to Major Molden. He is aware of what they are. We've not really had any negative thoughts on those.

Ted C. Ziemer, Jr.: It's just under Indiana law only certain vehicles are allowed on public roadways. The Commissioners don't have the right to vary what Indiana law is in that regard.

Jill Gehlhausen: This would be only when the road is closed. So, it wouldn't be with traffic. Also, it is typical like for other large endurance races in this area to have some sort of ATV type of vehicle for their first aid, because you don't want a large car on the road with participants. So, this is like a smaller vehicle that can take up less than half the size of the road, but yet still transport a victim that may need first aid but not yet an ambulance.

Ted C. Ziemer, Jr.: If they're only going to be on roads that are closed, I would want you to get explicit permission from the Sheriff's Office to operate those vehicles.

Jill Gehlhausen: Okay.

Ted C. Ziemer, Jr.: I'm sure the Sheriff will cooperate, but we would like to have a record of what you're going to be using, what kind of vehicles they are, and your assurance that they would only be on closed roadways, no public, where public traffic is passing.

Jill Gehlhausen: Would you be okay with us doing it via e-mail, sending it to you electronically that we have this approval?

Ted C. Ziemer, Jr.: Sending it to who?

Jill Gehlhausen: To the County Commissioners.

Ted C. Ziemer, Jr.: Sure, you can do that, but really I would like to have the Sheriff contact us after talking to you and say that they agree that these vehicles are going to be used. Sheriff?

Eric Williams: Sheriff Eric Williams. First, let me start off by saying that the group that's organizing this event has been very cooperative, and the Sheriff's Office is excited about it. We think it's going to be a huge opportunity for our community to shine once again and do something that's a little out of the ordinary that we haven't seen. I've prepared an estimate for the cost that we talked about initially. Those are what we believe are the most realistic estimates of the costs that the county is going to put out to make this happen. We've talked to them that this is by no means an opportunity to make money for the County or for the Sheriff's Office, that we just want to make sure that the costs of being there and adequately securing it is going to be covered. I can provide that to you if you would like it. As for their vehicles,

these will be typical emergency response vehicles that you would see at any kind of disaster situation, or something like that. We will coordinate with them and make sure that they are properly checked in, they're properly equipped, and that they stay within the confines of the course during the course time. Much as we will probably have some of our standard non-standard vehicles and equipment out there that day to make sure that we can secure the course. I don't think it's an unusual request, but we will make sure that they coordinate that through us.

Ted C. Ziemer, Jr.: Good. Thank you.

Eric Williams: If you would like, I will bring you this just so you have it. Do you want one?

Ted C. Ziemer, Jr.: Sure.

Eric Williams: Just so you can tell how we...through the course of the meetings we have determined what we think is the most adequate coverage to make sure we have all of the key intersections covered and blocked with somebody from my office there with a piece of equipment. You can see that the numbers and what they're based on. The salaries are based on the average between the maximum and the average, basically because that will tend to be the people that are going to be working there that day. We've also included the cost of having one full time dispatcher dedicated to this event at Central Dispatch, so that cost is reflective in there. You can see the cost of the security of the event afterwards, and you can see the cost of the fuel that we expect to use during that, based on our current rates for fuel and our consumption rate. That's how we arrived at that number. We've not done an event like this before either, so this was our best estimate.

Commissioner Winnecke: What are sort of the mechanics of...would the county be reimbursed by the organization?

Eric Williams: What I was hoping would happen, I will take care of this out of my existing budgets and my overtime budgets, and then we would have an agreement that we would work out between us not to exceed this amount. As soon as we submit our invoice to them immediately after the event, when we know the actual numbers, that they would write a check back to Vanderburgh County. I think what would generally happen is we would quietus that back into the General Fund, and if we need to recover those costs to do other things that we could put it into our account. We generally do not quietus money directly into our overtime account, but really that's a question for the Auditor to answer.

Commissioner Winnecke: Right.

Bill Fluty: So you plan to do this through payroll?

Eric Williams: It's going to be in overtime. It's going to be as overtime.

Bill Fluty: And you've figured their FICA and their other benefits within this?

Eric Williams: Yes, I should have handed it to you. You're the numbers guy. This benefit includes FICA and all numbers included (Inaudible).

Bill Fluty: Okay.

Eric Williams: We got all of those from your office.

Commissioner Winnecke: My last question is do we need a formal, written agreement between the county and the organizing committee to commit to the reimbursement level? Ted?

Ted C. Ziemer, Jr.: I'm sorry. I was opening bids.

Commissioner Winnecke: That's okay. Do we need a written agreement between the county and the organizing group on the reimbursement amount?

Ted C. Ziemer, Jr.: Yes, I think so. If you would contact me, do you want to write down my phone number?

Jill Gehlhausen: Sure. Absolutely.

Ted C. Ziemer, Jr.: It's Ted Ziemer, Z-i-e-m-e-r, 424-7575. If you can give me a call tomorrow, give me the details, I'll work up an agreement.

President Melcher: Okay, anything else?

Commissioner Tornatta: At that point we would just want the President to sign it?

Commissioner Winnecke: I think so. We're going to approve it tonight, right?

Commissioner Tornatta: Yeah.

President Melcher: Yeah, we could approve it tonight. As long as, Eric, as long as you feel comfortable with it. We had this discussion earlier and you said you did.

Eric Williams: At this point in time we've worked everything out. We think it's going to be a good event. We think we'll be able to handle it. Should something change or, I will report back to you and let you know that my opinion has changed, but at this time I don't see any reason why it can't move forward.

President Melcher: Okay.

Commissioner Tornatta: Alright, I would like to make a motion then for the 2010 marathon Sheriff cost estimates of \$14,031.79, not to exceed, and that's 38 deputies at nine hours each.

President Melcher: And the closing of the roads?

Commissioner Winnecke: The approval of the route.

President Melcher: Yeah, approval of the route.

Commissioner Tornatta: With the approval of the route.

Commissioner Winnecke: I would second that.

President Melcher: We have a first and second. Any further discussion? Does anybody in the audience have any questions? Madelyn, will you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: So, it passes. Good luck.

Commissioner Tornatta: Jill?

President Melcher: Make sure to get with....be sure to get with Ted on that contract.

Jill Gehlhausen: Sure.

Ted C. Ziemer, Jr.: Good.

Commissioner Tornatta: I just wanted to say thanks to you and your staff. I mean, I can't imagine trying to coordinate 3,000 people on a marathon of 26.2 miles.

Commissioner Winnecke: But, Troy will be out there running.

Commissioner Tornatta: That's right, I won't.

Jill Gehlhausen: That's right. We have a (Inaudible) for you.

Commissioner Tornatta: I'll be out in one of those little carts, maybe.

Jill Gehlhausen: You will be our celebrity announcer at the end. I do have one more thing, if you don't mind?

Commissioner Tornatta: Go ahead.

President Melcher: Go ahead.

Jill Gehlhausen: Okay. Obviously, we've been very supported by the community. So, we feel that budget wise we are, we are not worried one bit. However, this is a very outstanding cost for security, and please know that we're going to have the event, and we are going to pay the cost no matter what. We wanted to at least ask, because we felt like it wouldn't be right for us not to, for the charity that we're giving the proceeds to, that if there is any way for the county to help with any portion of this amount of the cost. We will pay it no matter what, but I just, I don't really know how that works or if there is a way to get part of it possibly covered by the county? But, if there is a way, would you consider that?

Commissioner Winnecke: I would not.

President Melcher: I think when you stated that you were comfortable with it and everything was okay, we voted on it, that's it.

Jill Gehlhausen: Okay.

Commissioner Tornatta: Obviously, this has a little bit to do with those that have come before you and asked for similar things. I would venture to say that the Sheriff has cut all corners to try and make your side as lean as possible.

Jill Gehlhausen: Sure.

Commissioner Tornatta: I know that he's done that in the past, and, obviously, this is something that we work to try and bring into town when it comes and we want to support you and do all of those things—

Jill Gehlhausen: Okay.

Commissioner Tornatta: —and try and provide services for our attorney to draw up the agreements and what not—

Jill Gehlhausen: Okay.

Commissioner Tornatta: —those types of things we're able to help you with. As far as the reimbursement for those taxpayers it gets a little shaky.

Jill Gehlhausen: Sure. Absolutely.

Commissioner Tornatta: Not trying to shun your group. We, as I said, we appreciate what you do, what you brought to the community, we're excited that we are going to have a Boston qualifier come out of the mix, hopefully. So, we do appreciate that.

Jill Gehlhausen: Well, I just thank you for allowing me to ask. We wouldn't be so well sponsored if we were afraid to ask. So, it is for a great charity, and we would just like to get—

Commissioner Tornatta: Obviously you're not afraid to ask.

Jill Gehlhausen: Oh, yeah. So, thank you for at least hearing me. We will take care of the cost. So, thank you very much.

Commissioner Tornatta: Thank you.

President Melcher: Good luck.

<p>First Reading of Ordinance CO.03-10-004: Amending Ch. 17.24: Off Street Parking and Loading</p>

President Melcher: Next we have the first reading of CO.03-10-004, an ordinance amending chapter 17.24 entitled off street parking and loading. The Area Plan has already approved this ordinance at their meeting on February 11, 2010. Is there a motion to approve?

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Is there any discussion? Anybody from the audience? Madelyn, would you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

<p>First Reading of Ordinance CO.03-10-005: Amending Ch. 2.22: Board of Directors of Central Dispatch</p>
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President Melcher: Next we have the first reading of CO.03-10-005, an ordinance to amend the Central Dispatch Board ordinance to add the Director of Emergency Management as a board member.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**First Reading of Ordinance CO.03-10-006:
Amending Ch. 2.68: Commission on Domestic & Sexual Violence**

President Melcher: Next we have the first reading of CO.03-10-006, an ordinance amending the ordinance regarding Domestic and Sexual Violence Board. This is going to amend it to be aligned with the city ordinance.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any discussion?

Commissioner Tornatta: Sue, do you have anything? I know you've been trying to get this going for awhile.

Sue Hartig: No.

Commissioner Tornatta: Okay.

President Melcher: Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Sue Hartig: Thank you.

Commissioner Tornatta: You're welcome.

**First Reading of Ordinance CO.03-10-007:
Amending Ch. 2.18: Emergency Management Agency**

President Melcher: First reading of CO.03-10-007, an ordinance to amend chapter 2.18 regarding Emergency Management due to changes in the Indiana code. This ordinance has been amended to reflect the changes in the Indiana code.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: A first and a second. Any discussion?

Commissioner Tornatta: Getting jumpy.

President Melcher: Anybody from the audience? Seeing none. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: We've got done with all of the first readings.

<p>Permission to Advertise Notice of Public Hearing: CO.V-03-10-001: Vacation of 608 Jobs Lane</p>

President Melcher: Next is the County Auditor, permission to advertise notice of public hearing for 3/16/2010 for a vacation of 608 Jobs Lane. The petitioner is Mary Yearwood. I need a motion.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anyone from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you.

Permission to Award Bid for Various Pipe Materials

President Melcher: The Cooperative Purchasing Organization. The first one is going to be permission to bid, to award the bid for various pipe materials. The next one is going to be notification of office supply vendor changes to Staples. Mr. Harris, you are here to—

Jim Harris: Good evening.

President Melcher: Good evening.

Jim Harris: My name is Jim Harris. I'm the Chief Operating Officer for the Evansville-Vanderburgh School Corp. Under that I'm also the Director of the Cooperative Purchasing Organization, the joint purchasing group formed for the School Corporation, the city and county, and not-for-profits. Under that, tonight I seek your permission to award bids to the four bidders of the various pipe materials for the city and county. They would be Sherman Dix, CPI Supply, St. Regis, and Ferguson Waterworks. Any questions? Actually, all four bidders are getting one piece of that bid, because they are the low bidder.

Commissioner Tornatta: Okay. So, can you tell me how you came to finding, or what pieces—

Jim Harris: Well, because of the uniqueness of each location, we decided to go with all four in various locations.

Commissioner Tornatta: Okay.

Jim Harris: So, instead of going with one where maybe there's a higher cost somewhere else, we looked at each job as unique and awarded it on that bid.

President Melcher: I don't disagree with that, but then I was also thinking, because I've done a lot of purchasing in my life, if two companies and we're going to award it to four, and you just said what I didn't think you was going to say, you are awarding parts of it to different ones. If one of them is out of it for six months and we need it for Highway, can we get it from the other one?

Jim Harris: Well, they are different locations. It's all broken down. The package was broken down in such a way where it could be awarded to more than one bidder.

President Melcher: What do you mean by different locations?

Jim Harris: I believe you have it in front of you, on there, the different types of piping—

President Melcher: No, I understand that.

Jim Harris: Okay.

President Melcher: But, I'm talking about like right here, our Highway Garage, if they need a drain outlet and you've awarded it to "A" company, and "A" company can't get it for six months, but it's going to hold up paving, we can't buy it from anybody else?

Jim Harris: Well, that's part of the specs. They will provide the material. Am I making sense here?

President Melcher: Okay, what about freight, was all of that included too? Because some companies deliver freight, you know, free even though their prices are a little higher, some a little lower.

Jim Harris: Everything is within the bid specs. I don't have that in front of me. The RFP in front of me, but based off of the price, what we do is everything is included in that price. There is no deviation from that. So, one side can't charge us an extra cost where one doesn't.

President Melcher: Okay. I'll just let some other people ask questions then.

Commissioner Tornatta: Well, I guess, along those same lines, I don't really care who we went with, and I told Debbie when she was here earlier that I would almost rather go with several companies, but have that opportunity to buy from those companies when they had the product there, and when it was available, assuming that there were no shipping costs. I did think that there were some shipping costs if they didn't have anything in hand. So, did we look at the criteria of those shipping costs in the lowest price? I don't know which one is the lowest price, but I'm just...in those that are the lowest price did we look at those criteria?

Jim Harris: I know Ms. Spalding determined who was going to win that bid. So, her criteria was always the lowest price and the best service. Now, I am totally unaware of which one is going to charge a fee, but, generally that's worked into the price also.

Commissioner Tornatta: The only reason I think we're, you know, I know, I've had experience with this is because in the past we've run into just this issue. So, we're trying to get the lowest price bidder, who might have been lowest price in other counties, everyone is going for the same piece of pipe, they don't have it made up, they're not going to have it made up for a period of time, so we have to go outside to get that, or we delay a project. I don't want to see us delaying a project—

Jim Harris: Yeah.

Commissioner Tornatta: —because we can't roll over to another bidder.

Jim Harris: Well, we have the bid prices in front of us, and generally if that supplier cannot supply it, that voids our agreement.

President Melcher: Alright, so it voids the agreement, then what do we do for it?

Jim Harris: It allows us to go to the next bidder, the next lowest cost.

President Melcher: Okay. That makes sense, because that's not what I thought I was hearing you say.

Jim Harris: Well, she initially awarded, would like to award it to the lowest bidder, but if that bidder can't fulfill the agreement, then we have the next one in line.

President Melcher: And she took the cost of freight and everything into the lowest bidder?

Jim Harris: It should take into account, yes, because if not, they're not the lowest bidder.

President Melcher: Okay.

Commissioner Tornatta: Have we answered all the questions, or do we need to review this? I mean, I'm, I don't know how close we are to having to use this, any of these bidders right now, but, I mean, I would like to know that before we—

Commissioner Winnecke: John and Chris are here.

Commissioner Tornatta: —jump into it. Chris? Or John, either one.

President Melcher: It don't matter. The first one up.

Chris Walsh: I would like to take a little time to look at...this is the first I've really heard of it. I don't know, in his particular case, in my case, a lot of times we open a road up and I won't know until I have the hole opened up exactly what I need, and when I need it, I need it right then.

Commissioner Tornatta: Right.

Chris Walsh: So, I would be interested to look at all of this.

Commissioner Tornatta: I mean, you can wait two weeks?

Chris Walsh: I can't, no. I mean, if I open up—

Commissioner Tornatta: No, no, you can wait two weeks to get this, to qualify this information, the bids? That's what I'm saying. I mean, if we don't pass this tonight, you'll wait two weeks to qualify these bids. Okay?

John Stoll: We don't have any pending projects that we couldn't wait on either. One thing that I would add in there that, in going over the bids with Debbie, there were various escalator/de-escalator type clauses in there that, I believe, it was St. Regis Pipe actually had an escalator clause that could change monthly. So, when you compared the pipe, they were lower than CPI on a lot of pipes based on the prices that were shown in the bid itself, but depending on when the pipe might be ordered, would then dictate what the price would be on that given month, if there was an escalator charge on top of it. Some of the pipes, materials and diameters did have shipping included, some of those specifically did not. So, there's a bunch of different variables that have to be taken into consideration when a pipe order is made just to make sure that you are getting the pipe ordered from the lowest priced bidder.

Commissioner Tornatta: Okay. And, so, have you looked at those different areas? Or, has Chris looked at those different areas in escalators and what not to see how they are going to affect how he does business? Has he been able to look at that?

John Stoll: If I remember correctly, St. Regis had one—

Commissioner Tornatta: Well, let's, let's say this, let's don't use names, because I don't want to get confused with names.

John Stoll: Okay.

Commissioner Tornatta: I just want to talk about, you know, one individual up against another individual, or one company versus another and making sure that we're doing this in a business model that we use today, and not going the lowest price that is going to end up, at the end of the day, being the highest price.

John Stoll: That's where the burden will be on whoever orders the pipe and when they order it, because the way I interpreted the bid you would have to look at the escalator clause on how it was written and whether it changed monthly or not. Then figure out what their pipe price would be at the date of order and then compare it to whatever the other vendor might have supplied, because some vendors had escalator clauses, others did not. So, as of the day of the review, vendor "A" might have been the lowest price, but if you order the pipe in August, vendor "B" may be the lowest price. So, it puts the burden back on whatever city or county agency is actually ordering the pipe and when they order it to check to make sure that they are getting the best price.

Commissioner Tornatta: Ted?

Ted C. Ziemer, Jr.: I would just like to suggest, if you're going to review these, that you do it with Debbie, because she is extremely familiar with the specifications, and with the bids. She knows how she recommended these various awards. I just think it would be helpful to you, if you don't try to maybe reinvent that wheel, but sit down with her and understand how she did that. Then you can have whatever input you like, and then in two weeks we could come back with either the same recommendation or a different one, if that's the case.

Commissioner Tornatta: I would be comfortable with that.

President Melcher: Has the city already passed something like this, or is this just county?

Jim Harris: Just the county.

President Melcher: I would feel more comfortable with coming back, because the e-mails that I got I thought we were going to bid it to all so we would be able to get the best price at any time. I know freight is a killer sometimes. So, I wouldn't mind holding this two weeks either.

Commissioner Winnecke: Mr. President, I would make a motion that we take these bids under advisement until our March 16th meeting.

Commissioner Tornatta: Second.

President Melcher: A first and a second. Any further discussion? Anybody from the audience? Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: So, we'll just hold these for two weeks then bring them back.

<p style="text-align: center;">Cooperative Purchasing Organization (CPO): Notification of Office Supplies Vendor Change to Staples</p>

President Melcher: The next one is notification of office supplies for changing to Staples.

Jim Harris: Yes, due to the growth of the CPO, I'm requesting that we change our preferred vendor from Office Depot to Staples. Staples is more in line with the city and county ideal working with MBE's/WBE's, green products. They've also offered other office support and analysis that we're allowed to forecast and get better pricing. We've saved about 25 percent off of last year's cost, and next year we can do even better. We just need a larger partner. Currently we're almost up to 80 members of the CPO. We've even pulled in the New Harmony School District. So, we're growing quite quickly and we need more support, and Staples has offered that at no charge.

President Melcher: Okay. Any questions?

Commissioner Winnecke: Jim, just a question, and this is edification on my part, to what extent, if any, can more local outfits be used such as maybe an Aldstadt Office Supply, or others like that?

Jim Harris: I'm glad you asked. Staples also has a program working with local vendors. So, they're more, their fit is more to what we're looking to do. We can work with local vendors, we can work with MBE's, we can work with green products, natural products, and also locals. We don't exclude the locals. We still purchase items like furniture, file cabinets, it's our bulk stuff that, you know, paper. We use a local vendor for paper, but, you know, pens and boxes of tissues and things. Where that, you know, with 80 members we go through a lot of toilet tissue. We go through a lot of copy paper, but on some of the unique items we always shop local first.

Commissioner Winnecke: Thank you.

President Melcher: Any questions?

Commissioner Tornatta: Motion to change the office supplies vendor to Staples.

Commissioner Winnecke: Second.

President Melcher: I have a first and a second. Any further discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Jim Harris: There is one other thing. I know two of you like to dance.

President Melcher: That has to be on each side.

Jim Harris: I was at a meeting the other day for a certain St. Vincent's Day Care, and I'm doing a Viennese Waltz this year.

Commissioner Tornatta: That's good.

Jim Harris: I would like to know if the two, and the winner from last year would like to come back and challenge me?

Commissioner Tornatta: I think that's a challenge to the winner of last year's dancing contest.

Jim Harris: And then the runner up.

Commissioner Winnecke: Sure.

Jim Harris: Okay. See you then.

Commissioner Winnecke: We'll work that out on the side.

Jim Harris: Thank you.

Commissioner Winnecke: Thank you, Jim.

Commissioner Tornatta: Alright.

Prosecutor: Drug & Crime Control Certified Assurances
Prosecutor: 2009 Equitable Sharing Agreements
Auditor: 2010 United Healthcare/Spectera Renewal Agreement
Co-Op Extension: Business Equipment Dist. Maintenance Agreement
County Clerk: ES&S Software Agreement
OCH Lease Agreement: Environmental and Safety Solutions
OCH Lease Agreement: Phoenix of Evansville
Contracts with VPS: OCH Superior Courtroom Renovations
EMA: Homeland Security Sub-Grant Agreement
Health Dept: STD Grant Agreement
Health Dept: R&R Hauling Trash & Debris Removal Agreement

President Melcher: Next we have contracts, agreements and leases. The first one is the Prosecutor, the drug and crime control certificate of assurances and special provisions for the Superior Drug Court. This is a general set of assurances that must be agreed by the applicant for the ICJI grants. While the Prosecutor's office completes those applications, they are in the name of the county on behalf of the Prosecutor. The Prosecutor is responsible for meeting the requirements for assurances of those grants on behalf of the county.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Any from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have the annual equitable sharing agreement certifications for the Drug Task Force. It provides a report of the status of forfeit funds received by the Prosecutor's office that are allocated to the Drug Task Force. The agreement is for the calendar year 2009.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Audience, anybody? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have another annual sharing agreement for certifications of the Prosecutor's office to provide a report of the status of forfeiture funds received by the Prosecutor's office that are allocated to the Prosecutor's office. I got tongue tied there. The agreement is for the calendar year 2009.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? From the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: County Auditor 2010 Spectera Vision agreement. The rates of the 2010 contract year are in every respect the same for 2009.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: A first and a second. Any discussion? Any from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Purdue Co-Op Extension Service agreement with the Business Equipment Distributors, Inc. for equipment maintenance. This agreement is identical to the one for the period of 1/29/09 to 2/1/2010 and is for the period from 1/30/10 to 2/1/11.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Any from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: This is County Clerk, it's an ES&S agreement for software for Vanderburgh County elections. An agreement for the software licensing and maintenance for the Vanderburgh County elections.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Any from the audience? Seeing none, Madelyn?

Commissioner Tornatta: It's your turn.

Madelyn Grayson: Me? Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Okay, this is under Commissioners, the Old Courthouse lease agreement with Environmental and Safety Solutions, Inc. for office space in suite 106. The lease agreement in suite 106 in the Old Courthouse to the Environmental and Safety Solutions for a term of three years at \$500 a month.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is another renewal lease agreement with Phoenix of Evansville for office space. The prior lease was in 2009 for rent of \$810.61. Prior to December 31, 2009, the tenant advises the Commissioners office that the company could no longer pay that monthly rate. I think we've seen some e-mails on that. He would not renew his lease, but the advice from Lisa Daughtery was sought, regard and advises the lowest monthly rent that will work economically for the county at \$714 per month for at the reduced rent.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: AIA contract with VPS Architectural for an Old Courthouse Superior Courtroom renovation. The standard AIA agreement with VPS on the Superior Courtroom.

Commissioner Winnecke: Mr. President, I would move approval. I see that Mr. Shoulders is here, and Mr. Au. It might be interesting for them to come forward and bring us up to speed on that project. It could generate a lot of community interest, I believe.

President Melcher: Okay, and you made that in a motion?

Commissioner Winnecke: I did.

Commissioner Tornatta: Second.

President Melcher: Okay, we have a first and a second. Now, we can have some discussion. Ted, did you want to say something?

Ted C. Ziemer, Jr.: Yeah, while they're coming forward, we did ask that we be provided with the letter from the Foundation indicating that they had funds in excess of \$50,000 with which to make this payment, and are willing to use their funds for that purpose. I haven't seen anything, but, I guess, it's forthcoming.

Dennis Au: I'm Dennis Au from the Old Courthouse Foundation. That letter will be produced and brought to you.

Ted C. Ziemer, Jr.: Okay. I mean, and you're telling us you do....I know you have funds in excess of \$50,000. You've got \$300,000 probably.

Dennis Au: We do have the funds, and a letter confirming that will be delivered to you.

Ted C. Ziemer, Jr.: Good, thank you.

Commissioner Winnecke: I just thought it might be interesting for folks to hear what the plans for the room are, and what the time line is, etcetera.

Dennis Au: This project is being funded by the Evansville Bar Association, as a part of their centennial celebration in 2011. They are taking on one of the biggest and most exciting renovation projects in the Old Courthouse. They are going to restore the Superior Courtroom and the vestibule just outside. It's going to be a beautiful facility. In fact, it will be restored so it could be used for many ceremonial functions for the county and the courts. It, and, again as the, as a representative of the Old Courthouse Foundation, we're excited because we've been trying to promote private interest and other interests in restoring the Old Courthouse. I know the county has been very good in restoring the roof and other things, but we feel there's enough community interest in a project such as this. We're all excited. It's going to be one of the real bright spots for the county, I think, after this is done. It will be back to it's late 19th century splendor.

Ted C. Ziemer, Jr.: Just another example of what wonderful people lawyers are.

Dennis Au: I think this is a check mark in the good box.

Commissioner Tornatta: Okay. No.

President Melcher: I can't believe that. Anything else?

Commissioner Winnecke: No, that's fine. Thank you, Dennis. Mike, anything you would like to add?

Mike Shoulders: Just pleased to be a part of this effort. It's high visibility and very important for that building. So, thank you tonight for considering this project.

Commissioner Winnecke: Thanks, Mike.

Commissioner Tornatta: Thank you.

President Melcher: Any further discussion? Any from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next on the agenda is the EMA, the 2009 Homeland Security Sub-Grant agreement with EDS-C44P-0238-A. The grant is in the amount of \$679,898. It runs from the date of the execution by all parties to July 31, 2012. It's the purpose of funding a fully equipped mass casualty trailer, a medical shelter system, and a district administrative coordinator. Sherman Greer and Emergency Management Department will be in charge of complying with the rules of the grant and keeping all of the records.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the Health Department, grant agreement to the Health Department grant agreement EDS-A70-0-112150. The grant agreement is wished to provide the salary and travel expenses for a disease intervention specialist to perform services involving the clients of the Health Department. The grant is for \$75,000 and the Health Department will be responsible for it.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Agreement with R&R Hauling, Incorporated to provide the trash and debris pick up for the Health Department. This agreement is entered into between the county on behalf of the Health Department for the R&R, and the R&R to provide trash and debris pick up for the Health Department.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Attorney

President Melcher: Department head reports. We'll start with the County Attorney on the Vanderburgh County agreements to reimburse utilities in connection with the University Parkway project.

Ted C. Ziemer, Jr.: I didn't follow the last thing that you said.

President Melcher: The Vanderburgh County agreements to reimburse utilities.

Ted C. Ziemer, Jr.: Oh, alright, fine, the utilities, alright, thank you. That's actually going to be done by the County Engineer. It's an item that got on the agenda late this afternoon. We have three contracts to be entered into between the county and one with Vectren Gas Distribution, one with Vectren Electric, and one with Countrymark for reimbursement of the costs of certain installations to be made by them in connection with the University Parkway improvements. Then, after the county has made these reimbursements to the utilities, under these agreements the county will be reimbursed 80 percent of that cost by INDOT. So, we believe the agreements are satisfactory for execution from a legal perspective. I will point out that one of them, that is the agreement for Vectren Gas Distribution doesn't have the precise amount written in the agreement yet, but we're assured that it will not exceed \$25,000. The exact amount will be filled in when it's available. Without doing it this way we would either have to have a special meeting of the Commissioners later this week or early next week, and we're satisfied that the amount will be under \$25,000 and recommend that you proceed.

Commissioner Tornatta: In that motion we would have Vectren Gas not to exceed \$25,000, Countrymark agreement for \$1,640, and Vectren Electric Distribution agreement for \$63,000.

Ted C. Ziemer, Jr.: That's correct.

Commissioner Tornatta: I make that in the form of a motion.

Commissioner Winnecke: Second.

President Melcher: Okay, any further discussion? From the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have an agreement between the Commissioners on behalf of the County Recorder and Phoenix. Phoenix uses the Recorder's scanner.

Ted C. Ziemer, Jr.: Right, the Recorder has a book scanner that it uses for that purpose. Phoenix is doing work under contract with the Recorder, and while they are working in the office they have requested permission to use the Recorder's book scanner to do some private scanning for their own personal, for private purposes. This will increase the fund available to the Recorder for use for other record retention purposes. So, we've prepared an agreement under which Phoenix would agree to reimburse the County Recorder five cents for every, five cents for every image scanned, \$85 for the first six months of such use to replace a lamp, and another \$85 for the second six months of such use for replacement of a lamp, plus five dollars for replacement of a fuse. Through this device the county will not be losing, certainly it will not be losing any money by making this available to Phoenix, and will be making a little money by the five cent per image charge.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Any from the audience? Madelyn?

Ted C. Ziemer, Jr.: I have the results of the—

Commissioner Tornatta: Hold on one second.

Ted C. Ziemer, Jr.: Oh, I'm sorry.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Now.

Ted C. Ziemer, Jr.: I was on a roll.

President Melcher: I know.

Ted C. Ziemer, Jr.: Okay, we have requests, we asked for, we made requests for proposals for a bridge inspection, and we received nine proposals in response to the

request, which will now be reviewed under the request for proposal statutes of the State of Indiana. They are from Beam Longest and Neff, United Consulting, RQAW Corporation, R.W. Armstrong, FEBA Consulting Engineers, Bernardin Lochmueller Associates, Jansen and Spaans, S-p-a-a-n-s, Engineering, Inc., Wessler Engineering, and DLZ Indiana, Inc.

Commissioner Tornatta: Motion to take these under advisement.

Commissioner Winnecke: Second.

President Melcher: We have a motion, first and a second. Any discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Now, is the attorney done?

Ted C. Ziemer, Jr.: He is.

President Melcher: Okay.

County Engineer

President Melcher: John? Did you want to talk? You've got a few projects up here too, if you want to—

John Stoll: First I've got a street acceptance...is the mic on? There we go. I've got a street acceptance request for Summertime Lane. This was a cul-de-sac that was constructed as part of section two of Carrie Hills Subdivision. This work has been inspected and it's recommended it be accepted for maintenance by the county.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Second, I have a change order on the Green River Road-Millersburg Road project. This is for an increase of \$35,985.04. This change order came about because the pavement section on the shoulders on Green River north of Millersburg was changed to make the pavement that matched the through lanes. That prevents us from having to totally remove the shoulders on this next phase that is being currently designed between Millersburg and Kansas. So, even though we've got an increase cost now, it saves us money in the long haul by having the thicker pavement. Now we can just widen off the shoulders instead of replacing them in the future.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: A first and a second. Any discussion? From the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then, next I have an INDOT permit application. This is for the median removal out at Foundation Drive at Highway 57 in the Vanderburgh Industrial Park. This is where an island was built in Foundation Drive to try and make all vehicles turn right in or out of the side street, but from what's been going on out there people are actually turning left regardless of the geometrics of the island. So, for safety purposes it's better if it's removed. Part of the median does lie on INDOT right-of-way, that's why we have to get the INDOT permit.

President Melcher: Okay.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: A motion, first, second. Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: John, will you get that, send that out to VIP? I guess, they're the group that heads up the VIP.

Commissioner Winnecke: Industrial Foundation.

John Stoll: I've got the contact information on the e-mail you sent me—

Commissioner Tornatta: Thank you, I couldn't think of the Industrial Foundation.

John Stoll: —a couple of months ago.

Commissioner Tornatta: I think, I don't know if it's still Bill Butterfield that's on it, but anyway if you would get that out, I would appreciate it.

John Stoll: The last item that I have is a request to go to County Council to appropriate \$120,000 to the First Avenue Bridge project. This is for the bridge rehab work that will be done on the First Avenue Bridge over Pigeon Creek. Based on the recent cost estimates that were provided by the consultant, plus the estimated construction inspection costs, it's estimated that we would be about \$120,000 short at this point. So, I need to go to Council to get the extra funding.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: I have a first and second. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have. Thanks.

President Melcher: Thank you.

Commissioner Winnecke: Thanks, John.

County Highway

President Melcher: Any other department heads have anything? Chris?

Chris Walsh: Chris Walsh, County Highway Department. I would just like, I've got two items. One, I would like to remind the public and the Commissioners that tomorrow night, Wednesday, March 3rd is the road hearings at 6:00 at the Technical Center at Lynch and 41. Then, the other item is the pothole blitz, we're in with the city this year, and we're going to be taking phone calls the week of March 29th through April 2nd, and then the actual pothole blitz itself will start on April 5-9. Obviously, if there's a pothole anytime we're going to take care of it if it needs, but the big push is through the 5th through the 9th.

President Melcher: So, we take care of potholes anyway, right?

Chris Walsh: Anytime you call.

President Melcher: Alright.

Commissioner Tornatta: Thanks, Chris.

President Melcher: Thank you.

Chris Walsh: Thank you.

Burdette Park

Steve Craig: Steve Craig, Manager of Burdette Park. I was wanting, well, I will appear before County Council tomorrow trying to receive permission to hire part time and seasonal help for this summer. One of our projects which is exciting that got started was the trail from Burdette to USI, they started moving dirt today. They cleared the land last week.

Commissioner Winnecke: Good.

Steve Craig: So, they're on schedule and maybe we'll get it done before the summer. But, it's always good to see, have dirt moving. That's all I've got.

Commissioner Tornatta: I think they did get an appropriation from the Senate, that USI is going to get their loop around, their loop path around—

Steve Craig: Where the trail is going to tie in?

Commissioner Tornatta: Uh-huh, out of some grant funds. So, it looks like we'll have everything going at once.

Steve Craig: Yeah, we've got everything in place then, all we've got to do is get it built.

Commissioner Tornatta: Yeah, I think that was a Tiger grant.

President Melcher: Okay, thank you.

Steve Craig: Thank you.

Commissioner Winnecke: Thanks, Steve.

Old Business

President Melcher: Any old business? Troy, do you want to say something about this Evansville Soccer Club?

Commissioner Tornatta: Yeah, I got, one of the things that we did last year was to have a, have a match of funds, and I think we did it up to \$5,000, and this was to look at parks in the county that needed either a spruce up or some type of additive to those parks. We were looking at taking care of those equipment needs, and in this case we did get one back. It says, "Thank you very much for the help with Moutoux Park. The westside kids deserve a better place to play soccer, and the Evansville Soccer Club is excited about both continuing to make improvements with the grounds at Moutoux, but also by providing additional coaching and organizational expertise. We hooked up the lights this fall, they had been placed in the park several years ago, but were never made operational. It would not have happened without your suggestion of contacting the IBEW. They were extremely helpful. I greatly appreciated your willingness to split the cost. I have attached a letter that was sent to the Mater Dei Booster Club and all of the invoices for the Tri-State Lighting and Supply Company. The total cost was \$3,341.82. I excluded the cost of the trencher for which I do not have a receipt, and paid that total amount personally. The Booster Club reimbursed me for half the cost, the other half, minus the trencher, is \$1,570.91. Thank you for helping to get this done. You should have seen the joy in the parents and the kids faces when they saw that they had a lighted soccer field on the westside." That was from Jim King the President of the Evansville Soccer Club. They would like to invite us out for a day once soccer starts, but very appreciative for that. So, I would like to make a motion, and we do actually have another one coming down the pipe from McCutchanville Park, but this will our first that we would donate \$1,570.91 to this park project.

Commissioner Winnecke: And I would make the second. If I recall correctly, the revenue source in this was the, an amount of roughly 480 or so thousand dollars that the DMD is holding on our behalf for projects such as this?

Commissioner Tornatta: Correct, and economic development.

Commissioner Winnecke: And economic development. Second.

President Melcher: A first and second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Any other old business?

New Business

Commissioner Winnecke: I have some new business.

President Melcher: Okay, go ahead.

Commissioner Winnecke: Mr. President, under new business, a couple of weeks ago the three of us were copied on a letter from Keith Kahre, who is the President of the Suburban Fire Chiefs Association, in which he expressed great concern about the ability of AMR, American Medical Response, to respond and keep an ambulance on the scene of working fire. As of Friday when I spoke with Mr. Kahre he had still not received a response from Mr. Key who is the General Manager of American Medical Response here in Evansville. I agree with Mr., Chief Kahre that this does appear as though it would create a safety hazard on behalf of our volunteer firefighters, as well as law enforcement who may be on the scene. I think it's appropriate that we direct the County Attorney to craft a letter to Mr. Key to respond to this, to Chief Kahre's letter and to this body. Because based on the preliminary research I've done it does appear as though they could be in breach of their contract with the county.

Commissioner Tornatta: I would second that.

President Melcher: Any further discussion? Seeing none, anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: If you don't have anything, I did forget a couple of things. One of the things that Ted reminded me of is we do have an obligation to direct DMD to how to utilize those dollars. A couple of thoughts, if we want to put those in certain accounts, or what accounts we want to put them in and what the interest in those accounts would be. What I would make a recommendation is that we actually seek bids on the amount of monies that we think we want to put out there, and, I guess, that's up for discussion if we want to put the whole thing in an account, or if we want to leave a certain amount and have two accounts. One higher interest bearing and one a secondary account. But, I would, I think we need to make a movement on that, and we should do it in this meeting.

Commissioner Winnecke: Yeah, I'm fine with that. Just with the way the market, the rates are today, obviously, interest rates are extraordinarily low, but on the other hand it seems like we would want to keep some of that money liquid—

Commissioner Tornatta: Right.

Commissioner Winnecke: —and not tie it up into long term. Do you have a suggestion on how to make the investments?

Commissioner Tornatta: Well, I would say probably keeping anywhere between \$50,000 and \$75,000 in a liquid account, and then the rest would go to a higher interest bearing account.

Commissioner Winnecke: Do you have a feel for like the term to which you would like to commit that remaining balance?

Commissioner Tornatta: Not at this time. I mean, I would have to get some financial—

Commissioner Winnecke: I guess, I would suggest a shorter time, because if we have an economic development project in this year in which we would have to spend \$50,000 to \$75,000, then the balance would be encumbered.

President Melcher: Right.

Commissioner Tornatta: And, there's no question something like that might come up. I think less likely in the short term, more likely in the long term, so we could go on a year to year situation.

Commissioner Winnecke: Why don't we solicit input from local financial institutions and have them come back to us at our next meeting.

Commissioner Tornatta: Okay.

Commissioner Winnecke: How's that?

Ted C. Ziemer, Jr.: Do you want to have the Auditor do that? You do that already, don't you for—

Bill Fluty: Yes, we do. We often look at monies that we have on hand and make different investments for six months, three months, six months, 18 months on our best estimate of what you think you'll be needing, and have them kind of rotate in, in trying to get different things. So, we have done that in the past, and would be able to advise you.

President Melcher: I would feel comfortable then if you would go ahead and do that, and come back with what you think your recommendation ought to be.

Commissioner Tornatta: Let's maybe take the whole amount, so if it's say \$400,000, and the rest of it would sit in a separate account.

Ted C. Ziemer, Jr.: Yeah, it's \$490,000, I think, right now, so.

Bill Fluty: Often the ones that we commit for whatever the suggestion, when I bring something back to you, commit for, and I would talk to the Treasurer, Rick Davis, about this, they get a better interest rate, and then what sits there would get an interest rate too, but smaller.

President Melcher: We understand that.

Commissioner Winnecke: So—

Commissioner Tornatta: And, then, I guess, the only issue I have is where does the liquid part sit?

Commissioner Winnecke: Well, he's going to recommend that to us.

Commissioner Tornatta: Oh, you're going to recommend the liquid part as well?

President Melcher: Yes.

Commissioner Tornatta: Okay, that's fine. Sure.

Bill Fluty: I think Rick and I can come up with a recommendation.

Commissioner Tornatta: Okay, I would make a recommendation that Auditor Fluty would take care of the task of that financial issue.

Bill Fluty: Along with Rick Davis, he's actually our Treasurer.

Commissioner Tornatta: Okay, and your discretion on who you want to use.

Commissioner Winnecke: Second.

Bill Fluty: Thank you.

President Melcher: We have a first and a second. Any further discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Okay, my last point, I did have conversation with the Knight Township Trustee's Office. I believe we have an issue in that the head of the office still does not have a bond. So, I've asked that there be a special meeting called of the, of those individuals out there on the board, the Trustee's Board, to address the issue with the bonding, and to get down to whether if this individual is not bonded, I'm going to ask that that individual, or recommend that that individual step aside to that group. But, we have to have those bonded people in office, and they have to be bonded. If we can't get that bond, then we need to push to do something about it. I don't know if we need to, would we need to send a letter to them pursuing that?

Ted C. Ziemer, Jr.: Sure, we can send a letter to the Knight Township Advisory Board, that's who it would go to. I think, I'm not positive, but I think there's been a couple of notices already go to the Trustee, and, so, I think a letter to the Advisory Board would be advisable.

Commissioner Tornatta: I would just like to recommend that we write a letter to the Advisory Board and essentially make a recommendation that we feel that bond is needed.

Commissioner Winnecke: And ask them for a status report?

Commissioner Tornatta: Exactly.

Commissioner Winnecke: So moved, or second.

President Melcher: Any further discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Call me about that tomorrow, Bill.

President Melcher: Troy, anything else?

Commissioner Tornatta: Sorry. That's it.

President Melcher: Alright, any new/old business? In between?

Public Comment

President Melcher: Public comment? Does anybody in the public–

Bill Jeffers: Bill Jeffers, County Surveyor. As you know I'm not, I don't hold back on my public comments, and occasionally I have concern, as you know, about county records. So, the matter that you took up regarding the County Recorder earlier caught my attention. Is that five cents per copy that will be charged to the consultant who's down there scanning records for the County Recorder, is that for digitized copies or paper copies?

Ted C. Ziemer, Jr.: I think it's....I don't know the answer. The Treasurer¹ advised our office that Phoenix, who is the company–

Bill Jeffers: Okay.

Ted C. Ziemer, Jr.: –will be scanning record books and will be charged five cents per image. They are scanning them into their laptops. So, I've got to think, Bill, that it's digital.

Bill Jeffers: Okay.

Ted C. Ziemer, Jr.: What are you thinking of, a paper charge?

Bill Jeffers: Well, from about 1981 until 2000-2004, something like that, working in the County Surveyor's office we were always able to go down to the County Recorder's office and obtain copies. At that time the only copies we could obtain were hard copies, paper copies. And, because we're all operating on the same General Fund, we just generally traded services back and forth. Then, the AIC, Indiana Association of Counties, had a seminar at some point, and after that the County Recorder came back and informed us all that we would have to pay a dollar a copy for everything we obtained. So, our Map Fund, our Map Fund which doesn't collect that much money, was not able to pay for the copies that we needed to produce maps. We go down there and took copies of deeds for 20 years that I worked down there, we just went down and got copies of deeds, and that's how we produced our maps. So, they said it was a State law that anybody that gets a copy from the Auditor, or from the Recorder, is that correct, Mr. Fluty? It is State law that stated they had to pay a dollar per copy per page. So, at that time we just stopped–

Ted C. Ziemer, Jr.: So, you're concerned about the five cents versus the dollar? They are not getting paper copies.

Bill Jeffers: Okay. Well, that's encouraging, because that would mean that is the Recorder scanning all of these records that we normally would get paper copies, all of that's being scanned, digitized and that will be available to other offices in the building now?

Ted C. Ziemer, Jr.: I don't know the answer to that. I know that there's a huge scanning project going on down there, converting all, eventually, all of the Recorder's documents will be digitized.

¹Should have been Recorder.

Bill Jeffers: Right.

Ted C. Ziemer, Jr.: When that will be completed, I don't know, but you would then have access to the digital records.

Bill Jeffers: Right, we're doing the same thing in our office in house, scanning all of our records in our vaults and everything. They will be made available to the public and so forth. So, this is very encouraging news, even if I had to pay five cents a copy, I'm jumpin' on that.

Ted C. Ziemer, Jr.: What the Recorder did, so far as Phoenix is concerned, was check with the manufacturer of the scanning, the book scanner, to find out what would be a reasonable charge so that we don't lose anything by way of wear and tear on the scanner, and, in fact, make a little money for allowing the use of the scanner.

Bill Jeffers: Right.

Ted C. Ziemer, Jr.: And that was the amount that was recommended.

Bill Jeffers: As long as that five cents per copy would apply to everyone who wants a digital copy. I'm okay with this.

Ted C. Ziemer, Jr.: Yeah.

Bill Jeffers: But, you understand where I'm coming from?

Ted C. Ziemer, Jr.: I do. I suggest you talk to the Recorder.

Bill Jeffers: Okay, because, I mean, that's....it cost us a fraction of a penny to make a paper copy on a copy machine in our office. So, if, you know, to charge a dollar seemed unreasonable to me at the time. So, we just stopped obtaining copies. But, if we can obtain copies for five cents or less, digital, I'm hoppin' all over that and I'm real happy. But, I hope that's offered to everyone across the board, whether they're Phoenix, County Surveyor, or Mr. Public.

Ted C. Ziemer, Jr.: I don't think it's contemplated that that will be, and, at least at this point. I don't know what the books are that are being scanned by Phoenix. I relied on the Treasurer², she made a representation to me that Phoenix wanted to scan books for its personal use. So, it's the scanning that is being charged for, and it's five cents per image scanned.

Bill Jeffers: Right.

Ted C. Ziemer, Jr.: I don't think there's a piece of paper involved in that process. The scanning machine is there, and Phoenix will have their laptop there. If the, when the machine scans the image, it goes into the laptop. That's what we're charging five cents per image. It's not providing copies to the public, or anybody else at five cents a copy. So, that's the best I can explain it to you.

Bill Jeffers: Okay, I think somebody understands where I'm coming from. The abstractors, how much are they paying per copy?

²Should be Recorder.

Ted C. Ziemer, Jr.: Yeah, I don't know the answer.

Bill Jeffers: You know, if they're paying more than five cents, that's my question.

Commissioner Tornatta: Bill, I think, I think once this is done it's going to be on-line, and then, I guess, I have not heard of any fees that are to be charged, I mean, to this day. I don't think it's that way on GIS with the Assessor's office.

Bill Jeffers: We don't charge anything, at the current time we charge nothing for whatever we have on-line.

Commissioner Tornatta: Right. Yeah.

Bill Jeffers: And whatever we put online we don't intend to charge anything.

Commissioner Tornatta: Right.

Bill Jeffers: But, even five cents a copy would be a bargain—

Commissioner Tornatta: Right.

Bill Jeffers: —compared to what's going on now.

Commissioner Tornatta: Yep.

Bill Jeffers: That's my point. Okay. Thank you.

President Melcher: Any other public comments this evening?

Consent Items

President Melcher: We'll go to the consent agenda.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Thank you. Madelyn, do you want read it?

Madelyn Grayson: The consent items for the March 2nd meeting are as follows; approval of the February 16, 2010 Commission meeting minutes, employment changes, there are four that the Commissioners will be approving this evening, two for Legal Aid, one for the County Highway, and one for Veterans Services; the County Engineer approval of pay request number 99 for the Burkhardt-Green River TIF projects in the amount of \$179,301.82; Commissioner letters to Congressman Ellsworth and Senator Lugar in support of U of E's appropriation requests; Commission letter from the Veteran's Council renewing the lease on the Vanderburgh County Veteran's Coliseum; the Commissioners waiver of Centre fees/not overtime for the Centre for the sixth annual Southern District Business Opportunity Fair on September 21st and 22nd, 2010; Burdette Park Boys and Girls Club request for pool admission discount for members for the 2010 season; Burdette Park Greater Evansville Runners Walkers Club request for discounted rental for use of Bishea Building on April 3rd; the Sheriff request to surplus 2005 Crown Victoria for

use as salvage by the Sheriff's office; Sheriff request to surplus a 1993 trailer to the Geico Insurance Company; the County Treasurer has the December 2009 and January 2010 monthly report; the County Auditor approval of the February 2010 A/P vouchers; the County Clerk the January 2010 monthly report; Evansville ARC January 2010 report of activities and meeting minutes; the Legal Aid Society non-city/county United Way budget funds and activity report of December 31, 2009; Weights and Measures monthly report from January 15th to February 15, 2010; the Commissioner Foreign Trade Zone letter; and department head reports from the County Ozone Officer, County Engineer and Burdette Park.

President Melcher: Any discussion? I would entertain a motion to accept. We already did that. Alright, Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Any other business to come before the Commissioners this evening?

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: So moved. Second.

President Melcher: We stand adjourned.

(The meeting was adjourned at 6:27 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the February 16, 2010 Commission Meeting Minutes.
Letters to Congressman Ellsworth & Senator Lugar: UE Appropriation Request.
Letter from Veteran's Council: Renewing Coliseum Lease.
Waiver of Centre Fee/Not OT: Southern District Business Opportunity Fair.
Burdette Park: Boys & Girls Club 2010 Member Discount.
Burdette Park: Bishea Building Discount: Evansville Runners/Walkers Club.
Evansville ARC January 2010 Report of Activities & Meeting Minutes.
Foreign Trade Zone Letter.

Employment Changes:

Election Office (1)	Veteran's Service (1)	Circuit Court (1)
County Assessor (1)	Legal Aid (2)	County Hwy (1)

County Engineer: Pay Request No. 99: Green River-Burkhardt TIF Projects.

Sheriff:

Request to Surplus: 2005 Crown Victoria: Use as Salvage.
Request to Surplus: 1993 Trailer to Geico Insurance.

Treasurer: December 2009 & January 2010 Monthly Reports.

Auditor: Approval of February 2010 A/P Vouchers.

County Clerk: January 2010 Monthly Report.

Weights & Measures: Monthly Report: January 15-February 15, 2010.

Legal Aid Society: Budget Funds & Activity Report: December 31, 2009.

Department Head Reports:

Ozone Officer	County Engineer	Burdette Park
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Dave Rector	Chris Jackson	Claire Alvey
Maddie Harmon	Lee Jerstad	Rebecca Reidford
Jill Gehlhausen	Lee Rudisill	Eric Williams
Jim Harris	Chris Walsh	John Stoll
Steve Craig	Dennis Au	Mike Shoulders
Bill Jeffers	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MARCH 16, 2010**

The Vanderburgh County Board of Commissioners met in session this 16th day of March, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We would like to call to order the Board of Commissioners of Vanderburgh County. It's March 16th, 5:00 in room 301. Madelyn, will you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance: Sherman Greer

President Melcher: Alrighty, next is the Pledge of Allegiance. Sherman, do you want to lead us in that this evening?

Sherman Greer: I could do that.

(The Pledge of Allegiance was given.)

Sherman Greer: Thank you.

Permission to Open Quotes: VC10-03-02: Fickas Rd Culvert Replacement

President Melcher: While we're here, we need to get permission to open up the quotes for VC10-03-02, Fickas Road culvert replacement.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Severe Weather Awareness Week Proclamation

President Melcher: Okay, Sherman, did you want to talk about the severe weather?

Sherman Greer: I think you have a proclamation?

President Melcher: Yes, I do.

Sherman Greer: Okay.

President Melcher: But, I didn't know if you wanted to say anything before.

Sherman Greer: Well, this is the time of the year that everybody needs to be very aware of our weather situations that we always have within the summer and the spring. But, tornado season, nowadays, just doesn't happen between March and June or July. As you've known with, the 2005 tornado was in November. We've had tornadoes in this area in January. It can happen at any time. So, there again, we want people to be very aware, and within the proclamation it will tell them exactly when the severe weather awareness test is going on tomorrow here in the State of Indiana, and that will be testing the weather radios. A lot of people are under the impression that we'll be setting the sirens off. We do not set the sirens off for the severe weather test. It's just for your weather radios that you have at home and in your business place. That's all.

President Melcher: Okay, so you would like us to read this proclamation?

Sherman Greer: Yes, sir, I would.

President Melcher: I understand, I heard you were reading one earlier.

Sherman Greer: I read it yesterday.

President Melcher: This is severe weather awareness week for March 14-20, 2010:

"Whereas, tornadoes can occur at any time of the year as was evidenced by the tornadoes in the tri-state area; and, Whereas, the fifth anniversary of the 2005 tornado in Evansville reminds us of that the deadliest tornadoes often occur at night, pointing to the importance of having the ability to receive warnings 24/7; and, Whereas, this marks the 20th anniversary of the largest tornado outbreak in Indiana on June 2-3, 1990, as well as the 45th anniversary of the worst tornado outbreak in Indiana on Palm Sunday, 1965; and, Whereas, severe thunderstorms and floods also pose significant threats at any time, as was the case with the record Indiana floods in January, June, and September 2008; and, Whereas, Indiana averages 21 tornadoes and four tornado related fatalities each year; and, Whereas, planning and preparation helps minimize the number of weather related deaths and injuries; and,

Whereas, during this week, March 14-20, 2010, the Evansville-Vanderburgh Emergency Management Agency, in cooperation with the National Weather Service, Indiana State Police, Indiana Department of Education, American Red Cross, the Indiana Broadcasters Association, and the Amateur Radio Community will be conducting a severe weather preparedness campaign, emphasizing its safety procedures involving tornado activity. Whereas, the statewide tornado warning exercise will be held on Wednesday, March 17, 2010 between 9:15 and 9:30 a.m., and again between 6:30 and 6:45 p.m., for the purpose of testing communication systems, equipment and procedures; and, Now, Therefore, we, the Board of Commissioners of Vanderburgh County, Indiana do hereby proclaim March 14-20, 2010 as "Severe Weather Awareness Week" in the county of Vanderburgh, and encourage all citizens to become aware of the tornado danger signs, and to learn how to safeguard the lives of their families, friends, citizens in the event of severe weather activity in our area."

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Thank you, Sherman.

Sherman Greer: Thank you.

Sale of 401 Garfield to ECHO Housing

President Melcher: Next we have the sale of 401 Garfield to ECHO Housing. We're approving the sale of the property to ECHO for the amount of \$500.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

<p>Public Hearing and First Reading of Vacation Ordinance CO.V-03-10-001: 608 Jobes Lane</p>
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President Melcher: Next is the County Auditor, the public hearing and first reading of vacation ordinance CO.V-03-10-001, 608 Jobes Lane. Les, you're on.

Les Shively: Mr. President, members of the County Commission, my name is Les Shively.

Commissioner Tornatta: We need a motion to approve, do we not? Then discussion? Or not?

President Melcher: We can.

Commissioner Tornatta: Or are we just opening the hearing?

President Melcher: We'll just go ahead and do it then.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

Commissioner Tornatta: Sorry.

Les Shively: That's okay.

President Melcher: Go ahead.

Les Shively: Again, for the record, my name is Les Shively representing the petitioner in this case, Mary Yearwood. You have a copy of the petition in front of you. We are vacating a very small part of what some records show is a public right-of-way. The reason this is being done, and Ms. Yearwood and many of her neighbors are concerned about rumblings that the property owner to the east may be attempting to develop the property and use this access. Mr. Stoll, your County Engineer, has already provided to you a report that this part of Jobes Lane is insufficient, it's only 25 feet of right-of-way. The minimum right-of-way for any kind of county road is 40 feet. Moreover, it's just not necessary. Mr. Stoll is in favor of vacating this particular right-of-way. Also, part of the petition, you will see the letters from Vectren, letters from the AT&T, WOW, Insight, EMC, and the Evansville Fire Department, they have no objection to this vacation. There aren't any utilities or anything in place that those utilities need. Mr. Stoll, I would go on further, he had talked to us back in January, we discussed this with him before we filed the petition, and he, and he's here today, I'm sure, he could speak for himself, but it's my

understanding that he would like for this drive, this whole area to be maintained privately, and we certainly have no objection. That's kind of the way it's been, but by virtue of doing this vacation, that's sort of a public acknowledgment that that's the way it will be. I'm more than happy to answer any questions. Ms. Yearwood's here, and some of her neighbors are here. Do you want to stand up? More than happy to answer any questions.

President Melcher: Do you have any questions? Are there any remarks from the audience, pro or con?

Unidentified: I would like to say something. I think several of us would.

President Melcher: Just come up one at a time. Just come up on the end, state your name and your address.

Andrew Lockard: My name is Andrew Lockard. I'm here on behalf of my father, Michael Lockard. He's out of town on business. I have a letter, sent via e-mail to my grandfather, which I printed off about a half hour ago. I also have a picture that he included in the e-mail. Let me explain this to you guys. This was taken this morning at the bottom of the road, near my house. My house is 5019 Shady Court. It's at the intersection of Jobes Lane and Shady Court. If you guys don't mind, I'm going to go ahead and read his letter real quick.

Commissioner Tornatta: How many pages? I know your dad.

Andrew Lockard: Yeah, just two surprisingly. Okay—

Commissioner Tornatta: Do you have the cliff notes?

Commissioner Winnecke: Single spaced or double spaced?

President Melcher: It's single spaced.

Andrew Lockard: Dear Commissioners, I am writing in support of the request before you on limiting access to Jobes Lane. I am urging you to vacate the easement, as requested by Mary Yearwood, for 608 Jobes Lane. My elderly parents have lived on Jobes Lane since 1966, and I have lived at the corner of Jobes Lane and Shady Court, and I live, I'm sorry, therefore, the Lockard family has been a resident of Jobes Lane for over 40 years, and as such we have first hand knowledge of the infrastructure of Jobes Lane. In the forty plus years we have lived on Jobes Lane, there has never been access to Jobes Lane from the Jobe property on Red Bank Road. The former owner of the property, before the current owner, was Mr. Purdue. I can assure you that at no time was traffic allowed through his driveway. I can recall numerous times as a young child being told, excuse me, in no uncertain terms, that he did not want any of the neighborhood kids to play anywhere near his driveway or property. My parents and I agreed that we would severely doubt any assertion that he would have allowed traffic through his driveway. I went to the Assessor's office and researched Mr. Jobes' property on Red Bank Road, and this research took me through the records of that property as it changed hands through the years. I researched all the way back to the mid 1800's on that property. I found out that Claremont Avenue used to be called Decker Road. I found that with certainty that there is no right-of-way or easement for Claremont Avenue/Decker Road through the Jobes Lane property as it relates to Jobes Lane. I also found no evidence at the Assessor's office to show that there is any ingress/egress allowed through 608

Jobes Lane from Mr. Jobes property on Red Bank Road. I also found no evidence to support the rest of the easement necessary for the width of the road onto 608 Jobes Lane property. There appears to be no corresponding access with, on the Wal-Mart-Home Depot property card. Furthermore, Jobes Lane is a very narrow road that is not at the proper width for a county road. It is narrowly constructed and does not have proper shoulders for passing widths. If the property at 608 Jobes Lane were forced to allow traffic from Mr. Jobes' property on Red Bank Road, it would create a severe and dangerous hazard to current residents, and would also impede the flow of any necessary emergency vehicles. Enclosed is a single vehicle, or enclosed is a picture of a single vehicle on Jobes Lane. That is actually my vehicle that we used this morning. You can clearly see that one vehicle fills up almost the entire roadway. Any increase in traffic would be a hazard. Vehicles cannot safely pass now without almost ending up in the ditch. It is foolish to even consider increasing traffic on Jobes Lane from the property owned by Mr. Jobe on Red Bank Road. Jobes Lane is a dead end road, and it should remain that way. The road is not adequate to support anymore traffic other than the current residents. There are only ten homes on the upper part of Jobes Lane, and granting access to more traffic from Red Bank Road property would have a devastating affect on traffic. I urge you to grant the removal of the right-of-way as requested by Mary Yearwood, and to deny access to the Jobe property on Red Bank Road that backs up to Mrs. Yearwood's home. Michael Lockard, land use and planning co-chair, Westside Improvement Association.

President Melcher: Any questions?

Madelyn Grayson: Andrew, may we have a copy of that for the record?

Andrew Lockard: Yes, if you want you can have this copy right here.

Commissioner Winnecke: Thanks, Andrew.

President Melcher: Thank you. If somebody else wanted to speak.

Bill Lockard: My name is Bill Lockard. I'm the elderly parent referred to in that last comment, narrative. Mike uses that quite frequently, but he did mention that we've lived up there almost 45 years, and I've seen, my wife and I, we have seen things come and go. The road has always been like that. We've never been able to do anything about it. The blacktop actually makes it more dangerous and hazardous than what it was in years past with just being a dirt road, because you really have no way to pull off the side of the road on about, it's about 70 percent. You either back up, or something like that. So, it's just not feasible. It's going to cost the, us, and I'm saying you more to maintain the road. You start allowing more traffic, you're going to have to maintain it more, because it's relatively...we have no heavy trucks moving up there now. So, it's just dangerous, and I do want to just protest any additional traffic on the road because of this request. Thank you.

President Melcher: Any questions?

Bill Lockard: Sorry about that.

President Melcher: There isn't any. Thank you.

Bill Lockard: Thank you.

President Melcher: Anybody else?

Bill Lockard: My next door neighbor did send something in case...is it permissible to read something like that?

President Melcher: Yes, you can. Just go ahead and read it.

Bill Lockard: Okay. To whom it may concern, I, Tim Hargrove, agree to the vacation of the adjoining property north of 601 Jobes Lane. The main road to the ten houses at the end of the road is very narrow, and any possible chance of additional traffic to this road will be unsafe and hazardous to vehicles and foot traffic. There are blind spots, I forgot to mention that, when topping the hill, and no two vehicles can pass without one of them pulling off the road. It says, sincerely, Tim Hargrove, at 605 Jobes Lane. He signed it, and his phone number is 423-1080.

President Melcher: Thank you.

Bill Lockard: Thank you.

President Melcher: Would you want a copy of that, Madelyn? Could we have that for our copy? Is there anybody else that would like to speak? Les, do you have anything else to say?

Les Shively: Just, Mary wants me to make sure it's placed in the record also, that even if you utilized this right-of-way, it would take out her sycamore tree. So, I would like to put this photograph of this sycamore tree. I believe we're looking east toward the tree, is that correct?

Mary Yearwood: Yes. Now, I would like to say one word, Les?

Les Shively: Go right ahead.

Mary Yearwood: Les has—

President Melcher: You have to come up. I'm sorry.

Mary Yearwood: Les doesn't allow me to say too much. I may not even be allowed to hand you this. I don't know, I'm asking permission. My concern with this tree is that it has a large root wad. It is a large tree. Mr. Jobe, as it explains in this, wants me to remove it. In order to open this right-of-way up, that tree would have to come out. It's sitting right smack in the center of this right-of-way. It would have to come out. It would leave a large root wad. My driveway, I live down here, I live at the bottom of a hill, I live down here. Jobe proper is up here. Water runs down to me. This sycamore tree is sitting right down here on a steep embankment, very steep, and should you take that tree out you're going to have a three-sided hole. There's nothing in the back to catch the fill if you would try to fill it. You can't fill a three-sided hole as I know of, and that water is going to rush down there and make me a wash, erosion, if you would, in my driveway. From here to kingdom come I'm going to have an erosion. When that big root wad comes out, I'll have an erosion unbelievable, and to contend with forever. I've farmed 48 years and fought erosion for 48 years with the county taking trees off the corner of embankments and washing back in my fields. I know erosion. Thank you for listening.

President Melcher: Would you state your name and address for—

Mary Yearwood: My name is Mary Yearwood. I live at 608 Jobes Lane. I had this further explained in this, but I won't give it to you. Les probably don't want me to.

President Melcher: Any questions?

Les Shively: You can give it to them if you want to, Mary. Go right ahead.

President Melcher: Come up to the microphone. We have to have you at the microphone to record it.

David Schroeder: Thank you. My name is David Schroeder. I live at 617 Jobes Lane. I'm the first one up the hill. The road, I just want to reiterate on the road not being wide enough for two cars to be passing. A lot of times my property is used for the passing zone, and with any more traffic up there everybody and there brother would be using my property to pass on. I just don't see that you can put anymore traffic up there. But, it is not wide enough to maintain the traffic we have now, so we don't need anymore traffic up there. That's all.

President Melcher: Okay, any questions? Thank you. Anybody else?

Diana Vanell: Hello, I'm Diana Vanell, and I live at 618 Jobes Lane. I would like to say something for the children on Jobes Lane. We have several small children that live on that lane, and the ten families that live up there are very conscious of these children and very careful of these children. We're all very courteous to one another coming and going off the lane. If strangers are coming up and down that lane, I cannot imagine that they would be so careful with the small children that are out in their yards playing. That's it.

Commissioner Tornatta: Thank you.

President Melcher: Anybody else?

Christine Sherrill: Hello, my name is Christine Sherrill. I live at 612 Jobes Lane. My property borders the easement. I have three of those small children on the road, or that live on the road. At any time, sometimes I have ten children playing in my yard. As they say, it's an extremely small road. Anymore traffic would just be devastating to our now small, little community, as I call it. I just hope you take that into consideration.

Commissioner Tornatta: Alright.

President Melcher: Thank you.

Christine Sherrill: Thank you.

President Melcher: Any questions? Anybody else? Les, do you have any final?

Les Shively: No, I think the comments of the neighbors out there pretty much track what Mr. Stoll would like to see, and that's usually the person that the county looks to for guidance on these matters. I just have a question procedurally, this is set as a first reading, so, this is the public hearing, there will be a second and third, that is action at a later date, is that correct? When will that date be?

President Melcher: Well, that's what I was going to ask you. It's scheduled for March the 30th at 3:30¹, but we're going to have a government reorganization meeting in here that night.

Les Shively: Right.

President Melcher: We could either go to the other room, or we were actually thinking that we could just cancel that meeting and hear it at the next meeting in April.

Commissioner Tornatta: The first meeting in April.

Les Shively: That's fine. As I understand it, this closes, after we're done here this afternoon, this evening, this will close the public hearing, there will be nothing but a vote at the next meeting. Is that correct?

President Melcher: That's my understanding. Uh-huh.

Les Shively: Thank you, that's fine. So, the next meeting would be April what would that be?

Madelyn Grayson: 6th.

Les Shively: 6th? At what, at 3:30?

Commissioner Winnecke: No.

Madelyn Grayson: 5:00.

President Melcher: No, 5:00.

Les Shively: Now, will any new notification need to be required from us regarding that change?

President Melcher: I wouldn't think so.

Les Shively: Okay. Very good. Thank you.

Commissioner Tornatta: Okay, anybody else?

President Melcher: Anybody? Okay, do you want to go ahead and call the roll for the vote?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

¹This should have been 5:00.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Second/Final Reading of Ordinance CO.03-10-004:
Amending Ch. 17.24: Off-Street Parking and Loading**

President Melcher: Moving on, we have the second and final reading of CO.03-10-004, an ordinance amending chapter 17.24 entitled off-street parking and loading. I need to have a motion.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Okay. Any discussion? Any discussion from the audience? Madelyn, do you want to call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Second/Final Reading of Ordinance CO.03-10-005:
Amending Ch. 2.22: Central Dispatch Board**

President Melcher: Next is second and final reading of CO.03.-10-005, an ordinance to amend the Central Dispatch Board ordinance to add the Director of Emergency Management as a board member. Motion to approve?

Commissioner Winnecke: Second.

Commissioner Tornatta: Motion to approve.

President Melcher: Second?

Commissioner Tornatta: You second.

Commissioner Winnecke: Yeah.

President Melcher: That's what I said. Okay. Any discussion? Seeing none, Madelyn, call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

<p>Second/Final Reading of CO.03-10-006: Amending Ch. 2.68: Commission on Domestic & Sexual Violence</p>

President Melcher: Second and final reading on CO.03-10-006, an ordinance amending the ordinance regarding the Domestic and Sexual Violence Board. Motion to approve?

Commissioner Winnecke: Second.

Commissioner Tornatta: No, you can't approve. I make a motion to approve.

Commissioner Winnecke: Are you saying, I'm not clear what you're asking.

President Melcher: I'm asking for a motion.

Commissioner Winnecke: You're asking for a motion? Oh, okay. I'm sorry.

Commissioner Tornatta: Yeah.

Commissioner Winnecke: I'm sorry. I misunderstood. I apologize. Second.

President Melcher: Okay. Alright, any discussion? Any public comment? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Sue Hartig: Thank you.

Commissioner Tornatta: Congratulations.

**Second/Final Reading of Ordinance CO.03-10-007:
Amending Ch. 2.18: Emergency Management Agency**

President Melcher: Second and final reading of CO..03-10-007, an ordinance to amend chapter 2.18 regarding Emergency Management due to changes in Indiana Code. Do I have a motion?

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

Commissioner Winnecke: Second.

Commissioner Tornatta: Okay.

President Melcher: We have two firsts and two seconds.

Commissioner Tornatta: We're going to get this pretty soon. We're only at this for two years here. Okay.

President Melcher: Okay, any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Permission to Award Bid for Various Pipe Materials

President Melcher: Next we have the Cooperative Purchasing Organization, permission to award bid for various pipes.

Commissioner Tornatta: Hello, Deb.

Debbie Spalding: Good afternoon.

President Melcher: I don't think you're Jim Harris?

Debbie Spalding: No, I'm Debbie Spalding with the City-County Purchasing Department. I'm here today, I believe at the last meeting you were given some information on pipe and pipe materials and guardrails. We did look a little bit further into the bids, and came up with, we hope, an answer to the questions that you had last time. You received that in an e-mail today. So, if there are any additional questions, I would be happy to answer them.

Commissioner Tornatta: Just give us the quick one-two over your decision.

Debbie Spalding: Okay, we would be requesting that you award to all four vendors. The reason for that is some vendors bid on certain items, like Sherman-Dixie is one of the vendors and they provide concrete, that's all they provide. They don't provide polyethylene, they don't provide steel or aluminum pipe. Then, some vendors, where you do see that there are two vendors that may have responded, not all vendors bid every size and every pipe. So, we, the information that you received had the low bid. So, in certain situations, depending on the size that would be needed and freight charges and other variables, it may be beneficial to go with one vendor one project, and another vendor another project.

Commissioner Tornatta: But, it gives us the opportunity to use whatever vendor, and then also use the vendor that might have it in stock if we have an emergency project.

Debbie Spalding: Correct.

Commissioner Tornatta: Alright. Thank you for working with John Stoll and Chris Walsh on that. I appreciate it.

Debbie Spalding: Thanks for their help.

President Melcher: That's pretty much the way we were trying to go last meeting.

Debbie Spalding: Okay.

President Melcher: Because I've never heard of the way you were trying to do it. That's why I thought maybe Mr. Harris didn't come back tonight because of that.

Commissioner Tornatta: I think we just had to have an agreement, and I think—

President Melcher: So, right now we have an agreement that they can buy from whoever the lowest price is at the best for freight and everything?

Debbie Spalding: Right.

President Melcher: No misunderstandings? Alright.

Commissioner Winnecke: Motion to approve.

Debbie Spalding: And we—

Commissioner Winnecke: Oh, I'm sorry.

Debbie Spalding: I'm sorry, it would sort of be up to the departments to monitor which vendor—

Commissioner Winnecke: Right.

Debbie Spalding: –based on the information that they’re provided, which vendor they should be buying from.

Commissioner Tornatta: And we’ll get that out to them, just to kind of explain the situation. I’ll second.

President Melcher: So we have a first and a second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Debbie Spalding: Thank you.

**Regional Workforce Board Local Officials Agreement
Long & Mathies 2010 Lobbying Agreement
Weights & Measures Management & Operations Agreement
County Clerk: RBM, LLC: Professional Services Agreement
Sheriff: Reimbursement Agreement with Runners Club: Marathon
CIO: ISI Software Maintenance and Services Agreement
CIO: Memorandum of Understanding: Network Broadband
RC Beverage Advertising & Pouring Rights Agreement
Central Dispatch: Verizon Network Services Contract
EMA: Agreements with Topper, Harris & Dooley**

President Melcher: Contracts, agreements and leases, the first one is the Regional Workforce Board local elected officials agreement.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: I have a first and a second. Any discussion? Your turn.

Jim Heck: Thank you, my name is Jim Heck. I’m with the Grow Southwest Indiana Regional Workforce Board. We sent you a copy of the agreement beforehand. Every two years we have to have an updated agreement. This one will begin July 1 of this year and run for the next two years. I’ve spoken with Mayor Weinzapfel, he is currently your chief elected official for this county, and he’s agreed that if you nominate and elect him that he would serve in that capacity again.

Commissioner Tornatta: Do we need to nominate him at this Board, or is that just continuing the—

Jim Heck: No, you would need to nominate him to serve this term beginning July 1.

Commissioner Tornatta: Okay, I amend my motion to include Mayor Jonathan Weinzapfel as the chief elected official.

Commissioner Winnecke: I'll amend my second.

President Melcher: Okay, anything else, Jim?

Jim Heck: No, that's it. Anybody else from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Madelyn Grayson: Jim, is there an address that I can send this document to you once it's fully signed?

Jim Heck: Yes, I'll give you my card.

Madelyn Grayson: Okay.

Jim Heck: Thank you.

Commissioner Tornatta: Thank you.

President Melcher: Next we have an agreement with Long and Mathies for the 2010 legislative lobby service for 2010.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any discussion? Anybody—

Commissioner Tornatta: Warren is here. Come on up, Warren. This is Warren Mathies with Long and Mathies.

Warren Mathies: We had worked, with this last session, our contract usually runs from January to December, but due to the legislative session kicking off and us not getting down here, we submitted the contract, obviously, to you all after session, but

I'm happy to report that, as you might remember, we'd discussed some efforts to try and get a benefit for the Evansville airport from a tax standpoint. It did pass. There was an effort last year, or the year before, started by a person on the Airport Board named Bud Farmer, who no longer serves on the Airport Board, but he was noticing a difference between airplanes housed in Evansville or Illinois versus Indiana. They did a fiscal analysis of the tax rates between the neighboring states for aircraft sales tax. After that analysis they had guesstimated a benefit in fuel consumption if more planes located here. They identified nine planes, they had three solid planes that would relocate to Evansville if they didn't have to address a sales tax component, similar to Kentucky. The benefit to, annual benefit is approximately \$68,000 to the Evansville airport and the county, based upon the tax change. That took effect in House Bill 1086, which passed the House on late Friday at the eleventh hour, amongst 164 other pages of information in there. One of the other provisions is a government run or municipal run golf course. The airport has a golf course out there. There may be other golf courses I'm not aware of, but the county may have those. There's a sales tax waiver that was passed as well inside that bill that should benefit any of your government run golf facilities from having to pay sales tax. I don't know what the fiscal impact is, but I would guess it's a significant amount of money you're saving based upon that. That was the one charge of information that we moved forward with based upon our discussions at the end of last year on what we could do to help Vanderburgh County. There was some discussion about transportation issues, but with the budget crunches, this isn't a funding session, it's more or less you have an opportunity to adjust tax rates, but you can't necessarily go out and grab money. So, the next session is the session for fiscal issues, and sometime between now and October, it would be probably wise for us to sit down and come up with a strategy for how to address the money, or fiscal issues from a state budget standpoint, if there's some transportation funding concerns or State Highway things, or partnerships that you all might want to pursue. After last session, one of the other issues you all raised was the salt costs. We got that shoved in a bill in 2009. As a result of that, the quantity, large quantity purchase agreement for salt, road salt, for the next winter, the deadline for that for expressing interest is March 22nd. I have a form for that if you all want to participate. You were the ones that generated the change in the law, so, I figured you guys might want to look at that. I have that form if I can leave it with you all.

Commissioner Tornatta: Absolutely.

Warren Mathies: That should, you know, conclude the majority of the direct efforts that Vanderburgh County, that we watched or actually that we actively passed or fixed for Vanderburgh County. There's other issues that pop up from time to time by other counties, some of the rural counties had an effort concerning hassles with logjams in flood ways, and we passed a bill to waive all of the permitting requirements for that to free up local governments to address that with their road crews. Some changes in the absentee voter and County Clerk stuff that had occurred, but other than that, there wasn't a lot of sweeping changes this past session, short session, political session. Everybody wanted to get out of there. But, we were happy to get the tax change to benefit the county. If you guys have any questions, I'm happy to answer any of them.

Commissioner Winnecke: Warren, in terms of the March 22nd deadline to express interest in the salt purchase, is that something we approve, or just Chris as the Superintendent of County Highways does on his own, or at our direction?

Warren Mathies: It's, I believe it's done on your direction. The Superintendent, that initial March 22nd deadline is, I called today on it, it's a soft deadline. So, if you miss it you've still got a day or two. It's to express an interest, an approximation on the quantity that you would need. Then, they consolidate that among the 92 counties to add it up to see what type of large bulk purchase they need. Then they start negotiating with the salt suppliers around the country.

Commissioner Tornatta: And that's a max-min?

Warren Mathies: Yeah.

Commissioner Tornatta: I've sent this e-mail to Chris, just to get his idea on what he thought, but he's got a max-min that he has to hit, so he shoots in the middle and he can buy, he has to buy a certain amount, but then he can only buy a certain amount unless there is extra and then he can tap into that.

Warren Mathies: Right. I do know that it's a significant savings if you can, you know, get into the quantity purchase. It was, if memory serves me, last year if we would have had it in place before, when the law passed, it would have saved \$40 per ton. As many tons as you all use, it's a significant dollar amount, with the roads you have.

President Melcher: So, what do we have to do? We have to let them know our intent?

Warren Mathies: Uh-huh.

President Melcher: With about how much we're going to use?

Warren Mathies: A general maximum or minimum range so they can do a negotiation for the whole state. You would be one of 92 components, if they all participated, but, I think, generally there was an estimate that 30 some odd counties were going to participate, based upon how many people requested the information from the people.

President Melcher: Chris, would you mind coming up?

Chris Walsh: Chris Walsh, County Highway Department, is that the same sheet that I was e-mailed? Yeah, we've talked about the numbers, and I think we'll be ready for the March 22nd deadline. We're looking at probably increasing the number a little bit, because it said 80, 120, I think we're going to go a little bit (inaudible).

Commissioner Tornatta: We're kind of in that part of the year where we're not real sure if we're going to get rid of anymore salt.

Chris Walsh: Hopefully, no more this year.

Commissioner Tornatta: Right.

President Melcher: So, Chris could go ahead and send this in?

Warren Mathies: Uh-huh.

President Melcher: That's what I want to make sure that we clear up before we leave.

Chris Walsh: I can e-mail each one of you in the next day or so when we finalize on a figure. We're within a few hundred tons of what we feel comfortable with. I'll e-mail you with that.

David Miller: Mr. President, since this is a matter of contract, I think you would need to have a vote to authorize him to make that overture.

Commissioner Tornatta: Do they send, I need to know, do they send a contract, did they send a contract back to us last year? Because this—

Chris Walsh: Not to my department. They may have sent it to the Commissioners.

President Melcher: No, I didn't see it.

Commissioner Tornatta: The only reason I ask that is they are going to write a contract for our max and min, and I think that has to be in the form of a contract.

David Miller: That's why I'm saying, if you're going to participate in this, it's a matter of contract, and I think you need to authorize the negotiation—

Commissioner Tornatta: Okay.

David Miller: — from the beginning.

President Melcher: That would be the safe way to do it.

Commissioner Tornatta: Okay.

Chris Walsh: I will say that we were really pleased this last season with the contract. I've done this for years with other municipalities and that, and it really seemed to work out well. We got service right away, when we ordered they were, if not the next day, just within a couple of days.

Commissioner Tornatta: Alright, I would make a motion to have our Highway Superintendent negotiate an amount of salt for the year 2010.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion on that? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Okay.

Commissioner Tornatta: Thank you, Chris.

President Melcher: Thanks, Chris.

Warren Mathies: That's all I have. If you have any other questions, I'm happy to answer them.

President Melcher: Any questions?

Commissioner Tornatta: Warren, we'll schedule a time—

Warren Mathies: Sure.

Commissioner Tornatta: —or maybe start to just compile a list or two of some issues that we would like to address. I do want to say that I've been working with you and the Phillips' boys, and this was a short session and condensed to a lot of issues that weren't pertaining to things that we were going into. We had a slim chance of getting that done, some of those issues. So, I appreciate you guys taking care of that.

Warren Mathies: Yeah, anytime.

President Melcher: I think we need to probably say isn't the agreement for \$1,000 a month, \$12,000 a year?

Warren Mathies: Uh-huh, that's correct.

President Melcher: It's good to have that on the record too.

David Miller: You have that contract before you for a vote.

Commissioner Tornatta: We have a motion and a second.

President Melcher: Any discussion by the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Warren Mathies: Thank you, gentlemen.

Commissioner Tornatta: Thank you, Warren.

President Melcher: Next is Weights and Measures management and operation agreement. I need a motion.

Commissioner Tornatta: That's, let's see that was sent to us via e-mail, and, I believe they've got everything hammered out with the city and the county. Then, with this—

President Melcher: We probably ought to go ahead and make a motion on it before we discuss it.

Commissioner Tornatta: Alright, I make a motion to approve.

Commissioner Winnecke: Specifically, you're asking us to approve which, the change order?

Commissioner Tornatta: The memorandum of understanding.

Commissioner Winnecke: Oh, the MOU? Okay, I apologize. Second.

President Melcher: Okay, so the MOU, okay. I know what—

Commissioner Tornatta: Yeah, this is a memorandum of understanding between the city and the county on how the operations of the Weights and Measures will run, essentially the county will do like they have in the past, they will take care of the operational costs and be reimbursed by the city in a 45 percent clip. Anything else?

President Melcher: Do you have anything? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have the County Clerk professional service agreement with RBM, LLC for maintenance of the election voting hardware. I need a motion.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: This is the Sheriff's agreement with Southern Indiana Classic Marathon and Half Marathon Road Runners Club for reimbursement costs for security. I need a motion.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Eric, did you want to say anything?

Eric Williams: Nothing has changed in the last week.

President Melcher: Okay. Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the Chief Information Officer's software maintenance and service agreement with Interactive Systems. We also have an MOU regarding network broadband.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Any discussion from the audience?

Commissioner Winnecke: Mr. Chairman, just for the record, it probably would be a good idea just to get a little, a brief explanation from Mr. Arvay as to the network broadband. We are, the city and the county is applying for a grant for a fairly significant project that we should let folks be aware of.

Matt Arvay: Matt Arvay, CIO. The MOU's basically just a simple understanding from the city and county that would allow us to apply for the NTIA grant monies for a county-wide wireless network for governmental services and other opportunities that it would provide potentially our community. We will be submitting on March 25th it digitally. This same memorandum will be passed, hopefully passed by the Board of Public Works on Thursday. We will then have approximately a month and a half, and, hopefully, we'll make it through the first stages to the due diligence stage where we'll work out the details between now and then on the real interlocal agreement or how we're going to actually manage this long term, if we are awarded some monies.

Commissioner Winnecke: Matt, maybe, if you could, just in a minute or so, I know it's more complicated than that, but give just a high overview, high level overview of the grant and what, specifically what it would do for our community.

Matt Arvay: The grant is from the American, the ARRA stimulus funds through the NTIA, through the broadband technology opportunities program. If successful in obtaining this grant, we would have wireless coverage throughout the City of Evansville and Vanderburgh County. This would help our public safety community with the mobility, higher bandwidth rates within the vehicles, it would help our mobility of governmental services for our field crews, we would have the opportunity to work with other anchor institutions in our community, like the Evansville-Vanderburgh School Corporation, maybe do some things with Vectren Energy, work with potentially other service providers of internet service providers or wireless internet service providers throughout our county, in northern Vanderburgh County where there's been some studies that indicate that maybe there's some underserved areas or opportunities for households to obtain higher rates of speed to the internet. So, also the healthcare industry, maybe there's some things we could work with them on to maybe add high speed to a doctor's home, where maybe they can look at x-rays from their home versus at the hospital. Maybe work with the ambulatory services to allow them to do some pilots and testing with the hospitals to send video back to the hospitals themselves and maybe have a doctor looking at the video and looking at visible signs of a patient, maybe being able to help the first responders provide some treatment.

Commissioner Winnecke: Thank you. Nice job.

President Melcher: Any other questions? Anybody from the audience? Okay, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Matt Arvay: Thank you.

President Melcher: Thank you, Matt.

Commissioner Winnecke: Thanks, Matt.

President Melcher: Okay, we have the Purchasing Department again for RC Beverage agreement. I need a motion.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the Vanderburgh County E-911 system, the annual Verizon 911 network service contract.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: EMA employment contracts, agreements with John Topper, Kevin Harris, and Tom Dooley. Agreement will be to conduct automated critical asset management system surveys, provide information to the ACAMS administrator.

Commissioner Tornatta: Motion to approve these three contracts.

Commissioner Winnecke: Second, and to clarify these funding, the funds for these three people will come from grants.

Commissioner Tornatta: Homeland Security?

Sherman Greer: Yes, they are from an ACAM, it's an ACAM's grant that we have for these three people. Mr. Miller, I had to make a change on here. Where we have the administrative assistant, she had her name there. Mr. Ziemer in the past wanted someone that either worked for the city or the county to be in that position. So, we just made that change to put my name in there.

David Miller: Rather—

Sherman Greer: Rather than—

David Miller: —than Maddison Seib?

Sherman Greer: Right.

David Miller: Other than that, the doc—

Sherman Greer: I gave all new copies to Madelyn.

David Miller: Alright.

Sherman Greer: Okay?

David Miller: Yes.

Sherman Greer: Just wanted to bring that to your attention.

David Miller: Thank you.

President Melcher: Sherman, even though we know who you are, state your name.

Sherman Greer: Sherman Greer, Emergency Management Director for Evansville-Vanderburgh County.

President Melcher: Thank you. Anything else?

Sherman Greer: That's all.

President Melcher: Any other discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Sherman Greer: Thank you.

President Melcher: Thank you.

County Engineer

President Melcher: Department head reports. John?

John Stoll: I have two items. The first is to request approval on a notice to bidders and advertising of that notice to bidders for the First Avenue Bridge rehab project. This would be a project that will construct new bridges on the approaches to the Pigeon Creek bridge, and also put a new concrete deck on the existing bridge.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Hey, John, on that decking, we're doing one side at a time, correct?

John Stoll: Correct. It will remain open.

Commissioner Tornatta: Did have some people asking the question, so.

John Stoll: Yeah.

Commissioner Tornatta: Okay.

John Stoll: The completion date will be, I believe, November 15th, if I remember correctly, but it will be done a half at a time.

Commissioner Tornatta: Okay.

John Stoll: The other item that I have is a change order on the Green River-Millersburg project. It's for an increase of \$39,149.35. At the last meeting I incorrectly told you that the change order that we approved at that meeting covered all of the asphalt costs associated with changing the shoulder pavement to the same thickness as the through lane pavement on Green River Road. That previous change order only covered the base asphalt. This covers the balance of the intermediate asphalt layer. So, requesting your approval on this change order as well.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have. Thanks.

President Melcher: Thank you.

County Attorney

President Melcher: David, do you have anything?

David Miller: Yes, I have the bids opened on the Fickas Road culvert replacement. All three of the bids that were submitted are in order. I can report that BMB bid \$124,125; Deig Brothers bid \$118,681.60; Koberstein Contracting, Inc. bid \$137,031.68.

President Melcher: We need to take these under advisement.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

David Miller: Also, Mr. President, while I have the floor here, we are working toward the conduct of an auction for 185 properties owned by the county that the county will be offering for sale through Sohn and Associates. There will be a later request for

permission to advertise, but right now it's important that we establish the date of the sale. So, I would ask the Commissioners to approve the date of June 8, 2010 for the conduct of the public auction for county owned properties.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Hold on.

President Melcher: We need to vote on the other one.

Commissioner Winnecke: Oh, I'm sorry.

President Melcher: That's alright. Madelyn?

Madelyn Grayson: This is for taking the bids under advisement?

Commissioner Tornatta: Yes.

Madelyn Grayson: Okay. Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Okay, now we can make the motion for the other one.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

David Miller: Thank you. I have nothing further.

President Melcher: Okay. Steve, do you got anything from Burdette? Anybody else?

Board Appointments

President Melcher: Alright, board appointments, we just have one. We had a person resign from MWBE. I would like to appoint Carolyn Walters. She was on it before, and our ordinance changed and we could only have two. So, we're going to put her back on, hopefully. We need a motion for that.

Commissioner Tornatta: So moved.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

Commissioner Winnecke: Second.

Commissioner Tornatta: God dang it.

President Melcher: Any discussion? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

New Business

President Melcher: Under new business, I think some of you know that our Veterans Service officer is going to retire. He's got some health he wants to work on and different things. His last day, according to, is the 19th. It kind of snuck up on us, so what we would like to do is appoint the Assistant Service Officer, which has been here ten years, to keep things going. That's who he would like it, the Vanderburgh County Veterans Council has asked us to appoint him, and they're the veterans and they're the ones that they serve and they know who they can work with. So, I told them that I would bring his name up tonight. I think all of you got letters on that and e-mails on that. He's already qualified, he's already state approved. So, I need a motion for that.

Commissioner Tornatta: Second.

David Miller: You need a motion.

President Melcher: Yeah, so you're a first?

Commissioner Tornatta: Huh?

President Melcher: Can you be the second?

Commissioner Winnecke: Second. I didn't say anything.

Commissioner Tornatta: Did I? I thought I made a motion?

Commissioner Winnecke: You said second.

President Melcher: You said second.

Commissioner Tornatta: God dang it.

President Melcher: Anyway, we will get through tonight.

Commissioner Tornatta: I would make a motion to take the recommendation of our President of the County Commission, who is a veteran and who knows this Veterans Services, and to nominate—

President Melcher: Jay Ball.

Commissioner Tornatta: —Jay Ball to be the interim Director.

President Melcher: To be the Service Director.

Commissioner Tornatta: To be the Service Director, who is the interim Director at this time.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: A stop sign at Orchard and Schenk Roads.

Commissioner Winnecke: Mr. Chairman, I was approached by a group of neighbors who have submitted a petition, I think there are 80 some odd signatures on the petition, asking this Board to consider the installation of a stop sign on Schenk Road for east bound traffic at Orchard Road. If you can picture that, Orchard Road it comes up the hill and kind of Y's into Schenk. It's very dangerous if you're going to turn onto Schenk to look back. The neighbors are requesting that a stop sign be placed there. This apparently came before this Board two or three years ago, and at the recommendation of the MPO, based on traffic studies, it was denied, but it's come back before us. I've been out there a lot, it is a dangerous intersection. I don't have a problem with recommending to our Superintendent of County Highways to install a traffic sign there.

Commissioner Tornatta: I think it's warranted, especially if we have those type of signatures of those people traveling through there. So, I have no problem with it. I would second that.

President Melcher: So, yours was a motion?

Commissioner Winnecke: Yes.

President Melcher: And yours was a second?

Commissioner Tornatta: Right.

Commissioner Winnecke: I would make that in the form of a motion.

President Melcher: Right. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The county employee walking contest. I think that's yours, Troy.

Commissioner Tornatta: Yeah, last year we started the Walking to Freedom Contest, and it was just a way to try and build a little comradery amongst the group. I found out we built up a lot of competition, but nonetheless, we had a walking contest and did a fabulous job. A lot of people out there putting the feet to the pavement. We raised a lot of awareness just for health in general in this building, but more than anything we had some people that used it as a way to get exercise. That was really what we were looking for. We've asked our partners with Welborn Health Plans, and our office to participate. So, we're going to do it again, starting April 5th, and the actual contest would end July 9th. Sign ups would be now through March 25th. We will send out sign up sheets tomorrow. I guess, we're talking about looking at

individuals walking this year. Instead of working on teams, we're going to do this as an individual contest. However, we would like to have one representative from each office as the point person to collect the miles, and we hope it's miles, that our team members walk. But, this gives an opportunity, you don't have to have a team of five for those that have had a team in the past, it gives an opportunity for you to do this on your own, if you feel so moved, and just report to somebody in your office. So, I would like to propose that to our Commission to go into this again, if, and then get your walking shoes on.

Commissioner Winnecke: I think it's a great idea. Do we have to wash cars again?

Commissioner Tornatta: Well, that's out there.

Commissioner Winnecke: I would be happy to.

Commissioner Tornatta: Okay. Alright, so, as it stands—

Commissioner Winnecke: Top five?

Commissioner Tornatta: Alright, top five.

Commissioner Winnecke: Okay.

Commissioner Tornatta: That was easy. Okay. The top, and we will have prizes, and we're working on that now. Obviously, it's a, we will have prizes for the winners, and probably some similar prizes to last year. Because we have a different in how our Freedom Festival is set up, we'll adjust those prizes, but the top five people will get a hand car wash somewhere on these premises. Anything else? Did I forget anything? They have to beat one of the two of us, or the both of us, correct?

Commissioner Winnecke: We'll do it together.

Commissioner Tornatta: The top five?

Commissioner Winnecke: Right.

Commissioner Tornatta: Last year they had to beat us. Unless we beat you, and the car washes are off.

Commissioner Winnecke: Wow!

Commissioner Tornatta: The caveat is—

Commissioner Winnecke: You know you are running this year, don't you?

Commissioner Tornatta: It's the top five, unless I beat you. Alright, the top five, the top five.

President Melcher: So, he will be running instead of walking?

Commissioner Tornatta: That's right. So, anyway.

President Melcher: I think we ought to—

Commissioner Tornatta: I've got a motion.

Commissioner Winnecke: Second.

President Melcher: –make sure we have that all down written right, so there won't be any renegs there.

Commissioner Winnecke: Madelyn will figure it out.

President Melcher: Okay, any other discussion? Anybody in the audience like to weigh in on that? Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Old Business

President Melcher: Okay, Weights and Measures, under old business. Renovations change orders.

Commissioner Tornatta: Okay.

President Melcher: I had that earlier.

Commissioner Tornatta: First off, I make a motion to approve.

Commissioner Winnecke: Second.

President Melcher: I have a first and second. Now we can have discussion.

Commissioner Tornatta: Okay, this is all buried. Here we are. I had a conversation with the individuals at Empire. They were actually able to go in there to the premises and try and find out what issues to bring back to the city and the county upon fixing a building that was left to the city from the National Armory. The only caveat to that was they had no power, and they had a bunch of equipment and material in there from the Wessleman's Nature Preserve. So, they were able to do a pretty extensive list, but not a complete list. Not knowing what would happen because there was no electricity, or how that electricity would be affected at the time. So, there is a list of, I believe five or six items, from electrical issues to heating and air issues, once they were able to find out what was working and what was not working. There is not an air conditioner in the building. Obviously, there will be an office in there, so they will need to have an air conditioner in the building. Then, once they had everything

removed, they found out that Loretta needed some compressors, and expansion tanks, piping, electrical actually moved out of the building. So, that was not put in the original quote. Therefore, there is an additional quote for somewhere, I believe it's fifteen a little over \$15,000. Is that correct? There's not any—

Commissioner Winnecke: I'm adding.

Commissioner Tornatta: Adding? I believe it's under \$16,000.

President Melcher: This property used to be the OMS shop for the National Guard.

Commissioner Tornatta: Yeah.

President Melcher: Then what happened, it didn't get traded on the land swap when they built the new armory. Then they decided to sell it, and the city ended up buying it through the Parks Department for \$100,000, all that property.

Commissioner Winnecke: I balled it at \$13,700.

Commissioner Tornatta: Okay.

Commissioner Winnecke: But, we can say for an amount not to exceed \$15,000.

Commissioner Tornatta: Okay. So, anyway, that would be the change orders, and I would like this sent over to the Public Works Board tomorrow for their approval as well.

President Melcher: So, you make that—

Commissioner Tornatta: I make that in the form of a motion.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: We already had the, we already gave the auction dates.

Commissioner Tornatta: Yep.

President Melcher: We can skip that. Anything else under old business?

Commissioner Winnecke: Are we going to vote on moving our meeting? Our next meeting?

Commissioner Tornatta: I would just make a motion to cancel our—

Madelyn Grayson: There's one issue I need to make you aware of. We have bids advertised to be opened at Drainage Board on that day. The annual ditch bids. The ad states that it will be in room 301 at 5:00. I don't know if we can just post something, or how we need to do that.

Commissioner Tornatta: Can we, we can't approve them to open them at that?

Madelyn Grayson: You can read the legal ad.

Linda Freeman: Yeah, it's Tuesday, March 30th, open and read aloud at the Board's regular meeting at that date in the County Council chambers, room 301, is what the ad said.

Madelyn Grayson: We actually open them during Drainage Board meeting, not Commission.

Linda Freeman: Yeah, but, I mean. We need a Drainage Board meeting. Commissioner's meeting that's—

Madelyn Grayson: Unless there's a way we can get them to change that. I don't know.

President Melcher: I was planning on being here anyway.

Commissioner Tornatta: Well—

President Melcher: We could have just—

Commissioner Tornatta: We'll have to meet right before the other meeting.

Commissioner Winnecke: It starts at 5:00, just have a Drainage Board meeting at 5:00.

Commissioner Tornatta: Yeah.

Commissioner Winnecke: The reorganization committee meeting starts at 5:30.

Commissioner Tornatta: Yeah.

President Melcher: So, we could do that at 5:00 and just have a Drainage Board meeting only.

Commissioner Tornatta: Then, the next time you do that—

President Melcher: Okay, so—

Commissioner Tornatta: Alright, so we'll just, we'll have, I make a motion to have no Commissioners meeting, yet have a Drainage Board meeting on the 30th of March, 2010.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Public Comment

Commissioner Tornatta: Motion to approve the consent items.

President Melcher: Well, wait a minute, let me get to public comment first. Any public comment? I think this might be a good time to introduce our guests this evening, the students. Would you like to start? Just state your name and grade and where you go to school.

Claire Alvey: My name is Claire Alvey. I'm a sophomore at Mater Dei High School.

Lee Jerstad: I'm Lee Jerstad. I'm a senior at Reitz High School.

Paige Scott: I'm Paige Scott. I'm a sophomore at North.

President Melcher: Alright. Now, Troy, go ahead.

Consent Items

Commissioner Tornatta: Okay. Motion to approve the consent items.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Madelyn, do you want to read it?

Madelyn Grayson: The consent items for the March 16th meeting are as follows; approval of the March 2, 2010 Commission meeting minutes; employment changes, there are two for the Commissioners approval tonight, one for the County Highway and one for Burdette Park; the Commissioners have a letter of support for Second Chance Act Adult and Juvenile Offender Re-entry Grant; Burdette Park has the 2009 year end report and cost analysis; the IBAP Gatekeeper has the January and

February 2010 reports; the Sheriff has a waiver of fees/not overtime for use of the Centre on March 22nd for a swearing in ceremony; County Engineer approval of pay request number 100 for the Green River-Burkhardt TIF projects in the amount of \$148,324.30; the Old Courthouse Foundation Board has a memo regarding payment of design fees for Superior Courtroom restoration; the County Election Office has a waiver of fees/not overtime for use of the Centre on April 28th and 29th and May 1st for poll worker training; the County Treasurer has the February 28, 2010 year-to-date report; Burdette Park has a yearly comparison from 2009 through 2010, I'm sorry, through February of, February 28, 2010; there are corrective documents from Rogers; the Commissioners have a proclamation of the St. Patrick's Run of Luck Day; the Chief Information Officer has an NTIA support letter; there are department head reports from Burdette Park and the County Engineer.

President Melcher: Any discussion, questions? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Is there any other business to come before the Commissioners this evening? I need a motion.

Commissioner Winnecke: Motion to adjourn.

Commissioner Tornatta: Second.

President Melcher: Madelyn? Never mind. All approved, said aye. We're done.

(The meeting was adjourned at 6:05 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the March 2, 2010 Commission Meeting Minutes.
Letter of Support: 2nd Chance Act Adult & Juvenile Offender Re-entry Grant.
IBAP Gatekeeper: January and February 2010 Reports.
Sheriff: Waiver of Fee/Not OT for Centre for 3/22/10 Swearing In Ceremony.
OCH Foundation Board Memo: Design Fees: Superior Courtroom Restoration.
Election Office: Waiver of Fee/Not OT for Centre 4/28-29 & 5/1/10: Poll Training.
Cross Pointe Blvd: Corrective Warranty Deeds & Public Utility Easements.
Proclamation: St. Patrick's Run of Luck Day: March 13, 2010.
NTIA Letter of Support for CIO: Grant Application.

Employment Changes:

Burdette Park (1)	County Highway (1)	Auditor (2)
Coroner (4)	Prosecutor (1)	

Burdette Park:

2009 Year End Report and Cost Analysis.
Yearly Comparison: 2009-February 28, 2010.

County Engineer: Pay Request No. 100: Green River-Burkhardt TIF Projects.

Treasurer: February 28, 2010 Year-to-Date Report.

Department Head Reports:	Burdette Park	County Engineer
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Joe Gries	David Miller	Madelyn Grayson
Sherman Greer	Les Shively	Andrew Lockard
Bill Lockard	Mary Yearwood	David Schroeder
Diana Vanell	Christine Sherrill	Debbie Spalding
Jim Heck	Warren Mathies	Chris Walsh
Matt Arvay	John Stoll	Claire Alvey
Lee Jerstad	Paige Scott	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
APRIL 6, 2010**

The Vanderburgh County Board of Commissioners met in session this 6th day of April, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We would like to call the Board of Commissioners to order. It's April 6th, it's a little after five in room 301. Madelyn, would you mind calling the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance

President Melcher: Is Pam Ewing or Matt Bertram in the audience? I didn't see them. I just...I guess, what we'll do, we'll just go ahead and use our students. If you could just state your name and what school and that.

Megan Hargett: Megan Hargett, North High School.

Paige Scott: I'm Paige Scott and I'm a sophomore at North High School.

President Melcher: And since you're standing, could you lead us in the Pledge this evening?

(The Pledge of Allegiance was given.)

**Permission to Open Bids: VC10-03-01:
First Avenue over Pigeon Creek Bridge Rehabilitation**

President Melcher: Right now we need to get permission to open the bids for the First Avenue over Pigeon Creek, VC10-03-01.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Clerk: Approve Award of Moving of Election Equipment

President Melcher: We'll go down to action items. I'm going to move the County Clerk up, she has other business this evening. So, right now we'll go to the County Clerk approve award of moving election equipment. Debbie, are you here? Debbie Spalding?

Debbie Spalding: Good afternoon, Debbie Spalding with the City-County Purchasing Department and the Cooperative Purchasing Organization. This afternoon we opened quotes for moving our election equipment this year. Traditionally this has been something that we have sought quotes for, and we received three quotes today. They are Your PD&S Agent bid \$4,580 for the spring, and the same amount for the fall. So, their total would be \$9,160. Kinder Moving and Storage bids \$6,000 for the spring and \$6,000 for the fall, with a total of \$12,000. Belmont Moving and Storage's bid was \$7,392 for the spring and fall, with a total of \$14,784. Those were the three quotes that we received.

Commissioner Tornatta: Motion to take those under advisement?

Commissioner Winnecke: Second, well, second.

President Melcher: Okay. Anything you want to say?

Debbie Spalding: No, I don't know if Susie—

President Melcher: I think, Susie, you wanted to....just state your name and your office.

Susan Kirk: Susan Kirk, and I'm Clerk of the Circuit Court. My concern, this is not your normal moving job. When we say move the equipment, you have to remember that each iVotronic, number one, the price is \$5,000, so if a moving company breaks one, or two, or whatever, it's \$5,000 a piece. Also, out of the 500 that we will be sending out to the precincts, each one has a precinct that it goes to, there's like four, sometimes four go to one precinct, five or three, whichever, you know, whatever we've allotted to each one. It is a complicated process. It sounds easy, but it is not. The moving company, you know, especially the churches and some of the private places, they're not there, they're going back and forth like two to three times. Let's put it this way, it's so complicated and so time consuming that the company that bid for it in 2008 and received the bid, didn't even bid this year. The thing of it is, if an iVotronic is delivered to the wrong precinct, they open it up, we can really mess up an election by having the wrong iVotronics delivered to the wrong precinct. Kinder

Moving and Storage is very knowledgeable in getting this job done. I would ask the Commissioners, even though Kinder's is like about \$3,000 more, to please consider a company that has the experience, has done a wonderful job in the past, they don't ever gouge us or anything like that, and from here on out, instead of using a bid for this, do it as a service. Now, obviously, if the price started going up, because I'm very conservative, if the price started to go up too much, of which, I don't see that with Kinder, but, if it did, I would certainly alert the Commissioners to go back to a bidding process and we could start all over again. But, having different companies each year bid, and we start from scratch again to try to train them, and you can't do it in one election, is just a nightmare. It really is a nightmare. So, I'm just asking the Commission to please consider the nature of the business of moving these iVotronics. I would appreciate it immensely if you would decide to go with Kinder, and from here on out use it as a service as long as the price is within, you know, within reason. Kinder was right in the middle of the two that bid. I realize the economy is tough. I know that, you know, bidding we want to get the cheapest done, but we have one day to get an election correct, one. We cannot go back the next day. You have voters come in, vote on the wrong equipment, I don't even want to go there. So, I'm just asking you to please reconsider, or consider please, using Kinder and then using it as a service from here on out.

President Melcher: Didn't you tell me earlier that one of the equipment machines broke last year or was dropped or something?

Susan Kirk: Yes, they have to be, you can't stack them. Inside, it's like, there's a computer inside of the case, and you can't stack them, because they weigh like 52 or 53 pounds a piece. This was told to the company, do not stack. They stacked, one slid and broke and cracked the screen. So, like I said, that's \$5,000, which means if you break a piece of equipment, you know, you're responsible for it, the moving company would be responsible. Obviously, they would lose money on the deal. They're just, you've gotta, like I said, it's quite an ordeal. I would advise, especially if Kinder, if you decide to use Kinder because of the, like I said, the situation, you should watch them on Monday when they move that equipment. It is, it's something to behold I will have to say. So, I would just appreciate it very, very much.

Commissioner Winnecke: Susie, a couple of real quick questions. If we take this under advisement, the 20th, from a timing perspective that still gives you enough time?

Susan Kirk: Yes.

Commissioner Winnecke: Kinder has moved these machines in the past?

Susan Kirk: Yes, they've done it every time except in 2008, and their bid was, I don't know, a couple of thousand more than the other company. Otherwise, they've done it every time. We've got it down to a fine art. They pretty well know, I don't even know how any of them make any money doing this as many times as they have to back track and so forth and so on, but, yes.

Commissioner Winnecke: My final question is for Debbie. Debbie, each of the three vendors that proposed a bid on this are qualified from a technical perspective, in your opinion?

Debbie Spalding: I would think so.

Commissioner Winnecke: Okay, thank you.

Commissioner Tornatta: Do we have any type of bonding associated with this bid?

Debbie Spalding: No, there were insurance requirements that were listed in the quote. So, the winning person would have to provide insurance with the County as an additional insured.

President Melcher: Okay, do you got any other questions?

Commissioner Tornatta: No.

President Melcher: So, we're just going to take it under advisement tonight?

Commissioner Winnecke: We need to vote on taking it under advisement.

President Melcher: I know, I know it.

Ted C. Ziemer, Jr.: I'll just make this comment. This is a service that we're dealing with here. Under Indiana law you are not required to bid for a service. It happens, occasionally, and maybe these days more often than not that we do seek bids for services, and the idea, of course, is to determine, the best you can, based on the market and so forth, that you are, in fact, getting a good price for the service to be performed. You are not required, after you receive those quotes, when you ask for quotes for a service, to take the lowest quote, though. I think there is some, maybe moral suasion that you ought to consider that, or otherwise why would you seek quotes? But, I want the Commissioners to understand that it is fair, when dealing with a service, to take into consideration prior performance and perceived ability to perform in the future. That doesn't mean that the low bidder here can't perform every bit as well as Kinder. It may well, we don't know, because they've never done it for us, but I want the Commissioners to understand that should you determine, based on prior history and so forth, that you want Kinder, the next highest bidder, to perform this service, it is legal to award this contract to that bidder.

Commissioner Tornatta: My only, my only issue is it was decided by this Commission to bid this out, and, at that point we're telling all bidders that they're open and if they have the qualifications and are the lowest bidder that they have the availability to get the job. By, now not going that direction, I don't know what the message is that we're sending.

Susan Kirk: Well, I think that, really, you know if I could roll back the clock a little bit, I would have certainly addressed this with the Commissioners of the specialty of this job. Like I said, when you do it for bids, and you're going to have a different company almost every year getting it, it's just, it's a nightmare. It really is. If I had 3,000 extra dollars I would give it to you just to use Kinder who's experienced, they know what they're doing. I really would. If we could just keep the company, like I said, as long as the price is reasonable. I realize bidding is, that's a good thing, there's nothing wrong with it—

Commissioner Tornatta: Right.

Susan Kirk: —but this is, this is a little bit different.

Commissioner Tornatta: My only issue, I'm on board with what you're saying, Susie, I think that you bring up some great points, but that was not what this Board looked at on this particular instance. If it's something that they look at in the future, I think that's availability, or that's available to this process, then I'm okay with it, but because this group went with a bid process, it's hard for me to say that you don't go with the lowest bidder. I mean, but we take it under advisement to make sure that they are qualified and can do the work. I am familiar with all three outfits, I would hesitate to say that any one of them could not do the work set forth, but we did take a bid—

Susan Kirk: I'm not saying—

Commissioner Tornatta: —and that's the only thing I'm—

Susan Kirk: —I'm sorry. Go ahead.

Commissioner Tornatta: —no, I just said we did take these bids and I think we are not doing ourselves any service by going against the low bidder, if they are qualified.

Susan Kirk: I'm not saying they can't do it, but it was like the company in 2008, they did it, but they were still delivering iVotronics election morning. We can open ourselves up to a mess—

Commissioner Tornatta: Uh-huh.

Susan Kirk: —if we have ones delivered to the wrong place, or they're not delivered. The county, you know, sometimes these things can end up costing more just from lawsuits—

Commissioner Tornatta: Uh-huh.

Susan Kirk: —of messing things up. So, I'm asking you to please reconsider, under the circumstances. I realize you bid, you sent out for bids, I realize that, but as Mr. Ziemer has pointed out you can, just because of the past service, choose to go with a company that we have used in the past. I'm asking you to please consider it.

Commissioner Tornatta: Thank you.

Susan Kirk: Short of getting on my knees, please.

President Melcher: Thank you. Is there any public comment? Seeing none, Madelyn, will you call the roll?

Susan Kirk: Thank you very much for letting me go first.

Madelyn Grayson: Do we have a motion on the floor?

Commissioner Tornatta: We had a motion and a second.

Commissioner Winnecke: To take it under advisement.

Commissioner Tornatta: To take it under advisement.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

<p>Final Reading of Vacation Ordinance CO.V-03-10-001: 608 Jobes Lane: Petitioner: Mary Yearwood</p>

President Melcher: Moving on, we have the final reading of vacation ordinance CO.V-03-10-001, 608 Jobes Lane.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: A first and a second. Do you want to come up, Mr. Shively?

Les Shively: Mr. President, members of the Board of Commissioners, my name is Les Shively, representing the petitioner, Mrs. Yearwood. I think we had our public hearing a while back, so I don't think it would be appropriate for me to add anything more, other than to say that we ask for an affirmative vote here this evening. Thank you.

President Melcher: Is there anybody here who would like to speak for or against? For or against? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Les Shively: Thank you very much.

President Melcher: Thank you.

Permission to Award VC10-03-02: Fickas Road Culvert Replacement

President Melcher: Next we have the County Engineer, permission to award VC10-03-002, Fickas Road culvert replacement to Deig Brothers for \$118,681.06¹.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Okay. Do you want to come on up?

John Stoll: Deig Brothers did provide the low bid on that project. So, it's recommended that the project be awarded to them.

President Melcher: Okay, you might as well just stay there. Does anybody have any questions in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Receive Request for Proposals:
First Avenue Bridge Construction Inspection
Maryland Street Bridge Design
Millersburg Road Design and Right-of-Way**

President Melcher: The next one is go ahead and receive the proposals for First Avenue bridge construction inspection, Maryland Street bridge design, and Millersburg Road design and right-of-way.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Did you have anything, discussion on that one?

John Stoll: No, we'll just review the proposals and see who is interested in each project.

¹Correct bid amount is \$118,681.60

President Melcher: Alright, thank you. Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Permission to Advertise Auction of County Owned Properties:
June 8, 2010: Sohn and Associates**

President Melcher: Next, we have the County Commissioners permission to advertise the auction of county owned properties on June 8, 2010 to Sohn and Associates.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Is there any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Permission to Send Notices to Abutting Property Owners:
Submit Bids for 18 W. Illinois Street**

President Melcher: County Commissioners notice to abutting property owners to submit bids for 18 West Illinois Street. The notices were sent according to State law to abutting property owners of this property acquired by tax default. All offers must be received by April 21, 2010.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Approval of May 2010 Primary Election Polling Place Locations
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President Melcher: Next we have the County Commissioners approval of the 2010 primary polling locations. These are changes from the November 2008 election to the 2010 location are as follows. I'm going to read these one at a time. The ward is the second ward, 14th precinct, in 2008 Life in Abundance is where it was at at 2626 South Walnut Lane. It's being moved to, for this May 2010, the Vann Park Apartments, 3305 East Pollack. Next is 4-13, that's the fourth ward, 13th precinct, was the Christian Tabernacle Church at 1401 Washington Avenue, it's being moved to Stanley Hall at 800 South Evans. Next is C-9, which is the county ninth precinct, was Waterworks Garage, 1931 Allens Lane being moved to the County Highway at 5101 North St. Joe Avenue².

Commissioner Tornatta: That would be Center. Center Township.

President Melcher: Okay, you're right. The next one would be Center Township ten, this is only going to be a name change, Hamilton Golf Course changed their name to Thunderbolt Pass.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

²Correct address is 5105 North St. Joe Avenue.

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Permission to Advertise Polling Places Legal Ad:
May 2010 Primary Election**

President Melcher: County Auditor, permission to advertise polling places legal ad for the 2010 primary election.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Treasurer: Agency Securities Investing

President Melcher: County Treasurer, agency securities investing. Rick, are you here to—

Rick Davis: Good evening, Rick Davis, Vanderburgh County Treasurer. Last week I submitted an e-mail to the three Commissioners, as well as the County Attorney requesting the permission to begin investing in agency securities. The reason why, since September of '08 when the financial crisis really started melting, into a meltdown, over 100 banks in the country have failed. Before that time, people who were in investing were more or less chasing interest rates, yield, more than they were looking at safety or liquidity. In the past year, year and a half, the mood has changed to safety first, liquidity second and yield last. We've been very fortunate in the State of Indiana, only one bank has failed so far, that I'm aware of. I've been going to some investment seminars with the State Treasurer, and Vanderburgh County is one of the few counties that would be able to invest in agency securities because of our size. I would really appreciate, it would take a vote by the Commissioners in order for us to begin investing in agency securities. The State

Treasurer's office referred me to Morgan Stanley and Smith Barney. I have two representatives from that company here with me today who can answer any questions you may have. They've also, I've worked, they basically drew up an investment and deposit policy that I would like to submit for you today. This, I do not think needs approval at this time. I would like for you to look it over and digest it and have the attorney look at it. I can always come back next time, and you can either approve it or not. I'm going to pass that out right now.

President Melcher: Thank you.

Rick Davis: I always try to give you documents well in advance. This was given to me today, or I would have submitted this to you earlier, but I think it's a very sound investment and deposit policy. Again, everything that I'm bringing to the table today you can always take under advisement and I can come back next week, particularly this, but I did give the County Attorney the Indiana Code for the agency securities, and I believe he's satisfied with what he has. I have not received any comment from him, and he's always very good if he has any questions of getting a hold of me. I appreciate that, Ted. I'll be glad to answer any questions you may have, or I have the representatives from Morgan Stanley and Smith Barney here that also may be able to answer any questions for you.

Commissioner Tornatta: Okay, and, Rick, you want to do the agency securities and you believe that, it's your recommendation that that is a good diversification for our county?

Rick Davis: Absolutely. Especially in the environment we're in now. You don't, we, it's one more basket to carry the eggs in. We don't want to put all of our eggs in one basket, but it's definitely diverse, it's very safe. It's not very liquid, like our Trust in Indiana accounts, but it's very comparable to certificates of deposit.

Commissioner Tornatta: And, what's, do we have any type of idea on an interest rate?

Rick Davis: They are very comparable to CD's.

Commissioner Tornatta: Okay. I'll wait, if there are any other questions.

Commissioner Winnecke: I think it would be a great idea to have the experts come up and give us a—

Rick Davis: Okay.

Commissioner Winnecke: —overview of what the product is, so we have a better understanding.

Rick Davis: We have Jessica Rebmann and Michael Fink. They are from Morgan Stanley-Smith Barney.

Jessica Rebmann: Good evening, Commissioners. I'm Jessica Rebmann, I'm with the Morgan Stanley-Smith Barney branch in Lafayette, Indiana. My former career was actually working for the Tippecanoe County Commissioners as a grant writer/administrator. I'm very familiar with being in your shoes in terms of exploring every avenue and every cost effective way to, number one, protect the taxpayer and make the most of the taxpayer dollars. So, that's my perspective. I'm very in tune

with the laws that govern county investments in Indiana, and especially from your perspective appreciate looking for secure ways to make sure that you're maximizing the dollars that you hold. I'll let my associate here, Mr. Fink, introduce himself as well.

Michael Fink: I am Mike Fink. I'm with the Ohio Valley Group at Morgan Stanley-Smith Barney. We specialize in working with municipalities in both the Midwest and other states. We work in Florida, Kentucky, Ohio. Again, our specialty is working with public entities, so, but, unlike Jessica, I have no political experience. So, I'm a little nervous here. I'll answer the questions that you throw at me though.

President Melcher: Do you have any questions?

Commissioner Winnecke: It would be helpful, I think, if you gave an overview of specifically what the product is, to Commissioner Tornatta's point, in terms of potential interest rates, potential terms on the investment tools, etcetera.

Jessica Rebmann: Go ahead.

Michael Fink: Sure, I'll handle that. Well, the focus on this was on federal agency securities, but in the policy it opens it up to not only federal agencies, and those are government sponsored enterprises. The primary government sponsored enterprises are Federal National Mortgage Association, Fannie Mae; Federal Home Loan Mortgage Association, that's Freddie Mac; Federal Home Loan Bank and the Federal Farm Credit Bank. Those are the primary federal agencies, but in addition to the agencies there's also treasuries, certificates of deposit, money market savings accounts and other investments. I think that the focus on this was with agencies because there is a slightly higher yield with a federal agency security over a treasury. There has been a lot of discussion in the news lately about these enterprises and are they actually safe? In 2008 the Federal Housing Finance Association, or, excuse me, the Treasury Department through the Federal Housing Finance Association increased their line of credits to both of these organizations to an unlimited amount. They basically said we're going to stand behind them regardless of what happens. They account for about six trillion dollars worth of debt, and an eleven almost twelve trillion dollar mortgage market. So, I believe that the government feels that they are too big to fail. Now, regarding Federal Home Loan Bank and the Federal Farm Credit Bureau, all of these securities are rated AAA, first of all, but Home Loan Bank and Farm Credit Bureau are both well capitalized. Home Loan Bank is at, I believe it's about eight percent capital to asset ratio. Farm Credit Bureau is over ten percent, which are high capitalization levels for banks. But, the federal government has, through the Treasury, has basically said through the year 2013 we are not going to let these banks default. So, that's a little background on the product itself.

Commissioner Winnecke: Could you describe the relative risk in this product versus a more traditional certificate of deposit?

Michael Fink: In terms of credit risk I think I just did that. The risk associated, there are other risks, there's interest rate risk, and interest rate risk would be if you invested for a longer period of time and then interest rates go up in the meantime. Well, I think from that standpoint the Indiana Code kind of limits you. The maximum legal final maturity in the State is two years. So, that really doesn't, I mean, you can't invest in a ten year or a 30 year security. So, the interest rate risk would be a factor here, but in the case of Indiana, you just really don't have that much.

Commissioner Winnecke: But, compared to a CD it would be relatively the same interest rate risk, because your money is tied up for a specific time?

Michael Fink: Exactly.

Commissioner Winnecke: Thank you, that's what I was trying to get at. Sorry.

Commissioner Tornatta: Then, Rick, what is the approximate time that you anticipate that you'll have these monies tied up?

Rick Davis: Are you asking like are we going to do this for six months, a year, year and a half, two years?

Commissioner Tornatta: Yeah.

Rick Davis: Typically, with our CD's we've been going a minimum of six months. Otherwise, you're looking at a point five percent rate.

Commissioner Tornatta: Right.

Rick Davis: Six months or more you're getting a point eight five, or up to a point depending upon, a percentage rate, depending upon 18 months to two years. So, you know, we are going to be looking at, again, two years is the maximum we can go out, and that's not really that long out. So, two years would be, I would think, a norm. One year would be a norm. Somewhere in that range, one to two years.

Commissioner Tornatta: Okay.

Commissioner Winnecke: Then, Rick, I think it might be helpful to describe, as we discussed earlier, sort of your vision for putting some of our assets into these instruments as CD's mature.

Rick Davis: Yes, right now we have roughly \$20 million in CD's that are outstanding right now. We have roughly \$30 million in the Trust in Indiana account. Most of the monies in the Trust in Indiana account are what I call our sub accounts, like you have your Burkhardt TIF, Food and Beverage, stuff like that. Before they would be, you want liquidity with those accounts, because we're getting claims with those accounts. The Bridge Fund, for instance, the Bridge Fund would maybe have a million dollars in it, well, if they're working on a big bridge and a big claim comes in for, you know, a half a million dollars and you've got \$750,000 of the million invested in a CD that can't be broken, well, then you've got problems. So, we've put those types of investments in Trust in Indiana. The yield is very low, but the safety is very high, and they are liquid. If I, before 11:00 in the morning, if I want to move \$500,000 from the Bridge Fund to the General Fund to pay a claim that's come in from Mr. Stoll, I can do it. That's extremely liquid, and very easy. So, as these CD's mature, again, I want to diversify. With the \$20 million, I would put \$10 million in this Morgan Stanley agency security account. Then I would put the other \$10 million in CD's of some kind, rather than just putting all \$20 million back in CD's.

President Melcher: Any other questions? Bill, would you have anything to say on this one?

Bill Fluty: No.

President Melcher: Okay. Anybody from the audience?

Commissioner Tornatta: Mr. President, I would like to make a motion to move with the County Treasurer—

Rick Davis: I believe there's a resolution that must be passed.

Commissioner Tornatta: Okay.

Rick Davis: I submitted the resolution.

Commissioner Tornatta: Then hold on.

Ted C. Ziemer, Jr.: The resolution to adopt this investment and deposit policy?

Rick Davis: Correct.

President Melcher: I don't think I've seen that.

Ted C. Ziemer, Jr.: Commissioner Tornatta, you have in front of you the proposed investment and deposit policy, which has been discussed, and they're asking, or the Treasurer is asking that the Commissioners adopt a resolution endorsing this policy.

Commissioner Tornatta: But, that's not the resolution?

Ted C. Ziemer, Jr.: Well, the resolution would be to adopt this policy. What is this? Well, that's actually a different resolution.

Rick Davis: Yeah, the resolution naming authorized officers, correct.

Ted C. Ziemer, Jr.: Right, right, but then do you also want a resolution adopting the—

Commissioner Tornatta: Exhibit A?

Ted C. Ziemer, Jr.: —policy?

Rick Davis: That I just gave to them. I don't expect them to pass that tonight. They can always take it under advisement next week. The policy will not prohibit us from opening this account, if they take it under advisement and approve it at a later date. I really, five minutes ago, put it on your desk. I definitely don't, and I want you to read it, digest it and know what we're getting ourselves into as far as our investment policy goes. But, with the other resolution that definitely is something that I would, hopefully, like to see voted upon tonight, if you deem it worthy.

Commissioner Tornatta: Right, but, here again, Rick, you being the Treasurer, I would hope that you're bringing us a recommendation—

Rick Davis: Yes.

Commissioner Tornatta: —not wanting us to micro manage how you do your investing.

Rick Davis: Yes.

Commissioner Tornatta: You know, I have faith, we've been through many different things together, and I have faith that if this is your recommendation and the recommendation you have for how you want these monies to come out—

Rick Davis: Yes, it is.

Commissioner Tornatta: —then the public answers to you as well.

Rick Davis: Yes, absolutely.

Commissioner Tornatta: And, you're bonded—

Rick Davis: Yes.

Commissioner Tornatta: —so there's not any reason to micro manage. So, unless, does this Board feel the need to review?

Commissioner Winnecke: You know, I agree with everything you said, but just as a, I would rather read, it's about four or five pages long, I would rather read it and consider it for approval in two weeks, but vote tonight on whether to authorize the Treasurer to proceed with—

Commissioner Tornatta: Okay.

Commissioner Winnecke: —the agency securities.

Commissioner Tornatta: So, I would say, on the recommendation of our Treasurer, we would accept the resolution naming authorized officers Morgan Stanley-Smith Barney to handle the agency—

Rick Davis: Securities.

Commissioner Tornatta: —securities funds, and I'll make that in the form of a motion.

Commissioner Winnecke: Second, and I do have a question too that I just thought of.

President Melcher: Okay, go ahead.

Commissioner Winnecke: Then, how are you compensated based on the relationship with the county then?

Michael Fink: Most of the securities that are purchased in the federal agency market would be new issue agencies. Unlike commercial banks where retail depositors provide the funds for lending, the agencies receive their deposits through the debt market. The new issue agency debt market is how the dealers are paid to get that debt into the hands of the public. So, the dealer network is compensated by the agency and that's how we get compensated.

Commissioner Winnecke: Through the agency itself?

Michael Fink: Correct.

Commissioner Winnecke: Okay. That's based on the amount of investment, in this case, from our county?

Michael Fink: It's based on the security itself.

Commissioner Winnecke: Okay.

Michael Fink: Some shorter term securities, obviously, are going to have what they call a spread or a selling concession. The spread on a shorter term security is going to be smaller than on a longer term, but in any case a two year security, the spread is going to be at most five basis points—

Commissioner Winnecke: Okay.

Michael Fink: —or \$500 per million.

Commissioner Winnecke: Okay. Thank you.

Jessica Rebmann: Can I jump in on that? Just to be clear, there's not an extra cost that we're charging on. We're a primary dealer of these, and so we're paid through them, but what you'll see is just like in a CD you're going to invest a certain amount of money at a certain rate and that's what you'll get. There's no cheaper way to transact them.

Commissioner Winnecke: Okay, thanks for the clarification.

Ted C. Ziemer, Jr.: This is the first time the County Attorney has seen this resolution naming the authorized officers. Is this going to present a problem for you if this is not approved until the 20th of April?

Rick Davis: Not at all. When our CD's mature is when we're going to be making these investments. Several of these investments don't mature until the end of May. So, we have plenty of time.

Ted C. Ziemer, Jr.: If the Commissioners don't object, the County Attorney would like to have that time between now and April 20th to review this and to advise you as to our opinion regarding the adoption of this resolution.

Commissioner Tornatta: Alright, I rescind my motion.

Commissioner Winnecke: And my second.

Michael Fink: Can I just make a comment on that? Really the rationale behind this is so that we know who's authorized to make securities transactions, who's authorized on behalf of the county to make securities transactions. So, this particular form isn't really required, we just need some documentation that says the county authorizes Rick to make these decisions.

Ted C. Ziemer, Jr.: Yeah, and we will be in a position to provide some kind of documentation to you April 20th.

Michael Fink: Okay. It just doesn't have to be this form.

Ted C. Ziemer, Jr.: I understand.

Rick Davis: Again, this isn't going to cost the county any money on interest earned, because these CD's will not, the CD's that I'm anticipating investing will not mature until the end of May. So, that's again why, Commissioner Tornatta, I had no problem at all letting you guys digest the five page document until the next meeting.

Commissioner Tornatta: Sure. Okay, thanks for coming. Thanks, Rick.

Ted C. Ziemer, Jr.: Thanks a lot.

Commissioner Winnecke: Thank you.

Rick Davis: Appreciate it.

Treasurer: Update on May 2010 Tax Billing
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Rick Davis: One more thing, while I have the podium, if I could ask for a minute of public service announcement. I just wanted to remind everyone in the community that property taxes will be due on May 10th. You shall expect your bill to be in the mail sometime the middle of next week. Our staff, I'm very proud of my co-workers, they've done an outstanding job. We, the Commissioners approved, and the Council approved the purchase of folding/inserting software equipment, as well as printing equipment to print the bills in-house for the first time in about 20 years. If we meet a personal goal of mine to have these out by the middle of next week, folks in Vanderburgh County will have around 27 days notice by the postmark on the envelope until the due date. That's a vast improvement. It's the first time since 2002 they've had that much notice in getting their property tax bills. It's not just to our office, it's also due to the County Assessor's office and the County Auditor's office too. They've done a great deal of work. As a reminder, May 10th is when property taxes are due. When you get your bill in the mail you can take them to Old National Bank, any Old National Bank branch in the tri-state area. You can pay by electronic check on our website for only three dollars. You can pay by credit card with a 2.75 percent interest rate online. I also wanted to notice, or note that the property taxes are online now, and they have been since March 18th. So, we have definitely given Vanderburgh County taxpayers a lot of ways to pay their bill and many days notice as compared to previous years. I would be glad to answer any questions you may have concerning that as well.

Commissioner Winnecke: I went down to see the operation, it's pretty impressive. So, congratulations on a job well done so far.

Rick Davis: Thank you. I couldn't have done it without the Commissioners help and the Council. Thank you guys.

Commissioner Tornatta: Thank you, Rick.

President Melcher: Any other questions of Rick? I already looked mine up. I told you that the other day.

Rick Davis: Hopefully they went down.

President Melcher: Just a tad.

Rick Davis: Alright.

President Melcher: I don't even want to say it.

**Reading of Bids for VC10-03-01:
First Avenue over Pigeon Creek Bridge Rehabilitation**

President Melcher: Okay, we'll move on into contracts, agreements and leases. The Sheriff--

Ted C. Ziemer, Jr.: Excuse me, Mr. President, do you want to do the bids? I've completed opening those. Or, if you're not ready for them

President Melcher: Are you done?

Ted C. Ziemer, Jr.: Yes.

President Melcher: Okay, we can do them then.

Ted C. Ziemer, Jr.: We have bids for improvements to the First Avenue Bridge over Pigeon Creek; one from Gohmann Asphalt for \$1,525,350; one from Deig Brothers for \$1,633,195; one from Ragle, Inc. for \$1,599,773.42; and one from Blankenberger Brothers for \$1,396,400.

Commissioner Tornatta: Motion to take under advisement.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Reading of Requests for Proposals

Ted C. Ziemer, Jr.: In addition, we have opened proposals to provide design, right-of-way engineering, and right-of-way acquisition for improvements to Millersburg Road between Hedden and Green River Roads. This is the first stage in a request for proposal process. The various contractors, who I will name, have submitted their qualifications for this project, and know there are no bids amounts at this time. We have received responses to the request for proposal from Clark Dietz, United Consulting Engineers, Bernardin Lochmueller and Associates, Cripe Contracting, DLZ Contractors, R.W. Armstrong and Company--

Commissioner Tornatta: RQAW.

Ted C. Ziemer, Jr.: –RQAW, and Beam Longest and Neff.

Commissioner Winnecke: Motion to take those under advisement.

Commissioner Tornatta: Is that it?

Ted C. Ziemer, Jr.: Yes.

Commissioner Tornatta: So moved.

President Melcher: So we have a first and a second. Any further discussion on it? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Winnecke: Then, can we make copies of those so we can see the letters of interest on those?

Ted C. Ziemer, Jr.: Sure, there are several copies in each. John? There are four in each response.

Commissioner Winnecke: Okay, great.

Ted C. Ziemer, Jr.: So, yes.

President Melcher: Is that it, Ted?

Ted C. Ziemer, Jr.: Yes.

**Sheriff: Community Corrections Grant Agreement
Sheriff: Professional Services Agreement: Dr. Barbara Perkins
Burdette Park: Pool Use Agreement with USI
Health Department: Advertising Agreement with SC Communications
Superior Court: Agreement with Guardianship Services (deferred)
Commissioners: Approval of Form 96: Pipe Vendors (3/16/2010)
Supplemental No. 4: BLA: Burdette-USI Bike Path: Ph. II and III**

President Melcher: Back to the Sheriff, the Community Corrections grant agreement. I need a motion.

Commissioner Tornatta: So moved.

Commissioner Winnecke: This is on the dentist?

President Melcher: No, the one before the dentist. It's this one here.

Commissioner Winnecke: Oh, second.

President Melcher: So, we have a first and a second. Is there any discussion?
Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The next one is agreement for professional services with Dr. Barbara Perkins as a dentist for the Sheriff's office for the period of July 1, 2010 through June 30, 2012. Compensation will be paid at \$1,000 per an eight hour day.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Is, I don't know if somebody, is that an increase?

Ted C. Ziemer, Jr.: It is not. It's the same amount as last year.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is Burdette Park, annual agreement with USI for the pool lifeguard training. The agreement is exactly the same as last year.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Health Department, advertising agreement with WIKY. The cost is \$4,200 for three months. The grant funds are available to pay the cost.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Any discussion from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Superior Court Juvenile Division, agreement with Guardianship Services—

Ted C. Ziemer, Jr.: Mr. President, I apologize, we talked to your office this afternoon, not your office, but the Commissioners office, and I've spoken to Judge Niemeier about this, the agreement lacks any insurance provisions for the protection of the

county, so I've asked that it be delayed until the April 20th meeting. That's agreeable to Judge Niemeier. So, if you would just take this off the agenda.

President Melcher: Okay. County Commissioners, approval of Forms 96 for bids awarded to the pipe vendors at the March 16th meeting of the Commissioners.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Supplemental agreement number four with Bernardin Lochmueller and Associates for engineering services for phase two and phase three of the Burdette-USI bike presbyterian³ trail, nature trail. It increases the total not to exceed \$231,000 to \$242,500.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

³Should be pedestrian.

County Engineer

President Melcher: Department head reports. Ted, do you have any reports?

Ted C. Ziemer, Jr.: I don't, Mr. President.

President Melcher: John?

John Stoll: I have a couple of items this evening. The first is a street acceptance request for section one and section two of Crowne Ridge Subdivision. This, these acceptances in section one will cover 173 feet of Baldwin Drive, 389 feet of Basil Drive, 831 feet of Baywood Court, and 834 feet of Crowne Ridge Court. Then section two would be 339 feet of Basil Drive, 831 feet of Erinwood Court, and 1,003 feet of Rathbone Drive.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: So, we have a first and a second. Any discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then the other item that I've got is in regard to the IDEM storm water audit that we recently completed. It took a lot of work from a number of offices; Chris Walsh at the County Highway, Steve Craig at Burdette, Bill Jeffers, the Sheriff's Department assisted, Joe Ballard of Solid Waste, Norma Duckworth at SWCD, with everybody combined we got everything submitted and reviewed by IDEM. We'll get an audit report soon, but one of the things that was lacking was a survey of citizens of this area. So, we currently have posted online a survey about storm water, and I just wanted to get that out on the t.v., the broadcast to let people know that if they go to www.vanderburghgov.org there's a link to a storm water survey, and if anybody out there could take the survey, then we can compile the results and comply with another one of IDEM's mandates.

Commissioner Tornatta: Okay.

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

Commissioner Tornatta: Thank you, John.

Commissioner Winnecke: Thanks, John.

President Melcher: Any other department heads? Seeing none. I don't believe we have any board appointments.

New Business

President Melcher: New business? Old National insurance survey. Dennis, I guess you're going to talk about it, or you're providing a survey to distribute to the employees of Vanderburgh County?

Dennis Feldhaus: Yes, good evening, Commissioners. Dennis Feldhaus with Old National Insurance. I would like to distribute to you now two surveys for consideration.

Commissioner Winnecke: Thank you.

Dennis Feldhaus: As you know, we're into the second year of our employee medical program with Vanderburgh County. That was all moved from three different plans to one plan under Welborn Health. As your representative and broker of that program through Old National Insurance with Welborn, we felt it was a good time to try to put together a survey for your employee base so that we could get some feedback on what's important to them, what's on their mind, what's been wrong with the program, what do we need to correct? So, what you have up in the top right corner, on number one, was an original suggested survey that was put together through the help of Commissioner Winnecke, and I appreciate his input. Upon receipt of that, I took it upon myself, as your representative at Old National, to tweak that. I came up with survey number two. So, basically the difference is highlighted on survey two what's different from survey one so that we can try to make this as least complicated as possible. The main difference between the two is, obviously we want to send the survey to your entire employee base. Keep in mind that 55, 56 percent of your employee base was with Welborn Health Plans prior to the change. So, we want a survey that still reaches 100 percent of your employee base and not just either the old Welborn Health Plan people versus the other plan. So, with that in mind I tweaked the wording a little bit, and I'm open for discussion, and at the end of the evening would like for the Commissioners to tell me what they want in this survey, how they want it said, and we will get it out to your employees.

President Melcher: So, you want us to do that now?

Dennis Feldhaus: You could take it under advisement and we could do this, you could approve which survey if you want. I'll leave that up to you. The last two questions on survey number two were additional input. Looking at future trends of group medical plans that are out there, I thought that would be important to see if there would be any interest in any of those. You might have employees that would want to consider a health savings account. I would like to know that. Then, item number 12 basically says, all else being equal, if price goes up, what's more important to you, your benefits or how much you pay for your benefits? So, I would like to have some feedback on that.

Ted C. Ziemer, Jr.: Dennis?

Dennis Feldhaus: Yes?

Ted C. Ziemer, Jr.: Just so I understand this, for example, items four, five and six of the original, on your copy you've got four, five and six highlighted, does that mean it's a different question than—

Dennis Feldhaus: It's basically the same question, it just specifically removes Welborn Health Plan as a comparative analysis. We just want some general response, but I can appreciate Mr. Winnecke, Commissioner Winnecke, excuse me, and his desire because of some of the feedback and some of the change that took place, to specifically want that information.

Ted C. Ziemer, Jr.: Then, items 11 and 12 are, of course, brand new?

Dennis Feldhaus: Yes.

Commissioner Winnecke: I think it would be pretty unreasonable to, for us to wordsmith this on the fly. I liked a couple of the changes that you made. I do think it's important to reference the provider as, you know, almost, I should say the majority of the complaints that we have received, are issues that are directly related to the provider and not to you—

Dennis Feldhaus: Correct.

Commissioner Winnecke: —to your company, and I think it would be interesting to know how folks feel about that. Under question two I think it's important to understand what their level of satisfaction is with the provider. We didn't ask it about your company. I was fine with the way you reworded some of the questions in the second part, but I think, I would like to know what people feel, this is just my personal opinion, about their package and their problem resolution, in addition to your own. I was frankly fine with the way you reworded four, five and six, I mean, if we reference Welborn Health Plans in the previous section, I don't think we need to—

Dennis Feldhaus: Right.

Commissioner Winnecke: —I think it's a given. I'm fine with the additions that you made with questions 11 and 12.

Dennis Feldhaus: Thank you.

President Melcher: Troy, you got any questions?

Commissioner Tornatta: We can, if we want to look at this on the 20th. Is there any reason why that would cause a problem with getting this out?

Dennis Feldhaus: Our renewal is in January. So, we want an early start so that we can work through the budgeting process and have this be back in advance.

Commissioner Tornatta: Yeah, the budgeting process is the key.

Dennis Feldhaus: Right.

Commissioner Winnecke: And you've worked out the mechanics of distribution?

Dennis Feldhaus: Well—

Commissioner Tornatta: We're working on it.

Dennis Feldhaus: –we’re working on it.

Commissioner Tornatta: In fact, let’s postpone it until the 20th, and maybe we can have the mechanics worked out on how....that’s what I was most concerned about, how this gets out.

Dennis Feldhaus: Yes.

Commissioner Tornatta: What we anticipate is it could be just get it to the officeholders or the department heads, and at that time they would pass that survey out and collect it.

Dennis Feldhaus: For the benefit of the Commissioners, our insurance location also insures EVSC and did a website survey response. The numbers were around 2,400-2,500 EVSC employees, and our response was about 900. So–

Commissioner Tornatta: Which is high.

Dennis Feldhaus: Which is high.

Commissioner Tornatta: Yeah.

Dennis Feldhaus: You just have to keep in mind, when you do this survey, and we have let’s say 800 county employees, it would be good if we had 35-40 percent response.

Commissioner Winnecke: I would agree with that.

Dennis Feldhaus: I didn’t want anyone to be overly upset, or overly–

Commissioner Winnecke: I’ve done enough research over my life–

Dennis Feldhaus: Yes.

Commissioner Winnecke: –I understand how that process works.

Dennis Feldhaus: Understand how that works. Thank you.

President Melcher: I like your question number 11, but I don’t know if all of the county employees would know what that is. Is there a small pamphlet or something so they know that’s tax free dollars? Is there something we could–

Commissioner Tornatta: That would actually...if that was proposed it would probably come from–

Dennis Feldhaus: I think if the answer, if the response, to answer your question, Commissioner, if the answer in the surveys that came back said, yes, we would have interest, then I think that would be the time to educate.

Ted C. Ziemer, Jr.: Except, Dennis, I would agree with the Commissioner, a lot of people really, I mean, we think, I mean, you that deal with insurance and maybe lawyers think that everybody understands what health savings accounts are, but I can guarantee you that most of the people do not understand what those are. So, it’s difficult to answer a question that you would prefer it if you don’t know what it is.

Commissioner Tornatta: Uh-huh.

Ted C. Ziemer, Jr.: So, that's the only comment I would have.

President Melcher: That's kind of where I was going, because it comes out of your paycheck—

Dennis Feldhaus: Yes.

President Melcher: —but it's not taxable. So, you actually save money, but it depends on how you run it, you know.

Dennis Feldhaus: The County Attorney makes a point well taken. It's a moving target. Obamacare is actually changing that very thing as we speak this evening.

President Melcher: But we know what it is when you send the survey. Is there a little flyer, or can you type something real short so they know it's a savings plan?

Dennis Feldhaus: Yes, we will try to come up with something short and concise.

Commissioner Tornatta: Okay.

Dennis Feldhaus: Then, again, the logistics, I need input from you Commissioners. Is this a payroll stuffer? Is this a website? Is this something that you want Old National to do internally and—

Commissioner Tornatta: If it's alright, let's go ahead and take the time between the meetings and get with our staff and they can probably give you a pretty good explanation, with the Auditor's office, what the best way to hit all of the individuals.

Dennis Feldhaus: I would request that you keep the website link and response open, because we have the technology to assimilate that data, and then bring it back to you in quick order. Otherwise, it will be a manual task to try to pull all of that together.

Commissioner Winnecke: Right. In the past when you've gone down that, used the, a web address or a link—

Dennis Feldhaus: Uh-huh.

Commissioner Winnecke: —with the EVSC survey—

Dennis Feldhaus: Uh-huh. Yes.

Commissioner Winnecke: Okay.

President Melcher: Okay, any other questions?

Commissioner Winnecke: No.

President Melcher: Okay, thank you, Dennis.

Dennis Feldhaus: Thank you.

President Melcher: We'll move on to the free online training opportunity. I think, Troy, did you want to talk about this one?

Commissioner Tornatta: Yeah, this was sent to us from the State Indiana Workforce Development. I guess, I bring it up today to talk about our, I asked Marissa to kind of peruse over the information, and she did a fantastic job of doing that and finding out that there were a lot of opportunities for not only officeholders but department heads to render training to their individuals in the office. There is a course registration which we will have this website on the Commissioners site. The course registration and program registration is available at www.in.gov/dwd/elearning. Sorry, I didn't make it up. So, it's www dot Indiana dot gov slash dwd slash elearning. They have a lot of training courses for people; using the phone, dealing with the public, a lot of HR things that you might be able to use in your office, and we know the county has, does not have a HR department, so it gives them an opportunity to do some of these trainings in their office to make their staff as proficient as possible. So, with that being said, we do have that and we will have that link on our the Commissioners website.

President Melcher: Any other questions? Okay. Any other new business?

Commissioner Tornatta: I would actually like to bring Greg Waite up from the Red Cross. Red Cross was, has had a few things going today. So, I saw him pop in and Greg has got some information to talk to us about.

Greg Waite: Sure. First of all thank you for having us come out tonight. The two things we want to talk about are two pretty big upcoming events. The first one will actually take place on April 9th, which is this coming Friday. We're going to be trying to use social media and all of the different social media networking, plus area business sites to raise money online. Normal methods are through mail and starting to do more online, but social media has become a new avenue for, especially us as an organization. So, we are launching it on April the 9th, that's the social mediathon. It's going to be the first ever in this area. So, we're hoping to try something new and different. So, what we're doing is we're actually asking people to take five minutes and donate five dollars because it can help change a life online. So, it's something new and different that we're trying. We'll have links on our website, they're currently on there on evansvilleredcross.org. We will have links through Facebook and Twitter, trying to reach out to all of those users and trying to showcase to them that, you know, every dollar that we can raise in this community will help in instances, like right now we've got crews in Corydon, Kentucky that are battling a six alarm blaze. They're on the scene not only helping the firefighters, but they're helping the families that are involved. So, you know, every dollar that we can raise in this community is important, and, you know, as social media grows we want to make sure that we're embracing that. So, that's a very important thing coming up on Friday. So, if you do get a chance go onto evansvilleredcross.org and take a look at that because it should be pretty exciting.

Commissioner Tornatta: So, if you're on Facebook, how, you know, we have Facebook, individuals, how would you do this five minute deal?

Greg Waite: If you want to just, if you want to search for Evansville Red Cross and then right on our page there will be a big, there's a thing at the top that says "donate", then the entire first page is actually re-created to showcase this event coming on Friday. It's not just limited to Friday, even though Friday is the day we're going to try to be pushing messaging throughout the day, we've actually got individuals throughout the community that are shooting videos and trying to make it entertaining, because it's sort of just, it's going to simulate just like a telethon, except it's going to be completely online. We have individuals that are shooting

videos, we have businesses that are offering incentives. So, if somebody goes on to donate five dollars, Chick Fil-A is giving them a combo meal. So, you're pretty much going to get your five dollars back in food. We've got other businesses that are offering incentives, like Ameristamp will give discounts to businesses that donate off of purchasing banners. So, it's a way for us to engage other businesses to help use this new form of media to reach out and maybe reach some audiences that maybe we've never, excuse me, talked to before. So, but Evansville Red Cross, if you just search that on Facebook, and then you can even find all of those links right on our, on the social mediathon site on our website. Everything is linked right there. Then, we have one other event that's actually coming up on April the 15th, and that's the Heroes Awards Banquet. It is probably going to be one of the best events we've had to date. This is our chance throughout the month of March and April to recognize everyday heroes in our community. So far this year we have seen some amazing stories, but what we try to do as an organization is we try to find those stories that don't make the headlines, that the news stations aren't always covering of individuals going above and beyond. Those extraordinary citizens that are taking it upon themselves to rush in to burning homes and pull victims out, that are using, you know, medical devices like an AED to help save somebody's life. These are just some of the stories that will actually be profiled on that evening. We've got businesses from all throughout our area that are helping to sponsor this, and continue year after year to come back and help put this event on, because it is a tear jerking event that will, you know, really make you walk away excited about where you live and, you know, the people who are filling our community. So, April 15th, the dinner starts at 6:00, it's at the Centre. It should be a very touching event. Tickets are still available if anybody is not attending we do have the tickets available for that.

Commissioner Winnecke: And, Greg, could you tell us who's chairing that event?

Greg Waite: I can, Commissioner Tornatta and his wife, Ann. So, he knows a little bit about all of this too, so.

Commissioner Winnecke: You're welcome.

Commissioner Tornatta: Well, about the five dollar event—

Greg Waite: Uh-huh.

Commissioner Tornatta: —it should be a chance to get some much needed dollars to the Red Cross. It's just a five dollar deal. As you said, there will be some opportunities to actually get some of that money back, so.

Greg Waite: You know, it's a pretty, you know, if you like Chick Fil-A, or if you're a business and, you know, you get a donation going you can walk away with some nice, you know, incentives from local businesses. So, hopefully, everybody will at least see that, and this is sort of the heads up that, hey, it's coming on Friday. So, hopefully, people will see it.

Commissioner Tornatta: And there are some videos on right now.

Greg Waite: There currently are.

Commissioner Tornatta: Okay.

Greg Waite: Including one from, well, you'll shoot yours tonight.

Commissioner Tornatta: Okay.

Madelyn Grayson: Greg, can you provide the correct spelling of your last name for the record.

Greg Waite: Sure, W-a-i-t-e.

Commissioner Tornatta: Thank you, Greg.

Greg Waite: You're welcome.

President Melcher: Thank you.

Commissioner Winnecke: Thanks, Greg.

President Melcher: Anything else under new business?

Old Business

President Melcher: Old business? The only thing we have...go ahead, Lieutenant. We was going to have is, Lieutenant Sam Preston, in this case. I think we got some phone calls about some closures and some neighbors calling. That's why we asked. Is there anybody here that has any questions about this this evening. Okay, seeing none, go ahead and kind of give us a quick update.

Sam Preston: Okay, well, as you know, the Southern Indiana Marathon Association is sponsoring the first full marathon and half marathon here in Vanderburgh County, running both marathons concurrently. We're going to have to close approximately 30 miles of county roadways in northern Vanderburgh County for the duration of the race. We've worked extremely hard to make this as painless as possible. We've got almost 40 percent of our entire Sheriff's office personnel dedicated to providing security of the road closures, as well as security at the 4-H Center which is the starting and finishing point for the race. We've worked hand in hand with the marathon committee as well as Scott Township. I think we've got contingency plans for bad weather, which we hope we have none. We've got, you know, emergency personnel in the event that we have medical issues. I think we've got all of our bases covered. I'm just here at this time if you have any additional questions. If you have, I'll entertain them.

President Melcher: I don't, does anybody got any questions? I don't think there's any from the audience. So, thank you.

Commissioner Winnecke: I would just say the race coordinator, they came before us multiple times in the last several months, so I think we have a good idea—

Commissioner Tornatta: A good handle on it.

Commissioner Winnecke: —of what's going on. They have been provided by the Sheriff an estimate of what the expense will be to that organization so there will be no out-of-pocket expense to taxpayers, but we appreciate the efforts of you and your staff to coordinate this.

Sam Preston: Alright. Thank you.

Commissioner Tornatta: This would be a Boston qualifier, from what I understand.

Sam Preston: Yes, it is.

Commissioner Tornatta: Thank you. Good.

President Melcher: Thank you.

Public Comment

President Melcher: Next, any public comment? Does anybody in the audience have anything to say?

Bill Jeffers: Bill Jeffers, 2641 Malibu Drive. Your County Engineer, John Stoll, came up and mentioned the MS4 survey that is going to be distributed to satisfy Indiana Department of Environmental Management's suggestion that the public be surveyed and have their replies forwarded to IDEM regarding the MS4 program, which is the municipal separate storm sewer mandate that was handed down by the U.S. Environmental Protection Agency with no funds, and then it went to IDEM and IDEM passed it on to the local government as an unfunded mandate. So, I have taken that survey, and I just wanted to clarify a couple of things to the listening audience. I would encourage you strongly to take the survey and submit it back to the County Engineer, who is the MS4 Operator, so that IDEM, Indiana Department of Environmental Management, is fully aware of what the public is willing to pay. One of the questions is how much are you willing to pay for this program? Because, as I said, it's unfunded by the federal government that mandated it under the Clean Water Act. It's unfunded by the State Department of Environmental Management who passed it to the local government for enforcement and regulation. I would point out that, oh, starting in 2003 when the program was kicked off, I researched it and governments throughout the country were charging as much as 50 cents per month, up to \$15 per month. Think of it as a utility, just the same as the water and sewer utility. Many local governments set up what they call a storm water utility. This is basically to contain, prevent, remove or substantially reduce the amount of pollution that would enter, that would be washed by rainwater from the surface of urban areas like parking lots or subdivisions, developments, new development construction would be washed into the creeks and the rivers. So, I mean, it's a good program because you're trying to reduce the amount of pollution and storm water that arrives into our rivers, which is our drinking water supply, in many cases, but I would like to, I would like people to seriously consider how much are you willing to pay for that improvement. That's one of the questions on that questionnaire, and I would strongly suggest that State government know how much you're willing to pay. I didn't intend to stand up and make that comment tonight, but I noticed that John had mentioned that survey. What I really came to say something about was under your consent items, do you plan on breaking out or discussing the runway project support letter? Or was that just going to be acted upon with the rest of them?

Commissioner Tornatta: We are going to talk about the runway project.

Bill Jeffers: During the, during that—

Commissioner Tornatta: As soon as you sit down.

Bill Jeffers: Okay, thank you.

President Melcher: Well, we've got to see if there's any other public comment. Okay.

**Discussion of Investment Recommendations Regarding
Interlocal Agreement with DMD: Revolving Loan Fund**

Commissioner Winnecke: I do have one other piece of old business that I meant to bring up earlier.

President Melcher: Okay.

Commissioner Winnecke: Late in 2009 we entered into a local, a memorandum of understanding, I'm sorry, an interlocal agreement with the Department of Metropolitan Development on a balance of \$490,105.99. This dates back to the mid 1980's, this economic development grant that came via the State in the mid 80's. Part of that interlocal agreement had provided for direction to DMD as to how to invest those funds. I would make a motion tonight that we direct the Department of Development, actually, I would make the motion that we ask the County Treasurer who does invest the county's money on its behalf to approach DMD to invest \$300,000 for a term through December 20, 2010; \$150,000 for a three month period, and that those investments be renewed both annually and quarterly. Annually for the one through 12/30 and quarterly for the three month, and then the balance, a little over \$40,000 be invested into some sort of liquid, preferably an interest bearing account.

Commissioner Tornatta: Second.

President Melcher: Okay, we have a first and a second. Any discussion.

Commissioner Tornatta: Just in case, this would supercede any other issue that we might have on the table. Would you make that in the form of a motion?

Commissioner Winnecke: Yes.

Commissioner Tornatta: Okay, and I'll second that.

President Melcher: Any discussion? Madelyn, call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Winnecke: Thank you, Steve.

Consent Items

Commissioner Winnecke: Now we have the consent agenda. We need a motion.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Are you going to, are we going to vote to pull one out?

President Melcher: No, we'll discuss it.

Commissioner Winnecke: Oh, okay. Second.

President Melcher: We have a first and a second. The runway project support letter, do you want...okay.

Bob Working: Good evening.

Commissioner Tornatta: Good evening, Bob. Double Bob.

Bob Working: It's the Bob and Bob show.

Commissioner Tornatta: Bob and Bob. You can bring up Doug.

Bob Working: Let me begin, first of all we had a great day today out at the airport. For those that weren't able to attend a little celebration on reinstituting our service to Memphis. We had about 250 people come out and share in some barbecue and some good music. While things are really starting to look up again at the airport, we've enjoyed about a five and a quarter percent increase in traffic for 2010 year-to-date, the first three months, versus last year. Last year was a terrible year. So, we've still got quite a ways to go, but March, with some decent weather, we saw an increase of 13.4 percent. So, we're very pleased with what we're seeing. We're seeing some seats come back into the market. So, we feel that, we're hoping that we have weathered this storm, and that the economy is starting to rise. We're here today to ask you for two items; one is a letter of support for the airport's runway safety area project, and then the other is that we be able to coordinate with the Evansville MPO. Bob has handouts for everyone, that will pretty well describe exactly what we're doing. If you can imagine Evansville's main runway, it's 8,021 feet long, it's 150 feet wide. That's the physical size of the asphalt out there. A runway safety area is something that has been identified by the FAA as an area which is 250 either side of center line, or extends out from the edge of the pavement another 175 feet on both sides, and then extends that 500 feet in total width out 1,000 feet past each end. The FAA was mandated by Congress to go through and to remove as many obstructions as it possibly can, within those areas, of a commercial service runway. They have been going about doing this, and we have until 2015 to comply with a federal mandate that is funded. This is what we're involved in. In Evansville it's a very difficult issue, because, well, first of all both of our runway ends do not meet this new federal standard. Most of the obstructions within it are FAA owned obstructions, but we physically just don't have the area to do this. As we started looking at shifting or moving those areas out and trying to get into conformance, the first obstruction we run into is the railroad, the second obstruction is Oak Hill Road, and it kind of becomes a domino effect. Consequently, that's why Evansville is getting to the point where action needs to take place. The federal government is going across the nation and has taken care of most runway safety areas, the easiest ones first and continue to work towards the hardest ones. We're right there at that issue. For the past little over a year, about 15 months, we've been involved in an environmental assessment,

looking at the impacts of what we're doing, or we're proposing to do, and correct this issue. The FAA is, we're looking at a project that will run somewhere between \$50 and \$60 million to meet compliance. This will be funded through the Aviation Improvement Program that comes from the Aviation Trust Fund through ticket tax. The, but still, the environmental assessment has to be conducted to see what the impacts are, the proposed project on the community. We've been going forward and doing that and having public meetings and bringing as much input as we could from the community as we looked at it. In November the FAA, because of the size of this project, wanted their own experts brought in, so we had a safety panel seminar with FAA experts from Dallas, Washington, Chicago, and we spent two days really going over everything that we had done to date, and, basically, they concurred that Evansville is on the right track and that this is what needs to take place. We're at the latter stage of this. We're putting our final draft together of the environmental assessment to send to the FAA, and then with their approval we will file notice and advertise for a final public hearing where we will present all of this again to the public and we'll receive comments from those, anyone at that time. That will then go back to the FAA as a final document, and, hopefully, from that, they will issue what's called a FONSI, or a finding of no significant impact. We have tried our very best to look at all the impacts for that. If we don't do this, then the only solution is to effectively reduce the runway in useable length down to an amount that really isn't long enough to sustain commercial operations. So, we really don't have a choice in it. I guess, with that, Bob is the one, is our project manager with R.W. Armstrong, Bob Hanneken. He has worked very diligently with all of this, in the development of it, and we're here to try to answer any questions that you all might have and ask for that letter of support. Bob?

Bob Hanneken: Yeah, I mean, I just would reiterate everything Bob has said. We've tried to, throughout this process, involve the public as much as we possibly could. We've had three public information meetings, all well publicized. We've invited the public to come out and look at all of the alternatives that we've tried to put forward. This was not a process where we went in with one idea to fix this problem and that's what we're going with. We actually came up with 13 separate alternatives to try and solve this problem. Some of them, obviously, didn't work, and some of them we looked at further, and, you know, we probably got down to two or three that were legitimate. Some were, you know, in an environmental assessment, price tag is not always the overriding option, but when you get down to the final two or three, that does become one of the serious considerations. So, we feel we've come up with the best alternative to make the Congressional mandate possible and move forward. It's not something that everybody in the public is going to be happy with. You've got a runway that's moving. It's moving closer to some people, moving farther away from others. Obviously, Oak Hill is a major north-south roadway, what we have come up with, we hope, will continue to provide a transportation alternative for the people coming from the north trying to get south. Again, we hope we've come up with the best alternatives. If you have any questions or concerns, or, again, we're very close to having the draft alternative go in and be published. Once that draft document is published, again, that will be well publicized, we'll have advertisements in the paper and in the media. We have a 30 day window that people will be allowed to, basically, you know, take a look at this document. After that 30 days we will have what's called the public hearing portion of the environmental assessment, where people can come out, and any comments that they make will be entered into the record. We'll have a court reporter there. All of that will be forwarded on to the FAA for their consideration.

Commissioner Winnecke: A couple questions. First, and some of these are just to get them on the record, because I think I know the answer, but the \$50 to \$60 million price tag is, includes, how inclusive is that?

Bob Hanneken: Well, again, those are estimates—

Commissioner Winnecke: I understand.

Bob Hanneken: —at this time.

Commissioner Winnecke: Right.

Bob Hanneken: But, it is inclusive of everything that you see here and in your packet.

Commissioner Winnecke: Including realignment?

Bob Hanneken: That includes moving the runway, the taxiways, all of the nav aids, it includes moving Oak Hill Road, it includes moving the Indiana Southern Railroad, any other auxiliary, you know, we have other issues that go along with moving runway 4-22, which is the main runway. We also have things we need to do to runway 18-36, because while we're moving runway 4-22, it's going to be shut down for a certain amount of time. So, our commercial air traffic has to shift onto our smaller runway. So, we're actually having to do things to it also to make sure that we don't hurt our commercial air carriers.

Commissioner Winnecke: So, to clarify, there should be no expense to the county in terms of the relocation of Oak Hill Road?

Bob Hanneken: No.

Commissioner Winnecke: The second question, relating to the possible realignment of Oak Hill Road, in the time line is the plan to reconstruct Oak Hill Road before we close Oak Hill Road?

Bob Hanneken: Absolutely.

Commissioner Winnecke: Okay.

Bob Hanneken: The plan, actually Bob and I were in Jacksonville last week meeting with the railroad people, and our plan was to move the railroad first. We have since decided that we may actually turn that around a bit and do Oak Hill Road and 57 first. The reason for that is, after it's all said and done, we will have eliminated a crossing, the rail will no longer cross Oak Hill Road, which makes it a safer traveling route. But, if we were to do the rail first, we would have to put a temporary crossing up on Oak Hill Road while we're doing that. The railroad people have told us that it doesn't really matter if it's temporary, it's still going to cost about \$250,000-\$300,000 a crossing. So, we're thinking about doing Oak Hill first so that we can have it moved, and then remove the old Oak Hill alignment, and then move the railroad so we don't have to pay for that additional expense for temporary railroad crossings.

Commissioner Winnecke: In one of, in the meeting that I had with Bob Working and a couple of the concerned neighbors from that area two or three, four months ago, one of the issues is noise abatement. I wonder if you could address that to some degree, including, I believe you called them thrust pads. I might not have that phrase correct.

Bob Working: Blast pads.

Commissioner Winnecke: Blast pads, excuse me, if you could explain that technology and how you, at this stage, envision nearby residents being affected by noise?

Bob Hanneken: Sure, and part of the environmental assessment, a lot of it deals with noise. I mean, that's, you know, two of the major issues affecting the environment is noise and/or air pollution. So, a lot of this document deals with noise and/or air pollution. The way the noise works out on an airport is you have decibel levels that are created as an aircraft, for the most part, is taking off. Landing aircraft does not create as much noise, as, obviously, you've all heard the airplane kick it in and thrusters go and that's creating the most noise. Those noise levels are, when we relocate the runway, we have to do noise analysis, and what it is is that the federal government says that if those noise contours for these 65, what they call DNL line, do not go into any residential area, then you're okay. Ours does not. Now, that does not mean that we're not adversely affecting some people in a slightly, that they're not going to hear more noise. We realize that. We've gone through this process and met with different attorneys and representatives of neighborhood associations and the EVSC. We've tried to meet with as many people as we could and assure them that even though the document says we're okay, we don't really have to do anything additional, we would like to work with you. We're going to actually buy additional land across on the other side of 57 and try to create some berms, put some additional plantings in, anything that would help defray, not only the aesthetic nature of having a runway that much closer to your home, but the noise. Now, what you're talking about on the blast pad, it's actually, I think the word you're talking about is blast fence.

Bob Working: Blast fence.

Commissioner Winnecke: Right.

Bob Hanneken: And, if you can envision the runway end, there's a taxiway that planes taxi to that runway end, and what happens is is the most part of the noise is either going to happen in two locations, when that plane is taxiing out to the runway his thrust is pointed this way, and this is where all of the homes across 57 are. So, what we do is we're going to probably put up a, what we call a blast fence, which is just basically a big, ugly fence that deflects that noise, that will dampen that noise. They're not big and ugly, they've come a long way since 20 years ago. But, we will put the fence up along the taxiway as one additional measure to kind of dampen that noise that goes towards, across 57 and towards where the residents are. That's just one measure. We plan on trying to come up with as many as we can to help the people that are across on the other side of 57.

Commissioner Winnecke: Is there a mechanism in your planning that allows for post construction noise relief and sort of study?

Bob Hanneken: Yes, there is, and that's not part of the program as we speak today, but I think as we go through...this is a six year process.

Commissioner Winnecke: Right.

Bob Hanneken: It may even be longer than that. We don't know, but based on funding and what the Congressional mandate is, we're assuming that it's a six year

process. So, if we go through this process and at the end of six years we've done everything we think is right and we're still getting noise levels on the other side of 57 that are higher than we anticipated, I would say, and I don't mean to speak out of turn for the airport, but I think that we would look at trying to find some additional measures to abate that. There's programs you can put in place, there's additional funding that you can get to put a noise abatement procedure together. To be honest, it's not an exact science—

Commissioner Winnecke: Right.

Bob Hanneken: —and we can do, we can run the models and the models say this, but until it's built and until we actually have it in place and we can do some testing and some actual, you know, hard, live taking some measurements, we're just not going to know whether the models are absolutely correct or not.

Bob Working: If I could interject too, and I would like to, every, I always try to tell people if you look at it in decades we were our loudest in the 60's with the development of the initial pure jet engine. Then we were as loud in the 70's because, we didn't get any louder, but there became more jet engines. But, ever since then we have seen, you know, nationally, a concern about noise. We've seen the development of stage three aircraft engines. We see departure procedures at high density airports where they, you know, where they'll direct traffic over uninhabited areas, or less inhabited areas. The federal government has what they call a part 150 noise study, which we could get into if we find that the need is really that great. We don't really anticipate a great difference in noise than what exists today, but we do anticipate a movement of about 2,400 feet, or, you know, about half a mile that it's going to shift away. Actually it's shifting away from a more densely populated area to a less densely populated area, but that still doesn't mean that the people that are in that area aren't going to feel it or recognize it. Now, sometimes, and I don't mean to belittle this, you know, if you're in that area where you hear it day in and day out, many times it becomes something you don't hear at all. People will come over and visit the people that live there and say, "What's that?", and they'll say, "What? Oh, it's an airplane.", you know. It's something that you get acclimated to, in many cases. It doesn't remove, doesn't remove the issue. This airport, I've felt, has always been very sensitive to noise and to the community. I assure you that we will continue to do whatever we need to do to try to take care of everyone. But, there are soundproofing projects that, you know, we might find ourselves involved in. I've gotten, over the years, calls or a noise complaint from a fella in Evergreen Acres, you know, noise is a very elusive thing—

Commissioner Winnecke: Sure.

Bob Working: — wind, temperature, cloud cover all play an effect on it. It's just something that's there.

Commissioner Winnecke: Well, I understand the predicament of the airport to move forward with this project, and I have no problem supporting the letter of support. However, I do think it's important to get on the record the airport's commitment to make this a priority for residents in the area beyond the completion of the project. Because, you know, and maybe the models are going to be 100 percent correct, I hope they are, but if they're not, I appreciate knowing that the airport is ready to move forward with additional steps, if necessary.

Bob Hanneken: I believe, you know, the airport wants to be a good neighbor. They don't want, there's absolutely no, there's nothing, the airport is having to do this. They're not wanting to do this.

Commissioner Winnecke: I understand.

Bob Hanneken: They're being forced into this, so they want to be a good neighbor about it. They certainly want to make sure that everybody is as happy as we could possibly make them. To take a point further is, you know, the aircraft that are using the airport, basically use Evansville a lot. Those aircraft, as that fleet gets older, the newer fleet, you know, the engines on there are much more efficient, they're much quieter. So, you know, as we move forward, I don't think the noise is even going to be as loud as it is today. That being said, we still base it on the aircraft that are using the airport today.

Commissioner Winnecke: Right. Thank you.

President Melcher: So, I guess, you're saying on the record then, Bob, that the airport will continue to do abatement on the noise down the road if it has to?

Bob Working: Certainly. If we are adversely impacting neighbors, then we would do, you know, we'll see what actions we can take to eliminate that. Now, I have to go on record and say there may be some people who are very sensitive to noise, and the only way they're going to be happy is if you buy their house, or sell, you know, or that they move. I'm not in a position, nor I think is the FAA in a position to say, well anybody that doesn't like it, we'll buy their house. But, I also will say that if there, you know, there is a thing and your Council is very familiar with it, inverse condemnation, if we financially impact someone, if the person's value of their property is diminished because of an impact of the airport, then we're liable for that. We have always tried to be up-front. We've tried to make those impacts known up-front and work with people on acquiring their property and doing whatever we need to. Nothing, I don't think, will ever change from that. As the FAA has also committed to trying to do everything they can to eliminate negative impacts.

President Melcher: Okay. Does anybody from the audience, or, Bill, would you like to come back up and speak?

Bob Working: Could I interject one thing further too, and, I guess, as a benefit of this, Bob alluded to it, we're eliminating one railroad crossing. We are sitting there, we are moving an intersection that is a real problem at Oak Hill and Millersburg, in the morning or in the evening if you've ever been there when school is letting in and out, the School Corporation is fully behind us on moving that intersection away from the school. There are a lot of very good benefits that are coming about this in the community, as well as we're separating two runways now that currently intersect. We had a horrible accident in Lexington, Kentucky that, a couple of years ago, where a ComAir jet came out, thought he had lined up on one runway, lined up on the wrong one, and had a crash and killed everyone onboard. This is going to be a much safer operation in Evansville. We get back a lot of runway that we don't currently have. So, there are a lot of real good, positive things come about, as well as the runway safety.

President Melcher: Okay.

Bob Hanneken: And to even take that one step further is, there is an economic benefit to not only the airport, but the city as a whole. Right now the airport has carriers that cannot sell all of their seats on their aircraft. As you well know, the aviation industry is very fickle, and the longer that they continue not to be able to sell all of their seats, that may just be the one day where they decide to pick up and

leave Evansville. This program allows us to get the full 8,021 foot back on that runway. It takes all of the obstructions to their departure profiles away, it allows them to sell all of their seats. That can only be a benefit to not only to the airlines, but to the city as a whole.

Bob Working: And the region.

Bob Hanneken: And the region, yes.

President Melcher: Thank you. Bill?

Bill Jeffers: Bill Jeffers, 2641 Malibu Drive, Evansville, Indiana. The reason I came to this specific issue, and, first of all I would like to say I appreciate the Commissioners taking it from the rest of the consent agenda and putting it up for public discussion. I particularly appreciate Commissioner Winnecke's mention and insistence on post construction noise abatement. I think that's going to be very important, and I'll get on that in just a moment, but I certainly appreciate that. But, the reason I'm here is because Brenda Jeffers, and, my wife and I, own one of the four houses that will be the most severely impacted by the movement of this runway 2,400 feet northeasterly, because we are one of the four houses that are absolutely the closest to the taxiway. I do take issue with some of the comments that were made. Not severe issue, and not diametrically opposed, but I believe some of it's being soft pedaled a little bit, in my opinion, and so I'm a little bit divergent from some of the opinions that were stated. First of all, shifting from a more densely populated to a less densely populated area, I take absolute issue with that. The taxiway in the northeast end of the runway will be moved 2,400 feet closer to a much more densely populated area, subdivisions with smaller lots, more lots, more homes than what exist currently within the same proximity to the existing end of the runway. That can be seen clearly on the Evansville GIS, ArcView maps. All you gotta do is pull them up and take a look. I agree with Mr. Working, noise is an elusive thing. It's dependent upon weather, temperature, wind, etcetera, he said. Absolutely. The prevailing wind is from the southwest, it blows towards the northeast. My home is, you know, if the wind blows in that direction, the noise will be accentuated in that direction, possibly above and beyond the models that they've developed with computer. So, he is correct there, and that's one of my major concerns. I think it was Mr. Hanneken that brought up the taxi noise, the taxi runway, or the taxi approach noise, when the motors begin to, the engines begin to, the jet engines begin to thrust, that's where you'll hear the noise. That's, when, up at the end of the new taxiway, when the jets begin to turn and line up to take off, that's when those jet engines will be pointed directly at my house, 20, you know, half a mile closer to my house than they are now, and physically within a couple of hundred yards. So, when they say "probably" we'll put up a blast fence, the word "probably" concerns me. "Try" to create earth berms to baffle noise, the word "try" concerns me. That the 65 decibel zone does not infringe into any residential, I strongly take issue with that. It's literally within feet of my back door, of the back of my house. Literally I could take ten strides and be into that 65 decibel zone that they show on their map, on their display. That is, that area behind my house, while there's no home built there in that 65 decibel zone, and that is the property they plan to buy, literally it's within 25 or 50 feet of my screen porch, that Brenda and myself sit and enjoy, the NCAA game last night. The fact that, you know, no one, everyone gets used to those noises and doesn't hear them. Come sit on my back porch and see if, and, come spend a month or two with me, see how long it takes you to get used to it.

Commissioner Tornatta: Can we bring our kids?

Bill Jeffers: Bring your kids. I love your kids, by the way.

Commissioner Tornatta: Okay, alright, good.

Bill Jeffers: I do believe though, having said all of that, I do believe, I've talked to Robert Hanneken on several occasions, with R.W. Armstrong, he is very conscientious. This is a well thought out process. It's become more and more accommodating to the neighbors, much more accommodating than they have to be by law. They've had more hearings than they have to by law. I appreciate all of that, but I don't want something soft pedaled just to kind of, well, I just don't want something soft pedaled. It will have a dramatic effect of the quality of life that my neighbors, my family and I enjoy. It will have that effect.. So, what I came to ask originally, before everything was said, this letter of support, what is in that letter of support, and what does it obligate the Commissioners to at this time? I mean, there is no plan. There are no concrete, you know, the draft proposal has not been put forward. They haven't had the final hearing. You don't know where the railroad's going to be. You don't know where Oak Hill Road is going to be. There's still roadway relocation plans to be drawn, drainage plans, street plans. Some of those you'll be approving. Signalization will be changed, INDOT will have to approve that. So, I guess, I just came to ask what's in that letter, and what does it obligate the Commissioners to if they approve it tonight?

President Melcher: Go ahead.

Commissioner Tornatta: Do you want to read it?

Commissioner Winnecke: It says:

"Dear Mr. Working: It is our pleasure—

This is on Commissioner's letterhead.

"—to express our support of the Evansville Regional Airport's proposal to make improvements to the primary runway, runway 4-22, in order to meet the Federal Aviation Administration's Runway Safety Area Design Standards. We've always been a supporter of improvement and full utilization of the airport to serve the needs of the community and industry in Vanderburgh County and the surrounding tri-state area. We know that over the years the airport has identified a growing concern over the close proximity of certain geographical objects to the primary runway that hinders the airport's ability to successfully serve the existing and future demands of the air carriers that operate at the airport. The need to relocate the primary runway to allow for improvements which meet Federal Aviation Administration design criteria, enhance the operating safety conditions of the airport, and allow the airport to regain full use of the current runway length is important to the community and to the region's future economic viability. We also understand the publication of a draft environmental assessment is forthcoming and is the culmination of many years of studies and community outreach. We commend the Airport Board, staff and their consultants for involving the public in discussions about technical analyses and to address potential concerns about environmental impacts of the project. For all of these reasons listed above we support the proposed actions under study in the Evansville Region Airport EA document. We encourage the FAA to process its

environmental findings in accordance with NEPA and all with all due hast, sincerely.”

Bill Jeffers: So, really it's just a public relations tool to show your support for the environmental assessment thus far? It doesn't, you don't feel that it—

Commissioner Winnecke: I don't think it commits us—

Bill Jeffers: —holds you to any approval of any future roadway plans that may come to you through the County Engineer or drainage plans that may come to you through the Drainage Board? It's just a public relations tool?

Commissioner Tornatta: I would let Bob speak to that.

Bob Working: If I could just interject.

Commissioner Tornatta: Here, just, just, come on up, if you will.

President Melcher: Bill, did you want this?

Bob Working: The main purpose of this letter, if you really want to get to it, is to include with the package to the FAA, so as they look at it and they go about the draft environmental, they know that the airport has communicated and coordinated with the City of Evansville, with the County of Vanderburgh, and with all of those entities that need to be involved in this project. That primarily is it.

Bill Jeffers: Well, I would sign that.

Commissioner Tornatta: No—

Bill Jeffers: You know, because, truthfully, I'll repeat, Bob Hanneken and R.W. Armstrong have gone the extra mile to communicate with the neighbors and the constituency and those who have been affected. I just don't want to see it soft pedaled. It will have a dramatic effect. I hope it doesn't have an effect on our property values, but I just, I really, I don't know, it just gets to me sometimes when I hear things like, well, I've already said what I had to say. You know what I'm saying, using the words “try” rather than “commit to”.

Commissioner Tornatta: Right.

Bill Jeffers: Or say “probably” rather than “will be done”. I'm telling you—

Commissioner Tornatta: I think they have that on the—

Bill Jeffers: —you look at the....the last one I saw, it may have changed since now, since then, the last noise analysis depiction that I saw showed that 65 decibel zone right within a few yards of my property line. So, that's, I do have those concerns. It's not just for me, I've got three neighbors down this way that are actually closer to the end of the runway. I don't know, I mean, this noise decibel thing, this decibel zone is computer generated, so, I can't tell you exactly how many feet it is.

Commissioner Tornatta: I think Bob will take that back to his board and relay the comments. The other Bob will too.

Bob Hanneken: Let me add, this is a planning document. There's no designs in here, there's no firm designs, and I've worked with you, Troy, and we've tried to,

we've tried to work with everybody, but this is really just a planning document. So, when I said "probably" put the fence in, well, we're showing it, we're showing it in this document that we're putting that fence in, but until we have the environmental assessment, and it's not approved, it's what Bob called they have a finding of no significant impact, then we get into the nuts and bolts of doing design. You know, I, in fact, I called Mr. Jeffers the other day and said, you know, one of the first things we want to do is do a hydraulic analysis of this entire area so that, you know, we're moving in the right direction. That we know that we're not impacting anybody downstream of what we plan on doing. So, this is a planning document. It is not, nothing is designed at this point. So, I apologize for maybe some of my language when I say "probably".

President Melcher: Thank you.

Bob Hanneken: Sure.

Commissioner Tornatta: Thank you.

President Melcher: Okay, is there any further comment? Do you just want to go ahead and read the consent agenda?

Madelyn Grayson: The consent items for the April 6th meeting are as follows: approval of the March 16, 2010 Commission meeting minutes, there are five employment changes for the Commissioners to approve this evening; one for the Health Department, one for Weights and Measures, one for the Centre, one for the Purdue Co-Op Extension, and one for the County Highway. The County Auditor has approval of the March 2010 A/P vouchers, the County Clerk and County Treasurer have February 2010 monthly reports, Knight Township Trustee has 2010 standards, Weights and Measures monthly report from February 15th through March 15, 2010, the Commissioners runway project support letter, Commissioners waiver of the Centre fees, not overtime, for the YWCA style show setup on September 9, 2010⁴, County Engineer has pay request number 101 for TIF projects in the amount of \$866,987.90, the Building Commission waiver of the Centre fees, not overtime for the use of Ballroom A on June 29, 2010 to host a flood plain management workshop, the Sheriff has an addendum to the equitable sharing agreement and certification, and there are department head reports from Burdette Park, the County Engineer, County Highway and the Ozone Officer.

President Melcher: Any other discussion? Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

⁴Correct date is September 8, 2010.

(Motion approved 3-0)

President Melcher: Our Drainage Board meeting will commence as soon as we get done with this meeting.

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: So moved. Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(The meeting was adjourned at 6:58 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the March 16, 2010 Commission Meeting Minutes.
Runway Project Support Letter.
Waiver of Centre Fee/Not OT: YWCA Style Show Set Up: September 8, 2010.
Waiver of Centre Fee/Not OT: Building Commission Flood plain Mgt. Wkshp.

Employment Changes:

Health Dept. (1)	Co-Op Ext. (1)	Sheriff Office (11)
Circuit Court (2)	Weights & Measures (1)	Centre (1)
Election Office (1)	County Highway (1)	

County Auditor: March 2010 A/P Vouchers.

County Clerk: February 2010 Monthly Report.

County Treasurer: February 2010 Monthly Report.

County Engineer: Pay Request No. 101: Green River-Burkhardt TIF Projects.

Sheriff: Addendum to FY 2009 Equitable Sharing Agreement and Certification.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Les Shively	Debbie Spalding	Susan Kirk
Rick Davis	Jessica Rebmann	Michael Fink
John Stoll	Dennis Feldhaus	Greg Waite
Sam Preston	Bill Jeffers	Bob Working
Bob Hanneken	Members of Media	Others Unidentified

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
APRIL 20, 2010**

The Vanderburgh County Board of Commissioners met in session this 20th day of April, 2010 at 5:01 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We'll go ahead and start the meeting of the Vanderburgh County Board of Commissioners. It's April 20, 2010. It's 5:01 in room 301. Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Introduction of Teen Advisory Council Job Shadows

President Melcher: With that I'm going to start with our young ladies over here. Could you just jump on the microphone and state your name and school?

Rebecca Reidford: I'm Rebecca Reidford from Memorial.

Ellen Kendall: I'm Ellen Kendall from North.

Paige Scott: I'm Paige Scott, and I'm from North.

Megan Hargett: I'm Megan Hargett, and I'm from North.

Claire Alvey: I'm Claire Alvey, and I'm from Mater Dei.

President Melcher: Thank you very much.

Pledge of Allegiance: Southwestern Indiana Master Gardeners

President Melcher: Next we'll have the Pledge of Allegiance by Julie Mallory of the Master Gardeners.

(The Pledge of Allegiance was given.)

Commissioner Tornatta: Come on, stay up, stay up.

President Melcher: Tell us a little bit about master gardening.

Julie Mallory: This tells me about my age, but I learned the Pledge of Allegiance before “under God “ was put in, and it’s very difficult for me to remember to put it in. Because I think you’re a creature of habit. You do things as what you are taught as a child, and, so, anyway I’m here on behalf of Master Gardners. It’s a wonderful organization. This is my tenth year as a member. It’s always a pleasure to talk about them. We have coming up, May 1st and 2nd, our major fundraiser, which is the plant sale, held at the 4-H Center. On May 1st it’s from 8:00 to 5:00, and on May 2nd it’s from 10:00 to 1:00. We have over 10,000 plants. All types, anything you want, including 20 types of vegetables. However, I’m sorry, 20 types of tomatoes. So, please come out, shop, and learn a few things about gardening along the way. Is that it?

Commissioner Tornatta: Okay, that’s it.

President Melcher: That’s up to you. Okay.

Commissioner Tornatta: Anything else?

President Melcher: They’re debating.

Commissioner Tornatta: Julie? Anything else?

Julie Mallory: I can talk forever. The other thing that’s coming up with Master Gardeners, while I’m here, Saturday, October 16th we’re having a garden seminar at USI. It’s open to the public and to master gardeners. It will feature a variety of speakers on a variety of subjects. We have speakers coming in from New Mexico, Wisconsin, we have Jason Delaney from Missouri Botanic Garden, plus local speakers. So, just put that on your calendar and hope that you’ll come to the garden conference on October 16th.

Commissioner Tornatta: Okay, if somebody wanted to get in touch with the Master Gardeners they would contact you in what way?

Julie Mallory: They would have to call me.

Commissioner Tornatta: Okay. Is there a number associated with you?

Julie Mallory: Yes, with me?

Commissioner Tornatta: Yes.

Julie Mallory: 867-0912.

Commissioner Tornatta: Okay. Is there a website?

Julie Mallory: We have a website, a Master Gardener website. Martha, do you know the website?

Martha Schriber: (Inaudible. Not at microphone.)

Julie Mallory: It’s SWIMGA, it’s brand new that’s why we don’t hardly know it.

Commissioner Tornatta: Okay. Alright.

Julie Mallory: But, anyway, we do have one.

Commissioner Tornatta: Okay.

Julie Mallory: They can also call the county agent's office.

Commissioner Tornatta: Okay.

Julie Mallory: Vanderburgh County agent's office. Martha?

Martha Schriber: You got both of us tonight. I'm the Vice President of SWIMGA this year, and we got our wires crossed, so we both came. But, anyhow, I believe that our new website is SWIMGA, which is the Southwest Indiana Master Gardeners Association dot org. It's a new website. It's very effective. The other thing I was going to tell you that our President told me that I should mention is that every other year we have a garden walk at eight to ten or twelve houses. I will also just, both of us, have come from Chicago, and I have never seen a volunteer organization like this one. We have 350 members, and, um—

Julie Mallory: Active.

Martha Schriber: —and they're active, everybody works really hard. We have the display gardens, if you haven't seen those, those are at the State Hospital. There are like 12 to 20 different varieties within their vegetable gardens, sensory gardens, water gardens, it's amazing, and it's a real tribute to Southwest Indiana.

Commissioner Tornatta: Super.

Madelyn Grayson: Would you please state your name for the record, please?

Martha Schriber: My name? Martha Schriber, S-c-h-r-i-b-e-r. Thank you.

Julie Mallory: Thank you for this opportunity to talk about Master Gardeners.

Commissioner Tornatta: You're welcome.

Deborah Capps: ISHD District 10 Team Leader: H1N1 Update

President Melcher: Next, under action items we're going to have an H1N1 status report. Deborah Capps is here with the ISDH District 10 team.

Deborah Capps: That's correct. My name is Deborah Capps. I came to you about a year ago to let you know how the State Department of Health was going to be working on preparing this effort in your county. H1N1 really showed how well this County Health Department is organized and prepared. H1N1 hit on my 50th birthday, April 26th, and within a week this Health Department was already brainstorming ideas on how to get the word out to people to protect themselves, how to work with their various partners on getting the medications out, trying to determine all of the worst case scenarios. They worked all summer long, getting together, getting ready for those worst case scenarios, and then, thankfully, H1N1 didn't have the death rates that we were fearful we might have. But, this Health Department put together 145 different clinics. These are clinics where they went out to actually vaccinate people, in schools, in churches, in factories, they went to the mall, they went anywhere and

everywhere that they could think of, factories where there would be large numbers of people, 145 different clinics. They vaccinated 46,097 people as of last Friday. They're still vaccinating now. They offer H1N1 Monday, Tuesday, Wednesday and Friday during their working, their business hours. But, at the height of H1N1, through this winter, they worked hours, often their days started at 6:00 a.m. and often didn't end until 9:00 or 10:00 at night, because they were working that hard to get to multiple places. They sometimes had two or three clinics in a day. They couldn't have done that without all of the community partners that they had, and without the strength of their Health Department. This Health Department just really, truly amazed me. When I would come in to ask them how are things going, often times I would go to health, I cover 12 counties, and often when I go into other health departments they are like, so glad you're here, tell us what to do. When I would come to this Health Department, they were already doing it. They were the example for me to share with everybody else. I just can't say enough great things about them. They have 102 different providers that are also helping them to get the vaccine out to people. These were doctors offices, the hospitals, pharmacies. On Easter Sunday they ran this ad in the Evansville Courier. I don't know if you guys got a chance to see this, but it thanked the elected officials for their leadership in helping the preparation. It thanked the people who actually came and got the vaccine. For every person who got a vaccine and was protected against the flu, that's one less person that could get the flu and then spread it on to others. You know, 46,000 people they vaccinated. Most of the counties they did around 30 to 40 clinics, and they've got around 10,000 to 15,000 that they've vaccinated. Vanderburgh County just did an amazing, amazing job. It was all through a team effort. They made every single one of their employees learn how to enter the data. They had, within 24 hours of giving a shot, or a nasal, they had to have that data listed on the state's website. Everyone of their employee's learned how to do that data. So, when they would come back from a clinic, they would just send out a general e-mail, anybody who can help with CHIRP, come on down, and they would. They got it done. It was just phenomenal. Everything just worked so beautifully. I just wanted to publicly say, on behalf of the State Department of Health, that we are very, very proud of the efforts that Vanderburgh County Health Department has done, and all of their partners that helped them put that together, like EMA, their schools that they were able to get into their schools and vaccinate the kids during the school day, it was just a phenomenal effort. We don't hear so much about the successes. You know, we all heard that the vaccine was in short supply last winter and that there were long lines. That wasn't the Health Department's fault, it was just in short supply. As they got the vaccine they were getting it out as quickly as they could. They are to be commended for that. That's what I am proud to do today. Thank you, Vanderburgh County Health Department.

Commissioner Tornatta: Thank you.

President Melcher: Thank you. Any questions?

Commissioner Winnecke: I would just, Deborah, thanks for coming down, and thanks for the kind words. It is frequent when we hear complaints about, not necessarily the Health Department, but issues in general, so it's very refreshing to hear how a function of local government is working well. I would, although not involved to the extent you are, would also offer my congratulations to Dr. Nicholson and Gary for a job well done. Thank you.

Deborah Capps: Thank you so much.

ONB Employee Health Care Survey

President Melcher: Okay, the next action step was going to be the ONB survey. It's not really ready, so we're going to hear it on May 11th.

Building Authority: Proposed 2010 Centre Capital Improvement Projects

President Melcher: Next would be Dave Rector, the proposed Centre 2010 CIP. Ted might not have one.

Dave Rector: Good afternoon, gentlemen. Dave Rector, Building Authority. What you have before you is what we're proposing for 2010 CIP projects at the Centre. As you can see, and I had mentioned a few meetings back, it is much scaled down from previous years, and that being because we're working off of a set fund now instead of just an open F&B account that we did have. Open for any questions you might have.

President Melcher: Go ahead.

Commissioner Winnecke: David, it might be a little tedious, but it's, if you could go through, I hate to ask this, but I'm going to, kind of line by line and give us an idea of the urgency on each of these items.

Dave Rector: Be glad to, and also, who all's, Darren Stearns, Scott Moore and Harry Cochran from SMG are here. So, guys, I'm going to have to ask your help on some of these things you submitted.

Commissioner Winnecke: Maybe also, if some are replacements, or some are just add-ons, or what.

Dave Rector: Harry, a number of these are yours, do you want to come on up? While Harry's coming up I can address some of those I have on there are the annual landscaping where we have to reinvest on some of the plantings, the irrigation system, repairs, that kind of thing. The artwork is a number that I put in there for starting something from the presentation we had from the Begley Art Source a couple of meetings ago, I can't remember now. The painting is just annual maintenance painting that we have to do each year. We try to select some of the worst areas. Extending the roof exhaust pipes, this is a project that we hope is correcting, at times we have a pretty strong sewer odor in the building. What we think is happening is where the vent pipes from the sanitary sewer are coming up on the roof, it's being drawn back in then from the make up air. So, we're going to try to get the pipes extended so they aren't so closely together that it's sucking it back in the building. We've kind of fought that several times over the years thinking what it was. We've flushed out the storm sewers, and it still remains. So, we're thinking that's what's causing that now. The doors, those you see on there, Ballroom "B" and Exhibit Hall "A", those are those large, large doors that have warped and need to be replaced. I think those are the items that I had on there. Harry, you've got a number of them.

President Melcher: You've got the boilers too.

Dave Rector: I'm sorry?

President Melcher: The boilers.

Dave Rector: The boilers, and, Scott, and the reason, we've got two ways of going at this, Scott's going to explain, and this is the more expensive, but the more guaranteed and longer term resolution to a problem.

President Melcher: State your name, please.

Scott Moore: Hi, I'm Scott Moore. I work for SMG, an engineer for SMG. The boilers that we're requesting for, we have two boilers over at the Centre with cracked heat exchangers. They're basically tube sheets and they have cracks in them to where the flue gas and the water will mix. So, they need to be replaced.

Commissioner Winnecke: What's the life of a boiler?

Dave Rector: You might want to explain we could do the exchangers or the boilers and the difference in the (Inaudible).

Scott Moore: Okay, the warranty on those heat exchangers was seven years and we're 11 years into it. We could replace the heat exchangers, they are \$20,000 a piece, and they only have a one year warranty. Where if we replace the two boilers, I know it's more, but the heat exchangers have a ten year warranty, a two year warranty on the controls and an 18 month warranty on everything else on it. So, it really makes more sense to replace the boilers than to try to replace the heat exchangers in the ones that are currently there.

Commissioner Winnecke: Okay.

President Melcher: Okay.

Scott Moore: Okay?

President Melcher: Thank you.

Scott Moore: You're welcome.

Harry Cochran: Okay, Harry Cochran. The reflectors for the spotlights, that is, what's happening there is they just don't go out. We're just barely keeping them going for spotlights for the stage. They are over ten years old, they just need to be replaced as soon as we can get them. We're down to two spotlights that's working. We have four up there. So, they just need to be replaced on that. The processor, our processor, one of them is out. We just need to replace it. EQ, that's another replacement item that we need to do. We're doing decks, dual deck walls, that's just need to be updated. It's just down. The amplifier's out, and our 40 channel mixer, right now we've been, our mixer has been, half of the buttons on there is not working. We just need to upgrade the mixer. It's about 10 or 11 years old. It just needs to be a new one. I guess, that's all of my items.

Commissioner Tornatta: We need a cassette deck?

Harry Cochran: Cassette deck?

Commissioner Tornatta: Is that—

Harry Cochran: Oh, dual cassette deck? That's just, it's just like a—

Commissioner Tornatta: I mean, I've probably got five at the house I'll give ya.

Harry Cochran: No, it goes on with the system up there.

Commissioner Tornatta: I understand. I didn't know those things were still out there.

Harry Cochran: You know it's not a cassette, cassette deck. Yeah, I know—

President Melcher: It's not an eight track.

Harry Cochran: —I would have to get a sound guy to come over and tell you about that, but it's just, the one that we've got up there is out, and this is just a replacement on that one.

Commissioner Winnecke: How many times do we use, do you use a cassette deck?

Harry Cochran: That's used for as a mix for when the shows come in, the shows use them for mixing in with the—

Commissioner Winnecke: And that's the format they use versus CD's?

Harry Cochran: It's according....certain shows use it certain shows don't.

Commissioner Tornatta: I was going to say, most of them use digital computers. Use a computer base, and a CD at the minimum. I just—

Harry Cochran: That one, you got me on that one. Now, all of the others—

Commissioner Tornatta: Right.

Harry Cochran: —whether it's a dual cassette deck for something. I don't know on that.

Commissioner Tornatta: Okay.

Harry Cochran: That's just a replacement item for the one that we had up there.

Commissioner Tornatta: I mean, and just asking, is, like a guy like Mark Rohrer is he the one that normally is there doing the sound mixing?

Harry Cochran: No. Mark Rohrer brings all of his own equipment when he's there. He brings, everything he brings in he brings his own equipment. Sometimes he ties into some of the house sound.

Commissioner Tornatta: So, how much do we use—

Harry Cochran: But, when we do use our own sound....we use our own for quite a bit of shows, but it's according to what show is in there, and whether or not they bring their own equipment or we use our own house equipment.

Darren Stearns: Broadway, the Broadway shows use more of our equipment—

Harry Cochran: Right.

Darren Stearns: –than say shows with Mark Rohrer.

Commissioner Tornatta: And they're using cassettes?

Harry Cochran: No, it's just sometimes they use the cassettes to record or do different things on. I don't know.

Darren Stearns: To record an announcement.

Harry Cochran: Yeah.

Darren Stearns: If they have recorded announcements. There are some shows that will have the CD's, but there's also, Broadway shows especially those that have been touring for quite a while it's on cassette tape.

Commissioner Tornatta: Really? Okay.

President Melcher: Okay.

Commissioner Tornatta: I make a motion to take these under advisement.

Commissioner Winnecke: I have one other question.

Dave Rector: Do you want to finish out on Darren's items?

President Melcher: Yeah, I was going to–

Commissioner Winnecke: Yeah, please.

Darren Stearns: Okay, Darren Stearns, SMG. The items we have on there are the Kenwood radios, which are basically these six are for the food and beverage department. So, when they are in different parts of the building, between the kitchen and the ballroom and the exhibit hall they can contact each other. They're, the ones that we have now, the batteries we've replaced over and over, and, I think, last year we replaced the ones for operations and this is to replace the ones for food and beverage. So, that's the batteries as well. The server carts are just the basic carts that you see when we do our serving. That's three more of those that we need to, just from wear and tear, to have replaced. That's the same with the mobile sheet pan racks, they're aluminum. Those haven't been replaced in over ten years, so they get beat up and wore out. The cold beverage dispensers, this is something we do not have, to be quite honest. Other than Cambros, these are the glass beverage, cold beverage dispensers. So, if you wanted to put orange juice or cranberry juice, they look nicer for the events. So, that's what we're asking for for those. Same with the soup crocks, we do not have soup crocks at this moment. So, we do everything in pots, or we do it in the Bunsen burners type of events. And, then the banquet coffee urns, we do have four, these are four to supplement what we have. They're starting to wear out. We replaced the o-rings and that kind of thing, they are starting to leak and starting....they haven't been replaced either since we've opened.

Commissioner Winnecke: Just a couple other questions, did someone talk about the grand tier and balcony curtains?

Harry Cochran: The curtains up there is, what it is is they're about a little short on each side. So, when the sound is hitting up there, it's not coming back down like it should. Our sound, our curtains need to be just a little bit longer up there. That's all that is right there is adding on to the curtains that's already up there.

Commissioner Winnecke: Okay, thank you.

President Melcher: Okay, any other questions?

Commissioner Winnecke: Then, on the artwork, I know you and I spoke about—

Dave Rector: Sure.

Commissioner Winnecke: —prioritizing, where do you stand on sort of the time line for that?

Dave Rector: All of these projects stand on just waiting your approval or denial, or whatever we do with them. Then, after that I'll be talking with each of you of how we move forward and how we desire to look at some of those issues.

Commissioner Winnecke: Okay.

President Melcher: Do you want to make your motion now?

Commissioner Tornatta: Oh, I'll remake my motion to take these under advisement.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any other discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Dave Rector: Thanks, gentlemen.

Commissioner Winnecke: Thanks, David.

President Melcher: Thank you.

**Permission to Advertise Notice of Public Hearing:
Vacation Petition of Sidewalk Easement in Stonecreek Subdivision**

President Melcher: Next we have permission to advertise the notice of public hearing for the vacation petition of sidewalk easement in Stonecreek Subdivision.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: We have a motion to approve and a second. Is there any discussion? Any other discussion from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Permission to Award: VC10-03-01:
First Avenue over Pigeon Creek Bridge Rehabilitation**

President Melcher: Next we have the County Engineer, permission to award VC10-03-01, this is the First Avenue Bridge rehabilitation project. Do you want to discuss that first?

John Stoll: Just requesting that the contract be awarded to Blankenberger Brothers. The amount of their low bid was \$1,396,400. We had the Purchasing Department review the MBE/WBE requirements, and their response was that Blankenberger provided the best good faith effort out of all four bidders. So, on that basis I request that you proceed with awarding it to Blankenberger.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any other discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Engineer

Commissioner Tornatta: Do you want to go ahead and finish him, while he's here?

President Melcher: Yeah, we could do that. I think you're on "I" or something here.

Commissioner Tornatta: You've got a couple of things, John?

John Stoll: Yeah, we have the, also the contract with United Consulting for the construction inspection on the First Avenue Bridge project. That was for \$147,400. That was reviewed by the County Attorney, so, they addressed everything we were looking for as far as providing the inspection for the duration of the project, which should run until November 15th. They provided the shop drawing review, which was another item that we needed, and on that basis I would request that that contract be signed and we get United moving ahead on the project.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion?

Commissioner Winnecke: Mr. President, I would just like to say—

President Melcher: Yes.

Commissioner Winnecke: —I appreciate the opportunity for us, being each Commissioner, to review the proposals of consultants who were interested in this project, and others that we are considering in the near future. I think this is a step in the right direction and a much better way to award service agreements.

President Melcher: Okay, anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: The last item I had was a time extension request on the Neu Road culvert repair project. This is, the request was from Jack Hahn Excavating, and they're requesting to extend the completion date from April 30th to May 15th. The work on the culvert requires work down in the channel, it's just not been dry enough for them to complete the work as of yet. So, I would request approval of the extension to May 15th.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Thanks.

Commissioner Tornatta: John, one quick question, on Green River Road, how does everything set up? What do you expect over the next say 30 days, 60 days? Have you talked with anybody out there about the progress?

John Stoll: I met with the contractors last week, I think it was Tuesday, if I remember correctly, progress has been slow, but with the recent dry weather it should pick up. The Pigeon Creek bridge is still the big obstacle. Until that's open to traffic, all of the switches on the maintenance traffic plan can't be completed. I don't have a specific completion, I shouldn't say completion, but specific schedule as far as when we'll see significant changes out there. One of the issues was the Pigeon Creek Bridge kept flooding and prevented them from working and getting the piers up out of the water. Once that is done, then that should help the progress of the job. One of the alternatives that was discussed at the meeting was are there other changes that we can make, from Heckel Road north, to switch the traffic up there and get that part finished even if the Pigeon Creek Bridge isn't done on schedule? So, they're looking at different options to keep things moving, but I don't have specifics at this point.

Commissioner Tornatta: Okay.

John Stoll: I'll get with them and try and pinpoint a better schedule and get that for you, but, right, as of last week we didn't have that.

Commissioner Tornatta: Do we believe there's an amount of, are they waiting on some settlement issues on the road? Or, is that all taken care of?

John Stoll: Everything from the soils report and the monitoring that was done last year showed that that was going as planned and there weren't any problems associated with that settlement. There is additional dirt that has to be placed so that the settlement hasn't totally been worked out as of yet, but there weren't any problems or any delays so far because of that.

Commissioner Tornatta: Okay, thank you.

John Stoll: You're welcome.

President Melcher: Thank you.

Commissioner Winnecke: Thanks, John.

**Treasurer: Agency Securities Investing
(1) Resolution Naming Authorized Officer
(2) Account Application: Client Agreement & Substitute W-9 Form
(3) Smith Barney Client Service Agreement
(4) Approval of Investment & Deposit Policy**

President Melcher: Next we have the Treasurer, agency securities investing. An agreement with Morgan Stanley-Smith Barney, relative to invest certain of Vanderburgh County funds.

Zachary Heronemus: Zachary Heronemus, Chief Deputy Treasurer for Vanderburgh County. I just want to thank you all for letting us bring these agreements with Smith Barney before the Board. We feel, at the County Treasurer's office, that this is going to give us another investment mechanism that will better serve the public, maximize returns, and definitely bring some income back in to save tax dollars for the residents of Vanderburgh County. I'll take any questions, if you need them.

President Melcher: Ted, you pretty much changed it to—

Ted C. Ziemer, Jr.: Yes, I mean, I've reviewed all of these documents. We've got a resolution, I mean, a policy to adopt, and then a resolution to adopt, and then two agreements to approve, all of which were detailed in the e-mail I sent you.

President Melcher: Okay.

Commissioner Winnecke: We had a pretty extensive discussion about this last week. I think my questions are answered. I feel satisfied.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: On all four?

Commissioner Tornatta: On all four of the documents, yes.

Commissioner Winnecke: Second.

Zachary Heronemus: Thank you all.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Permission to Award Moving of Election Equipment

President Melcher: Let me cross some of these off. Okay, next is the County Clerk, permission to award the moving of the election equipment. Susie Kirk wasn't able to hit the meeting tonight, but she still would like us to send it to Kinder Moving and Storage. Debra Spalding, is she here? She was supposed to be here to explain some things. I think what we had last time there was the low bidder was, I can't remember their name.

Commissioner Tornatta: PD&S Agent.

President Melcher: PD&S, and she was asking Kinder because of things...I've talked to the Attorney and that, I think I would be okay. We did ask for the RFP's and I'm okay with going with them, but I would like to do it just for the spring this time. If everything goes well, then right after the primary we could vote for the fall. Any discussion on that?

Commissioner Tornatta: Yeah, I'm not, I'm not in that boat. We put the RFP out to bid for the year, did we not?

Commissioner Winnecke: They bid it each way, actually, I think.

Ted C. Ziemer, Jr.: They did bid, yeah, one would be for the primary and for the general, but they each bid for both elections, right.

President Melcher: Right, so that's why I thought it would be easier.

Commissioner Tornatta: Okay.

President Melcher: And, I think what happens too, if they end up not having any problems and that, because we don't know, it could work out, and we could just go ahead and accept them right after the primary. Since they're the first time using it, this is probably good to protect us too.

Commissioner Tornatta: Okay, I didn't, alright, but it was bid out that way? I was, I did not understand that. Okay, so—

Ted C. Ziemer, Jr.: Well, here, I just want to explain, they, when they submitted their bids, they submitted what their bid would be to do the spring and what it would be for the fall. Then they gave a total amount. And, you mentioned their name, I'm sorry I don't have that file with me, who was low?

Commissioner Winnecke: PD&S.

Commissioner Tornatta: PD&S.

Ted C. Ziemer, Jr.: Alright, PD&S was low for the full year. The next low bid was—

Commissioner Winnecke: Kinder.

Ted C. Ziemer, Jr.: —Kinder, and the County Clerk has a great deal of confidence in Kinder because they've done it before and they've done an admirable job and without any cost to the county and she thinks past history is very important. This, as we pointed out at the last meeting, this is a service that we are taking quotes for, so you can, under the law, give this to any one of the bidders that you wish to give it to. I think what Commissioner Melcher is suggesting is that since PD&S was the low bid, and since they haven't done it before, give them the bid for the May election and see how they perform. If they perform well, we'll continue with them in November. If they don't, we could make a change for the November election. That's what he's suggesting. I think that would be legal.

Commissioner Tornatta: Alright, then I'll make that in the form of a motion.

Commissioner Winnecke: I'll second that.

President Melcher: Okay, any further discussion?

Commissioner Winnecke: Mr. President, I would just comment, I was a little torn on this because typically, I think all of us like to generally follow the recommendation of the office holder, and I have a lot of respect for the County Clerk and her recommendation in this regard, however, I have beat the drum, I think, pretty loudly the last couple of months about doing RFP's for service agreements and I think it would be hypocritical if I did not support the bid by PD&S. I think the move to, the gesture to extend the contract for the May primary, and, if they perform, hopefully, they'll perform well, that will give the Clerk additional confidence and we move forward with them in the fall.

President Melcher: Okay, any other discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Sale of County Properties to Department of Metropolitan Development

President Melcher: Next is sale of county properties to the Department of Metropolitan Development, with the city. They're interested in buying 46 properties at \$23,744.31. That's exactly what we've got in it.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Is there any further discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Madelyn, you have that resolution for them to sign? Okay, thank you.

**Health Department: Renewal of Dental Clinic Lease
Crowe Horwath Amended Agreement: Ph. II Certification Testing
EMA: Homeland Security Grant: Homeland Security Exercise
EMA: District 10 Administrative Agreement with Maddison Seib
Professional Services Agreement: Kelly Williams: Superior Court
Professional Services Agreement: Ryan Barrett: Superior Court**

President Melcher: Okay, next we're under contracts and agreements. We have the Health Department renewal of the dental clinic lease. An extension of the term of the lease from February 14, 2012, the rent is increased from \$1,040 to \$1,129 through the month due to the change in the CIP.¹

Commissioner Tornatta: Motion to approve.

¹Should be CPI.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: I just want to point out, maybe I heard you wrong, Commissioner Melcher, but, actually the rent went down for this next two year term because the CPI went down. That's a very unusual thing.

Commissioner Tornatta: Is it a change?

President Melcher: So, it was a decrease?

Ted C. Ziemer, Jr.: Right, it went down.

President Melcher: So, it was a decrease instead of an increase?

Ted C. Ziemer, Jr.: It was a decrease.

Commissioner Tornatta: From, what was it, \$1,129?

Ted C. Ziemer, Jr.: It was \$1,140 a month and it's down to \$1,129 a month.

Commissioner Tornatta: Okay, it said \$1,040, okay. Make my motion to show the decrease.

Commissioner Winnecke: I amend my second to match.

President Melcher: So, we'll amend our votes to match. Next we have the Crowe Horthwick² agreement for phase two of the software certification testing. It reduces the scope of the service from the original agreement and reduces the one time fee of \$7,250 to \$4,000.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

²Should be Horwath.

President Melcher: Any further discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have the EMA, the 2008 Homeland Security grant, Homeland Security exercise. The grant is for two years for the amount of \$31,285.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Discussion?

Commissioner Winnecke: Sherman is here, maybe we could—

President Melcher: Sherman?

Sherman Greer: This is in reference to the exercise grant funds?

President Melcher: Yes.

Sherman Greer: This was awarded to us for the preparing for the exercise that we're having in 2011, the earthquake exercise. So, what we're doing is using that funds to educate and train a lot of our people within the district, the whole district, as far as law enforcement, fire, EMS, you know, those type of people to be able to respond to a severe earthquake type situation.

Commissioner Winnecke: Thank you.

President Melcher: Any other questions? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have District 10 administrative agreement with Maddison Seib to perform an organizational and administrative services for District 10 of the Indiana Homeland Security. It's a term for one year, \$50,000, paid out of a 2009 grant, and an additional one year term of \$50,000 to be paid out of the 2010 grant.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Okay, we have a first and second. Do you want to make any comment about that, Sherman, while you're there?

Sherman Greer: Ms. Seib has been working with us now for the last three years, or 40 months. She's done an excellent job. She has to pay her own travel, hotel expenses on some of the training that she does, she pays her own taxes, she's had to buy some equipment to do the job; like a scanner for, so she could scan our invoices in and send them up to Indianapolis. She covers 12 counties in Southwestern Indiana, she also coordinates the District Planning Council meetings, which we had one today up at Lynnville. She also coordinates the District Planning Oversight Committee, which is made up of all 12 counties County Commissioners, or their proxies, to, so that we can move on with our District Planning Council agendas. She does the task force, the task force that we have put together for District 10, and she buys her own, takes care of her own insurance and meeting expenses also. So, out of that \$196,000 that we've more or less paid her over the last few years, once you subtract all of those things from them and everything, it's not as big as it looks.

President Melcher: Okay, thank you.

Sherman Greer: In my estimate, that's the way I see it.

President Melcher: That's the way it works.

Sherman Greer: That's the way it works.

President Melcher: Exactly. She's got to pay her taxes out of that and everything.

Sherman Greer: Exactly. Yes, sir.

President Melcher: Thank you. Any other discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Madelyn Grayson: Maddison, could you sign the agreements before you leave this evening?

President Melcher: Okay. Next we have Superior Court, we'll probably take both of these at the same time, professional service agreement with Deputy Sheriff, Kelly Williams, for the home verification services, and professional services agreement with Deputy Sheriff, Ryan Barnett, for home verification services. This is identical to last year's agreement. The cost is \$22.50 per hour.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second, with an amendment of Ryan Barrett.

President Melcher: Barrett, right. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

New Business

President Melcher: Next we have department head reports. Is there any department heads that want to make a report? Seeing none, we don't have any board appointments that I know of. New business?

Old Business

President Melcher: Old business? McCutchanville Park playground project?

Commissioner Tornatta: Yeah, Rachael, if you'll come up here, please. Rachael made contact with us back when we had our parks stimulus program, and they had actually raised quite a bit of money. We were going to match dollar for dollar for up to \$5,000. Rachael had her money right away. So, she's really been energized with the project. Rachael, if you'll just quickly go over what you've done—

Rachael Mazzier: Sure.

Commissioner Tornatta: –to raise the money, and what kind of products you’re planning on buying with the money.

Rachael Mazzier: Okay, I’ve been raising money for over two years. I just moved to McCutchanville probably four or five years ago. I took my kids over there to play, and saw a 1950’s playground that is more like a swamp. The children on any given day can’t play on it, so you’ll see probably 20-30 kids on one monkey bars. That’s all they have to play with. There’s probably 500-800 people, would you say, that are there everyday for soccer, NEYSC soccer, for EVSC baseball, they play there, so the children have nothing to play with. So, currently that’s what we have for them to play on, and currently the childhood obesity in this area is on the rise. So, I saw a need and have been raising money for the past two years. Actually, tonight, in about an hour, we’re going to vote on which playground we’re going to go with and order it. Then in the next four to five weeks break ground and build it. I think it’s a wonderful project. I think it’s a big need, and if you go anywhere else in the city or other places in the county they have beautiful playgrounds, and this is just one park that was kind of forgotten. So, I would like to ask for grant money, if possible, for the McCutchanville Park playground project.

Commissioner Tornatta: Okay, and as we’ve done in the past, you asked for \$5,000, you have the matching funds for that....now, how much have you raised so far?

Rachael Mazzier: Absolutely. We’ve raised over \$25,000. So, with your grant we will order a \$31,000 playground, and I’ve got a couple more fundraisers coming up. So, we’ll be adding things as the year goes on, because there’s more that I would like to do over there at the park.

Commissioner Tornatta: Okay, super.

Rachael Mazzier: Thanks.

Commissioner Tornatta: When you decide to do your groundbreaking make sure you let us know.

Rachael Mazzier: Oh, I will.

Commissioner Tornatta: With that being said, I would like to make a motion to donate \$5,000 to McCutchanville Park playground project.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Congratulations.

Rachael Mazzier: Great. Thank you.

President Melcher: Good luck on it.

Rachael Mazzier: Appreciate it. Thank you.

President Melcher: Thank you. Any other old business this evening? Anybody from the audience?

Public Comment

President Melcher: Public comment? This is the time where you can say something if you want. Seeing none.

Consent Items

President Melcher: Consent items.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a motion. Madelyn, would you like to read them?

Madelyn Grayson: The consent items for the April 20th meeting are as follows; approval of the April 6, 2010 Commission meeting minutes; employment changes, there is one for the Health Department, and two for Burdette Park; the County Auditor had the annual report and summary of 2009 fixed assets; the County Council has a request for Burdette Park pool and miniature golf passes for full time county employees for the 2010 summer session; the Building Authority has a summary appraisal report for the Centre from American Appraisal; the Legal Aid Society has the March 2010 statistics report; the County Clerk has the March 2010 monthly report; the County Engineer has approval of pay request number 102 for TIF projects in the amount of \$251,373.50; Hillcrest-Washington Youth Home first quarter 2010 service fees; a waiver of fees/not overtime for use of the Centre on May 13th for the AIC community forum; the Building Authority has a request to surplus 11 cash registers and various audio/visual and office equipment for disposal, and there are department head reports from Burdette Park, the County Engineer and the County Highway.

President Melcher: Thank you. Any discussion? Anybody from the audience? Want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Is there any further business to come against the Board this evening?

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: First and second. All in favor say aye.

All Commissioners: Aye.

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

CONSENT ITEMS:

Commissioners:

Approval of the April 6, 2010 Commission meeting minutes.

Building Authority: Summary Appraisal Report for the Centre (American Appraisal)

Legal Aid Society: March 2010 Statistics Report.

Hillcrest-Washington Youth Home: First Quarter 2010 Service Fees.

Centre Fee Waiver/Not OT: AIC Community Forum: 5/13/2010.

Building Authority: Surplus Request Letter: cash register & audio/visual equipment.

Employment Changes:

Burdette Park (2)

Health Dept. (1)

Public Defender (1)

County Clerk (1)

Prosecutor (1)

Election Office (2)

Auditor: Annual Report and Summary of 2009 Fixed Assets.

County Council: 2010 County Employee Burdette Park Passes.

County Clerk: March 2010 Monthly Report.

County Engineer: Pay Request No. 102 Green River-Burkhardt TIF Projects.

Department Head Reports:

Burdette Park

County Engineer

County Highway

Those in Attendance:

Stephen Melcher
Joe Gries
Julie Mallory
Dave Rector
Darren Stearns
Sherman Greer
Members of Media

Troy Tornatta
Ted C. Ziemer, Jr.
Martha Schriber
Harry Cochran
Zachary Heronemus
Rachael Mazzier

Lloyd Winnecke
Madelyn Grayson
Deborah Capps
Scott Moore
John Stoll
Others Unidentified

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MAY 11, 2010**

The Vanderburgh County Board of Commissioners met in session this 11th day of May, 2010 at 5:00 p.m. in room of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We'll go ahead and start the Vanderburgh County Board of Commissioners meeting. It's 5:00, and we're in room 301. Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance

President Melcher: Is Theresa Arvin here? Okay, Madelyn, would you mind leading us in the Pledge?

Madelyn Grayson: Sure.

(The Pledge of Allegiance was given.)

ONB Insurance Survey

President Melcher: I think I'll skip over the proclamation for a few minutes and see if she comes in. ONB survey, Dennis?

Dennis Feldhaus: Good evening, Commissioners. Dennis Feldhaus with Old National Insurance. I would like to ask for you to act on the ONB Insurance survey on behalf of Vanderburgh County, to your employee base. Hopefully you've seen that, reviewed it, and would ask for your approval of that so that we can implement the distribution of that survey.

Commissioner Winnecke: Mr. President? Thank you, Dennis, for assembling this. What, how do you propose distributing it to the employee base, and for what period of time do you recommend?

Dennis Feldhaus: Distribution would be through a website. We would try to blast that out, and I would probably coordinate that through your office, through Marissa. Also, we could also do payroll stuffers for those that are not, have availability to the website. Working with the Auditor's Office we would be able to do payroll stuffers

alerting them to the website and/or to contact their immediate supervisor for a hard copy.

Commissioner Winnecke: And how long would you propose we have the survey available?

Dennis Feldhaus: When we did this with the EVSC we put it out there for two weeks, but that would be at your discretion. I would follow your direction on that, but I would suspect two weeks would be adequate.

Commissioner Winnecke: And when would it go live?

Dennis Feldhaus: We could do that as soon as you tell me to do so.

Commissioner Winnecke: So, if we approve it, assuming we approve it tonight, and it's available starting tomorrow, what's today's date?

President Melcher: Today's the 11th.

Commissioner Winnecke: So, the 12th, okay, 19th, 20th....so, the 28th, we're looking at payroll dates. So, if we had a payroll, a payroll stuffer, it probably would miss this week's—

Dennis Feldhaus: Okay.

Commissioner Winnecke: —so, I would say maybe three weeks might be—

President Melcher: Our first meeting in June?

Commissioner Winnecke: Well, no, the website would just be available—

President Melcher: Oh, okay.

Dennis Feldhaus: The website would be available—

Commissioner Winnecke: We would approve, I would hope we would approve it tonight, but we would have it available for three weeks.

Dennis Feldhaus: Correct.

Commissioner Winnecke: So that you could take advantage of the 28th payroll and insert something in then.

President Melcher: Troy, do you have—

Commissioner Tornatta: Dennis, I was just curious on one thing. Do we have a way of identifying one survey to one individual?

Dennis Feldhaus: The last is an optional name and department, if I understand your question correctly. Can we identify a survey to an employee? Only if they fill that in.

Commissioner Tornatta: Okay.

President Melcher: That's number 14.

Dennis Feldhaus: Yes.

President Melcher: Any other questions? I believe we need a motion.

Commissioner Winnecke: Mr. President, I would move that we approve this survey to go live, via the website, effective tomorrow, ending on Wednesday, June 2nd.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you, Dennis.

Commissioner Tornatta: Dennis? Before you leave, is there a way, on that website, I don't know how these have been done in the past, to eliminate a duplication of somebody's survey? I mean, if one were to go in there, just so they're not filling out five surveys.

Dennis Feldhaus: Good question. I would need to get back with you on that.

Commissioner Tornatta: I mean, it wouldn't have to list that on this paperwork, but maybe they would have to have some type of e-mail address.

Dennis Feldhaus: So, that one employee's not sending—

Commissioner Tornatta: I really don't care who fills it out, but we should only have one person filling out one survey.

Dennis Feldhaus: I'll get back with you on that. I'm assuming that is possible, but I don't know how to answer that this evening.

Commissioner Tornatta: It can be hidden, a lot of times, in a code or something of that nature.

Commissioner Winnecke: Then, Dennis, I did forget to ask you this, if we keep this live through June 2nd, at what point would you have results for us?

Dennis Feldhaus: The data from the website would be immediate. It's compiling as they're actually being sent through the system.

Commissioner Winnecke: Okay.

Dennis Feldhaus: The hard copy that would come back through departmental managers we would need some time, maybe a week, to compile that and get the data to you.

Commissioner Winnecke: Thank you.

President Melcher: Thank you, Dennis.

Dennis Feldhaus: Thank you.

Human Relations Commission: Centre Fee Waiver Requests

President Melcher: Next is Human Relations Commission, Diane?

Diane Clements: Thank you, Commissioner Melcher. I'm coming to you today to ask for consideration for the room waiver for the Centre for two events. The Human Relations Commission annual dinner is going to be September the 24th, that is on a Friday, and we are asking that the exhibit hall, that room fee be waived for the event. It's, of course, an annual event for the Human Relations Commission and we rely on donations to pay the expenses for the annual dinner. The second request is for the Disability Advisory Board, they are proposing to do a jobs fair for employers to talk about employing people with disabilities, making the workplace more accessible. In the morning they are going to have workshops, and during the noon hour there will be a luncheon/awards ceremony, and then in the afternoon a jobs fair where they're going to ask employers to come and set up booths. That will be on October the 27th. The time is 8:30 to 4:30. That would be ballrooms B, C and D. I don't know that they will need all of that, but the Centre said that they would reserve that in the event that it is all needed, and we'll scale back if it's not.

Commissioner Tornatta: Then, your food setup is with the Centre, correct?

Diane Clements: Yes, we will probably do a box lunch for that. We think that we will have a donation that will come that will pay for the food.

Commissioner Tornatta: Okay.

Diane Clements: We're going to do a bare bones type of meal. That's really what we have a budget, if we get that.

President Melcher: Do you have any questions? Questions? I need a motion.

Commissioner Tornatta: Alright, I'll make a motion to waive the room fees, however not overtime, for the Human Relations Commission on September 24th and October 27th for the Centre and the ballrooms assigned.

Commissioner Winnecke: I'll second that with the caveat that I'm seconding it because this is a governmental agency that's making this request.

President Melcher: Any other discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you.

Diane Clements: Thank you.

Permission to Close Road for Gilda's Club 5K Run/Walk: July 10, 2010

President Melcher: Next we have permission to close roads for Gilda's Club 5K run/walk on July 10th.

Kim Fields: Hi.

Commissioner Tornatta: Hello.

Kim Fields: I'm Kim Fields, and I was the one that requested for the permit for the benefit run for July the 10th.

President Melcher: Does anybody have any questions?

Commissioner Winnecke: Just, you might just explain—

Kim Fields: Okay.

Commissioner Winnecke: —sort of the route—

Kim Fields: I'm all new to this.

Commissioner Winnecke: Sure.

Kim Fields: We were going to do a closure of the roads listed for a benefit run for proceeds to go to Gilda's Club in memory of my mother who passed away from pancreatic cancer. We were just going to do a 5K, which is a 3.1 mile walk and run on the day of July the 10th, Saturday, 8:00 in the morning, leaving the F.O.P. Camp on the location listed. Then proceeds and everything, like I said, would go to Gilda's Club.

President Melcher: As far as security and road closings?

Kim Fields: We've actually been in contact with Lieutenant Sam Preston, who I understand has been out of town until recent, and he has forwarded the e-mail on to Major Scott Molden who handles it. They feel that probably four deputies and four volunteers are needed for the event. We do have actually insurance in the process for the same event as well.

Commissioner Tornatta: Okay. So, we probably need all of that in place before we can approve it.

Kim Fields: Okay.

Commissioner Tornatta: You say, said you had the insurance in process.

Kim Fields: Yes, I spoke to him today, a Dave Abbott at Heston Insurance.

Commissioner Tornatta: Right.

Kim Fields: He gave me the copy of something that he e-mailed in case you needed something to actually review that shows it is in process.

Commissioner Tornatta: Well, let's, we have a little time here—

Kim Fields: Okay.

Commissioner Tornatta: —and what I would probably like to see, if it's okay with this Board, is you to go ahead and finish your business with the Sheriff—

Kim Fields: Okay.

Commissioner Tornatta: —finish your business with Mr. Abbott—

Kim Fields: Okay.

Commissioner Tornatta: —and then come back here with a completed package ready to turn in.

Kim Fields: Okay.

Commissioner Tornatta: That you have all the okays—

Kim Fields: Okay.

Commissioner Tornatta: —and approvals—

Kim Fields: Okay.

Commissioner Tornatta: —and all your legal work done.

Kim Fields: Okay. Okay.

Commissioner Tornatta: If that's okay?

Kim Fields: Okay.

President Melcher: I believe we'd received your e-mail, but we hadn't heard back from the Sheriff or anybody yet.

Kim Fields: Not at this point, no.

Commissioner Tornatta: Okay, if we could get that, that will help us—

Kim Fields: Okay.

Commissioner Tornatta: —and that kind of, those are some checkpoints that we have to go with as well.

Kim Fields: To finalize, okay, okay, alright, okay.

Commissioner Tornatta: Thanks, Kim.

Kim Fields: Okay, thank you.

President Melcher: I'll go back to the first item. Is Theresa Arvin in the room now? Okay.

Fischer Road Raze Order

President Melcher: Next we have the Fischer Road raze order.

Commissioner Tornatta: Ben?

President Melcher: Ben?

Commissioner Tornatta: Yeah.

Ben Miller: Ben Miller with the Building Commission. We have an unsafe building located at 10400 Fischer Road. There was a fire at the property and we're requesting it to be razed. I will defer to Mr. Miller on the particular issue.

David Miller: Yesterday morning I sent around to the Commissioners a short e-mail memorandum outlining my thoughts regarding the proposed razing. There is no question that this is a dangerous situation, and it needs to be appropriately protected from meddling and invasion by, mostly by kids. But, by the same token it is an alleged crime scene and we need to be sensitive to the fact that we not compromise the prosecution of this case by destroying potential evidence. Mr. Dodd, the attorney for the accused, Mr. Weisheit, has today filed a motion to preserve evidence in the Vanderburgh Circuit Court proceeding against Mr. Weisheit. That motion will be heard according to telephonic understanding that I received this afternoon, at 9:45 tomorrow. In the meantime, I think Ben Miller has, at my request, investigated the possibility of somehow fencing this area on a temporary basis to protect it from invasion by children and others. Ben, would you want to report on that? Tell us—

Ben Miller: We've been in contact with the Klenck Company who has offered to do the demolition on a time and material basis, with an estimate of somewhere between \$5,000 and \$7,500, which would include a temporary fence being put around it at the time we would want to do the raze.

David Miller: So, your understanding is they would put the temporary fence up tomorrow if we asked them, even without the granting of a contract at this time?

Ben Miller: Yeah, that is my understanding.

David Miller: Okay. I think that it is, given the filing of this motion to preserve evidence, I think it is appropriate for this Board to make the request of the Klenck organization to put the temporary fence around the property, but not otherwise disturb it, and to allow the Circuit Court to make a ruling. Ultimately, the cost of razing the structure, together with any fencing, including any more expensive fencing that might be necessary in the future to protect it subject to this court order. I mean, the court might order that some more substantial fence be put up there. If that is done, it is appropriate for the court to provide for the cost of that as a part of the criminal defense. In any event, it would become a lien on the property in favor of the county if the county had to bear the expense. But, at this time, the primary focus has to be on not compromising the criminal prosecution and making, taking appropriate steps to protect the public from this area in the interim. So, that's my recommendation to you. I do not think the raze order ought to be executed at this time, but I think you can approve it subject to whatever ruling the Circuit Court makes on the motion to preserve evidence. That way Mr. Miller will not have to come back at a point in time when the court says go ahead and do what you will to do with it.

Commissioner Winnecke: So, the appropriate motion, I'll make a motion and maybe we'll see if it's appropriate or not. I would move that we instruct the County Building Commissioner to proceed with erecting a temporary fence around the property to safeguard it and to execute the raze order after the court deems it appropriate.

David Miller: I think that's an appropriate motion.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Any further discussion? Does anybody in the audience have? Eric's coming.

Eric Williams: I just real quickly want to say that I had asked the County Attorney's office to take a look at this issue because it is a very dangerous situation out there. I believe kudos are due when they're necessary. This is not an easy subject to tackle. The County Attorney's office has been great, Ben's been great in at least moving this forward, because this is a very unusual circumstance to have this kind of structure in its condition in the middle of a residential area in our community. So, I appreciate the effort to move forward. Anything we do is better than what we're dealing with right now.

President Melcher: Thank you.

Commissioner Tornatta: And, I would just like to point out that this is, I deem this some type of emergency situation. That's why we would let this go on before a formal contract was signed. So, this is not protocol.

Ben Miller: That should be very well noted, yeah.

Commissioner Tornatta: Okay.

Ben Miller: It is an emergency raze order.

President Melcher: With that, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Centre 2010 Proposed CIP List Approval

President Melcher: Next on the agenda we have the Centre 2010 proposed CIP list approval. We took this under advisement at our April 20th meeting. I haven't really heard back from David, and I don't think he's here.

Commissioner Tornatta: He's on, actually on vacation.

President Melcher: So, do we want to hold this till—

Commissioner Tornatta: I would say we'll just move it to the next meeting, if that's okay.

President Melcher: Okay, do we need a motion on that? I'm not sure on that.

Commissioner Winnecke: You're just tabling it.

President Melcher: Just tabling it. That's what I thought.

Sale of County Owned Property: 18 W. Illinois Street

President Melcher: Next is the sale of the county owned property at 18 West Illinois Street. The abutting property owners were given the opportunity to bid on the property. The highest bidder was Randall Brown with a bid of \$1,101.

Commissioner Tornatta: Motion to accept.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

<p>Public Hearing and First Reading of Vacation Ordinance: CO.V-04-10-002: Vacation of Sidewalk Easement in Stonecreek Subdivision</p>

President Melcher: Next we have the public hearing and first reading of the vacation ordinance CO.V-04-10-022F¹, the vacation of a sidewalk easement in Stonecreek Subdivision. Please state your name for the record.

Scott Buedel: Scott Buedel with Cash Waggner and Associates. I'm here on behalf of Jagoe Land Corporation to ask for the vacation of the sidewalk easement. It was platted, along with the plat of Stonecreek Subdivision. The sidewalk was never built, and since that time houses have been constructed along side the easement, and I believe it's really not wanted by any of the parties adjacent to this easement. I did get a call from the adjoining landowner to the north, Mr. Wenger who was notified, and he offered to come to the meeting to show his support to vacate this easement. He does not want that to go through his property into the next subdivision.

President Melcher: Okay. Any questions? I need a motion.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Scott Buedel: Thank you.

President Melcher: Thank you.

¹The correct vacation ordinance number is CO.V-04-10-002.

Lease from EVSC: Bosse Field
Sub-Lease to Evansville Baseball LLC (Otters) & Management Agreement
Courts: SWC Maintenance Agreement: Video Arraignment Equipment
Juvenile Court: Youth Service Bureau Agreement
Juvenile Court: Guardianship Services Agreement
Health Dept: Addendum to Affiliation Agreement with Vincennes Univ.
Health Dept: Lead Poisoning Grant Agreement
Health Dept: Purdue Agreement: Multi-State Project
Health Dept: Breastfeeding Peer Counselor Agreement: Angela Momat
Courts: Matrix Integration: VMware Cluster Upgrade
Courts: Matrix Integration: VMware Cluster/MSA Storage Documentation
Courts: Matrix Integration: HP MSA 1500 Upgrade

President Melcher: Is Theresa Arvin here yet? The next time we'll read it. Contracts, agreements and leases. Lease from the Evansville-Vanderburgh School Corporation to facilitate sub-lease to the Evansville Baseball LLC/the Evansville Otters. The lease agreements, sub-lease agreements and management agreements for the year 2005 and for the year 2010. The Otters shall pay rental of \$40,000 per year to the EVSC. There is no payment of rental by the Otters to the county, or by the county to EVSC.

David Miller: Does everybody understand what has come down here?

Commissioner Tornatta: Yeah.

President Melcher: Yes.

Commissioner Winnecke: I do.

David Miller: Okay.

Commissioner Tornatta: With that being said, motion to approve.

Commissioner Winnecke: Second.

President Melcher: A first and a second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. SWC maintenance agreement for video arraignment systems equipment. The agreement is for 36 months. The cost is \$14,447 for 2010, \$16,240 for 2011, \$17,862 for 2012.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The next one is Juvenile Court, the agreement with the Youth Service Bureau. It runs through July 1, 2010 through June 30, 2011. The amount of the grant is \$49,869.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The agreement with the Guardianship Services of Southwestern Indiana. There are no funding requirements on the part of the county, but the county would be working with the provider to develop grant funds to help defray the expenses for the provided services.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Addendum to affiliation agreement with Vincennes University. It extends the term of the agreement for an additional two years, to July 31, 2012.

Commissioner Tornatta: That's with the Health Department, correct?

Gary Heck: That's correct. Gary Heck, Vanderburgh County Health Department.

President Melcher: Do we have a motion?

Commissioner Tornatta: Do we, can we take these all? Or do you want to do them separately?

President Melcher: It don't matter to me.

Commissioner Winnecke: Whatever you want.

President Melcher: I'll just go down and read them all.

Commissioner Tornatta: They've all been sent to us.

President Melcher: Lead poisoning grant agreement runs from July 1, 2010 through June 30, 2011. The amount of the grant is \$49,869. The agreement between Purdue and the Health Department for multi-state learn collaborative project for a period of services from April 15, 2009 through April 14, 2010. In return for the payment of the grant funds equaling the additional \$4,000. Breastfeeding peer counselor contract, compensation is \$9.50 an hour. The contract is identical to the one last year.

Commissioner Tornatta: Motion to accept.

Commissioner Winnecke: Second.

President Melcher: A motion and a second to address all four. Any discussion? Gary?

Gary Heck: If you have questions. I'm comfortable, thank you.

Commissioner Tornatta: These have all been sent to us?

Gary Heck: By the County Attorney, yes, that's correct.

Commissioner Tornatta: You always do a good job of getting them to either us directly or through the County Attorney.

President Melcher: So, is there anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Gary Heck: Thank you. I did send you all our 2009 annual report electronically today. So, just to make sure you all know it's there for you.

Commissioner Tornatta: Got it.

Gary Heck: Thank you.

Commissioner Tornatta: Thank you.

President Melcher: Okay, the next one is the courts engagement proposals by Matrix Integration for various work on servers and storage for the courts. It's VMware cluster upgrade, cost is \$5,740; the VMware cluster MSA storage documentation cost is \$9,381; HP MSA 1500 upgrade cost is \$7,456.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Mental Health Awareness Month Proclamation

President Melcher: With that, I guess, we'll just go back up to the proclamation. We have a proclamation tonight for Mental Health Awareness Month. I'll just go ahead and read the proclamation:

"Mental Health Awareness Month. 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 and economic status; and, Whereas, nearly 3,000² American lives are lost each year to suicide and mental health; and, Whereas, the Vanderburgh County suicide rate reached an all-time high with 49 self-inflicted deaths in 2009; and, Whereas, people can recover from mental illness and lead full, productive lives in the community; and, Whereas, the estimated two thirds of adults and young people with mental health problems go without the help they need; and, Whereas, the cost of the 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; Now, Therefore, We the Board of Commissioners of Vanderburgh County, Indiana, do hereby proclaim the month of May as "Mental Health Awareness Month" in Vanderburgh County."

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

²Should be 30,000.

President Melcher: Thank you.

New Business

President Melcher: New business, we have AIC Community Forum, May 13th, 6:00 p.m. at the Centre. Is there any discussion on that?

Commissioner Tornatta: Yeah, real quickly, sorry, I was reading this. AIC, the Association of Indiana Counties has been sponsoring a tour going around the State. They have asked us to participate and do a, do some type of meeting over at the Centre. We will be over there to talk about how the property taxes are coming out and how they do affect the counties. So, if anybody does want to come out May 13th, Thursday, at 6:00 p.m. at the Centre, it's an opportunity to find out how taxes are going to affect your local government. How it might affect you as a taxpayer. Then we'll talk about also some things about efficiencies, things that we're doing to try and get this to help relieve the burden. However, there is a substantial burden and 2011 is going to be a tough year in Vanderburgh County, as if it hadn't been tough already. So, if you do want to find out more, once again, the AIC, Indiana Association of Counties³ is doing a community forum, May 13th, 6:00 p.m. at the Centre. You'll find out quite a bit of information.

President Melcher: Thank you, Troy.

Old Business

President Melcher: Any old business?

Public Comment

President Melcher: Public comment?

Bill Jeffers: Bill Jeffers, County Surveyor. I wanted to let the three Commissioners and their attorney know that last week, well, a few, a couple of weeks ago I was asked by the reorganization committee to prepare a map showing eight districts that would replace the County Council and the City Council districts should a reorganization plan take place. It was a conceptual drawing. The person who asked me to do that on the behalf of the committee suggested that I leave the six city wards as closely configured to what they are today as I could possibly do that. Then to take the area outside the corporate boundary and divide it into two relatively equal districts, which would be comprised of approximately 21,000-22,000 persons per district. Our 2000 census data showed approximately 172,000 people populating Vanderburgh County as a whole. So, if you divide that by eight it would be 21,500. Because of the Supreme Court ruling of "One Man, One Vote", you're supposed to have voting districts as equally drawn as possible per population. So, as I explained to the committee, the, what I did was start with the First Ward, because there are two precincts in the county south of the First Ward, K, I think it's K-1 and K-2, Knight One and Knight Two, that cannot be connected to any other part of the unincorporated county because they are separated by the city from the other contiguous areas. So, I joined one of those with First Ward and one of them with the Second Ward. Then

³Should be Association of Indiana Counties.

Pigeon Out, which only has 12 people in it down at Harbour's Edge, I connected that with the Fourth Ward, and I just worked myself around through the city. I had to trim a few precincts off of each Ward to balance out what I had started over there in the First Ward. There were, I think, a total of four, maybe five precincts outside the corporate boundary. One was connected to Ward Six, that was Center Nine. Center Two was connected to Ward Five, both of those county precincts were high population, urbanized precincts that didn't really conform to the larger residential and agricultural type precincts outside the city. I presented that. Subsequently, I want, and, when I presented it, late in my presentation I specifically suggested to the reorganization committee that they consult with the County Commissioners and the City Council before presenting the map to the State as part of their package, because, and I said, because the County Commissioners are responsible for having the voting districts drawn, and the City Council is responsible for having their Ward Districts drawn up inside the city, and that each of those two bodies should have a look at whatever I do before it's submitted to the State in its official format. Subsequently, I believe, over the weekend, maybe Friday, some of you probably got phone calls, and I apologize if the phone calls were from persons who were not pleased with the way those were drawn, but those persons could have come to any one of the sub-committee meetings or to the full committee meeting. My office has had previously prepared maps, they're stored in the GIS "W" drive, they are open to the public, hard copy or digital. I have several copies down in my office right now if anyone would like a copy. I'm going to have to start charging for them, because ink cartridges are like \$165, and I've already printed about 25 or 30 of these things in full color, but at the present time I have six available for County Council members who have requested them, I have two or three available for one Commissioner who has requested them, then there would be lawyers for the County Council, lawyers for the City Council, and lawyers for the County Commissioners who may want them for their files, and the attorney for the reorganization committee has asked for two copies. Just wanted to let you know, and if any of the phone calls were from persons who had any questions, you can refer them to me for an explanation of how I did it. I did not do it in an official capacity on behalf of the County Commissioners, as I have in the past. I did it purely as a request from that reorganization committee.

President Melcher: I was there for your presentation. I had to leave once you said that one statement about making sure that we got it and the City Council got it because we set the boundary lines.

Bill Jeffers: Right.

President Melcher: I think you did a good job and everything. I think everything went pretty well. I didn't get any phone calls. I do know the last time the City did it there was 21,600 in each Ward.

Bill Jeffers: Right.

President Melcher: So, I think you did it about the best as anybody can. I don't know if you're still trying to fine tune it or not, but I think you did a good job on it.

Bill Jeffers: Well, what I would like to do, Commissioner Melcher, is to try to just reinforce the idea it's a preliminary.

President Melcher: I knew that.

Bill Jeffers: I think it's good enough to send to the State as part of a package. It would have to be redrawn in 2012 if the reorganization took place, because it does not follow 2010 data. That will not be available till 2012, the census data. So, it would have to be redrawn anyway. If there is anyone that's being displaced or unfairly treated, all I can say is I did not take any consideration whatsoever to partisan politics, I just connected the precincts to the closest Ward that they were connectable to legally. I did not purposely try to cut any sitting Councilmen or Commissioner out of their district. I may have. It was unintentional if I did. Some of them overlap anyway. There are County Councilmen who would overlap with a City Councilmen, etcetera, but if there is any fine tuning as I call it that needs to be done, I think it can still be done, and that's what I'm here saying.

President Melcher: There's a whole bunch of requirements when you do that, as far as minority and everything else. So, I think you did a good job. I don't think there would be any problem any which way that goes down. Any other—

Commissioner Winnecke: I was there. I thought you did a really nice, made a really nice presentation. As to whether it may or may not displace office holders, that all may be a mute point.

Bill Jeffers: Could very well be.

Commissioner Winnecke: I thought you did a nice job.

Bill Jeffers: I just wanted to say that I heard that there were some phone calls made, and I wanted to apologize if it caught anybody in the middle of a business day and disrupted anything.

President Melcher: Okay, thank you. Any other public comment? Let's move to the consent items.

Commissioner Tornatta: Whoa, whoa.

President Melcher: Oh, I didn't see him come up. I'm sorry.

Rodney Witherspoon: I'm Rodney Witherspoon, and I live in German Township. This goes along with what Bill was talking about, it's on the reorganization. I have a question first. I have not seen the reorganization petition. Do you, does the Commission know what political subdivision is named in that petition?

Commissioner Winnecke: The request was to reorganize the City of Evansville and Vanderburgh County.

Rodney Witherspoon: That would require two petitions, wouldn't it? You can only petition one political subdivision, right?

Commissioner Winnecke: It was done according to the law as I understand it.

President Melcher: They did it the right way. They had enough signatures. It took them a little longer.

Rodney Witherspoon: Well, my reading of the statute says that, you know, that if they're going to petition to reorganize more than one political subdivision, then they would need petitions for both political subdivisions.

President Melcher: Well, they had, I can't remember now, the amount, I told them they had to get county signatures, not just all city.

Rodney Witherspoon: They have to have five percent—

President Melcher: And, I believe they hit that threshold anyway, because they had a lot from the county.

Rodney Witherspoon: For the county?

President Melcher: Outside of the city. I don't remember what the number was.

Commissioner Tornatta: It wasn't needed.

Rodney Witherspoon: They have to have five percent of the vote that was cast for the Secretary of State—

President Melcher: Right.

Rodney Witherspoon: —in the prior election in the political subdivision that they're petitioning.

Commissioner Tornatta: Right, and they did follow the, and that's why—

Rodney Witherspoon: It would be considerably more votes in the city, obviously, than it would be in the county.

Commissioner Tornatta: Right, their actual percentage, ironically, was what the difference in the city and county's population was, percentage-wise. I don't know how they did it, because that was kind of criteria that I was hanging my hat on to make sure that we did have a proper amount from the city and the county. They actually had more percentage than expected from the county.

Rodney Witherspoon: Well, the controlling statute is IC 36-1.5-4 and it allows for 11 different types of local mergers. Of those 11 types, ten are mandated to be approved by majorities and all entities involved. By majorities of all entities involved. The only type of merger excluded from this style of approval is the city-county merger, which we are dealing with, where the default means of approval is a majority of the county-wide vote. However, the rejection threshold was included so that the city-county merger proposal could have the option to be treated like the rest of the merger types. In other words, if you look at ten out of the 11 mergers, the intent of those ten was to have a majority in each entity approve this. Now we come to the 11th and this rejection threshold is added to the mix, but the Commissioners here just reject that out of hand. Troy, I know you said in the paper in an article I think that was titled, "Rejection Threshold", here that you thought that was a fair way to do it because, I think your exact words were, "we don't require separate majorities at election time when we're electing our officials and I sure wouldn't want to do that in any other measure." The problem is I've lived in the county for 20 years and I have never been able to participate in the city election. The people living within the city have been able to participate in the county elections that whole time. If I had been able to participate in the city election, I guarantee you we would not have, you know, people who think it's okay to spend \$250 million of the public's money without a referendum for a public building.

Commissioner Tornatta: Right.

Rodney Witherspoon: That wouldn't happen, you know. So, I think you, I really do think you erred when you just threw that out of hand, the rejection threshold. You know, there are differences in people who reside outside the city limits and people who reside inside the city limits, many of them that you probably haven't even thought of. There are a lot more restrictions within the city, because these "county residents" that live in the city will fall under city control. I can't go out and step outside this building and fire off a handgun. That's against city ordinance, but out where I live I can.

Commissioner Tornatta: So—

Rodney Witherspoon: And there's many other things you probably haven't thought of, but there are differences in those. But, more to the point is the way this is dividing up, just like Bill has said, you know, we basically are going to have six City Council wards that are going to be just basically one day they are City Council wards and the next day they are going to be called districts, and we're going to have three at-larges, which the majority of the people living in the city will be electing those at-larges because they're the majority. 170 people versus 40 people who live in the, 40,000 people who live in the county. I mean, any reasonably intelligent person can tell the way this is going to go. I mean, just by simple majority you are going to have the same six City wards are going to be districts. The city, the majority of the people in the City are still, most likely, going to elect the at-larges, so, basically, the way I see it, and this is my personal opinion, this is just the biggest power grab by the political machine that's in charge of the city right now that I have ever witnessed in my 63 years of living here in this community. They're just extending their reach into places where they've tried to extend it before but they've been rejected. This will be the ultimate annexation. You know, he gets to annex the whole county. So, that's all I came here to say tonight. This needs to be thought through a little more. I, for one, as far as the actual statute goes, if you really look at IC 36-1.5-4-1, and if you look at section B, number one, it says, "any political subdivision that did not participate in the public question on the reorganization and are not reorganized under the article", in other words, if you don't participate in this you're not reorganized. You say, well, what does that have to do with anything? Well, under the same 36-1.5-4-12 it states that, "action by the legislative body on proposed reorganization hearing", it says, section 12 (A), "if a petition is certified by the legislative body of a political subdivision under section 11 of this chapter, the legislative body shall conduct a public hearing on the proposed reorganization, not sooner than five days after publishing a notice on the public hearing under IC 5-3-1. Not more than 30 days after conclusion of the public hearing, the legislative body shall adopt a resolution substantially in the form prescribed by the Department of Local Government Finance to do any of the following". Number one on that list is to decline to participate in the reorganization. So, it's not over yet. There's a chance to decline to participate in this reorganization. Because, to me, personally, I've told you what I think about it, it's just a naked power grab on the part of Mayor Weinzapfel to put himself in control of the whole ball of wax. There's nobody, or at least I have seen very little political will on the City Council to ever go against anything that he has proposed, including a \$250 million stadium that the public has had no voice in. That's all I want to say tonight. Thank you.

President Melcher: Thank you.

County Engineer

President Melcher: I guess, we'll go back to department head reports. Do any of you have a department head report?

John Stoll: I have one item, it's a time extension request on the Neu Road culvert project. We had previously granted an extension until May 15th on this project, but due to the frequent rains the project still hasn't been completed. So, the contractor is requesting an extension until July 30th, which that should be ample time to allow the project to be completed. So, I would request approval of the extension until the 30th.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: And we've got rain the rest of the week. Any discussion? Anybody from the audience?

Commissioner Tornatta: You said July 30th?

John Stoll: July 30th, yes.

President Melcher: July 30th. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have. Thanks.

Commissioner Tornatta: Thank you.

President Melcher: Thanks.

Burdette Park

Steve Craig: Steve Craig, Manager of Burdette Park. I'm going to give you a little rundown of what we've got going at the park in the next couple, three weeks as we get open, so that everybody knows. On May 20th is the annual patrol person picnic. It's the 53rd, I think, patrol picnic at Burdette. It will be on Thursday the 20th, excuse me. May 22nd will be the fourth annual Wurst Bicycle Ride. This is a family bicycle ride. There's no registration necessary, 9:30 to 11:00. They can ride anywhere from

two miles to 30 miles on the Burdette Park bicycle trails down in the Union Township bottoms. When they get back to Burdette we have hot dogs and bratwurst for the families and the kids, with some fruits and drinks. It's been a huge success in the past. I wanted to invite everybody to that. The aquatic center will open on May 29th at 10:00 for the season. That will be the Saturday before Memorial Day, and we will be open through Labor Day.

President Melcher: Any questions? Do you have everybody hired for the summer now? There's a bunch in tonight, in today's consent agenda.

Steve Craig: We've got about 95 percent.

President Melcher: So, you still, somebody called today and asked me.

Steve Craig: There's still a possibility if they--

President Melcher: I said, I would go ahead and put an application in, because we might have some not show.

Steve Craig: We're still accepting them. We have kids that apply for five or six different places and they get a job that may pay more or that may be closer to home or something that's more advantageous to them and they don't work for us. So, I would put my application in, we hire people into June with no problem.

President Melcher: Your daycamp, are you going to have that daycamp again?

Steve Craig: Yes, sir. That starts the day after Memorial Day, which I think is June 1st this year, on Tuesday, and it runs through the first week in August.

President Melcher: And, does that got the Coliseum?

Steve Craig: The Coliseum is a pick up for....we actually run it at the O'Day Discovery Lodge at Burdette and they have the whole park where the daycamp participates, but the children can be dropped off at the Coliseum and they can be picked up there. We have a bus service that picks them up and drops them back off at the end of the day.

President Melcher: I was at our last Veteran Council meeting, they haven't heard anything yet. So, I told them that I would ask you.

Steve Craig: About the drop off and the pick up? I will talk to Joyce tomorrow.

President Melcher: Okay. Anything else? Chris, do you got anything?

Steve Craig: Thank you.

President Melcher: Any other public comment?

Consent Items

President Melcher: We'll go into consent items now.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Madelyn, would you like to read them?

Madelyn Grayson: The consent items for the May 11th meeting are as follows; approval of the April 20, 2010 Commission meeting minutes; the employment changes for the Commissioners approval, there are 15 for Burdette Park⁴ and two for the County Highway; Evansville ARC March 2010 report of activities; the County Treasurer March 31, 2010 year-to-date report; Weights and Measures monthly report from March 16-April 15, 2010; waiver of Centre fees/not overtime for Girls in Bloom, February 18-19, 2011; the Building Authority request for Burdette Park passes for Building Authority employees; Burdette Park yearly comparison from 2009 to 2010 through March 31st; the IBAP Gatekeeper periodic report through April 30, 2010; County Auditor April 2010 A/P vouchers; the County Engineer pay request number 103 for TIF projects in the amount of \$34,200; the County Sheriff has a request to surplus three Ford Taurus' and one Crown Victoria; and there are department head reports from Burdette Park, the County Engineer, the County Highway and the Ozone Officer. Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Anything further to come before the Commissioners?

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

President Melcher: We're adjourned.

(The meeting was adjourned at 5:52 p.m.)

⁴There were actually 29 Burdette Park employment change sheets.

CONSENT ITEMS:

Commissioners:

Approval of the April 20, 2010 Commission Meeting Minutes.
Evansville ARC March 2010 Report of Activities.
Girls in Bloom: Waiver of Centre Fee/Not OT: February 18-19, 2011.
Building Authority: Request for Burdette Park Passes for EVCBA Employees.
Burdette Park Yearly Comparison: 2008-2010 Through March 31st.
IBAP Gatekeeper Periodic Report: Through April 30, 2010.

Employment Changes:

Burdette Park (29)	County Highway (2)	Circuit Court (2)
VCCC (2)	Sheriff (1)	Prosecutor (1)

County Treasurer: March 31, 2010 Year-to-Date Report.

Weights & Measures: Monthly Report: March 16- April 15, 2010.

County Auditor: April 2010 A/P Vouchers.

County Engineer: Pay Request No. 103: Green River-Burkhardt TIF Projects.

Sheriff: Vehicle Surplus Request: (3) Ford Taurus' & (1) Crown Victoria.

Department Head Reports:

Burdette Park	County Engineer	County Highway
Ozone Officer		

Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	David Miller	Madelyn Grayson
Dennis Feldhaus	Diane Clements	Kim Fields
Ben Miller	Eric Williams	Scott Buedel
John Stoll	Steve Craig	Bill Jeffers
Rodney Witherspoon	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MAY 25, 2010**

The Vanderburgh County Board of Commissioners met in session this 25th day of May, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We would like to call the Vanderburgh County Board of Commissioners to order. It's May 25, 2010. It's 5:00 in room 301. Madelyn, will you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance: Anne Topper: Girls in Bloom

President Melcher: The Pledge of Allegiance is going to be lead by Anne Topper with Girls in Bloom. Isn't that right?

Commissioner Tornatta: Surprise.

Anne Topper: I'll do it from here.

(The Pledge of Allegiance was given.)

Girls in Bloom 2010 Event Update

Commissioner Tornatta: Anne, come on up.

Anne Topper: Okay, my crew seems a little bashful today. President Melcher, and Commissioners, I am here to report out on our 2010 Girls in Bloom Expo event, and also to thank you for your support of this event. I apologize, I don't like microphones. The theme this year was "Explore It, Nurture It, and Express It". I have to tell you, we found plenty of time to do it all that day. We explored theater, dog therapy, nurtured the girls' spirits with fun movement in Zumba and redefining beauty from going inside out, and found ways to express themselves through journaling, masks and a creative way of, a new program called Tools Are Us. Parents also were offered an opportunity that day, and we found that one of our favorite workshops was an internet safety workshop. We also discussed the hot topic recently of talking to our kids about what to do with text messaging. So, that, needless to say, was a well attended workshop by our parents. As far as our numbers, we, again, were over 600 in participants. We had students, with adults and the volunteers. We were offered 17 workshops an hour. We had over 70 schools represented in the tri-state area,

which that is the largest number of schools that we have ever had, which we considered a huge outreach. In order to manage all of those young ladies, it took 87 of our local high school volunteers and 25 adult volunteers. Some of those young high school volunteers are actually repaying forward to us because they were actually participants in the last several years. So, we felt very blessed by that. Parents-wise, we actually increased our numbers and had almost 50 parents this year attend with their girls, which we thought was a good success too. I think, also, being with the Day of Dance has also contributed to that too. That's been a very nice collaboration for us, as we have continued this event. New this year, I want to share with you what we did is we created an on-line survey. I wanted to give you just a real quick synopsis. Three questions that we asked that we felt expressed success for the event; 97 percent of the people who responded said that they would recommend this program to a friend; 97 percent said it was an excellent to good program; and 98 percent said they would come back next year. Most of us who have a business understand that if those were our customers, that would be great. We would all be in heaven, wouldn't we? Then, a benchmark that we set for ourselves about the program was, two questions were, did we offer you something new that you could not get anywhere else? 98 percent of them said, yes, which we thought that was good. That means that we're trying, we're reaching out into the community and looking for programs. The other big benchmark was, did you feel comfortable coming and trying something new? Was the atmosphere right? 98 percent also said yes. We know with the pressure that the girls are under, that's a big deal. So, we felt good about that. The other success I personally feel and for my program team is that they've already started to fill half the slots for next year. We've got people coming to us wanting to be a part of our event. So, I think, that, to me says that we are reaching the community, and that's a very successful statement as far as our organization. Let's see, let me finish up my comments, because I know we have a very busy agenda. All I want to do is I want to continue to reiterate that our board and our expo team is very committed to provide a program that we believe is designed to plant seeds of opportunity for self esteem and growth to help our girls in our community as they face an ever changing world. We would like to personally thank you guys for giving us the opportunity to make a difference here in the community. If you have any questions I'll be happy to answer them.

President Melcher: Any questions?

Commissioner Tornatta: Great job again.

Anne Topper: Okay. Well, we thank you again. It takes a whole community and we appreciate all your help.

Commissioner Tornatta: Thank you.

President Melcher: Thank you very much.

Permission to Open Quotes for Burdette Park Food and Related Items

President Melcher: Next, we need to get permission to open the bids for Burdette Park food and related items.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Building Authority: 2010 Centre CIP List

President Melcher: We'll move on, the Building Authority the CIP for the Centre, David?

Dave Rector: Good afternoon, gentlemen, Dave Rector, Building Authority. We had the CIP on two or three weeks ago and we tabled it for further consideration. The one before you today is revised slightly. I removed the dual cassette tape deck that was on there, but I...that's enough, Troy, but, I did have to add the line to replace the signage monitors. Unfortunately, between that meeting and this one, we had three of them go out on us. So, it is slightly different from what you saw before.

President Melcher: Go ahead.

Commissioner Winnecke: Dave, I guess, I maybe have a little heartburn over replacing boilers. I think we've discussed this. What's the guarantee on the new boilers?

Dave Rector: Ten years.

Commissioner Winnecke: Ten years? Okay.

Dave Rector: If I remember, I think Scott presented that he could spend \$10,000 right now with a one year guarantee that may make the fix or replace these and have a ten year. He was opting, proposing that that would be a better fix long term.

Commissioner Winnecke: Then what, what's the time line for the installation of the new boilers?

Dave Rector: Once you approve this we can, we're ready to get them on and get them out for bids.

Commissioner Winnecke: Okay. I guess, the only other real comment I have is really relative to the artwork that's proposed in there. Initially I was very excited, in fact, I gave you my priority list of the projects we, that you presented earlier in the year. I think, I would probably feel more comfortable approving a list tonight short the artwork, and maybe, I guess, what I would like to see is to come back with a

number even lower than \$100,000. I think, we have a limited pot of money, excess money, and it's a little over three million dollars, I believe, and I think we need to be pretty judicious about how we spend that down. We've gone a long time without artwork, and I love art, don't get me wrong, but this may not be the best time to spend that, earmark \$100,000 for artwork for a facility like that.

Dave Rector: Could I suggest if you select a dollar amount then we'll work with that dollar amount and try to propose to you something that can be done with that?

Commissioner Winnecke: I think I would rather you come back—

Commissioner Tornatta: With a dollar amount.

Commissioner Winnecke: Pardon me?

Commissioner Tornatta: Come back with a dollar amount.

Commissioner Winnecke: I would rather you come back and say it's "x" number of dollars, and for "x" number of dollars here's what we could do.

Dave Rector: Okay.

Commissioner Winnecke: Versus just an amount up to \$100,000, which is on the, which is what you've proposed.

Dave Rector: And you are right, we talked, we need to be conscious now that, it's limited—

Commissioner Winnecke: Right.

Dave Rector: —we don't have a renewed fund that we've had over the last ten years. So, you need to be judicious on how we're spending the money. If we could tonight, though, if you agree to the rest, can we strike that—

Commissioner Winnecke: Yes.

Dave Rector: —and then come back at another time so that I can get these other things moving.

Commissioner Winnecke: That's what I would be willing to do.

Commissioner Tornatta: Well, and I, just to kind of tag onto that, I would like to, obviously, we talked about it, have community involvement in the art of that building.

Dave Rector: Sure.

Commissioner Tornatta: And, to me it would mean a lot more if we had local artists or local interests in the art at that facility. Whether it's, if somebody wants to donate a piece of art that is theirs that they get back, or if it's a situation where we have a contest and individuals can come in and we can donate to their program, I would, I think I would be more in line of working that avenue. Because I know we have a lot of great artists in this community and want opportunity to use that art for that particular building.

Dave Rector: No, that's not a problem at all. I would be glad to come back with some other thoughts and proposals on it.

Commissioner Tornatta: So, anyway—

President Melcher: Anyone want to make a motion on that?

Commissioner Winnecke: Happy to do so. Mr. Chairman, I would move that we approve the Centre Capital Improvement Project list for 2010 in the amount of \$149,550.

President Melcher: And leaving out the artwork?

Commissioner Winnecke: Correct.

Commissioner Tornatta: Second.

President Melcher: A first and a second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Dave Rector: Thank you, gentlemen.

Commissioner Winnecke: Thanks, Dave.

President Melcher: Thank you. Next is the Gilda's Club Walk. Is there anybody here? There's nobody here? Okay, we'll skip that for now.

West Terrace Elementary School PTA Road Race Request

President Melcher: West Terrace Elementary School PTA road race request. It's for August 28, 2010. This request was approved last year. A certificate of liability was received.

Amy Johnston-Higgs: Hello, everybody. I'm Amy Johnston-Higgs. I'm a West Terrace momma, PTA President this year. I have a packet if you didn't receive one via e-mail with our certificate of liability for the date. Do you all need that?

Commissioner Winnecke: Sure, please.

Amy Johnston-Higgs: Okay. So, we want to have our 4K on August 28, 2010. Just like we did in previous years.

Commissioner Tornatta: And have you been in contact with the Sheriff on this?

Amy Johnston-Higgs: Yes.

Commissioner Tornatta: Okay, and everything is—

Amy Johnston-Higgs: They're just waiting for your approval for us to get the final details worked out, I guess.

Commissioner Tornatta: Okay. So, we're just waiting on Sheriff's approval?

Amy Johnston-Higgs: The deputy that I've been in contact with is Scott Holden?

Commissioner Tornatta: Molden.

Amy Johnston-Higgs: He's the same deputy as last year.

Commissioner Tornatta: Okay.

Amy Johnston-Higgs: So, he's familiar with the course.

Commissioner Tornatta: Okay.

David Miller: Mr. Tornatta, I believe I got an e-mail this afternoon from the Sheriff's Office condoning this.

Commissioner Tornatta: Okay.

Amy Johnston-Higgs: That's possible, because I called there this afternoon to refresh them that tonight was the night that I was going before you all.

President Melcher: So, he's okay with it? The Sheriff?

Commissioner Tornatta: Yeah.

David Miller: He's okay, that's what he's saying.

Commissioner Tornatta: With that in mind, I'll make a motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody else in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Amy Johnston-Higgs: Thank you, gentlemen.

Commissioner Tornatta: Thank you.

President Melcher: Thank you.

Commissioner Tornatta: Mr. President?

President Melcher: Yes?

Commissioner Tornatta: I want to ask Marissa something real quick, while we've got her. We were planning on making a kind of a one stop shop for this type of setup. Where are we with that process?

Marissa Nichoalds: I actually created a form listing out what is required for road closure requests of the Commissioners office. I did e-mail that to David and Ted this morning, as well as the Sheriff. The Sheriff said the form looked fine, but he did make one recommendation, I know in the past there had been some discussion about the Sheriff's Department and fees, whether that's incurred by the county or by the requestor. So, I think he would like some language maybe included on the form to that nature.

Commissioner Tornatta: Okay, then with that, it will encompass all of the forms and we'll have all the—

Marissa Nichoalds: Right.

Commissioner Tornatta: —kind of a step by step to let each individual that wants to apply know—

Marissa Nichoalds: Right.

Commissioner Tornatta: —where their next step is.

Marissa Nichoalds: So, basically, they would fill out the form, attach a map of the roads to be closed, and attach their certificate of liability insurance and turn it back into our office, and then it would have everything that everyone needed to approve the closure.

Commissioner Tornatta: Okay. So, that's moving. Thank you very much.

President Melcher: Okay, anything else on that? Lloyd, do you have anything on that one? I think that's going to work out pretty well, if we can get that, plus maybe the pricing, you know, if the Sheriff has a fee or something could be included in that.

Commissioner Tornatta: It will be up front.

President Melcher: I know Eric sent an e-mail out today wanting some kind of a form. We're getting more and more requests and that will be easier in the future.

Commissioner Tornatta: Thank you.

Quit Claim Deeds for 202 E. Eichel and 1005 N. Second

President Melcher: Next is quit claim deeds for 2002¹ East Eichel and 1005 North Second.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Second/Final Reading of Vacation Ordinance CO.V-04-10-002:
Vacation of Sidewalk Easement in Stonecreek Subdivision**

President Melcher: Next is the second and final reading of vacation ordinance CO.V-04-10-002, vacation of the sidewalk easement in Stonecreek Subdivision.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? I think we discussed it last time.

Commissioner Tornatta: Right.

President Melcher: Anybody in the audience that would like to speak on this? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

¹Should be 202.

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Permission to Advertise: OCH Superior Courtroom Restoration Project

President Melcher: Permission to advertise the Old Courthouse Superior courtroom restoration project for restoration of the Superior courtroom. It's going to be paid for by the Evansville Bar Association.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Audience, is there any questions?
Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Highway: Approval of 2010 Paving List

President Melcher: Next is the County Highway, this is the 2010 paving list. Chris, you're on.

Chris Walsh: Chris Walsh, County Highway Department. I would like to be able to proceed with most of the list that we know what we need to do. There's a couple roads in here that could be added that I would like to take a look at tomorrow, but tentatively I would kind of like to get started with, we're a little behind with the weather, the rain and all that, and I would like to kind of get—

President Melcher: And this is up to how much you have for this, right?

Chris Walsh: Yeah, we have—

President Melcher: Then if we have a savings we'll be able to add a few more?

Chris Walsh: I think I can. I mean, it looks like the cost of material is going to pretty well hold constant.

Commissioner Tornatta: How many miles is that?

Chris Walsh: Right now we're at 21.19, and then I've been handed a couple of others that some people have some issues with. I'm going to go out and take a look at and see, but the measurements are on that and see what—

Commissioner Tornatta: Alright.

President Melcher: Any other questions? I need a motion.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Could we have this up on the website, I guess? The paving list.

Chris Walsh: We can.

Commissioner Tornatta: Okay, if you get that to us we'll get the initial paving list up there, and then anything new—

Chris Walsh: Okay.

Commissioner Tornatta: —we'll put out there as well.

Commissioner Winnecke: It's probably important to note too that this list comes from information provided by our office and the information that we gleaned from our road hearing back in March.

Commissioner Tornatta: Right.

Chris Walsh: Right, it comes from numerous sources.

Commissioner Winnecke: Right.

Chris Walsh: It comes from foremen, it comes from concerned citizens that didn't even attend the hearings, the hearings, it's a pretty–

Commissioner Tornatta: Then, all those places that were in question were ranked throughout the county–

Chris Walsh: Right.

Commissioner Tornatta: –and then that's how we came up with our list–

Chris Walsh: Correct.

Commissioner Tornatta: –from worst to best.

Chris Walsh: Correct.

President Melcher: We get some e-mailed too.

Chris Walsh: We have a formula from the Army Corps of Engineers. It kind of gives you some basic guidelines to go by, and we use that with the input from the public and that and try to put together the best list we can. We're partnering with John this year on Evergreen Acres, which is something fairly new to what this department's done, and I think it will be a tremendous cost savings.

President Melcher: That's the reason why we want to do it, because we believe it is a cost savings. Okay, John, I believe you're up.

Commissioner Tornatta: Thank you, Chris.

Commissioner Winnecke: Thanks, Chris.

Evergreen Acres Subdivision Update

President Melcher: This is going to talk about the Evergreen Acres Subdivision update. This is something that did come up at the road hearings, and we were trying to come up with a plan for them. They haven't had anything done, they say for 40 years. So, would you like to start?

John Stoll: What we were looking at was how to maximize the funds we have available for this project, and, hopefully, get it done in a two to three year time frame. The areas that were discussed primarily at the road hearing as far as being the worst were the areas around the intersection of Holly Hill Drive and Berry Drive, which is shown in red up on the screen. We looked at the rest of it and felt that we could primarily get by with a lot of milling, patching, curb replacement, and then, like Chris said, the County Highway crews could follow up with some paving. Chris' crews will also do some crack and joint sealing and any needed pipe repairs once we mill off the existing asphalt. But, the light blue areas we felt we could get by with that, and the red areas were total reconstruction. We were trying to figure out what would be the best way to approach pursuing the project, whether we would do the reconstruction area this year, or we would do the light blue, the milling and patching this year. As the survey was completed through my staff, we found we've got a

number of utility conflicts out there that we felt we would not be able to get addressed yet this year. So, on that basis we felt the best bet would be doing the milling and patching yet this year, and then try the reconstruction next year. Up on the screen right now I've got a diagram showing the TOPO survey that was done, and the underground utilities are identified up there, gas, sewer, electric and phone lines. The water lines aren't shown on there because those weren't actually physically located in the field. We had a map given to us by the Water and Sewer Department, and it shows all the water mains that run through the Holly Hill and Berry Drive area. All the conflicts out there, we just felt there was no practical way of getting all of that addressed this year and still see the project go to construction this year. As part of the solution to this problem that's out there, as part of the total reconstruction, we were proposing a storm sewer down through the intersections, and that's the dark blue line there. You can see it's labeled "proposed storm sewer", that is the primary source of the conflicts we anticipated because it crossed, basically, every underground utility out there. In conjunction with that, we were also going to replace the elliptical pipe that's located down here on Berry Drive down towards the bottom of the picture there, and that's where our storm sewer is going to tie into. So, quite a bit of pipe work involved, but because of that that's where we run into all of our problems. This is just a blow up of that same pipe crossing showing all of the different lines that we would be conflicting with, so, except for the water mains. Like I said, those aren't shown on those drawings, but, long story short, we felt that our best bet, going back to that first slide, we would do the light blue this year, and the red would be the reconstruction area for next year, we would designate the yellow street and the green street, which is Red Bud and Holly Hill, as the route for the construction traffic to get to the reconstruction site next year. So, we would not do the work, any repair work, on the two streets highlighted in yellow and green this year. That will be saved for next year. If we route the construction traffic through those streets next year, then all of the ones highlighted in light blue would not be damaged. We could do that work this year and it wouldn't be damaged by any construction traffic next year. This is all assuming that we can get it done in a two year time frame. Based on the funds we think that's possible, but it's possible, it's also possible it could go three years, but we're shooting for two. I've sent a number of e-mails out to the residents who attended the road hearing, and the, excuse me, and asked for their input and comments, and probably one of the biggest, most common comments that we received was in regard to the voids out there. We've got numerous voids that we've found over the years. Chris' department has seen them, we've gotten calls from residents, the pavement's been undermined. In areas where the pavement has totally failed and we are doing patching work we will be able to definitely address any voids that are encountered out there. There may be areas where the pavement has not failed, and there may be voids there. I've been telling the residents that have asked about it that we don't have enough money to just go out and rip the pavement out and look for the voids and then fill them as we find them. Ultimately that could lead to some more pavement failures again in the future that would require some additional patching again in the future, but that's comparable to the repair method that we used in Melody Hills years ago and with not enough funds to totally remove all of the streets and reconstruct all the streets that's about the best way we could approach it. Other than that, the questions primarily were in regard to timetables, and, like I said, ideally we'll get it done in two years, but it's possible it could go three.

President Melcher: Any questions, comments? I think you've done a great job, you and Chris. I know you've talked to the neighbors, and I believe the neighbors we're talking to are happy, or are satisfied that at least something is going to be happening

within a one or two year period. They didn't seem to want a meeting, so I think we just need to move forward with this. Go ahead.

Commissioner Winnecke: Steve, John, thank you, this is, I think, a really good plan and I echo what Commissioner Melcher said. Just refresh us in terms of the cost. You're confident that all this work can be done within the existing budgets of your department's and Chris'?

John Stoll: The contract portion of this, which would be the milling and the patching and the curb replacement, we were estimating to be in the neighborhood of \$250,000. So, on the high end we assume \$300,000 for this year. That still leaves us with another \$200,000 that we could go do some concrete street repairs in some other subdivisions that were identified at the road hearing. So, ball park numbers we're looking at \$300,000 in contractual repairs this year, and, then, I don't have a firm number for the reconstruction areas for next year yet, simply because we don't have a design, but we would expect that it would be within our usual contractual budget which is a half a million dollars a year. Then, through Chris' Bituminous Materials account he could fund the resurfacing of all the streets highlighted in blue with his account within the existing budgets.

Chris Walsh: Right.

Commissioner Winnecke: Thank you.

President Melcher: Any other questions? Anybody from the audience? Do you want to just come up to the microphone. We've have to have it on our tape.

David O'Dell: She doesn't like to talk in public.

Jenny O'Dell: I can do it.

David O'Dell: Do you want to do it?

Jenny O'Dell: No, go on.

President Melcher: It doesn't matter to us. Just state your name please.

David O'Dell: David O'Dell and Jenny O'Dell from Evergreen Acres. I just wanted to thank John and all you guys for the work you've done on this, because it's been in need for a long time and we just appreciate it. Was that what you were going to say?

Jenny O'Dell: No.

David O'Dell: Oh, no, she's got something else.

Commissioner Tornatta: Did you bring us cookies or anything?

David O'Dell: She's got some in the car.

Commissioner Tornatta: Okay.

Jenny O'Dell: Again, I do want to thank you all. This is so important to everybody. The whole neighborhood, you have no idea, every time everybody's together, they're

walking their dogs and saying when is it going to be done, when is it going to be done? The only thing I would wonder about, I hear of everything from one to two to three years, are we talking that we can actually get it started this year? Before winter are we going to see some of this blue being done?

Commissioner Winnecke: Yes.

Jenny O'Dell: Or is it going to—

President Melcher: Yes.

Jenny O'Dell: —be, and how much? I'm the one that put all of the leaflets in and got everybody going, and I've never done anything like that before in my life. But, they're asking me where is it going to start and how far are they going to get this first year? Do you have any idea?

Commissioner Tornatta: I think that, and John can explain.

President Melcher: John will be able to answer that. The goal is to have the blue done this year.

John Stoll: Yes, and I actually brought a notice to bidders for the Commissioners to sign tonight, which would start the bidding process. Assuming that we got bids within the budgets we're anticipating, that would say that the contract would be awarded, I don't remember the exact date, but I believe your last meeting of the month, which I think is the twenty—

Madelyn Grayson: June 29th.

John Stoll: —ninth. Assuming it was awarded on the 29th, then realistically work should be able to start by sometime in July. We're estimating....the quantities and materials we're estimating for the areas highlighted in blue are within the budgets. We think, we don't know what all we might encounter underneath once the pavement is removed, so we don't know how much rock might be required to fill some of the holes, but assuming, and my inspectors when they were figuring the quantities they tried to estimate high on the assumption that there might be some large voids in there. If we ran into significant increases in rock quantities because the voids were larger, then that would be the only thing I could see, off the top of my head, that might reduce some of the areas in light blue that might have to carry over to next year. But, the game plan is to try and get everything that's in light blue done this year.

Commissioner Tornatta: Where do you estimate they'll start?

John Stoll: At this point, I really don't know.

Commissioner Tornatta: Right, don't know, right.

John Stoll: I suspect with the cost of bringing in a milling machine they would come out and mill out all the asphalt first thing, and then, beyond that, I really don't know where they would start patching. It would probably hinge on how extensive the problems were once the asphalt was taken off.

Commissioner Tornatta: Could we, would we possibly—

Jenny O'Dell: Super. Thank you all. Appreciate it.

Commissioner Tornatta: Thank you.

Jenny O'Dell: Thank you, John.

John Stoll: You're welcome.

Commissioner Tornatta: Alright, you get the cookies. So, we're going to wait four weeks before we open bids? Or can we do it on the 15th?

John Stoll: If I remember right we could open on the 15th and then award on the 29th.

Commissioner Tornatta: Could we open, oh, that's right, we couldn't open on the 1st, right?

President Melcher: That's next week.

Commissioner Tornatta: Yeah.

John Stoll: In just going through the bids we'll have to check and make sure there aren't any errors, get the MBE review done through Debbie Spalding's office and all of that. So, we wouldn't be able to open and award the same night. That's what pushes it off to the 29th.

Madelyn Grayson: The advertising has to be one week apart, so that's why it can't be opened until the 15th.

Commissioner Tornatta: Okay, alright, I know the summer sometimes is pretty slow around here. So, that 29th meeting sometimes—

John Stoll: Oh, whether it gets cancelled or not?

Commissioner Tornatta: Yeah, so I was just trying to figure out if there was a—

President Melcher: But, we would, we would have that meeting for this.

Commissioner Tornatta: Yeah.

John Stoll: I was going to say, or if that wasn't available, if you need to call a meeting just to award that some other time, there's no—

Commissioner Tornatta: That's what I was getting at, if we could do it in a period that would be quicker than the 29th so we can get people out there, that's what I'm trying to work through the process.

President Melcher: We could look at that.

John Stoll: I was going to say, the review of the bids shouldn't take too long. So, I wouldn't see a problem with that if the 29th meeting was cancelled.

Commissioner Tornatta: Okay, alright.

President Melcher: Okay.

Commissioner Winnecke: Mr. Chairman, I would move that we approve the Evergreen Acres Subdivision repair project as presented by the County Engineer.

Commissioner Tornatta: So moved.

President Melcher: A first and a second. Any other discussion for the Commissioners? Anybody else from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

<p>City-County 2010 Byrne JAG Grant Agreement EMA: Sub-Grant Agreement</p>

President Melcher: Next we have our contracts, agreements and leases. The Sheriff's 2010 Byrne justice grant award agreement. The grant award is \$95,792 to the VCSO and EPD. \$84,778 will go to the EPD for overtime to pay officers on problem solving activities, and \$11,014 will go to the VCSO for in-car radio equipment.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next, is Emergency Management sub-grant agreement. It reimburses the county for a portion of the salaries paid to the EMA staff from

October 1, 2008 through September 30, 2009. The amount would not exceed \$60,970.97.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Okay, anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: We've got another one added to our agenda, moving Weights & Measures. They have to be out by Monday, Tuesday. We've got three, it looks like we've got three or four proposals. Shetler Moving and Storage was one of the lowest bids at \$960, and they could do it on that day. There was one for 930 something dollars, but they can't do it that day. They've got to do it at a later time. So, I believe we need to go ahead and award it to Shetler. Is there any discussion? We all have copies.

Commissioner Tornatta: Debbie, is there anything that you need to add to that? Okay, I would make a motion to award this moving of Weights and Measures equipment from their old location to the new location on Morgan Avenue to Shetler Moving and Storage in the amount of \$960, I believe.

President Melcher: Yes, it is.

Commissioner Winnecke: Second.

President Melcher: A first and a second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Attorney

President Melcher: Department head reports, the County Attorney. David, do you have the bids ready?

David Miller: I have the bids open and ready to report on.

President Melcher: Okay.

David Miller: Before I do that, the day after the last meeting we went to Circuit Court on the Weisheit Fischer Road property. The Building Authority² has caused the dangerous house to be fenced off, but pursuant to the order of Judge Heldt, no razing or demolition can occur on that property until further order of his court. We are required to appear tomorrow morning to report on progress, at which time I expect to hear from the defense attorney what his schedule is. Now, there is another dilapidated structure on that property, which Klenck has offered to demolish and make safe for an additional \$4,000. A raze order would be required for that separate structure. I think Ben Miller will be bringing that to you within the next few weeks, but, and you could go ahead and approve it the same way you did the last one, but we can't do anything until Judge Heldt gives us the word.

President Melcher: Okay.

David Miller: Okay. On the Burdette Park supply bids, these are complicated to report each year because there are so many categories and types of products. So, I think it is appropriate for me to report in the following manner. Fischer Candy Company has submitted a bid that is in proper order, but bids only on the chips, snacks, assorted candies like nachos, the condiments, sno cone supplies and bags for popcorn and that kind of thing. The list of what they are offering to sell and the prices amounts to about 15 pages of single space type, and any competitive bidders who wish to review this ought to be invited by the Purchasing Department to do so. But, I don't think you want me to sit here and read all 15 pages of those reports. So, that's the way we'll handle it, Fischer Candy Company bids on supply racks and snack items and candies only.

President Melcher: Thank you.

David Miller: The next bid is by Earthgrain Baking Company, Inc. Earthgrain bids on bread only. They bid on hamburger buns, hot dog buns, deli snack rolls and do not bid on pita bread. Dewig Meats bids on meat only, as you might guess. There are about ten categories of meats upon which Dewig bids; skinless chicken breasts, chopped beef, all meat corn dog, all meat hot dog, bratwurst, and they bid on deli ham. They did not bid on chicken nuggets, chicken breasts with batter or pork fritter products. All these bids are in proper legal order. HMR Enterprises bids on all categories, from what I can tell. That bid comprises about, well they did not bid on drink mixes, and they did not bid on sweeteners, and they did not bid on sandwich

²Should be Building Commission.

bags. Other than that they bid on everything. Finally, CRS One Source bids on all categories of all products, including sandwich bags. So, all those bids are in order and should be available for the competitive bidders to examine at the Purchasing Office.

President Melcher: Okay.

Commissioner Tornatta: Motion to take these bids under advisement.

Commissioner Winnecke: Second.

President Melcher: A first and a second. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: David, do you have anything else today?

David Miller: I do not, Mr. President.

President Melcher: Thank you.

Burdette Park

President Melcher: Any other department heads have anything to say this evening? Steve?

Steve Craig: Steve Craig, Manager of Burdette. Just wanted to let everybody know that the aquatic center opens Saturday at 10:00 for the summer, and we will be open seven days a week until school starts back up. Then, you still have time to sign up for our first session in our day camp. There will be day camp all summer until school starts back, but you can still get in the first session. Then, I wanted to report on our Fourth Wurst Bicycle Ride that we've ever had. It was a great success. We had 116 riders this year, and they were a lot of the people were from the local bike clubs and that. They stuck around and they wanted to thank the Commissioners, Burdette Park and the Highway Department for keeping the maintenance up on the trail. They said a lot of things like this, they put trails in and they don't take care of it, and they were very appreciative that they still get to ride this every week throughout the year. I would also like to thank Dan's Comp because all the food was donated, it didn't cost the county anything, and for RC Cola, they donated all the liquids that they drank.

So, everybody had a good time and it was at no expense to us and everybody was wanting to thank you guys for at least backing it.

President Melcher: Any questions?

Commissioner Tornatta: Thank you.

President Melcher: You did a great job. Thank you.

Steve Craig: Thank you.

County Engineer

John Stoll: I had two things, one was the notice to bidders for the Evergreen project. It just needs your approval to get that advertised and have the Auditor's office take care of the legal ad.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Discussion? I figured not, anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: The other item I had was a sidewalk waiver request for Stonecreek Subdivision. You were requested to vacate a sidewalk easement in that subdivision, and as one of the requirements for the subdivision approval through Area Plan Commission they were required to construct a sidewalk in that easement. Now that the easement's being vacated we're requesting that the sidewalk requirement be waived for that easement. This is in Stonecreek Subdivision, Section Eight.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any other discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I had. Thanks.

Commissioner Winnecke: Thanks, John.

New Business/Old Business

President Melcher: Okay, next is new business. Is there any new business this evening? Any old business?

Public Comment

President Melcher: Public comment?

Consent Items

President Melcher: Consent items.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: There's been a motion and a second. Madelyn, would you read them pretty quick?

Madelyn Grayson: Sure. The consent items for May 25th are as follows; approval of the May 11, 2010 Commission meeting minutes, there are employment changes, there's four from Burdette, one for the Health Department and one for the County Highway, the County Highway annual operation report for local roads and streets, Hamrick Recovery Service notice of additional five dollar charge due to fuel prices rising above one dollar per gallon, County Engineer approve pay request number 104 for TIF projects in the amount of \$1,059,053.46, the County Assessor request to surplus various office furniture and equipment, County Coroner request to surplus 1998 Chevrolet van and two brown computer hutches, Public Defender request for reimbursement for the period of 1/1/10 through 3/31/10, Evansville ARC April 2010 meeting minutes and report of activities, County Auditor annual continuing disclosure statement, County Auditor Manatron bond release acceptance letter, Burdette Park chalet naming rights, Burdette Park yearly comparison 2009 to 2010 through April 30th, the County Treasurer 2010 year-to-date investments, Weights and Measures monthly report from April 16th through May 15, 2010, the County Treasurer monthly report for March 2010, the County Clerk monthly report for April 2010, and

department head reports from the Ozone Officer, County Highway, Burdette Park and the County Engineer.

President Melcher: Any further discussion? Okay, Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: That was the best you've ever read.

Madelyn Grayson: I'm a speed reader.

President Melcher: There won't be a drainage meeting this evening. There's going to be one next on, I think it's June the 1st. Seeing anything, I will entertain a motion to adjourn.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

President Melcher: We are adjourned.

(The meeting was adjourned at 5:44 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the May 11, 2010 Commission Meeting Minutes.
Hamrick Recovery Service: Notice of Additional \$5 Charge: Rising Fuel Prices.
Evansville ARC: April 2010 Meeting Minutes and Report of Activities.

Employment Changes:

County Highway (1)	Health Department (1)	Burdette Park (4)
VCCC (1)	Auditor (1)	Treasurer (1)
Sheriff Office (3)	Coroner (1)	Circuit Court (1)
Prosecutor (2)		

County Highway: 2009 Annual Operational Report for Local Roads & Streets.

Surplus Requests:

County Assessor: Various office furniture and equipment.
Coroner: 1998 Chevrolet van and (2) brown computer hutches.

Public Defender: Request for Reimbursement from 1/1/10-3/31/10.

County Auditor:

Annual Continuing Disclosure Statement.
Manatron Bond Release Acceptance Letter.

Burdette Park:

Chalet Naming Rights (Royce Sutton and Deig Family).
Yearly Comparison from 2009-2010 through April 30th.

Weights & Measures: Monthly Report: 4/16-5/15/2010.

County Treasurer:

2010 Year-to-Date Investments.
March 2010 Monthly Report.

County Clerk: April 2010 Monthly Report.

Department Head Reports:

Ozone Officer	County Highway	Burdette Park
County Engineer		

Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Joe Gries	David Miller	Madelyn Grayson
Anne Topper	Dave Rector	Chris Walsh
Amy Johnston-Higgs	John Stoll	David O'Dell
Jenny O'Dell	Steve Craig	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JUNE 1, 2010**

The Vanderburgh County Board of Commissioners met in session this 1st day of June, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We'll go ahead and open up the Vanderburgh County Board of Commissioners. It's June 1, 2010, 5:00 p.m. in room 301. There is two Commissioners here, so we do have a quorum. Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance: Nathan Lindauer

President Melcher: Tonight our Pledge of Allegiance is going to be lead by Mr. Nathan Lindauer.

Unidentified: Lindauer.

President Melcher: Okay, he is a former Boy Scout, a North Huskie and he's representing ARC.

(The Pledge of Allegiance was given.)

President Melcher: Thank you.

Evansville ARC Bi-Annual Presentation

President Melcher: We also have a presentation by Deidra Conner, if I pronounced that one right.

Deidra Conner: Deidra.

President Melcher: Deidra, okay.

Deidra Conner: Thank you, yes, my name is Deidra Conner. I'm the President of the Evansville ARC. Thank you for inviting us to join you for our bi-annual presentation. You're not going to hear as much from me as you will Nathan and his mom and our Transition Consultant today, which is good news for you, because they're much more interesting than I am. But, I thought it would be helpful for those who are listening or who are in the audience today who do not know much about Evansville ARC just to give you a little background. Evansville ARC began in 1954 by a small group of parents in our community who were looking for a school for their children with disabilities. Believe it or not, in the 1950's there was not special ed in the public school system. Special education programs were not required by law until the early

1970's. So, that's how we began as a school for children, 55 years later we have grown and evolved to meet the needs of individuals with disabilities in our community today. So, today Evansville ARC serves approximately 700 children and adults, most of those on a daily basis, Monday through Friday, through a variety of programs. Our major programs you've heard about in the past, but they include ARC Industries, which is our ISO registered, real world manufacturing environment, which is where Nathan works, and you'll hear from Nathan today. Our Child Life Center, which is our inclusive daycare for children with and without disabilities, which is NAYCE accredited and State licensed. Our community employment service, Community Job Link, where we assist individuals in getting jobs in the community like you and I would go after, and then our adult day program for adults with severe and profound disabilities. Those are our primary programs. We have lots of other programs and projects that we have implemented to assist people with disabilities in our community. What you're going to learn about today is what we call our Successful Transitions program. This is a project, a partnership actually with the Evansville-Vanderburgh School Corporation. We have had a long standing relationship with EVSC, over 20 years, providing therapeutic pre-school to kiddos three, four and five who have been identified as possibly needing special ed. The Transition program is on the opposite end of the spectrum, as children are leaving high school and preparing for adult life. As you might imagine, for all parents, that's a stressful and sometimes scary time, and for parents of children with special needs a particularly scary and uncertain time. So, EVSC and Evansville ARC started this program about eight years ago with a grant from the State, and after that grant went away, we continued that partnership because we saw a lot of value in that program. So, Crystal Sisson, who is our Transition Consultant will talk with you a little bit more about that program.

Crystal Sisson: With the Transition Program I work with students that are receiving services through the EVSC and special education programming and their families on trying to get them connected and applying for the services that they're going to need through their adult life. Most of my referrals come through the EVSC themselves, with the teachers making an invitation to me for their annual case reviews. Often times if I'm not available for those the teachers will identify students who their families are needing services and they're not really sure what the next step of the process is. I will make contact with those families in making sure that they understand the application process for many of the services, and that they kind of understand some of the eligibility requirements as well. Some of the services that I work with the families and students on applying for are Medicaid, the Medicaid waiver program, Social Security, vocational rehabilitation services, they may also need some services as they go on to post secondary education and needing to know what supports are available in those environments. Also, some parents may have a student that they may need some therapies, such as like psychological therapy in order for them to be able to function in the community more successfully. So, I provide referrals to Outreach Services of Indiana for that as well. Many times parents are just unsure on what to do in the next step of the process. So, I basically just guide them through, trying to identify what services would be appropriate for their child and their circumstance. Many times with these families they have a really hard time understanding the eligibility requirements, so I work on educating with them. Without the support for this program, many of the families would be lost in this whole process. It's really through the development and the coordination of working with those families through the Parent Transition Council, through our monthly meetings, through our annual transition fairs, and the other services that we've been able to provide, this has made it a much easier process for these students and their families, especially with Medicaid waiver. These families don't really know some of the

processes that go with the Medicaid waiver and what they may receive after their student, you know, leaves high school and no longer receives the services of the EVSC. If they are not connected with that in a timely manner, their student may be sitting at home not receiving any services after graduation, and they're going to be losing vital skills that that student had learned, you know, in the last 16-18 years of their life at school. So, trying to get them connected to those services in a timely manner makes a huge difference. Something that we're really excited about this year, we have been chosen, we're one of 45 ARC's in the United States to receive a grant from the Wal-Mart Foundation, and we're happy that we can provide extended services to our students and our families within the EVSC to help create a better environment of learning, especially the employment skills and advocacy skills that they're going to need as they move into adult life. I would like to introduce at this time Nathan Lindauer and his mom Lori Lindauer. Nathan completed high school last year, in 2009, at North High School here in Evansville, and he is able to receive a support service waiver, which is one of the Medicaid waivers so that he can receive services to transition himself into services after high school so he can be more successful. He's working out at Evansville ARC Industries, and I will allow him to come forward.

Nathan Lindauer: Hi, I'm Nathan Lindauer. As you heard, I graduated from North, I'm now working at ARC. I also took a class out there at our place behind Deaconess' new parking garage.

Lori Lindauer: At the Virginia Street ARC. Crystal organized a transitional program that was very helpful. It introduced Nathan to some new friends in the community that he would be working with out at Kotter, and that he's continued to make friends with. It just made it a lot smoother when we did hear that we were able to accept the services of the Medicaid waiver. I kind of talk to other parents also and find out, along with Crystal's help, you know, how to transition into the real world for Nathan.

Denise Seibert: Well, just thank you for your time. We really appreciate Nathan and Lori coming in. Nathan was very excited to lead the Pledge today. That was an unexpected, I didn't ask him to come do that today. But, we just greatly appreciate your support and appreciate your time this evening. If you have any questions, you know, one thing I do want to point out is the Medicaid waiver that Nathan and Lori were talking about, the State of Indiana has a waiting list of 10,000-15,000 people on that waiting list for those services. So, that's why programs like the Successful Transitions program that Crystal manages is so important, because, if not, lots of families didn't realize until that bus quit coming that they needed to have that waiver to even be eligible for those services. So, then that just extended the process even longer. So, we have seen some positive changes since implementing this program and that's why we're excited to keep moving it forward. We really appreciate your time and support, and if you guys have any questions I'm sure Nathan or any of us would be happy to answer them.

President Melcher: Do you have any questions?

Commissioner Winnecke: I don't have any questions, but I would just say thank you for running what is arguably one of the best not-for-profit organizations in the community. For those in the audience or watching at home, you should know that Evansville ARC is, in my opinion, extraordinarily well run and provides a very critical service to our community. Congratulations to Crystal and thank you for your efforts in helping folks transition, and, Deidra and Denise, thank you for your leadership.

Deidra Conner: Thank you. One other point that I would like to add, a lot of people in the audience may not understand that special education services through the School Corporation is an entitlement service, meaning it must be made available to anyone who qualifies. Adult services is not an entitlement. As Denise mentioned, the only support or funding for that is Medicaid waiver. It's a first come, first served basis, a long waiting list, a long time line to get that service. So, we really encourage parents to start at the youngest age possible going through that process. Evansville ARC is here to assist with that. Crystal is here to assist with that application process. So, I want anyone who has questions about either transitions or what the waiver services means to contact, you can contact me directly, Deidra Conner at Evansville ARC at 428-4500. I've closed my comments many times with this statement and I will do it again, Lloyd, Evansville ARC is very fortunate to have right partnerships like EVSC, and like the County Commissioners. Our successes truly are your successes. I know the last time we were here, Lloyd, you said that it's truly the community's success, and I believe that as well, but it takes great partnerships and people coming together who truly believe in what we do to make this work, and you're part of that. We thank you very much.

President Melcher: We appreciate you coming down. So, hopefully the whole community that is watching can understand what is going on. I think the more that we learn the stronger we get. I think you do have, I've got about 19 years experience with ARC, with the city and county. You do run a real good organization. I'm glad people like Nathan is able to be able to move forward. Nathan, that's really great for us, and for our community. It speaks well of Nathan too—

Deidra Conner: Absolutely.

President Melcher: —and us.

Deidra Conner: We're really proud of Nathan, and his peers, and folks like him who have been very successful leaving high school and going right into the work world. So, it's a great success story.

President Melcher: Yes, it is.

Deidra Conner: Thank you.

President Melcher: Thank you.

**Second Addendum : 2006 SMG Management Agreement
Superior Court: Juvenile Division: Williams Consulting Group (Deferred)
Agreement with BLA: Millersburg Road from Hedden to Green River
Construction Inspection Agreement: R.W. Armstrong: Maryland St. Bridge
Burdette Park: Swonder Ice Arena Agreement**

President Melcher: Next we have contracts, agreements and leases. The 2006 SMG management agreement, the second addendum. It amends the 2006 agreement by reducing the notice period contract from 180 to 90 days. Ted, are you going to speak on this?

Ted C. Ziemer, Jr.: If you have any questions I will be happy to answer them. I did e-mail you.

President Melcher: Right.

Commissioner Winnecke: Mr. Chairman, I would move approval.

President Melcher: I'll second it. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: With two yes', it passes. Next is Superior Court, the Juvenile Division agreement with Williams Consulting Group.

Ted C. Ziemer, Jr.: Excuse me, that needs to be taken off the agenda. I tried to get in phone contact with Judge Niemeier regarding that agreement. I've got some questions and he didn't get back to me. So, if you agree we can put that on the agenda for the 15th.

President Melcher: No, we'll agree. We'll just move it to the 15th. Thank you. Next will be the County Engineer. John, if you want to come on up. We've got two agreements this evening, the first one is with BLA, an agreement with the county to design the reconstruction of Millersburg Road from Hedden Road to Green River Road.

John Stoll: That agreement is for an amount not to exceed \$412,900. The scope of the work of the contract, it includes the survey work, the road design, the bridge design over Firlick Creek and the hydraulic modeling associated with the creek. It includes utility coordination, the IDEM and Corps of Engineers general permits. It doesn't include, I take that back, it does include an individual permit on the Corps or IDEM side, but, not, it's a general permit on one. Then, it also includes shop drawing review during construction. A couple of items that I wanted to point out that aren't in there that we'll have to supplement later, it does not include the soils investigation. We need to get the preliminary plans done to the point that they can identify where the soil borings need to be done. Since this is a locally funded project, it does not include any environmental document preparation. It does not include the right-of-way engineering and acquisition. That will be supplemented later as well, once we know the final number of parcels and the actual right-of-way take. It does not include construction inspection, which typically at this stage we don't enter into construction inspection contracts. Then, it does not include any annual monitoring of mitigation sites, if those are required for environmental impacts. So, that will be something that will have to come up later as well. That's the scope, and that's where we'll be looking at future supplemental agreements. I don't know if you have any other questions about it, but, like I said, the amount not to exceed is \$412,900.

Commissioner Winnecke: Mr. Chairman, before I make the motion to approve I would just, again, for the folks who might be watching at home or sitting in the audience tonight, this is for a widening and raising project of Millersburg Road from

roughly Hedden Road to the new intersection of Millersburg and Green River Road. This would be funded through the TIF out there. So, that's the funding source for this. Having said that, I will move approval as presented by the County Engineer.

President Melcher: I'll second the motion. With that also agree we, basically, we look at, you know, the proposals that we sent out, they come in and we kind of try to mirror them to whoever we believe that would do the best job for us on these, and qualifications. So, with that, is there anybody from the audience that has anything to say? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: The next one is R.W. Armstrong with the Maryland Street bridge. Do you want to explain that a little bit?

John Stoll: Yes, this is for the rehab of the Maryland Street bridge over Pigeon Creek. The justification for this project is that the bi-annual bridge inspection recommended replacement of the beams and deck on this bridge. The contract that you have before you is for an amount not to exceed \$150,000. In the scope of work for that will be detailed inspection that will be done by R.W. Armstrong's engineers to just confirm what was in the original bridge inspection report, as well as potentially identifying anything else that needs to be addressed on the bridge. The scope also includes the actual bridge design, it includes utility and railroad coordination, it also includes shop drawing review during the construction, and it includes IDEM and Corps of Engineer permits. I take that back, this one includes the DNR permit, I had it backwards there. The contract again does not include any soils investigation. It does not include an environmental document nor any public hearing associated with an environmental document. That would potentially be a supplemental agreement later, if it's found, if any federal funds are found for the project. The way the scope of work is set up, the bridge will be designed according to INDOT and federal highway standards, and if we can secure any bridge money in the future we will have to turn around and do an environmental study later, but since we don't currently have any federal funds earmarked for the project, I didn't have the environmental assessment included in the scope of work for the project. Then, like on the previous contract, right-of-way engineering and acquisition and construction inspection would also be supplemental agreements at a later date.

Ted C. Ziemer, Jr.: John, when we last spoke about this you were going to check with a couple of sources relative to the lump sum \$170,000 amount. Is that staying the same now?

John Stoll: It's \$150,000—

Ted C. Ziemer, Jr.: Oh.

John Stoll: —the environmental has been deleted.

Ted C. Ziemer, Jr.: That's been removed?

John Stoll: And, if it turns out that the permits are not required, the county would not be billed for those permits.

Ted C. Ziemer, Jr.: Okay, good. Okay.

John Stoll: But, the permits are still included in the scope of work—

Ted C. Ziemer, Jr.: Okay.

John Stoll: – but the environmental assessment is not.

Ted C. Ziemer, Jr.: Thank you.

Commissioner Winnecke: Mr. Chairman, I would move approval.

President Melcher: I'll second it. Do you have any discussion or questions? Neither do I. I think it's a great project, and I think the company, you know, the same thing, we had, we looked at all of the projects and all of the proposals and they seemed to be the ones that rolls there to get it. With that, anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: Thank you, John.

John Stoll: Thanks.

President Melcher: Burdette Park, agreement for the county's use of Swonder Ice arena for Burdette Park project. The use of Swonder Ice arena for a field trip for the day campers at Burdette. The cost is \$200 per hour for a period of one and half hours on June 10, 2010. Steve, do you have anything to add to that?

Steve Craig: No.

President Melcher: Ted?

Ted C. Ziemer, Jr.: Yes, excuse me, there was one provision in the agreement regarding indemnity, which I wanted to make sure we limited the county's liability under that indemnity, so I've prepared an amendment to the agreement to that effect. So, what you have before you is the agreement itself and then an amendment to the agreement.

President Melcher: So, we're voting on both of them?

Ted C. Ziemer, Jr.: Yes.

President Melcher: Okay.

Commissioner Winnecke: Steve? I don't recall this from last year, help me understand, do the campers, is the fee passed along to the campers' fee?

Steve Craig: Yes, sir. It's a field trip, and then they have special fees, if you want to do certain field trips you pay a special price on that.

Commissioner Winnecke: Okay, thank you. Mr. Chairman, I would move approval as presented.

President Melcher: I'll second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Burdette Park

President Melcher: Next we have department head reports. Steve, while you're there, do you got any department head reports?

Steve Craig: All I've got to do is say that we had a really, really good Memorial Day weekend.

President Melcher: It didn't rain, huh?

Steve Craig: Yeah, they don't come that often, and to get all three days with that temperature and the sun, and then the rain last night didn't come until it was too late to hurt the crowd. So, we did have a very good weekend, and a safe weekend which made it even better.

County Attorney

President Melcher: Ted?

Ted C. Ziemer, Jr.: Yes, I have two matters. I have e-mailed the Commissioners about the Bohannon Estates sanitary sewer improvement, which more than 60 percent of the neighbors in those subdivisions wish to proceed with. I've sent you a copy of a proposed form of resolution which would begin the process of the Barrett Law procedure for those improvements. I sent you a copy of the engineer's estimate regarding the cost of the project, and then you received from me a copy of a form of notice which would be published in the Evansville Courier and Press, if you approve this today, on Friday, June the 4th. In addition to that, certified letters, return receipt

requested, will go out to all property owners in that subdivision tomorrow, so that they're advised of the public hearing which would be held at your next meeting which is June the 15th. So, what you have before you is the adoption of the resolution and the approval of the public notice, notice of public hearing.

Commissioner Winnecke: Mr. Chairman, I would move approval of both as presented.

President Melcher: I'll second it. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Ted C. Ziemer, Jr.: The other matter, excuse me a minute, the mic's not on. The other matter has to do with the notice that we received from the State of Indiana relative to the county's desire, if they have any desire to, during the open enrollment period to sign on to any of the State health or dental programs that the State makes available for State employees. We don't have to make a decision, or you don't have to make a decision whether you want to participate in that program now, but the State has a June 25th deadline for answering a questionnaire which is online relative to the current county health and dental plans. Then there are four specific questions in the document that was forwarded to us by the State, which they would like to have answered by June, well, not only like to have answered, if they aren't answered by June the 25th we lose the ability to participate in the State program. I have no idea what the Commissioners desires are regarding that, but just want you to know that if we have any intention of even looking at that, the questionnaire has to be completed and the four questions answered before June 25, 2010 which is coming up.

Commissioner Winnecke: Are those questions for the President of the body, or each of the three members?

Ted C. Ziemer, Jr.: It's really questions to be answered by the county relative to the county's current health and dental plans. I would suggest that the Auditor's office would be probably in the best position to take a look at those. If that's your desire. Sorry Bill.

Commissioner Winnecke: I would say that we take it under advisement until our next meeting. That would give us enough time to look at the questions and figure out if indeed the Auditor is the most appropriate person.

Ted C. Ziemer, Jr.: Yeah, I just don't know how long it will take to do that. The next meeting is the 15th, they're due by the 25th, so that would be ten days. That's probably enough time, but I don't know that. I would mention again, that should you decide to answer the questions, that in no way puts any liability on the county to use

the State's program, it's just that if we don't answer the questions by the 25th we would be precluded from using the State's program.

Commissioner Winnecke: Understood. Thanks.

President Melcher: Alright, did you make that in a motion?

Commissioner Winnecke: Yes, I would move that we take that matter under advisement to our next meeting.

President Melcher: I'll second it. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: Okay, still under department heads, John, do you have anything else?

County Engineer

John Stoll: I have two other items. One is a change order on the First Avenue bridge project. This is an increase of \$17,576. The reason for the increase is changes to the maintenance of traffic plan that we had. We had to add some extra asphalt to get over the levee area, and that caused some additional sidewalk removal and curb removal. We also had to make some shifts to provide the contractor a little extra room to allow his equipment to actually physically build the bridge. The net change, oh, and we had one decrease that was reflected in there. The field office is actually being shared, United Consulting is doing the inspection, and they had another field office already for the Greenway project, they're just going to run this project out of that same field office. So, we'll see a savings there, but in the end the change order is for a net increase of \$17,576.

Commissioner Winnecke: Mr. Chairman, I'll move approval as presented.

President Melcher: Second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

John Stoll: Then, the other item that I have is a request from Dave Savage in regard to the red flashing light that was installed at Red Bank and Upper Mount Vernon some time ago. Dave let me know that the, there was one document missing from the final construction record that was submitted to INDOT and that's a final acceptance form to be signed by the Commissioners. So, I just need your signature on the final acceptance form. Everything was built properly, it's just a matter of getting the right paperwork into INDOT.

President Melcher: So, you've got that with you tonight?

John Stoll: Yes.

President Melcher: Is that something that we need a motion on?

Ted C. Ziemer, Jr.: Yes, I think so.

Commissioner Winnecke: So moved.

President Melcher: Second. I don't think there's any discussion. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

John Stoll: That's all I have. Thanks.

President Melcher: You can just give it to Madelyn. Any other department head reports? Seeing none.

Board Appointments

President Melcher: We've got board appointments. The Legal Aid Society has asked to have Aaron Wilson and Chad Sewich added to their board.

Commissioner Winnecke: Move approval, Mr. Chairman. I apologize.

President Melcher: I'll second it. Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

New Business

President Melcher: Any new business to come before the Commissioner this evening?

Old Business

President Melcher: Any old business? We have one old business then. It's 1005 North Second Street, quit claim deed. This was done on the May 25th meeting, but the address on the quit claim deed should have read 1003 North Second Street. No motion needs to be made just an announcement. So, I guess, we're just announcing it for the correction.

Public Comment

President Melcher: Any public comment?

Consent Items

President Melcher: Okay, then we have the consent agenda.

Commissioner Winnecke: Motion to approve.

President Melcher: I'll second it. Madelyn, will you read the consent agenda, please?

Madelyn Grayson: The consent items for the June 1st meeting are as follows; approval of the May 25, 2010 Commission meeting minutes, employment changes for the Commissioners approval tonight, there are two for the Health Department and two for Burdette Park; County Auditor, May 2010 A/P vouchers; the County Prosecutor fiscal year 2008 and 2009 equitable sharing agreement and certification; County Commissioners lobbyist activity reports; County Engineer, Integra account TIF project pay request 105 in the amount of \$53,567; and department head reports from the County Engineer, County Highway and Burdette Park.

President Melcher: Thank you. Is there any further discussion? Anybody from the audience? Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: So, seeing no other business, we'll have the Drainage Board meeting following after this right away. We didn't have any rezonings for tonight. We stand adjourned.

(The meeting was adjourned at 5:30 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the May 25, 2010 Commission Meeting Minutes.
Lobbyist Activity Reports: Long & Mathies

Employment Changes:

Health Department (2)	Public Defender (1)	Auditor (3)
County Assessor (1)	Burdette Park (2)	

Prosecutor: FY '08 & '09 Equitable Sharing Agreement and Certification.

County Engineer: Pay Request No. 105: Green River-Burkhardt TIF Projects.

Department Head Reports:

County Engineer	County Highway	Burdette Park
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Those in Attendance:

Stephen Melcher	Lloyd Winnecke	Bill Fluty
Ted C. Ziemer, Jr.	Madelyn Grayson	Marissa Nichoalds
Nathan Lindauer	Deidra Conner	Crystal Sisson
Lori Lindauer	Steve Craig	John Stoll
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
JUNE 15, 2010**

The Vanderburgh County Board of Commissioners met in session this 15th day of June, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We're going to start the Vanderburgh County Board of Commissioners meeting. It's 5:00. It's June 15th and we're in room 301. Madelyn, will you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here. Thank you.

Pledge of Allegiance: Stephanie Sanderson: Zoo Brew

President Melcher: The Pledge of Allegiance this evening is going to be lead by Stephanie Sanderson. She's with Mesker Zoo. Would you mind coming up to the microphone and lead us in the Pledge?

(The Pledge of Allegiance was given.)

Commissioner Tornatta: Good evening.

Stephanie Sanderson: Hi.

President Melcher: Good evening. Do you want to go ahead and state about Mesker Zoo? I think they're going to have some kind of a Zoo Brew or something on the 19th?

Stephanie Sanderson: Yes, this Saturday, June 19th, from 6:00 to 9:00 p.m., Mesker Park Zoo is holding its first ever Zoo Brew. We're really excited. It's the first time we've done this. We have up to 25 beer, wine and beverage samples. We have restaurants from all over town coming out, over a dozen of them. We have free cab rides for everybody home that night. We have souvenir mugs for people to take home. Lots of fun activities, three live bands, all kinds of fun stuff. So, come on out this Saturday night. Admission in advance is \$25, or you can purchase that night at the door for \$30.

President Melcher: Any questions?

Commissioner Tornatta: Sounds great.

Stephanie Sanderson: Thank you very much.

President Melcher: Thank you.

Permission to Open Bids: VC10-06-02:Evergreen Acres Street Repairs

President Melcher: Next we have permission to open the bids for VC10-06-02. It's Evergreen Acres street repairs.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

USI Baseball Proclamation

President Melcher: Next we'll go under action items. The first one is going to be the USI baseball proclamation.

Commissioner Tornatta: Alright, Tracy, if you'll bring your coaches up here. With Coach Tracy Archuleta from USI's baseball team, his assistant coach Jeremy Kuester, and assistant coach Royle Beach. The proclamation:

"The University of Southern Indiana Baseball. Whereas, the University of Southern Indiana is a college located in Vanderburgh County, Indiana; and, Whereas, the University of Southern Indiana Baseball team made its second appearance at the NCAA Division II National Championships in May 2010; and, Whereas, the University of Southern Indiana Baseball team beat UC San Diego 6-4 on May 29, 2010 to become the 2010 Division II Baseball Champions; and, Whereas, six players were named to the Division II College World Series All-Tournament Team and the team finished with a record of 52-14. Now, therefore, we, the Board of Commissioners of Vanderburgh County, Indiana, recognize the University of Southern Indiana Baseball team for their outstanding season and winning the Division II Baseball Championship."

(Applause)

Tracy Archuleta: Thank you, Troy. I just want to thank everybody here on the County and for all of your support over the years. I couldn't be happier for our guys and for the City of Evansville and the County and Vanderburgh County. Thank you very much.

Commissioner Tornatta: Thank you, Tracy. If you want to, we've signed this proclamation to give to you guys. Thank you, Coaches. Great job.

Tracy Archuleta: Alright, thank you very much.

Commissioner Tornatta: Take care.

Commissioner Winnecke: We'll look for a repeat.

Tracy Archuleta: Us too.

President Melcher: When are we going to get football?

County Treasurer: In-House Tax Bill Printing Report
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President Melcher: Next is the County Treasurer, tax bill printing report. Rick, are you going to give us an update this evening?

Rick Davis: Good afternoon, everyone. My name is Rick Davis, the County Treasurer. Thank you for having me here today. It feels a whole lot better coming up to you today than it did back in the fall. Last year at this time the Treasurer's office was collecting property tax payments. The property taxes were due June 16th, which is tomorrow. Shortly afterward, we paid \$46,300 to have the bills printed, and I felt we could do the job in-house, and I thought we could do just as good of a job, and I thought we could do it for cheaper. Today, I'm coming before you to show you the fruits of our labor. As you all know, you supported this three to zero, and I also had to sell this to the County Council, and it passed unanimously as well. I do plan on going before them in the budget hearings next month, and I intend to give them the same presentation. I'll try to be as quickly as possible. I see a lot of people here today, and I know they want to go home. The Treasurer's office has outsourced printing for the last 20 years. We had an old 1980's antiquated computer system that pretty much made it impossible to do it in-house for the last 20 years. As I mentioned before, last year the printing was completed in South Carolina for \$46,300. That was signed by the previous Treasurer, and, again, no fault of her own, we were on an old, antiquated system. We spent, the county that is, spent around \$500,000 for a new property tax billing system. As part of that it gave us the ability to print in-house. The vendor we have is Manatron, and we went online in February of last year. I projected to you that we could save tens of thousands of dollars over a five year period. First of all, you approved the purchase of two 50 pages per minute printers for \$10,828, 98 toner cartridges, some of which had to be of magnetic ink in order for Old National Bank to process our payments in a timely manner, others in a regular toner, a folder/insertor for \$56,708, paper and envelopes and supplies, basically, \$7,500. So, our total start up cost was \$84,278, which is about \$1,400 under what I originally told you we needed, because....I would like Misty to come up, and Dawn and Vernon. Misty Hart, our second deputy, worked the phones and tried finding the best deals she could every step of the way and saved that \$1,400 by finding cheaper vendors. Rather than the \$46,300 going to South Carolina, all of that was purchased locally. So, rather than stimulating South Carolina's economy, we stimulated our own. We purchased the equipment from Southern Business Machines. I have Dawn and Vernon Stevens here, and I want to tell you I have nothing but the utmost respect for the work that they have done. When we purchased this from our vendor, they didn't just drop it off at the loading dock and walk away, they were there by our side the entire time. I'm very grateful for the work that they did with us. Misty was the brains of the operation. This was just my idea. Those were the two printers, and as you can see they're huge. They handled quite a load. That is the folder and the insertor, where the envelopes are stuffed. I believe, Commissioner Winnecke came down and examined the equipment, did either of the other two? I appreciate that. It was really something to

see whenever it was in motion. The results, Vanderburgh County billed 100,000 property tax bills with a postmark of April 13th, giving taxpayers 27 days notice before the due date. The minimum requirement is 15 by State law. That's the most notice we have given taxpayers since 2002. For the first time in three years the county billed on time. Again, we converted from that old system last year, so we were allowed to bill late last year in order to convert software. The 27 days notice was a 50 percent increase in number of days given compared to last year, which was the 18, and for seven years the average for the county was 18 days. As I mentioned before, I'm going to the Council in August. Last year and the year before the printing budget for the Vanderburgh County Treasurer's office was \$65,000 and \$55,000 the year before. In all fairness, we didn't use every bit of that, but we budgeted for that because when you go to a quoting process, you don't know, you need to leave a little cushion. Sometimes it could be \$46,000 like it was a couple of years ago, or it could be \$50,000, you don't know. So, you have to overestimate. Also, we had a pink form this year. Everyone who has a homestead at home realizes that they got that pink form. That was not included in that previous cost. So, that cost could have gone up because that was one additional sheet of paper that was required to be printed by the vendor. The Treasurer's office plans to submit a bill printing budget for \$15,000 in 2011. So, I'll make the presentation this year, and it's going to go from \$65,000 to \$15,000. That's a huge drop. Year one, I've already given you the cost, year two, projected cost, \$15,000, the combined total, \$99,278.15. Compared to two years of outsourced costs using our previous vendor is \$92,600, and, again, that's static, I'm sure like everything else their costs would have increased, especially with that additional form, but I'm leaving it at that just for comparative purposes. That leaves us \$6,678.15 to break even. Year three, we're going to submit, hopefully, another \$15,000 budget request, compared to the \$46,300 that we spent, so taking away the break even point amount, that's \$24,000 savings in year three. Years four and five, we are going to have to buy more toner, and possibly a maintenance kit or two, which is going to bump up the costs for the budget, but when you add all five years together, it's roughly \$150,000, and five years of the 2008 cost to go to a vendor, \$231,500. That's static, that's just stay the same, and we all know that cost would have elevated. That's nearly \$82,000 projected savings for the first five years of this project. Not counted in this total is also the amount saved by eliminating an employee due to the efficiencies from the new software. With salary and benefits was roughly \$38,000, but we realigned our staff and made Misty the second deputy and she's in charge of this printing process, so she got a raise, so that \$31,000 includes differences from other employees getting raises from the realignment of the office. I've given you a sheet with the Power Point, I'm not going to go through it all, in the interest of time showing each of the print jobs that were done and how many hours it took. Misty kept meticulous notes so we knew what to plan for and how to plan for this next year. The total printing and folding time was 161 hours. Not all of that had to be done at the last minute, as I put up there, crunch time. The crunch time for the printing of the bills and folding is 92 hours. We had the bills online March 18th, people started paying their bills online that day, and we had them on the loading dock, April 9th. There's Misty, and that's the machine at work. She's putting in the bills up front. It has a mark on it to where it knows that page one and page two of County Attorney, Ted Ziemer's bill, for instance, goes together in the same envelope, and then there are two other trays, right here and above it, of inserts depending upon whether you had a homestead property or not and you got the pink form. If you didn't have a homestead, you didn't. So, Misty had to separate those print jobs and did a very good job doing that. That's the finished product. The envelopes pull out on that conveyor belt and move forward. That's what, I wrote the total down, 75,242 envelopes look like on the loading dock at the Civic Center. That was the finished product. Additional benefits, in addition to the savings, we have the

flexibility to change the printed material that we send out at the last minute, if needed. Whereas, when you go through a vendor in South Carolina, some of this stuff is printed in January and February, you're stuck. We had increased productivity for the Treasurer's office staff. When this folder/insert is going to be used to print, fold and insert other documents. We have tax sale and surplus letters that are going to be going out soon. Last year we had approximately 1,500 tax sale pages. Our staff spent several hours with several people stuffing envelopes, just stuffing envelopes. They could be waiting on the counter or catching up on other duties now while this machine is stuffing....how many an hour?

Vernon Stevens: 4,500 an hour.

Rick Davis: 4,500 documents an hour. That's much more than anybody in my office can do. We also have increased productivity for other offices. The Auditor has about 1,750 letters annually for tax sale and no sale from the tax sale that they send out. We will let them use it, and the Assessor has 15,000 letters annually for assessment appeals, personal property forms and Form 11's. I've already mentioned that they were going to be beneficiaries of this equipment. It hasn't happened yet, but it will. We're coming down to that time of the year when those offices will be using this equipment. We had a surprise at the end of April. One additional office approached us recently and asked if they could use our printing equipment. The election office. Everyone who voted on election day in the primary, when they went to the poll book, those poll books were printed in our office. The election office did the work, but we allowed them to use our printers, which are 50 pages a minute. That's 3,000 pages an hour when you combine the two of them. The election office has very old, antiquated printers that may only go about 10 or 15 pages an hour. This was on legal equipment, or legal size paper. Two people in that office printed six cases of legal size paper for two days for the poll books, whereas it took three people several more days to print in the past. We will allow them to use this equipment again in the fall during the general election. That's all I have.

Commissioner Tornatta: Rick, when those offices use the printers, what are we getting reimbursement wise back from them?

Rick Davis: Since it's a county office, and this is how I approached the County Council, this is savings that the entire county is going to reap. The election office offered to let me use regular toner or pay for it. I said it's an expense by the county. I've encumbered it, we've ordered 98, we've got that built in, it's not a big issue. These toners, each toner does about 30,000 images, and we also lowered the density level and the dpi on the printers in order to get more mileage out of each toner. So, the county taxpayer pays for it regardless of if it comes out of my office or another. I'll jump on that grenade and let the election office off the hook on that.

Commissioner Tornatta: Well, I guess, what I'm trying to look into is if there's a, if it gets to that point, at least let the County Council know that those items are coming out of your budget so they can—

Rick Davis: Yeah.

Commissioner Tornatta: Rick Davis: —maybe not put them in the other budgets if that's going to be the case.

Rick Davis: Yeah, I can do that. Again, I'm going to give, basically, an identical report for the County Council for the August hearings, so. I'm sure—

Commissioner Tornatta: Yeah, around budget time would probably be a good idea.

Rick Davis: Yeah.

Commissioner Tornatta: You know, if we're getting all of those offices, going to have them all using the same equipment, that would be good for everyone.

Commissioner Winnecke: Just one quick comment. I would say the time I spent down there I was really impressed not only with the story of the cost savings, and now we see the proof, but also the efficiency that it brings to your office. It was very heartening to see your staff work with an outside vendor to the extent that you were to the benefit of the taxpayers. It was, I mean, this really is a win-win, and you and your vendor should be congratulated for a job really well done.

Rick Davis: I appreciate that. I also meant to mention when it came to the crunch time printing and folding, this was very complex machinery and software that Misty and the Chief Deputy, Zach Heronemus, had to master in a very short period of time. They'll do better next year. I know they will. They've got the learning curve out of the way, and I have no doubt they will do an even better job next year.

Commissioner Winnecke: Thanks, Rick.

President Melcher: Rick, I think you did a great job. You brought it to us, and I think everything worked out the way you wanted it to work out.

Rick Davis: Yeah.

Commissioner Tornatta: Great job.

Rick Davis: Thank you. Appreciate your time today.

Commissioner Tornatta: Alright.

Permission to Award Rental Service of Uniforms & Related Items

President Melcher: Next we have Purchasing, permission to award rental service of uniforms and related items. Debbie?

Debbie Spalding: Good afternoon. Debbie Spalding with the Purchasing Department. Toward the end of 2009 we sent a survey out to all city and county departments asking about uniforms and related items that they utilized. The last time we put a bid out for uniforms was in 2004, and we had several vendors, at least three, in the area that were asking that we bid this item out. So, we did a bid, and the results are in front of you. You have, we bid several items, trousers, shirts, some trousers that were 100 percent cotton and shirts, jackets, and then a fire resistant trouser and shirt for those departments that may have welders or people that would need that type of uniform. So, as you see on the document there, some vendors were cheaper on some items, and some on others. So, what I did was took the total of one each of those garments, and the low bid in that instance ended up being Aramark. For the past six years we've used Cintas. They've been a very good provider for us, but on this bid the low bid was for Aramark. We also bid floor mats, fender covers, and linens and towels for Burdette Park chalets for the county. I

guess, the fire stations use towels as well. So, my recommendation would be, based on the low bid, for Aramark, that you would award this project to Aramark.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a motion. Any further discussion? Anybody from the audience? Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Debbie Spalding: Thank you. We have the bid offer and proposal form for your signature today. We will be working out an agreement with Aramark. We asked each vendor to submit a sample agreement, and on their agreement there were items that we would not expect to abide by. So, we are working with them to remove things like service charges, delivery charges, and some of those items. We will submit it to legal before your signature. Thank you.

President Melcher: Okay, thank you.

**Prosecutor: Adult Protective Services FSSA Grant
Harding & Shymanski SMG Review Engagement Letters: 2007-2009
Juvenile Court: Grant Writing Services Agreement: Gail Williams
CIO: Network Services Contract: Insight Communications
Sheriff: USI Facility Use Agreement
County Engineer: 2010 Maintenance Quote: ARCView Software**

President Melcher: Next, contracts, agreements and leases. This is for the Prosecutor, Adult Protective Services FSSA grant. It is for \$142,796 for an initial period of 12 months, 7/1/10 through 6/30/11. That may be extended up to three additional 12 months with terms not to exceed the total of 48 months.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have the, this is the Commissioners, Harding and Shymanski and Company engagement letter for SMG audit for 2007, 2008 and 2009.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Okay, Ted, you were going to talk about this it says.

Ted C. Ziemer, Jr.: Well, I mean, I'm happy to, President Melcher. In connection, we have an agreement with SMG to manage the Vanderburgh County Convention Centre and Auditorium, and in connection with that the agreement provides that each year during the term of the agreement there will be a review conducted by, as opposed to an audit, conducted by a certified public accountant, who will then report to the Commissioners their findings as a result of that review. They have completed the review for 2006, they have yet to do the reviews for seven, eight and nine. We need an engagement letter with Harding and Shymanski to cover the reviews for seven, eight and nine. That is a service and it makes all of the sense in the world to have the reviews for seven, eight and nine conducted by the same firm that conducted the review for 2006. So, what you have before you are three engagement letters under which they agree to do the reviews for \$5,000 per year for each of those three years.

President Melcher: Okay, any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. Next we have Juvenile Court agreement with Gail Knight Williams for the grant writing services, \$50 an hour for a total of \$6,719 that is paid to Mrs. Williams upon approval of the contract. I need a motion.

Commissioner Winnecke: Motion to approve with, well, once it's on the floor I'll make a comment.

Commissioner Tornatta: Second.

President Melcher: Go ahead.

Commissioner Winnecke: My comment would be, I mean, I think this is great, it would be nice for the court to report back at some period of time to see what kind of incremental grants we've received as a result of this expenditure. I would think that we should make an overture to the court to ask them to provide us that information once it's complete.

Commissioner Tornatta: The only issue I would like to address would be, we have identified grant writers in our system, and they are on a free basis through GAGE, not through GAGE—

Commissioner Winnecke: Economic Development.

Commissioner Tornatta: Economic Development. I guess, I just would like to see us use that avenue as much as possible before we go paying a lot of money out. So, maybe we'll bring that to him. I don't know how specific they need in their grant writing skills, that's why I would approve this if they did not see that.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. Next is Chief Information Officer, network services contract Insight Communications Midwest LLC. The cost is \$2,000 per month for 60 months. It's split 50-50 between the city and the county.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the Sheriff's agreement with USI for the use of campus facilities, for the use of Forum 2 at USI, the Forum 2 at USI on June 26, 2010 from 9:00 to noon.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the County Engineer maintenance quote for 2010 maintenance of the ARCVIEW software for a period of one year from 9/15/10 to 9/14/11 for a cost of \$700. It's identical to last year's agreement.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Attorney

President Melcher: Next we'll have department head reports. Ted, do you have yours?

Ted C. Ziemer, Jr.: Yes, yes, sir. Thank you. We have an agreement between, which I did e-mail you about, it's between, it's actually a letter of authorization between Manatron, who does IT work and software work with the Auditor and with the Assessor. Manatron has a contract, two contracts with the Assessor, one is called ProVal Plus contract and the other one is a GRM Pictometry contract. Between the two of those contracts they provide that the Assessor, the county on behalf of the Assessor pay Manatron \$48,696 in the year 2010 for maintenance and support services. Manatron is wanting, of course, to stir up business for itself, and so its offered to provide these management and support services, which are needed, for three years 2011-2013, keeping the price the same as it was in 2010, which was as I said, \$48,696. The Assessor is, believes this is, I mean, certainly the maintenance and support is essential to the operation of the equipment, and it's obviously good to keep that price at the 2010 level for the next three years. If you sign the letter of authorization that's what you will be authorizing.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Ted, do you have....next?

Ted C. Ziemer, Jr.: Yes, you will recall, I think it was at the last meeting, it might have been two meetings ago, on the advice of counsel, the Commissioners signed an engagement letter between Kahn Dees Donovan and Kahn and Krieg DeVault, a law

firm of Indianapolis, to provide representation for the reorganization committee of the city and Vanderburgh County. Subsequent to that, the agreement was further reviewed by the Evansville City Attorney, and Mr. Jones had a couple of suggestions for changes also which were agreed to by Kahn Dees Donovan and Kahn and Krieg DeVault. Accordingly I have a revised form of that agreement here for you today, which contains those changes and we recommend that it be approved by the Commissioners.

Commissioner Tornatta: (Inaudible. Mic not on.)

Ted C. Ziemer, Jr.: No, let's see. Yeah, it's for all three.

Commissioner Tornatta: I didn't sign that first one.

Ted C. Ziemer, Jr.: Oh, no, no, no, it's going to be signed just by the President.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second. It's probably important to discuss the amount of money. It's our understanding that the aggregate billing would be in the neighborhood of \$84,000 for the city and the county, of which half would be paid by the city. This includes legal and—

Ted C. Ziemer, Jr.: Right, this agreement is for \$60,000, for the attorneys only, and that's the maximum amount that can be charged for the project. Then, if you're, I don't have the other one in front of me, Commissioner Winnecke, but if it's \$24,000 then it is a total of \$84,000.

Commissioner Tornatta: They're anticipating that that is the highest amount that it would be, or that is the ceiling. I think that's what it's always been, but the committee believes that they will not come close to that amount and looked at it as maybe being half or \$35,000.

Commissioner Winnecke: Okay.

Commissioner Tornatta: So, in that event then we're talking a \$17,000 split on it.

Ted C. Ziemer, Jr.: So, just to be clear, the agreement does authorize payments to them, based on time, expended by them and they're to supply billings monthly, up to, but not to exceed \$60,000. If they have \$100,000 worth of time, they'll only charge \$60,000.

Commissioner Winnecke: Correct, and that's again in the aggregate to be split between the city and the county.

Ted C. Ziemer, Jr.: Yes.

Commissioner Tornatta: Right.

President Melcher: Did you want to—

Commissioner Winnecke: Let's vote on that.

President Melcher: Okay. We had a motion on that, didn't we?

Commissioner Tornatta: I had a motion.

Commissioner Winnecke: Second.

President Melcher: Okay, any further...anybody from the audience have any questions on that? Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Winnecke: One other thing related to that, as we approach the County Council for formal funding, I think it's probably important to ask for an additional \$5,000 to help cover incidental expenses that the organization, the reorganization committee may need, administrative support, etcetera. I think the city is in position to do, make a similar—

Commissioner Tornatta: We would make that for \$10,000 and split it? Or would we do a—

Commissioner Winnecke: No, it would be—

Commissioner Tornatta: Just we would throw in five?

Commissioner Winnecke: Right, so when we approach County Council for formal funding, it would be for, in addition to the \$30,000 in legal expenses from the county side, it would be an additional five for miscellaneous administrative support, if they need it.

Commissioner Tornatta: Bill, would we be doing, like we have in the past where one side covers everything and one side is reimbursed from the city?

Bill Fluty: It could be done that way.

Commissioner Tornatta: If that's the case, should we then put in for \$10,000 and be reimbursed five, if that's the plan.

Bill Fluty: It's really your pleasure and the city's to work that out. Obviously, we do that with joint departments, and we could do this with the city. Either they pay all of the bills and we reimburse them, or we pay all the bills and they reimburse us. It's up to you.

Commissioner Tornatta: Okay. We'll make a recommendation for the County Council to work that out with the City Council, but I'm in favor of the five or the ten, whatever they work out.

Commissioner Winnecke: Let's just make it the ten.

Commissioner Tornatta: \$10,000, okay.

Commissioner Winnecke: Then the city can reimburse us.

Commissioner Tornatta: That's fine.

Bill Fluty: Either way the money needs to be put in place.

Commissioner Tornatta: Right. Okay. I make that in the form of a motion.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: We have two properties that were on the 2009 tax sale. The county took title to those properties. Subsequently a late redemption was allowed as to the property at 225 East Missouri Street and another at 604 Adams Avenue. To get good title into the hands of the redeemers we need to have quit claim deeds executed by the Commissioners. They are here today for you to sign, along with sales disclosure forms so that they can be recorded.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: I have an agreement between the Vanderburgh County Health Department, or between the county on behalf of the Vanderburgh County Health Department and an organization called Little Lambs, which provides for care for young children finding themselves in need. The agreement would provide that the Health Department provide parent education and nutritional education for families identified by Little Lambs and by the Health Department that the Health Department through its nurses, who would do this voluntarily, they would hold a baby shower to provide a minimum of 200 new in-store supplies for the Little Lambs Store.¹ There is no actual cost under this agreement. It's really authorizing the nurses who work at the Health Department to provide volunteer services with the results of that to go to the Little Lambs organization. The agreement is satisfactory for execution should you desire to approve it.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: President Melcher, I just have two other matters. It's developed that we have a personnel issue which needs to be discussed by the Commissioners and that really should be done, I think, in an executive session of the Commissioners. And, we have a prospective litigation matter which also should be discussed by the Commissioners in executive session. I think they should be separate executive sessions. So, we are just recommending that you authorize Marissa to work with your schedules and the schedules of the other parties that need to be there to arrange for an executive session, two separate executive sessions of the Commissioners, of course giving proper notice of the sessions to the media.

Commissioner Tornatta: Do we need to make a motion on that?

¹ This should be a minimum of \$200 in new in-store supplies for the Little Lambs Store.

Ted C. Ziemer, Jr.: I don't think you need a motion. Just, I would like you to authorize Marissa to set up those meetings.

Commissioner Tornatta: Okay. So moved.

President Melcher: Okay, alright.

Ted C. Ziemer, Jr.: It's just by consent you can do that.

President Melcher: Do you have anything else, Ted?

Ted C. Ziemer, Jr.: That's all I have, Mr. President.

County Engineer

President Melcher: Next we have the County Engineer.

John Stoll: I've got three items. First is a storm sewer acceptance for Chadwick Place Subdivision. This is for 637 feet of storm sewers that are located outside of street rights-of-way. The developer has submitted the two dollar per foot fee for a total of \$1,274, and it's recommended that the streets, I mean the storm sewers be accepted for maintenance.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I have a notice to bidders for contract number VC10-06-01, concrete repair of Greenbriar Hills Subdivision. This will include the street repairs, a portion of the street repairs in Greenbriar Hills. We don't have enough money to take care of everything. This will also take care of installing a sidewalk with some letter of credit funds in BCH Subdivision.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? In the audience any? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then I also have a sidewalk waiver request for Heston Green River Estates Subdivision. This is located at Millersburg Road near Newbury Road and English Way. There aren't any other sidewalk waivers, any other sidewalks in the vicinity of this subdivision, so there's isn't anything to connect to, so I would recommend approval of the sidewalk waiver request.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a motion, a first and a second. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have. Thanks.

President Melcher: Thank you. Any other department heads? Steve?

Burdette Park

Steve Craig: Steve Craig, Manager of Burdette. Did you get a late notice, Steve?

President Melcher: I just got the phone call, and I was hoping you would be here.

Steve Craig: Yeah.

President Melcher: He didn't know if you would be here or not, so.

Steve Craig: I got a phone call on the way down here changing what I had intended on doing. What happened here was that one of these storms, I guess like we're having right now, had struck an air conditioner at the Discovery Lodge. We had the company Midwest Mechanical take a look at it, there was extensive damages. I'm sorry I don't have the exact figures, but I wasn't ready to present and I was called on the way down here, like I said, that you guys had got it, but it was like \$4,500, and to put a new one in it was like \$7,500. The mechanic, the guy from Midwest Mechanical told me if it was him he would put a new one in. So, I sent this to ONB and told them what they said, instead of repairing it, because it had been hit by lightning or brown out, or had brown out that there could be additional things down the road. I left the choice up to them. They did call me this afternoon and said that we had to get permission from the Commissioners before they would pay the extra money. At that time I was thinking that if we had to wait for two weeks to get your permission, and then another week to order the new air conditioner, and then another week to take the old one off the roof with a crane, replace this one, it was going to be a month, and the air condition actually feeds one of the classrooms to the day camp. So, we have kids in there everyday that's in a room that's not been air conditioned for four or five days now. Then we were looking at it not being air conditioned for four or five weeks. Being as we moved it up two weeks, if, you know, my thought is, I don't think the guy was just trying to sell me an air conditioner, I think he was telling me that somewhere down the road, you know, even though we're replacing the board on it and the compressor, that it could have something else wrong with it. The difference is pushing \$3,000, like I said I don't have the contract with me. But, I'm fine with either way as long as we can get the air conditioner back on so that these kids don't have to be in a classroom that's not air conditioned.

President Melcher: What David Miller told me, because he said Chris Longest from ONB Insurance called him and said the repair is going to be \$4,325, the replacement, \$7,260. That would mean \$2,935 would be the difference. I think we might have some questions about deductibles, and, you know, anything about, or is this straight out repair?

Steve Craig: It's a straight out repair. There is a \$500 deductible on some of the insurance ones, but that would be covered by Burdette if there is a deductible, is how we've done it in the past. That would come out of my budget, and the insurance pays, you know, pays over and above what the deductible is.

President Melcher: Any questions?

Commissioner Winnecke: Steve, is that unit, is that the original unit?

Steve Craig: Yes, sir.

Commissioner Winnecke: So, that is how old?

Steve Craig: Six going on seven years old.

Commissioner Winnecke: Seven years?

Steve Craig: The thing that they get into, you know, they know that the compressor is bad and the board's burnt up, and, but they said that there's other stuff that pops up, because apparently when you get hit by lightning, you know, they know what's wrong with it now, but he said other stuff could....I, we could get it fixed and it could be good, you know, for a long time too. I'm, my point right now is I would rather do it as quick as I could get it, but being as we're here, that took away the factor of how fast it would get done, because I thought we had to wait another two weeks.

Commissioner Tornatta: Steve, the mechanical side of things should be, as long as you take care of the mechanical parts that would go bad, I don't see a whole lot of other issues that would pop up.

Steve Craig: I don't either, and the fact of the matter is you could do a lot of repairs for the \$3,000.

Commissioner Tornatta: Yeah, I'm saying for \$3,000 they're going to get a lot of new nuts and bolts anyway.

Steve Craig: Well, where it gets into so much, I think, is that they have to probably get a crane out there and remove it, the old one from the roof, and then put a new one back on. So, the labor is probably what's jacking it up. Whereas if they just repair it, they would just take the parts up to the roof and repair it.

Commissioner Tornatta: I'm kind of more inclined to say repair the thing.

Steve Craig: I'm fine with that.

Commissioner Tornatta: I mean, it's seven years old, that's not a system that's been, like we're not talking 20-25 years here. When they replace this with that amount of money you're going to have all new condensers—

Steve Craig: At least that part don't have to, I mean, it will be under warranty.

Commissioner Tornatta: Yeah.

Steve Craig: I have no problems with doing it. That's what I intended on doing—

Commissioner Tornatta: I think you'll be up and running quicker as well.

Steve Craig: I do too. I think, you know, just the labor and the—

Commissioner Tornatta: Yeah.

Steve Craig: — taking it off the roof. I would be fine with repairing it.

Commissioner Tornatta: I'll make a motion to approve for repairs for Burdette Park's Discovery Lodge A/C unit.

Commissioner Winnecke: Do we want to make it a not to exceed amount?

Commissioner Tornatta: Not to exceed \$4,000.

President Melcher: It's 43 and a quarter.

Commissioner Tornatta: Oh, I'm sorry, \$4,300. I thought he said \$3,400. Not to exceed \$4,500.

Commissioner Winnecke: Okay, second.

President Melcher: We have a motion and a second. I think we've had our discussion. Anybody in the audience? Do you want to step up and give your name, please? That way we have it on the record.

Dwight Markwell: Dwight Markwell. The question you didn't ask was the warranty. I think you need to talk about the warranty, because something could come up. The warranty on repairs are very short. You may have a long warranty on a new one. So, you need to keep that in mind too.

President Melcher: Steve, you said there was going to be a warranty, do you know how long it is?

Steve Craig: I do not. I could not tell you what the warranty on the compressor and the new board is.

President Melcher: Well, we'll, once you get that information, just e-mail that to us.

Steve Craig: I will e-mail you tomorrow.

President Melcher: We'll go ahead and approve this now so at least we get started on it.

Steve Craig: Okay, and I will give you an e-mail tomorrow with all of the facts.

Commissioner Winnecke: When was the lightning strike?

Steve Craig: It was about a week or so ago. It was maybe a little longer than that. We had several units at Burdette that got fried. It was one afternoon we had a bad storm come through, about 15 minutes, and one hit the Lodge, hit the main office, the pool, and then the, one of the Bishea Building's tennis court, Vectren had to repair all four of them.

Commissioner Winnecke: At what point did we know we had serious issues?

Steve Craig: The unit wasn't working right last week, and then we brought Midwest in and it just got real hot one day and quit working. They come in and they actually gave me the bids last week and I had called Ann Martin with ONB, gave her the scenario, she sent it off to Chris Longest up in Indianapolis, and then they got back with us today.

Commissioner Winnecke: That's not very quick turn around. I mean, we got the call at, well, you got the call I should say at ten minutes till five, before the meeting.

Steve Craig: Yeah, that's when we got to talking this afternoon and he said I need you to go through a Commissioners meeting.

President Melcher: Okay.

Commissioner Tornatta: Let's take care of two things, let's say look into fixing it, but let's go ahead and up the amount to \$8,000 to take care of it if we find out that there is a much better deal with a warranty on a new unit and it's covered under insurance.

President Melcher: Insurance will pay the \$4,325 according to David, we just pay the difference.

Commissioner Tornatta: Well, there's that deductible. I don't where the threshold is.

Steve Craig: We have had, like I said, we have had a deductible, \$500, on different incidents that's happened at Burdette. I don't know if there's a deductible on a repair by, you know, an Act of God.

Commissioner Winnecke: I think that's a reasonable—

Commissioner Tornatta: Yeah, okay, I amend my motion to say not to exceed \$8,000 with the priority of a repair, unless it is not feasible, then you would have enough to buy the unit.

Steve Craig: That would work.

Commissioner Winnecke: I'll amend my second to match your motion.

President Melcher: Any other discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Steve Craig: One other thing that I wanted to kind of make an announcement, because I think it's a worthwhile function. The Evansville Symphonic Band will present a Big Band Bash at 5:30 on June 27th at the Discovery Lodge at Burdette Park. This is the third annual Big Band Bash and is a fundraiser for the Evansville Symphonic Band, which plays free concerts on Sunday evenings at the Coliseum. The Big Band Bash will present programs titled to the swing era. Nine Evansville restaurants and caterers will provide food and samples for attendees from 5:00 to 6:00 p.m, including Eden Catering, the Barbecue Shack, the Mandarin Garden, Manna Mediterranean Grill, the Coldstone Creamery, Dave's Sportsden, Greek's Pizzeria, the Pie Pan and Hacienda. There will be a cash bar by Kokie's Catering will be available to all guests. The tickets may be purchased at the Evansville Symphonic Band concert on Sunday at 7:30, and at the Coliseum or the evansvillesymphonicband.org. The donations for the tickets is \$25, and you can get a table of eight. For more information you should call 853-6593. It's going to be a big bash up at the Discovery Lodge with the old bands and old music.

Commissioner Tornatta: Thank you.

President Melcher: Anything else?

Steve Craig: Thank you guys for the—

President Melcher: Any other department heads have anything else?

Reading of Bids for VC10-06-02: Evergreen Acres Street Repairs

President Melcher: Okay, Ted, do you want to go back to the bids?

Ted C. Ziemer, Jr.: Yes, thank you. For the Evergreen Acres street repair, we have a bid from Metzger for \$307,790.70; one from J.H. Rudolph for \$232,489.80; E&B Paving for \$358,700; and Rivertown Construction, \$332,386.

Commissioner Tornatta: Motion to take these bids under advisement.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you.

Board Appointments

President Melcher: Next we have one board appointment. It's James Martin, we are going to be re-appointing him to the Legal Aid Society.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Bohannon Estates Sanitary Sewer Barrett Law Project Public Hearing

President Melcher: Next on the agenda is the public hearing we're having this evening on the Bohannon Estates sanitary sewer Barrett Law project. I think there's probably going to be several people speak. John, did you want to go first on this? If you're coming up to speak, we have to have your name, and you have to speak into the microphone so we get it on tape for the minutes.

John Stoll: The sewer project, I tried to sketch it out here on the aerial photos just to show who all would be affected by the project. This is the north half of the Bohannon Estates Subdivision. This project will affect a grand total of 56 lots. Everything south of Boonville-New Harmony is Bohannon Estates, except for these lots here that front Highway 57, and then this is also, these are also lots that are outside the boundaries of the sub there on the north side of Boonville-New Harmony. Just trying to get the bearings straight on where the project is. This is the south half, there again you see the limits of Bohannon Estates Subdivision is right here north of this line. The red lines are the sanitary sewers. Then, once again, everything that fronts 57 is outside the boundaries of the subdivision, if I can get the mouse to work. There it went. Just to summarize what the status of the project is, this project was designed by Andy Easley Engineering. It's been under design for quite some time, as far as getting everything worked out with Water and Sewer Department, with IDEM and with the easements. But, as it says up on the slide, the easements have been secured, IDEM approval has been granted, Evansville Water and Sewer Department approval has been granted, and all in all we'll have a grand total of 6,180 feet of eight inch sewer installed as part of this project. Once again there is 56 lots in the project. As it stands right now the estimated construction cost, including contingencies is \$467,000. The estimated cost for the legal fees, the engineering fees is \$74,000. That gives us a grand total of \$541,000, and based on 56 lots that gives a maximum cost per lot of \$9,661. This is the maximum estimated cost. This does include the contingencies that were factored in the construction estimates, and it does include the legal fees associated with the bond issue to make the project move forward, and it does include the design fees associated with Andy Easley Engineering, that their design. That's basically a really quick rundown of where the project stands, and unless you've got any other questions, I'll take any questions from the residents.

President Melcher: I don't have any, do you have any questions? Any residents that would like to speak?

Commissioner Tornatta: Hold on one second. We're going to have a little dialogue here.

President Melcher: Okay.

Ted C. Ziemer, Jr.: Maybe just to bring everybody up to date. The Commissioners adopted a resolution June 1, 2010 to proceed with sanitary sewer repairs in the area of the project area described by John. At the same time the County Engineer filed a maximum cost estimate, showing, as he said, that the maximum cost would be \$541,044.82. After that resolution was adopted by the Commissioners, there was notice of a public hearing given indicating that the public hearing would be held at this meeting at 5:00 on June 15th. The public notice was published in the Evansville Courier and Press on Friday, June 4, 2010. In addition to that, a notice of this public hearing was mailed by certified mail, return receipt requested to each of the 55 owners, one owner owns two parcels, to each of the 55 owners of parcels in the project area. Today is the time for the public hearing and the Board will, of course, hear everyone who wishes to speak. If there are more than 40 percent of the owners of property in the subdivision who are opposed to this project, they can cause the project to go to court and have a judge determine whether the project has a suitable public purpose to go forward or not. Following that, five days later, a majority, that would be 28 of the lot owners could file remonstrances, if they wish, to also attempt to halt the project. After January 25th, or June 25th, assuming the resolution is adopted today, after June 25, 2010 there could be no more remonstrances and the project will go forward as planned. After the hearing today, if the Board determines that the benefits of this project are equal to the maximum cost of the project, the \$541,044.82, it will then make a finding to that effect, it will adopt a declaratory, a final declaratory resolution approving the original resolution and finding that the project should go forward under the plans and specifications that have been approved at the maximum price indicated.

Commissioner Tornatta: Then, billing options?

Ted C. Ziemer, Jr.: Oh, sure, after the, the next step, if this is approved today by resolution, the next step will be advertising for bids. The bids must come in at or under the maximum price of \$541,044.82 for the project to go forward without rebidding. Following that, and after the completion of the construction for an amount of \$541,044.82 or less, if the bids come in at less than the 56 properties in the improved area will be assessed for the cost of the improvement, with each to bear 1/56th of the cost of the improvement, which can be paid in one lump sum, or can be paid over 10, 20 or 30 years, depending on the time period elected by you. If you elect a 30 year period, it may be possible, depending on your age or how long you intend to stay on that property, that you would not be able to complete the payments during that time. That will be a lien on the property, which would pass to whoever you sell that property to as it goes forward into the future. I think that's it.

Commissioner Tornatta: Then, there is an interest rate difference with the length of time.

Ted C. Ziemer, Jr.: Yes, yes, that's right. Yeah.

Commissioner Tornatta: Okay, I think that summed it up. Thank you.

Ted C. Ziemer, Jr.: Yes, you're welcome.

President Melcher: Anybody want to speak against it, for it?

Dwight Markwell: My name is Dwight Markwell. I live at 11712 Highway 57. The property owners started on this project way back, probably 2004. We tried to get in on the original sewer line that went by, but that was a pressure line, and there was

no way of getting into it unless there was a lift station put in at that point at Boonville-New Harmony Road. At that time they told the property owners we would have to spend at least a quarter million dollars for that pump station. Well, that was really going to throw it totally out by the time you paid for everything, the sewer line, the labor, all the stuff to put it in, the engineering. This thing started way back in the late '70's, that's when the county used to do the perc test. They told you what to put in. How many lineal feet of lateral. A lot of us went through that. Also, at that same time the county outlawed sand traps. The reason for outlawing the sand traps were they said people wouldn't maintain them. Well, that was kind of a poor excuse. Go out and cite somebody and make them fix it, and that would take care of the problem that we were having. So, my particular case, they told me how many feet of lateral, I put it in, and it didn't work. A number of years after I had the house there I started having leaching. So, at that time we were hoping to get in there, in about 2004-2005 on that pressure line and that didn't happen. So, I personally spent \$6,000 to put more laterals in the yard, because the county wouldn't tell me what to do, even though they told me the first time I asked what should I do. They told me to figure it out for yourself, get a professional out there and find out. So, I did. So, I spent \$6,000, and since then I haven't had any problems. Since then, I believe the sewer rates have gone up four times since 1997, and it looks like they're going to go up again shortly, before 2012. Also, I understand now that the EPA and the Department of Justice, in September, is going to file a lawsuit against the Sewer Department. Well, it looks like there was \$43 million that's going to have to be spent already in the City of Evansville, and possibly up to \$500 million. I'm not sure we want to get involved in that. We're already paying 30 percent more for our bills than the city is, and we have no representative that we know of on that board, unless you guys can tell us who that person is. As far as we know we don't have anybody representing us. Also, we have been told, this came up again with, about in early 2007 again, we started working on it again, and this time we got some people involved. Well, by then I was already taken care of by then, but I went with it because of the other property owners. Well, we were told that the, we would have to give easement, because the Barrett Law said that, would say that they could take the property. Well, since then I've found out that's not necessarily true. The Barrett Law has been beat in court, and not necessarily can they take your property. Also, since we've been working with the designer, tap in fees have gone up from what we were promised originally, and the sewer rates have gone up. I know you guys know that when we started on this the economy was completely different from what it is now. Just from 2007, imagine sitting in this room right here, you would rather be back in 2007 than you are right now with the way the economy is. A lot of these people are in the same boat. They really, now they can't afford it. I did sign a paper to give an easement, but if I had to do it today I probably wouldn't, for all of these facts that I've just read off. I do have some questions. Unfortunately, when they go through my yard, if this continues, they'll cut my lateral lines. What happens to my sewer service during this point in time? Which I think they'll probably cut at least 300 feet. What happens, what do I do in the meantime? How will they fix it back? Because I'm not planning on tapping in, because I'm not going to help pay for all of these damages, because years ago someone should have addressed these combination sewers in the City of Evansville and we haven't done it. Well, I guess, the birds getting ready to roost on us, because I don't think the EPA or the Justice Department is going to let go of this with a compromise. I think we're going to be told that we're going to have to quit dumping in the Ohio River, and we're going to have to come up with a plan. Part of that plan is, is funding, and honestly I don't think right now that I want to be part of it. Thank you.

President Melcher: Any questions? Just come on up. Just come up one at a time.

Commissioner Tornatta: If we could, since we do have such a large crowd, limit your comments to new information and to two or three minutes so we can hear everybody that wants to speak. Thank you.

Raymond Bailey: That means we have to remember what has transpired.

Commissioner Tornatta: Well, as close as you can.

Raymond Bailey: Thank you very much for allowing me the opportunity to address the Board. My name is Raymond H. Bailey, and I live at 11220 Highway 57.

Commissioner Tornatta: Spell your last name?

Raymond Bailey: B-a-i-l-e-y.

Commissioner Tornatta: Okay.

Raymond Bailey: Now let me just say at the outset that from the beginning of this, back in '04, I have been in favor of the sewer project that's been proposed, and still was until I received your letter a few days ago with the estimated price. Now, let me just share with you some dollar figures that we, the homeowners, have been, some figures that have been thrown at us over this period of time. On October 11, 2007 the Easley Engineering Company sent the Bohannon Estates homeowners a letter stating that the estimated cost of the Bohannon Estates sewer project would be approximately \$6,400 to \$6,900. I think most of us would buy into that, if that was still the case. Then on December 10, 2007, Mr. Easley and his project engineer, Justin Shofstall, had a meeting over at the McCutchanville Church, and many of us attended that, and the price at that time was \$6,600 through \$7,100. Then on May 14, 2008, Mr. Shofstall, Justin Shofstall, project engineer sent all homeowners a letter stating that the estimated cost of the project would now be between \$6,470 and \$6,900. Then approximately a week ago we all received your letter stating that the estimated costs of the sewer project would be approximately \$9,661 per household. Now, that's an increase of over almost 50 percent from its initial inception. My question is, project 69 has really gone forward because of the economy. What has happened to this project? A fifty percent increase in this period of time, in the state of our economy is not justified, in my opinion. If we take into consideration the \$9,600 it's going to cost each of us, plus the \$1,300 tap in fee, another thousand dollars for us to hook it up from the house to the sewer, we're talking about \$12,000 per homeowner. If you finance this over a 15 year period at four percent, you're talking about over \$300 a month. Now, some of us are senior citizens and we can't afford that. I realize you can go longer, and it stays with the property, I understand that, Mr. Ziemer. I guess, my concern tonight is the cost per homeowner of \$9,661. That's my main concern. Thank you very much for your time.

Carol Bengert: Good evening. My name is Carol Bengert. I live at 11646 Highway 57. I have had a septic system for over 40 years, and I have been very happy and very pleased. In the past 40 years I've only had to have it cleaned twice. In the beginning I was for this project. I signed on, I said I would do it, but since we have gone from less than \$7,000 to over \$9,000, I am no longer in favor of this. That is just the beginning, sewer rates will be a monthly charge now until the day we die, and they keep increasing. I had one question answered, I did not know how much the tap in fee, the tap in fee has increased to \$1,300. And, I did not know what the rate of payment, the interest rate will be, but overall I am against the project. Thank you.

Commissioner Tornatta: You don't know?

Bill Fluty: Typically, in all the Barrett Laws that we've done, we'll go to the local banks and it will be shopped for the lowest rate. They ran from, of course, we've had seven or eight over the years, and interest rates have been higher and lower. So, projecting that right now, I can't say, but as a rule right now, interest rates are a little bit lower. The last one, do you remember, Ted, what the rate was for the last Bohannon?

Ted C. Ziemer, Jr.: I don't, Bill, I would be guessing, and I don't want to do that.

Bill Fluty: I would be guessing now.

Unidentified: Five and a half.

Commissioner Tornatta: Five and a half?

Bill Fluty: Five and a half?

Commissioner Tornatta: John, if I can....let me ask John a quick question before you step up there, please. The \$9,600, could you bring that number back up please? Okay. The \$9,600, that estimated construction cost is not accounting for that?

John Stoll: Pardon?

Commissioner Tornatta: The, all the additional fees—

John Stoll: That's everything. That's construction, that's design, that's legal fees associated with the bond issue.

Commissioner Tornatta: But, not tap ins?

John Stoll: No, not tap ins.

Commissioner Tornatta: Alright.

Unidentified: And not coming to our homes.

John Stoll: And not the plumbing costs associated with each individual house.

Commissioner Tornatta: Which is \$2 a linear foot, roughly to hit the tap?

Unidentified: (Inaudible. Not at the microphone.)

Commissioner Tornatta: Right. Okay. So, we're tacking on \$3,000? Okay. Sorry.

Gerald Reddick: I'm Gerald Reddick. I live at 11711 Bohannon Drive. I have two letters here from, one is a widow lady that could not come, but she wanted her opinion stated, and I told her I would. It is Sarah Berger, or Sabre Berger. She lives at 4001 Bohannon Court. It says:

“To whom it may concern: I live at 4001 Bohannon Court, have since May 25, 1985. Due to circumstances of a disabled husband and maintaining a job, home, etcetera, I could not chase down all the levels

of authority in charge of our sewer and road repair promises and assurances. What were they? Sewers at \$2,000 each resident, plus connection fees, plumbers pay and material costs in 2004. In 2010 and the project has been put off six years and cost I'm told \$10,000 plus connection fees, plumbers pay and materials. It was the same deal with the road project. The road is crumbling along the edges and in some mid areas. It is not 24 feet wide, we have ugly grass, overgrown ditches, which we were told the county will take care of if we paid for the road. I feel sure if we had been told the truth, integrity and ethically, no owner would sign on to pay \$24,000 plus instead of the \$6,000 plus owners cost. Where do all the taxes we pay, sales, etcetera go? Why were the projects so slow to be accomplished? Wouldn't a city-county manager in charge solve this kind of problem? I am a widow on a fixed income and this kind of expense is unthinkable."

Gerald Reddick: And I agree. The other is from Donna Mackey. I don't know her house number. She's in the 11000 block of Bohannon Drive. She writes:

"To whom it concerns: I am against having sewers installed. The price has gone up so much since we started discussing having them installed. My septic system seems to be working okay."

Ted C. Ziemer, Jr.: Excuse me, for the record, Ms. Mackey lives at 11546 Bohannon Drive.

Gerald Reddick: I'm glad Dwight Markwell done some homework. You knew more to do than I do. But, this thing started in 2004, now you tell me, gentlemen, why is government so blooming slow? You, and I'm not saying you as individuals, government makes so many rules, it takes an Act of Congress to go out and get a shovelful of dirt off of a back lot. This project was estimated by Andy Easley himself at \$140,000. Now, we're looking at over half a million. We've already got a \$10,000 indebtedness on us for a road that literally the homeowners got screwed on in 1977 and '78, because I looked at the plans. The plans were approved by the then County Commissioners and the then County Engineer. I understand from reading Mr. Ziemer's letter that when that project was being done, the county had inspectors on the job. Now, I've done highway work, and I know if you're out there on the job and you're doing something wrong and the inspector stops you, you're done until we get it finished, get it laid out like it's supposed to be, then you can proceed. But, if you submit plans and they're approved, you go by those plans. Now, I've got my own opinion, and I really think it's nothing but a good 'ol boy politics game that was going on back in them days. I don't agree with it. I am absolutely, 100 percent against this project. I understand, and I have sympathy for the people that need something done with the septic system. I don't have that problem. I'm absolutely against putting another \$10,000 into something that I don't need. Thank you.

Madelyn Grayson: Mr. Reddick? May we have those letters for the record?

Commissioner Tornatta: John, I need you up again. Okay, would you explain, one time, about the remonstrance process that allows this group to get those letters in in that crucial period of time?

John Stoll: You mean as far as the objections to the project?

Commissioner Tornatta: Yes.

John Stoll: Maybe Ted could probably explain that a little better than I could as far as the correct legal interpretation of everything. But, what is it? We have five days to—

Commissioner Tornatta: I think you explained it. I just, I know you explained it to me, and I just want to reiterate how that objections process is and what needs to happen, because, I mean, I don't care if the group votes to do it, it's a voluntary act. We're all in favor. If the group votes not to do this project, it is not my deal to try and push \$10,000 or \$12,000 on your docket sheet. So, as far as I'm concerned it's 60 percent have to approve—

John Stoll: Be in favor, yes.

Commissioner Tornatta: —be in favor of the project, and at a number value. If that number value is \$6,900, I think we need to talk about \$6,900. If this process goes above that, then, I mean, I don't, I'm not really in favor of the project either if that's a threshold of the individuals in that neighborhood.

John Stoll: If the project proceeds—

Ted C. Ziemer, Jr.: I understand what you said there. I mean, the project is the project, and it's gone, I mean, I don't know how long it's gone. If you say it's gone since 19—

Commissioner Tornatta: 2004.

Ted C. Ziemer, Jr.: 2004, since 2004, if it has, it has, and it was one amount back then and it's an amount today. What we have before us today is that the cost of the project is \$541,000, and if that breaks down, I haven't done the math, but you're telling me that \$9,600 and something per lot in the affected area. If that's what it is, that is what it is. If 60 percent of the people in this benefitted area want to go forward at that price, understanding that that's what the price is, then the project goes forward. If more than 40 percent don't want it to go, then they take it to court and let a judge decide whether or not the project should go forward, and that's really going to be based on public utility versus the cost of the project. That's what you're looking at. That's the way the law was designed. If one of you say, you know, I'm 100 percent against it, but if you're the only one, then 99 percent of the people want it, you don't want it, it's going to go forward, and you have no choice. That's just the way the law was written. You've been through this once in Bohannon Estates Subdivision between 2006 and 2008 for street and drainage improvements.

Unidentified: Improvement? No.

Ted C. Ziemer, Jr.: Beg your pardon?

Unidentified: Improvement (Inaudible. Not at microphone.)

Ted C. Ziemer, Jr.: I'm just, that's what it was for. I'm not going to argue with you about how it was done. I didn't have anything to do with it, but that was the reason for it. John, I don't know.

John Stoll: I was going to say, the only way that I know that you could change the cost would be to scale the project back. If there were groups of people against the project, and there were other groups in favor of it, the only thing I know that could be

done would be to scale the project back to try and serve the people who do want the project, but, that would start the whole resolution process over again.

Ted C. Ziemer, Jr.: Exactly.

Commissioner Tornatta: Did everyone in this, did everyone sign up for the original amount? Is that what I'm understanding? Then, if you're going to speak, you're going to have to come to the microphone. I'm sorry.

Ted C. Ziemer, Jr.: He says he didn't.

Gerald Reddick: This project was already going when I bought into this subdivision, and I bought into it blind.

Commissioner Tornatta: Okay, and we talked about that in 2007.

Gerald Reddick: Right. So, I wasn't involved in it, and—

Commissioner Tornatta: Okay.

Gerald Reddick: —you know my stand.

Commissioner Tornatta: Got it.

President Melcher: Okay, we could have the next person. If you've already been up, kind of wait till everybody comes up.

Lisa Messel: Hi, I'm Lisa Messel, and my husband, Gary, is here also. We live at 4034 Bohannon Court. Just, with, I guess, I echo the senior citizens, we're a young family with two young kids, and I can't afford anymore. I already have a tax Barrett on me now, so that we're paying \$1,500 extra dollars a year on that. You know, that is difficult to do. But, if it has, this project has anything laced with Andy Easley or John it's going to go on deaf ears if it doesn't work, because that's exactly where we're at now. We've got ditches that don't drain, and beside my house I've got, you know, I mean, I know that's a different thing, but I just don't trust the County Engineer and I don't trust Easley.

President Melcher: Okay, next.

Brian Miller: My name is Brian Miller. I live at 4014 Bohannon Court. I've lived there for nine years and I've been through the start of this whole project since they came up with the idea of the sewer. I'm here to say that I'm 100 percent for the sewer, and I'll be real quick on the reasons why. If they would have stopped putting road blocks in front of this, we've got several neighbors that have been very vocal about this and have been trying to stop this since we've started this. I think the cost keeps going up and up. A lot of these septic systems are already going bad and they are going to keep getting worse, and by the time they do get condemned we're going to have to have them replaced. We're going to be forced to have them replaced. I don't know what the cost of septic replacement is, but I'm thinking it's probably pretty close to what we're talking about today about having the sewer put in. When it rains, I've seen a lot of these, it's starting to smell in some places around there. You've seen black water standing. Septic systems don't last forever. I've been, my house was built in '84, mine is 26 years old. It's doing fine, but I'm realistic, it's going to start going bad and I'm going to have to make the choice of whether I want to replace it

or try to sell the house with a bad septic system. It seems the people that don't want it seem to be the most vocal, and I'm hoping that I'm still in the majority. I wish a lot of people like me would show up here to show you that there are several of us that still want this. Thank you.

Doyle Wilson: I live in Bohannon and my name is Doyle Wilson. My problem with the project is, it's not the cost of the project, it's what everybody does in this subdivision to hide bad septic systems. When, you can go out there today with this hard rain, and I promise you, there's not one septic system working out there properly. Mine don't work properly. I had the engineer come out there and tell me I have an overflow pipe that runs to the ditch when it rains too much. Well, then a neighbor calls on me and says well his septic's coming out there. Well, this is the way it was designed when it was built out there. So, when it rains your septic system fills up, then it runs to the ditch. I have no control over this. This is the way I bought the house. It was approved back whenever the home was built. We have people taking garden hoses, running them from their sand trap to the ditch. Some ditch, there's a ditch that runs behind everybody's house where people don't see them, all the septic's run back there. People pile up dirt to hide their septic tanks. Now, talking about the city with their combination sewers, that's what our septic system is out there is a combination septic system. It's no different than what the city has here. If it rains hard, it starts in October, it will not dry out until August. You get maybe two or three months where it's dry. When the rain starts...I guess you could call it an Act of God, because I just heard the guy from Burdette Park said lightning hit that. So, when it's raining, this is an Act of God. So, nobody's septic system is going to work right, so I don't think the Health Department can do anything about an Act of God. Now, the only person that can do anything about this is you people. I'm a young man. I took on the other \$10,000 to improve our neighborhood I think we need to take this bill on, and it can be paid out over 40 years. If you sell your house...and, I didn't, I walked into this blind just like Mr. Reddick. I didn't know nothing about it. I bought my house six years ago, this was done started, and I didn't know nothing about it. So, what I'm saying we have a combination sewer out there. No....the way I understand it, and I might be wrong here, to put a septic tank in now you've got to have two and a half acres to make it drain right, to properly drain. We have, everybody out there pretty has less than an acre. I don't care how many laterals you put in, you're ground does not perc there. When your ground does not perc, you've got to have that water going somewhere. It's going to come up, or it's going to go to the ditch. Now, these people want to smell the sewer, I'll be more than glad to sit there and smell the sewer with them, but when the EPA gets involved, they will make us fix it. That will be the next step to call somebody out there to tell them when it's raining this is a major problem, because sewer comes up everywhere out there on everybody's property. Thank you.

Commissioner Winnecke: Mr. Wilson?

Doyle Wilson: Yes?

Commissioner Winnecke: Just to clarify, you support the project?

Doyle Wilson: 100 percent.

Commissioner Winnecke: Okay, thank you.

Carol Bengert: Carol Bengert, and I did not get the gentleman's name that was up here.

Commissioner Tornatta: Just now?

Carol Bengert: Pardon?

Commissioner Tornatta: Doyle.

Commissioner Winnecke: Doyle.

Carol Bengert: Doyle? And I do not—

Commissioner Winnecke: Doyle Wilson.

Carol Bengert: —know where he lives, but I challenge the fact that he says nobody's septic system out there works. Mine has worked perfectly for over 40 years, and we have raised a family of nine people using that septic system. I have, evidently I have a good one, enough lateral lines, water does not stand in my yard, and I have no odors. Thank you.

Commissioner Winnecke: He lives at 11619 Bohannon Drive for the record.

President Melcher: Is there another one? Next?

Dwight Markwell: I just have a question for Mr. Ziemer. On the 40 percent, you said if we had 40 percent, how does that actually work?

Ted C. Ziemer, Jr.: It means that 40 percent of the lot owners out there have to file with the Commissioners, in writing, by June the, let me get it here, June the 21st. That, according to my calculations would be 23 people.

Dwight Markwell: Do you count the ones that were in here tonight?

Ted C. Ziemer, Jr.: I don't count anybody.

Dwight Markwell: Okay.

Ted C. Ziemer, Jr.: They have to file it in writing—

Dwight Markwell: Okay.

Ted C. Ziemer, Jr.: —and it has to be 23 lot owners, and it doesn't make any difference, you know, if a husband or wife, or just the wife, it's per lot.

Dwight Markwell: It's the lot.

Ted C. Ziemer, Jr.: 23 lots must file, in writing, with the Commissioners by June the 21st to have this go to court to determine whether or not the project should go forward.

Dwight Markwell: Could I have an address please? On that.

Ted C. Ziemer, Jr.: Sure.

Dwight Markwell: Where does that go?

Ted C. Ziemer, Jr.: Vanderburgh County Commissioners, Marissa, what's the address?

Marissa Nichoalds: It's 1 Northwest Martin Luther King, Jr. Boulevard, Room 305, and the zip is 47708.

Dwight Markwell: Thank you.

Steve Hollen: My name is Steve Hollen, and I live at 11540 Highway 57. I'm speaking on behalf of the people that live on 57. The ones we hear from here is the Bohannon Subdivision people that say their septic systems don't work and all this, and maybe that's true on their side, but the people on Highway 57, I don't think we have that problem with our septic systems. I would oppose that if the Bohannon Subdivision people want the sewer, put it on them, but if the people on 57 do not want it, then don't include us into the system. If you see what I'm talking about. Do the Bohannon Subdivision, but leave the people on Highway 57 out of the system.

Commissioner Tornatta: And, I don't know how that's figured.

Ted C. Ziemer, Jr.: Yeah, I don't, just while you're standing there, Justin Shofstall or John Stoll, if either one of you want to comment on how it was determined what would be included in this sanitary sewer system. I think it would be interesting.

Commissioner Winnecke: Brenda, can you go back to the picture, please?

Brenda Jeffers: That one, is that it?

Commissioner Tornatta: Yes, I believe so.

John Stoll: That's part of it, both of them.

Brenda Jeffers: That's the north half, and that's the south half.

Commissioner Tornatta: Alright.

John Stoll: As far as dictating who is served and who isn't, my office wasn't involved at all. This was all driven by the residents on who worked with Easley's office in saying that they wanted sewers. So, it was all done independent from the county. The discussions were all done between Easley Engineering and the residents. So, Justin can probably fill you in with more details on it than I can.

Ted C. Ziemer, Jr.: Thank you.

Justin Shofstall: Justin Shofstall with Easley Engineering. As far as the original Bohannon sewer project, when that was brought about at the same time as when they were looking at doing the roadway improvements, it started as a small group. There was one resident, John Klump, who lives on Highway 57, at that time he had relatives in Bohannon, so he got wind of it, and at that point there was a time, and also there's several people who had signed the petition in favor along Highway 57 for becoming part of that service area. So, again, it was, as far as, we, we weren't going out to give additional sewer if people didn't want it. It was those who were showing interest, the total limit of the area, there was one or two people that were towards the end of the sanitary sewer line that were not providing an easement, so we had eliminated them from the service area. So, at this time, as far as what we

had and with the, at the time of the petition which we went through design work, also as far as I know there's a couple of people here that were originally in favor of the sewer that have apparently changed their minds since that time. It still was driven by the residents as far as the majority. At this time, whenever we were moving forward with the design work on the plans, preparing easements, obtaining the paperwork, we were approximately 70 to 71 percent total participation on the project.

Steve Hollen: What year was that?

Justin Shofstall: It was as far as, with, no 2004 was whenever we had preliminary requests with the roadway project, 2006 was whenever they were talking, originally, as far as with doing a sanitary sewer project, and that's when it started expanding from just out, with Bohannon Estates itself to going outside and serving those other properties along Boonville-New Harmony, and also along Highway 57.

President Melcher: We have a couple of questions on that.

Commissioner Winnecke: Justin, while you're up here—

Justin Shofstall: Yes.

Commissioner Winnecke: —I was going to get to you eventually, but since you're here, help us understand, as a group, the huge expense increase from....because Mr. Bailey is right, I mean, I-69 things are coming in lower and lower—

Justin Shofstall: Right.

Commissioner Winnecke: —the State's able to build it faster and faster, yet this has gone up exponentially.

Justin Shofstall: As far as with that, the best way to describe it is, what the price that is there now, that is maximum cost. This is what we're looking at as far as what could possibly be any sort of unforeseens that we have out there, the construction cost that we had out there that was floating around the \$7,000 mark was based off of what contractors had looked on the plans that we had set up, which was essentially what I would say draft number two or three on the sanitary sewer design. So, it's not much different than what we have now that was permitted by IDEM. That was based off of true construction costs, and that was for putting in the trunk line, that's where that \$7,000 was. With, the other thing that we had tried, and that was one of the things that as far as working on behalf of the residents of Bohannon, we had petitioned with Evansville Water and Sewer Utility in regards to trying to put the effort forth saying these folks have septic systems, they're wanting to replace it, become a new, increased paying members for the Evansville Water and Sewer Utility itself, and have the Evansville Water and Sewer Utility waive that initial tap in fee, because, again, that would be approximately \$1,200 for a residential tap in fee that would be an additional burden. At that point, Evansville Water and Sewer Utility, as far as their policy, said no, because that would set a new precedent for them, and we know as far as whenever we're dealing with any sort of government body or utility, public utility, new precedents are usually a bad thing. So, they had their policy, their status, it's not something that they wanted to go and say, well, we can't say, we sympathize with you, however, we can't change a policy in this instance because it would create too many loopholes for Evansville Water and Sewer Utility to deny, as far as to not get their tap in fee for the new sewers.

Commissioner Winnecke: But, the construction costs, I mean, tap in fees I understand.

Justin Shofstall: Right.

Commissioner Winnecke: But, the construction fees alone—

Justin Shofstall: Right, and that's the other thing too as far as, we have to....and this is part of the bidding process too, we have to have the maximum number, and what we're looking at as far as....because we're going to have a range, and typically on most of the estimates that we have, most of the time on the Barrett Law has been about four to five on average on these Barrett Law construction bids and estimates. If any of these, any or, not any of them, but if the majority of the estimates came back higher than what we speculated to be the actual construction cost, we would have to start the resolution process all over again. So, we're setting it as far as what we have now with the \$9,600 is that's the top bar. We know that will be a do not exceed. As far as what we foresee with the estimates coming back from the construction companies would be less than that \$9,600 and change for each homeowner.

Ted C. Ziemer, Jr.: Justin, do you remember for the sidewalk and drainage, how did the actual bid compare to the engineer's estimate?

Justin Shofstall: Uh, I would have to look at that.

Ted C. Ziemer, Jr.: You don't remember?

Justin Shofstall: That, I couldn't say, but, I mean, as far as the actual cost was less than what we had for the top end.

Unidentified: It wasn't quality.

Commissioner Tornatta: Right, the, but you can also outprice your market by your top end. I think that it sounds like that's what you've done. You have those who have good faith that that number is going to be within a range that they can afford—

Justin Shofstall: Uh-huh.

Commissioner Tornatta: —yet, we've highballed it to the point to where if a conservative person with their purse strings would look at that number they would say, no, I can't afford that. Now I'm out of the pool.

Justin Shofstall: Right.

Commissioner Tornatta: I mean, I can see how that would happen. That's probably why we're having this discussion right now. It sounds like you had a level of which people would pay—

Justin Shofstall: Uh-huh.

Commissioner Tornatta: —and we're getting out of that level.

Justin Shofstall: Well, that's certainly, I mean, as far as trying to scale things back, but there was also some other special concessions that a lot of the residents

wanted. That's also incorporated with the plans themselves, as far as notifying each individual resident at least 48 hours prior to construction, because we had set as far as, even with lateral connections, because the residents themselves want to have input more so with the contractor, and the more residents you have interacting with the contractor, the more chances for them to where, well, no, okay, well we're going to hold this, and now we're going to change this. There were some special considerations that this price does account for.

President Melcher: Bill, you had a question.

Bill Fluty: No, I just want to make, want to clear up just a little bit. With 16 years of Barrett Laws, and seeing actually the final details and the final payments, and actually I think I've talked to everybody that's ever been involved in a Barrett Law has actually said what we thought we were going to pay and what we originally pay and what it amounts to over 10, 20 or 30 years, quite a few conversations with people from the previous Barrett Laws, Evergreen Acres, and so forth, but the process has it that this is the high end, I think the \$500,000—

Justin Shofstall: Yeah.

Bill Fluty: —if you go....and the steps are, you're agreeing to the \$500,000. You're all hoping that it will be less than that, but you don't know that. So, what...and the process is if 60 percent go forward with it, this is the highest it can be, but you're agreeing to that right now. So, it's not like you get the bids in and then you decide well I'm in or out. See, you're in or out right now. So, that's kind of, you're in kind of just a little vacuum here on making a sound decision. That's what they struggle with. They also struggle with the interest, hoping for that low interest and not knowing that. So, it's difficult.

Justin Shofstall: Right, because the actual interest rate isn't locked in until the time that we're ready to bill it out.

Bill Fluty: But, I want them to be clear, as when you talk about that \$500,000 is the high end, and, hopefully, we're going to have a bid under that, you know, if you don't move forward to that June 21st and do something different, then if you agree, that 60 percent, that it may be that \$500,000 and that's \$9,600 over one lump payment, ten years, 20 years, 30 years. Which, I think for Bohannon Estates was over \$7,000, if you pay it over 30 years it turns into \$21,000. So, I'm just telling you things that you may not understand that how it does turn out when the details work out and you start making the payments.

Ted C. Ziemer, Jr.: I guess, maybe to say, and I think you understand this, the County Commissioners really don't have a dog in this fight. The neighbors wanted the sewer improvement, and the, well, let me finish please, and apparently a majority of the neighbors approached Andy Easley Engineering and asked that plans be drawn and that it go forward. And, a majority, and I've seen the petition here, and maybe it was at \$6,900 or whatever the cost was, but 71 percent of the people in the affected area signed that petition as being in favor of it.

Steve Hollen: At that price.

Ted C. Ziemer, Jr.: I don't know what price—

Justin Shofstall: That was—

Ted C. Ziemer, Jr.: –I don't know what it was when the petition was taken up. Whatever it was, 71 percent of the people approved it.

Steve Hollen: Can I just say one more thing?

Ted C. Ziemer, Jr.: Excuse me–

Steve Hollen: Then I'll be done.

Ted C. Ziemer, Jr.: –okay.

Steve Hollen: What I was going to say is, if the people in the Bohannon Estates, which is behind the people in 57, if they want the sewer system, and there's a majority of the people on 57 that do not want it, why could you not just take and do the Bohannon Subdivision and leave 57 alone?

Ted C. Ziemer, Jr.: And the answer to that is, you can do that, but you have to start over again. And, Andy Easley Engineering will redraw plans that are now drawn and specs that are now prepared and start again leaving out Highway, excuse me, let me finish please, leaving out the people on 57, and there may be some people on 57 that do want it. Now, I don't know that. You're telling me that you don't, but I don't know about everybody else there and that's another factor. But where we are tonight is, the whole project is the project that's before us, and if 60 percent of the people in this area, those 56 lot owners, if 60 percent of them are in favor or this, that is how it will go forward.

Steve Hollen: So, if 60 percent in favor is the Bohannon Estates and the 57 people are against, we're getting pulled in.

Ted C. Ziemer, Jr.: Yes, sir, that is correct.

Steve Hollen: I was just going to make a solution to that system. If 60 percent in Bohannon Estates wants it, and the 57 do not want it, then let the Bohannon Estates say okay we'll leave the 57 people out of it, we'll redo the plans and get us–

Ted C. Ziemer, Jr.: Yes, sir, and what will have to happen then–

Steve Hollen: That's what I was going to say.

Ted C. Ziemer, Jr.: –is that the cost for that will go up, because the plans have to be redrawn, and I don't know anything about sewer plans–

Steve Hollen: I hope not.

Ted C. Ziemer, Jr.: –but they'll leave out what they've got for Highway 57 and would do it for only Bohannon Estates–

Steve Hollen: Right.

Ted C. Ziemer, Jr.: –as you say. There's a cost increment involved in that, and, I don't know how the project costs will be compared to with 57, but it will cost them more money. When at the outset when this was being planned–

Steve Hollen: I think that's all (Inaudible).

Ted C. Ziemer, Jr.: –the people in Highway 57 were in favor of it.

Steve Hollen: And I think everyone that signed it at that time was in favor of it for the simple cost factor wasn't \$10,000.

Commissioner Tornatta: But, you're one of 56–

Steve Hollen: Yeah.

Commissioner Tornatta: –so between now and the 21st, if it's what you choose to do–

Steve Hollen: Exempt me, yeah.

Commissioner Tornatta: –to find those 23 or more–

Steve Hollen: Yeah, I'm either going to be for it or against it.

Commissioner Tornatta: That's right.

Steve Hollen: Whichever way it goes, that's the way it goes.

Commissioner Tornatta: Yeah.

Steve Hollen: I was just trying to make a solution on it.

Commissioner Tornatta: Right. Yeah, right now what Ted's saying–

Steve Hollen: The people in Bohannon wants it.

Commissioner Tornatta: –is you can't, what's done is already done.

Steve Hollen: Exactly.

Commissioner Tornatta: And you can't pull that back.

Steve Hollen: Exactly, but I do believe that the cost factor would stay at the \$7,000 mark you would get 100 percent participation, but not at \$10,000.

Ted C. Ziemer, Jr.: Thank you, but to finish then the comments I was trying to make about the Commissioners having a dog in this fight, at the conclusion of this hearing, the Commissioners will take a vote on a resolution to determine whether they believe the benefits of this project are equal to the cost of the project. If they adopt that resolution, then it goes forward and that is the time during which from tonight until the 21st of June, 23 people have to file a written statement with the Commissioners that they are against this project.

Commissioner Tornatta: Then, go forward from that point.

Ted C. Ziemer, Jr.: From that point on.

Commissioner Tornatta: No, go forward with what would happen from that point on.

Ted C. Ziemer, Jr.: Oh, what do you mean?

Commissioner Tornatta: Well, then—

Ted C. Ziemer, Jr.: Oh, I'm sorry, it goes to court.

Steve Hollen: Right.

Ted C. Ziemer, Jr.: Then a judge will be reviewing this and determine whether the project has public utility of sufficient amount to justify going forward at the proposed price for the 56 people in the subdivision. He'll hear evidence submitted by the property owners, by their attorney, which the property owners will pay for, because you have to get an attorney to represent you in that action, and the county will be represented by the county's attorneys, and the judge will make a decision. I have no idea what that decision would be.

Justin Shofstall: I guess, for me to follow up and reiterate on that, we were approached and it was whenever we had the significant amount of the property owners to, that showed interest in doing the sewer, that's when we moved forward with doing design work. We can't provide a construction estimate until we have the actual plans finished up, or at least as far as a, what we consider a quality draft of construction plans. At that point, after we had done that, had the meetings and also had provided the letter giving that price range up to about \$7,000 for construction on the sewer itself. That goes back to, I think, the meetings on there was December 11th, the one we had in McCutchanville Church, the meeting that one of the other adjacent property owners had acknowledged as well.

President Melcher: Thank you.

Barbara Alvey: My name is Barbara Alvey, and I live at 11612 Highway 57. I was for it at first, but now I'm against it, because they tell me I have a piece of land next door to the home, and if I have to pay \$9,666 some odd dollars for the home and for the lot, I'm definitely against it. I have a perfect system. My septic system is fine, and the home has been built in 1963, never had a bit of problem with it. I'm by myself. I'm on a fixed income, and I cannot handle it. So, I want to get out of it.

President Melcher: Okay, thank you.

Barbara Alvey: Thank you.

President Melcher: Next? Okay.

David Hale: My name is David Hale, and I live at 4027 Boonville-New Harmony Road. Of course, I bought my house after this started. I did agree to let them run the line between my property and my neighbor because there were some people for it, but, again, it was at a lower price. I was against it at first because I have a fine septic system. I can't see paying for the sewer, paying to tap in, and paying \$60 a month the rest of the time I live there. I don't see it. I'm kind of dumbfounded at what I'm thinking here, but the fact is my septic system works. If you do come out and you have them pumped out once in a while and you have your lines cleaned out, they'll work just fine if you don't just let them overfill. I just want to let you know that I am against it now, and I did sign for it when it was cheaper, and agreed to let them run it through my property. I was going to throw a fit at first, and I thought, no, because there's some other people that want it. But, no, I'm not for it at this price. I think they overdid it. That's all I've got to say. Thanks.

Donna Brown: Hi, I'm Donna Brown. I live at 11636 Bohannon Drive. Me and my husband had our house built, we did a lot of the work ourselves. He worked at Whirlpool. I lost him October the 19th of cancer. At first we were for it, but with the ungodly bill that has come up, there's no way that I can afford it. When we had our sewer put in, we had extra lateral put in, and the man that came from downtown, the Health Department, he said he thought that was a wise decision, because you can always do things inside the house later, but when you're doing the septic system it's important, if you're going to go with extra then is the time to do it. We have used Rid-X the first of every month, we raised two girls, and girls can go through a lot of clothes, and we've never had any trouble with our septic. At this, I think this has been blown out of proportion. Roger Bass was unemployed, he was with Andy Easley quite a bit, talking, getting it going, and the Barrett Law was going to be so good to all of us neighbors. The Barrett Law ain't doing nothing for me, and now that my husband's gone, I'm on a fixed income, and as you know, you can only stretch a dollar just so far. I pray that this project will not go forward. Thank you for your time.

Darrell Decker: My name is Darrell Decker. I live at 11717 Bohannon Drive. On our Barrett Law with this road we just got done, I believe it was starting out at like \$4,000, and then it ended up with over \$10,000. Now, this is \$6,000 and ended going, it's going to go over \$10,000. I mean, there's something crooked going on here. That can't be right. We're given a price of what one thing costs, and we all jump in on it, and then all of a sudden when the final price comes in, then we're locked in on it. I mean, it's ridiculous. I can't even sell my house now. By the time they put this on the Barrett Law with the last \$10,000, that's \$20,000 more dollars I've got, you know, in Barrett Law. You know, I work at Whirlpool, I'm losing my job next week. I was for this in the beginning, but this price, and Andy Easley Engineering, there's something very wrong going on here with this price increase. Like I said, I was for it, but now I'm against it because of the price. Thank you.

President Melcher: Any other?

Bill Jeffers: My name is Bill Jeffers. I live at 2641 Malibu Drive, not inside the boundaries of this project, but down the road about a mile. I just wanted to add some perspective for all persons who live out there, and for those of you on the Board. John asked me, whispered to me a few minutes ago, did we have this much fun with our Barrett Law project? I told him, we had more fun. Basically, Brenda and I owned a home at 6608 Kimball Drive for 20 years, beginning in 1981, and we were in the first Barrett Law project ever done for a sanitary sewer in Vanderburgh County, because the law just went into effect in the mid 80's I believe it was, '86 or so, that you could do a sanitary sewer project with Barrett Law, before that it was sidewalks and roads only. So, at the time a good percentage of the septic tanks in our neighborhood had failed, and the County Health Department came out and drew a line around 42 properties and said you can't sell that property until you put up an escrow account to cover the cost of a Barrett Law improvement to replace your failed septic tanks with a common sanitary sewer line that connects to the city system. So, if you did want to sell your house, you had to put up an escrow account. That was because there was a severe pollution of the neighborhood by so many failed septic fields, one of which was ours. It started out very minor, and year by year it got worse and worse and worse until at a certain point I actually had to go out and bust a hole in my, in the outflow from my septic tank and hook up a plastic line and connect it over to a storm sewer. I hope the statute of limitation has run out on that, but that's how bad it got, and everybody in the neighborhood did something like that. A gentleman got up here and told you about garden hoses and heaping piles of dirt,

we had people, kids running through back yards that sank down into the septic field waste deep in sewage. That type of thing was going on. So, it would be a real shame, in my opinion, if this sewer project were to, well, let me put it a different way, it would be a real shame if the cost of this sewer project, and the projected sewer rate increases by the city, plus the 35 percent county differential in rates would ruin this opportunity to rid a neighborhood of an unsanitary condition. I worked for years with Sam Elder on site review and subdivision review down here. Sam Elder is the just retired Director of the Health Department, and in all the reviews of new subdivisions, before the two and a half acre rule, Sam continuously told us in the types of soil that are common in Vanderburgh County, there's two kinds of private septic fields, those that have failed and those that will fail. It's because of the soils, except for down near the river where the soils are sandy, especially in Knight Township down near Angel Mounds, except for those types of soils, what we have in Vanderburgh County are those that will only support field tile lateral for a short, relatively short period of time. He said 12 to 18 years. So, we went to the two and a half acre rule. Even yet, with the two and half acre rule, the Health Department has to come out and do a perc test to determine where you can put a septic field in that two and a half acres, or if you can put a septic field or whether you have to go greater than two and a half acres. I would also like to add for perspective that Andy Easley, whom I love, and with whom I had many arguments. I learned how to survey working for Andy Easley, beginning in 1977, and I owe a lot to Andy Easley, but there were many times that I disagreed with him vehemently. But, he was a wonderful man with a good heart, and he just always underestimated, I think because he himself was so conservative that he wished things weren't going to cost as much as they ultimately ended up costing. When he estimated our Barrett Law project, the first estimate was \$2,600 per house, and I believe the last final cost was \$6,100 per house, but that was at a time when the Barrett Law wasn't as refined as it is today, and we had to, even though the estimate was for a lesser amount than what we ultimately ended up paying, we had to pay the greater amount. We even had to pay for a \$10,000 mistake that the contractor made. So, what you have today is a much more refined system, legal system, and what you see apparently is being represented as the maximum cost. That wasn't the case under our Barrett Law system. I guess, in conclusion what I want to point out is that in the past week or so I've made some comments in front of the City Council that I think some issues need to be resolved about sanitary sewers and storm water sewers and the billing rates that they're projecting, and that is, that has been brought up by some of your remonstrators here tonight that if they do hook up they'll have to pay a higher sewer rate in the near future than what today's rate is per 1,000 gallon units. They will have to pay a much greater rate, because the city is taking on \$50 million worth of storm water improvements and paying for it out of the sewer rates. What really bothers me is that in addition to those of us in the county paying for projects that are occurring in the city, we also have to pay a 35 percent differential above what the city residents pay for their sewer disposal. I would like to see it proved that it costs 35 percent more to treat our, to transport and treat our sewage than it does in the city. Because, I know for a fact there's many areas in the city that are so flat out on the east side, all the way out to the Warrick County line, that they have to pump their sewage over to the eastside treatment plant, where a lot of ours from the county is gravity flowed and doesn't encounter any pump stations until it's inside the city. That's just an example, but what I'm basically saying is that those of us in the county, such as the Kimball and Caranza Barrett Law, the Bexley Court Barrett Law, the East Browning Estates Barrett Law, and, I believe, Bill Fluty pointed out the Evergreen Acres, all of us went through this process the way that Bohannon Estates is going through it, and all of us ended up paying for our sanitary sewer improvements. When we had failed septic tanks, we paid the price. It ranged from,

in our case after we got all said and done, I remember it was \$9,100 with the tap in fees and the plumbers fees and everything. I believe, generally it's going to run between \$8,000 and \$10,000 per house, and we paid that price. Now we're hooked up to the city system and we're paying an additional price so that our money can be taken over to Mt. Auburn, to Cave Avenue, and to Frisse Road to their failed septic systems because they need seven million dollars to fix their problem, and our differential rate of 35 percent is going to pay for that, and they're not paying anything. They're not paying any assessment. To me that's what needs to be taken into account here. Maybe they need to assess those projects \$10,000 per house to offset some of our future costs. I would like to point out also that the county when Jobe's Lane had this problem, did they have to do a Barrett Law system? Did they have to pay a special assessment on Jobe's Lane?

Commissioner Tornatta: Yes.

Bill Jeffers: They did?

Commissioner Tornatta: They had a Barrett Law, I believe.

Bill Jeffers: No they did not. That was casino money I believe.

John Stoll: I don't remember what grant fund it was, but there was some State grant that funded the water and sewer extension—

Commissioner Tornatta: Okay.

John Stoll: —out there.

Bill Jeffers: So, all I'm really asking is for fairness in the process. If the county residents have to go through a Barrett Law system and then pay a 35 percent differential rate to help out other parts of our community, I think those other parts of our community should have to pay a fair assessment as well. If there are State funds that can offset the cost to this project the same way as State funds offset the cost to Jobe's Lane, then I think that should be sought out, even if you go forward with this, I think everyone deserves a fair shake in this situation. One other item that one of the remonstrators brought up was what would happen if nothing is done out here, but I believe he called it just a common storm water combination sewer system, whenever it rains it just all flows across the ground? What will happen there is under Rule 13, Clean Water Act, the county is responsible for detecting and eliminating illicit discharges. So, something would still have to be done. If sewage comes out of this neighborhood and goes over into Schlensker Creek, or the County Highway side ditches and it's detected, the county is responsible to eliminate that sewage from surface water and creeks and ditches. So, as a neighbor of these people, I'm just asking for fairness in the entire system, and for some consideration by this Board, by the Water and Sewer Utility, by the City Council, when all of this money is being asked of these people, that some measure of fairness be interjected into the system. Thank you. Brenda asked me to remind everyone of one other item. The value of our home went up over \$10,000 when we went on to the sanitary sewer system. In other words, the actual value, because we refinanced our house to pay the Barrett Law price, and when it was reassessed our, the value of our home went up over \$10,000 from the previous.

President Melcher: Is there anybody else?

Commissioner Tornatta: You're mic's not on.

Unidentified: (Inaudible. Not at microphone.)

Commissioner Tornatta: You'll have to come up, please.

Lisa Messel: I just want to clarify something. So, you're telling me that Andy Easley knowingly lowered the cost to rope us in to a project because of his conservative heart? Is that what you just said? Because that's what I just heard? Because his conservative heart doesn't pay my Barrett Law.

Bill Jeffers: I did not say that, and I did not intend to say that. I'm not going to clarify it, because I didn't say that.

Lisa Messel: You did say it. That's exactly what you said.

Commissioner Tornatta: Okay. Mr. President?

President Melcher: Yes?

Commissioner Tornatta: I would like to make a motion right now. We have a lot of unknowns, and that's why we have hearings. With that being said, I think there are, there is some information that I want to find out from the City Sewer Department, and I would like to move that we rehear this particular Bohannon Estates sanitary sewer Barrett Law project at a subsequent meeting. Is that, the 29th too soon? Or do we need more time?

Ted C. Ziemer, Jr.: Madelyn, we have to give new notice, and it has to be published in the newspaper more than ten days prior to the meeting.

Commissioner Tornatta: How about we do it after July 12th when the City Council would vote on the rate initiative?

Madelyn Grayson: You meet on July 6th and July 20th.

Commissioner Tornatta: So, it would be July 20th. We would readvertise the—

President Melcher: Let's, let's say the 20th would be it, but do we really have to readvertise and send all of the....because—

Commissioner Tornatta: We would have to.

President Melcher: —if we set the date tonight.

Ted C. Ziemer, Jr.: Yes, but there are many people who aren't here tonight.

President Melcher: No, I understand that.

Ted C. Ziemer, Jr.: The only way, I think, that, under the statute, that we can keep...because that sets the time—

President Melcher: Okay.

Ted C. Ziemer, Jr.: —when they must file their remonstrances.

President Melcher: Alright.

Ted C. Ziemer, Jr.: So, if we're going to—

President Melcher: I would rather take it to the 20th then.

Commissioner Tornatta: It would, it's going to cost \$125 probably, with getting everything out.

President Melcher: I would rather set more time, because like you said, ten days, you have to turn around and start doing it. I want more time.

Commissioner Tornatta: Right.

Commissioner Winnecke: I would second that motion. If I may, I would like to make a comment too, whenever it's appropriate.

President Melcher: Right now is appropriate.

Commissioner Winnecke: Okay, what convinces me to not move this petition forward, this resolution forward tonight is the fact that by my count 14 folks appeared here, spoke or submitted a written testimony against that. Almost everyone said they initially supported it, but now oppose it. And, with only two out of the 14 supporting it, I'm not convinced it's the right thing to do. I agree with Commissioner Tornatta, there's more unanswered questions than answered questions, and perhaps it gives the remonstrators an advantage over the folks who support it, but in this case I think it's the fair thing to do so that we can get whatever additional data each of the three of us need to make an informed decision. We can get a...you know, I, for one would like a better feel for out of the 56 how many really do support it today? Because, I mean, based on, based on the cost estimates from October of 2007, \$6,400 to \$6,900; \$6,600 to \$7,100 in, you know, just two months later, and then in '08 \$6,470 to \$6,900 to what we have today, you know, I guess I don't understand that well enough to vote on it tonight. So, that's why I support the move to delay it.

Ted C. Ziemer, Jr.: Just a comment as to the law. You must then set a date for a new public hearing, which we will advertise, and in addition notify all land owners by certified mail. At that hearing, no matter how much additional information you obtain, the question to be heard will be going forward with this project, or not, at the cost of \$541,044...maximum cost of \$541,044.82. So, nothing will change except you're hearing it at a later date than tonight.

Commissioner Tornatta: Well, there will be something that will change. We will know what the City Council, what they anticipate that rate hike will be, which will give another layer onto the people's decisions in this room and out there in Bohannon Estates on whether they want to take on that type of liability.

Ted C. Ziemer, Jr.: And, just to, and you're right, and then the time to file your written objections will run from the date of the new public hearing and not from tonight.

Commissioner Tornatta: I want to make one point. As we have said that it is to the advantage of the people who don't want it, I don't know that I totally agree with that, those who do want it....I think both sides need to find out where their neighbors sit on this issue. They need to find what threshold they're willing to pay, and if that's not

what this package is, then, I think that's when you start to get in your camp. So, I'm not telling it to teach you anything, I'm telling it just to say find out where your neighbors stand. At that point if we meet on the 20th all the information is given, whether it's anything more than you've been delivered tonight, or less, the point will be that five day period after that period would be the time when those 43, 40 percent or 23 homes needs to go out and go against it. I think that delivers the information really that the Commissioners want to bring forward, or if there's that many more for it, then that's the time where they can proceed. Those, knowing that those 23 members have to hire an attorney, and will have attorney expenses if the threshold over that 23 is broken through. So, I just want to make sure all that information is out there from the Commissioners side so that you know that we're trying to be upfront and give you all of the information.

President Melcher: I guess this is one thing that I was going to bring up later on, but it's probably essential to bring it up now, or one of us was probably going to bring it up. I'm going to try to get the Water Department to come in, Bill, and answer some of these questions. That way we'll bring it in here on our meeting, because I spoke to some people too, and I'm kind of confused on how it works. Does it work on top of the 30 percent or is it below the 30 percent? You know, I think everybody ought to be treated equally. So, I think we're going to ask them, I know we're going to ask them to come in. I can't say they will, but I don't see why they would not want to come in. So, we'll definitely be asking those questions, and I'm going to see if they can come the week, the two weeks prior to our decision. So, if it's going to be on the 20th, that's going to be your motion to table it to the 20th, then I'll ask them to come in two weeks earlier than that.

Commissioner Tornatta: And, Dwight, to your question about representation, I feel like that's what the Commissioners are here to try and do. Although we don't have a seat on that board, we have been in contact with City Councilmembers about our displeasure with paying an amount more than what everyone else would pay. So, I think we are on that task. Obviously, we're going to follow through as much as possible. We will be at that 12th meeting if we feel like the county is in jeopardy of a rate hike.

President Melcher: Any further discussion? I think we're done. Does everybody out here understand what we're doing?

Dwight Markwell: That June 21st deadline—

Commissioner Tornatta: Is done.

President Melcher: It's gone.

Commissioner Tornatta: June 21st deadline is now moved till after the hearing, and then it will be an additional time.

President Melcher: Okay. Seeing no others, we'll go ahead, Madelyn, and call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: So, with that we'll end the public hearing meeting of this this evening. Then, mark your calendars to be back on that date on the 20th. You'll get another certified letter also.

New Business

President Melcher: Next we have new business. Is there any new business?

Old Business

President Melcher: Old business?

Public Comment

President Melcher: Any public comment? Please state your name when you start please.

Bill McKeon: Yes, good evening, gentlemen, my name is Bill McKeon, 2611 Deerfield Drive, Evansville, Indiana.

Commissioner Tornatta: Excuse me. Excuse me, hold on. We're still conducting a meeting. Sorry.

Bill McKeon: I just listened to the statements of law, I'm not an attorney nor a litigator, but I would like to reference a couple of points though referring to the law. One you have your city and county zoning code, 17.08.020, which says the purpose of this title is to promote the public health, safety and general welfare of the county to enhance the use and enjoyment of property and to provide for the regulation of land use in the community while preserving the right of the individual property owner to use and enjoy his property. With that said, in 1962 *Griggs vs. Allegheny County*, that's the Pittsburgh Airport, the Supreme Court ruled the airport proprietors were responsible for the excessive noise, and were responsible for damages resulting from the aircraft noise. In the greater *Westchester Homeowners Associations vs. the City of Los Angeles*, homeowners sued the City of Los Angeles for the nuisance theory of personal injuries sustained as a result of excessive noise from aircraft and the city airport. The court ruled the city had the choice, it was not forced to develop that property. What is nuisance? Nuisance is defined as the substantial and unreasonable interference with the use and enjoyment of the land of the homeowner. Nuisance liability, what is that? That's based on the ancient common law concept that should not be, that no one's land should be injured by the property of another. Although airports are not per se nuisances, they do become nuisances by reason of construction or operation or location of aircraft. The aircraft may not, I repeat, the aircraft may not fly directly over a homeowners property, but they're still liable. In the case of all those cases I just mentioned, it's the proprietors, now I

stand to be corrected, but I believe the Evansville Regional Airport is a public utility governed by the City of Evansville and the County, whereupon you appointed those commissioners, those authority members. You appointed two, I believe, and the city appointed three, therefore are liable for any damages sought by homeowners referring to it. Now, just a couple of questions for you gentlemen, if you will bear with me. Was the County Commissioners cognizant that the highway, the Airport Authority was going to rip up 2,414 feet of southwest runway 4.22 and extend that 2,414 to the northwest, which affects me. Now, there was a quote from an individual who attended the meeting, one of the meetings, and it was written by, or it was incorporated within the Channel 14 that this one individual was happy at what he saw. The individual, I don't know him personally, he doesn't live in our area or approximate within a mile of our area, I believe it's one mile seven tenths of a mile, which is quite a distance. I live closer, two tenths of a mile away from that runway. That's a big, big difference, two tenths versus one mile and seven tenths. Now, gentlemen, and young ladies here, rhetorically the people who are running these meetings are great when it comes to, well, how do they say it in Washington? Oh, misspoke. I believe one of your Commissioners here, along with one of my neighbors was there when we asked different questions of the airport manager. Was there going to be sound barriers? Where? When? What's the decibel readings? So on and so forth. When the last meeting, which you might have seen me on t.v., because I told them that I knew more of what's going on than they did. Who were the people representing or presenting the discussions for the neighbors? You had Indianapolis people. They don't know anything about us. They didn't know where I lived. They don't know how far I live. They don't know anything. They are paid employees sent here. I had a few words with them too. The point I'm making, gentlemen, is what they tell you today is not what they do tomorrow. I was told that the extension of that runway 4-22 that was running northwest was a buffer zone. I believe you people told me the same thing. It was a buffer zone. There was a Chicago Midway airplane that ran over the runway and caused some damage, and the FAA wants to protect that. So, they recommend 1,000 feet of buffer zone. I thought that's what we were talking about. What they did is they picked up 2,414 feet from here and they moved it there. Now, what was the purpose, what is the real purpose? What is the length of the property of runway 4-22? Does any of you know? It's over 8,000 feet. Do you know what the extension of the other runway? It's only 6,000. Why couldn't they have extended that? Anyway, be as it may, gentlemen, I'm going to ask you, do you know how many flights come in and out of the Evansville Regional Airport per day? If you don't know, if you're not cognizant of that fact, I'll tell ya. There's only 14. I've got a lot of papers here, I've been on the phone with EPA, the FAA, and the Terre Haute Airport, and did you know that there's only two airports in the State that have applied for the 150 Federal funds, and that's Terre Haute and Indianapolis? Anyway, what I would like to know is what is the reason for the last meeting when proposals were already submitted? When I asked the gentleman who was the project manager that I was a little disturbed at being awoken at 7:30, and it would extend until 5:30 in the evening of the banging and banging of the dump trucks, I was told that's not the runway project, that's a different project. Are you aware of a different project? Or did he bullthrow me? That's what we're always getting. Good, good defecation. Okay? I had the local people do a survey, and the decibel point that the FAA recommendation is 65 decibel, although some have recommended 55. It's just that a couple of planes that landed at 9:15 and they'll complain it was 75. At 9:30 it was an American Eagle was 72. That is exceeding the 65. Are any of you people aware of that? Are any of you people protecting me? We talk about the safety, and the United States Supreme Court has ruled that the safety of an individual is one of the most important aspects of life, and therefore anyone is liable if one's property is disturbed. My property is

disturbed, gentlemen, and I am quite, quite concerned. I've been fighting this issue, I've met with people, one of your Commissioners met with me and my neighbor. We went and we discussed things. I've gotten no satisfaction. Now, something is going to be done, because, again, I am going to the Federal government, with the EPA, with the FAA, I've got a complaint in with the FAA right now. So, gentlemen, I don't know what you want to do, but the fact that you are the authority....now, the FAA which was, oh, I think it was 19, well, whatever it is it's immaterial, it's as far as 1950 or '70 whatever it is said they were concerned about aircraft operations, but they were not concerned about the noise. That was a local, state responsibility. Therefore it falls upon you. I'll let my neighbor speak for the rest and I might have another word after he speaks. Thank you.

Ted C. Ziemer, Jr.: If I might comment just on one aspect of the law—

Bill McKeon: Yes, sir.

Ted C. Ziemer, Jr.: —you cited.

Bill McKeon: I'm not a lawyer nor a litigator.

Ted C. Ziemer, Jr.: But, I am a lawyer.

Bill McKeon: I know that.

Ted C. Ziemer, Jr.: And I'm just going to tell you that I disagree with one statement that you made.

Bill McKeon: Go ahead.

Ted C. Ziemer, Jr.: Which is that the Commissioners are liable for—

Bill McKeon: It said proprietors.

Ted C. Ziemer, Jr.: You said that they were liable for damages that you would incur because of noise at the airport. Let me finish please. You based that on their having appointed two members to the Airport Board. They do appoint two members to that board, and the city appoints three members to that board.

Bill McKeon: I'm very cognizant.

Ted C. Ziemer, Jr.: They are appointed for designated terms, and after they are appointed, neither the Commissioners nor the city have any authority at all over the actions of those members of the Airport Authority Board during their terms. If they are dissatisfied with the way they perform as appointed members, they don't re-appoint them, but during the term of the appointment, they can't remove them, and they can't direct them to do anything. The only suasion they have at all is if those people want to continue serving, then they may decide that they want to perform in a way that satisfies the people that appointed them. But, they don't have to do that, and the Commissioners, neither the Commissioners nor the city have any liability at all for what the members of that board do as members of the board. So, that's the only thing I wanted to be sure we cleared up.

Bill McKeon: Well, I appreciate your clarification, but if I misspoke, I apologize. It's the proprietors of the airport. If you would be so kind then to tell me who are the proprietors?

Ted C. Ziemer, Jr.: The Evansville-Vanderburgh Airport Authority Board.

Bill McKeon: Right, and that's who I was referring to.

Ted C. Ziemer, Jr.: Okay.

Bill McKeon: The members.

Ted C. Ziemer, Jr.: That's not this Board.

Bill McKeon: No, I referred to the Authority Board who were appointed by this Commission and three by the City Mayor.

Ted C. Ziemer, Jr.: The fact of their appointment by this Commission and by the Mayor, that's the end of their responsibility so long as they're serving. They have no authority.

Commissioner Tornatta: And they're bonded. They're bonded as an individual.

Bill McKeon: Well, then, again, like I said, I'm just citing Supreme Court ruling. You can look it up. I mean, it's good. You get on the internet and you find all these different laws and it's interesting if you pursue it, which I have.

Commissioner Tornatta: Bill? Bill, right here. Who's your neighbor? Let's hear from your neighbor. We've got a meeting right after this one, so, we would like to pick the (Inaudible) up.

Bill McKeon: Well, Troy, I hate to interrupt you, but, you know, I'm more important than any other meeting after this, because I'm a citizen. You represent me as a County Commissioner. Your, my concerns should be your concern, not what's going on next. Okay? Give me the courtesy, okay? Thank you.

Steve Sackers: My name is Steve Sackers. I live at 2620 Deerfield Drive in Malibu Park Subdivision. I've lived there for 23 years, and I think the Airport Authorities have made a big mistake. I don't think they planned very well. If they had foresight, the subdivision that I live in would not be there right now. So, they've got themselves boxed in, and, unfortunately, I'm an unlucky recipient as well as Mr. McKeon and Mr. Jeffers and several other neighbors. We're having to deal with the sound pollution. Currently the decibel readings are right at 75. They asked Mr. Working to come out and send someone out to take decibel readings and he found that unnecessary. He didn't think that was important. I said, well, sir, I think you need to have a comparative. So, Mr. McKeon took it upon himself to contact the local EPA and they got a reading of 75 decibels. I'm not really sure that that was a real good reading, because there's times when the jets fly over our homes, which they shouldn't and they're a lot louder. So, this kind of leads me to the, Congress declares that it's a policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare. That's the Noise Control Act of 1972. I still think it's in place. Acceptable decibel levels are 65, me speaking right now is about 60 to 65. Planes on an airport runway is about 120, the threshold of (Inaudible) is 135, and if you're near a jet engine when it's full throttle, it's 155. Then

extending the northeast end of the runway, the sound levels are definitely going to go up. We've asked about what they are going to do in regards to deadening the sound, and we're not getting solid answers. They're saying berms, they're saying sound fences, but I've looked at some of the maps and how they were going to do that, and I don't see how that's going to work. I live in a split level home, and during the spring and fall I like to enjoy the weather and open up my windows, and there is times I cannot hear my wife talk, sometimes I cannot hear the t.v. set, I can't even talk on the telephone, which is a real negative. This noise pollution can cause hearing impairment, they've done a study on this, hypertension, heart disease, annoyance, sleep disturbance, it stimulates aggression, and anti-social behaviors. So, I'm for growth in the Evansville area, but under these circumstances, the quality of life is going to go down if I continue living there. If I try to sell my home, I'm going to have some complications of people wanting to buy my home will be far and few between. So, I may have to take legal action, and I'm not really sure exactly what my next moves will be, but I wanted you folks to understand that this is not something that's just, something that can be ramrodded through. This is something that's kind of serious, because it affects a lot of people in that neighborhood. So, that's pretty much all I wanted to say this evening, and let everybody know how I feel. Thank you.

Bill McKeon: There was just a couple points I forgot to mention. Within that *Griggs vs. Allegheny* court, the nuisance was if you can't talk on the phone and hear, or flights awaken you at night. That's my point. Last week there were three flights come in that woke me up between the hours of 2:00 a.m. in the morning and 3:00. I called the airport the next day and asked what flights were that come in at that hour. They referred me to the tower. The tower said we don't know. We shut down at 11:00. I said, anybody can come in to this airport and you don't know who's coming in at what hour when you shut down? Well, we can't reveal the information that you're seeking. Well, then I called the newspaper and I asked the newspaper to investigate. I never got back. But, now, awaking me in the middle of the night, three flights and no one knows who they are. Now, the last point was, I just had a senior citizen moment here, because, Lloyd, you were with me with my neighbor and I just lost the point. Gentlemen, just in case I'll have it on the record if you would, I've had three heart attacks, I'm wearing a pace maker, and I've gone through three cancer operations, so, you know, I've lived a hard life and I'm still living and I'll still fight everybody and anybody.

Bill Jeffers: Good afternoon. Thank you for your patience. Bill Jeffers, 2641 Malibu Drive. I'm the third closest property, or we, my wife and I, are the third closest property to the end of the new runway extension. There's only two homes that will be closer and that's my next door neighbor and Mike Hart, who's 150 feet closer than I am. These two gentlemen are my neighbors. Steve lives right across the street, and Bill lives on up the street just a little bit further. They hear the same noise I hear. I hear the same noises they hear. I hear it at a higher decibel than they do. Sometimes I can't hear my wife and that's a blessing. I can blame it on the airplanes when she says you weren't listening to me. But, anyway, I think what you're seeing is frustration, and I think there is a definite source of that frustration. That we're not getting, Steve said we're not getting solid answers. It's not that so much, I mean, that's very true, but the answers we are getting keep changing. The last time we were here I objected strongly to a couple of comments by representatives from the airport. One of them said you get used to this sound. I say you don't. I live with it. He doesn't. I do not get used to it. The other thing that I objected strongly to was the representative from the consulting firm that is designing and taking comment said we will "try" to abate the sound. I said, well, he told me, directly face to face they will

abate the sound, but then he comes before you and he says we will "try". You remember the conversation, he tried to clarify that. But, then we go back to the final hearing, the final presentation a week or so ago, and it shows they are going to purchase the property behind our home. That was property that Brenda and I were trying to purchase from Mr. Russ Siler, Jr., and Mr. Russ Siler, Jr. was accepting our offers, not accepting them, but he was receiving our offers and asking us to continue negotiating with him. Then all of a sudden he doesn't respond. As soon as this thing was announced, no response from Mr. Siler any longer, and I had made an offer. The reason I had made an offer is because we wanted to establish a buffer behind our home before the airport bought that property. Why did I want to establish a buffer? Because when they bought the farm property across Highway 57 from us, it was annexed into the city. When they bought the farm property along the south line of our subdivision, 150 feet from my home, next to Mike Hart's property, it was annexed into the city. The city required them to rezone, and they rezoned to the maximum rezoning, and at that time I was told I had to remove myself from that seat over there on the Area Plan Commission if I wanted to make any comment on it. All I was asking for was to establish a buffer zone. They said they didn't have to do anything, they were independent of local zoning code. All I asked for was a buffer. Mr. Melcher remembers that he was on the City Council at the time and was the only member of City Council to vote against the rezoning because, not for me, because there were other neighbors in other subdivisions that asked for the very same thing. Establish a buffer to abate the consequences of having maximum industrial zoning right next to our homes and our schools, Oak Hill School. They would not do that, but they want to be a good neighbor. Or they tell you that they want to be a good neighbor. This is the source, these are sources of frustrations that we're having. So, now, Mr. Siler won't negotiate with me for the purchase of that, and I said, okay, I don't want to purchase your property, I only want to purchase an easement. Just give me a 25 foot easement into that property before you sell it to the airport so that I can dedicate that as a permanent conservation easement for all time, and then I can establish my own buffer. Because they're not telling me they're going to, they're telling me they're going to "try". Word I got back through round about ways, he wouldn't reply to me, but word I got back was that might negatively impact the airport's ability to buy and do what they want to with that property. Now, the representative who told me, at the last hearing, why would I say we're going to purchase that property if we're not going to do something to use it to abate the sound? But, they're not showing it on the plans. Why would we buy that property if we're not going to use it for noise abatement? You got me, buddy, because I don't know. Why did you buy that farm property over there, but you won't establish a buffer. So, I called them on the phone after the meeting and asked, you know, what is this? You know, why is it always changing? Why do we not get solid answers? Why do the answers always change? He said, oh, it was your idea for us to buy that property. He said that to me. It was your idea, we wouldn't have even thought about buying that property behind your house if you hadn't of asked us to. Never, never, never, I wanted to buy it. I'm disappointed I can't buy it. But, now, all of a sudden it was my idea for them to buy it. This is what leads to all of this frustration. The 65 decibel zone shown on the plans, the line clearly gets within or touches Mike Hart's house. When I brought that up, oh, no, that doesn't. It touches his property, which they said early it doesn't touch any residential property. At the open house they said none of the 65 dba line that we have analyzed will touch any residential property. When I pointed out that it almost or did touch Mike Hart's foundation, they said, oh, no, it does encroach on his residential property, but it doesn't touch his house. We're not getting solid answers. It doesn't encroach on residential property, but when you show them that it does, but it doesn't encroach on his house, but when you show them that the line does actually touch his house, oh, well, that's just you

know an ink stroke. So, these are the sources of frustration, or these are typical of the sources of frustration. I just thought you should know that most of it's on record if you listen to your last tapes, the last time they were there, you'll see what I'm talking about. The answers they give are nebulous, they change, they say they're going to "try", then they say they're going to do it. Then, after the meeting is over they're back to well we're going to "try". Now, some of it's not even we're going to try. Now, the last thing we got was, you guys need to form a homeowners association, or you need to form a neighborhood committee, then when we actually get down to drawing the construction plans, we'll sit down with you and, "if both sides agree to something, it will be done". Which means to me if the airport doesn't agree, if we want a sound barrier and the airport doesn't agree to it, it won't be done. That's the last answer I got, you need to form a neighborhood association so that when we actually get down to concrete plans we have someone to sit down with and talk about the things we can do, and, then if those sides agree, it will be done.

Commissioner Tornatta: So, where do you stand with that?

Bill Jeffers: Where do I, what do you mean? I'm frustrated.

Commissioner Tornatta: No, no, no, my point is, if they're asking you to get a group of neighbors together that are in the affected area, can that be done so that if there is a question that they can go over that with those people in the affected area? Is that a possibility?

Brenda Jeffers: May I say something?

Bill Jeffers: Yeah. Yes.

Brenda Jeffers: Brenda Jeffers, 2641 Malibu Drive, and that is our intention to contact every household in our subdivision and ask them if they would like to be part of this airport committee. We'll see what happens. I think that there's more people...for instance, let me tell you about a resident that moved in in October. He got wind of what the airport wanted to do, and he went over and talked to Bob Working, and Bob Working told him, oh, no we're not going to extend the airport northwest, we're going to buy Whirlpool and we're going to go that way. That was last October. So, this man bought the house. I think we're scared. We have a wonderful, middle class neighborhood. I love living there. All the other people love living there. It is a wonderful, small subdivision. We don't want to move. We're afraid, we're scared. We're scared our property values are going to tumble, and we just want the airport to be the good neighbor that they say they are. But, yes, I plan on trying to, you know, get this committee together through communication.

Commissioner Tornatta: Right, and, I guess, you know, one of the things that I've been a part of this project going on, been at several of the public hearings—

Brenda Jeffers: Right.

Commissioner Tornatta: —the one thing that I keep getting back from that group out there at the airport is the FAA keeps changing the rules on them.

Brenda Jeffers: Well, I don't think that's true.

Commissioner Tornatta: Well, I know it's been true on several occasions, and then you throw in Whirlpool's situation, and there have been several things—

Brenda Jeffers: Well, let me tell you—

Commissioner Tornatta: —and I'm just telling you from—

Brenda Jeffers: Okay.

Commissioner Tornatta: —somebody who has started this when the people were hired through the process, I have seen changes and I've asked some of these same questions, and the people at the airport—

Brenda Jeffers: Did you attend the board meeting? Is that what you're talking about? Or the public hearing?

Commissioner Tornatta: No, I've attended public hearings, I've also met with Mr. Working. I've met with the, had meetings with the architects and engineers out there. I keep hearing that their field has changed, and that they are giving new instructions, and what was to be turned in by this date now has changed and it's a different date, or it's, the rules have changed on how they have to work through their process. I mean, there have been several changes that I've seen in just talking to them. So, there's a lot of frustration from that side. So, I mean, I can see how the domino effect would frustrate other people as well.

Brenda Jeffers: Well, and I'm sure you're correct. I'm sure that there are, every project has changes. I'm sure that is correct. We were told, the first public meeting that I attended, that I was able to attend, we were told that the reason that this project had to be done was because it was FAA mandated.

Commissioner Tornatta: Right.

Brenda Jeffers: Okay, last time they told us it wasn't FAA mandated, it was an Act of Congress.

Commissioner Tornatta: Well, isn't that, I mean, Congress would be in charge of FAA.

Brenda Jeffers: I don't know. I mean, I don't know how all of that works.

Commissioner Tornatta: Well, that—

Brenda Jeffers: But, they said it wasn't FAA mandated, that the Congress mandated FAA. But, the first time they told us, they didn't say that. I mean, this is what I'm saying—

Commissioner Tornatta: Right.

Brenda Jeffers: —and that's what he's saying, and that's what these two gentlemen are saying. We feel like we're getting the run around. Just say exactly how it is.

Commissioner Tornatta: Right.

Brenda Jeffers: Okay?

Commissioner Tornatta: This project has a crossing of paths, and the new standards will not allow paths to cross. That is essentially what the scenario is. The reason they went with one path over another is because of the wind and the flight—

Brenda Jeffers: Troy, we have heard every excuse in the world why they chose that path. You're giving me the story they gave you. That's what you've heard.

Commissioner Tornatta: No.

Brenda Jeffers: We've heard—

Commissioner Tornatta: Okay.

Brenda Jeffers: — five, six, seven, eight different reasons why they chose this path.

Commissioner Tornatta: I'm just—

Brenda Jeffers: And the bottom line was they said it was the cheapest way to go.

Commissioner Tornatta: Brenda.

Brenda Jeffers: I'm sorry.

Commissioner Tornatta: I'm just telling you what pilots have told me.

Brenda Jeffers: Okay.

Commissioner Tornatta: Because I'm not just standing on the premise of one.

Brenda Jeffers: Well, I haven't been able to talk to a pilot.

Commissioner Tornatta: Because I asked the same question. I said, why would you go with this route? Maybe look at Whirlpool or whatever else, and their word to me, and when I talk to pilots, the runway that they're talking about, there is a wind, that is a predominant wind that you need for flight. Now, that's what I've been told not only by them, but by private pilots, by commercial pilots, and, so, that satisfied me.

Brenda Jeffers: Well, we didn't have any pilots at our public hearing to talk to. But, I'm finished. I just, I wanted to tell you, yes, we are planning on getting a committee. I'm planning on working on that. We're scared.

Commissioner Tornatta: I understand.

Brenda Jeffers: We fear for our livelihood.

Commissioner Tornatta: I think it's great to have that committee.

Brenda Jeffers: We'll see what happens.

Commissioner Winnecke: Excuse me. Could I ask a question real quickly, relating to the noise? Specifically, Bill, I thought you said 72, I thought you said 75 on the decibel reading. Which is it? What time was it taken and what location? Could you step to the microphone and explain that to us please?

Bill Jeffers: I was there when the readings were taken. It was around 9:30 in the morning and the EPA car was parked between my house and 57, which is the, within the lot that they plan to purchase, okay?

Commissioner Winnecke: In the Malibu Subdivision?

Bill Jeffers: It was on Deerfield, the car was parked on the southside of Deerfield up against the curb, halfway between my house and 57.

Commissioner Winnecke: And what was the date?

Brenda Jeffers: Oh, gosh, um. Somebody should call the EPA.

Bill Jeffers: Well, okay, both of us called in a complaint. I called in a noise complaint about the tailgates flapping. I'm going to say it was Thursday—

Commissioner Winnecke: Bill, step to the microphone, would you please?

Bill McKeon: It was June the 10th that the EEPA here took the readings, and as Bill said, it was 9:15, a Delta flight was 75. At 9:50 the arrival of the American Eagle was 72.

Commissioner Winnecke: Thank you.

Bill McKeon: If I may, just to elaborate. Troy, you know, the last time I was here, the story you just gave Brenda, you gave it to me, and I was complaining about the planes actually, I could see the pilot, they were that close. Ever since then, they haven't been that close. So, that stuff of the wind is rhetorical defecation. Now, the other point, Lloyd—

Commissioner Tornatta: Can you prove that? Can you prove that?

Bill McKeon: That the—

Commissioner Tornatta: Can you prove what you are saying?

Bill McKeon: That the planes are no longer—

Commissioner Tornatta: If you can't prove that, it's not rhetorical defecation.

Bill McKeon: They don't fly that close ever since then.

Commissioner Tornatta: I asked you a question.

Bill McKeon: How can I prove it? Do you want to come out to my house and watch the flights from now on?

Commissioner Tornatta: You get me the information that you say that makes it rhetorical defecation, and I will believe what you're saying. If you can't prove that, that's out of line.

Bill McKeon: I will prove it by your coming out and spending a couple of days at my abode and observe. Ever since I complained here, and I complained to the authority and to the management, the flights have not been that close. That's what I'm

saying. So, the story that they are feeding everybody is not true. That's what I'm saying. If I may continue, Roy, Lloyd, you and my neighbor Mike, we met Mr. Working, and did he not say in reference to the question that was asked before, did we ask if the Evansville Board Authority did not approve the proposal then the project was dead? There would be no project. It would stay the way it is. Was that not the exact words that that man used that day?

Commissioner Winnecke: I don't know if it was his exact words, but that was—

Bill McKeon: That was the indication.

Commissioner Winnecke: You're directionally correct. I know that.

Bill McKeon: Thank you. So, all of this stuff about FAA has to, Congress has to, it could be, if the Authority says the proposal here says no, we wouldn't be here today.

President Melcher: Is everybody finished then?

Steve Sackers: Steve Sackers again, 2620 Deerfield Drive. Gary Williams was a developer, Troy, and I want you to understand this, and you may know about all of this. He wanted to stop the runway, which he succeeded in doing, running north and south going across Highway 57. They were going to tunnel under the runway. He stopped it because he was a developer and he was building homes. So, this thing about air, the wind and all of this stuff with pilots is a bunch of bologna, because that's running the opposite direction. They were wanting to approve that, but he fought them, and somehow won that battle in court. So, therefore, now we're talking about two different directions, okay? They were proposing a north-south runway, and it didn't happen. I don't know if you remember that or not.

Commissioner Tornatta: And I don't.

Steve Sackers: Okay.

Bill McKeon: That was 20 years ago.

Steve Sackers: That was 20 years ago, but it just did not happen. So, what they're telling you about, what pilots are telling you I don't know, but that's totally opposite of what we're dealing with now. It just doesn't seem relevant. Thank you.

President Melcher: Thank you. Thank you both for coming, because it gives us all the information. At least we have some information. Is there any other public comment? Seeing none.

Consent Items

President Melcher: We'll go to the consent agenda.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: I have a motion to approve it. Oh, excuse me. Any further discussion? Madelyn?

Madelyn Grayson: The consent items for the June 15th meeting are as follows; approval of the June 1, 2010 Commission meeting minutes; employment changes, there are for the Commissioners approval tonight, there's three for Burdette Park and one for Veterans Services; Health Department request for waiver of equipment and room fees, not overtime, for the Centre for Vanderburgh County school age immunization clinic; Hillcrest Washington Youth Home 2009 financial report; County Engineer approve pay request number 106 for TIF projects in the amount of \$712.50; the County Coroner requests to surplus one side load ambulance gurney and one portable ambulance stretcher; Burdette Park yearly comparison from May 2009 to May 2010; the IBAP Gatekeeper May 31, 2010 stat report; and department head reports from the County Highway, County Engineer and Burdette Park.

President Melcher: Any further discussion? Any changes? Seeing none, Madelyn, call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Winnecke: Motion to adjourn.

Commissioner Tornatta: Second.

President Melcher: We had a motion to adjourn and a second. All in favor say aye.

All Commissioners: Aye.

President Melcher: We're finished.

(The meeting was adjourned at 8:02 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the June 1, 2010 Commission Meeting Minutes.
Hillcrest Washington Youth Home 2009 Financial Report.
IBAP Gatekeeper May 31, 2010 Stat Report.

Employment Changes:

Public Defender (2)	Burdette Park (3)	County Clerk (2)
Treasurer (1)	County Assessor (2)	Superior Court (1)
County Council (1)	Veterans Services (1)	Sheriff's Office (1)

Health Department: Waiver of Centre Fees/Not OT: School Immunization Clinic.

County Engineer: Pay Request No. 106: Green River-Burkhardt TIF Projects.

Coroner: Surplus Request: side load ambulance gurney & portable stretcher.

Burdette Park: Yearly Comparison: May 2009-May 2010.

Department Head Reports:

County Highway	County Engineer	Burdette Park
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Stephanie Sanderson	Tracy Archuleta	Jeremy Kuester
Royle Beach	Rick Davis	Misty Hart
Dawn Stevens	Vernon Stevens	Debbie Spalding
John Stoll	Steve Craig	Dwight Markwell
Raymond Bailey	Carol Bengert	Gerald Reddick
Lisa Messel	Brian Miller	Doyle Wilson
Steve Hollen	Justin Shofstall	Barbara Alvey
David Hale	Donna Brown	Bill Jeffers
Brenda Jeffers	Bill McKeon	Steve Sackers
Darrell Decker	Others Unidentified	Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JUNE 29, 2010**

The Vanderburgh County Board of Commissioners met in session this 29th day of June, 2010 at 5:02 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We'll go ahead and start the Vanderburgh County Board of Commissioners meeting. It's June 29, 2010. It's about two minutes after 5:00 in room 301. Madelyn, will you call the order?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance: R.J. Walther: Walther's Golf 'N Fun

President Melcher: Next we're going to have the Pledge of Allegiance by Bob Walter, Walther. Is that how you pronounce it right?

Bob Walther: Close.

Commissioner Tornatta: Come on up, Bob.

President Melcher: Do you want to just go ahead and come up and lead us in the Pledge then? Then stay at the microphone after.

(The Pledge of Allegiance was given.)

President Melcher: Yes, if you would just state your name for the record. Is the light on on your microphone?

R.J. Walther: It is.

President Melcher: Okay, well, great.

R.J. Walther: I'm R.J. Walther, and thanks for having me up here. Hopefully, we can reciprocate by having all of you to our place, which is kind of why I'm here. We run Walther's Golf 'N Fun on First Avenue, and we've noticed recently, as some of you might have that money is not as readily accessible as it's been. People are not spending as much, and budgets in general are tight. So, that was weighing on us and we figured out a clever way to sort of, if nothing else, stimulate morale, hopefully, stimulate some of our personal economy, is to start giving away free miniature golf. You know, we're a small, locally owned business, and we can't do saturation advertising like corporate competitors like Chuck E. Cheese can. So, what

we do for advertising is let people take a look at the place for themselves, no strings attached. We've contacted several businesses, including, I believe, Vectren, the Evansville Police Department and Don's Cleaners and had their employees come out and enjoy some free miniature golf on us. The response has been very, very good. So, not only do all of the people that have come into our place now know about us that maybe didn't before, they've had a good time and didn't have to spend any money. It actually has shown itself to be beneficial for us too, because they come back. So, now we've invited all Vanderburgh County employees to come out and enjoy some free miniature golf on us. I would be honored to see you guys there too, along with your families and anybody else you care to bring.

Commissioner Winnecke: R.J., you might give us the dates.

R.J. Walther: Ah, that, I have that written down right here. July 16, 17 and 18, this year.

Commissioner Tornatta: Alright.

President Melcher: I guess, we're going to be sending out some flyers or e-mailing all of the office....all of the county employees?

R.J. Walther: That's the way I understand it, yes.

Commissioner Winnecke: Okay, great.

Commissioner Tornatta: Sounds great. Hope to see you out there.

R.J. Walther: Alright.

Commissioner Winnecke: We appreciate the opportunity, R.J. Thanks.

President Melcher: Thank you.

Commissioner Winnecke: To you and your father.

<p>Permission to Open: Old Courthouse Superior Courtroom Restoration Bids</p>
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President Melcher: Next, we need permission to open the Old Courthouse Superior Courtroom restoration bids.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

Water Department: Discussion on New Rates

President Melcher: Next, we'll go to action items. There's not anybody here from the Water Department this evening. I just got a call from them yesterday. They're out of town. So, we'll just have to...did you want--

Commissioner Tornatta: Just for the Commissioners, there's a meeting set up, I believe, for this Friday to have some discussions. I've got a meeting with a couple of people from the Water Department, and we are going to address just some general issues with the county. Then I'll report back to the Commissioners at our next meeting.

President Melcher: Yeah, I've had conversations with a couple of them. One of them that I wanted here was out of town this week.

Resolution CO.R-06-10-007: Approving the 2010 Comprehensive Economic Development Strategy Five Year Plan

President Melcher: Next we have a resolution to approve the 2010 comprehensive economic development strategy five year plan.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Any discussion from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Approval of 2011 Budget

President Melcher: Next, approval of the 2011 budget.

Commissioner Tornatta: Mr. President, upon review, I would like to make a couple of recommendations on the budget. As far as the County Commissioners budget, everything looks pretty much in order. The Superintendent of County Buildings budget looks pretty much in line, at the same levels of the prior year. CCD Fund is, obviously, taking on the same form as it did last year. Going to the Riverboat Fund, I would make a recommendation for Initiative Based Assistance, line 1490-3111, to

set that in at \$170,000. To increase the Dental Clinic line, 1490-3761, to increase it to \$180,000. To make an additional line item under the Riverboat Fund, and we'll have to assume that number will be 1490, and we'll get with Bill Fluty on that, to read Bus Transportation in the amount of \$150,000.

Commissioner Winnecke: Mr. President, I would second that motion.

President Melcher: Thank you.

Commissioner Tornatta: All others I see are in compliance with last year's.

President Melcher: Okay, so we've got a first and second on the motion to change this. So, we need a roll call just for the change?

Commissioner Winnecke: Mr. President, if you may, just for the record, a number of weeks ago, actually maybe two or three months ago now, each of us appeared before a large group of folks at St. Benedict's Cathedral before the CAJE Action Committee, Congregations Acting for Justice and Empowerment, and at that time each of us made the affirmative commitment to place a line item in the Commissioners 2011 budget for bus transportation. The purpose of which is to provide, extend public transportation into the north, beyond the city limits, and that's what the \$150,000 is. I thought it was important to clarify for the record.

Commissioner Tornatta: While you're clarifying, the Initiative Based Assistance is where this money is coming from and we've redistributed that money as not to incur any other monies to the budget.

President Melcher: So, the budget is still the same, and this bus transportation is also hinged on the companies putting forth some money too.

Commissioner Tornatta: Right, and it's also—

President Melcher: So, it's not just us.

Commissioner Tornatta: Yeah, exactly. Obviously, we will negotiate what the terms that the county will pay, and that \$150,000 was a figure that was introduced to us. So, that's not necessarily the number we'll pay, but we think that we won't exceed that amount.

President Melcher: Okay, Madelyn, do you want to call the roll on the motion?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Any further discussion on the budget? Seeing none, I'll take a motion for passing the whole budget.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a motion for the budget. Any further discussion? Anybody in the audience? Madelyn?

Commissioner Winnecke: Just, maybe, excuse me, one comment, this is the first step. This now goes to the County Council for its consideration at the August budget hearings.

President Melcher: This is just our proposed budget.

Commissioner Winnecke: Correct.

President Melcher: Go ahead.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Sale of 1320 W. Columbia and 917 N. Evans to Abutting Property Owners
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President Melcher: Next we have the sale of 1320 West Columbia and 917 North Evans to the abutting owners. We've acquired these properties by tax default, and notification to the abutting property owners that the Commissioners are accepting bids to purchase the property.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Health Dept: Vanderburgh County 2010 Mass Prophylaxis Plan
Health Dept: Advertising Agreement with South Central Media
Health Dept: Amendment No. 1: Childhood Lead Poisoning Grant
Crowe Horwath Engagement Letter: City-County Reorganization
EVAPAR Maintenance Agreement: Burdette Park**

President Melcher: Next, under contracts, agreements and leases, the Health Department, Vanderburgh County 2010 massive polasics¹ plan, I guess? Updated as of June 2010 to be used in the event of need to dispense medication or immunizations to the county population as a result of a public health emergency.

Commissioner Tornatta: Can we go ahead and take all these at the same time? Or, do you have a problem with that?

President Melcher: No, I don't. Advertising agreement with South Central Media for the monthly radio spots at \$1,400 a month. It covers a booth sponsorship on October the 16th Wellness Expo costs of \$900, making the total cost of the agreement \$5,100. Also, an amendment to the childhood lead poisoning prevention grant agreement. This increases the grant by an amount of \$4,477² to a new total of \$45,392.

Commissioner Tornatta: I would make a motion to accept all of these under the Health Department.

Commissioner Winnecke: Second.

President Melcher: We have a motion to accept all three under.....Gary?

Gary Heck: Gary Heck, Vanderburgh County Health Department. Just, thank you, and I'll be happy to answer any questions should you have any.

President Melcher: I don't have any. Do you got any questions?

Commissioner Tornatta: No, mass prophylaxis?

Gary Heck: That's the term.

President Melcher: That's a tough one.

Commissioner Tornatta: Okay.

¹Should be prophylaxis.

²Should be decreases by \$4,477.

President Melcher: Anybody from the audience. Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

Commissioner Winnecke: Thanks, Gary.

President Melcher: Okay, next, we have, under the Commissioners, a Crowe Horwich, Hothrath³ engagement letter with the Evansville-Vanderburgh County reorganization committee. The rate is \$150 an hour we'll be charged for the services. The total charge is not to exceed \$38,500. Billing began at \$5,500 per month for seven months.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion?

Commissioner Winnecke: Mr. Chairman, I think it's just important to again point out for the record the \$38,500 is a total amount due to this consulting firm, and that amount would be shared equally with the city.

Commissioner Tornatta: Not to exceed.

President Melcher: Not to exceed.

Commissioner Winnecke: Right.

President Melcher: So, we're paying half and the city's paying half.

Commissioner Winnecke: Right.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

³Should be Horwath.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: We have an agreement with EVAPAR for the generator maintenance at Burdette Park Discovery Lodge for one year. It cost \$565.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Discussion from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you.

County Attorney

President Melcher: Department head reports, the County Attorney. Are you ready for those?

Ted C. Ziemer, Jr.: Yeah, I just have one, I'm not ready for these yet, but I just have one contract, which was an amendment number one to the lead poisoning contract to prevent lead poisoning in children. It simply reduces the amount of the grant by \$4,477, otherwise all terms and provisions of the grant stay the same. It's satisfactory for approval—

Commissioner Tornatta: We've already approved it.

Ted C. Ziemer, Jr.: Oh, you have? I didn't realize it got on there.

Commissioner Tornatta: Under the Health Department.

Ted C. Ziemer, Jr.: Okay, great. That's fine. Thank you.

Commissioner Tornatta: Report on Old Courthouse—

President Melcher: He just said he's not ready yet.

Commissioner Tornatta: Oh, that's what that is? Okay, got it.

County Engineer

President Melcher: Okay, John?

John Stoll: The first item that I have is a request for acceptance of streets in Section Two and Section Three of Cayman Ridge Subdivision. The streets are 958 feet of Belize Drive, 369 feet of Blyth Drive, 161 feet of Massey Drive, 268 feet, excuse me, of Verona Court, that was all Section Two. Then, Section Three is 345 feet of Massey Drive and 121 feet of Verona Court.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Second, I would like to request approval to award contract number VC10-06-02, Evergreen Acres street repairs, to J.H. Rudolph for \$232,489.80. They provided the low bid on the project.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: We have a change.....oh, go ahead.

John Stoll: Yeah, next, I've got a change order. This is change order number two on the First Avenue Bridge project. This results in an increase of \$13,323.60. The reason for the change is changing the piling sizes on the bridge. We went with a larger pile size, and then there was also some sheet piling that was deleted around some utilities.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any discussion?

Commissioner Tornatta: Yeah, I really think this is a design change, but we can get into that as it goes further, but there are some design issues that caused this to happen. I think we need to keep our eye on this. We keep becoming the change order factory, and if it is something that is to a vendor, we do need to make that, make them accountable to how that, to what they deleted or what they did not recommend. So, in this case I'll approve it, but I really want to keep track of these change orders, because it's \$13,000 today, it's \$40,000 a month ago. How much is it going to continue to go? I think we need to watch that.

John Stoll: One thing in regard to change orders too, when I was talking to Commissioner Tornatta about this earlier today, they've exposed, through their excavation some old abutments that nobody knew were down there. There is a cost increase associated with that. So, there will be another change order coming. I don't know the final quantity of the concrete removal, but by the terms of the INDOT specifications referencing the contract, the contractor is entitled for concrete removal that wasn't called for. So, I just wanted to give you a heads up that that is another issue that will be coming up.

Commissioner Tornatta: John, when all this comes about and we hire somebody to do these testings, I mean, we pay them a decent amount, they're professional, they're doing this under their professionalism status. I guess, my point is, at what point does this fall on them that they didn't pick up any of those issues?

John Stoll: That's where we just have to, like you said, go back and research the issues and find out exactly what lead to getting to this point. In the concrete removal issue, the soil borings aren't done at a frequency great enough to find every single thing that might be buried out there. So, I can see how that one would happen. The piling change was made primarily to make sure the job was moving ahead, more so than anything else when there was a question raised about whether or not the piling spec was large enough to do the job. So, I can provide you with more details on all that, but then, I guess, it becomes a matter of what, how you want to proceed, and whether or not the County Attorney feels like it warrants going back to the designers and saying we've got a design flaw and they're responsible.

Commissioner Tornatta: Then, my last question is, are there historicals that are done on properties to find out what was there beforehand? So we would have known if there was a former bridge that was there or a truss that was imbedded in that piece of dirt.

John Stoll: We knew there was an old abutment on the north side, but where they're digging on the south side, between the south end of the existing bridge and the levee wall, we didn't have any records that showed that there was anything down there. If we would have had any records like that, we would have passed them on to the design consultant so that way it could have been reflected somehow.

Commissioner Tornatta: Okay.

John Stoll: As far as a detailed property search, since this was a locally funded project, there's nothing done to the extent, like an environmental study with research things.

Commissioner Tornatta: Okay.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: New business?

John Stoll: I had one other thing that I didn't get to you earlier today. We've got a change order that completes the concrete repair of various county roads contract from last year. We finally got all of the final quantities worked out with the contractor. This is a net increase of \$9,210.66. The changes on that were the result of, we had an additional \$30,587.06 of patching, concrete street patching out in Romain Park Subdivision, and we had an additional \$9,965.90 in Copperfield Subdivision, and then we had a net decrease of \$31,342.30 in Autumn Winds Subdivision. Those quantities were put together based on estimates from my office, and they're paid for on a unit price basis. So, any increases are due to, basically, the streets have a tendency to fall apart sometimes. When they're patching one section, the adjacent slabs fall apart, and they end up having to replace those. So, that's how those quantities end up being adjusted, up and down, for all practical purposes. It may not fall apart to the extent that we estimated. So, in a nutshell, that's how we got to where we are today with this net increase of \$9,200. I would request approval of that. That closes out the '09 patching contract.

Commissioner Winnecke: John, I just had one question. I don't mind making the motion for it, but does it typically take this long to reconcile previous year's work like that?

John Stoll: This is longer than usual. The contract extended longer primarily because they had some additional crack sealing and other final touch up issues. You might recall the contract, the actual patching work extended late last year as well. I don't remember exactly when they got finished with the concrete repairs, but I know they filed for one, if not two, extensions that were granted late last year. So, this is longer than usual, but the work has been completed for some time. The, our staff and the contractor have just been trying to work out the final quantities.

Commissioner Winnecke: Forgive me if you said this prior, but is this one contractor or multiple contractors?

John Stoll: It's one contractor.

Commissioner Winnecke: Who is that?

John Stoll: JBI Construction.

Commissioner Winnecke: Thank you. Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have. Thanks.

Commissioner Winnecke: Thanks, John.

President Melcher: Any other department heads have anything?

Ted C. Ziemer, Jr.: I'm ready for the bids now.

President Melcher: Go ahead.

Reading of Bids: OCH Superior Courtroom Restoration Project

Ted C. Ziemer, Jr.: This is for Superior Court renovations at the Old Courthouse. Deig Brothers Construction base bid, \$274,300, alternate number one, \$2,700. Danco Construction base bid, \$212,900, alternate number one, \$2,000. PPMI Construction base bid, \$274,500, alternate number one, \$2,400. Lichtenberger Construction base bid, \$271,514, alternate number one, \$2,644. ARC Construction base bid, \$372,227, alternate number one, \$10,450. Finally, Wink Construction base bid, \$361,707, alternate number one, \$10,925.

Commissioner Winnecke: Motion to take under advisement.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: Thank you.

Emergency Management Agency

President Melcher: Any other new business this evening?

Commissioner Tornatta: No, office holder. I'm sorry, department heads. No, department heads.

President Melcher: Well, I asked him. I thought he would be coming up.

Commissioner Tornatta: He waved. He just didn't hear you.

Ted C. Ziemer, Jr.: Hey, Mike. Excuse me just a second. Mike, are you going to take these bids?

Mike Shoulders: Yeah, I was going to get them from your office tomorrow, or I can take them now.

Ted C. Ziemer, Jr.: No, I can give them to you now. Sorry.

President Melcher: State your name and your title.

Adam Groupe: Good afternoon. My name is Adam Groupe. I'm Deputy Director of the City-County Emergency Management Agency. Actually I'm here tonight on Indiana Department of Homeland Security District 10 business. We thought we were on the agenda, so, I do apologize for this. I have one copy now. Now, I have all of the copies. No?

Commissioner Tornatta: Nevermind.

Ted C. Ziemer, Jr.: Now we don't have all the copies.

Adam Groupe: Anyhow, what we have in front of you is a, we're asking you to accept a mass casualty trailer from the District. We had planned to store that and keep that at the airport, they had agreed to do that. Sherman, no cost to the county on that really?

Sherman Greer: No cost to the county. We will have to license it and also insure it for the county. But, we're doing this in all 12 counties, six counties with hospitals will be getting tents to make a mobile hospital, and six counties without the hospitals will be getting mass casualty trailers. Since the size of our county is the size it is, they've decided also to put a mass casualty trailer and a tent trailer here in Vanderburgh County.

President Melcher: Okay.

Commissioner Winnecke: So, physically what will it do and how large is it?

Sherman Greer: Well, it's going to be an 18 foot trailer, and it will have all of the equipment on it in case we have another tornado type situation to where that we need as much medical supplies as we can get within the trailer to be able to be used.

Adam Groupe: From back boards to airways to IV materials.

President Melcher: Any other questions?

Commissioner Tornatta: That does bring up a good question. What hospital sponsors the trailer? Or is that, how is that worked?

Sherman Greer: The County Commissioners, the trailer is under the County Commissioners.

Commissioner Tornatta: Okay, and then how is that, is that all—

Sherman Greer: We have medical teams put together—

Commissioner Tornatta: Okay.

Sherman Greer: —that will be the ones that will be responding with the trailer.

Commissioner Tornatta: Okay.

Sherman Greer: All 12 counties have people that's been trained. So, if it's a mass casualty in Evansville, those teams will come here, along with the trailer as the trailer is pulled out—

Commissioner Tornatta: Okay.

Sherman Greer: —and bringing some other trailers in with them to be able to respond to our needs at that time.

Adam Groupe: It would become part of the District Task Force, and part of that Task Force is the emergency medical team.

Commissioner Tornatta: This is only used in emergency situations, right?

Sherman Greer: This is only used in an emergency situation.

Commissioner Tornatta: And we still license it?

Sherman Greer: Yes, sir.

Commissioner Tornatta: Okay. That's just—

Sherman Greer: We'll have to, since it's an 18 foot trailer and everything we will have to license it and insure it.

Commissioner Winnecke: This is a new vehicle?

Sherman Greer: It's a new vehicle. We're making the purchases of multiple trailers with the last grant that we got.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: I have a first and a second. Any further discussion? Do you have anything other, Sherman, to say on it?

Sherman Greer: Not at this time.

President Melcher: Anybody in the audience?

Madelyn Grayson: Does it have to be signed in blue ink?

Sherman Greer: Yes, Ma'am.

Madelyn Grayson: Okay.

President Melcher: Madelyn?

Sherman Greer: I'm sorry about that.

President Melcher: Do you want to call the roll?

Commissioner Tornatta: Does this come with chicken and dumplings?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Adam Groupe: Thank you.

President Melcher: Okay, thank you.

Sherman Greer: Thank you. Madelyn, we'll pick it up from you.

President Melcher: Steve, do you or Chris have anything?

County Highway

Chris Walsh: Chris Walsh, County Highway Department. What I'm needing is, we've had some issues coming before us with the mowing of the county owned lots and that. I've been trying, you know, this is my second tour, so to speak, at the County Garage, and when I was there previously we would do some county owned lots, and that would wind up being four or five in a year. So, we were kind of a catch all department. Eight years ago another department did this completely, and then gradually we've kind of been the department that gets, now we're getting...about eight years ago, six years ago we got county weed complaints, which was very manageable. I have one gentleman in the mowing crew dedicated to cutting the Courthouse, cutting the medians, cutting some of these different places, but this year, and I don't know if it's the down economy, I assume that that's a big part of it, but even the county weed complaints have skyrocketed to like a hundred different complaints, But, what we're really faced with and it's just, I've doubled my manpower on this crew, and we're just having fits with them. What I'm asking is if possibly you could help facilitate a meeting with the proper people to see if we can come to some kind of an understanding of what we need to do. We have, there's 242 county owned properties. I understand that they may be changing ownership shortly, but assuming that next year is going to be anything like this year and that there may even be more properties, I would like to try and get ahead of this thing and see if we can't sit down, and I'm just asking for your help to point me in the right direction, see if possibly you could sit in on some meetings and get with the right people. Because we've just been inundated with these county owned properties. So, I guess, I'm asking for some—

Commissioner Tornatta: I would like to ask a legal question here.

Ted C. Ziemer, Jr.: Yes, sir.

Commissioner Tornatta: How do we handle the properties that we are taking on property tax sales? Those that are especially in the city, and the county is taking them to process to get those back on the tax rolls, which, obviously a lot of them are not being serviced now through the tax process, what do, what's our fiduciary duty to take care of those properties and at what level?

Ted C. Ziemer, Jr.: Well, when the county takes title to the properties, and, by the way it 200 and some properties this year, but that was for 2009 and 2010. In 2011 there will be a separate tax sale, so that should only maybe be about a hundred. So, that's going to cut your workload in half. That's the only time that should ever happen. When the county has title to the property, it's like any other property owner, it's the county's obligation to take care of the properties during the time it has title. As to this last tax sale, we're in the process right now of title to those properties being placed in the owners of the properties who took title at the tax sale. From that point on it's their responsibility. During the short period of time, about six months that

the county has title, it is the county's responsibility to keep them mowed. Some of those properties this year, I don't remember the exact number, I could tell you if I looked at my records, but I'm going to say there was something like 38 properties that were transferred from the, without going through the tax sale, were transferred to DMD for the brownfields, and title to those properties, the deeds have already been signed for those properties to pass to the city. There was a period of time when the deeds were sitting in the Commissioners office and we were waiting for Carolyn Rusk to come up with a check for the amount of the purchase price for those properties, at that time the deeds would have been handed to her, and then the title to those properties would be in the city, at which time it would be the city's responsibility. There are a couple of properties, I think, that came up that Commissioner Melcher is familiar with, and we had a call at our office, where the deeds were prepared and ready to be transferred to the city, but the city had not picked them up yet, and, so, the question was is that the city with city responsibility or the county with county responsibility? It was our belief that the title had been transferred already to the city and it was city responsibility.

Chris Walsh: Yeah.

Ted C. Ziemer, Jr.: Those little issues can be ironed out. It's not little, however, to the property owner who lives next door to the property who has weeds growing up next door and he's very concerned about it, as the property owner should be. So, we're attempting to work out, the best we can, some orderly way to handle all of that, but while the county has title to the property it's the county's responsibility to get the weeds cut.

Chris Walsh: And, I can understand some of that as well, but there's even more to this than just simply cutting the grass. I mean, there's meth labs, there's needles, and that's why I would like to see if we could sit down with a certain group of people and see just if we can come to some arrangement on exactly what, you know, there's costs involved with the clean up, and when you start going, you know, in the hundred and two hundred, the costs could be quite a lot. There's also some revenue being generated from these weed complaints when we cut them. I was wondering if there was a way for us to, when we cut them we turn in the money for cutting it and they pay it, and it's attached to the property, and then the money goes to the General Fund. If we were going to keep doing some of these weed complaint properties, I was wondering if we could get that revenue back into our department, so I could get different equipment and that sort of thing?

Commissioner Tornatta: Yeah.

Chris Walsh: So, I guess, there's a multitude of questions I have here. I was just curious if I could get some help from this body to help me.

Commissioner Tornatta: Right.

Ted C. Ziemer, Jr.: Well, I think the County Attorney's office is looking at that problem and trying to determine how best it can be handled with the resources that are available. So, I suggest that you wait just a little bit while we're continuing to analyze that, and then the County Attorney will be glad to get together with you, and to the extent we can, we'll identify who might be the people that can deal with this situation.

Commissioner Tornatta: Bill, does that money go to the County General?

Bill Fluty: It–

Commissioner Tornatta: Or, would it potentially go to the City?

Bill Fluty: –depends. It depends who puts the lien on.

Commissioner Tornatta: If there's a rodent control or a, let's say they're cutting grass and there's a weed ordinance violation, they slap a \$100 fine on the property tax bill, does that, is that going to go to the county, or is it going to go to the city coffers if he cuts the grass?

Bill Fluty: Well, it depends who files the lien. DMD is always filing liens that get attached to property, and they mow. There's a certain procedure, a complaint is made, a picture is taken, a notice is given to have that property owner to cut their weeds, and if they don't, then they contract that out to be cut. As soon as that contractor says he's cut it, verifies that with a picture, it comes back to the city and then they'll move it to our office to apply it to that real estate code. Similarly, Marissa, you also do that for the county, don't you?

Marissa Nichoalds: The County Highway does that.

Bill Fluty: But, you also would put a lien on that property, and then that money would come back to the county.

Chris Walsh: Right. Then it's my understanding that it goes into the General Fund. One of my questions was, was it possible for us to get that money?

Bill Fluty: Your budget is a combination of Highway Fund and General Fund. So, if you were totally gasoline tax, I think you would have a better argument, but since you are supplemented by the General Fund too, I'm not sure if it makes any difference.

Commissioner Tornatta: You could file for an appropriation.

Bill Fluty: I mean, we're not talking about a lot of money.

Commissioner Tornatta: An additional appropriation.

President Melcher: Well, I also think, you know, talking to Chris and some of his foremans out there and that, they don't really have the equipment to cut yards. They cut big stuff. A lot of these has only got a four foot gate to get back in the back to cut the backyard and then along the alley. So, I mean, there's, maybe there needs to be a different procedure somehow. I don't know what that is, but, I guess, we'll continue to work on that.

Chris Walsh: I think that's what I'm asking for–

President Melcher: Because you're spending your money, your time–

Chris Walsh: I'm more than willing to do whatever it takes to do any of this, but if, I need to get different equipment. I just need to know, you know, I do need to get some different equipment with the gates and that. Then, maybe the timing on when we're notified of when the property, it seems like a lot of times we're not aware that it's our property until it's already, the grass is kind of out of control.

Commissioner Tornatta: I mean, is there any thought to—

Chris Walsh: Until it's actually a complaint.

Commissioner Tornatta: —do this on contract?

President Melcher: I suggested that too.

Commissioner Tornatta: I mean—

Bill Fluty: It's been handled on contract before.

Commissioner Tornatta: I mean, not to slight you, but I know you're running through it as quick as you can. Just before you have to deal with these grass issues, so, I guess my question is, you do it on contract, you tack it on the bill anyway. I mean, it's really just a pass through. Why wouldn't—

Bill Fluty: It was just a change, because it had been done in contract and it moved to the Highway.

Commissioner Tornatta: Yeah.

Bill Fluty: It was just the pleasure of the Superintendent and the Commissioners who made it a change.

Commissioner Tornatta: Yeah.

President Melcher: But, there's a difference between five and ten properties and 200 properties.

Bill Fluty: It has, there are quite a few more properties.

President Melcher: You know, so, I think, now, we really need to look at this.

Chris Walsh: It hasn't been an issue in the past like it is this year. I guess, that's my point.

President Melcher: Well, it might get worse.

Commissioner Tornatta: Yeah.

President Melcher: I think Ted said it right, we just need a little bit more time. But, I agree with you, I talked to the Building Commission office too, because I thought maybe they should be handling it instead of our Garage that's trying to get all of the paving and everything done, and the grass done that they're doing. So, I think it's something we need to look at.

Chris Walsh: Okay.

Commissioner Tornatta: Chris, maybe what we can do is do like we do on the Drainage Board situation and we'll have, take bids from all of those who want to participate in that, in the mowing for next year, if we think we're done with this year, and then get them all on board, tell them what that rate is, if they all want to comply

with the lowest rate, whoever is in it, we call them up, have them go out there and take their pictures and get it done.

Chris Walsh: Okay. Thank you.

Commissioner Winnecke: Thanks, Chris.

Ted C. Ziemer, Jr.: We'll be in touch with you, Chris. Here me, the County Attorney, right. Thank you.

Chris Walsh: Thank you.

President Melcher: Well, the city has to wait until it's nine inches high before they can go out and look at it. Then they have to wait a couple of weeks, give them time to come in, then it goes to court, I mean, there's a whole procedure. By that time it's two foot high. Alright, any other, Steve?

Burdette Park

Steve Craig: Steve Craig, Manager of Burdette. All I have is other than being the Fourth of July weekend coming up, we're having the Hoosier National BMX race at Burdette. This is one of the larger races in the United States. There will be over 500 BMX bicyclers there from all over the country and from some foreign countries. The racing starts Friday, and will run Friday, Saturday and Sunday. If anybody would like to watch or participate they can come out to Burdette, or they can call Burdette or go to burdetteparkbmx.org. Other than that, if something breaks we're trying to fix it, and if somebody's got a complaint, we answer it. We've been very busy.

Commissioner Tornatta: Good luck.

Steve Craig: Thank you. That's all I have.

President Melcher: Okay, thank you.

New Business

President Melcher: Any other new business?

Old Business

President Melcher: Old business?

Public Comment

President Melcher: Public comment? Does anybody in the public have anything to say this evening?

Consent Items

President Melcher: Consent items.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Okay, Madelyn, would you like to read them?

Madelyn Grayson: The consent items for the June 29th meeting are as follows; approval of the June 15, 2010 Commission meeting minutes, approval of the June 29, 2010 executive session summary minutes, there are two separate sets for those; employment changes for the Commissioners approval this evening there are seven for Burdette Park and one for the Health Department; the Commissioners settlement agreement; the County Treasurer April 2010 monthly report; the County Clerk May 2010 monthly report; Weights and Measures monthly report from May 16 to June 15, 2010; Four Rivers RC&D 2009 annual report; there are surplus requests from the Health Department, Superior Court and the County Assessor for various office furniture and equipment; the County Engineer, approval of pay request number 107 for \$1,801,949.26; the Commissioners close out of escrow under property schedule number one for tax exempt lease/purchase agreement with Key Government Finance; and department head reports from Burdette Park, the County Highway and the County Engineer.

President Melcher: Any discussion? Anybody from the audience? Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: There's nothing left on the sheet. Any other business to come before us this evening?

Commissioner Winnecke: Motion to adjourn.

Commissioner Tornatta: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: We're adjourned.

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

CONSENT ITEMS:

Commissioners:

Approval of the June 15, 2010 Commission Meeting Minutes
Approval of the June 29, 2010 Executive Session Summary Minutes (2).
Baggett-Scheller Settlement Agreement.
Four Rivers RC&D 2009 Annual Report.
Close Out of Escrow Account: Property Schedule No. 1: Key Gov't Finance.

Employment Changes:

Health Department (1)	Auditor (1)	Prosecutor (2)
VCCC (1)	Burdette Park (7)	

Treasurer: April 2010 Monthly Report.

County Clerk: May 2010 Monthly Report.

Weights & Measures: Monthly Report: May 16-June 15, 2010.

Surplus Requests:

Health Department: 1 copier, 1 printer.
Superior Court: 1 desk chair, 1 fax machine, 1 minicam.
County Assessor: 2 desk chairs.

County Engineer: Pay Request No. 107: Green River-Burkhardt TIF Projects.

Department Head Reports:

Burdette Park	County Highway	County Engineer
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Bob Walther	R.J. Walther	Mike Shoulders
Gary Heck	John Stoll	Adam Groupe
Sherman Greer	Chris Walsh	Steve Craig
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JULY 6, 2010**

The Vanderburgh County Board of Commissioners met in session this 6th day of July, 2010 at 5:01 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We'll go ahead and call to order the Board of Commissioners of Vanderburgh County. It's July the 6th, it's about 5:01, in room 301.

Pledge of Allegiance

President Melcher: Madelyn, would you mind leading us in the Pledge this evening?

Madelyn Grayson: Sure.

(The Pledge of Allegiance was given.)

Attendance Roll Call

President Melcher: Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

**Permission to Open Bids for VC10-06-01:
Concrete Repair of Greenbriar Hills Subdivision**

President Melcher: Okay, we need a motion to open bids for VC10-06-01, it's the contract¹ repair of Greenbriar Hills Subdivision.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

¹Should be concrete.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: I don't have anything to open.

President Melcher: It looks like she's going to get them.

Permission to Award OCH Superior Courtroom Restoration

President Melcher: Action items, permission to award the OCH Superior courtroom restoration to Danco Construction.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Okay, and, Ted, you sent some e-mails on that today.

Ted C. Ziemer, Jr.: Yeah, just so you understand, it's my understanding that that \$214,000, which is the amount of that bid, plus some, I don't know, \$50,000 to \$60,000, which did not get bid on yet, but which is for furniture refinishing, so that will take it up to, you know, \$264,000 or so, is to be paid for out of funds of either the Vanderburgh County Bar Association and/or the Vanderburgh County Bar Foundation. So, while you're approving the low bid, we're not signing a contract because we don't have the funding in place at this point. By the next meeting I should have a firm commitment from one of those organizations to pay these funds, at which time you can approve a contract for that. Okay?

President Melcher: Thank you. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you.

Health Dept: Telework Feasibility Assessment & Agreement Health Dept: Tri-State Lactation Coalition Booth Space: 4-H Fair Health Dept: MOU w/St. Mary's & EVSC: Immunizations & Exams
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President Melcher: Next is contracts, agreements and leases. The Health Department, the telework feasibility assessment and telework agreement.

Gary Heck: Gary Heck, Vanderburgh County Health Department. This request, as you may know, we are operating with about–

Commissioner Tornatta: Gary, are you on?

Madelyn Grayson: Is the microphone on?

Gary Heck: The red light is on. I'll try it again, how about now? It doesn't seem to make any difference. Well, I think it's on. As you may know the Health Department has been operating at a reduced strength for, since last year. At this point in our finance division, we have 2.6 vacancies for various reasons. One of them is because we haven't been able to get permission to fill the Deputy Registrar position in Vital Records. That position only affects the finance in that the Supervisor of the Vital Records is also the Revenue Clerk to meet the State Board of Accounts requirements that there be more than one person that's responsible for touching money and deposits so that you have the checks and balances in place. The, we have a vacancy in our WIC Secretary/Bookkeeper position since March the 19th of this year. We have a vacancy in our Local Health Maintenance Fund, it's a part time Bookkeeper/Assistant position to the Finance Officer since the first of this year. Then, we also have a staff member who's been out on a worker's comp injury since April the 1st. Because of those various reductions in our workforce, we still have grant requirements, payroll requirements, all kinds of requirements that still have unflexible time deadlines. What this request is for is to allow the, our Finance Officer to be able to do work outside of the Health Department, and she would be working her normal 8:00 to 4:30 Monday through Friday, the normal county work schedule and the regular work hours, but this would allow for the possibility of, we're projecting five to seven hours per week would be necessary to fulfill the required paperwork that can't be avoided from all of those various positions that have to come in on certain times. It appears, like the telework agreement would be the only way we could actually accomplish that. So, we've completed the application and I would be happy to answer any questions about it. I believe you all have those, the applications and the agreement in front of you.

Commissioner Tornatta: Mr. President?

President Melcher: Yes?

Commissioner Tornatta: Gary, thanks for bringing this to us. I think the main key, and you'll probably hear this more than once, is that we have knowledge about what's going on outside of this building. It helps us to just kind of control what things are done outside the building, know where those individuals might have computer access or what not, and, obviously, ties up some loose ends. It helps you out as well with your timing until somebody comes back, that helps the workforce and whatever. So, appreciate you coming and letting us know about it. I support your decision to do this. Obviously you're keeping on top of it as well.

Gary Heck: Thank you, sir.

Commissioner Winnecke: I would just echo that. I think this is, this is the first request we've had since we've had this ordinance in place. I think it does provide the accountability that our county needs in order to have employees do critical work from home. I think this is an excellent use of the ordinance and I support this.

Gary Heck: I didn't mention that we have requested all three of these positions from the County Council to fill those. It won't happen at this month's meeting, they have a full agenda, and they also have a, I believe they're going to hear from the Wesselman Park project at their agenda tomorrow. So, the earliest they could probably consider it would be at their August meeting. We've already submitted the paperwork so we could meet the 15th deadline. Hopefully, the Personnel and Finance Committee can talk about it at the end of this month. I know Dr. Nick has specifically requested to be the Health Department representative to make the request and to present it. So, we have asked to have these positions filled.

Commissioner Winnecke: Thanks.

President Melcher: Any further discussion? We need a motion.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Anybody from the audience that would like to speak? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Melcher: Next is the Health Department, Tri-State Lactation Coalition booth space at the 4-H County Fair. It's supposedly identical to last year's agreement. The Health Department contributed \$100 for the booth, and Tri-County contributed \$165 for the tent space at the 4-H Center during the 2010 county fair. The Health Department has WIC grant funds to pay for the \$100.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Did you want to say anything on that, Gary, while you're there?

Gary Heck: Just if you have any questions. This is an outreach program, and it's very helpful, and we reach a lot of people then.

President Melcher: Okay, anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The last one here is the MOU between St. Mary's Hospital, the Health Department, EVSC for physical exams and immunizations. It's identical to 2009 MOU with St. Mary's.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

Gary Heck: It's similar, it's just another opportunity for us to try to get the new required school vaccines out. This is just another venue to let that happen.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Melcher: Thank you, Gary.

County Engineer

President Melcher: Next is department head reports.

Ted C. Ziemer, Jr.: Oh, John, go ahead.

John Stoll: I have two items, the first is a request for street plan approval for Green River Estates, Heston Green River Estates Subdivision. This is about a 75 foot extension of English Way in Green River Estates Subdivision. It provides a cul-de-sac on the end of the road. I've reviewed the plans and would recommend approval.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: The other item came up late in the afternoon. It was a change order on the Burdette Park-USI bike path. This was phase two of the project. We had a change in some signs, and this change order switches three post signs to two post signs which results in a net decrease of \$2,415. I would request your approval on that as well.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: So, we got a reduction one time on this? Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Melcher: Thank you.

Commissioner Tornatta: Thank you, John.

County Attorney

President Melcher: Ted?

Ted C. Ziemer, Jr.: Thank you. I have two, I guess, three matters. You received an e-mail from Kathryn Schymik of our office. The property owner at 605 Jackson Avenue is an elderly lady who suffers from Alzheimer's. Her son tries to assist her with her dealing with that property, for which she paid, we're told, \$40,000. However, tax notices were coming through, she did not recognize them as such and the property was on tax sale, it was not purchased, and finally the county took title to the property. There's \$1,200 in delinquent taxes due on the property. Her son has called, he's having himself appointed her guardian, is in that process. He's asked that the county's redemption of the property be rescinded and that we quit claim the property back to his mother. The property would then, well, first they will have to pay the taxes of \$1,200, and he says that she has sufficient funds to do that. Then, afterwards he's going to sell the property and get substantially more than \$1,200 for it and use those funds in his mother's account to help support her. We recommend that in this particular case, we don't ordinarily recommend that we, you know, everybody gets notice of these tax sales and so forth, but in this case she was unaware that she was getting any notices. We think this is an appropriate case to rescind the sale and deed the property back to her on payment of the delinquent taxes.

Commissioner Tornatta: I guess, my only question would be, how much do we have in excess of that amount in the property?

Ted C. Ziemer, Jr.: At this point, almost nothing. We haven't done anything, we've just taken title to the property. We haven't cleared title to the property or done anything. It would be on the 2011 auction –

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: –if we kept it. So, there's no expense involved.

Commissioner Tornatta: I've got no problem.

Commissioner Winnecke: Yeah, I think, given the circumstances I would agree with your recommendation. I would make a motion to that effect.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody in the audience? I agree also. Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Thank you. What we're going to do is advise this gentleman that you have approved this, and on payment of the delinquent \$1,200 we will then have a deed for you, a quit claim deed for you to sign conveying the property back to his mother.

Commissioner Tornatta: We ought to put a time on that.

Ted C. Ziemer, Jr.: Well, we've told him, we've told him that if you approve this, we want it paid within a week, and he said that he could do that.

Commissioner Tornatta: Okay. How we've done it in the past is next day. I'm just...is that—

Ted C. Ziemer, Jr.: Well, the only problem is that the money is in his mother's account—

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: —and he can't write a check on it. He has to get her to write a check.

Commissioner Tornatta: Alright.

Ted C. Ziemer, Jr.: But, he's going to, he'll be able to take care of that within a week.

Commissioner Tornatta: Alright, let's put that in the motion.

Commissioner Winnecke: Well, we've already approved it. Didn't we? We voted?

President Melcher: Uh-huh.

Commissioner Tornatta: Okay, well—

Ted C. Ziemer, Jr.: We have advised him that that's to be done within a week. So, we'll keep you advised.

Commissioner Tornatta: Alright.

Ted C. Ziemer, Jr.: Thank you. Another matter, under State law, the County Redevelopment Commission, the Vanderburgh County Redevelopment Commission is required to advise all local taxing districts within various TIF areas whether or not there's going to be excess value from those TIF areas that can be returned to the overlapping taxing districts. The Redevelopment Commission is going to be meeting tomorrow at 9:00, and that will be one of the issues for consideration by them. It appears, and it's the recommendation of Umbaugh, the financial advisor to the County with regard to the Burkhardt Road TIF area, Tom Pittman at Barnes and Thornburg, the County Auditor, the County Attorney, and the County Engineer that given the amount of bonds that we have outstanding and projects that are on the books for use of these TIF funds, that there are no excess assessed valuation to pass through to the overlapping taxing districts. I would appreciate your adopting a

resolution encouraging the Vanderburgh County Redevelopment Commission to so find at its meeting tomorrow. If you have any questions I will be happy to answer them.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

Commissioner Tornatta: On that recommendation.

President Melcher: We had a first and second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Thank you. Finally, we received about 3:00 this afternoon, which is why I was just about late for this meeting, a request from Welborn Health Plans, which was received by the Auditor's Office today, asking for authorization by Vanderburgh County for Welborn Health Plans to apply for reimbursement from the federal government, under the federal government's Early Retiree Reinsurance Program, of the amounts paid by Vanderburgh County up to certain limits for certain retirees, we would get some of those funds reimbursed. If approved, Welborn Health Plans....and I have to tell you that from this document that's in front of me, it wasn't totally clear to me what the intentions were. I spoke finally today to Chris Reef, the Chief Executive Officer of Welborn Health Plans, who confirmed to me in response to my questions, boiling it down, if you approve this document that is, I did get e-mailed over and you have it there for signature, you will be authorizing Welborn Health Plans to apply for coverage by the Early Retiree Reinsurance Program for Vanderburgh County. We don't know that we'll be approved. If we are approved, Welborn Health Plans will keep track of the retirees and retiree payments that may be due under the program, will make reports to the federal government of those, and we may receive reimbursement from the federal government under this program. If we receive any reimbursement, Welborn Health Plans will be paid 15 percent of the amount by which we are reimbursed. I apologize for the lateness of this, Welborn claims that it was only received by them in the last few days. It certainly was only received by the Auditor's Office today, and therefore the County Attorney's office today. I don't see a down side to this. I know you had probably already left your offices, but I did e-mail you about this. If we don't authorize the application, it's clear that there will be no reimbursement to Vanderburgh County under this program. If we do authorize the application, there may be reimbursement due the county. If there is reimbursement due the county, Welborn Health Plans will

receive 15 percent of that for handling the logistics of the program. It's before you for signature should you decide to approve it.

Commissioner Winnecke: What's the deadline for application?

Ted C. Ziemer, Jr.: Tomorrow.

Commissioner Winnecke: Of course.

Ted C. Ziemer, Jr.: I know that's very quick. I see no down side in authorizing it.

Commissioner Tornatta: Looking at the glass that is half full, I would probably be in line to approve that contract.

Commissioner Winnecke: So, they just, was that a motion? I'll second it to get it on the floor. Second.

President Melcher: Go ahead.

Commissioner Winnecke: So, they apply on our behalf?

Ted C. Ziemer, Jr.: Yes.

Commissioner Winnecke: If the application is approved, we would receive, we could receive reimbursement?

Ted C. Ziemer, Jr.: Yes.

Commissioner Winnecke: If we do, they receive 15 percent of that reimbursement as acting as an agent on our behalf?

Ted C. Ziemer, Jr.: Yes.

Commissioner Winnecke: And we receive....okay.

Ted C. Ziemer, Jr.: The 85 percent.

Commissioner Winnecke: Right.

Commissioner Tornatta: It's not too different than like an administrator on a grant.

Commissioner Winnecke: No, yeah, I'm just trying to make sure that I understand it. Typically when things come before us at the last minute there's something that we don't know about, but this seems pretty straight forward.

Ted C. Ziemer, Jr.: That's why, Commissioner Winnecke, I was not going to bring this to you unless I did get an opportunity to talk to Chris Reef about it. I mean, it says what it says on its face, but I wanted to discuss it with him, and he does confirm that that is the way....and he confirmed that the deadline is tomorrow. That was something I was very interested in. So, it's our opinion as County Attorney that there is no down side for Vanderburgh County in approving this.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: That's all I have. Oh, I've got the bid results. Should I do that?

Commissioner Tornatta: Sure.

Ted C. Ziemer, Jr.: This is, these are bids for concrete repair of Greenbriar Hills Subdivision. There were three bidders; Sterling Boiler, \$174,095; JBI Construction, \$148,415; and Rivertown Construction, \$136,465.

Commissioner Tornatta: Take these under advisement, please.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion? John, did you have something to say?

Commissioner Tornatta: I, I, as soon as we're done here.

President Melcher: Okay, anybody from the audience? Do we want to go ahead and vote on it?

Commissioner Tornatta: Yeah.

President Melcher: Okay, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

New Business/Old Business

Commissioner Tornatta: I was just going to ask, John, we've talked quite a bit now about Green River Road being closed, and the closing off of Heckel, and just to kind of get this out a little bit, maybe some discussion from this body, when do we anticipate that that road is going to be closed, for how long? And, then, since the Sheriff's here can we just get into possibly what to do when the road closes off, the effect that we're going to have quite a bit of traffic congestion.

John Stoll: I still don't have an exact start date. A ballpark guess would be it would be closed for four to six weeks. I just received a possible option as far as changing around how traffic will be maintained out there during the construction project. I haven't had a chance to talk to the contractor, so I don't know how that would play into the closure at Heckel. Whether it accelerates it or keeps it on the same schedule, but preliminarily the discussion had been mid to late July would be when Heckel would get closed. In conjunction with what you're saying, I had contacted the Sheriff's Department, and the Sheriff said that it could be monitored as far as all of the traffic being diverted over to Oak Hill, what kind of traffic problems will be created over at Oak Hill and Heckel and at Keystone and Oak Hill, whether or not any flagging of traffic would be required or not, that remains to be seen. So, as I get a more detailed schedule, I will be glad to keep you updated, but right now it's kind of open ended at this point.

Commissioner Tornatta: Okay, and when you say they would change traffic around, would that change the flow coming out of Heckel onto Green River Road? Or would that still be limited?

John Stoll: That's what I'm trying to find out—

Commissioner Tornatta: Okay.

John Stoll: —as far as—

Commissioner Tornatta: Temporary.

John Stoll: One of the proposals they came up with was whether or not traffic could be shifted over from the temporary pavement at Irene and Green River onto the new pavement on the west half of Green River. I don't know how Heckel plays into that. I don't know whether there's any possibility of getting access to High Tower Drive, which feeds into Keystone through that kind of shift. I called the contractor, and just haven't had a chance....he was out, so I haven't had a chance to talk to him about that, but, I'm assuming if that happens and I get some more specific timetables, likewise if it doesn't, then we can get more specifics on when it will actually shut down.

Commissioner Tornatta: Okay, and then at that point have you been in contact with the liaison from Keystone Subdivision Association?

John Stoll: No, I haven't.

Commissioner Tornatta: Okay, let's make sure that we have a good communication line with the individuals that are heading up that Association, so they can spread the word as soon as possible on what might or might not happen in the subdivision.

John Stoll: Okay.

Commissioner Tornatta: Because I, the thing that they're going through right now is they have no knowledge of, besides there's going to be a closing. So, I think the more information we can give them the more opportunity they have to get that out there. Then, will this be an overlap with the school corporation? Or is that the intent to get that done before the busses start?

John Stoll: If it does get closed till mid to late August, it will overlap with school starting. If it changes prior to then, we'll have, I'll just have to check and see how that would affect those schedules.

Commissioner Tornatta: Okay.

John Stoll: Ideally, it would be great if it would be finished prior to school, but, at this point I would think there would be some overlap no matter how it proceeds.

Commissioner Tornatta: Okay. Alright, thank you.

President Melcher: Any other department heads? Any new business? Old business?

Public Comment

President Melcher: Public comment, is there anybody from the public that would like to speak this evening? Okay, consent items?

Commissioner Tornatta: Go ahead.

Commissioner Winnecke: Steve?

President Melcher: Oh, I'm sorry.

Commissioner Tornatta: Come on up.

Jerry Denbo: My name is Jerry Denbo. I thought I was on the agenda.

Commissioner Tornatta: That's alright. Just speak into the microphone.

President Melcher: Just state your name into the microphone.

Jerry Denbo: Okay, if I'm jumping the gun, I can wait.

Commissioner Tornatta: That's okay.

Jerry Denbo: Okay, thank you. My name is—

President Melcher: You have to—

Jerry Denbo: Okay, my name is Jerry Denbo and I called, first of all I want to thank Kristin. I don't know if Kristin's in here tonight or not, but she's been very cooperative in getting me on the agenda, or I thought on the agenda. I probably went through the wrong procedure, but I served 17 years in the Indiana legislature, and I'm familiar with some of your names. I worked with Jonathan Weinzapfel fairly closely, Vaneta

Becker, even Larry Lutz. So, I heard him talk about some of you, I think I even met a couple of you in the past. I'm here to talk to you about a program, or a service that I provide for businesses, cities, towns and counties, I've been doing it a lot with the counties here lately on identity theft. I don't know how familiar this panel is with identity theft, it is a very, very serious problem. Not only financially with an identity that can be stolen, but that accounts for less than 30 percent. Any of us could be driving down the road tomorrow, be pulled over for something as innocent as a tail light being out and find out that we've got a warrant for our arrest for child molesting, drug trafficking, auto theft, you name it. I first became familiar with identity theft when I was in the legislature for those 17 years, and toward the end of my career, which I retired three years ago, I decided to look into it, and I found out that there is nothing that can be done to stop it. The federal government basically did that also and passed a series of laws which are now in effect, and probably a lot of your staff has gone through some of the red flag training and some of that is something I will leave with you here is, I hate to admit this, even though I was in the legislature, I don't understand legal language, Ted. I majored in English in college, still don't have a handle....I've got a synopsis of the 900 pages of law. One of the things it mentions back here in the back is that all employers should provide identity theft training for their employees, and also the creation of a mitigation plan. That's what I've been doing with, like I said, a lot of cities, a lot of counties. I simply show up to the workplace here, the office here, we never want to close an office down, I may have four or five meetings to cover everybody so they can be able to attend. I show up to the Highway Department at 6:30 or 7:00 in the morning, whenever they start. It's at no cost to the county. It takes about 30 minutes. The first 25 minutes is devoted to, basically the training itself, the education and awareness, and the last five minutes we do offer the mitigation plan, which is a payroll deducted plan for identity theft. It's done by the world's leading authority on such things, Crow is the name. The marketing arm is Pre-Paid Legal Service. That's pretty much it in a nutshell. You know, I could answer questions, I could be here for two hours describing what I do. I might mention this service is provided, I stopped by and saw Mayor Weinzapfel last year, the City of Evansville offers this payroll deducted plan to their employees. In fact it took me a long time to get around to all of the fire stations at weird hours and the police station and the zoo and everywhere. But, what I would just like to do is have permission to get a hold of whoever is in charge of, to give me the, you know, a list of the department heads to get it set up. I don't know if Kristin does that, I don't know if Madelyn or who, and start doing this. It's a service that the employees really appreciate. It's something that's needed. If employees haven't already been hit by identity theft and off work and all of that, it's going to happen.

Commissioner Winnecke: So, what is the mitigation plan?

Jerry Denbo: The mitigation plan is just simply a plan that cleans the mess up for people. It provides a credit report, it monitors your credit, for example, tonight before I leave I decide to buy a new car here in Evansville, sometime tomorrow I will get a notice that my credit's been hit. I'll know, hey, it's me, no problem. If I get one tomorrow that says that I tried to buy a new car in Chicago, that's not me. They monitor local and national data bases. If I get a speeding ticket somewhere in Kansas, that's not me. Then, if it does happen, which with as many employees as you've got it's probably happening on a regular basis anyway, **Crow** will completely take over. You go about your normal activity, and the person that's had their identity stolen just signs a very limited power of attorney, and they clean it up for them.

Commissioner Winnecke: What's the monthly fee?

Jerry Denbo: The monthly fee for that is \$12.95.

Commissioner Tornatta: How many individuals signed up for the program in the city? Do you know?

Jerry Denbo: I don't have those, I was just getting started, in fact, that was my very first case last April. We had a fairly large percentage sign up. Now, I did not do the training back then. I wasn't doing the training. I was just going around and doing pure sales presentations. To be truthful, I was uncomfortable doing that, I would rather concentrate...you'll have a lot of people say they've already got a program with someone else, but I think that the majority that don't have something already will take this. Then we do have a pre-paid legal plan that some of them like to, it's very popular with the employees. I'm not a pushy salesman. At the end, in fact, I've had a lot of people say well I didn't even realize you come in and all of a sudden you've got applications out. I say, well you've got to listen carefully, at the very end I pass the applications out, and I tell them that if they want the plan, fill the application out, if they don't give it back to me and we're going to be friends just the same.

Commissioner Winnecke: What would be the difference between, in a plan that your organization would sell and say local financial institutions?

Jerry Denbo: Well, first of all, I'm proud of mine, Forbes Magazine ranks them as the world's leading authority on this. The federal government uses them quite a bit. For example, such difficult subjects as finding out where Saddam Hussein's assets were hidden, they hired Crow. When NASA shoots a space ship up into orbit, they hire Crow to secure the airspace. To be quite honest, I think mine is considerably better, because there are so many of these plans....I'm happy for people to take these plans. I tell them, you know, take them, but so many of them are only in the financial part of it, and, again, like I said earlier, that's only 30 percent of what it is. Others will coach you through the process and say now you need to contact this agency and call this company and do this. Crow says we'll take over and completely clean it up. Price wise, for a full plan like that, ours is just about the normal price. Now you can find riders on homeowner policies that are, well, insurance companies that just don't concentrate on identity theft, and they charge seven to eight dollars a month. But, you get a top notch program with this for a price that's in line with everyone else's. Plus, I hope I've had a good enough reputation over my 17 years in the legislature that I'm not coming in to offer something that wouldn't be completely satisfactory for approval, gentlemen.

Commissioner Winnecke: Where is Crow headquartered?

Jerry Denbo: I'm not sure.

Commissioner Winnecke: My feeling is, I mean, I'm not necessarily opposed to it on the face of it, but I would like to see a proposal, a written proposal from you or your organization to us, like we would do for just about any other service.

Jerry Denbo: What type of written proposal?

Commissioner Winnecke: Well—

Commissioner Tornatta: I guess, probably what he is saying is as if you were selling it to us. That would, you know, we would be able to see it and mull that over, and then, at that point, could clear you to go out into some of the other offices, maybe

run this by some officeholders, and, at the end of the day, we can look at our department heads and ask them to open their office up, but not necessarily the office holders. So, we would then run that through the office holders at that point.

Jerry Denbo: So, would you like me to get back with you to give you the presentation I give, or bring brochures. The presentation is, well, I just do flip charts. I can come in with a 70 minute program where we have a Power Point. I don't like that, I would rather do a 30 minute just simple—

Commissioner Tornatta: I guess, maybe the highlights of the program. You know, a cost plan of the two packages that you are trying to sell. Then we would take that and get it out to our, maybe, department heads and our office holders and see what type of interest there is.

Jerry Denbo: To be truthful, I'm a very frank person, I would not be interested in that part of it, I would be interested in getting back with you and showing you what happens. I've been down this road before on the cities, I've never been turned down on a county. Cities they'll sometime get a hold of a department, and, hey, anybody interested in purchasing identity theft and we don't get anybody. Cities, yes, when they say, hey, we need you to be at the meeting, we get a good response upon it. Again, I put the emphasis on the training itself, not....I'll give some interesting statistics. If nothing else, it's entertaining to people, and it does tend to shock them into realizing what a serious problem this is. If you check just with your department heads, I know what the response will be, and I apologize for being so frank with you, but I don't want to waste my time or anyone else's time.

Ted C. Ziemer, Jr.: I think what the Commissioners are perhaps concerned about is, obviously, you can go yourself without any permission from anybody to any individual employee of the county and talk to them about this, and you could do that. What you're looking for the Commissioners really is sort of umbrella approval of this on their part that, you know, yeah, they think it's a pretty good idea, so go contact our employees. Which is kind of implying approval by the Commissioners of the program that you want to present and the cost of that program. So, they're electing to do that, unless they know really pretty well what you're going to be doing with the employees if they say yes. So, I think something in writing rather than an actual presentation to them of, hey, if you approve this, here's what I'm going to do and here's how I do it, and here's, tell us about Crow, and tell us where they're headquartered and who they are and so forth. Then, they can form a judgement about that and feel better about making the list available to you.

Jerry Denbo: Okay, I'll make this as detailed....I hope we've got a, I did send something in—

Commissioner Tornatta: Yep.

Jerry Denbo: —that I thought answered....you tell me how much detail, something like that I would love to do. You know, I just want to do it right.

Commissioner Tornatta: Yeah, and I think give us the highlights of the program without the, you can leave out the detail, give us the highlights, the cost, and then, like I said, we'll get back to you. I know we talked on the phone, and that's why I said, once we get that information, we'll have it, then we can move on. I mean, I think it sounds like a great program, and I like giving the employees opportunities to make their own decisions on some of these programs if they feel the need, but we have

to give it the blessing to go through. So, if it's not comfortable with these two guys, one voice doesn't get it done. So, maybe that's a way to clear things up.

President Melcher: I would like to add I think it would be good to have a couple of references or two or something. Maybe some other counties you did it with.

Jerry Denbo: I can—

President Melcher: You know, that way—

Jerry Denbo: —do that.

President Melcher: – I would feel more comfortable, because we don't have to reinvent the wheel.

Jerry Denbo: That's understandable.

President Melcher: And, just like when you got asked about how many the city did, you didn't remember. So, at least you didn't remember how many the city did, because that was your first year, you said?

Jerry Denbo: That was another gentleman.

President Melcher: I understand that, so if you just get the references, and maybe some counties you work with. We know people in these other counties, they are calling us about things and we can talk to them too.

Jerry Denbo: I've done some, I'm moving this direction. I started out east, and I've gotten as close as Spencer County, as close as Pike County, and I've got three others near here (Inaudible), that's where they know me. It's a matter of showing up and getting approval. So, do I need to come back to your next Commissioner meeting?

Commissioner Tornatta: I don't know if that's necessary. If you'll just send that information in, and then we can get back in touch with you.

Jerry Denbo: Okay, I appreciate it.

Commissioner Tornatta: If we need you to come back, we'll give you a holler.

Jerry Denbo: Okay.

President Melcher: And, this could help you with your presentations in the future with some counties too.

Jerry Denbo: Yes, I imagine getting Vanderburgh County, you're , I hate for you to be the first one to turn me down.

President Melcher: Well, we haven't turned you down, we're just asking for more information. It's a business, it's strictly business.

Jerry Denbo: Sure.

President Melcher: You know, we could have 20 people come up and give the same story—

Jerry Denbo: Sure.

President Melcher: –it's just a business.

Jerry Denbo: I understand. I understand, and I appreciate your cooperation and appreciate you hearing my presentation. I will get back with you. I may stop by and visit, you know, hand them to you personally.

Commissioner Tornatta: Okay.

President Melcher: Okay.

Jerry Denbo: Thank you.

Commissioner Tornatta: Thank you, Jerry.

President Melcher: Thank you.

Jerry Denbo: Can I leave this, if you don't mind?

Commissioner Tornatta: Sure.

Jerry Denbo: One of you, it's just a synopsis of what the law says. I don't know who gets this.

Commissioner Tornatta: Okay, that's fine.

President Melcher: Start it there.

Jerry Denbo: Okay, thank you.

Commissioner Tornatta: Thank you.

President Melcher: Thank you. Any other public comment?

Consent Items

President Melcher: Consent items.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Madelyn, do you want to read them?

Madelyn Grayson: The consent items for the July 6th meeting are as follows; approval of the minutes from the June 29, 2010 Commission meeting; employment changes, there are six for Burdette Park for the Commissioners approval; County Treasurer year-to-date investments; the County Auditor approval of the June 2010

A/P vouchers; Soil and Water Conservation District letter regarding temporary relocation to Warrick County office; the Commissioners transfer request for reorganization committee operating expenses; there's a change to the next one, it's the County Engineer approval of pay request number 108, instead of 107, for the amount of \$43,773 for TIF projects; the Legal Aid Society June 2010 statistics, the Legal Aid Society 2008 and 2009 financial statements, the June 2010 statistics, and 2009 return of organization exempt from income tax; department head reports from the County Engineer and Burdette Park.

President Melcher: Okay, any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Is there any other business to come before the Commissioners this evening? Seeing none, we're adjourned.

(The meeting was adjourned at 5:41 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the June 29, 2010 Commission Meeting Minutes.
SWCD Letter Regarding Temporary Relocation to Warrick County Office.
Transfer Request for Reorganization Committee Operating Expenses.

Employment Changes:

Superior Court (1) Sheriff (1) Burdette Park (6)

Treasurer: Year-to-Date Investment Report: May 2010.

Auditor: Approval of June 2010 A/P Vouchers.

County Engineer: Pay Request No. 108: Green River-Burkhardt TIF Projects.

Legal Aid Society: 2008 & 2009 Financial Statements & June 2010 Statistics.

Department Head Reports: County Engineer Burdette Park

Those in Attendance:

Stephen Melcher

Bill Fluty

Gary Heck

Others Unidentified

Troy Tornatta

Ted C. Ziemer, Jr.

John Stoll

Members of Media

Lloyd Winnecke

Madelyn Grayson

Jerry Denbo

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JULY 20, 2010**

The Vanderburgh County Board of Commissioners met in session this 20th day of July, 2010 at 5:02 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We're going to go ahead and get started with the Vanderburgh County Board of Commissioners. It's July 20, 2010. It's a couple of minutes after 5:00. We're in room 301.

President Melcher: Madelyn, would you like to call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance

President Melcher: Saying that, Madelyn, would you lead us in the Pledge this evening?

(The Pledge of Allegiance was given.)

**Sale of County Property to Adjoining Property Owners
Quit Claim Deed for 1320 W. Columbia
Request for Final Bids on 917 N. Evans**

President Melcher: Okay, we'll go into action items. There's a sale of the county property to adjoining property owners. One is a quit claim deed for 1320 West Columbia. Okay, on the sale of the property to adjoining property owners, quit claim deed for 130, 1320, excuse me, West Columbia.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here. I mean, yes. Sorry.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: Commissioner, or President Melcher?

President Melcher: Yes. He's got a little jet lag. So, we're going to be okay.

(Motion approved 3-0)

President Melcher: Next is a request for final bids on 917 North Evans.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: We have a second. Is there any discussion? Any public comment? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**County Auditor: Early Retiree Reinsurance Program Application
EMA: Sub-Grant Agreement: CERT Bags
Xerox County Master Lease Agreement
Public Defender: Xerox Lease Agreement
Health Dept: 2010-2011 Clinical Education Agreement with U of E**

President Melcher: Next is contracts, agreements and leases. This is under the County Auditor, Early Retiree Reinsurance Program application. This is to respond to the Commissioners request at the July 6th meeting that Welborn Health Plans assist the county in submitting an application for this program.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Bill, do you don't have any questions on it? Okay, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you. EMA, 2008 Homeland Security Grant Program Sub-Grant agreement EDS C44P-0-416A. It's for two years and an amount not to exceed \$3,847 for the purpose of the Community Emergency Response Team bags for use in CERT training.

Commissioner Tornatta: Show us what you got, Sherman.

Sherman Greer: Okay, Sherman Greer, Emergency Management Director for Evansville-Vanderburgh County. This is one of our emergency response bags that we provide for citizens in Evansville-Vanderburgh County that want to take this course for community emergency response. The bag comes completely, it's self-contained for everything that they would need in response into their neighborhoods. I'm not talking about people going to, you know, tornados and things outside of their area and everything, these are more or less for people in their neighborhoods (Inaudible). At one time Evansville had more teams in Evansville than we had in the whole state, but everybody has caught on to that now and we've been, for the past couple of years, not getting a lot of funds to where we can be able to train people. This year, with this grant, which you can see here we got \$3,847, and I applied for \$17,000 to be able to continue on with our project. This, with this I can only do 25 bags with this grant. So, along with this getting approved, I would like to ask the County Commissioners if I could also use some funds that we have, disaster funds that we have, to be able to get 55 more bags, which would add up to be about \$8,463.40, and then \$1,200, \$1,250 also for the manuals that I have to get printed up for the students.

Commissioner Tornatta: In like 30 seconds or less, can you tell me what's in that bag?

Sherman Greer: I can tell you or I can show you.

Commissioner Tornatta: Okay, well, I mean, I'm just curious.

Sherman Greer: Well, first of all, you've got to protect your head. So, you've got–

Commissioner Tornatta: I thought that would be there.

Sherman Greer: –a helmet. You've got to have a flashlight that you can wear on your helmet at night.

Commissioner Tornatta: Okay.

Sherman Greer: You've got medical supplies here, you've got marking supplies here. If you go into a home or something like this you might leave the red on the door, that means do not enter this place (Inaudible) to do that. Of course, we've got duct tape in here.

Commissioner Tornatta: That's great.

Sherman Greer: Gotta have duct tape. We've got crowbars in here. We've got flashlights in here. We've got masks in here. We've got a small radio, we've got batteries and everything so that you can listen to what's going on in the community on the AM/FM radio. We've got goggles in here. We have a crescent wrench in here so you can turn people's gas off, or turn your own gas off—

Commissioner Tornatta: Okay.

Sherman Greer: —in case there is a gas leak. We have ponchos in here, and we have all sorts of things in here—

Commissioner Tornatta: Okay.

Sherman Greer: —for these team members. These are only what we would call the staples, the basics. We always ask all team leaders after their training and everything to personalize it, and put things in there that they think they'll need. Plus, over here, ponchos over here in case it's raining.

Commissioner Tornatta: So, they'll be like \$153 a pop?

Sherman Greer: \$153.88.

Commissioner Tornatta: Got it.

President Melcher: Now, are these going to be replacing bags that somebody's already got? Or are these going to go to new CERT—

Sherman Greer: Pardon me?

President Melcher: Are these going to be replacements?

Sherman Greer: No, these are for new—

President Melcher: For new?

Sherman Greer: We've got other, some other neighborhood organizations that are interested in this. The 25 that I'm getting from this grant, eight of them are going to go to the West Side Nut Club.

Commissioner Tornatta: Right.

President Melcher: Okay.

Sherman Greer: They were trained at this time last year and we were eight bags short, so I'm giving eight of those bags to the West Side Nut Club. They decided it would be better for them to have their own teams trained down at the West Side Nut Club for the Fall Festival.

Commissioner Tornatta: Uh-huh.

Sherman Greer: In case something really happened down there (Inaudible). They want some more people trained also. But, right now I want to be able to get USI, a lot of people out there, and U of E, that's interested in it also. We're putting together maybe 12 to 15 people per team—

Commissioner Tornatta: Uh-huh.

Sherman Greer: —so, there again, we should be able to get (Inaudible).

Commissioner Tornatta: How long is the training?

Sherman Greer: The training is 20 hours.

Commissioner Tornatta: Okay.

Sherman Greer: 20 hours of training.

Commissioner Tornatta: Okay.

President Melcher: And, most of the CERT teams are all living in the same area, same neighborhood associations, most of them?

Sherman Greer: Yes, sir. What our goal is is to get all of the neighborhood organizations trained to where that they have their own teams.

President Melcher: Right.

Sherman Greer: Nobody knows their territory better than they do.

President Melcher: Exactly.

Sherman Greer: This way they can go around and do assessments of people that are bed ridden or assessments of people that have disabilities and different things like that. So, it's a good thing. It's a good thing. The thing that I've got to do is get more money from the state on that (Inaudible). I'm going full throttle next year on getting more money from them (Inaudible).

Commissioner Tornatta: Okay.

Commissioner Winnecke: I did have one question relating to the funding. So, today we're approving the sub-grant agreement—

Sherman Greer: Yes, sir.

Commissioner Winnecke: —but, you said something, you're requesting additional monies for, in the amount of \$8,463, and then \$1,250 for manuals.

Sherman Greer: Yes, sir. That's out of funds that we have from disasters that we've had in the past, the tornado and things like that, that we have in a cash card.

Commissioner Winnecke: So, you're making that request of us today?

Sherman Greer: Yes, sir.

President Melcher: Right.

Commissioner Winnecke: Okay, so, the total amount, in addition to that, in addition to the state grant of \$3,847, is \$9,713.40?

Sherman Greer: No, that's the, that's not counting this. The nine thousand–

Commissioner Winnecke: They're separate?

Sherman Greer: They're separate.

Commissioner Winnecke: Correct, I mean, the grant is the \$3,800–

Sherman Greer: Right.

Commissioner Winnecke: –and the \$9,713 is–

President Melcher: Right.

Commissioner Winnecke: –what you're requesting that we spend locally?

Sherman Greer: Yes, sir.

Commissioner Winnecke: Okay, thank you.

President Melcher: So, I think we can make this all in one motion for the total. I know we haven't had a motion.

Commissioner Winnecke: I would move that we approve the sub-grant agreement as presented, as well, in the amount of \$3,847, as well as the local funding request of \$9,713.40 for the additional CERT team bags as requested.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Sherman Greer: Thank you, gentlemen.

Commissioner Winnecke: Thanks, Sherman.

Commissioner Tornatta: Thank you.

President Melcher: Thank you. Next, we have the Public Defender equipment lease agreement with Xerox for 60 months for a minimum monthly lease payment of \$226.22 per month.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Ted, I guess, we've got all of that cleared up?

Madelyn Grayson: Isn't there a master agreement also?

Ted C. Ziemer, Jr.: Yes, there's a master agreement and then the specific agreement. There's two agreements, yes. The master agreement covers any department that would want to lease equipment from Xerox would do so under the master agreement. The specific agreement has to do with the Xerox equipment that's going to be leased by the Public Defender's office. So, it's two separate agreements.

President Melcher: Okay. Well, we've got a motion for this one, the \$226.22 for the, we'll vote on that one first. Any further discussion? Anybody in the audience? Madelyn

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Now we'll vote on the master agreement. Is there anything you want to explain on that?

Ted C. Ziemer, Jr.: No, sir. It's simply provided general terms. For example, the agreement that you just approved is for 60 months. We can't approve an agreement for more than one year unless there's a provision in the agreement that provides that if there's no appropriation in some fiscal year then we have the right to terminate. The master agreement contains that provision, as well as other provisions that govern this. So, we recommend approval.

President Melcher: Okay, we'll need a motion on that.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next, we have the Health Department 2010-2011 clinical education agreement between the Health Department and the University of Evansville. This is for a term of one year, September 1, 2010 to August 31, 2011, and it's for the participation by the Health Department in the clinical education of nursing students enrolled in U of E nursing program. It is identical to the form of the agreement of 2009 through 2010. It does not contain any funding requirements on the part of the county.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Engineer

President Melcher: Next we have department head reports. Is there any department head....John, do you want to go ahead and come up? I've got a note here to kind of speak louder into the microphone. Anybody coming up this evening, our

microphone is not picking up quite right yet, so if you could kind of speak into it, we would appreciate it. Thank you.

John Stoll: The first item I have is a deed for restrictions and covenants for the mitigation parcel on the University Parkway project. In order to comply with IDEM and the Corps of Engineers requirements we have to have perpetual covenants and restrictions on the mitigation site to make sure that it remains a mitigation site forever. I worked with the County Attorney to get the deed in the proper format, so, I would request that you go ahead and sign the deed to then record it, and it will have restrictions that, basically, establish that as a mitigation site forever.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then, was the Greenbriar contract, was that already on the agenda? Okay, the next item I have then would be a request to award the concrete repairs of Greenbriar Hills Subdivision to River Town Construction. That's in the amount of \$136,465. They were the low bidder on that project.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and second. Is there any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then, last, I just wanted to update you on the Evergreen street repairs project. We did get the contractors bond and certificate of insurance yesterday, so, we're sending them the notice to proceed. So, I would hope that we'll see construction getting going in the next week or two. Once I get a more specific schedule I'll keep you updated.

Commissioner Winnecke: John, is there, we still have that e-mail group list? Is there a way we can communicate that to the neighbors out there?

John Stoll: I've been getting e-mails from some of the residents and trying to keep them updated as I got information, but I can pass it on to anybody I have e-mail addresses for.

Commissioner Winnecke: If you would need some assistance, I'm sure Marissa or Kristin would be happy to forward that information as it becomes available to you.

John Stoll: Okay.

Commissioner Winnecke: Thanks.

President Melcher: Anything else?

John Stoll: Thanks.

President Melcher: Any other department heads? Steve?

Burdette Park

Steve Craig: Steve Craig, Manager of Burdette Park. I'm appearing before you tonight, one of my employees, Clare Scheller, she is a lifeguard at our swimming pool, and she has been diagnosed with acute lymphoblastic leukemia. She will be undergoing two and a half years of treatment. Her fellow classmates and employees have approached me about having a swim night at the aquatic center. What this would consist of would a swim where the people pay donations to come in and swim at night. The lifeguards that were working with her will donate their time, so that there will be no cost to the county whatsoever. However many lifeguards we get, how much time that they donate will dictate what we will be open that night. I was wanting to get permission from the Commissioners to waive the fee that it would normally cost to have the swimming pool open at that time.

Commissioner Winnecke: Steve, how many requests like this would you get in a year? I mean, not being, not from a county employee, but from other groups or individuals?

Steve Craig: I've not had one. What makes this feasible is that the lifeguards will all be donating, whereas before, you know, we had to pay for the lifeguards, there would be a cost. That's what the normal cost of the use of pool is to cover the lifeguards.

Commissioner Winnecke: Ted, would we have any special liability in a case like this.

Ted C. Ziemer, Jr.: I've already discussed that with Steve. I don't think we would because we will have the ordinary compliment of lifeguards there. Otherwise, our insurance will cover us. So, I don't see any difference in liability.

Commissioner Winnecke: I would move approval.

Commissioner Tornatta: I second it, and I think it's a good gesture on your kids. That group's a family out there after the summer. So, I know they're a good group of kids. So, yeah, I'll second it.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Steve Craig: For anybody wanting to attend, that will be August 8th, which is a Sunday, and it will start at 7:00 and run approximately till 9:30 or 10:00.

Commissioner Tornatta: Alright.

President Melcher: Would you want to—

Steve Craig: I have one more thing.

President Melcher: —could you go ahead and send us an e-mail on that also?

Steve Craig: Donations can be made at any Fifth Third bank, and it's under the Clare Scheller benefit. Thank you.

Commissioner Tornatta: Thanks.

President Melcher: Any other department heads?

County Attorney

Ted C. Ziemer, Jr.: Yes, I have one item. You'll recall that, I believe last week, I e-mailed you regarding a contract to be entered into between the county and Danco Construction Company for \$214,900 to do the renovation to the Superior Courtroom on the second floor of the Old Courthouse. At that time, there is no line item of the Commissioners to cover this cost, and I advised you that it was my understanding that it was the intention of the Evansville Bar Association Foundation, and the Evansville Bar Association, and the Vanderburgh Old Courthouse Foundation to

provide this funding to cover the cost of this contract. I required that we obtain a contract from those entities agreeing to make those payments before I would recommend to you that we approve the construction contract. I apologize that this only got into my hands today from the Bar Associations. It's a payment agreement that was developed by Krista Lockyear, the President of the Bar Association and Judge Heldt, the Chairman of the Bar Association Foundation. I reviewed an initial draft of this agreement, had some suggestions for changes, which they have made, and the thrust of this is that the Bar Foundation and the Bar Association have already received \$150,000 in donations toward this cost, and, of course, the contract is for \$214,900. They have outstanding pledges of \$132,000, which they are attempting to collect, and since they're from lawyers they feel confident they will be able to collect it.

President Melcher: Is it from other lawyers though?

Ted C. Ziemer, Jr.: However, in the unlikely event that they wouldn't be able to collect that, the Old Courthouse Foundation has sufficient funds, and is willing to guarantee the Commissioners that if there was any shortfall in the amount of these contributions, they will pay the balance. So, we know when that agreement is signed, and you're a party to the agreement, if you sign that and then you sign the contract, we know that we have the funding available to pay the cost of the contract, as the architect certifies bills to us during the course of construction. So, we recommend, and you haven't seen this yet, but I have reviewed it extensively and we've made changes in it and I'm confident that you will find it satisfactory, and it provides, as I said it did. You already have an e-mail on the contract, which you've reviewed previously. So, we recommend approval of the payment agreement and the contract between the Commissioners and Danco Construction Company.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody in the audience?

Madelyn Grayson: Ted, do you have those documents with you tonight?

Ted C. Ziemer, Jr.: Yes, I'll bring them right to you.

President Melcher: Seeing none, Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: I do have one other item from the Highway Department, and Chris came to us and would like us to recommend a restraining order letter be sent out and worked out through Chris and the County Attorney for a particular problem that he's having out at his, out at the office. So, I would just like to make a motion to, or direct the County Attorney to work with Chris to take care of his issue with the restraining order.

Ted C. Ziemer, Jr.: Okay, I'm sorry, I was walking down there and back. Which issue is this?

Commissioner Tornatta: Is Chris here? I don't know if he is. Anyway, Chris Walsh has a former employee that is coming off a restraining order that he would like to have on a restraining order, because he's getting some information that it could be a problem.

Ted C. Ziemer, Jr.: Yeah, I'm familiar with that, and I did speak with Chris about this once before. There is, well, we'll just have to take a look at it as to whether we can get another restraining order, but we'll take a look at that.

Commissioner Tornatta: Okay.

President Melcher: Well, I think what he was trying to get at, I think some officer told him he needed something from us or something to tell them they can't get on our property too.

Ted C. Ziemer, Jr.: Sure, okay, so, we'll sure take a look at it.

President Melcher: Just find out what we can do.

Ted C. Ziemer, Jr.: Sure.

President Melcher: That was the officer's suggestion, which was the Deputy Chief. Okay, any other department heads? I don't see any board appointments this evening.

New Business

President Melcher: New business? Car wash for walking contestant winners.

Commissioner Tornatta: Okay, whether it's new business or old business, just I will fill you in our Walking to Freedom contest. This is the second year for the Walking to Freedom contest where we ask employees of Vanderburgh County to try and see if they can outstep their comrades. Had a great year this year. Welborn Health Plans worked with Old National Insurance to help us put on this program. Statistics, there were 14 weeks in the contest, 110 participants, they walked 42,960 miles. Hold on, 42,960 miles walked during the contest, 17 individuals walked over 500 miles. So, our hats are off to those individuals. We had a 96 retention, percent retention rate of those who started the contest versus those who finished. So, we feel like we got great participation and good staying power. Had our top team this year were the G.I. Janes.

Commissioner Winnecke: I thought it was the Commissioners.

Commissioner Tornatta: Well, we're giving it to them.

Commissioner Winnecke: Oh, okay, okay. Good call.

Commissioner Tornatta: Shannon Wilson, Danielle Phillips, Lauri Chapman, Susan Young and Melissa Simmons were on the G.I. Janes team, and they were the tops. Now, the not so good part is we owe five people car washes. Steve, you can come out and help if you want, but, I know we already talked about that. So, Lloyd and I last year had to wash cars. We limited it this year to five, because we have outstanding walkers in our ranks. So, the top walker in Vanderburgh County was Carrie Aiken, and, so, she'll receive a car wash, Cammie Underwood, Mary McCannon, Tony Brinson and Kelly Ward. So, they will all be recipients of that hand washed car wash.

Commissioner Winnecke: When are we going to do this?

Ted C. Ziemer, Jr.: Yeah, can we know so we can come out and take pictures. I think that's what we would like.

Commissioner Winnecke: Surely, we'll want it on Facebook or something.

Commissioner Tornatta: December. No.

Commissioner Winnecke: Shoot me some dates and we'll work it out.

Commissioner Tornatta: So, we'll come up with dates and get that out to all the ladies.

President Melcher: Send them to me also and I'll look at it.

Commissioner Tornatta: Okay, alright, we have a commitment from Steve on the car wash. Thanks.

President Melcher: No, not a commitment. I'll look at it.

Commissioner Tornatta: Okay.

President Melcher: I'll get them a certificate or something. Anything else under new business?

<p>Old Business Continuation of Bohannon Estates Sanitary Sewer Barrett Law Project Public Hearing</p>

President Melcher: Then we'll go to old business. Under the old business, I guess, we're calling it the continuation of the Bohannon Estates sanitary sewer Barrett Law project public hearing. This is the one that we continued from 30 days ago to tonight. We're going to give everybody ample time to speak and say what you need, just try to keep it as brief as you can, not try to....we heard it that evening. So, try to give us something new this evening, or something different, talk about the petition, talk about what you want, but let's just kind of move it along. Let's respect everybody, just because somebody wants it and somebody don't. We kept it pretty great last time, let's do the same thing. So, whoever wants to be first, I don't have

a list of names. So, when you come up you've got to state your name and where you live. We want to make sure that everybody lives in that same area.

Commissioner Tornatta: We will say that this microphone is a problem, and we probably need to address it. So, if you can't hear, try and speak into the microphone, if you can't hear we apologize.

Commissioner Winnecke: Can they use one of the other microphones? We could use one of the other microphones.

Commissioner Tornatta: Well, that's fine.

Justin Shofstall: Either or.

Commissioner Winnecke: We can hear you.

President Melcher: We just heard that. I guess—

Justin Shofstall: Justin Shofstall with Easley Engineering. Originally we brought this on behalf of the lot owners and participants of Bohannon Estates and Boonville-New Harmony and Highway 57. Since that time, we originally, at the last meeting we had what was constituted 25 percent of the population that showed up for the meeting to remonstrate against the project. Since that time, Mr. Markwell, who is one of the participants on this, did send out and canvass the neighborhood with a relatively neutral petition asking people if they were either for or against the project. I think, at this time, as far as to sum it up, that there are 50 percent or more that have signed on this petition that they are against the project. That is unfortunate. I do know that there was also a letter that is listed underneath new business and I will try and keep this as brief and concise as possible. One of the items as far as the entire list, to sum up, what it boils down to is, I don't believe that the residents are willing to pay what would be that maximum cap of what the current construction plans are, which is worst case scenario, all the contingencies that would be encountered in the field, the maximum cost of \$9,500 plus. Previously, back in 2007 when we were getting the rest of the easements and began the process of getting the easements from the property owners, we had construction estimates from contractors that have been awarded work in Vanderburgh County using prevailing wages for the project and those costs for a construction loan were \$6,500 to \$7,000. With that, again, as far as what the current construction estimate again represents total maximum cost, worst case scenario. Since that time too, I believe, let's see, again with some of the other issues on that, one of the things they had mentioned as far as (inaudible) apply for a federal grant to pay for sewer lines for this type of improvement. From our experience the type of projects that usually, typically warrant a grant of this nature would be the Town of Darmstadt, Mt. Auburn and what was eventually about, I believe, 20 years Jobe's Lane, which was most of the septic systems themselves were in failure, EPA was involved and then they were able to kick in the grant money and paid for a significant portion of those improvements for the sanitary sewer. Again, with everything that we have gone through, as far as with other grants, talking with other and when we were in this process with the property owners and we had with them again, that they were interested as far as the grants, everything we had come across with as far as state and federal, gubernatorial offices was that it kept coming back to where for this type of application Barrett Law sewer was the best. I do know that Mr. Markwell had also provided some additional information as far as potentially would be eligible for an OCRA grant. That is also an income dependent for all of the individual property owners. Do I believe this is a viable project? Yes. Is

this a public health issue, as far as providing these services? Yes. Am I, at this point, less than pleased that the project itself as being 50 percent or more that are against it? Yes. I just think it's unfortunate. Septic systems, it's something as far as it's not if they are going to fail, it's when they are going to fail. These residents themselves are going to be facing this issue, and they all are Vanderburgh County property owners over the age of 21, they can make their own decisions. That's their decision then if they are going to take that gamble of whether their septic system holds out another five years, ten years or 20 years. But, at some point it will fail, and they will be having to revisit this issue sometime in the future as far as having it either a total replacement of their septic systems, or having to get sanitary sewer provided for them. So, at that point, again, I would hate to try and force anything on folks that we have more than 50 percent of the population against the project, and I leave it in your hands as to vote yea or nay.

President Melcher: You didn't include the tap in fees, I don't think?

Justin Shofstall: No, as far as with the construction cost.

President Melcher: So, that's about \$1,300 more?

Justin Shofstall: And, again, that was something at the time that it wasn't until early this year, when EMC was released as the managing company for Evansville Water and Sewer Utility and turned back over into a public utility itself, it was at that time that we had asked them to waive the tap in fees for these residents, and it came back as, as far as at the time, Harry Lawson, the Director for Evansville Water and Sewer Utility and EMC, stated that that was something that they would not allow, that would be setting a precedent on their part and they wouldn't be partaking in that. I believe at some point too at the last meeting that the Commissioners had mentioned as far as trying to Evansville Water and Sewer Utility change their ordinance to allow for any Barrett Law process on a sanitary sewer construction to be waived as far as the tap in fee. I think that would be a wonderful idea as far as to at least go ahead at the current price anyway, \$1,200, that would taken out of the property owners pockets where they wouldn't, they would get to keep that for their construction needs for other plumbing work to connect it to the sanitary sewer trunk line.

President Melcher: Okay, so it was about \$11,000 for them.

Justin Shofstall: When it's said and done it probably is.

President Melcher: Right.

Justin Shofstall: And that's if the construction, as far as with the construction of the trunk line itself would be at that maximum price of the \$9,500 plus.

Commissioner Tornatta: Okay.

President Melcher: Okay.

Commissioner Tornatta: Thank you.

Donna Miller: My name is Donna Miller. I live at 4014 Bohannon Court. I'll talk loud since the microphone's not working.

President Melcher: Maybe you could turn it kind of towards you too a little bit.

Donna Miller: Okay. I would like to start out stating I am very disappointed with the way some of my neighbors have been representing themselves, and the untruths that they have been stating are very disturbing to me. First they keep making this an issue about money. We live in a nice neighborhood. For those who have stated financial hardships have large campers, two to three vehicles owned by some who are on fixed incomes, SUV's, they take vacations and so on. These are people who should be obliged to keep up their properties and not affect my own personal property value by denying the sewer project to go forward. The persons going around with the petition against the sewer were stating that our neighborhood would be annexed into the city and the sewer would then be paid for by the city. This is one statement I heard by a neighbor who actually spoke with the persons going around with the petition. This is just an example of how some of the signatures were obtained. This is very disturbing to me whenever I hear these comments. The first request for the Barrett project was signed by the same people who just seem to want to get this for free. If the county was holding this meeting to see if the sewer was needed at the cost of the county itself, these same people would, I believe, be rallying for the sewer. It is my understanding that the homes on Highway 57 were added after the project was started. One home in particular took one year to approve an easement, that slowed this project way down. This could already be finished had that not been going on. Now, when we were ready to get this approved and move forward, they're once again stalling the process, only now they want out of the Barrett project they requested being included in. These are bad septs in this neighborhood, and I request before this is thrown out, that the Health Department should go and test the soil in these neighborhoods. These are 20 year plus septic systems that are going on. We have ditches in front of our properties, when we have hard rains, obviously the drainage runs into the ditches throughout the neighborhood. We've had a very dry season, so it hasn't been as obvious, but during a normal season, you walk around, you smell sewage. We all have the responsibility to keep our properties up and any costs that we will pay will just increase our property values. Always when a sewer goes in it increase property values. If the septic is left and the sewer does not go in, our property values are going to decrease. These same people that are not willing to pay for the sewer over a 30 year loan will definitely not be replacing their septs when it goes bad and having to pay seven to ten thousand dollars to have it replaced. It will just go on and be a poor septic and I will have to smell it and live in the neighborhood with it. That's all I have to say.

Commissioner Winnecke: Thank you.

President Melcher: Thank you. Next. Thank you.

Commissioner Winnecke: Thanks.

Dwight Markwell: Okay, my name is Dwight Markwell. I live at 11712 Highway 57. After our last meeting up here, I know I felt like I needed some guidance of how the neighbors felt. I think the Commissioners probably felt the same way. So, we decided to go ahead and take a survey on our own, just to see where everybody stood. During that survey, it turned out we had 40 property owners that were against it now. We had two property owners for, we had nine property owners who would not fill out the survey, we had five property owners we never could catch at home, and we had two property owners that we could not even find, there was no house there. Okay? So, I also attached in there how, it's color coded there, on how it came out, and I do not have any of the mail-ins that you guys have, so that will be above and beyond this. What I've got here.

Ted C. Ziemer, Jr.: Excuse me, did we receive mail-ins? Marissa, have we received any mail-in responses to this survey?

Marissa Nichoalds: Not that I'm aware of.

Ted C. Ziemer, Jr.: Okay, so, we don't have any that you don't have.

Dwight Markwell: Okay, because some of them said they were going to mail them in.

Commissioner Winnecke: We have received some letters.

Commissioner Tornatta: I thought we received some e-mails.

President Melcher: Yeah, we got e-mails.

Commissioner Tornatta: Yeah.

Dwight Markwell: Okay.

Commissioner Winnecke: But not, they were just kind of to the....they make their preference known to the overall project, but not to the survey.

Dwight Markwell: That's fine, and they should be heard.

Commissioner Winnecke: Right.

Dwight Markwell: Okay, you know, I want that on record. I want those people heard. After we went out and started talking to the neighbors, it was enlightening. Our little neighborhood, we kind of stick to ourselves, you know the neighbors right around you, but it was nice to get out. Maybe we didn't all agree how to handle this problem, but for some of us who have been out there for years, this has been going on for six years, not just two years. We've been trying...as you guys remember, the VIP sewer line went through and the 57 residents tried to get tapped in to that by relocating a pump station to Boonville-New Harmony Road and 57, but that couldn't be done for one reason or another. So, it's been going on for six years. I do have some comments, in fact there are some people who have problems, and there's....when you have a septic system, there's things you have to do. You have to maintain a septic system. You have to keep it cleaned out every two or three years. The, you have to look at your field bed, where it's at, and make sure it drains off and water is not ponding on it. Some of the problems I saw where the lots were ponding water. If they would get in and cut some ditches that would relieve some of it. Now, this is not handling all of their problems. Some people who, neighbors have built berms that has stopped the natural drainage. I don't know how you would handle that. That, and other people, and I'll say myself, okay, I went out and spent another \$6,000 on my septic system and put more laterals in. But, if, one of the questions I asked, well, if you're having problems, what have you done? Have you done anything to improve it? Some of them said yes, but some of them said no. Back when my house was built, the county did the percolation test. There was a flaw in their calculations. That meant there was not enough laterals put in on a lot of lots. I put in 300 more feet, and to this day I have no trouble anymore. But, you have to maintain, you have to make sure that you're not ponding water on your field bed, and if that means cutting ditches on both sides of your property, swales to let the water out, that's what you have to do. I would like also to thank Troy. He attended a

meeting when the sewer rates were raised and asked questions. Thank you. There's a lot of things that went on during that meeting that, it was kind of two sided when I know the issue we're working at that we've been told that, hey, you guys have to pay for your sewer lines first, everybody pays for their sewer line the first time. But, I watched the meeting with the city when they raised the rates, I didn't know this that there's people within, inside the city limits who don't have sewers, but they're not going to pay their sewers. It's going to be paid out of that OK bill that they have. Now, about grants, there are grants out there. They're not just hanging on a tree, you have to work for them. I had a question for the Water and Sewer Board, I guess they didn't show up, as, I guess, you requested, but I had a question, do they have grant writers on board so they can ask to write for grants?

Commissioner Tornatta: Well, we do have grant writers, and, I guess, it just, we're kind of dealing with the cart before the horse trying to figure out what's needed versus what to move forward on. I think that that's something that we can entertain. I mean, we can go see....the problem right now is that it's the timing of the grants, and when you ask for the grants and when those grants are out there. That's the toughest part. We do have probably as good of a staff at the Coalition to address those issues. So, I mean, we don't mind doing that, and we will....we've been trying to throw out as many ideas as possible, and I'll bring up a few when you're finished.

Dwight Markwell: Okay. I did track a bunch of grants that have been given around the area. I think Elberfeld just got the last one. But, there's a lot of communities and a lot of cities that apply for these grants. I know that, if some of these people are having trouble with their septic system, maybe the first step they need to do is get a qualified person out there to see if there's something wrong with their septic system first. You can put in a brand new septic system for a lot cheaper than what we're doing here. A lot cheaper. But, I know it's a horrible thing to have when you have problems with a septic system, but it's a matter of time, you've just got to bite the bullet and get it repaired. Now, I've heard that, and you've heard that all septic systems go bad sometime, or all the time. That's when you put new ones in. So, and possibly, if maybe the county needs to look at having shelf ready projects in areas where you know there's problems. Why not have shelf ready projects ready? Another thing that I noticed in here, we did pay them for the design, there's also money in here for inspection. We've done some of these jobs where I would—

Commissioner Tornatta: We take care of that. So, there won't be money for, that won't be an issue.

Dwight Markwell: But, it was written in there that way.

Commissioner Tornatta: Right.

Dwight Markwell: Okay? So, I was going to bring that up, you know—

Commissioner Tornatta: Yeah.

Dwight Markwell: —usually the Water Department, actually, or Sewer Department actually want their own people there because they want to see what's going on.

Commissioner Tornatta: Yeah, we inspect it.

Dwight Markwell: Okay. As far as that board goes, with the water, with the Sewer Board the way it's structured, and I heard exactly what you heard, Troy, that, yeah

we've got two people on there, but what they said was they live in the county, but they're appointed by the Mayor. I would think they might answer to the Mayor, but I'm not sure. That was one thing that I would like to see changed in the future, if that's possible. I don't know what has to be done to do that, but it's sure enough nice to be paying 30 or 35 percent more, then when the question is asked to show the information how they came up with that, well, it's lost. I would feel better dealing with the county people that are elected for us, so I can say, hey, I need to have that answered, how can it disappear? Has the last one disappeared already? The one they just approved? I'm not going to take anymore of your time, but as you can see we're well over 50 percent. I think the way this thing could possibly work, if, and I don't think it will ever get this bad, if it would get bad enough that the Health Department would say condemn it, then you're a step up on the grant money. You're already a step up, because they're going to be helping you apply for that grant money. Thank you.

Commissioner Tornatta: Dwight, just kind of hold your, hold it there. I wanted to go over a couple of things and then ask you some questions. Were you the one that was going out and checking with the surveys?

Dwight Markwell: We actually had—

Commissioner Tornatta: A couple groups?

Dwight Markwell: —we had four people.

Commissioner Tornatta: Okay.

Dwight Markwell: Three people and myself.

Commissioner Tornatta: Okay, first off, I wanted to talk about that whole grant scenario. We have really busted our tails to try and come up with as many grants as possible. I know the three of us have been to different seminars and different issues with where the monies are coming out and how those monies are allocated and tried to work with Debbie Bennett-Stearsman, who is an exceptional person in the Coalition office. What we keep banging our heads against the wall is the threshold that we have versus say the city. It's an income threshold, and it hurts us in some areas that don't allow us to get the grants. Now, we don't make up the criteria or the grant approval process, so we're trying to get ourselves into every door that we can. The issue so far has been we're above a threshold, or don't fit in a certain rural criteria. Okay? So, that's one, and, you know, we have to live with that. The City Council asked that we look at the justification on the rate, and that's a start. I think, you know, maybe that gets that 35 percent down in the future, and that's what we have to hope for. In the meantime, I'm still going to press to try and get us some type of representation on that panel, because, as you said, it is represented by, you know, the Mayor has the appointments. If the county is a participator in this process, I think that the County Commission and maybe the County Council in that case should have somebody on that board as a representative on that board that can come back and answer to us and to the people that we represent. Did talk to, and had two separate meetings with the Water Utility and Sewer Utility to talk about what avenues they could use to bring money back into the fold. There is a talk about how those tap in fees are handled. So, I tell this group who is in the middle of the process that we are working to try and get tap in fees waived. What other monies are out there and what other monies that they can donate back into the process are probably minimal, but I think we've looked at some tap in fee waiving, and so, that's just something to

consider. While we're considering things, obviously, we do know that these septic systems do fail. When they do fail, and you do go to a sewer system, obviously, that is a property value enhancement. If you go back to the septic system, as you said, then you have the opportunity that you're going to put the money back into it, and it will function, but it still won't raise the property value. So, there is an issue with that property value raising. This is some information that I've picked up as I've tried to study as much as possible to be ready for this meeting. But, those are just some issues that have come up, some new advancements that we've been able to tackle, and that's that segment. The segment that I want to ask you, did you find out a threshold on what the group would be willing to pay to get these sewers? Then, is, does it come down to the, I think we talked when I talked to Mike Labitzke with the Water and Sewer Utility, he seemed to think that the numbers now are pretty good, as far as he didn't see a lot of fluff in the numbers, but he did say there could be two or three areas that it would bring the price down from the \$541,000. There might be a knock off of some money off that, but it's not going to be substantial. So, I mean, that number is a pretty good number. I mean, where do we think the threshold is on the whole process?

Dwight Markwell: That would be a, you know, you're asking me something that would be a guess on my part. But, you know, when we first started this, we were around \$6,000. Okay? To the middle of six.

Justin Shofstall: \$6,500 to \$7,000.

Dwight Markwell: Okay, and the first group were actually in the three thousand dollar range. The first group, we started with the whole thing, back six years ago, but, and then we've progressed up to the six thousand something, and now look where we're at now.

Commissioner Tornatta: I mean, if the numbers are true, and at the end of the day what happens is they have to shoot for a number not to exceed. That number comes in, and let's say the end total is \$7,800, and don't quote me on that, because that's not a number I know, but it's \$7,800, I mean, is there a group of people that would swing that pendulum that says \$7,800 is acceptable versus \$9,837? I mean, that's what I would, that's the question. I don't want to hold anybody back that wants to move for that. What my goal is, and my goal with the meeting with the Water and Sewer Utility was to talk them and say, hey, how can we get back to this threshold that's acceptable? So that we can get these people on the sewers if they want to be on the sewers, because it sounded like that at first, and now it's, obviously, price prohibitive. It's moving away from that, and I get that too.

Dwight Markwell: I will, on that point, I won't speak for these people, they'll speak for themselves, you know, I don't know what that number is. If we're getting rid of the tap in fee, and we're getting back down to let's say \$7,000, then they may. But, I'm not going to—

Commissioner Tornatta: Okay.

Dwight Markwell: —speak for them, and let them speak for themselves, but I will try and answer any more questions. But, I did want to address the point you brought up though, you said that whatever you put in to the sewer line you're going to get back with the price of the house. Well, that's, I would say 99.9 percent of the time you're correct. But, house prices are going down now. So, will you get full value out of that? I doubt it. You'll get some of it, but you're not going to get all of it back.

Commissioner Tornatta: Yeah.

Dwight Markwell: You know, that's just the way today's economy is. I might say this too, okay, there's people sitting out here who have lost their jobs at Whirlpool. There's people who are sitting out here now when we started this have lost loved ones, and they actually can't afford it. So, how are they going to pay? I don't know how they're going to pay. They're paying their bills now and barely making it. If we dump this on them, I don't know what they'll do. Let's just say if it was \$10,000, and they've got to take 30 years, you're not paying \$10,000, you're paying over \$20,000 something by the time you count all of the interest. That's a burden they will have, or a burden their family is going to have to deal with or whoever buys the house next. I'm not sure exactly how that works, even if you can sell the house with that on there.

Commissioner Tornatta: Thanks, Dwight.

John Klump: Yes, my name is John Klump. I own the property at 11424 Highway 57. I live in Boonville, however, at this point. As this all has come about, it all started in Bohannon Estates, behind there, I heard about it. I was under the impression that we needed them. I do believe we need sewers out there. So, I grouped and got the people on 57 to sign up for it. Initially, yeah, okay, we're talking six, seven thousand dollars, okay, that's fine. Now, we're talking about ten thousand dollars? That's a bit much. The area in question, I'm sure, if there are some people who have maintained, some people who have rebuilt their septic systems over the years, and you're right, there are some who have not. Growing up in that neighborhood, I grew up out there, at that residence there, when I grew up from about six years old. I remember when Bohannon was basically nothing but a corn field. I remember when my mom and dad built the house and it was in the middle of a wheat field where my house is located now. I also remember playing in the water, in the swampy area down in Bohannon Estates. I also know that the ground has not always perked as well as it should. That's one of the reasons why I was so enthused about getting the opportunity to get sewers in that area. The six thousand, seven thousand you're talking about, back then we were going, ooh, well, you know, we get that back, I think we would have. I don't think we would get the ten thousand back. Do I think it needs it? Yes, I do. The perking and having the other sewer going through, when my father lived there and I lived out of town, my father died, I moved back to Evansville and took over the property. It's my childhood home. I've always loved it there. I still have it because of that. That's why I wanted to keep that area nice and clean for everybody. However, the cost is getting to the point where it's prohibitive, for me and for some of the other neighbors. The grant money sounds great. That would help out everyone. I think also that if they could be, if the tap in fees were waived, I think you would have more people going okay, alright, you know, my septic systems is fine now, but, right, it will go. It will go, and that area is becoming more and more populated. I often mention about my dad passing away, and said if he could look across the highway now, across the railroad tracks over between Green River and 57, he would not believe what he saw. The same situation is going to apply there. That is farm land, it's flat. If you look at the sewers going from Green River out to Daylight, we need sewers out in that area. What I can do, even though I do not live in that area any longer, I do own residence there. I would like to keep that residence for my own personal recreation for my family when they come to visit. Now, maybe the Commission could maybe help us get to where we can get the cost down and make everybody happy in the area. That's what I would hope for. So, that's all I have to say. Thank you very much. Any questions?

Commissioner Tornatta: Thank you, John.

President Melcher: Thank you.

John Klump: Alright. Thank you.

Carol Bengert: My name is Carol Bengert. I live at 11646 Highway 57. First of all I want to thank the Markwell's for taking on this extensive project of canvassing the neighborhood. We have, they had 40 signatures against wanting the sewer out of 56 properties. So, that's an overwhelming amount of people. I moved out there in 1960, and there were nine people in our family. We had a very extensive system put in, which has worked all these years. Yes, I have put some money into it, it has been maintained. You have to maintain the septic system. I've also had two roofs put on my house, I've had new air conditioners. I've had furnace, a new furnace, I don't care if it's a septic system or what it is, you have to maintain it. You can't just let it sit and do nothing. The first lady that spoke said something about a 30 year loan. Well, nobody's going to give a 75 year old woman a 30 year loan. You would end up spending, I don't know how much, \$60,000, I don't know how much. Also, I read in the paper where sewer rates were going up and what the minimum household, the minimum amount of usage for households was about \$33 a month. The rates were going up, plus at 33 percent more for the county, and I figured roughly, if I used the minimum amount, I would be paying approximately \$50 a month for sewer plus my water. That's fifty dollars or sixty dollars from now until God knows when. That is another expense already added to a mountain of expenses. Also, she spoke about vacations and homes. I have no boat, I haven't had a vacation, I don't know when, 20 years, except I went to St. Louis a few times, but, you know, and I have a ten year old car and I have no boat. So, I mean, there's just not a lot of money there. And, that, oh, the tap in fee would help, but that's only \$1,500 of the close to \$10,000, but we could take whatever we can get. Also, I don't think I could sell my house for \$12,000 more if I have a septic system. I would like to think that, but I don't think that would happen. So, thank you.

President Melcher: Thank you.

Commissioner Tornatta: Thank you. Bill, before somebody comes up, could you just real quickly go over the process again, how it's put on the property tax bill and for the amount of time, and what the percentages are and what not?

Bill Fluty: I can do that. I guess, I have a lot of experience in this area, because 16 years ago when I first started, one of my first jobs was to look at the Caranza sewer and how that was going and get the payment structure on that. We've had five or six more since that time. Anytime there's a Barrett Law, I end up talking to everybody at one time or other, and it's usually when they get their first bill, because that surprises them sometimes. What happens, I think there's 60 of you, I'm not sure of the number, but you're all grouped into the same loan. So, we'll be borrowing that five hundred and—

Commissioner Tornatta: Forty one.

Bill Fluty: —the forty one thousand dollars, and you'll all be basically grouped into that same loan, and you'll be paying your individual, yearly payment one time a year. Sometimes we bill in May, and sometimes we bill in November, depending actually when this bond is negotiated with...usually it's a local bank, one of the three banks, they bid on that, and we bid for the lowest tax rate, or the lowest interest rate, I'm sorry. What, so, you'll all be included in this loan. What happens, often times, there's two things, some people will go ahead and pay the whole \$9,800 off right at

the beginning and be done with it. Most people, they give them an option of actually financing for ten, 20 and 30 years. It just, you pay more on a yearly basis, but you pay less interest for the other time. It's your choice. So, we have many of them that do different things. Actually, the \$9,000 will follow the property. It will be a lien on your home. It will have to be satisfied if you sell this home. So, it will be on a title search that anybody can pick up. Often, there's two things that have happened, it actually works out and when you're selling it between buyer and seller, and you'll actually negotiate that and you'll resolve that at that time. We also do have some people that go ahead and just take over the payments of that for that specific year, because you've got to remember, that lien follows the property, not the property owner. So, that's kind of how it works. Any questions on that?

Unidentified: Is it a monthly payment? We make monthly payments?

Bill Fluty: One time a year.

Unidentified: Oh, that's not what we were told.

Bill Fluty: That's why I always end up talking to everybody, because they're surprised.

Commissioner Tornatta: Bill, would that be in escrow, if they had an escrow account, would that be in escrow?

Bill Fluty: No, it's not in escrow. They don't, the Treasurer doesn't do that, Barrett Laws in escrow. That's confusing to some people, some people will think it's in their escrow when it really isn't, and they'll miss the first payment and actually call at that time. Actually, as they say, the devil's in the details, and I'm at the end of all of this, so I always have the details. So, that's why I end up talking to most of you before it's all over with. I'm glad to talk to you now so you'll really know what's coming if this goes forward.

President Melcher: Okay, anybody else that would like to speak? Do you just want to come on up?

Madelyn Grayson: May we make a change to the CD first?

President Melcher: Yes, go ahead while he's coming up. We have to change discs.

Commissioner Tornatta: It used to be tape.

President Melcher: We record all of these, so, just kind of wait a second until she gets the new disc in.

Kenny Hodgson: Kenny Hodgson, 4035—

Madelyn Grayson: Just a second.

President Melcher: Wait a minute.

Kenny Hodgson: — East Boonville-New Harmony Road.

Madelyn Grayson: Wait a minute, sir. Just a second.

President Melcher: We're changing the disc out.

Madelyn Grayson: Okay.

President Melcher: Okay, go ahead and start now. Sorry.

Kenny Hodgson: First of all, I would like to say that I am in favor of this sewer.

Commissioner Tornatta: Kenny, can I have your last name? I apologize.

Kenny Hodgson: Hodgson, H-o-d-g-s-o-n. 4035 East Boonville-New Harmony Road.

Commissioner Tornatta: Okay, thank you.

Kenny Hodgson: But, I would like to know why this thing has gone up three to four thousand dollars in 26 months? I just want a fair shake.

Commissioner Tornatta: I'm going to say, after asking Mike Labitzke from the Water and Sewer Utility, who looked at the numbers, he went down and scanned every number, and this is no slight to Easley's firm or anything of that nature, whatever the case was, the numbers right now are probably closer to where they should be. Just because they gave you some different numbers in the beginning, doesn't mean those were right, and what would happen, is if the numbers weren't right and they go do the process, or they go bid the process, find out that that number goes over the threshold, you've got to start all over again. So, what they do is they do put a little bit of pad on those numbers to make sure that it's going to be above that threshold, and what typically happens is you are paying under it. Now, what percentage....John, I know we've talked about it, is there, is that a ten percent? Do we look at five percent? I mean, what are we...are there any...do you have any idea from what we've done Barrett Laws in the past that we see there might be a ten percent break from the amount, or not even that much?

John Stoll: It's been so long since we've had one, I didn't compare this to prior projects.

Commissioner Tornatta: Right. Then it comes down to like we do on a bridge project or a road project, we're going to estimate it's going to be a certain amount, we're going to be conservative with our numbers, and our hope is that it comes under that amount so that we can do the project.

Kenny Hodgson: Well, like I say, I'm all for it, there's no problem there, I just want to feel like I got a fair shake.

Commissioner Tornatta: I understand.

Kenny Hodgson: The second thing I would like to tell all of my neighbors is, some place down the road somebody is drinking that waste. It might be some little girl in Cairo, Illinois, but somebody's drinking that waste. All you gotta do is go out on Boonville-New Harmony and Bohannon and breathe through your nose and brother it's there, you know. That's all I got to say.

Commissioner Tornatta: Thank you, Kenny.

President Melcher: Thank you.

Lisa Messel: Hi, Lisa Messel, 4034 Bohannon Court. I spoke last time, and I keep hearing a lot of what ifs there was a tap in fee waiver, what if the numbers would have been right to begin with, where would we be now?

Commissioner Tornatta: Yeah.

Lisa Messel: So, I want that out there is that I'm not sure this is the right time and the right place or right numbers. I think we've got too many variables.

Commissioner Tornatta: Right.

Lisa Messel: The Health Department can come to my house and check my soil.

President Melcher: Next?

Doyle Wilson: Hi, my name is Doyle Wilson, I live in Bohannon, 11619 Bohannon Drive. My problem with the whole situation here is it's neighbor against neighbor out there. I don't feel like it's that way, because we have some great neighbors out there. I live across the street from a great lady, she's against it, not for it, but we're still friends. But, there is a problem out there. This gentleman from 41 that says has a swale that comes, to keep the water off your field bed, well, I would recommend that anybody come to my house, I have swales on both sides of my house. When the water rains, I guarantee I can go out there and stand because the water sits up six inches in my ankles, up to my ankles. So, the water is running to the ditches, and when it constantly rains out there, the septic tanks water comes up so everything is running to the ditches or to the back ditch. Now what I did, everybody says maintain your sewers or septic systems, I went out back and I dug mine up and put a lid in there, and I have mine cleaned every year right before the rain starts. It's cleaned every year. When everybody's talking about putting Rid-X in there, I have eight screws, I pour Rid-X in there twice a month. Rid-X is not the answer out there, and cleaning it out is not the answer. He said, we had an expert out there and have him talk about what to do. Well, when the expert took my lid off he said Mr. Wilson I'll pump this out and I'll be back in two weeks and pump it out again. Because what happens out there everybody's septic tank fills up with water when it rains. If anybody don't believe me, I can take my lid off in one minute when it's raining and you can watch the water running in. Each and every one of their septic tanks are doing the same things. So, that's by an expert, telling me this. My question is in front of this Board, is it okay to run a washer and dryer to the ditch? Is it okay to run a shower to the ditch? When most people put their septic in out there, they put in what you call an overflow pipe. Now, an expert from his office told me if that overflow pipe was not in there, you're septic tank would come out of the ground. Now, when your septic tank fills up with that water, with your sewage, where is that going to? To the ditch, because everybody's septic tanks out there has an overflow pipe. Everybody, about 90 percent, I won't even say 90 percent, I'll say 50 percent of the people are running their washers and dryers to the ditch. I would say another ten percent of the people are running their showers to the ditch. Now, is that clean water? I don't know, but that's the way I bought my house. That's the way it was set up, and it was passed that way, by the shower running to the ditch and my washer and dryer running to the ditch, and with an overflow pipe running to the ditch for when it fills up with water it can relieve itself and get out of there, or the septic tanks will shoot up out of the ground. Now, my question is, what is legal and what's not legal? That, and they septic tanks work, no, they don't work, that's why when they was put in out there, everybody, I think, I might be wrong, basically has an acre. Why do they nowadays make you have two and a half acres? Because you cannot get enough

laterals in that area to make them work properly. Now, that's by all the experts, get on the internet they'll tell you all this stuff. You don't have to hire an expert, the expert is the internet. Now, the Rid-X is not your answer, and these people keep saying well, I don't know if my house will be worth \$10,000, but when they come through the neighborhood and there's port-a-potties sitting out there because people don't want to fix their septic tanks because they know they're not going to do no good, and people won't buy their house what is their house going to be worth? I want people to realize that, that's what's going to happen, because when you all go to sell your house you're going to have to tell them about your problem, and everybody out there, as far as I'm concerned, has a problem. Thank you.

Commissioner Tornatta: Thank you, Doyle.

Unidentified: You don't have proof of that.

President Melcher: Let's just keep it on the microphone. Thank you.

David Hale: Good evening.

Commissioner Tornatta: How are ya?

David Hale: My name is David Hale and I live in lot number one. I do not run anything to the ditch. I realize that there is probably about six people that may have a problem back there, probably ten more want to help them get it fixed, but the rest of us, you know, the government doesn't need to fix everything. Sometimes you need to....I think was it \$20,000 in interest? I think it's, for 30 years?

Bill Fluty: Over 30 years.

David Hale: It's about \$140 to pump your tank. I heard one lady say she's paying \$200 a month for her Barrett Law for that road. That was a \$10,000....\$140 a month you could pump your tank out and you would never feed anything to the ditch, you still save \$60 a month. Mine doesn't give me problems. I can't see paying for this. It looks like there's 40 others that agree with me. It used to be 71 percent of it, now it's gone the other direction.

Commissioner Tornatta: Do you....do you—

David Hale: I would be willing to help that gentleman when he gets ready to put in his field bed, but I don't want to do it myself. Why would I want to put a sewer in when I don't need one.

Commissioner Tornatta: Okay, so you don't have any type of threshold? I mean, you don't really have interest at all?

David Hale: It would have to be way down there again, because the only reason that I agreed to let them even come through my property is some people wanted it and then it went sky high. I thought, well—

Commissioner Tornatta: I mean, was that like, not trying to hold you to it, I'm just trying to get a consensus here, was that \$6,000, was that \$7,000?

David Hale: Getting down around six—

Commissioner Tornatta: Yeah.

David Hale: – and no tap in fees, since we're paying to put it in.

Commissioner Tornatta: Okay.

David Hale: I can't see owning it for a year and then paying \$60 to \$100 a month for the rest of (inaudible).

Commissioner Tornatta: Got it.

David Hale: Okay. Thank you.

Commissioner Tornatta: Sure.

David Hale: I'm sorry if I'm getting a little agitated.

Commissioner Tornatta: No, no, no.

President Melcher: No, that's fine.

David Hale: When somebody claims that I'm pumping stuff into the ditch and they have no, I mean, come out there and check it.

Commissioner Tornatta: Right.

President Melcher: Thank you.

David Hale: There are probably some guys that have problems, but all of us don't.

Commissioner Tornatta: Sure. I don't think we believe that.

President Melcher: Thank you. Next?

Susan Hilgeman: I'm Susan Hilgeman, my husband Tom and I own the property at 4001 East Boonville-New Harmony Road. We own the property that was the original Bohannon. Back in 1867, I believe, is when he first acquired the land and added on to that, and I ended up with 250 acres, which eventually was divided and divided and divided and divided. (Inaudible), but the state came along and took a lot of land to make the Highway 57, then (inaudible) even more. So, it was all well and good, he (inaudible) the land for a number of years until 1951 when we took it over. But, I'm just thinking that I don't agree with the plan to spend one and a half million dollars to have the construction of the sewer, and (inaudible) spending \$10,000. I wanted to ask Mr. Fluty about since we have two, we have two lots that are over three acres in total, is that going to be assessed per lot of \$9,000 or whatever? Seven thousand dollars, I think, is a good top for myself and Tom, the \$9,000 is quite high, but is that per lot? Does that mean we have to pay it twice?

Bill Fluty: That's historically what's happened to multi lot owners. I don't know if you've been listed on here twice though.

Susan Hilgeman: I have been.

Bill Fluty: You have been? Then I would–

Susan Hilgeman: There are three of us that have more than one lot.

Bill Fluty: Then I think you would be assessed twice.

Susan Hilgeman: Should I talk to the Assessor to have those two lots combined?

Bill Fluty: No, not assessed, you would be assessed this lien, or this \$9,000. You wouldn't talk to the Assessor about it.

Susan Hilgeman: How about if I combine the lots together, would that be one lot?

Bill Fluty: I don't believe that practice has been—

Susan Hilgeman: (Inaudible).

Bill Fluty: — done before. They didn't....I think they look at it as a building lot. Is that correct?

Susan Hilgeman: One is on a building lot, the other is just acreage.

Bill Fluty: They've actually, Ted, you might help me with this. I think you're ready to go here, but in the past that hasn't been what they've done. You've been assessed on both, had to pay on both.

Susan Hilgeman: So, I would pay that \$18,000 to \$20,000?

Bill Fluty: Yes, Ma'am.

Susan Hilgeman: Is there anyway to avoid that?

Ted C. Ziemer, Jr.: Excuse me, is this the lady that....yeah. You own two buildable lots and you have two separate tax code numbers, and the Assessor would not tie those together. What?

Justin Shofstall: One of those is an out lot. Hers would be a consolidation of tax codes.

Ted C. Ziemer, Jr.: Why don't you come forward, because we know that there are two lots that are going to be assessed twice.

Justin Shofstall: The Hilgeman property has what is considered a home lot and they also have the out lot. It does have two tax codes associated with it. However, both of those tax codes are on a single deed and that would allow, as far what had been done with other property owners in the past with other Barrett Laws, where they had a home lot and then an out lot associated with it for whatever reason they had split it, however it's on the same deed, and what was accounted for on the Hilgeman's property is then going through and consolidating their tax code into a single tax code so they would only have one assessment. There are two other property owners that do have two separate buildable lots, that would be Donna Mackey and Barbara Alvey. So, those would set up as far as two separate lots billed twice.

Ted C. Ziemer, Jr.: Okay, and that's what I thought this was, but if you have two buildable lots you're not going to be able to consolidate tax codes and get away from being assessed twice.

Justin Shofstall: Right, however with the Hilgeman's property it is, with their tax codes and their deed, would allow for consolidation to a single tax code and one assessment.

Ted C. Ziemer, Jr.: I thought you were going to, as I remember from my earlier conversations, you were going to advise them of that fact, were you not?

Justin Shofstall: Yes, I believe so, yes.

Susan Hilgeman: Thank you. So, I was going to, hopefully, let us out at this point in time of this well meaning, but highly expensive land that (Inaudible). Thank you very much.

Commissioner Tornatta: Thank you.

President Melcher: Thank you.

Susan Hilgeman: Oh, by the way, on the abstract, it was quite amusing, as I turned the page after page after page, it was 100 years, how in one instance Bohannon had purchased at least 40 acres at one time at \$1.25 per acre. See how things go up over the years. Hopefully the septic system will not do that.

Gerald Reddick: I'm Gerald Reddick. I live at 11711 Bohannon Drive. In reference, a while ago to the people who are claiming financial hardship and has large campers, I know where that was directed. I probably have the largest fifth wheel in the area. Would like to say that I've worked hard for my money, and I don't intend to see it wasted if I can prevent it. I don't have two nurses living in my house drawing paychecks every two weeks or three weeks, whatever. But, anyway, two years ago we received a letter from Easley Engineering, this said \$6,400 to \$6,800 per property owner. At that time fuel was four dollars plus a gallon. Then the recession hit, so if fuel is down under three dollars a gallon now, don't tell me that employers have been giving raises with the recession that's going on. So, as Mr. Winnecke said at the last meeting, with I-69 coming in so far under budget, I would just like to know, you explain to me, where your numbers jumped so far. Because it don't make sense. Two and two in your book is six, but in my book it's four. Now, I don't know who's juggling numbers or jacking numbers, but I really believe that somebody has drug this out for six years to jack numbers up. You really did succeed. That's all I've got to say.

President Melcher: Is there anybody else that would like to speak?

Justin Shofstall: Just as a direct rebuttal to Mr. Reddick's comments on that, as far as the letter, that was based off of the construction prices again in 2007, with that price range from \$6,500 to \$7,000, and, again, as far as with construction costs again with what we have for the estimate is going to the top end as far as worst case scenarios, maximum cost. So, again, it's based off of, when the letter was sent out, with what Andy had authorized with what we had gotten on bids from a couple of contractors at the time based off of preliminary construction plans that mirrored these plans that are for approval, very, very closely, minute details as far as maybe about three to five thousand in construction costs. So, as far as, again, that \$6,500 to \$7,000 was based off of construction bids that we received, and also as far as what we have here in front of us now as far as the maximum payment based off of construction costs and worst case scenarios.

President Melcher: Thank you. I think there's one other hand up over there. Would you like to come up?

Vickie Young: My name is Vickie Young. I live at 4245 East Boonville-New Harmony. I probably have the newest house out there, because it was a lot, and I'd been through a divorce I sold a house and built a smaller one. So, you know, I don't have any problems because mine still fairly new. But, I lived in the city as a little girl and when I got married I moved out there and lived on 57. Well, my husband had lived in the country the whole time too. So, it's like if it pours down rain, you don't do laundry, you hold off a little while. You don't take an hour shower. You try to learn to live in the country because that's where you want to be. All these people bought these houses out there, they knew they had septic systems. They knew they wanted to live in the country, and they knew that was part of it. So, it's like, why can't they understand, like one lady said she had to put on two roofs, and Dwight said you have to maintain them, why can't they understand that you have to do that to have the kind of lifestyle that they wanted? I mean, does that make sense?

Commissioner Tornatta: Uh-huh.

Vickie Young: One question I wanted to ask, if this is supposed to raise our property values, does that mean that we're going to get appraised higher and that we are going to pay higher taxes on our property?

Bill Fluty: That's a question for the Assessor.

Commissioner Winnecke: Where's the County Assessor when you need him?

Bill Fluty: I'll have to answer that at a later time. I can't answer that question. A lot, we're in a mass appraisal system, and we do look at sales in areas of like homes to actually get to what your total assessed valuation is. So, it would actually be looking at the sales in that area of like homes to get a neighborhood factor to actually determine what your assessed valuation is. Depending on rooms, bathrooms, homes that have sold in your area that are similar. So, obviously, anytime that you look at a home with a sewer system or with a septic, or one that's on the sewer, there is a price difference there, and I think it's, most people would, I would hate to say most people, but sewer is preferable for a lot of people. So, the price could be higher.

Commissioner Tornatta: That's a very good point.

Vickie Young: Well, thank you. My main thing is that these people moved out to that part of the country, which is not real country anymore, but they knew what they were getting when they, you know, I knew what I was getting when I built out there. I don't know how much it costs to put my septic system in, but, you know, I knew that was going to be part of the price of my house. I had to do it. I wanted to do it the proper way and I try to maintain it. So, as far as these people who do vacations and all of that, I ride around in a truck that's like 16 years old, you know, it's like I do the best I can. I don't think I can afford it. So, does that mean I'm going to have to move out of my own home because I can't afford to live in it because of the sewer? I mean, does that, is that right? I mean, is that fair?

Commissioner Winnecke: Good question.

Vickie Young: Thank you.

President Melcher: Thank you. Is there anybody else that has anything? Any Commissioner?

Commissioner Tornatta: Bill, I do have one question, just, if there is a, if somebody is delinquent on that piece, but they've taken care of their property taxes, how is that worked?

Bill Fluty: What happens is that if you are two installments behind, you didn't pay 2011's or '12's, then you'll move to tax sale. We'll offer you on tax sale. One of the reasons that the county is involved is to, for collections. We take that money, the money from the sale we take that and actually just pay the bank. So, we're just clerking this. We're not making anything, you pay us, we just move it straight to the bank. So, that's all we're doing.

Commissioner Tornatta: So, after two years—

Bill Fluty: So, if you're behind two payments it will go to tax sale, even if your property taxes are paid. It's forcing payment, because, as a group, now just the individual, not the whole group, just the one that's not paid, forcing them to pay their share. That's only fair to all the people on the Barrett Law, that everybody is paying for the construction cost. So, that's how it works.

President Melcher: Okay, go ahead. You have to come to the microphone. I'm sorry. State your name again, we're trying to keep a record of this.

Vickie Young: Vickie Young, 4245 East Boonville-New Harmony. I apologize for this, because I should maybe know this, but is the Barrett Law is that an Indiana law, is that a federal law, what kind of law is that?

Ted C. Ziemer, Jr.: It's an Indiana State law.

Vickie Young: Okay, because, you know, people I work with, I mean, I've been cussing up this sewer for three or four years, you know, because I simply don't have the money. I just don't have it. People at work they're like, they can't force you to do that. I'm like, yes, they can. If they get enough people that want it against the people that don't want it, they can force you to do it. Everybody said, well that's un-American. I'm like, well, you know, what kind of explanation do you give people when they say well they can't force you to do it.

Ted C. Ziemer, Jr.: Well, I guess the American part of it is that we have a democracy and the majority tends to rule. So, if a majority of the people in the subdivision wanted the sewer and you said you couldn't afford it does that mean none of the rest of them could be able to have a sewer. So, they say the majority rules. Here it sounds like there isn't a majority, and if that's the case, then maybe that would be un-American. The law is designed to provide for improvements that are desired by a majority of the people in a particular geographic area that couldn't afford to do it without some government assistance. What the government provides is the 30 year period over which you can pay off the \$9,000 that it would cost to have this sewer done.

Vickie Young: The Barrett Law is a state law?

Ted C. Ziemer, Jr.: It is a state law.

Vickie Young: Thank you.

Commissioner Tornatta: Thanks.

Commissioner Winnecke: Oh, okay.

President Melcher: There's somebody coming up right behind you too.

Dwight Markwell: I wish I had had that question. I never even thought about that, because when I went around there were a number of people who told me they couldn't afford it, but I didn't know you were going to try to sell their house at a tax sale because they can't pay for it, throwing somebody out on the street. I hope you're thinking about that, because I am. I feel bad about this. I hope you do too.

Ted C. Ziemer, Jr.: Well, just to respond on behalf of the Commissioners, there isn't really anything for them to feel bad about. This is a law that is designed and passed by the legislature in the State of Indiana to provide a method for funding a needed improvement in a subdivision where a majority of the people want the improvement. That's the way the law works. It works the same for everybody. Whether it's \$5,000 or \$10,000, you can pay it in cash, you can pay it in ten years, you can pay it in 20 years, you can pay it in 30 years. Your interest is going to be more, anytime you borrow money for a longer period of time your interest is going to be more. If you elect 30 years, it's, of course, going to cost you more than somebody who elected 20 years or ten years, and, certainly it's going to cost you a lot more than the person who elected to pay it in cash. But, that's how the law is designed so that you have those options. If the majority of the people in the subdivision don't want it, then it doesn't happen.

President Melcher: Okay.

David Hale: My next question is where do we send our letters? Is that enough what you've got already, or do we need to send letters?

Commissioner Winnecke: Something's going to happen tonight.

President Melcher: No, we have to make a decision tonight.

Commissioner Winnecke: If you give us about a couple of minutes, I think—

David Hale: Okay, because I didn't want to—

Commissioner Winnecke: I think something's going to happen that may—

David Hale: I want to know exactly what to do.

Commissioner Tornatta: Yeah.

President Melcher: Yeah, we—

Commissioner Tornatta: Right.

President Melcher: —went ahead and postponed the last meeting and sent out letters again because we wanted to get everybody's opinion, we want to make sure what we did was right. So, you're going to get an answer tonight.

David Hale: Okay, thank you.

President Melcher: That's why I just wanted to make sure that everybody is comfortable right now that they've had their say. Unless there's just something that's completely different that nobody else has said. One way for or against. Wait a minute, there's a lady.

Barbara Alvey: I don't want to be on camera.

President Melcher: You're not only on camera, you're on t.v. also. So, people are watching you.

Barbara Alvey: I don't want to be. Take me off.

Commissioner Tornatta: Okay, you're not, you're invisible.

Barbara Alvey: My name is Barbara Alvey. I live at 11612 Highway 57. I do not want the sewers. I cannot afford them. I have a lot that is next door to me that is mine. The house was my mother and father's, but I own it now. I cannot pay two prices. I talked to Easley and he said to combine the house and the lot would cost be \$2,200, approximate. To think about \$9,666 plus \$9,662 plus \$2,200 to get them together don't make sense and I cannot afford it. I am a 78 year old woman and I cannot take a loan out for ten or 20 or 30 years, because I will be dead before then. Thank you.

President Melcher: Thank you. Alright.

Commissioner Winnecke: Just three quick, two quick points and then maybe we can bring some closure to this for now. First of all, I think, I know that this body is committed to continue searching, lobbying and supporting for grant resources, and to that extent we will always be and continue to be a resource for this group and anyone else in this community who seeks improvements to their community. I think Commissioner Tornatta, sorry, Troy, makes an excellent point in terms of, you know, what is the price threshold that someone needs, you know, is there a price that everyone in your neighborhood would be comfortable at? Whether it's \$5,600 or \$8,000. I think as a community, as an organization, or as a neighborhood—

Unidentified: (Inaudible. Not at mic.)

Commissioner Winnecke: Excuse me?

Unidentified: It was \$5,000.

Commissioner Winnecke: I know, I'm just saying, I'm just trying to make a point, is that if there is a threshold that people are comfortable with, then, you know, you need to decide as a neighborhood what that threshold is and whatever that is. That being said, I would, at this point, make a motion to rescind the previous preliminary resolution that this body approved on June 1st that would allow the sewer installation in the Bohannon Estates subdivision to proceed under the prospect of the Barrett Law, or under the provisions of the Barrett Law, and I would make that in the form of a motion.

Commissioner Tornatta: Okay, then I'm going to second that to get it on the floor. I just, I want to ask a question.

Commissioner Winnecke: Sure.

Commissioner Tornatta: What does the county, what liability does the county have if there is failure out there in that area? If there is found failure does the county have any liability for not moving forward with this process, even though the remonstrators could vote it down through the process?

Ted C. Ziemer, Jr.: Yeah, the county does not have any liability for the sewage problems in this subdivision due to the fact of turning down a resolution to go forward with the Barrett Law when it appears that a majority of the people in the subdivision are not in favor of the project.

President Melcher: So, the motion that was made was a proper motion to rescind?

Ted C. Ziemer, Jr.: Yes, what you did—

President Melcher: That's what I wanted to make sure.

Ted C. Ziemer, Jr.: Sure, what you did, on June 1st you approved a preliminary resolution and it was recited in the resolution that a majority of the property owners in the project area requested the Board of Commissioners to complete the project. Well, that's what you thought was the case when you adopted that preliminary resolution. Now, if we can believe the evidence that's before us here tonight, there are a majority of property owners who are against the project, rather than requesting you to go forward with it. That's a new fact that you didn't know at that time, so it would be appropriate to vote to rescind the preliminary resolution. If that passes, it's as though you didn't adopt the preliminary resolution, and in that case this project is terminated, period.

President Melcher: Well, I think that's what everybody is wanting.

Ted C. Ziemer, Jr.: Okay.

President Melcher: I don't want anybody confused on how we're voting. So, if we go ahead with the way it's said, and if we do vote yes, all three or two, then it's a dead project. So, they wouldn't have to worry about, unless somebody would come back with a whole different.

Commissioner Tornatta: Okay, with that being said, if, what, if we, if this project continued and the groups had to remonstrate, how did that process work?

Ted C. Ziemer, Jr.: If you voted tonight to adopt what we call a final resolution, which the original resolution was preliminary, you would tonight adopt a final resolution, that would start a five day period during which the residents of the subdivision can file objections to going forward with the Barrett Law. Their objections would be based on the fact that the county didn't have authority to do this, that would not carry any water, that the cost of the project exceeds the benefits that would accrue, that's what a lot of these people believe, and there are four statutory objections. If more than 40 percent of the people in the subdivisions would file written objections with the Commissioners within five days of today, if you passed this, and that would not count the weekend, so that would be, today is Tuesday, Wednesday, Thursday, Monday, next Tuesday, by next Tuesday if more than 40 percent filed then you would have the option to terminate this. Or, if you didn't, then the Auditor would file a proceeding

in the Vanderburgh Superior or Circuit Court to have a judge determine whether or not the project should go forward.

Commissioner Tornatta: And, I just wanted that on the record.

Dwight Markwell: We have a number of people, they're going on vacation, this is vacation time. There's a lot of people that won't even be able to get in this if you give us the five days.

President Melcher: That's not the motion that we made.

Commissioner Winnecke: That's not the motion that was made.

President Melcher: That's not the motion that was made.

Commissioner Winnecke: The motion--

Dwight Markwell: Okay (Inaudible)--

Commissioner Winnecke: No, I made the motion to rescind, to stop the entire project.

President Melcher: That's the reason why I went back with my question to make sure everybody is not confused when we vote.

Dwight Markwell: Okay.

Commissioner Tornatta: Okay, now, the follow up to this question is, if there was a grant, or there was some type of reprieve by the Water and Sewer Utility to make this in the area of the threshold, how would, this process would start from square one?

Ted C. Ziemer, Jr.: It would start from square one. The, an engineering firm would have to come forward with a representation that more than a majority of the people, that a majority of the people in the subdivision wanted this project, and we would again adopt a preliminary resolution. We would have to have the filing at that time of an estimate from the County Engineer as to what the estimated total cost of the project would be. That's currently \$541,044.82. Presumably it would be some amount less than that. But, that can only be less if they believe that there is a contracting firm who is willing to do this sewer work for less than that amount of money.

Commissioner Tornatta: Okay, then, at that point, if that were moved in that direction, the work is, a lot of the work is already done, then it could move--

Ted C. Ziemer, Jr.: It could be quicker.

Commissioner Tornatta: --quicker. When you say quicker, John, is that quicker in a month? Is that quicker in six months? Or years?

John Stoll: I guess it would hinge on how the grant process works more than anything else. If it was the same design and the same people involved, then the design work is done. I guess, Easley Engineering would still need to be paid since they haven't been paid through the committee since this project was (inaudible) to

go forward, that would still be figured in at a later date, but long story short, I guess the design for this same neighborhood would be okay to proceed with. So, there wouldn't be any design issues. The easements have already been obtained, so there wouldn't be any delays associated with going door-to-door to get the easements. So, then it comes down to procedural issues with the resolutions and the process of obtaining the grant.

Commissioner Tornatta: Okay.

John Stoll: The timetable on the grant, I really don't know what you're talking.

Ted C. Ziemer, Jr.: On the grant, I just want to say for the protection really of the Commissioners, no one should think that the Commissioners are suggesting that they can obtain a grant to help you obtain this sewer free, or for a lot less money than it's presently going to cost if a contractor does it. I think what they've suggested is if there is a body that is willing to make grants in neighborhoods to provide sewers, they are willing to cooperate in applying for that grant. As Mr. Tornatta said, those grants are generally based on the income level of the people in the neighborhoods that are getting the grants, and I'm going to just suggest, without knowing, that probably the income of the people in Bohannon Estates Subdivision are above the levels that probably would qualify for grants to get free sewers put in as opposed to paying for the sewers. But, if there is a body there the Commissioners are saying they are willing to cooperate to....but, you shouldn't think that fine, this is over with tonight, and the Commissioners are going to get us a grant so that we can get our sewers. I don't think there's any reasonable possibility, right now, that that's going to happen.

Commissioner Tornatta: That was it. Thank you.

President Melcher: Is all of the discussion over? Okay, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: So, that means the first one didn't happen and it's over with.

Unidentified: Thank you.

(Applause)

Consent Items

President Melcher: Now we'll go into the consent agenda.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Okay, Madelyn....we're still trying to hold a little meeting. So, if you could be quiet while we're exiting it would be great.

Madelyn Grayson: The consent items for the July 20th meeting are as follows; approval of the July 6, 2010 Commission meeting minutes; employment changes for the Commissioners approval there's one for the County Highway and five for Burdette Park; the Commissioners citizen letter regarding proposed Bohannon Estates sewer Barrett Law project; Commissioners settlement agreement; the County Highway snow plow settlement agreement; the County Engineer approval of pay request number 109 for \$1,420,797.30; the County Treasurer has the May 2010 monthly report; the County Clerk the June 2010 monthly report; the County Auditor statement of salaries and wages; the IBAP Gatekeeper June 30, 2010 statistical report; Hillcrest Washington Youth Home second quarter fees reimbursement; Superior Court request to surplus one Panasonic fax machine; and department head reports from the County Engineer, County Highway, Burdette Park and the Ozone Officer.

President Melcher: Okay, any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Public Comment

President Melcher: Is there any public comment?

Bill Jeffers: Bill Jeffers, 2641 Malibu Park Drive, Malibu Drive, excuse me. A very brief comment on what happened, that if, I think what happened tonight will have an impact on future Barrett Law project applications, or Barrett Law projects in general, simply because a lot of work's already been done by a consulting firm and there are very few consulting firms that will take a Barrett Law project for this very reason that all of the work they do is subject to being tossed in the trash can and them not being paid for the work they've already done. It's a substantial amount of work to draw up the plans and to go out and obtain easements. Those easements were obtained by

the consultant, not by the county. They're not in favor of the county yet. They're not in favor of the Sewer Department yet. They're being held in hand by the consultant, along with a set of plans that's worth several tens of thousands of dollars. All that is either going to go into the trash can, or if you're lucky enough to get a grant, they're only given to low and moderate income neighborhoods, which I believe is probably \$40,000 or less per household, and then there has to be a majority of that neighborhood making less than that, you're going to have a hard time finding consultants to come back on this neighborhood, and if you do find one to come back on this neighborhood, if you're lucky enough to get a grant, you're going to have to purchase the plans from the person who already owns those plans, and you're going to have to purchase the easements to help compensate for what's already been done. Just some observations. The other observation would be that I think now there's only one or two consultants that will take a job like this, and, you know, before tonight, and after tonight there may be none. So, the Barrett Law may be dead in Vanderburgh County. Just some observations. I'm not for or against, I'm not speaking for or against, I'm just making public comment.

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: So moved. Second, I'm sorry.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: The ayes have it. We're adjourned.

(The meeting was adjourned at 6:55 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the July 6, 2010 Commission Meeting Minutes.
Citizen Letter Regarding Proposed Bohannon Estates Sewer Barrett Law Project.
Settlement Agreement: Everhome Mortgage Company.
County Highway Snow Plow Settlement Agreement.
IBAP Gatekeeper: June 30, 2010 Statistical Report.
Hillcrest Washington Youth Home: 2nd Quarter Fees Reimbursement.

Employment Changes:

County Highway (1)	Burdette Park (5)	Prosecutor (2)
County Clerk (1)	Sheriff (3)	VCCC (1)

County Engineer: Pay Request No. 109: Green River-Burkhardt TIF Projects.

County Treasurer: May 2010 Monthly Report.

County Clerk: June 2010 Monthly Report.

County Auditor: Statement of Salaries & Wages (Form 144's).

Surplus Request Letters: Superior Court: (1) Panasonic Fax Machine.

Department Head Reports:

County Engineer	County Highway	Burdette Park
Ozone Officer		

Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Marissa Nichoalds	Sherman Greer	John Stoll
Steve Craig	Justin Shofstall	Donna Miller
Dwight Markwell	John Klump	Carol Bengert
Kenny Hodgson	Lisa Messel	Doyle Wilson
David Hale	Susan Hilgeman	Gerald Reddick
Vickie Young	Barbara Alvey	Bill Jeffers
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
AUGUST 10, 2010**

The Vanderburgh County Board of Commissioners met in session this 10th day of August, 2010 at 5:02 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We'll go ahead and call to order the Vanderburgh County Board of Commissioners. It's August 10, 2010, it's a couple of minutes after seven.

Commissioner Winnecke: Five.

President Melcher: Five, excuse me, here I was trying to end the meeting. Do you want to call the roll, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance: Luzada Hayes: Commission on Homelessness

President Melcher: With that we're going to have Luzada Hayes is going to lead us in the Pledge this evening. Then, when it's over you can stay there.

(The Pledge of Allegiance was given.)

President Melcher: Go ahead. State your name, so we have it for the record.

Luzada Hayes: Okay, I'm Luzada Hayes. I'm Executive Director of Aurora, Incorporated, and we serve as resource coordinator for Destination Home and staff support for the Commission on Homelessness. I'm here representing the Commission on Homelessness tonight. We typically make an annual report of our progress to the Commissioners. Troy currently serves as chair of that commission. So, I will let him add any comments that he wants to.

Commissioner Tornatta: If you will, quickly tell them where you are located, the people in the audience, where Aurora is located.

Luzada Hayes: Where our office is?

Commissioner Tornatta: Uh-huh.

Luzada Hayes: 1100 Lincoln Avenue.

Commissioner Tornatta: Okay.

Luzada Hayes: Okay, in your packets you have...every year we do a celebration, so I've included the 2009 accomplishments of the following year, and then have given you a progress report January through August of this year. Just wanted to hit a few highlights and then see if you had any questions. Part of the ten year plan is divided up into components, so we're very heavily focused on prevention, our Closing the Front Door to Homelessness, and because of some additional HUD funding that was made available last year, we were actually able to establish a homeless prevention program. That program began in October of last year, and today we have prevented 64 households from becoming homeless. With that money we were also able to hire a prevention coordinator, and the task of this person is to work at a community level to increase our prevention efforts and better coordinate the existing resources. So, that as families and individuals reach that point of falling into homelessness, we will have a better, more comprehensive community approach that we can wrap around them to prevent homelessness from occurring. To date the prevention coordinator has established a coalition, and there are 57 different individuals and agencies that are working at that community level. Another component of the plan is to open the back door, how can we better help families and individuals that are already homeless move out of homelessness faster? So, again, with that same HUD money that was made available last year, we were able to establish a rapid rehousing program that launched October 1, and to date we have been able to move 60 households out of homelessness and into permanent housing through that program. ECHO Housing has also submitted a funding request and have obtained most of their funding to create 27 permanent supported housing units to serve homeless veterans. I believe they hope to break ground on that later this year, and, hopefully, that program will, again, be a way to reach out and provide resources to keep people from falling into homelessness and helping them move out of homelessness faster. Another housing project for 49 units of single room occupancy housing is also under way. That will be for singles. We also have a program in partnership with Habitat Humanity of Evansville, it's a program called Home For Good, and they are identifying homeless families, current homeless families that are ready and able to move directly into home ownership. So, currently they have four families that are working through that program. Raising incomes and increasing assets is also another major component of the plan. We have a raising incomes committee that is developing a women, work and community project, they are creating a training program for homeless women that have the skills and abilities to start their own businesses. So, with funding that program is targeted to begin training in January. We have very, we have many community collaborations that also help support the strategies of Destination Home. So, the financial stability partnership through the United Way also sponsored vita sites this year, and they were able to serve over 500 households in completing tax forms and applying for the earned income tax credit. So, again, that brought additional funding into the community. There was no charge for that service, so the family was able to maintain more of their resources. Probably one of the best programs has been our Play Spaces, and you have an additional hand out that describes surveys that have been given to parents, shelter staff, and the volunteers. Play Spaces sets aside space within the family shelters. We've equipped those spaces with age appropriate toys for the zero to five homeless children, and 4-C of Southern Indiana provides a volunteer coordinator to recruit and train volunteers. The volunteers come in and play with the children using the toys, so, it's not just babysitting, we're also using the toys and the volunteers to increase early childhood development skills. You can see that even the parents are recognizing a difference in their child's cognitive development, their social development, and they greatly agree that Play Spaces is helping the children through this very stressful time of being homeless. Currently they've trained 71 volunteers since last year, but they have a goal of 100. So, they are always looking for volunteers for Play Spaces.

Community awareness is important, to date we have 295 endorsements on record or organizations, individuals and elected officials that support Destination Home. The last hand out you have describes Vanderburgh Homeless Connect 2010. We thank you for the use of the Centre. That was a new location for this event this year and it worked out very well. We had space to accommodate people inside, so if the weather had been inclement they would have been in and out of the weather. So, you, again, have an evaluation from the guests that were served. 586 guests came through Vanderburgh Homeless Connect on March 30th of this year, and you have their responses of did they...84.5 percent responded that they had gotten the services that they came for, volunteers and vendors both overwhelmingly agreed that it was a nice event and something certainly to be continued. You have a save the date invitation in your packet. Our sixth year celebration will be December 2, 2010, it will be a luncheon, and our keynote speaker for this time is William Moreau, he's with Barnes and Thornburg out of Indianapolis. He currently serves on the board of directors for the National Alliance to End Homelessness and is very supportive of our efforts and is going to come and share some of his insights. So, we hope that you get that on your calendar. The location will be determined. The other thing in your hand out is just an implementation chart, it kind of outlines all of the strategies and what groups are working on what strategies. So, with that I will conclude. If you have any questions I would be happy to answer them. Commissioner Tornatta, is there anything you would like to add?

Commissioner Tornatta: Yeah, I would like to add that it really seems like the Commission to End Homelessness, the group in total, has been overwhelmingly cooperative with one another and has really gelled, especially in my time on the board. So, that's great, because at a time when it seems like things are so segmented, to have these groups come together and Homeless Connect, obviously, was a great help to bring people together, but it seems like they're working with one another in a way that anyone could appreciate. So, that's good about the board. The other thing that I noticed about the board, that board is ready to receive monies, when those grant monies come, when federal funding comes, they are ready to receive those dollars and put those into the right place, and I think that that's a tribute to just the leadership on that board. With all of the people that are working so hard to maintain, it seems like to be ready and be visionaries in this field has really been outstanding. The third point, and maybe something that I feel like we tackled a little bit ahead of time was the transitioning. For those people who get out of jail, for those people who get out of a hospital stay, for anybody who is in a transitioning period, divorce, separation from families, we are out in front trying to make sure that we have those transitional housing available and the programs to set people up so that they aren't going to be homeless and that there is an alternative. So, hats off to you and what your group does and then how this is all played out in that bigger committee is really astounding to me. So, anyway, thanks for all that you do.

Luzada Hayes: Thank you.

Commissioner Winnecke: I would just say that it's really nice to see how your organization has helped raise the awareness and the fact that there are, that you can quantify the difference you've made I think is really significant. To echo Commissioner Tornatta, thanks for all that you do.

Luzada Hayes: Thank you. Thank you for your time.

President Melcher: You're welcome. Appreciate you being here.

**Approval of Expenditure: Commissioner/Building Authority Joint Fund:
Secure Area for Transporting of Inmates to Court**

President Melcher: Next we have Dave Rector, approval of expenditure from the Civic Center Fund.

Dave Rector: Good afternoon, gentlemen. I'm here today to request an expenditure from our joint County Commissioner-Building Authority fund that we have for improvements to the building. I'm going to let Sheriff Williams explain. It's a project for him related to an incident he wants to talk about. Our board has already approved the expenditure of the funds, because we met a couple of weeks ago before we got here. So, if you guys approve it we'll be ready to move forward with it. Sheriff, I'll let you explain.

Eric Williams: Basically, it's an opportunity for us to create a secure area for us to offload and load prisoners here at the Civic Center when we're transporting from the jail for court appearances. A few months ago, if you'll recall, we had an inmate during that process who broke free from our guards and took off running through downtown. Fortunately we caught him within a couple of blocks. When we originally moved the jail there was lots of discussion about creating a secure sally port, creating a holding facility, lots of different discussions occurred, but to this day we're still using basically the same facilities to offload and load prisoners here at the Civic Center. So, to create a situation to at least make an escape in the future extremely difficult, beyond what we already make it for them, we've come up with a concept of creating a secure area in what is now the canopy outside the former Sheriff's Office, or now the City Police Department. Basically, we would do that by constructing rolling gates, or dropping vertical gates at the entrance and the exit. We think we can do that fairly, Dave has the prices, but it would basically just create at least a secure area that when the bus or the vans roll in, a deputy or guard would get off, drop the key, allow those to roll down and enclose the secured area. So, worst case scenario if somebody breaks free from the gang of people we're moving, they're going to be contained to that small area so we could bring them back, put them back into custody and take them into court. We think that this is probably the most reasonable, cost effective solution. While I really don't intend it to be a long, long term solution to the situation we face, it will last us for a long period of time, because it will meet our needs with the simple installation of a gate at both ends of that canopy. We would only impact people coming through, in and out of there, City Police primarily, during those periods of time when we're loading and offloading, which is only a few minutes every day a few times a day. With that, I don't know if I've explained it well enough, if you're familiar with the area where I'm talking about. I believe Dave has the money available, we just need permission to move forward.

Dave Rector: I would like to ask for not to exceed \$30,000. I think we can probably do it for about \$27,000, but want to have a little buffer in case we run into something we aren't expecting. I think, as the Sheriff said, this is not the best situation, but it's going to meet our needs for a long time to come, because, as we know, I don't think anything else is going to happen to improve the situation in the near future.

President Melcher: Any discussion?

Commissioner Tornatta: I guess, since Sherman's here, I would like to ask the question, are there any Homeland Security dollars that would play into this particular measure? Because we've talked about this in the past, in fact, Dave, we've talked

about this scenario, and if there are any monies in Homeland Security that would potentially pay for something like this for a natural disaster where there had to be a lock down.

Sherman Greer: I don't know. I would refer back to Sheriff Williams to find out if there's anything under the Department of Justice. Have you looked into the Department of Justice for anything that might be able to do that? We can research that and see if there's anything under the Department of Justice that would be able to help out and that, but as far as our grants and everything, no.

Commissioner Tornatta: Okay.

Sherman Greer: Maybe something under DOJ, Department of Justice.

Commissioner Tornatta: Okay, I didn't know if we had a place besides your secure place that we could go if we had to have, set up a, some type of station or set up some type of emergency control.

Sherman Greer: Well, our place is primary, and then the alternate for that would be moving out to Central Dispatch.

Commissioner Tornatta: If, if, what would happen if people were in this building and could not leave the building? I guess, that's what I'm looking into. Then—

Sherman Greer: Dave, what's your plan?

Commissioner Tornatta: No, I mean, my question is just, when we're doing this process, is there a double use for these gates?

Dave Rector: Well, I don't think the courts are going to go anywhere anytime soon. We're going to have the holding cells here, and, so the inmates are going to continue to come down here, and as long as that happens, you know, we've talked about the sally port, we've talked about a secured fence area with the knowledge that eventually one of these things might happen, and it's occurred. So, I think we're trying to be a little more proactive now instead of reactive with what's going to be the next situation that necessitates holding those guys in.

Commissioner Tornatta: Okay, one more question, being proactive, what I'm saying is do we have a safe, secure zone in case of an emergency? That's what I'm getting at that would tie into Homeland Security.

Sherman Greer: We had some buffer zone funds that we're looking at right now that we're doing the critical facilities assessment as of this time and everything, so that's the same funds that they probably used over at the Federal Building to, you know, block off the areas to where they couldn't get up close to it, to the building and everything. There's some buffer zone, maybe funds out there that we can look for.

Dave Rector: You're not talking about a disaster recovery center that we've talked about in the past?

Commissioner Tornatta: Well, I guess, I'm saying if we're thinking about doing this, it obviously serves the Sheriff, but could it serve also if there were elected officials that were in the building, could not get to either one of those zones, that they would set up shop downstairs and have a closed area to be able to do their business?

Sherman Greer: Well, understanding emergency management, you know, EOC operations is a concept wherever we are, wherever you guys are, wherever the Mayor is, that's where the, all the action is going to happen, that's where the decision making is going to go on. So, yes, if you're here and we're in this room here, we can set this up as an emergency operations center.

Dave Rector: I guess, to answer your question, it would be a secure area that we could have elected officials park and come and go with restricted access to the vehicles and to them as they come and go from the building, you know.

Commissioner Tornatta: That's kind of my point, if it ties in to Homeland Security and we can tap into some funds that would be an opportunity, because we would actually be solving two problems.

Sherman Greer: We'll look into seeing if there's anymore buffer zone funds. Right now we've got \$80,000 to divide between twelve counties. That's not a whole lot, but there may be some more buffer zone funds out there.

Commissioner Tornatta: Okay. I make a motion to approve up to \$30,000.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion?

Commissioner Winnecke: I did have one question.

President Melcher: Go ahead.

Commissioner Winnecke: What's the construction time and overall time line on this project, David?

Dave Rector: Well, according to how long, if you want me to work with Sherman on seeing if he has funds before we spend these funds we can do that, but we can have it installed within three to four weeks.

Commissioner Winnecke: Okay.

President Melcher: Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Dave Rector: So I'm not confused, do you want me to work with Sherman first before we spend from this fund to see if he has available money?

Commissioner Tornatta: I think he can probably give you an idea in pretty short order whether there's anything out there.

Dave Rector: Okay.

Commissioner Tornatta: And, then, if not, I mean, then we can tap into those funds.

Dave Rector: Then we can go ahead and do it?

Commissioner Tornatta: But, if we do have some funds that we could utilize—

Dave Rector: Sure, that just leaves us that money in our pool.

Commissioner Tornatta: That's right.

President Melcher: Okay.

Dave Rector: Okay, thanks guys.

Commissioner Tornatta: Okay, thanks.

Commissioner Winnecke: Thanks, Sherman.

Emergency Raze Order Request: 3201 N. 12th Ave.

President Melcher: Next, we have Ben Miller, the Building Commissioner that's going to talk about a raze order.

Ben Miller: Ben Miller with the Building Commission. Commissioner Winnecke asked me to appear and give an update concerning this property at 3201 North 12th Avenue. We've been working with this property for about two years with no success. We were there yesterday, and as the pictures indicate there it has exceeded to a tough state and is really a threat to public safety. So, we're requesting that we do an emergency raze order on this property. We do have the funds within our department's budget to cover the expense of removing this public safety issue. So, at this point I need your guy's affirmation on the raze order.

Commissioner Tornatta: At that point then that would go on the property tax roll?

Ben Miller: Yes, we would then, once we would expend the money and have the building razed, then we would bill the owners, and if they failed to pay, then we would then lien it.

Commissioner Tornatta: I make a motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion?

Commissioner Winnecke: Just to clarify, you found funds available in your budget to take care of this expense?

Ben Miller: It's in our contractual services.

Commissioner Winnecke: Right, thank you.

President Melcher: Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Ben, how many of these do you think we're going to see coming along?

Ben Miller: They're out there. I don't really have a good number, but they are out there and we're trying to address them as we can. Obviously, I mean, we try to do everything we can to get either the parties that are interested in it, by the lien holders or the property owners, to take care of it and raze it on their own. We're pretty successful in that, but there are a few that, in this case, the owners just walked away, and the lien holders are in Texas and California, so they're not interested.

Commissioner Tornatta: Is there a way that you could give us an update on how many of these that we're looking at throughout the county?

Ben Miller: Yeah.

Commissioner Tornatta: Then, maybe we're going to have to look at the scope of what we'll have to do over the next few years and then put that in the budget.

Ben Miller: Absolutely. I'll get back with you guys on that.

President Melcher: I know we used to put, they used to have about \$100,000 a year and it would always run out. I do know that. That was years ago.

Ben Miller: Then, for 2011, as our proposed budget is now we have \$20,000, which is better than this year, we really don't have any.

Commissioner Tornatta: Yeah.

Ben Miller: But, you know, we put money together to make it.

Commissioner Tornatta: I think, if you're going to sell this to County Council, you're going to have to have some pretty good numbers.

Ben Miller: Sure.

Commissioner Tornatta: In the past, it's always been a contingency fund, so they've cut it. If you're going to—

Ben Miller: Maybe like a priority list?

Commissioner Tornatta: Well, I—

Ben Miller: Say, hey, there's ten properties, (inaudible) those ten—

Commissioner Tornatta: — think you need to show if you've got a hundred properties, put all hundred properties on—

Ben Miller: Okay.

Commissioner Tornatta: —that list and say, you know, we have to figure out if we want to tackle the first ten, or do ten a year. If we want to do more than that what that's going to be, and then work that out with the County Council—

Ben Miller: Get that (Inaudible).

Commissioner Tornatta: — and the City for that matter to see how we want to address—

Ben Miller: Together.

Commissioner Tornatta: —taking care of these houses.

Ben Miller: Absolutely.

Commissioner Tornatta: Okay.

Ben Miller: I'll get back with you guys.

President Melcher: Well, the \$100,000 that used to be in there was just for emergencies. We took care of \$100,000 back years ago for just emergencies, and that didn't (Inaudible), so, it's going to be a lot.

Ben Miller: Yeah. It's a growing problem.

Commissioner Tornatta: They estimate about \$4,000 a house, is that right?

Ben Miller: Yeah, for a small house such as this, between \$4,000 and \$8,000.

Commissioner Tornatta: And that's about 900 square foot?

Ben Miller: Yeah, shot gun, yeah, one story, slab on grade.

Commissioner Tornatta: So, I mean—

President Melcher: You're responsible for all of the industrial buildings and everything too.

Ben Miller: Yes.

President Melcher: That's where it gets into bigger bucks.

Commissioner Tornatta: Uh-huh.

Ben Miller: And you get into environmental issues.

Commissioner Tornatta: Okay. Thanks, Ben.

Ben Miller: Thank you.

Commissioner Winnecke: Thanks, Ben.

<p>First Reading of Ordinance: CO.08-10-008: Amending Ch. 2.40: Board of Health Fees</p>

President Melcher: Next, we'll have the first reading of CO.08-10-008, amending chapter 2.40 of the county ordinances regarding the Health Department fees.

Ted C. Ziemer, Jr.: Is it first or second?

President Melcher: First, yeah, and I skipped one, I'll get Sherman up here in a minute.

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

Commissioner Winnecke: Second.

President Melcher: Yes.

Commissioner Winnecke: Are you going to ask Gary to come up?

President Melcher: Gary, I thought I would look up and you would be there.

Gary Heck: I was, I just wasn't sure we would have questions. Yes, sir?

Commissioner Winnecke: Just maybe in, you know, sort of the Reader's Digest version of the, of an explanation of the fee changes for the Dental Clinic.

Gary Heck: At the, last year at the County Council's budget hearings, Councilman Shetler made it a point to make sure that we reviewed all of our service fees, to make sure that we are recovering all of the costs at the Health Department. We're not allowed to make money or a profit on any of the fees, but we are allowed to cover all of the costs that's associated with it. So, we made an effort to try to do that, and that's what this is reflecting. We went back to look to see what we were charging, we looked to see all of the costs that were associated with it, we did a study with some of the other county health departments around Indiana to see what they charged for similar services, and we're at a point where we're recovering as

much of those fees so that we're trying to follow what the County Council had asked us to do.

Commissioner Winnecke: And, roughly, can you explain, just for the record and a lot of people watching at home, what the amount of the increase is in general?

Gary Heck: In the, it's hard to say like across the board, but in the Dental Clinic, for instance, it's roughly about five percent over what we had charged at the last time we had a fee ordinance change. Everything else, it just is a matter of how much work is involved, the amount of time it takes for staff to do the work, and what our, it's associated with the cost that we have to pay for materials and supplies. There has been some upward trends on those kinds of costs. So, they're very modest, and I think the only one that would be considered like a major increase would be in vital records for the paternity affidavit. There's a lot more work involved because of a new state law, and what we did was we always checked to see what Warrick County does on birth records, because about half of Vanderburgh County residents give birth in Warrick County at the Deaconess Gateway Hospital. So, whatever they charge we try to align our fees with what they charge in Warrick County, because then it treats Vanderburgh County residents the same. They would be paying the same in Warrick County for those services as they pay here. That fee went from, it was a \$20 for paternity affidavit and it's gone to \$50, but there's a lot more work involved, including DNA testing, and there's separate meetings held with the mother and the father, because it actually is the initial stages of coming up with custody when those paternity affidavits are completed now. It's a very involved document. That's the largest increase, but it puts us on the same level as the Warrick County Health Department and what they're doing in Warrick County.

Commissioner Winnecke: Thank you.

Commissioner Tornatta: Gary, is there, I know we've talked about this at some time, but is there anyway or have they done anything in any other counties that are close together where you go over the county line to have a child and that record would come back to the household of the county?

Gary Heck: It's kind of like if an annexation or something to that effect, no, there's not....the way the law, and the law's been pretty clear on this, it's wherever the event occurs. If there was a Warrick County resident that was en route to come to Vanderburgh County to give birth and the child is born before they leave the county, then, and has it's first breath, then that's the county where the birth record will take place. So, it's wherever that event occurs. There hasn't been a....and the only exception to that, I guess, would be you could get a birth certificate issued from the state, in Marion County, for any of the county birth events, other than that, you have to go to the, or you have to mail, or you have to deal with the vital records office in the county where that even occurred, whether it's a death or whether it's a birth. There's not a way that someone could go, if they gave birth at the hospital that's right across the county line, they couldn't come to Vanderburgh County to get a birth certificate. There's just no way that they could...does that answer your question?

Commissioner Tornatta: Yeah.

Commissioner Winnecke: No, sorry.

Commissioner Tornatta: I mean, it doesn't make a whole lot of sense. I mean, I know for those in Warrick County it gives them an opportunity to, you know, make the fee

on the documentation, but to me it doesn't make a whole lot of sense because it's not where one lives.

Gary Heck: Right, it's where the even occurred, as opposed to the residence, but that's just the way the law is written. I guess, it perhaps could be addressed if enough people felt the same way and the State legislators agreed with it.

Commissioner Tornatta: Yeah.

Gary Heck: I don't know, maybe that's something that's national. It's always done that way, I'm just not sure.

Commissioner Tornatta: Yeah, okay.

President Melcher: Any further questions? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you, Gary.

Gary Heck: Thank you.

EMA: Vanderburgh County Mitigation Plan Update

President Melcher: Next we'll have Sherman Greer, the EMA Vanderburgh County mitigation plan update.

Sherman Greer: Here are copies of the mitigation plan update proposal that we have for you to look at. Every five years we have to do a mitigation plan. This mitigation plan is very vital for any type of disaster/emergency situation that we have. If we don't have a mitigation plan, then we may not be eligible for reimbursement from the federal government. So, we started this back in February, it was probably even before that, when we were trying to get some mitigation funds from a mitigation grant that Indiana has or the feds have. We were trying to get it off of the mitigation grant project program, DR1795, and it went on and on and on, and finally they told us just a couple of weeks ago that they didn't have any mitigation funds right now, there was a Congressional hold on the money and we would have to see whether or not we could, what could we come up with ourselves to get something done here. Since that time we got a letter from them that our mitigation grant plan is, the funding that we're asking for is in review through FEMA as of right now. You can see there we've got two grants, also the Building Commission's got one, also with the Eastbrook

Mobile Home Park, and both of those are under review for us to maybe get some funds back for our mitigation plan and for the Building Commission to get some funding and everything for Eastbrook. So, what we've run into is that we got a proposal from, a scope of work from a young lady, Cindy Popplewell, that did our plan five years ago. She knows the plan, she wrote the plan, and there wouldn't be a better place to go back to and get an update for this plan than from the person that put it together. As you can see here with the project scope of work, it's long in depth to look at this, and, I mean, it can't be done overnight. We have to have public meetings, we have to have all of the incorporated cities and everything within Vanderburgh County, which is Darmstadt, involved in on this process of putting this mitigation plan together. As the Building Commission can tell you and Area Planning can tell you, we've got digitized flood maps now, that we've got, that we didn't have five years ago that's going to have to be introduced into this plan. So, there's going to have to be some work done. I have representatives from the Building Commission here, Ben Miller, and John Ansbro from Area Planning that's also working with us to try to get this mitigation grant, or this mitigation plan done. So, what we were going to ask for is whether or not we could use some of the funds that we had for the disaster funds to utilize to get this process started. First of all there will have to be a contract signed by the County Commissioners, we would have to present that to the attorney for his review and everything to get this thing started. I think it's \$5,000 to get it started, and the rest of it on, when the plan is complete.

Commissioner Tornatta: Sherman, how long will it take for this individual to write this contract, or write this update?

Sherman Greer: This plan here?

Commissioner Tornatta: Uh-huh.

Sherman Greer: Well, if you look at the back page, the last page, it gives you the scope of work there—

Commissioner Tornatta: Okay.

Sherman Greer: —of how long that would take. As you can see there, the planning process itself goes pretty quick, it's the public meetings and everything else that we have to have to make sure that the plan is valid. Then that plan itself has to be approved by the State and also by the Feds.

Commissioner Winnecke: So, what will the final product tell us?

Sherman Greer: The final product will give you more of an assessment of the, Vanderburgh County and Evansville on any emergency disaster situation that we would have and how we can best mitigate against those things happening in a worst case scenario.

Commissioner Winnecke: So, have we made, have we taken necessary steps based on the plan five years ago?

Sherman Greer: Yes, sir, we have. With, well, even with Eastbrook, you know, with the tying down of all of the manufactured homes within the city, within the county and everything. You know, we were the first ones to have a mitigation plan in the State of Indiana. I think with the mitigation of the tying down the manufactured homes and everything is one thing we have done. We've done some other things as far as

flooding in some areas and everything, as far as getting some ditches dredged out and different things like that. You know, the flooding that we have over off of Mill Road into the trailer park over there, there's been some things done to mitigating that flooding being as severe as it has been in the past.

Commissioner Winnecke: Is there an industry standard as to how often the a mitigation plan should be updated?

Sherman Greer: Every five years.

Commissioner Tornatta: And how much was the original plan?

Sherman Greer: The original plan was about the same price, \$50,000. Like I said, with the things, the new things that she's got to put in there for the digitized maps and different things like that, and things have changed over the five years. She's going to go back into that plan and ask some of the questions from maybe the Highway Department and the County Engineer and things like that to find out whether or not those things, some of those things have been done to update them and see whether or not we've still got the same problems or not.

Ted C. Ziemer, Jr.: I was noticing in her e-mail she says, "Please note we can adjust the complexity of the scope and risk assessment based on available funding." What does that mean? You can get a cheaper version of this?

Sherman Greer: The available funding is what we were talking about getting the mitigation funds from the Federal—

Ted C. Ziemer, Jr.: But, if we didn't have \$49,000, does that mean she could give us a plan that would cost something less than \$49,000?

Sherman Greer: I don't think so, sir. I don't think that's it.

Ted C. Ziemer, Jr.: I don't know what she means "we can adjust the complexity of the scope of the plan based on availability of funds".

Sherman Greer: I would have to get in touch with her in order to answer that.

Ted C. Ziemer, Jr.: Yeah, I don't, yeah, that's interesting.

Commissioner Tornatta: Then, Sherman, the other question is, who else does this type of work?

Sherman Greer: There's other companies throughout the United States that does this type of work. There's some out of Colorado that does this type of work. There's some probably in Louisville that does this type of work. Wherever we go we're going to have to get someone to do that. I don't know that anyone from around here could do it.

Commissioner Tornatta: Alright, would we like to see a more broken down cost estimate on this?

Commissioner Winnecke: I mean, I guess, I would like to see a couple of things. I think I would like to see some competitive pricing at the minimum.

Sherman Greer: No problem.

Commissioner Winnecke: And, to your point, I think, you know, I would like to know what, specifically, we would get for the \$49,588.

Commissioner Tornatta: Right, I mean, if part of this is her renting rooms to have these public hearings, maybe, you know, we don't pay for that.

Sherman Greer: She doesn't, she rents the rooms, we have, excuse me, we have the rooms, they use my offices.

Commissioner Tornatta: Okay, well, I'm just, I don't know where we come up with that.

Sherman Greer: In past years we've always used my office to have those meetings at and everything.

Commissioner Tornatta: Okay.

Sherman Greer: So, it's not going to cost us to rent any rooms or anything.

Commissioner Tornatta: Can you get those two pieces of information, if there's no other—

Sherman Greer: I most definitely will, and we can get with the State of Indiana and see if they can give us some more vendors that does this type of work. We could put an RFP together and get it out—

Commissioner Tornatta: And, she might end up winning this piece, but, I just, I think it's what we've got to do.

Sherman Greer: One of the things we're concerned about, and John might be able to, is a time frame that we're under.

Ben Miller: I'll answer that. We participate in the National Flood Insurance Program. Okay? As part of that, the community participates in that and then our citizens can have flood insurance. About 12 years ago we entered into what they call a Community Rating System, or the CRS Program, which is a component of that which is an optional thing, that we do certain activities that would then give our citizens discounts on their flood insurance. So, for instance if your flood insurance on your property is \$2,000 a year, the regular calculated risk through FEMA, then that citizen, by us participating in this program would then get a \$200 discount. So, part of that program is that we have an updated hazard mitigation plan on the books. If we don't update that by October of 2011, then we could lose our position in that plan by increasing all of our citizens flood plain insurances by ten percent. I got the numbers from FEMA, and in the county it's around, I think they collect \$560,000 worth of premiums yearly from our citizens. So, we're giving them about a \$56,000 discount, if you compute that out, each year. If we didn't participate in that program, there's other things that we do, but this is a crucial piece of it that if we do not have a hazard mitigation plan, then we could not participate in that program, thereby increasing their premiums. So, that's the other issue too.

Commissioner Tornatta: I mean, we could possibly even look into this on the 24th.

Ben Miller: Sure. Absolutely.

President Melcher: I think there's plenty of time. This is August and you've got a 12 month window here.

Ben Miller: They did, they originally wanted it by February, and they did grant us an extension until October—

President Melcher: Okay.

Ben Miller: —to come up with it.

Ted C. Ziemer, Jr.: Of 2010?

Ben Miller: Of 2011.

Ted C. Ziemer, Jr.: Oh, good.

Commissioner Tornatta: Okay.

Sherman Greer: So, the CRS program is one thing, and then also with FEMA if we was to have another disaster and not have it in place—

Commissioner Tornatta: When will those maps be set? Sorry?

Ben Miller: You're fine. I think, did you get the letter from FEMA? Maybe you haven't looked at it. We're going to get a letter the first part of September, is their estimate at this point, nothing official, and then we should have an effective date of the maps of March 3, 2011.

Commissioner Tornatta: Okay, and then what about appeals?

Ben Miller: The appeal process is over.

Commissioner Tornatta: It is?

Ben Miller: Now, there are, there are other programs within the adoption that you can, there's different programs, and we can go through this in more depth, but there's a grandfathering provision where if they sign on before the effective date of the maps they have certain discounts afforded to them, and we can also, you know, assist them with letters of map amendment, which is—

Commissioner Tornatta: Right.

Ben Miller: —you know, you can amend and take a building out of the flood plain.

Commissioner Tornatta: Got it. Okay, because—

Ben Miller: It's been about a, what, seven or eight year—

Commissioner Tornatta: Some people are going to get hit—

Ben Miller: They're, it's my estimate that, I don't really, exactly have the county numbers specifically, but city-county wide there is about 4,000 people coming out and about 4,000 people going in. So, but there are going to be some (Inaudible).

Commissioner Tornatta: Right. Okay.

Ben Miller: And, they're using the latest data, the county maps haven't been updated since 1991. So, they're using...and then they also take into affect all of the recent development.

Commissioner Tornatta: Okay. Thank you, Ben.

Sherman Greer: I apologize for my phone ringing.

Commissioner Tornatta: You'll get us that information then?

Sherman Greer: I'll get you that information and get it back to you on the 24th.

Commissioner Tornatta: Before then if we need to vote on it.

Sherman Greer: Before the 24th—

Commissioner Tornatta: Yeah.

Sherman Greer: —so you can review it.

Commissioner Winnecke: Right, thank you.

Sherman Greer: Okay.

Madelyn Grayson: Sherman, do you have an extra set of that information for the record?

Sherman Greer: Certainly.

Commissioner Winnecke: You can have mine.

Madelyn Grayson: Oh, okay. Never mind.

Commissioner Winnecke: She can have mine.

Sherman Greer: Oh, thank you.

President Melcher: Thank you.

**Sale/Transfer of County Properties:
Quit Claim Deed: 917 S. Evans
Quit Claim Deed: 602 E. Blackford
Quit Claim Deed: 411 Jefferson Avenue
Notice to Bidders: 20 E. Virginia & 321 W. Florida**

President Melcher: Next we have the sale or transfer of county property by the Commissioners. The quit claim deed for 917 South Evans to Klipsch Development, LLC, the bid was \$550. A quit claim deed for 602 East Blackford, that's a late redemption. A notice to bidders for 20 East Virginia, notice to abutting property owners to submit bids. Notice to bidders for 321 West Florida, notice to abutting property owners to submit bids.

Commissioner Tornatta: Motion to approve.

Ted C. Ziemer, Jr.: Excuse me, if we could, we have one additional property—

President Melcher: Okay.

Ted C. Ziemer, Jr.: —that's not on your list. It's at 411 Jefferson Avenue. Oh, sorry, 411 Jefferson Avenue. It doesn't want to stay on.

President Melcher: Alright, so we have 411 Jefferson Avenue to add to the list?

Ted C. Ziemer, Jr.: Right, and they've paid all the taxes and the fees.

Commissioner Tornatta: Okay, motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

LEPC: Commodity Flow Study Coordinator Agreement (M. Saxon)
IFSSA Agreement for Vending Services
Area Plan Commission: Xerox Lease Agreement
CPO: Agreements for Uniform Service with Aramark (5)
Health Dept: MOU with ECHO & Dental Clinic: Homeless Dental Care
Health Dept: Amended CareFacts Business Associate Agreement
Health Dept: Sparkle & Shine Cleaning Agreement: Dental Clinic
Health Dept: MCH Grant Amendment
Vectren Reimbursement Agreement: University Parkway: \$50,705
R.W. Armstrong Supplemental Agreement # 1: Maryland St. Bridge

President Melcher: Next we have contracts agreements and leases. The Local Emergency Planning Committee, commodity flow study coordinator agreement, funding for this is provided through the reimbursement grant by the Indiana Department of Homeland Security.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the Commissioners IFSSA grant agreement for the vending machines. This is identical to the agreement that the county has had with the State since 2002 with the last most recent one running from 2006 to 2010. The term of this agreement is from September 1, 2010 to June 30, 2012.

Commissioner Winnecke: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next, Area Plan's Xerox lease agreement for 60 months for a minimum monthly lease payment of \$226.22 per month. This is in connection with the master agreement that was approved on July 20th.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The Cooperative Purchasing Organization agreement for uniform services with Aramark. We have an Aramark agreement, Aramark service agreement, Aramark flame resistant service agreement, amendment to the Aramark service agreement, and an amendment to the Aramark flame resistant service agreement.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second, and those are actually, will be addendums to the Aramark service agreement and the flame resistant service agreement.

President Melcher: Any discussion further? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the Health Department, the MOU between the Community Health Care and the Vanderburgh County Dental Clinic regarding the homeless population in Vanderburgh County; CareFacts amended and reinstated business associate agreement, the agreement contains no financial requirement on behalf of the county. The agreement with Sparkle and Shine for the Dental Clinic cleaning, a two year contract beginning August 1, 2001 at a cost of \$415 per month. The addendum number one to the EDS grant number A70-0-069239 for the family care coordination in Vanderburgh County. This increases the amount of the original grant from \$104,000 to \$208,000, to extend the term of the grant from 9/30/10 to 9/30/11.

Commissioner Tornatta: I would make a motion with the correction of the Sparkle and Shine contract starting August 1, 2010.

Commissioner Winnecke: Second.

President Melcher: Okay, I just changed my records here. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

Commissioner Winnecke: Thanks, Gary.

President Melcher: Well, see, that time he came up and he didn't need to. Next is the County Engineer, this is going to be the Vectren reimbursement agreement for work in connection with the University Parkway in the amount of \$50,705. This is 80% of the reimbursement by the county to Vectren will later be reimbursed by INDOT to the county. We also have a supplemental agreement number one to the R.W. Armstrong agreement for the consulting engineering for the Maryland Street bridge over Pigeon Creek. It provides the additional environmental services, increasing the total contract price from \$150,000 to \$170,000.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Having said that, John, did you have anything to add to that?

John Stoll: No.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Engineer

President Melcher: Next we have department head reports. Who wants to go first?

John Stoll: The first item that I have is a street acceptance request for Hawthorne Estates Subdivision. This covers 528 feet of Berwick Drive¹, 392 feet of Sable Ridge Drive, 600 feet of Lucerne Avenue, 634 feet of Decatur Court, and 1,033 feet of Lenox Drive.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

¹Should be Berwick Boulevard.

John Stoll: Next, I have a change order on the University Parkway project. This is to cover the cost of an additional computer for the field office for the project. The change order amount is \$2,385, and the county's share of that will be \$477, which is 20 percent of the overall cost.

Commissioner Tornatta: John, can I ask you a question on that?

John Stoll: Sure.

Commissioner Tornatta: I apologize for not calling today, just one thing after another, but the computer belongs to the county?

John Stoll: No, this is, the contractor's charge with the software, INDOT has a spec for what is provided, when a computer is provided in a field office, but it's the contractor providing it. It's not the county's property.

Commissioner Tornatta: Okay, why would we provide a computer?

John Stoll: That's just part of the overall equipment on the field office. The, it's part of the data entry for completing all of the construction records associated with the project. INDOT has a program that they require to enter all of the material tickets and things like that to track the project quantities as well as it provides standard Microsoft Office software.

Commissioner Tornatta: Okay, I've just not heard of us buying anybody a computer and then they keep it?

John Stoll: It's the contractor's, yes.

Commissioner Tornatta: Do we do this often?

John Stoll: Every field office on a federal aid job has it.

Commissioner Tornatta: Okay, we buy their computers? Or they provide their own?

John Stoll: It's provided through the bids on the project by the contractor. We don't provide it.

Commissioner Tornatta: That's what I'm saying. So, are we doing something that we don't normally do?

John Stoll: No, well, this is an additional computer for this trailer because of the tracking of all the, primarily their quantities and the data associated with it. So, this is a second one.

Commissioner Tornatta: Um, I just, I don't know why we don't keep that asset, if we're paying for it. Because this thing goes away and why don't we keep the asset?

John Stoll: We can delay it and I can check on that. The way the—

Commissioner Tornatta: I mean, I would like to know about it.

John Stoll: Okay.

Commissioner Tornatta: I've not ever heard about us buying somebody else a computer and then we don't take it back and use it for something else, when there would be another project.

John Stoll: I'll check and see if there is a provision in the INDOT spec for the county to have it on completion of the project, but off the top of my head I don't know.

Commissioner Tornatta: Okay.

John Stoll: I know, traditionally it's been the contractor's property and this is part of the fees paid to the contractor in conjunction with them providing the computer and the software. I can check on it and get back with you.

Commissioner Tornatta: I mean, I would like to know.

John Stoll: Okay.

President Melcher: So, you want to bring that back in a couple...the next meeting?

John Stoll: Sure. The next item that I have is a right-of-way letter that needs to be submitted to INDOT for the Burkhardt-Virginia project. This is a letter that states the county will follow federal aid procedures in conjunction with the purchase of the right-of-way. It's just a form letter that we have to submit to INDOT.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a motion, any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: The last item that I have is a time extension request from Deig Brothers for the Fickas Road culvert project. They requested an additional two days for making up for some lost time associated with rain days on the project. This would just keep them from being assessed liquidated damages. The rain days did occur, it did delay them for two days, so, I would recommend approval of the time extension.

Commissioner Tornatta: Motion—

Commissioner Winnecke: So moved.

President Melcher: We have a first and second.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have. Thanks.

Commissioner Winnecke: Thanks, John.

Commissioner Tornatta: Thanks, John.

President Melcher: Chris, do you have something? Steve?

Burdette Park

Steve Craig: Steve Craig, Manager of Burdette Park. I'm probably the only person that's glad it's been hot this long, but it can now be over. Today was our last day for our aquatic center to be open during the week. It will be open weekends through the Labor Day weekend, and so will our miniature golf. The only other thing that I have is that I would like to invite everybody to the RC Gold Top Summer Giveaway. It's a party being put on by RC Cola at the park this weekend. It's free food, free beverages, and they're going to give away a car as the main prize. So, Saturday at noon, everybody come to Burdette and have a chance to win a new car and get free food.

Commissioner Tornatta: That sounds alright.

Steve Craig: Yeah, not a bad deal. That's all I've got.

President Melcher: Any questions?

Commissioner Winnecke: Steve, I know it's in here, I looked at it yesterday, your year over year comparison. Do you want to give us a quick highlight of that, the park?

Steve Craig: Okay, I'm going to, I don't have it up here. I've got it--

Commissioner Winnecke: I'm sorry.

Steve Craig: –I'm going to give you an up-to-date one, even to the day. The one you've got is from last month.

Commissioner Winnecke: I know it's in here, because I read it.

Steve Craig: The one I think you have is January through June, and, let me see, we were ahead on the pool at that time by \$7,700. Total for the year, with the rental, the next year rental intake, the day camp, and miscellaneous we were at a deficit of \$9,867, but one of the reasons that we was behind was because the day camp started a week later than what it did and we had a week less on the swimming pool the way Memorial Day weekend started. As of the end of July, our swimming pool was up \$41,000. I just turned that in to Kristin a while ago for the next meeting, but we've had a very good summer. Rentals have been down a little bit, but that's reflective to that most of our rentals that we were having now we made last year and that's when the economy was at its worst, when people were making reservations for the rentals. But, other than that, most of our areas, except for our day camp have been up this summer. Like I said, the reason that being was it was a week shorter this year than it was last year.

Commissioner Tornatta: Where were we on concessions?

Steve Craig: As of the end of July, or June we were \$6,000 ahead, and I think at the end of July we're \$13,000 ahead of what we were last year at this time.

Commissioner Tornatta: What about, do you know anything about expenses?

Steve Craig: No, not other than, the bills, we won't get all of the bills in–

Commissioner Tornatta: Okay.

Steve Craig: –until probably October or something.

Commissioner Tornatta: I know we made some minor adjustments.

Steve Craig: I think they were very successful.

Commissioner Tornatta: I would like to know where we sat with the expenses versus last year over the revenues versus last year.

Steve Craig: I will, I'll get them out. Like I said, you know, we haven't gotten bills in from some of the companies from stuff that we bought in May and June, they come trickling in all the way through September and October. So, it's one of those things that you have to sit down at the end to see, you know, where all of your bills come in versus all of your money that's been taken in.

Commissioner Tornatta: Okay. Thanks.

President Melcher: Thank you.

Steve Craig: Thank you.

President Melcher: Any other department heads?

New Business/Old Business

President Melcher: Any new business? Old business?

Public Comment

President Melcher: Any public comment?

Consent Items

President Melcher: Consent items?

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Madelyn, do you want to read them?

Madelyn Grayson: The consent items for the August 10th meeting are as follows; approval of prior minutes for the July 20, 2010 Commission meeting and the July 30, 2010 Executive Session; employment changes there are two for Burdette Park for the Commissioners approval; EMA Region 14 public safety communication plan of the FCC; County Engineer pay request number 110 for TIF projects in the amount of \$35,808.50; Health Department telework feasibility assessment; County Auditor July 2010 A/P vouchers; Prosecutor, amended 2008 and 2009 equitable sharing agreement and certification; Public Defender, Public Defender Commission reimbursement; Burdette Park yearly comparison from January to June from 2009 to 2010; Weights and Measures monthly report from June 16th through July 15, 2010; the Legal Aid Society second quarter budget; the City of Evansville administrative services request for waiver of the Centre fees/not overtime for blood drive on August 20, 2010; the County Treasurer has the June 2010 monthly report and the June 30, 2010 year-to-date report; the Commissioners have a VPS Old Courthouse renovations phase two change order number one; consent for access to 321 Read Street for soil sampling and clean up; the AMR first quarter payment; the Sheriff has three ICJI grant agreements, one for dangerous driving enforcement, one for the DUI task force, one for Operation Pullover; and there are two surplus requests for various office equipment and furniture, one from the County Auditor and one from County Treasurer; and department head reports from the County Engineer, County Highway and Burdette Park.

President Melcher: Any discussion? Want to call the roll now?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Anything further?

Commissioner Tornatta: Great job, Madelyn. Motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: A motion to adjourn, so, all in favor say aye.

All Commissioners: Aye.

President Melcher: We're adjourned.

(The meeting was adjourned at 6:00 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the July 20, 2010 Commission Meeting Minutes.
Approval of the July 30, 2010 Executive Session Summary Minutes.
EMA: Region 14 Public Safety Communications Plan of FCC.
City of Evansville: Request to Waive Centre Fee/Not OT: Blood Drive 8/20/10.
VPS Old Courthouse Renovations Phase II Change Order No. 1.
Consent for Access to 321 Read St: Soil Sampling and Clean Up.
AMR 1st Quarter 2010 Payment.

Employment Changes:

Supt. County Bldgs. (1)	Burdette Park (2)	Circuit Court (2)
County Assessor (1)	Sheriff (1)	Public Defender (1)
Superior Court (1)	Prosecutor (1)	County Clerk (1)

County Engineer: Pay Request No. 110: Green River-Burkhardt TIF Projects.

Health Department:

Telework Docs: Feasibility Assessment/Agreement & Work Log: Paulette Hoffman.

County Auditor: July 2010 A/P Vouchers.

Prosecutor: 2008 & 2009 Amended Equitable Sharing Agreements & Certs.

Public Defender: Public Defender Commission Reimbursement 4/10/10-6/30/10.

Burdette Park: Yearly Comparison January-June: 2009 to 2010.

Weights & Measures: Monthly Report: June 16-July 15, 2010.

Legal Aid: Second Quarter 2010 Budget.

County Treasurer:

Monthly Report: June 2010.
Year-to-Date Investment Report through June 30, 2010.

Sheriff:

ICJI Grant Agreement: Dangerous Driving Enforcement.
ICJI Grant Agreement: DUI Task Force.
ICJI Grant Agreement: Operation Pullover.

Surplus Request Letters:

County Auditor: 14 file cabinets, 4 printers, 5 computers with monitors.
County Treasurer: various office equipment.

Department Head Reports:

County Engineer	County Highway	Burdette Park
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Luzada Hayes	Dave Rector	Eric Williams
Sherman Greer	Ben Miller	Gary Heck
John Stoll	Steve Craig	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
AUGUST 24, 2010**

The Vanderburgh County Board of Commissioners met in session this 24th day of August, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We'll go ahead and start the Vanderburgh County Board of Commissioners, August 24, 2010. It's 5:00 and we're in room 301. Madelyn, will you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance: Teen Advisory Council

President Melcher: We're going to have the Pledge of Allegiance, I guess, it's going to be members of the Teen Advisory Council that's going to lead the Pledge, right? With Jo Beth Bootz, and she'll speak afterwards.

(The Pledge of Allegiance was given.)

Jo Beth Bootz: Good evening, my name is Jo Beth Bootz and I'm the Program Manager for the Youth Resources Teen Advisory Council. We are so thrilled to be here this evening to present the council. We currently have 144 high school students on our roster, which is the largest in history, and we have been around since 1987. I'm going to pass the mic over to two of our student leaders who are just going to discuss the shadowing program that we have within the Teen Advisory Council.

Rachel Massey: Hi, Teen Advisory Council meets every other Friday at 5:55 in the morning, and our primary purpose is to do service projects to engage youth and help the community. One of the requirements for our members is that they're all required to complete a shadowing requirement. We do that because it involves them to see how the local government; the County Commissioners, the School Board, things like that work and give them experience for the future.

President Melcher: Could you state your name for us?

Rachel Massey: I'm Rachel Massey.

Lindsay Moreland: Good evening, my name is Lindsay Moreland. My experience in shadowing is with the EVSC School Board. It really helped me to see how much time and consideration they put into the decisions made for our school corporation and

our schools, and gave me a greater appreciation for what they do during those long meetings.

President Melcher: We might as well get everybody's names. So, if you just want to come up one at a time.

Karlee Kolb: My name is Karlee Kolb.

Anna Ballard: My name is Anna Ballard.

Dorothy English: My name is Dorothy English.

President Melcher: Is there anything else anybody would like to say? We're on t.v., a lot of people watching. Okay.

Commissioner Tornatta: Thank you.

President Melcher: Thank you very much.

**Permission to Open Quotes: VC10-08-01:
Winstead Way Pipe Maintenance**

President Melcher: We need permission to open quotes VC10-08-01, it's Winstead Way pipe maintenance.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

President Melcher: Okay.

ONB Insurance: Employee Benefits

President Melcher: Action items, ONB Insurance, employee benefits.

Dennis Feldhaus: Good afternoon, Commissioners, I'm Dennis Feldhaus with Old National Insurance. I'm here today to update the Commissioners on a few initiatives we're taking with respect to the group medical, dental and vision plans for Vanderburgh County. First, with respect to the group medical, the recently passed National Health Care Reform Act will automatically mandate coverage for dependents up to age 26. It will also mandate to eliminate any caps on any lifetime benefits starting January 1, 2011. Since the passage of the National Health Care Reform Act, Welborn Health Plans, which is the provider of the group medical for Vanderburgh County has agreed to automatically pick up dependents up to age 26 from June through the end of this year. They're already on the plan as dependents of the families of your employees, this prevents children who were dependents in college and at the end of the school year having to be, coming off of that plan and then re-enrolling January 1 to come back on to the plan. So, it's an easier transition, there's no additional cost to the county, and Welborn Health Plans has already

implemented that. Just wanted to update you so that you're aware of that. In front of you, hopefully, just passed out a request, and it's a logical request, in addition to the health plan we have voluntary plans which employees pay 100 percent of, those are your dental and vision plans. It would only make sense from an administration standpoint to coincide coverages of all plans to accept up to age 26 for dependent coverage for the balance of this year, and also note that that will automatically be part of the renewal policy come January 1, 2011. So, what I have in front of you this evening, what I need to ask of the Commissioners and their approval, is to go ahead and allow the county to include dependents up to age 26 on the voluntary plans.

President Melcher: You're talking about the voluntary plans that they pay for separate?

Dennis Feldhaus: Correct.

Commissioner Tornatta: Do we need a motion?

President Melcher: I would think so.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Winnecke: I have a couple questions.

President Melcher: Yes?

Commissioner Winnecke: Unrelated to that, Dennis, two things, quickly, how many, for 2011 how many dependents are we talking about up to age 26?

Dennis Feldhaus: We have really no way of knowing until open enrollment.

Commissioner Winnecke: Okay. Would you mind making a note to get back to us on that so we know that at our earliest possible time?

Dennis Feldhaus: Of course, the next question that comes with that is what's the additional cost to the county for that? This evening I have no way of being able to advise you of that.

Commissioner Winnecke: Right. The second question I have, a while back, many months ago, there was some discussion, and, frankly, I can't remember exactly which parties were involved, but there was some discussion about renewing regular monthly meetings or regular meetings for employees. Have we reinstituted that?

Dennis Feldhaus: I appreciate that question. It's a segue into my next section that I wanted to share with you this evening. In response to those recent insurance surveys, I would like to update you on what we've initiated already. We are in the process of reinstating those monthly employee meetings. We find value in those, allowing face to face opportunities for your employees to air their concerns straight to us. It also allows us to be able to understand what maybe some of our service shortcomings have been. So, we will be reinstating those effective September the 1st. Dennis Woehler and Ernie Brothers of the insurance team at Old National will be spearheading those monthly meetings. In addition to that, in order to provide better communication, because some of the feedback in the surveys was we don't know what's going on or we don't understand. In order to try to provide better communication, via the e-mail, we are going to be providing monthly newsletters. We've done that in the past, but we're going to be stepping up our efforts to get those out, and also to include health information such as health savings accounts, what's my co-insurance mean, what do the changes mean coming up in the new program? Third, some of the feedback was in response to the service benchmarks or lack thereof from Welborn Health Plans themselves. So, we are initiating quarterly meetings with Welborn Health Plans to establish service benchmarks. We want to stack, we want to be able to continue on a quarterly basis to stack up to certain benchmarks that will allow us to provide service better to the employees. Then, the last thing this evening to consider, I would like for the Commissioners to consider an offer of a health savings account option for 2011 during open enrollment. We believe, the interest was shown in surveys that came back to us, we believe this is a win-win option, not a mandate, but an option for both the county and the employee. Cost savings to the county could be rather significant based on the number of participants. We did a trial projection with Welborn Health Plans based on ten percent participation of your current employee participants. If they were to choose to opt into a health savings account instead of the traditional health plans that we have currently, the pure cost savings, and, again, I'll define pure cost savings could be as much as 25 percent to the county by family, by employee plus one and by single. So, the percentage of cost savings could be considerable. Again, that's going to be based on number of participants, and it's going to be based on the employer's efforts to engage the employee to join an HSA account. Now, that 25 percent will be less, obviously, if you as an employer provided an incentive to the employee to consider a health savings account, most employers do. We could get into specific details, but, I think it would be good just to put it out there as an option to see what interest we would have in 2011. Again, I think it's a win-win for the healthy employee. I speak from experience with Old National. We offer health savings accounts and they have done quite well.

President Melcher: Any discussion?

Commissioner Winnecke: I've got a couple of questions.

President Melcher: Go ahead.

Commissioner Winnecke: Thanks, Dennis, this is all good news, I think, just a few brief follow up questions. On reinstating the monthly meetings, have you, has there

been a location that's been determined? And, if so, how will the meeting dates and times be communicated to the employees?

Dennis Feldhaus: We're going to blast e-mail those through the Commissioners office as we did the survey. We will be meeting here in the Commissioners meeting room.

Commissioner Winnecke: Then, the monthly newsletters, will those be electronic?

Dennis Feldhaus: Yes.

Commissioner Winnecke: Okay. The service benchmarks that you talked about, would those be industry benchmarks?

Dennis Feldhaus: We will try to hold the provider to the industry benchmarks to similar providers.

Commissioner Winnecke: So, from a peer group?

Dennis Feldhaus: Yes.

Commissioner Winnecke: Okay. Two other quick things, on a health savings option, will you present a plan for us to consider?

Dennis Feldhaus: Yes.

Commissioner Winnecke: When will we see that?

Dennis Feldhaus: When would you like that? I can put that plan together in pretty short order.

Commissioner Winnecke: Just, I mean, personally, I would hate to see it like one day and we're going to consider it the next night or something. So, just give us enough lead time that we could—

Commissioner Tornatta: I think we were talking potentially next meeting, but, I don't know, Dennis, if you said that was feasible. The other Dennis.

Dennis Feldhaus: Dennis?

President Melcher: State your name when you come up, Dennis.

Dennis Feldhaus: Could I ask for clarification, Bill, open enrollment begins...do we have that date?

Bill Fluty: Normally--

Madelyn Grayson: It's generally the first of November. It's like the entire month of November, right before Thanksgiving it ends.

Dennis Feldhaus: Thank you.

Dennis Woehler: Dennis Woehler, Old National Insurance. Just to kind of clarify that, the, in order for the health savings account numbers to make any sense, they're

going to have to be presented with the renewal rates for the current plan. So, while contractually Welborn does not have to provide those until October the 1st, we are trying to push them to provide them a little sooner so that we have more lead time.

Commissioner Winnecke: Okay.

President Melcher: I've been on a couple different ones of those, and some are better than others, that's why I'll be interested in hearing what you have to say. I know it saves the employee money, because these are tax, before tax dollars, so, when it comes out of their paycheck, they're not taxed. That's where they make the big savings personally.

Dennis Woehler: And, depending on the employer participation in the plan, in many cases, the reduction in premium is significant enough that the employer can incent the employee by contributing to the account and still save money.

Commissioner Tornatta: Dennis, in most of these plans, and I have heard that some are a yearly and some roll over, the plan that we were looking at is that a rollover from year to year?

Dennis Woehler: Yes, health savings accounts are different than a flex plan. Flex plan is a use it or lose it thing during the course of the year. A health savings account rolls over from year to year and will draw some interest.

Commissioner Tornatta: So, for somebody, as Dennis said, that might be in better health, if there's an incentive and if they can pool their money, then at a later date they would have the opportunity to use that for any of the aforementioned....of course, I know, I've heard it's going to narrow a little bit—

Dennis Woehler: Sure.

Commissioner Tornatta: —but they could use that for anything that they've got and pool that money for, at some point, it could be later on in their lifetime when they would use it for prescriptions or whatever they needed.

Dennis Woehler: Yes, before age 65 it needs to be used on things that are medically necessary, but as long as it is, it's always before tax money. After age 65 then it works kind of like an IRA, if you would rather use it as your personal money, then you can pay your ordinary income taxes and just spend it.

Commissioner Winnecke: My last question just has to do with, when you say there is a potential cost savings to the county of 25 percent, what do you base that number on?

Dennis Woehler: That number is based on current rates and just an assumption that we have Welborn do that ten percent of your population were to take the HSA., what the rates would be, the spread on the rates would be. Now, that doesn't include, that's not the net. In other words, if the, you, as the employer, were to take part of your savings and use it as the incentive, then you're not going to net 25 percent.

Commissioner Winnecke: Right, I understand that.

Dennis Woehler: Yes.

Commissioner Winnecke: But, the 25 percent is based on a ten percent—

Dennis Woehler: Well, that 25 percent is the actual spread in the rates between a family rate now on your lowest plan and the family rate of the health savings account.

Commissioner Winnecke: Right, but, if we had greater than ten percent participation, theoretically, the cost savings would increase to the county.

Dennis Woehler: Possibly, now, that doesn't mean, if you have 20 percent it may not change that rate, but, it's the law of larger numbers, you know—

Commissioner Winnecke: Right.

Dennis Woehler: —it's a larger savings if more people take it.

Commissioner Winnecke: I understand.

Commissioner Tornatta: Then, part of the significance would be there would be a higher deductible.

Dennis Woehler: Yes.

Commissioner Tornatta: So, in health savings accounts there would be a higher deductible, but, if we were to incentivize the plan, it would potentially make more sense after a period of months that that would be gone.

Dennis Woehler: Yes, and, normally you will see those plans make sense to your very healthy people and your very ill people. Simply because you have a fairly fixed out of pocket cost with them. So, the plans are, regardless of what insurance company you look at, are fairly similar, because they have to follow the Department of Treasury guidelines.

President Melcher: Okay, anything else, any other discussion?

Dennis Feldhaus: We will try to get back as quick as we can and get some numbers from Welborn.

Commissioner Winnecke: Thanks Dennis. Dennis and Dennis.

Dennis Woehler: Thank you.

Commissioner Tornatta: Thank you.

Stan Gregory: Pre-Paid Legal Services
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President Melcher: Next, we have Stan Gregory, he's with Pre-Paid Legal Services. Again, just state your name for us, so we have it on our tape.

Stan Gregory: Thank you. Good evening, Stan Gregory. I'm with Pre-Paid Legal Services. We wanted to ask for no money, we are asking for no contract. We are asking for an opportunity, and I'm with Susie Waters....where are you Susie? Oh, there she is, I'm sorry. Susie is with me too, we want to make sure that everybody,

we tried to drop off some brochures, this is for the identity theft part of our coverage, and also the legal services. So, if anybody doesn't have...do you not have one? Oh, I'm sorry. Well, anyway, I have about five minutes, I'm going to keep it very brief. The City of Evansville offers their employees the company that you're looking at. I am a local representative, and Susie is a local representative too. We would just like permission to approach the county employees for this similar benefit. We do, there's one thing that makes us distinguished different from the competition, and that is that we actually, we give restoration to the investigation, because when you get your identity stolen, it's kind of too late. It's a process that's...if you had bad credit to start with, and you get it restored, you're going to get it restored back to the bad credit. So, one of the newest targets in identity theft are children that just get a social security number. When grandmother goes in and opens the savings account at the bank, they come out and they say, well, I'm sorry, but this social security number has \$3,000 of bad checks written against it. So, it is a very, it's the fastest growing white collar crime in the United States, including American Airlines lost 79,000 personal retirees information. This is just from some, you know, getting personal information and letting it loose. So, it can be a vendetta or whatever. So, we do provide the monitoring service, we provide the full restoration, and then we also have this package that includes the legal services. So, our county employees can basically pick up the phone, 24/7, and contact an attorney, get an opinion rendered based on whatever problem they have. My dog bit the neighbor and they're going to sue me what do I do? That kind of, that's the kind of information that you can get. You can also have letters written on your behalf. You can also be represented in an IRS audit. You can also be represented because you are in a, I guess for lack of better words, a Sam's Club of attorneys, which are State directed and controlled by our company. So, we're just, again, we're just asking for the opportunity to be able to present this to the county employees, to let them say yes or no. This is fully payroll deduct and voluntary. Again, it's no cost....in fact, hopefully, the county could enjoy increased productivity because when somebody's going through something like this where they have a personal problem and they don't know where to turn, it can improve productivity and decrease absenteeism. So, that's as brief as I can be. That's the first stop.

Commissioner Tornatta: Great job, Stan.

Stan Gregory: Thanks. Thank you.

President Melcher: Any questions?

Commissioner Winnecke: How many of the city employees have signed up for your services?

Stan Gregory: Um, I think, less than 50.

Commissioner Winnecke: Less than 50?

Stan Gregory: Yes.

Commissioner Winnecke: Is the primary focus of your business, your company, the identity protection or legal services?

Stan Gregory: The company started out in '72 as a legal services company, Kroll is the investigative agency that did the work when Saddam Hussein, when a lot of money was found and investigations were needed, they called Kroll. This is the

largest investigative agency that I'm familiar with. They're 2,900 people. So, they contacted Pre-Paid about seven years ago. So, this is a comprehensive kind of coverage now, where you do have identity theft with the features and benefits that I told you, including consultation and some guidance. It's kind of a hand holding type process. Then, we also offer the legal services. In a group arena such as this, they get the, they get a discounted rate rather than just selling it on the street. I mean, I could go knock on doors up and down the street, but, I'm just saying in a group arena this is a discounted rate.

Commissioner Winnecke: How are the rates determined?

Stan Gregory: Well, we've never had an increase. To the employee they're under seven bucks a week. This is a product that's, I guess, you know, I mean, I'm not wearing an insurance hat tonight by any stretch, but, I've just seen a lot of kids in these meetings raise their hands and say, gosh dang, you know, I'm in the middle of this right now, and what can you do about that right now? You know, it's really designed for people that observe the law. It's not going to help you if it's a DUI or drugs in the car and you have an accident and that type of stuff. It's really designed for people who are falsely, their I.D. has been stolen and falsely arrested perhaps. So, we offer these services. I think it's great that the city employees have a chance to say yes or no. I'm not sure what the reason for the small number of participants, I've heard a few things, but that's not important. I just think, from our standpoint, we are legal, I'm sorry, we are local, I'm sorry, and we would work through the right channels to get us to the places that we need, because I know it's a big, coordinated effort to get to that many people.

Commissioner Winnecke: I had two quick follow ups and I'll be quiet. To what extent does your identity theft product differ from similar products offered by financial institutions?

Stan Gregory: In many cases there are monitoring services where you would be contacted if it bleeps and there's something that doesn't look right or feel right, the computer automatically generates a notice, but it's not going to do the investigation and do the restoration. It's the restoration piece of the identity theft that makes this product more valuable than just a service. By the way, free credit report is not free, okay? So, just so you're not confused, it's not free, but, they say it is.

Commissioner Winnecke: The fee is a little less than \$50, between \$45 and \$50 a month?

Stan Gregory: More like \$26.

Commissioner Tornatta: Yeah, about \$26.

Commissioner Winnecke: 26?

Stan Gregory: Yes.

Commissioner Winnecke: Then, my last question would be—

Stan Gregory: Yes.

Commissioner Winnecke: —attorneys, are local attorneys utilized?

Stan Gregory: They are determined by the, the answer to that is yes, and the mechanism that's used is the O'Koon Hintermeister in Indianapolis is the chosen State representative firm. Then when they process a, there is a program whereby the client calls in and, they, you know, log the time in, how long was the call, how long it took to get a file, so, we know how these people are...and they are competing. They compete just like we do. They want to have the best stats too. They will call a legal firm, but it is up to them who they contact. So, yes, you would be referred, I mean, they're not going to come down to traffic court from Indianapolis, obviously.

Commissioner Winnecke: Right.

Stan Gregory: There are local representatives, and, I know, unfortunately, I'm sorry, I know more about the Ohio system, I'm not as familiar with the Indiana, except I was a customer of Pre-Paid for eight years, they saved me \$13,000. So, that's fairly easy to talk about, but they're very prompt. I just used the service last Thursday, had a question, called at 1:00, they promised to return the call by 6:00 and it was 4:15. So, I know they do what they say.

Commissioner Winnecke: Have other counties in the State participated?

Stan Gregory: Marion. I think city of Terre Haute, but not Vigo. I believe that's the difference up there. But, of course, we have the city here, and, hopefully, we can do the county.

President Melcher: How did you do the city here? Did you go in to every room? Or did you sit, be in a break room?

Stan Gregory: That's an excellent question, and there's a gentleman that lives in Ferdinand, is my understanding, who actually did that piece of the business. He's a different representative for Pre-Paid. So, I'm local here, and that's....what my, just in talking to the city about how the best way they thought was to implement the process was to just basically make the relationship with the managers first to just, you know, your leaders, or through your Human Resource, I assume, would direct us out to the managers of respective areas. We would take their lead as to when's the best time, what's the size of the group, you know, the ABC's of how to do it. We would look to your people.

Ted C. Ziemer, Jr.: Are the employees advised of the scope of the legal services that are provided?

Stan Gregory: Yes.

Ted C. Ziemer, Jr.: Can you tell us what that is? Let's say an employee is going to buy a house, would you have legal services to cover it?

Stan Gregory: You have an unlimited number of phone calls. You can't call in for the same thing every time, okay. They log you in, they log your reason for calling. Yes, is the answer to your question. You're buying a house, you're buying it on contract, man, I don't know whether this contract's legit or not, would you please look at it? You can fax them, you know, seven, eight, nine pages and, if it's on that subject, they will answer that question, or render an opinion over the telephone on that subject. Then they will go to the next issue, and if you call in on a new issue, you know, the dog bit the neighbor—

Ted C. Ziemer, Jr.: No, but, say you just call in and say I'm buying a house, I want you to represent me, do they? Or do you have to have a specific question about the house that you're buying? I mean, if you call a lawyer in Evansville, Indiana and say I'm getting ready to buy a house, would you help me, the lawyer is going to represent you through the process of buying that house.

Stan Gregory: Okay.

Ted C. Ziemer, Jr.: Contracts and so forth, is that what you're talking about?

Stan Gregory: These primary, it will be a decision that's made by the representative firm first, because they get a lot of calls. Like, my taco didn't have enough hamburger at Taco Bell, would you write them a letter? Okay, that kind of stuff. So, they're not going to do those kinds of things. If you have a specific question that you need an opinion on, yes. We're more representative in the courtroom after the accident has occurred and you're being sued and that's depicted in the brochure that I handed out there in those four different coverages. It's kind of like, I mean, for lack of better words, it's like level one, level two, level three, level four is the kind of the way they do it. But, the main thing is, certainly, unlimited consultation, they will write letters on your behalf, they will represent you if you're in an audit. So, I mean, those are excellent questions, and, I can tell you from experience that they handle a lot of phone calls, 94,000 on Christmas Eve alone.

Ted C. Ziemer, Jr.: Thank you.

Stan Gregory: Thank you.

Commissioner Winnecke: So, theoretically, you could call on separate issues and have different attorneys representing you and offering you legal opinions?

Stan Gregory: Yes. Yes, you are not routed, necessarily, to the same....if you had a follow up question, though, my opinion is that you ask, you know, you say I called yesterday on this question, they would refer you to the same person that gave you an opinion, yes.

President Melcher: Anyone else? I don't, anybody from the audience have a question? I would like to--

Susie Waters: (Inaudible. Not at microphone.)

President Melcher: Come on....you have to come up to the microphone. Since you're coming up, just state your name first.

Susie Waters: Susie Waters, one other thing that's offered with the Pre-Paid Legal is a free will. So, when a person signs up with the Pre-Paid Legal, there is a will application that is in, and all they need to do is fill that out, and they can send it back and they automatically have a free will. So, as we know, a lot of people, especially in this day and age, do not have wills where they need to. Especially when we know what happens sometimes if someone passes away and they do not have a will, a lot of the financial, what they own, the estate, you know, can be turned over, and that's where, I feel, a lot of people can take advantage of this with the Pre-Paid Legal with the service. So, I just wanted to let you know that was offered as well.

President Melcher: Go ahead, Bill.

Bill Fluty: Just a question, if they opt in, are they required to stay in for a certain amount of time?

Stan Gregory: No, there's no contract, no.

Bill Fluty: So, I can, one day I can come in, it's about a dollar a day and in another week I can get out?

Stan Gregory: Sure. You could get your will filled out and have that sent to you at your house and get out.

Bill Fluty: I understand from the city, we did some research a while back, I think this is a similar subject that there was just around 20 or 24, which is just a little less than one percent. Just wondering if this is something that needs to be done through payroll deduction or just something that could be offered to employees and they could do that on their own if they're interested.

Stan Gregory: We need six for a payroll deduct, but give me a chance to talk to 1,100 people, I'll get back with you. We'll see.

Bill Fluty: I'm would just ask that maybe there be a threshold number that they may have to hit to be a service that I think that would benefit the majority of the county employees, rather than, if it's not a service that's really caught on that they would all like to participate.

Stan Gregory: Well, if I may, a lot about the service has to do with the way it was presented. So, I am definitely different, and far more thorough about presentations, hopefully, and, I think you will see a bigger difference in the county. I just would prefer to make that different.

Bill Fluty: I would ask just a little time to do a little research with Marion County and some of the other counties to see what kind of participation they have and what kind of results they have.

Commissioner Tornatta: Alright.

President Melcher: That's just about what I was going to say. That I want to study this a little more. We've had somebody else already come before us on this, and we told him we was going to look at it. I think this is something we need to maybe really look at, and maybe even get a local bank or two in here to, you know, see what they do too. I think that's the best thing for us. I mean, that's where I would sit tonight.

Commissioner Winnecke: I would make a motion to defer until another day, another meeting.

Commissioner Tornatta: Alright, second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

Bill Fluty: Just one comment, open enrollment is November 1st, so, I mean, it's not, I think that would be the best time to implement it—

Commissioner Tornatta: Right.

Bill Fluty: – anything new.

Commissioner Tornatta: Yeah.

Bill Fluty: So, you do have a little bit of lead time to kind of think about it.

Commissioner Tornatta: Yeah, and, Stan, that would be the, if we were to approve this, that would be the time we would recommend.

Stan Gregory: Okay.

Commissioner Tornatta: Starting in November.

Stan Gregory: Do you personally have a deadline of when you want everyone to make their decision?

Commissioner Tornatta: I mean, as far as our investigation into who we would like to do a piece like this, I mean, as long as we had that in place and ready to roll by November 1st, I think we would feel secure here.

Stan Gregory: Okay. Alright.

Bill Fluty: Just one last comment, the practice is if this is approved by the Commissioners at a later date, you would work with us and we would tell you the times that the open enrollment has—

Stan Gregory: Okay.

Bill Fluty: –and that would be the time that you would start meeting with employees and tell them what product you had and what, how it would benefit them.

Stan Gregory: Sure.

Bill Fluty: So, it's really between November 1st and kind of Thanksgiving.

Stan Gregory: Okay.

Bill Fluty: We have meeting places and places where you can interact.

Stan Gregory: Okay.

Bill Fluty: It could happen then.

Stan Gregory: Okay, that sounds great.

Bill Fluty: For the following year.

Stan Gregory: Okay.

Bill Fluty: It would be for January 1st.

Stan Gregory: Right, okay. Again, we're far more flexible than an insurance company, let me just remind you of that. Second of all, you did say that you were approached by another company, was it Pre-Paid Legal? Or was it a different company?

Commissioner Tornatta: It was different.

Stan Gregory: Okay, that's great. Alright, thank you very much.

Susie Waters: Thank you for the opportunity.

President Melcher: Thank you for coming.

Commissioner Tornatta: Sure.

Commissioner Winnecke: Thanks.

EPA: Declaration of Open Burning Emergency

President Melcher: Next we have the EPA, the burn ban. I think we all have a copy of it in our book. Can you state your name please for the record?

Dona Bergman: Good evening. My name is Dona Bergman, I'm the Director of the City of Evansville's Department of Sustainability, and my EPA Director, Derrick Ohning, is with us this evening as well. I'm just sort of standing in because this is his first time. So, our typical practice is to consult with the suburban firefighters and the Evansville Fire Department, especially after a time when we've had very, very little rain and hot temperatures. We went through that process earlier late last week and the firefighters are beginning to chase brush fires and beginning to see more unnecessary fires. So, they asked us to go ahead and initiate the burn ban. So, I'm here tonight to request the County Commissioners to initiate a burn ban for the county, and then tomorrow the EPA will issue a burn ban for the city limits and four miles beyond the city limits, but not outside Vanderburgh County. I would like, Marissa and I are trying to do this so we can coordinate the burn bans to reduce confusion among the citizens. It's my understanding the way your ban is worded is that whenever the firefighters think we've had sufficient rain they'll contact us and we'll lift the ban and yours will be lifted automatically.

Commissioner Tornatta: I make a motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion by us? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Dona Bergman: Thank you.

Commissioner Winnecke: Thanks, Dona.

Commissioner Tornatta: Thank you , Dona.

Dona Bergman: We'll issue ours tomorrow and send out the notices tomorrow morning.

Commissioner Tornatta: Thank you.

Dona Bergman: Thank you.

<p>Second/Final Reading of Ordinance CO.08-10-008: Amending Ch. 2.40: Health Department Fees</p>

President Melcher: Next we have the second and final hearing of CO.08-10-008, amending chapter 2.40 of the county ordinances regarding Health Department fees.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any public comment? Gary, do you want to say anything else?

Gary Heck: No.

President Melcher: We discussed it, I think, a little bit last time.

Gary Heck: Gary Heck, I don't have anything further to add to what we did last week, other than we review these annually as requested by the County Council. There are some modest increases based on just recovering costs. We're not allowed to make a profit. There's a quarter laying up here that I want to turn over to Mr. Fluty so he can deposit it somewhere appropriately, if that's okay.

President Melcher: Do you need a receipt?

Gary Heck: I won't need a receipt for this.

President Melcher: Okay.

Commissioner Tornatta: That just screwed up all of our accounting.

Gary Heck: Sorry, I didn't mean to do that. So, once again, I don't have anything additional to say other than this is just something that we do annually.

Commissioner Tornatta: Okay.

President Melcher: Is there anybody in the audience that would like to say anything? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Melcher: Thank you, Gary.

Commissioner Tornatta: Thank you, Gary.

<p>Permission to Advertise Bids: CPO-022-2010: Copy Paper & VC-014-2010: Dump Truck</p>
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President Melcher: Next, we have the Cooperative Purchasing Organization. Debbie, are you here? First you're going to talk about the permission to advertise, the copy paper bid.

Debbie Spalding: Good afternoon. Debbie Spalding with the Purchasing Department. I'm here on behalf of the Cooperative Purchasing Organization, asking for your permission to seek bids for copy paper. The bid expired approximately two to three weeks ago, and we did receive a notice from the existing vendor that their prices would be going up. We sent that notification to all city and county department heads and did inform them that we would be seeking bids.

President Melcher: Then you also have one to advertise a dump truck and snow plow. We could probably vote on both of those together.

Debbie Spalding: Alright, we're also asking for the Commission to seek bids on a new dump truck and snow plow for the County Highway Department.

President Melcher: That's the one that was in the accident and I think we got some money for that, toward it.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Debbie Spalding: Thank you.

President Melcher: Thank you, Debbie.

Commissioner Winnecke: Thanks, Debbie.

<p>Sheriff: License Agreement with Moore Medical LLC Gateway EDI LLC Third Addendum to OCH Lease Health Dept: Xerox Lease Agreement</p>
--

President Melcher: Next we have contracts, agreements and leases. The Sheriff, license agreement with Moore Medical LLC for Aries 2.0 system. The agreement is an open-ended period of time, a fee of \$25 a month.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Is there any discussion on it? We got an e-mail that the Sheriff believes that he will save more than \$25. So, anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have the extension of the Gateway EDI, LLC lease at the Old Courthouse. The addendum to lease the agreement to extend the lease by six months from the original lease, the end date of November 30, 2010. ¹

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The Health Department again, it's the Xerox lease agreement. It falls under the master lease between Xerox and the county entered into on July 20, 2010. This lease is for 60 months, beginning August 26, 2010, has a minimum payment of \$226.22 per month. Gary?

Gary Heck: We have grant funds that will cover the lease arrangement. Then, also, the cost per print, which is what this use, we found our self that we're upgrading technology, and with the new Windows 7 enterprise operating system 64 byte, some of our existing multifunction devices aren't, do not have the drivers from those compatibles because they're just older machines. So, this is a technology that will allow us to be able to move forward as technology advances, and it will allow us to use the full capabilities of our new computer hardware and software. So, we certainly appreciate the opportunity to get this equipment.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

¹This addendum extends the lease until May 31, 2011.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Gary Heck: I just, if I can have just a moment.

President Melcher: Go ahead.

Gary Heck: We were talking about a swimming pool ordinance earlier, and I had a conversation with City Councilman, Missy Mosby, who her committee will be studying that. I just wanted to give you an update that we will be moving that one forward here in the next week or so. So, we would ask the county to consider doing that too. Thank you.

County Engineer

President Melcher: Okay, next we have department head reports. Who's up first?

John Stoll: John Stoll, County Engineer. I've got two items, the first is, I need your signatures on the Mylar cover sheets for the final segment of the University Parkway plans. Based on current schedules, if we get everything submitted here in the next week or so, we'll get on a December bid letting through INDOT.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anyone in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: The other item came in late this afternoon, it was a time extension request on the Evergreen Acres repair project. We've got a request from J.H. Rudolph to extend the completion date from September 10th to October 8th. The reason is primarily due to the problems that have been found on Heather Court primarily. The, once the asphalt was milled off, the street was in much worse shape than what was expected, and the street will basically have to be reconstructed rather than just patched. So, I would recommend approval of the time extension to October 8th.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any further discussion?

Commissioner Winnecke: I do have one point, assuming we approve it, would you please communicate that time extension to the residents out there?

John Stoll: Sure.

Commissioner Winnecke: Thanks.

John Stoll: In talking to the representative of J.H. Rudolph, they thought everything else should be taken care of on schedule by September 10th, but this one street would be the problem. So, hopefully, the residents won't see too much of a delay anywhere else.

Commissioner Winnecke: Well, I know they've appreciated the communication that's gone on between your office on this project. So, that's great.

John Stoll: I'll pass that on.

Commissioner Winnecke: Thanks.

President Melcher: We need a motion.

Commissioner Tornatta: We've already got it.

President Melcher: We got it. Okay, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I had.

Commissioner Tornatta: John, before you leave, just an update. Update us on kind of what happened with the third phase of the University Parkway and where we were financially, and where we are financially now. Do the same for Burdette Park bike path, if you can, because there's been some pretty interesting things come about to our good will. Then, wrap it up with talking about the Parkway, University Parkway development and the meeting that we had with the neighbors out in that area, just, obviously, we can only have one Commissioner there, so it would be a good update.

John Stoll: On the University Parkway funding, we've been working with INDOT, and everything looks like we have enough federal funds to cover 80 percent of the project costs based on the current estimates. Based on our current dollar figures that we have in our accounts now, plus what would be budgeted for 2011, we have the local match. We don't have much contingency on federal or local funds. So, if the bids came in near the estimates and we run into anything that's not expected and had a change order, it may end up having to be 100 percent locally funded, but given the fact that the cost of the bids aren't going to get any cheaper, my opinion was we needed to get moving ahead with it as quick as possible. That's where I sent you all some e-mails to update you, and that's where you said proceed with trying to get on the December letting.

Commissioner Tornatta: If it were after that amount of time, we had to break this up into several phases, or at least two phases, we would see an appreciable cost.

John Stoll: Correct. Originally, we thought we would have to go with two more segments, one between Marx and New Harmony and another New Harmony to Diamond, but the way the funding is worked out it can all go in one contract is the way it looks right now. We still have some final numbers to work out with INDOT, but everything looks good to go. I believe the INDOT bid letting in December is December 8th, so the county would receive an invoice for the 20 percent share on the construction cost in January is what we're estimating. We really need to make sure we're on the December or January bid letting because we run into tree removal restrictions that don't allow us to cut down trees after April 1st. So, if we can get it bid in December, pay our 20 percent in January, hopefully, the contractor would have a window from roughly the start of February to the end of March to do all of the tree removal. So, if everything goes as planned, we'll be on the December 8th letting. Then, on the Burdette bike path, in working with the MPO they were working with INDOT and they were able to get some surplus STP federal funds obligated to the bike path. It's around \$320,000 that they were able to secure. We already had \$780,000 obligated to the project. The problem was \$780,000 was obligated for fiscal year 2012 rather than 2011. When the MPO was working with INDOT they allowed the 2012 funds to be backed up to fiscal year 2011 and they'll obligate additional, the extra \$320,000. All that said, that provides enough federal funding to cover the final phase of the bike path, which would cover the section between Nurrenbern Road and roughly 1,600 feet south of Broadway. Basically, we just need to come up with the local match, and if we can do the same thing, get that on a December or January bid letting then we don't get caught in the trap where we can't remove trees and can proceed and get the bike path done, in its entirety. If we don't proceed, then the \$320,000 would go away, I believe it was, in May. So, it's good news we've got the money, now we just need to come up with the local match. The same thing with that, if we got it in a December or January bid letting the invoice for the local match would trail behind by roughly a month, is what we've typically seen.

Commissioner Tornatta: And we put that in the budget for exactly that amount, \$275,000, not to mention that we did have a, Burdette Park said that they would chime in for at least \$50,000. So, I think, I mean, good news.

John Stoll: Yeah, that allows us to proceed. Otherwise—

Commissioner Tornatta: We can finish it and get it done a year early.

John Stoll: Right, otherwise, it would be 2012 before we could bid it, which wouldn't get it finished until 2013.

Commissioner Tornatta: Right. Now, the development on the University Parkway corridor study and some of the information we brought away from that meeting.

John Stoll: On Saturday we met with some of the residents along the University Parkway corridor, plus the developers, just trying to iron out a scope of work. I know, I've e-mailed you all drafts of a scope of work that's been bouncing around for several months. I finally got around to getting the meeting set up to where we could discuss this with the residents and find out what their priorities might be on a study, if the study was too expensive for the county to afford all aspects of it. It sounds like, from the meeting, the main issues are the land use. Once you know the land use, then the traffic estimation gets to be pretty straight forward, but the land use is a big unknown. So, in working with Brad Mills and APC we just need to figure out ultimately what the residents along the corridor want to, how to develop, which in turn then we could do the traffic estimations. I think, overall, it sounded like the residents were fairly well satisfied with the scope of work. It's just, once it's all said and done, if we can't afford it there will be aspects of it that we'll have to postpone until later. So, I guess, that would be a matter of how the consultant contract was written where we have to probably give notice to proceed in phases as the money became available, or just delete parts of it if we just couldn't afford it. The study could be fairly expensive. I put some numbers together for a grant application that went in yesterday for some federal funds, I was over \$600,000 for the traffic modeling, the land use estimation, all the various aspects of it. That could change, it could go up, it could go down, I really don't know since I've never tried to get firm numbers from any consultants. But, I guess, a lot of it will hinge on how much is done independent of the consultant contract and how much can be done when working with APC, as far as trying to establish the land use issues. Like we had discussed on Saturday, the, if you know the land use issues, know whether it's residential, whether it's commercial, then estimating the traffic is relatively straightforward. The big issue out there that is kind of out of the county's hands and we'll have to coordinate with INDOT is the interchange, because that is the bottleneck that will be at the south end of the project, and we've got to make sure that INDOT's okay with everything we've proposed or actively have INDOT involved in the study throughout, so that way we just don't create a study that ends up sitting on a shelf and collecting dust. So, we discussed all of the different aspects of it, I guess, the next thing we'll have to proceed in trying to get consultants on board, and then work with APC as far as how they plan to move ahead with the comprehensive plan. They had initially talked about having some public meetings starting in, I believe it was January, wasn't it? Then, they were going to try to have their plan updated by May, I think it was. So, I don't know if we need to try and have some neighborhood meetings in advance of that schedule or not, but that's something we can always work out with Brad Mills and his employees.

Commissioner Winnecke: So, the next sort of action item, if I understood you correctly, is that the Area Plan Commission, that's the first thing that would happen is the Area Plan Commission will work with the neighbors to determine what—

Commissioner Tornatta: No.

Commissioner Winnecke: That's not what he said? Okay.

John Stoll: A combination, it's probably an either or. Either APC or a consultant or a combination of both, depending on how the contract was structured.

Commissioner Tornatta: See, APC would not necessarily be the lead. You would have, what I'm thinking is you would have some type of consultant that would work with a scope that we design for that project or for the study, and then they would go through and work with the neighborhoods to find out the information through the scope.

Commissioner Winnecke: But, couldn't we save money and have the Area Plan Commission do that element of it?

Commissioner Tornatta: Well, I don't, I was not reading into them saying that they do that. That's why. They are going to put a plan together, but I don't think they're going to be the ones that will go through and do the consulting on that piece.

Commissioner Winnecke: Well, they partially work at our direction, right?

Commissioner Tornatta: Yeah, I mean, we paid for—

Commissioner Winnecke: We pay for half of the Area Plan Commission's budget.

Commissioner Tornatta: Right, but we just, we're going to pay for a bike study out of hard dollars. So, I mean, they'll do, I guess, they potentially could do, with whatever resources they have, some type of consulting on that note, but I don't know that that's their major focus. Like, they talked about doing a bike path study. It's going to cost us \$49,000—

John Stoll: You talking about for the TIF district?

Commissioner Tornatta: Uh-huh.

John Stoll: The original was \$50,000 give or take, the one that included the 41 TIF district. The proposal that I'll give to you is \$38,000—

Commissioner Tornatta: Okay.

John Stoll: —just for the Green River, but, yes, there is a charge for it.

Commissioner Tornatta: I mean, they're billing us for that work. I think the scope will be bigger than what they have the resources for, we will find, but, I mean, we could sure check.

Commissioner Winnecke: Right, but, I mean, we decided to go, if I remember correctly, we decided to go the route of the APC on the bike route planning because it would be more cost effective than hiring an outside consultant, correct? So, why couldn't we take the same approach to that land use planning out on the west side?

Commissioner Tornatta: And, it's all about resources. I mean, we'll have to....but, I'm just saying, in the meeting, they did not say, hey, we could do that. That was not their, their portion of it was, revolved around getting something from a consultant, looking at it and then setting that plan up from the answers that they had been given from the study. That's what I brought away from it. I don't know if—

John Stoll: They wanted to make sure that the, regardless of what type of development ultimately goes along the corridor that the road had the capacity to handle it and have appropriate recommendations to deal with whatever traffic was

generated by however it develops. I think the key point, regardless of who does the neighborhood meetings, would be that the corridor study that the county does and the land use assumptions and the comprehensive plan need to be one and the same. So, that way we don't have conflicting data out there. However it was done, I mean, I can talk to Brad Mills and we can figure out how to make that work for both sides. We were discussing, once we got the land use issues resolved, then traffic-wise we would need an INDOT pre-qualified consultant to proceed with the work to make sure that the design aspects of the interchange could be dealt with in a manner that would meet INDOT's standards. Then, we also have all of the traffic modeling and the traffic capacity analysis that we want to make sure is done appropriately. So, if we've got the land use assumptions, like I said, regardless of whether APC assists or a consultant does the work, just how it proceeds, we just need to make sure that everybody's on the same page on those assumptions.

Commissioner Winnecke: Yeah, I guess, I would like for them to, and maybe the next logical thing is for them to come here, ask Brad to come before this body to talk about that issue publicly, but, at a minimum, I think that the APC should be working in conjunction with the consultant.

Commissioner Tornatta: Oh, yeah.

Commissioner Winnecke: But, it just seems to me that the agency that oversees land use in the county, if they can't do the work, they ought to be supervising the work.

Commissioner Tornatta: I think that's what John's group does. I think he reports back to Brad. I mean, that's how I would see the chain would work. I could be wrong. Why don't you find out—

John Stoll: Okay.

Commissioner Tornatta: —what their scope of services would be. I just did not get from that meeting that this was going to be something that they were going to, they were going to do.

John Stoll: I didn't talk to Brad or to Blaine Oliver in great detail as far as what they can and can't do after the meeting. So, but, I can get that information and report back to you.

Commissioner Tornatta: Okay.

Commissioner Winnecke: When you said, I thought I heard you say that they were going to have a, some public meetings in January, starting in January?

John Stoll: Correct, that was what either Brad or Blaine had said. That was their schedule to coincide with their game plan for updating the comprehensive plan.

Commissioner Tornatta: The comprehensive plan.

President Melcher: For the whole county?

John Stoll: Correct.

Commissioner Tornatta: Right, including that—

President Melcher: Including that spot.

Commissioner Tornatta: yeah.

Commissioner Winnecke: So, the public meeting's are for the entire county, not just that corridor?

President Melcher: Exactly.

Commissioner Tornatta: Right.

Commissioner Winnecke: Oh, I didn't understand.

Commissioner Tornatta: Yeah.

Commissioner Winnecke: Okay.

John Stoll: And—

President Melcher: That's what they've done in the past.

John Stoll: I don't know how they set up the groups, I would assume they would go to different parts of the county for different...to try and cover different areas in smaller groups, rather than have everybody come to one meeting, but I can check on that too to find out how that all plays out as well.

Commissioner Winnecke: Okay, thank you.

President Melcher: We might be able just to have one, one night, just for that.

Commissioner Winnecke: Sure.

President Melcher: You know, instead of the whole county, and then come back, you know, there's always ways we can work together.

John Stoll: It would be better for everybody, so that way people that are concerned about the University Parkway corridor don't have to sit through discussions for every other part of the county. It would probably be best for everybody involved.

Commissioner Tornatta: Thank you, John.

John Stoll: You're welcome.

Commissioner Winnecke: Thanks, John.

County Highway

President Melcher: Next, Chris.

Chris Walsh: I just have one item. Chris Walsh, County Garage. I just wanted to drop this off for you gentlemen to look at. Then, I would like to come back possibly next meeting. As you know, we just put the truck out for bid, and I, when we settled with the insurance company we kept the old truck number 48. As we got looking at

it, I believe that I have seven other trucks very similar to that one, so any one repair that I can take off that old truck and put into the fleet is going to pay me the \$3,000 back. But, what I'm here for really, and, not tonight, is that I'm under the understanding that when I'm done with this truck, when I take the motor, the transmission all the useable parts out of it, warehouse those, what I have left is not a truck, it's just what's left of the bed, what's left of the frame and that sort of thing. What we generally do in that case is scrap it, and in this case I would need to get your permission to scrap it. That would be the only useable—

Commissioner Winnecke: Makes sense to me.

Chris Walsh: —way to really get rid of the—

Commissioner Tornatta: Yeah, so, you're talking tires and wheels and—

Chris Walsh: Yeah.

Commissioner Tornatta: Okay.

President Melcher: We came out ahead that way, didn't we?

Chris Walsh: I believe so.

Commissioner Tornatta: Yeah, you'll just—

Chris Walsh: I mean, is it going to take a certain amount of effort to realize this? You know, I've got some nice numbers in there, and I want to thank Abby Pohl with our office staff for helping me put this together, but we won't realize those numbers immediately, it will just be through time. If I have a motor go down and I can take that motor and put it in, but it's significant—

Commissioner Tornatta: Oh, yeah.

Chris Walsh: —it's a time savings and it's a money savings as well.

Commissioner Tornatta: Okay.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

Chris Walsh: Thank you.

President Melcher: Any further discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Chris Walsh: Thank you.

Commissioner Winnecke: Thanks, Chris.

Commissioner Tornatta: Thanks, Chris.

President Melcher: Steve, do you have anything?

Steve Craig: No, sir.

County Attorney

President Melcher: Ted, you've got those bids?

Ted C. Ziemer, Jr.: Yes, and a couple of other items.

President Melcher: Okay.

Ted C. Ziemer, Jr.: On the bids, these are bids for Winstead Way pipe maintenance; Koberstein Contracting, \$7,995; Jack Hahn Excavating, \$12,401; and Deig Brothers, \$8,310.

Commissioner Tornatta: Motion to take those under advisement.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Madelyn, call the roll.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Okay, I was sent by the office a form of lease for Artwork Limited. You'll remember that they have a, currently a three year lease with the county for the sub-basement of the Old Courthouse for a Halloween exhibition. That lease expires December 30, 2010. Artwork originally requested that it be renewed for five years, I've advised you in an e-mail which you may not have gotten, and I apologize if you hadn't, it was, it went out at 3:26 this afternoon, that was the earliest I could get that out after I got the information I needed, but, the county law indicates that

Commissioners cannot lease space like this for more than three years without getting County Council approval. So, I've recommended that the, that if you want to approve it all, that the lease be for three years as it was, as it is right now with the lease that's going to expire December 30th. The tenant suggested that the rental for the new lease be for \$7,500 per year, that is the same for each of the three years. He had suggested five years, but we can't do that. I'll remind you that during the prior lease, the prior three year lease it was \$7,000 for the first year, \$7,210 for the second year, and \$7,426 for the third year. Now it's proposed that it be a three year lease at a flat rate of \$7,500 per year. Otherwise, all of the terms and provisions of the lease that's here at the meeting today are identical to those of the prior lease. So, the lease is ready if you decide to approve it to be executed tonight.

Commissioner Tornatta: I would like to make a comment. There are not a lot of times that you have a tenant that will actually step outside of what he does and help out, in this case the Courthouse, but, this is a tenant that has fixed doors, has fixed locks, has fixed many parts of the Old Courthouse just as thanks for, you know, being a partner with the county. So, that's above and beyond what this individual has to do, so, I'm in favor of moving on with this contract for three years.

Commissioner Winnecke: Is that a motion?

Commissioner Tornatta: Yes.

Commissioner Winnecke: Second.

President Melcher: Okay, any further discussion? I had some reservations about it, I still do. I was in there for four years while they were there, there is a statute or something, I think, Commissioner Mourdock passed about not having signs outside, on the windows or anything, and they do. If they're renting like everybody else they shouldn't be able to do that. I wanted us to check into that before we....I sent an e-mail back saying that, but, I was hoping we would check into stuff like that first. Because, it passed a long time ago, and he has signs and basically if you rent in the Courthouse you're not allowed to have....you can have a sign on the front, on the door, but you can't have stuff out in the yard, and you can't have stuff on the windows as far....is what we were told from the Commissioners.

Ted C. Ziemer, Jr.: Well, President Melcher, the standard lease--

Commissioner Tornatta: You're off.

Ted C. Ziemer, Jr.: Oh, the standard lease that we use for county space has a provision that you're required to comply with all of the rules and regulations of the county, which would include any county ordinance relative to the use of that space. So, that if the lease is approved, Marissa, we would need to check to see what's going on over there, but if the terms of the ordinance are being violated, he would be advised to remove the offending signs.

President Melcher: Okay.

Commissioner Tornatta: And, the only thing I would have to say on that is we know what the intentions of this piece is, and we know the duration of the contract, and I think, you know, when it's all said and done it's been a good partnership with the county, it's brought a lot of people into the Courthouse, and, you know, I know we have a sign out front from a realtor that is for space for rental. So, I don't know where

that ordinance stands, maybe we're in violation, but, I would say that to the point maybe we'll review, if there is an ordinance, Marissa, if you could get that back to us, but, I mean, this brings a lot of fun and it's good, wholesome fun to the community. In fact, I think if you have a wedding party you get to go through free on that night, on the night of your wedding. So, it is a different set up, but I think they do a good job.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: No.

(Motion approved 2-1. Commissioner Melcher opposed.)

Madelyn Grayson: Ted, the lease only calls for Steve's signature, is that going to be an issue since he voted no?

Ted C. Ziemer, Jr.: No, unless he doesn't want to sign it. He is the President of the Commissioners and it's passed by a majority vote of the Commissioners, so his signing doesn't indicate that he's in favor of it. He's signing as President, but if you don't want to do that—

President Melcher: No, that's okay.

Ted C. Ziemer, Jr.: Okay.

President Melcher: I can do that. Any other business, Ted?

Ted C. Ziemer, Jr.: Yes, I'm sorry. Under the consent items you've got a change order for the improvements to the Superior Courtroom in the Old Courthouse. If you approve that change order, or prior to your approving that change order, I wanted to be sure that the payment agreement that we have from the Bar Association, the Bar Foundation and the Old Courthouse Foundation be revised to indicate that they will pay the increased...if you add the \$36,090 to the original bid of \$214,900, it's now up to \$250,990. I advised Krista Lockyear, the President of the Evansville Bar Association of that, they opted to prepare a new payment agreement, which is very similar to the agreement that you approved on July 20th, simply changing the figure to be guaranteed for payment from \$214,900 to \$250,990. Their suggestion is that the Commissioners approve that new agreement, it will be signed, if you approve it, it will be signed by the Bar Association, the Bar Foundation and the Old Courthouse Foundation and that will take the place of the prior agreement and it will be destroyed. So, you have that here if you choose, if you're going to approve the change order, then I certainly would recommend that you approve the new payment agreement.

President Melcher: Okay, so, would it be easier to go ahead and put that in the consent agenda? Or vote on –

Ted C. Ziemer, Jr.: Either way. I mean, it could be added to the consent agenda and approved.

President Melcher: Would the other Commissioners feel comfortable with that?

Commissioner Winnecke: Whatever.

President Melcher: I do.

Commissioner Tornatta: That's fine.

President Melcher: Okay, we'll just add it to the consent agenda.

Ted C. Ziemer, Jr.: That's all.

President Melcher: Any other department heads? I don't see any.

New Business

President Melcher: Any new business? We've got one here surfing for grants?

Commissioner Tornatta: Yeah, and, it's kind of a mind jogger. What I would like to do is to get out to our department heads and to our office holders that we need to have a meeting at some time with our Economic Development Coalition, whether it's Greg Wathen or Debbie Bennett-Stearnsman or somebody else from the office and get information out to all of those individuals that might potentially have something of need. What I got from the Economic Development Coalition is they don't know enough of our projects that are out there to be able to hook us up with grants. Although we seem like we're talking to them constantly about what potential that we have to pick up extra monies, they don't necessarily, they're not necessarily in the same book that we are. So, what I would like to do is to ask all department heads and office holders to think about those areas that you need money and you would like to pick up a grant, we would then submit that to the Economic Development Coalition and to Barnes and Thornburg and give them a comprehensive list and let them go through and then make follow up appointments to address any further issues. So, if we can get that out, I would appreciate that, Marissa, to let everyone know that we would like to have follow up.

Commissioner Winnecke: I think that's reasonable. Let's put a deadline on it.

Commissioner Tornatta: Yeah, I would say–

Commissioner Winnecke: The end of September?

Commissioner Tornatta: –yeah, it's, I mean, we've got a lot of stuff coming up, so, really I think it could be before then.

Commissioner Winnecke: That's fine, as long as there is a deadline.

Commissioner Tornatta: The problem we have is we have this meeting and we ask everybody to come in and we say, okay, we're going to do this in the meeting, and there was like, oh, man, it's fast paced. If we had a time, even a week or two, that somebody could sit and think about stuff they need. I'm sure somebody in their own office could spend an hour and come up with it, but we give a couple of weeks I think would be best served.

Commissioner Winnecke: That's fine.

Commissioner Tornatta: Maybe the 10th of September? I don't know what day that falls on.

President Melcher: There's a Labor Day, there's a holiday in between then, probably make it the following week. We want everybody to have a chance.

Commissioner Winnecke: Our next meeting is the 7th, which is the day after Labor Day, then we meet again on the 21st.

Commissioner Tornatta: Well, when would we want to meet with EDC?

Commissioner Winnecke: Well, we have to....after we get the—

Commissioner Tornatta: Well, because we'd either collect them...I guess, what would be best is just to collect all the information, and then get it to all the appropriate parties, and then they can do follow ups after that. So, let's say September 10th, which is a Friday would be the deadline—

Commissioner Winnecke: To submit everything to our office?

Commissioner Tornatta: —to submit to us, and then there would be follow ups. That should be done before the end of the month in September. I think what we'll find is any extra monies that are coming about we would be able to pick up potentially.

President Melcher: Okay. Is that it?

Commissioner Tornatta: That's it.

Old Business

President Melcher: Old business?

Public Comment

President Melcher: Public comment, anybody from the public, anybody from the audience tonight?

Consent Items

President Melcher: Consent items.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Madelyn, do you want to read them?

Madelyn Grayson: The consent items for the August 24th meeting are as follows; approval of the August 10, 2010 Commission meeting minutes; employment changes for the Commissioners approval, there are four for the Health Department² and one for the County Highway; the Commissioners have the following items, late redemption of 5810 North Kerth and 721 East Gum, Sit-Co Old Courthouse lease termination as of 9/11/10, Iridium LLC Old Courthouse lease termination as of 9/30/10, Cultural Resource Analysts one year extension of Old Courthouse lease, VPS Superior Court renovations change order number one from Danco Construction, the EBF/EBA payment agreement, Vanderburgh Community Foundation use of Old Courthouse ballroom for scholarship award banquet on May 18, 2011, transfer and appropriation requests to County Council; EMA Region 14 frequency authorization letter; County Engineer pay request 111 for Integra TIF in the amount of \$2,560,853.54; Weights and Measures monthly report from July 16-August 15, 2010; the IBAP Gatekeeper July 31, 2010 report; Burdette Park yearly comparison from January to July from 2009 to 2010; Health Department request to surplus various computer and office equipment; the County Clerk and the County Treasurer have July 2010 monthly reports; and department head reports from the County Engineer, County Highway and Burdette Park.

President Melcher: You're done. Any further discussion? Want to just call the roll on them?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Saying that--

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

President Melcher: So be it.

²This should be seven.

(The meeting was adjourned at 6:20 p.m.)

CONSENT ITEMS:

Commissioners:

August 10, 2010 Commission Meeting Minutes.
Late Redemptions: 5810 N. Kerth & 721 E. Gum.
OCH Lease Terminations: Sit-Co (9/11/10) & Iridium LLC (9/30/10).
OCH One Year Lease Extension: Cultural Resource Analysts.
Change Order No.1: OCH Superior Courtroom Renovations: VPS & Danco.
EBF/EBA Revised Payment Agreement: OCH Superior Courtroom Renovation.
Vanderburgh Community Foundation: Use of OCH Ballroom: May 18, 2011.
Transfer & Appropriation Request for County Council.
EMA: Region 14 Frequency Authorization Letter.
IBAP Gatekeeper: July 31, 2010 Report.

Employment Changes:

Health Dept. (7)	Supt. Of Bldgs. (1)	Circuit Court (2)
County Clerk (2)	County Assessor (1)	County Hwy. (1)
Superior Court (1)	Sheriff (3)	VCCC (1)
Prosecutor (1)		

County Engineer: Pay Request No. 111: Green River-Burkhardt TIF Projects.

Weights & Measures: Monthly Report: 7/16-8/15/2010.

Health Department: Surplus Request: Various Computer & Office Equipment.

County Clerk & County Treasurer: July 2010 Monthly Reports.

Department Head Reports:

County Engineer	County Highway	Burdette Park
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Jo Beth Bootz	Rachel Massey	Lindsay Moreland
Karlee Kolb	Anna Ballard	Dorothy English
Dennis Feldhaus	Dennis Woehler	Stan Gregory
Susie Waters	Dona Bergman	Gary Heck
Debbie Spalding	John Stoll	Chris Walsh
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
SEPTEMBER 7, 2010**

The Vanderburgh County Board of Commissioners met in session this 7th day of September, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We would like to call to order the Vanderburgh County Board of Commissioners meeting, September 7, 2010. It's 5:00 and we're in room 301. Madelyn, would you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance

President Melcher: With that this evening, we're going to have Garrett Achilles, he's from Youth Resources and he's going to lead us in the Pledge.

(The Pledge of Allegiance was given.)

President Melcher: Do you want to go ahead and introduce yourself officially?

Garrett Achilles: Hello, my name is Garrett Achilles. I am a student at New Tech.

Ted C. Ziemer, Jr.: And, if I could, I would like to introduce Daniel David. He is a senior at the University of Evansville and he's interested in a career as a lawyer and I'm trying to dissuade him. So, I thought that—

Commissioner Winnecke: Second.

President Melcher: Third.

Ted C. Ziemer, Jr.: —perhaps bringing him to this meeting would accomplish that. But, no, he's excited about being here today and seeing how government works in Vanderburgh County. So, he'll be watching us.

President Melcher: Welcome, Daniel.

Daniel David: Thank you.

Permission to Award VC10-08-01: Winstead Way Pipe Maintenance

President Melcher: Next we have action items, permission to award VC10-08-01, Winstead Way pipe maintenance to Koberstein Contracting for \$7,995.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Is there any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Health Dept: South Central Media Advertising Agreement
Health Dept: Business Associate Contract: Lloyd Lamberton
Health Dept: Immunization Program Grant Agreement
Health Dept: WIC Program Grant Agreement**

President Melcher: Next in our contracts, agreements and leases, it looks like we have four of them. Advertisement agreement with South Central Media, the cost is \$750 per month and it will be paid from the grant funds from the Vanderburgh County Health Department for this purpose. I'll just go ahead and read the next one, because it's with the Health Department also, business associate contract with Lloyd Lamberton of the Evansville Water and Sewer Utility. This is required by HIPPA to protect the confidentiality information regarding grease traps in restaurants, provided by the Health Department to Mr. Lamberton in connection with the Health Department's retail food and licensing inspection program. I guess, all of these are—

Commissioner Tornatta: Yeah, just do them all.

President Melcher: —the immunization program grant agreement, EDS # A70-1-073100 in the amount of \$22,540 for a period running from 9/1/2010 to 12/31/10. The fourth item is the WIC program grant agreement, EDS # A70-1-070306 in the amount of \$529,891, and this is for the period of October 1, 2010 through September 30, 2011.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: We have a motion and a second. Any discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you.

County Engineer

President Melcher: Next we have department head reports.

John Stoll: I've got a few items, primarily for University Parkway this evening. The first is a revised right-of-way certification letter for the final phase of University Parkway. This just corrects the project numbers and updates everything according to what INDOT had requested. Previously the right-of-way certification letter didn't address doing the entire, the remainder of the project in one remaining bid, and that's what this clarifies. It puts it all together for one final phase.

President Melcher: Okay.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody in the audience like to say anything? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: The second item that I've got is a letter to submit to Brad Mills at the MPO for a request for grant funds for the Traffic Engineering Department. The grant would be 90 percent federal, 10 percent local. It would be for traffic sign replacements that are mandated by new federal regulations regarding sign reflectivity. A total project cost is estimated to be \$92,285. This would just be to submit the grant to the MPO so they could apply for it through INDOT.

Commissioner Winnecke: John, what's the time line for replacing these signs and how many signs are there?

John Stoll: They do not have an inventory. That was one of the problems that the Traffic Engineering Department had in trying to come up with a project estimate. There are several years, I don't remember off the top of my head how many years are available, but, I thought it was two or three years. It's a recurring cycle, once they've been replaced the Traffic Department is going to have meters that they can go out and measure the reflectivity, and once the signs degrade, then they have to replace it. So, it's going to be an on-going expense. This just takes care of the initial replacement.

Commissioner Winnecke: Are these just informational signs?

John Stoll: It's regulatory and warning signs first.

Commissioner Winnecke: Okay.

John Stoll: So, stop signs and then the yellow warning signs.

Commissioner Winnecke: Thanks.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I have the Corps of Engineers permit for phase three of University Parkway. This is just part of the submittals we need to make in order to have all of the permits in hand ready for, potentially a December bid letting is what we're shooting for.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: And the last item is a request to go to County Council to transfer \$160,000 from the Baseline Road Bridge project to University Parkway. This would cover the local match for the bridge and culvert portions of the final phase of the Parkway.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion again? Anybody from the audience that would like....Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Tornatta: Hold on.

Commissioner Winnecke: Question from the audience.

Dennis Siepierski: (Inaudible. Not at microphone.)

President Melcher: Could you, I'm sorry, could you come up to the microphone? You have to state your name first, and then you could ask.

Dennis Siepierski: Yeah, I'm Dennis Siepierski, I work at USI, and I was just wondering if there will be provisions for like sidewalks and bicycle trails and things like that, places for people, other than cars? Are there provisions in that design?

John Stoll: No, there aren't at this time. The project was started so many years ago, and the right-of-way was set that the original environmental studies were based on just a road improvement. One of the things we had looked at was the possibility of trying to come up with bike path options in conjunction with doing a corridor study up the Parkway. But, right now, it is just pavement for vehicles.

President Melcher: Did you understand what he said?

Dennis Siepierski: Yes.

President Melcher: But, we are looking, for the future out there about bicycle paths. We're trying to get a study to find out what we really need out there. Okay, is there a motion? Do we already have one.

Commissioner Tornatta: Yes.

President Melcher: Okay.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have. Thanks.

Commissioner Winnecke: Thanks, John.

President Melcher: Next, we have new business...oh, any other department heads? Ted, do you have anything?

Ted C. Ziemer, Jr.: No.

Commissioner Winnecke: I had a question for Chris just real quick.

President Melcher: For who?

Commissioner Winnecke: Chris.

President Melcher: Chris?

County Highway

Chris Walsh: Chris Walsh, County Highway Department.

Commissioner Winnecke: Just real quick, could you give us an idea of where we are on our paving list? That season's starting to wind down.

Chris Walsh: We're just about done. We're waiting on the work in Evergreen Acres. I've got about two miles left other than that to do. I'm just kind of waiting for Evergreen Acres to open up, and then we should be done. So, I've got about a total four miles.

Commissioner Winnecke: How are we doing compared to budget? Are we okay on money?

Chris Walsh: We're on budget. There has been a price increase. We kind of came in a little bit under, so I'm hoping to be able to stretch that and run to the end and be okay.

Commissioner Winnecke: Okay. Thanks.

President Lloyd: Thank you.

New Business

President Melcher: Next we have new business.

John Siepierski: (Inaudible. Not at mic.).

President Melcher: Okay.

John Siepierski: Hi, I'm John Siepierski, I'm President of the Political Science Society, it's a student organization at the University of Southern Indiana. I think I've spoken with each one of you over the summer about this issue, but just so we're on the same page. This issue regards a situation with a polling place at USI, well, for USI's precinct. So, if you'll look at this, you'll have to excuse us because we kind of got caught in the rain, but, this right here is Perry's 8th precinct. That's where USI is, and right to the south of us, right here, is a residential neighborhood. So, USI shares this precinct with this neighborhood. This right here, at West Terrace Elementary School, located in Perry's 7th precinct, is where our polling place is for Perry 8 on election day. Perry 7 has its own separate polling place, we don't share a polling place with Perry 7. They, I think they are in a Methodist church in the precinct. So, this is our own polling place that's located outside the precinct. So, I want to bring it to the attention of the County Commissioners that this precinct violates Indiana election code in that, if you'll refer to....I have a copy of this that you can read, if you would like me to hand it to you. Would you like me to—

Commissioner Winnecke: Please.

John Siepierski: The code that I'm talking about is Indiana Code, title three, article 11, chapter eight. Then if we, first of all I want to talk about, if you look on what I just gave you, on the bottom of the page, I believe it's section three it talks about, it says;

“If an accessible facility is not available within the precinct—“

This is an if/an statement—

“—then the polls may be located in another precinct in the county.”

Now, what constitutes an accessible facility is also statutorily defined. If you'll refer to section 1.2 here, it's, basically, the accessibility standards are clearly defined in this brochure right here, and it basically is very similar to ADA compliance and it has to be, just, in short, accessible to elderly and people with disabilities. So, I would also like to show this to you. This is the brochure.

Commissioner Winnecke: Thanks, John.

John Siepierski: So, since the....now, USI's a public institution and pretty much all of our buildings meet these accessibility standards, and many of them surpass them. So, given that we have accessible buildings, as defined in Indiana code, located within the precinct, and our polling location is located outside the precinct, this is inconsistent with what Indiana code dictates is acceptably accessible to residents of the precinct. So, what we propose, we would like to see the polling place moved on to campus, because, right now, the, as it is right now, it's unlawfully inaccessible. It's showing in voter turn out for our precinct. To begin with, the voter turn out for students right now is dismal. This is not because of student apathy. There is a number of factors; first of all, there's a widespread misconception among students at USI that they are actually ineligible to register to vote as residents of Perry 8 precinct. We have, this is the Political Science Society with me. We can tell you plenty of stories about that. There is a rampant misconception among students at USI residents that they are ineligible to register to vote, so, what they do is they stay registered at the county that they lived in before they moved to USI, or they don't register to vote at all, because a lot of them aren't even old enough yet before they go to USI. So, like I said, it's not because they don't want to vote. There is a lot of interest in voting, there is a lot of interest in being involved in the election. This is (Inaudible) by the fact, I think I talked to you, last semester we circulated a petition, and we have roughly a thousand signatures of students and faculty who would like to see some voting booths here at USI. Everybody we talk to there's a lot of enthusiasm about this. People want to be involved in the election, and they really want to have the added convenience of having a polling place here. But, right now, there's really, on top of it all there's really not a whole lot of incentive to register as a resident of Perry 8 right now if you're a student resident, because a lot of time people that live on campus don't have a car. Ultimately, they're not really going to be able to get to the polls on election day. So, really, the only option left is to vote absentee. As you probably know, Indiana's absentee voting system is one of the most restrictive in the country. So, really they're left with a really restrictive absentee voting system, where they might not even be able to get a ballot. It's difficult. It's the most, in Indiana it's very difficult comparatively to get an absentee ballot. They don't have a lawfully accessible polling place. So, the enthusiasm to vote is there, but, really the means isn't. So, we don't have a whole lot of registered voters because, well, like I said, there's a widespread misconception. In fact, when I first began this, when we were talking to some county officials, we first went to the County Clerk, Susie Kirk, and, in fact, the first thing she told me was that student residents are ineligible to register to vote as residents of the precinct. Which, you know, that's a misconception. So, I would imagine that anybody, any other resident who lives at Perry 8 would, who was calling in to a county official looking to register to vote would probably be given the same answer. So, it's a problem right now. We don't have a whole lot of registered voters. What we would like to do is move the polling place from West Terrace Elementary School down to our Residence Life Center at USI. Now, I've spoken to all of you about this, and there was a lot of concerns that it would be a problem for the people that live down here, all the other residents of Perry 8, because the concern has been raised by Susie Kirk that they wouldn't know how to navigate the campus and that parking would be an issue, traffic, that sort of thing. I can tell you right now, these issues will not be a problem at all for the Residence Life Center at USI. First of all, they're not going to get lost on the campus. They're not going to have to go to the heart of the campus, as has been a concern before. As you can see right now, this is the typical route that a resident will have to take for our current polling place. So, they just go up here, up Schutte, across the Lloyd Expressway, which, you know, that's, that adds a whole lot of

waiting time, and it's dangerous, let's face it, at that area there's no (Inaudible) intersections, it's almost, you know, routine. So, then you go over to West Terrace Elementary School. With the revision that we propose they would just take relatively the same route, but then take a left right onto Mahrenholz Lane, I believe it is, and it's a straight shot right to the Residence Life Center. After you enter campus, you don't have to make any turns, there's no extra navigation, and, on top of that, you would not be competing with any commuter traffic. Commuter traffic only goes from the Lloyd Expressway onto University Drive right here and on to this road right here. The only traffic that would be on this road going to the polling place would be student residents. There is absolutely no commuter traffic there. So, what we have, if this would move, it would actually be significantly more convenient for residents who live in the residential area in the southern part of our precinct, because first of all they no longer have to go across the Lloyd Expressway, and they, it's just a shorter route. So, we believe that for all of the residents of Perry 8, if we move the polling place over to the Residence Life Center at USI, it would just make for a much easier, safer and more convenient experience on election day. Oh, also, I believe there were some concerns about parking. I went and looked at the Residence Life Center with Cindy Brinker, she's the head of Governmental Affairs at USI, and she said that all parking would definitely be taken care of. We're going to reserve the entire parking lot of the Residence Life Center just for voters. So, parking, there's going to be ample parking spaces for voters on election day. So, that's what I wanted to talk to you about today. This has been going on for a long time. We really, it's absolutely important that we have this polling place moved before the next election day. It's a big election, it's an important election. If it's not moved, we're going to see, you know, another dismal student turn out from here at USI. Well, we're going to do our best, either way, to make sure we get more registered voters, but, right now there's really, like I said, there's not much incentive for them to register on campus. So, yeah, we would like to see this moved before the next election.

Commissioner Winnecke: John, I had a couple of questions for you. First, thank you for your leadership on this and I enjoyed our conversations on the phone. Just a couple of quick clarification questions, can you describe what the Residence Life Center is?

John Siepierski: Yeah, the Residence Life Center is a....I actually had a picture of it, but it's on my laptop, I could show it to you if you would like, but it's a relatively large building, but it's one large room for students to go, and there's the lounge that we would move the furniture out of and that would be an ideal place for the polling place. It's a room actually about the size of this one. There's two entrances, they are prominently placed, and it's, the parking is right next to it so they wouldn't have to, once they get out of their car they wouldn't have to walk very far at all—

Commissioner Winnecke: So, it's part of a residence hall?

John Siepierski: No.

Commissioner Winnecke: It's not?

John Siepierski: It's a separate building.

Commissioner Winnecke: It's a separate building, okay.

John Siepierski: It's a building that's located within the whole—

Commissioner Winnecke: Complex

John Siepierski: – area.

Commissioner Winnecke: Okay.

John Siepierski: It's its own building. There are no student residents living in this building.

Commissioner Winnecke: Then, my other follow up question is, what is the parking capacity for this building?

John Siepierski: Well, the actual parking spaces, we have three handicap spots available, and a total of nine parking spaces for this one lot, but there is an overflow parking lot that we would also have available, and I'm actually not sure how many are there, but, if I had to make an estimate I would say about 20. So, a total of approaching 30 parking spaces, as well as more than enough handicap spaces, according to Indiana (Inaudible).

Commissioner Winnecke: Thanks, John.

President Melcher: This parking lot, is it right in front of this building? Is it across the street?

John Siepierski: It's literally about ten steps away from the front door, you just have to walk up the sidewalk to it.

President Melcher: Okay.

Commissioner Tornatta: Is there a cost associated with this building?

John Siepierski: No.

Commissioner Tornatta: Do you know?

John Siepierski: After speaking with (Inaudible), the University, from what I understand is very eager and ready to make any of the necessary accommodations for an election day, and, obviously, one of those would be supplying the building. (Inaudible) my conversations with her, nothing of a cost or anything like that came up. I got the impression that they were ready to make that accommodation. I can't speak for her, obviously, but, as far as I know, no, there's no cost.

Commissioner Tornatta: Would you, if it were in the interest of this Board, would you be able to get a letter from USI stating their intentions and their cooperative efforts that they would like to make to get a polling place at a site inside the precinct?

John Siepierski: Absolutely. Yes.

Commissioner Tornatta: Okay, because I think that would be one of the first places that we would want to make sure that USI had a vested interest in, not a vested interest, but had an interest in pursuing and giving their building, with the parking and potential of overflow parking that they would need.

John Siepierski: Yeah, I definitely, (Inaudible) written agreement would be. From speaking with Cindy Brinker, the University is ready to do that. So, I would definitely be (Inaudible).

Commissioner Tornatta: When we initially talked, it seemed like we were leading people more into the heart of the University, and at that point—

John Siepierski: Right.

Commissioner Tornatta: —you know, I know how hard it is to have a meeting with the President and where I have to park to do that. To have the same type of thing for people that are voting, I could see where it would be....this, obviously, opens up another avenue.

John Siepierski: Yeah, our original idea was actually Rice Library, which is obviously right in the heart of the campus. We thought it would be convenient, but, then you are competing with commuter traffic, and the parking lot is not as close. So, we took the concerns you actually talked about to us and we think that Residence Life addresses perfectly all of them. I could tell you right now it's a much more accessible building than going over to West Terrace. The parking lot is closer, and, it's, you know, you won't have to go through any hallways, once you go through the door you're right there where the polls would be. I would encourage you to come up and take a look at it. It's a very accessible building. It addresses all of the concerns that we talked about on the phone.

President Melcher: Would you be, I guess I'm just going to ask, just throw this out, we have early voting at some of the libraries and that, I'm just thinking about maybe this year at this time frame would you have, there shouldn't be a problem with early voting there. Maybe not the precinct there yet, but early voting there, that way you still accomplish everything you're wanting to accomplish, it's going to be open a couple of Saturdays before the election and everybody could be there. All the, you know, they live there, so, what you're saying should hold true for the early voting. They could go in at, you know, they're open like four or five hours a day, a couple of days. Would you be open to that?

John Siepierski: I would have to speak to the rest of the Political Science Society about that.

President Melcher: That just gives them an opportunity to vote right there you're wanting them to vote.

John Siepierski: Would it be just basically the same arrangement as the regular polling place?

President Melcher: That's all it is. You just go in there and you're voting. We do that at the libraries now, at a few of them.

Commissioner Tornatta: I think we also, in that we would probably want to talk that over with Susie—

President Melcher: I understand that, I'm just asking—

Commissioner Tornatta: Yeah.

President Melcher: – that right now, since everyone's here.

Commissioner Tornatta: Yeah.

John Siepierski: That's an interesting idea. Like I said, I would have to talk to the Political Science Society about that. I can't really say either way whether or not we would be ready to settle for that. I'm almost reluctant to, because, at this point, we want to make sure the students have the same fair opportunity to vote that everybody else does. That includes having a polling place that meets the State accessibility standards on election day. You know, everybody knows there's going to be a lot more awareness of the polls and of the election going on on election day. We want people to be able to participate in that and have the same opportunity that everybody else does. So, I mean, that's an interesting idea, I'm definitely going to be speaking with the Political Science Society and with the officials at USI about it, but, as it is right now we strongly would prefer that the polling place be moved within the precinct as State law (Inaudible).

President Melcher: Well, it's kind of like what I, you know, spoke to you about on the phone. I know we talked at least once if not twice probably. It costs money when we move it. We've got to send cards to everybody, new cards to everybody. A lot of them are still going to go to the old place no matter what. Sometimes it takes a little bit more than a few days. We also have, and maybe this is not right or wrong or whatever, once we have a primary we normally don't try to change the, and I've never been a Commissioner until the last couple of years, but, not too many times we have changed the polling place for the fall, because it's more important than the primary because a primary is seeing who's going to run in the fall. Usually we try to do that by the primary day, not before the fall, unless there's a problem. If there's a problem that comes up during it, we will look about changing that. Just thought I would throw that out too.

John Siepierski: I remember you, yeah, absolutely, I recognize that, you know, it's not so, you don't like to move the polling place between the primary and general elections, but, like I said there is a problem here. It is to a point where it's a huge enough inconvenience to where a lot of students don't get out to vote. I would think that, you know, since this situation would be a little bit different, we're not just moving it and saying well we think moving it here would be a little bit better, this is a matter where we would like to see the law upheld and have it (Inaudible). So, we think that the State law is very clear on this. I mean, absolutely there's no other way to interpret it. Unarguably State law says that this polling place has to be in our precinct. When we have a whole bunch of students, when we were passing the petition around we talked to so many of them to the point where they would say, you know, this would be such a great idea, because right now it's so hard to get to the polling place. A lot of times they don't have a car, or, they just don't have the means to get there, and imagine walking across the Lloyd to get to the polls. It's, when the problem is this big, and it's big, and when State law is very clear, we think the exception can be made that the polling place can be moved between the primary and the general elections.

President Melcher: And another good thing about having the early voting there, you were talking about all of the professors and everybody there, they're allowed to vote there too. Where they couldn't on election day. They would have to go back to their precinct on election day and vote. So, you know, if all of the professors wanted to vote there, they could only do it if we had an early voting there, because that's what these early votings are is allow anybody from anywhere in the county to go in and

vote. It seems to me that that would be a better issue, if we want a lot of the people that work there, you know, even people in the kitchen and everything else, it would be easier for them than trying to run out on the highway trying to get to their precinct to vote all the way on the east side, or all the way up north or something.

John Siepierski: Absolutely, and I think early voting is a great idea. Why not both? Because (Inaudible) the whole west side of Indiana (Inaudible) everywhere, we have people (Inaudible) outside the precinct—

President Melcher: And, see, all of them will be allowed to go in there and vote early, everybody—

Commissioner Tornatta: He's talking about doing both.

John Siepierski: Yeah.

Commissioner Tornatta: Just so you know.

John Siepierski: Yeah, and, you know, any cost associated with moving the polling place, I'm not sure how much it is, I can't imagine it would be too much just to move the facility—

President Melcher: It's really about the postage—

John Siepierski: Right.

President Melcher: —and everything there, and printing new cards and the time. We don't have three people, or six people down there anymore. We've only got two.

John Siepierski: That's another thing, the Political Science Society will be ready and prepared to go ahead and help you with any efforts to get the word out (Inaudible). This is what I'm going to be working on every day up until election day. The cost associated with it, I just wanted to point out that students at USI, and especially students that live on USI make a tremendous contribution to the economy. A lot of them work here, we all spend our money here, and I think that any, you know, cost that is associated with giving us a fair opportunity to vote I think would be worth it because of our enormous contribution to the Evansville community.

President Melcher: Okay.

Commissioner Winnecke: I have a question for Ted, actually.

Ted C. Ziemer, Jr.: I just, do we have any notion of the number of registered voters outside of USI, and then USI?

John Siepierski: I don't have access to those numbers, no.

President Melcher: We could get that.

John Siepierski: I was told that I would eventually be sent them a while ago, but I haven't heard back on that. But, I do know that there's a total of 1,700 registered voters in the precinct. Of those, not a whole lot of them are students, but as I said before that's not because they don't care and it's not because they're not interested in voting, they definitely are. I can show you right here this little petition of roughly a

thousand student signatures, and especially once these polling places are moved there's going to be a lot of registered student voters, I can tell you that. We're going to be holding a voters registration drive every day, collecting registrations from student residents and other students, every day up until the deadline. As of right now, yes, there's not a whole lot of registered students, but that's part of the problem. That's a symptom of the problem, not a reason to like continue it.

Commissioner Winnecke: Ted, do you know off the top of your head if there's any legal barrier to prevent us from changing the polling place between the primary and the general election?

Ted C. Ziemer, Jr.: No, you can do that.

Commissioner Winnecke: You can?

Ted C. Ziemer, Jr.: Yes.

Commissioner Winnecke: Okay.

President Melcher: Okay.

John Siepierski: So, now that I've presented this to you, what's the next step here? Can we move forward and make this happen?

Commissioner Tornatta: I would like to see that letter from USI.

John Siepierski: Okay.

Commissioner Tornatta: Essentially stating that what their intentions are, and what space they will make available, and all the way going down. They know this, parking spaces and what not to make sure that it's compliant.

John Siepierski: Right, and, so if I get this letter to you this week and you look at the polling place and the accessibility of it and it met all of the standards, would this be seen as something (Inaudible) and make this happen before the next election?

Commissioner Tornatta: I mean, there is that opportunity.

John Siepierski: Alright, great. Well, I'll get that letter for you.

Commissioner Tornatta: Okay.

Commissioner Winnecke: Thanks, John.

Commissioner Tornatta: Thank you.

President Melcher: Thank you.

John Siepierski: Thank you very much.

Commissioner Tornatta: Hey, Chris Walsh? Through the easel. When you were up here I did forget to ask you, Millersburg Road, there's been quite a bit of debris movement from Green River to Millersburg. I think the pavement's taken a little bit of the brunt. Do you know, have we talked to anybody out there?

Chris Walsh: (Inaudible) talked to some residents out there.

Commissioner Tornatta: What about the contractors that are tearing up the road?

Chris Walsh: I can go out and get an eyes on, and give you a better idea. I'll go out in the morning and take a look at it.

Commissioner Tornatta: I mean, it seems to me if these are guys that are fixing the other road, but they're tearing up this road, maybe they'll just fix this road at the same time.

Chris Walsh: We'll find that every once in a while. I think last year we had one road that was so heavily used to get to a construction site we wound up having to put it on the paving list.

Commissioner Tornatta: Right. I just, I don't necessarily know why we as a county would be responsible for paving a road like that. I drove down it, it didn't seem like it was, there were two or three spots, and it didn't seem like it would be anything more than somebody....if they're utilizing the spot, especially doing it, if those trucks aren't meant to be on that road, maybe we need to address that.

Chris Walsh: I'll go out and take a look at it and take some pictures and we'll get back to you.

Commissioner Tornatta: Yeah, but, better yet, if you talk to John Stoll and you guys come to consensus with this group, I would rather hear an answer that says, no problem, we're going to fix what we tore up.

Chris Walsh: (Inaudible).

President Melcher: Okay, was there anybody else in your group that wanted to speak from USI about this? Something different than what he said? We already heard his.

Matthew Beck: My name is Matthew Beck. I'm a veteran attending USI. I'm also a member of VFW Post 1114 that's down on Franklin. The Evansville Courier and Press ran an article about this a month ago, and I think a lot of the people commenting on the article on line were afraid that there were going to be issues with voter registration fraud and possibly just general security about the vote. I think we should make sure that that's an issue that's not an issue really because we have a professional security team that handles campus security and emergencies on campus. As far as the cost to go up there and make sure that the precinct is now aware of any changes, I worked for the Census Bureau this last semester, this last summer, I could help train people to go out there, knock on doors appropriately and hand out flyers. It's no cost to the city on postage. So, that's something we could (Inaudible). That's all I have.

President Melcher: Okay.

Commissioner Tornatta: Thank you.

President Melcher: Is that everybody? I just want to make sure that everybody had their time. Okay, thank you. Any other new business?

Old Business

President Melcher: Old business?

Commissioner Tornatta: Mike Head is going to explain, do you want to come up, Mike? These guys are from First Federal. We've been talking about just different ways that we might attack some of the escalating health care costs. We've checked with Old National Bank about looking into different possibilities, talked to these gentlemen about also looking at Health Savings Accounts. Then, part of our scenarios with the health insurance was to look at a certain percentage being health savings accounts. So, I asked them to come in. I know they've got some other accounts that were very, I thought were very interesting to Vanderburgh County and just explain how the process works and how they would be a partner with Vanderburgh County.

Mike Head: Thank you, Commissioner. I brought with me today—

President Melcher: If you would just state your name and the company.

Mike Head: Mike Head, I'm President/CEO of First Federal Savings Bank.

President Melcher: Thank you. That's for our tape and our record.

Mike Head: With me also is Travis Genet, from our office. Travis is a specialist with our institution who deals with this account. We have been offering this service to local businesses, we also take care of health savings accounts for Warrick County employees, Warrick County teachers, at this time and also several other companies. We've got the full list of companies here in Evansville. I've brought Travis with me because he can give you any kind of detailed information you would like. With me you're going to get about a (Inaudible) overview of it, but with Travis he can answer your questions.

Travis Genet: Again, my name is Travis Genet. What we found with businesses that we've worked at, even municipalities, Warrick County was one, they offered multiple plans for their employees and saw significant savings. Warrick County School Corporation the same situation. We've got some larger customers with multiple areas, we can accommodate the multiple partners, large numbers of employees. To kind of help that we do on-line applications, but then we come in and do orientations when a new benefits package is presented. So, in other words, when we come in you offer multiple plans or a new plan, we would come in when that agent is presenting that information and say, okay, this is how this program works. This is not a checking account, we'll present it in a light that it's a benefits package that you're offering and show them how they can use it and how they can benefit from it, and significant savings to the county. Because what we found the more of the pre-registration information and orientations, the higher the enrollment success. The higher the enrollment success, means lower premiums for the county, especially when they're looking at no pay raises for a couple of years, this is a way to help put money in their pocket to help pay for those eligible out-of-pocket medical expenses without having to reach into their paycheck. So, that's one way....we've got packets for all of you to show you, excuse me, a sample of what the employees would receive prior to enrollment. I talked to Mr. Fluty briefly, and one of the ways that we were able to help Warrick County was we set up through our BizLink System was basically a way to handle direct deposit. We set up a separate module for them to

handle just nothing but the direct deposit in the HSA for the employee's accounts. So, (Inaudible) the concern you had of this many employees and a short amount of time to get it ready, we literally have everything ready for the direct deposit. The county makes one transfer and it goes into all of them. We provide the training at no charge. These are accounts that pay dramatic interest in these times. Minimum interest at two percent. There would be no fees to the county, there would be no fees to the employee. We kind of see it as a win-win for everybody. We would be more than happy to be a resource throughout the process, because we realize this is not something you folks (Inaudible) and deal with this number of employees and a new benefit package. But, we would be more than happy to be a resource and answer any questions that you have.

President Melcher: Do you have any questions?

Commissioner Winnecke: My question is not for these gentlemen, but for, I guess, the two of you. I mean, what, are we going to have each institution that offers Health Savings Accounts come in and make presentations? What is the county's insurance carrier's position on offering an HSA?

Commissioner Tornatta: Well, I did ask the provider, our current provider and when we went down this I was approached by First Federal, at that point they seemed to....Old National has an HSA, you know, I don't think that, they thought that this was a pretty good package. Not to discount anything that they had, but they thought that we were given a good package. We can check every bank if we choose to do that, I don't care. I just knew that, at this time, when they came to me with some of this information and a potential cost savings in the county, I think we have to get that information out into people's hands, and this is a first step.

Commissioner Winnecke: So, the county's insurance provider are they endorsing their product?

Commissioner Tornatta: I don't necessarily think they're endorsing a product. I think that they were asked to review the product that was presented to me, and, at that point felt comfortable with the product. So, an endorsement probably not.

Commissioner Winnecke: Okay.

Commissioner Tornatta: As far as I'm concerned, I would, you know, we can let, this is a services provided, but we can let all institutions come in and give us their best shot. As I've looked around, as I've called, this has been the best deal that I've seen so far, but, you know, we want to keep this as open as possible.

Travis Genet: That's one of the things too, we would be willing to be a resource and let the product stand on its own. If somebody can offer a better product, but we feel that, obviously, fees, (Inaudible) and where we're helping, it's one thing to have fees, it's one thing to offer what the charges are, but it's another, how we can help you before, after and during the transition to the new product. It takes the burden off of...we have them contact us. We will work with the insurance agent, we will work with the HR department to kind of help the process along. So, that initially you want to use us as a resource, that's why (Inaudible).

Commissioner Tornatta: The, one of the things that struck me as a, about this company, was when you came in it was the low to no fees, or no fees in this case. The, obviously, you have some other county background, your insistence said that

just, you know, we want to have people come on, use the product and see how that works. Then, the fact that you're going to help the Auditor's Office make it work. To me that was significant because many times I might bring something to Bill, but if he has to do more work to compensate for what you're doing then it doesn't help the county.

Travis Genet: We worked with the Warrick County process. I will say that it's a different number of employees, but we worked with them through their committee process whenever they were implementing the program. They ended up choosing an out of town bank. They later changed once we were able to get our presentation, we had the entire Warrick County employee staff on the High Deductible Health Plan enrolled in three business days. We had their Auditor provided with all the account numbers, direct deposits, (Inaudible), we provided somebody to go out and train them on, okay, this is how you transfer from this GL to this one and all of your employees have money. This happened in a three day period. However with the school corporation we were able to accommodate that, there's a large trucking company here in town, we were able to accommodate the (Inaudible) business (Inaudible) 150 employees. So, if we have the time that we can go out and educate the employees, we can increase that enrollment. We'll provide somebody...I've seen how you guys do the PERF advisor that comes in prior to the enrollments and says okay I'm going to be here on this time. We would make that time available (Inaudible).

President Melcher: Any other questions?

Commissioner Winnecke: I would just, they may have the best Health Savings Account of all the financial institutions, I don't know, but it seems to me the best process for this Board by which to proceed is to ask our insurance carrier, Old National Insurance, to solicit RFP's and then have them evaluate those RFP's and then make a presentation to us, I think.

Commissioner Tornatta: Yeah. I've got no problem with it. I think it's the time to start thinking about these things. So, that, whatever route we go I want to, I think we need it.

Travis Genet: I've got some information here that I will pass out to each of you. Basically, on one side it's a packet to the Commissioners, on the other side is a sample packet of what the employees would receive—

Commissioner Tornatta: Okay.

Travis Genet: —prior to enrollment.

Commissioner Winnecke: Mr. Chairman, I would make a motion that we direct our insurance carrier to proceed with....thanks, Travis, to proceed with an RFP to any local institution, any institution with a local presence that would like to make a presentation for this service and then report back to us with a recommendation.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. I think we've had enough discussion. Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Travis Genet: Thank you for hearing us.

Commissioner Tornatta: Thank you.

President Melcher: Thank you.

Commissioner Winnecke: Thanks, Mike. Thanks, Travis.

Commissioner Tornatta: No problem.

Public Comment

President Melcher: Is there any other public comment?

Bill Jeffers: Madelyn, are you, is this microphone working? Can you tell whether it's taping? Can I use this microphone over here?

Commissioner Tornatta: Sure.

Commissioner Winnecke: Sure.

Madelyn Grayson: Does that sound any better?

Commissioner Winnecke: No.

Bill Jeffers: Bill Jeffers, County Surveyor. The only comment I wanted to make was about the microphone. This isn't the first week that it hasn't been working, okay. There was a reorganization committee meeting last week at which the consultant, the financial consultant, got up and gave a detailed report on the financial end of the reorganization plan and no one in the audience, no one live streaming and the chambers were packed, you couldn't hear him in the back of the chambers because the microphone wasn't working. So, the county paid \$200 per half hour, is that right?

President Melcher: Yeah, I think it—

Commissioner Winnecke: Yes.

Bill Jeffers: For that to be broadcast, and no one watching PBS could hear what he was saying, likewise tonight. Thursday there will be an Area Plan Commission at which there's two very controversial subjects to be discussed, and if the microphone's not working the county will be paying \$200 per half hour for people in

the listening audience not to be able to hear what's going on. But, even more critically or as critically all of your minutes are transcribed verbatim and you depend upon that technology to gather the tape to be able to transmit verbatim record. Redevelopment, I mean, reorganization committee, their only form of minutes is the live streaming and the record.

Madelyn Grayson: I can pick up the audio, but it's a matter of having to turn the volume up when someone is at the podium and then quickly turning it back down before one of you speak, or else I'm getting reverberation in my ears.

Bill Jeffers: Well, basically, the sum of my public comment is that as long as you're paying for it somebody ought to have it running correctly.

President Melcher: Exactly.

Bill Jeffers: Thank you.

Commissioner Tornatta: Okay, Marissa, that would be a Dave Rector question. Unfortunately, I don't think it has, to my knowledge, have anything to do with WNIN at this point, but would have to do with Dave Rector and the Building Authority. So, if you would make a call to him and have them come down here and make sure it's working, that would be great. Any other public comment?

Consent Items

Commissioner Tornatta: I would like to make a motion to approve the consent items.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Madelyn, would you like to read them?

Madelyn Grayson: The consent items for the September 7th meeting are as follows; approval of the August 24, 2010 Commission meeting minutes; employment changes for the Commissioners approval there's one for the County Highway and two for Burdette Park; the Commissioners have late redemptions for 1012 Lincoln Avenue and 507 South Evans and a quit claim deed for the sale of 321 West Florida; the County Auditor has the August 2010 A/P vouchers; the County Engineer has pay request number 112 for TIF projects in the amount of \$69,036.10; the Evansville ARC July meeting minutes; the Prosecutor has a request to surplus one broken lateral file cabinet; the County Treasurer has the July 31, 2010 year-to-date investment report; the Health Department has a telework log; there are department head reports from the County Engineer, Burdette Park and the Ozone Officer.

President Melcher: Okay, she's read them, now all in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: Anything else to come before this County Commissioners Board this evening? Seeing none. We'll stand adjourned.

Madelyn Grayson: There's a first reading of a rezoning.

President Melcher: Oh, that's right, rezonings.

**First Reading: VC-2-2010: Petitioner: Scott J. Okesson
Address: 5901 Hirsch Road
Request: Change from C-4 to Ag**

President Melcher: First reading, VC-2-2010, petitioner, Scott J., I'm not going to get this right, Okesson, address 5901 Hirsch Road, request from C-4 to Ag, A-g.

Commissioner Winnecke: Motion to approve on first reading as recommended.

Commissioner Tornatta: Second.

President Melcher: I don't think we need any discussion. Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: We'll stand adjourned.

(The meeting was adjourned at 5:50 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the August 24, 2010 Commission Meeting Minutes.
Late Redemption: 1012 Lincoln Ave. & 507 S. Evans.
Quit Claim Deed: Sale of 321 W. Florida: County Owned Property.
Evansville ARC July Meeting Minutes.

Employment Changes:

County Clerk (2)	Burdette Park (2)	County Highway (1)
Circuit Court (1)	Election Office (1)	

Auditor: August 2010 A/P Vouchers.

County Engineer: Pay Request No. 112: Green River-Burkhardt TIF Projects.

Surplus Requests: Prosecutor: 1 lateral file cabinet.

Treasurer: Year-to-Date Investment Report: Through July 31, 2010.

Health Dept.: Telework Log: Paulette Hoffman: 8/15-8/21/10.

Department Head Reports:

County Engineer	Burdette Park	Ozone Officer
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Madelyn Grayson
Garrett Achilles	John Stoll	Dennis Siepierski
Chris Walsh	John Siepierski	Matthew Beck
Mike Head	Travis Genet	Bill Jeffers
Daniel David	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SEPTEMBER 21, 2010**

The Vanderburgh County Board of Commissioners met in session this 21st day of September, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We'll call to order the Vanderburgh County Board of Commissioners, it's September 21, 2010. We're in room 301 and it's 5:00. We have a quorum. Madelyn, will you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

Pledge of Allegiance

President Melcher: Ted, could you lead us in the Pledge this evening?

Ted C. Ziemer, Jr.: Yes.

(The Pledge of Allegiance was given.)

**Permission to Open Bids/Quotes:
VC10-09-01: Hillview Road Culvert #1079 Replacement
VC-014-2010: Dump Truck & Snow Plow**

President Melcher: Okay, we need permission to open quotes for VC10-09-01, Hillview Road culvert number 1079 replacement.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: Also, bids for the dump truck and snow plow.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: Okay.

Declaration of Open Burn Emergency

President Melcher: Okay, action items, we're going to start, we just got a call right before we started our meeting. Is Derrick Ohning in the audience? Anyway, we just got notice that we, they want to declare an open burning emergency like we did a few weeks ago and it was lifted. Well, we're being asked to do it again this evening. So, is there any discussion on it?

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

EMA: Review of Quotes for Update of Hazard Mitigation Plan

President Melcher: Next we have the EMA mitigation plan. Adam, are you going to be here to present? Do you want to do a motion on that? Or do you want to hear him first? Go ahead, Adam.

Adam Groupe: Good evening, Sherman Greer was at a previous meeting requesting to utilize funding for the county's update to the hazard mitigation plan. I believe you had asked him to try and get three additional quotes to see if he could find a plan more competitive. You should have three quotes that we did receive for the update of this plan. One from Christopher Burke and Associates, one from Greenhorne and

O'Malley¹, and one from Cindy Popplewell with AMEC. They are all within a couple thousand dollars of each other really. The current vendor, the current plan is AMEC, Cindy Popplewell, her plan, her price was in the middle, however, she added a component into that price that we wanted that the other vendors did not add. So, while her total price was \$49,558, that included an additional \$7,320 that the other vendors did not offer. So, for that, and many other reasons, we would like to stay with AMEC and Cindy Popplewell to do the review of the project. This is also the opinion of the Building Commission and the Area Plan Commission.

President Melcher: I believe, Ted, you sent us an e-mail on that.

Ted C. Ziemer, Jr.: Yes, just to indicate that there were three bids, or three quotes, and that the middle quote did include, now, I'm not sure they were asked to do that as part—

Adam Groupe: They were.

Ted C. Ziemer, Jr.: They were? And the other two did not—

Adam Groupe: It's all inclusive. Why would we want to have a plan that didn't include for reduced cost sharing?

Ted C. Ziemer, Jr.: Yeah, but they were asked to provide that? The other two quoters?

Adam Groupe: They were asked to provide a comprehensive quote for the hazard mitigation plan—

Ted C. Ziemer, Jr.: Yeah.

Adam Groupe: —and that portion is part of a comprehensive (Inaudible).

Ted C. Ziemer, Jr.: So, anyway, it appears that the middle quote of \$49,588 did include as part of that \$49,588, \$7,300 for development of a repetitive loss strategy. The other two did not, apparently, provide for that.

Adam Groupe: A benefit of that again is that it provides for reduced cost sharing. When it comes time to do the project and receive grants for the project. Again, just to reiterate, we expect the majority, if not all of this cost, to actually be reimbursed by the State also as a mitigation grant.

Commissioner Tornatta: Okay, and then when do you need this to happen?

Adam Groupe: The clock is ticking pretty fast. We need to begin this project as soon as possible.

Commissioner Tornatta: Okay.

Commissioner Winnecke: Can you be more specific?

Adam Groupe: John, by what date?

¹Should be Greenhorne and O'Mara.

John Ansbro: It is expected to FEMA and ISO next year at this time.

Adam Groupe: Okay, we have approximately a year, and this is probably a nine month process.

Commissioner Tornatta: Okay, so two weeks would be—

Adam Groupe: Yeah.

Commissioner Tornatta: Okay, alright. That's, I would make a motion to take this, these groups under advisement.

Commissioner Winnecke: I would second it, and then I have a follow up question.

President Melcher: Okay, go ahead.

Commissioner Winnecke: Help me understand this, the loss strategy element that the middle bidder provided for but the others did not.

Adam Groupe: Okay, again, being part of the content of the plan, what the mitigation plan does for us is allow us to specify projects that we want to do in the community to lessen the effect and damage of a disaster or emergency or to harden ourselves from it. Mitigation projects range from work on the levee to the well that we dug at Deaconess Hospital to the fire station retrofitting and structural strengthening, again, all grants from FEMA, based on this mitigation plan. The warning sirens, drainage work, the tie downs of the trailer park trailers, these are all projects that we put in our plan that then FEMA looks at and will basically fund based on the competitive grant.

Commissioner Winnecke: And the other two bidders did not provide for that in their bids?

Adam Groupe: Just that one component that allows for reduced cost sharing. See, normally it's a 75-25 grant. If you have that extra component in there, and they accept it, then you might be looking at 12.5 or even 100 percent coverage on your grant.

Commissioner Winnecke: Okay.

Ted C. Ziemer, Jr.: I just want the Commissioners to be sure to understand that it's not clear to me, I did not see the specs, so, I don't....if the bidders were not asked to include development of a repetitive loss strategy in their bids, then the fact that AMEC provided it while Burke and Greenhorne did not would not be a factor. Having said that, as you know these are quotes for a service and you're actually not required to bid those, you know, but we elected to do that, and the Emergency Management has indicated reason for a preference, which you may or may not take into consideration.

Commissioner Winnecke: Thank you.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have the County Treasurer–

Adam Groupe: Thank you.

Commissioner Winnecke: Thanks, Adam.

Commissioner Tornatta: Thank you, Adam.

Treasurer: RFP's for Bank Bid

President Melcher: Next we have the County Treasurer's request for proposal for the bank bids. Rick?

Rick Davis: Good afternoon, Rick Davis, Vanderburgh County Treasurer. How are you doing today?

Commissioner Winnecke: Good. How are you?

President Melcher: Great.

Rick Davis: Basically, every two years the County Treasurer's office sends out request for proposals for our cash book. The last time this was done was actually 2006. In 2008 the previous Treasurer elected to sign a two year agreement which expires at the end of this year. So, we are putting these back out for bid for local banking institutions to give us their best offer to house our deposits. We've had an RFP on file for many years, basically, I just called it up, input new statistics, showed it to the County Attorney, Ted Ziemer, and he looked it over today. If it's approved tonight to RFP, we'll give it to Purchasing. I've got a schedule basically where they submit their bids by the next Commissioners meeting where it can be opened, possibly tabled, and then looked at and then granted at the following Commissioners meeting, if everything goes well, or at a subsequent meeting if you have any questions.

Commissioner Winnecke: Rick, what's the manner in which the financial institutions are notified of these RFP's?

Rick Davis: We'll mail them out to local banks, unless Debbie--

Commissioner Winnecke: She's up here.

Rick Davis: The question was how will the banks be notified? I believe there will be a legal advertisement placed in the newspaper, and we'll also mail them out to the major banks in the City of Evansville, is that correct, Debbie?

Debbie Spalding: Sounds good.

Rick Davis: Yeah.

Commissioner Winnecke: Thank you.

President Melcher: Any other questions?

Rick Davis: I'll try to get Fifth Third on that.

Commissioner Winnecke: Just, no, no.

President Melcher: Any other questions? Anybody in the audience? I need a motion.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: We have a first and second. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Rick Davis: Okay, thank you very much. I appreciate your time.

Commissioner Winnecke: Thanks, Rick.

Commissioner Tornatta: Thank you.

Amendment to Covenant to Widen Jobe's Lane

President Melcher: Next we have amendment to a covenant to widen Jobe's Lane. Dan, just state your name and that for the record.

Dan Buck: My name is Dan Buck, 8144 Kings Cross Drive. I'm the owner of this property out on Jobe's Lane that we are presently planning to develop into condominiums. When I purchased the property three years ago I was lead to believe that we had a 50 foot right-of-way going back to the property, and with the assumption of a road already going back to the homes to the north of my property we went ahead and closed on it. After the engineer's got into it, it was realized that at one point of where my property is there's only a 25 foot right-of-way. At the time when we had brought the proposal down to the County Commissioners for the

zoning, we wrote a covenant saying we would widen the road to 24 foot, which was the county specs thinking it was 50 foot wide. With it only being 25 feet wide there was just no way. We tried to negotiate with neighbors, neither one of them wanted to negotiate in a good faith manner, and it's virtually impossible to squeeze, even six inches on each side, you still need room to work and be able to move our equipment around and everything. Hence the fact I went back and talked to John Stoll about my dilemma and asked to be able to reduce the width of the street down to 20 foot wide versus 24 so we could get the road back in there and start our project. We went to the ten homeowners to the north of us, and I think Mr. Ziemer has the signed petition by all of them saying that they understand what our dilemma is and they agreed that a 20 foot wide street is better than what the 13 foot wide street is that they have right now. So, that's sort of where I'm at on it. Krista Lockyear provided a legal document to Mr. Ziemer. I'm assuming that he's had an opportunity to look at it.

President Melcher: Any questions by the Commissioners?

Commissioner Winnecke: Just maybe, John, if you would confirm that, John Stoll, our County Engineer, that this is, meets with your approval.

John Stoll: The consultant did provide a set of plans that showed a 20 foot road would fit in the right-of-way as it currently exists. So, it will work, and it is wider than what we have right now. So, I don't see a problem with it.

Commissioner Winnecke: Thank you.

John Stoll: I do have the street plans for your approval later today.

President Melcher: Okay.

Dan Buck: This also will allow us to keep going forward with our project. We hope to have a total of 150 condominiums there, which will eventually, probably be in the \$30 million price tag once we've completed this project.

Commissioner Tornatta: Dan, do you, you said you had something that they had, the neighbors had signed?

Dan Buck: Yes, I think Mr. Ziemer has the petition.

Ted C. Ziemer, Jr.: Yeah, I think it's also, Marissa, we received that in the office. I don't know if you put it in their packets.

Madelyn Grayson: It's listed under the consent items. So, it should be in your consent items.

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: Could I have a copy too.

Commissioner Tornatta: How many neighbors are back there, Dan?

Dan Buck: Ten.

Commissioner Tornatta: Ten? And everybody but the two signed it?

Dan Buck: Everybody signed.

Ted C. Ziemer, Jr.: Here it is.

Commissioner Tornatta: Okay.

Dan Buck: As far as I know everybody signed.

Commissioner Tornatta: Okay.

President Melcher: Ted, did you have anything to discuss on it too?

Ted C. Ziemer, Jr.: No.

Commissioner Tornatta: Alright, so, we'll just make this a part of the record. I make a motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Dan Buck: Thank you very much.

Madelyn Grayson: Mr. Buck, can you sign the covenant while you're here?

Dan Buck: Yeah.

Introduction of Teen Advisory Council Job Shadows
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President Melcher: While we're at this point, our students came in when we started. So, if we could start over here. If you could come up to the microphone, state your name and what school.

Commissioner Tornatta: They were actually here on time. They were just out in the audience.

President Melcher: Out in the audience, okay. Trying to hide.

Lana Dippel: I'm Lana Dippel. I'm a Freshman at Memorial.

Emily Forkey: I'm Emily Forkey and I'm a Junior at Castle.

Amanda Steinbeck: I'm Amanda Steinbeck and I'm a Junior at Reitz.

President Melcher: Thank you.

Commissioner Tornatta: Welcome.

President Melcher: Thanks for coming. We try to usually do that first. So, you can't hide with orange shirts on.

**OCH Lease of Suite B12: James R. Durachta
OCH Event Lease Agreement: Kraftwerks
Waiver of OCH Ballroom Fee: Jr. League of Evansville
Health Dept: Business Associate Agreement: Jeffrey Merrick
Health Dept: Collaboration Agreement with Univ. Of Illinois
Auditor: Manatron Letter of Authorization: MVP Tax Software/Support**

President Melcher: Contracts, agreements and leases. The lease of suite B12 in the Old Courthouse to James R. Durachta. I probably pronounced that wrong.

Lisa Daugherty: Yeah. I'm Lisa Daugherty with F. C. Tucker Commercial, the leasing agent for the Old Courthouse. I delivered to Madelyn a signed lease for Mr. Durachta, to lease B12 for one year. I think, I gave her a check and signed lease agreement.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Lisa, before you, I guess, go through that—

Lisa Daugherty: I have some things I need to discuss while I'm here too.

Commissioner Tornatta: Okay, good. It's probably the same thing I was going to ask. So, okay.

President Melcher: The Old Courthouse lease agreement with Kraftwerks. The event agreement with the craft show at the Old Courthouse, November 13th and 14, 2010. It's identical to last year's agreement except for the date changes.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Do you have anything you want to say on that one? Ted, do you have? Okay, any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: We do have a couple of more added. Lisa came up to me right before the meeting. Do you want to talk about the Junior League now?

Lisa Daugherty: Yes. I received a call on the way here, the Junior League has an annual meeting of 30 to 40 people, and they would like permission or a grant from the Commissioners to use the Wedgewood Room free of charge. It's on a Tuesday evening. She did point out to me that, I guess, they made a sizeable contribution to restore the cupola on the Old Courthouse when that was done. The purpose of this meeting is to introduce new members to what the Junior League does for the community. They like to have it in a venue that they've actually donated money to. So, they would like, provided the room is available, I didn't get a chance to check on that, because, like I said, I was on my way here. They would like permission to use that room for free.

Commissioner Winnecke: When is their meeting?

Lisa Daugherty: It's a two hour meeting.

Commissioner Winnecke: When is their meeting?

Lisa Daugherty: It's Tuesday, October the 12th.

Commissioner Tornatta: Assuming that that room's open, I would be in favor of granting them that request.

Lisa Daugherty: I'll check with, SMG, I think, handles the leasing of that room. So, I'll verify with them that it's available. Can I coordinate with Otis to have the tables and chairs set up?

Commissioner Tornatta: Where else do we stand on this Board?

Commissioner Winnecke: I was going to make a second, with the caveat that, the only reason that I'm going to vote, make the second and then ultimately vote yes is because of the previous contribution to the renovation of the cupola. In the past our policy has been no more than a 50 percent reduction for the Wedgewood Room, but given their previous philanthropic contribution I would be in favor of this.

Lisa Daugherty: Maybe we can hit them up for a future donation.

President Melcher: So, since we had a motion and a second, any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: And you have one more, room 202?

Lisa Daugherty: Suite 202 and 202A at the Old Courthouse are currently being used by the Bar Association that is restoring the Old Courtroom on the second floor. According to Otis, the maintenance man of the Old Courthouse, they're supposed to be finished with that room by the end of the year. Otis did not know where we stood with the Bar Association, if they were going to continue using those rooms after they're finished with the renovations, or if they would be available. The reason I'm bringing this up, I have a current tenant that's in there that wants to rent those rooms. They need to expand. Those rooms are adjacent to where they currently are. How would I go about finding out what the future of those rooms are?

Commissioner Tornatta: Marissa will check on that and she can get back in touch with you in the next day or two.

Lisa Daugherty: And the rooms need quite a bit of plaster work. I guess they're pretty rough.

Commissioner Tornatta: Okay.

Lisa Daugherty: So, but they're willing to sign a three year lease. Like I said, they're an existing tenant. It would bring in another almost \$7,500 a year if we could rent those rooms to them.

Commissioner Tornatta: Okay.

Lisa Daugherty: So, I'll be back in touch.

Commissioner Tornatta: Okay, and then did we get the dumpster, is that, all of the stuff out that needed to be out?

Lisa Daugherty: B12, he's working on it.

Commissioner Tornatta: Okay.

Lisa Daugherty: He'll have it out by the end of the month, because their lease starts October 1st.

Commissioner Tornatta: Alright.

Lisa Daugherty: So, he assured me he would have that room empty. They're taking it as is.

Commissioner Tornatta: Okay. Then, my last question is are we still 60 percent, 70 percent capacity?

Lisa Daugherty: I currently only have about 3,000 square feet left to lease. So, I would say we're more like 85 to 90 percent.

Commissioner Tornatta: Okay, then with that being said, the revenues that we're producing is that inline with where we need to be as...I don't know if you've talked to Marissa about where our numbers—

Lisa Daugherty: I haven't.

Commissioner Tornatta: Okay.

Lisa Daugherty: As far as whether the building is supporting itself, you mean?

Commissioner Tornatta: Right.

Lisa Daugherty: Is that your question?

Commissioner Tornatta: Yeah.

Lisa Daugherty: That's a good question. I don't know what your expenses are.

Commissioner Tornatta: Okay. We need to talk about that—

Lisa Daugherty: Yeah.

Commissioner Tornatta: —I mean—

Lisa Daugherty: Do you have a current rent roll of everybody that's in there, because I haven't seen that either.

Commissioner Tornatta: Okay.

Lisa Daugherty: I've just been focused on filling it up.

Commissioner Tornatta: Right, and we appreciate that. The thing that I would hate to see is we fill it up and we're doing it at a huge loss.

Lisa Daugherty: Right.

Commissioner Tornatta: But, you know, we have to have direction and see where that number is and does it make sense for the future of that building that we continue to go down that road knowing that we now have a capacity of "x" amount of revenue.

Lisa Daugherty: Okay, well, I'll get with Marissa, and, you know....but, like I said, I don't know what the county's expenses are on that building. I'm not privy to that information.

Commissioner Tornatta: Well, you will be. We'll get that to you.

Lisa Daugherty: So, yeah, I'll help you (Inaudible)--

Commissioner Tornatta: Okay.

Lisa Daugherty: – cash flow.

Commissioner Tornatta: Yeah, okay. Thank you.

Lisa Daugherty: Great. Any other questions for me?

Commissioner Winnecke: Thank you.

President Melcher: Thank you.

Lisa Daugherty: Thanks.

President Melcher: Okay, next we'll have the Health Department, I think we've got two, probably vote on them together. The first one is the Business Associate agreement with Jeffrey Merrick, required by HIPPA to protect the confidentiality of information regarding grease traps in restaurants, provided by the Health Department to Mr. Merrick in connection with the Health Department retail food licensing inspection program. The other one is a collaboration agreement with the University of Illinois for the Community Dental Clinic. The collaboration agreement between the University of Illinois College of Dentistry and the Health Department for student interns to participate on-site of the Dental Clinic. It will run from January 1, 2011 through January 30, 2012. No expenditure by the county is required. Gary?

Gary Heck: Gary Heck, Vanderburgh County Health Department. I would be happy to answer any questions, if you have them. The Jeff Merrick is just a precaution. We usually try to do a Business Associate agreement for HIPPA protection with anybody we envision having some type of relationship with. Mr. Merrick's with the Evansville Water and Sewer Utility and we're working on a collaborative project to add a, some grease trap information to our retail restaurant inspection report that would provide them with data that they need in order to make sure that grease traps are in place where they're supposed to be throughout the county. It's just a collaborative agreement. The Dental Clinic, this would allow us to have the benefit of the dental

student actually spend some time at the Dental Clinic working under the dentist and performing professional dental services as part of their clinical outreach.

Commissioner Tornatta: Have you talked to your board with the Dental Clinic about what type of room setup they would be in and what type of production that that person might be able to have to make an impact on the patient load?

Gary Heck: Our next board meeting is October the 8th, and it's an agenda item to talk about at that time.

Commissioner Tornatta: Okay. Can you get back to us on exactly what you anticipate this new person or persons would be able to lend themselves to that Dental Clinic? Where that patient load would be and how that would cut into the patient load and then where you would be at the end of that time?

Gary Heck: Okay, I certainly will.

Commissioner Tornatta: I think, what we've had, obviously, there's been a little scuttlebutt between the County Council and the hospitals on how some of these things should be handled and the amount of volume that might not be going to the Dental Clinic and filtering back to the hospitals. I think that now is the time to address what type of impact the Dental Clinic's making in the community, especially with respect to the hospitals, because, I think the hospitals are still getting hit pretty good in the emergency rooms. We need to make sure that the Health Department is doing that which will train individuals to go to the Dental Clinic first before they go to the hospitals, but, you know, I would like to see where we are.

Gary Heck: We'll be happy to. We're also studying, you know, the hospitals serve basically a 30 county area in three states, and while they may be dental patients for the purposes of having an oral health need, in most cases they're still the patients of the hospitals because they're the patients of either their family residency program or some of their other health providers. So, it's not like every patient that the Dental Clinic sees isn't, wouldn't necessarily be a patient of the hospital anyway.

Commissioner Tornatta: Right.

Gary Heck: So, and how you can distinguish those, the hospital would have to help us do that, because we don't necessarily have access to all of those records. But, yes, we'll be more than happy to work with them to try to get that resolved.

Commissioner Tornatta: Well, I would like to, while you're doing that, if you could come up with a plan that would just assess the impact of the Dental Clinic on the neighboring hospitals. I think it would help. A lot of people see what's going on actually in our community from both sides.

Gary Heck: Okay, we'll certainly do our best to try to do that.

Commissioner Tornatta: If you need help trying to get in contact with anybody, we can steer you in a direction.

Gary Heck: Okay, I certainly will.

Commissioner Winnecke: Motion to approve as presented.

Commissioner Tornatta: Second.

President Melcher: We have a first and second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Melcher: Thank you.

Commissioner Tornatta: Thank you.

Commissioner Winnecke: Thanks, Gary.

President Melcher: Next we have the County Auditor, the extension of the Manatron contracts. This will extend the county's four contracts with Manatron from 2011 to 2013, combined with a cost of \$79,080 per year, that's the same as 2010.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we have the County Engineer bridge inspection agreement with DLZ. John asked me tonight, we have to pull this from the agenda. INDOT hasn't okayed it yet. It's all set to go legally with us, but we're waiting on the State.

County Engineer

President Melcher: Department head reports. John, do you want to go ahead and start then, since I already mentioned your name?

John Stoll: The first item that I have is a change order on the Burdette-USI bike path project. This is for an increase of \$3,585.18. This is the cost associated with relocating a portion of the path due to a conflict with the southeast corner of one of USI's soccer fields. USI is reimbursing the county. We've actually received the check already. So, we just need to approve the change order, then the county would take care of any further payments to INDOT.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: A first and second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Next I have a street plan approval request for a street in Heckel Road Commercial Park Subdivision. That's the proposed subdivision out at the northwest corner of Heckel and Green River. This is about a 300 foot connector road between Vieth Drive and Green River Road. I've reviewed the plans, they are acceptable, and I recommend approval of the street plans.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Then, next is another street plan approval. This is for Stellar Drive. This is located in Eagle Village Apartments at the southeast corner of Schutte and Lloyd. This is a 250 foot extension of the street that runs along the south boundary of those apartments. Once again I recommend approval of these street plans.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Next I have a request for the street plans for the widening of Jobe's Lane. This is the widening that was previously discussed that would widen between Shady Court and the entrance to the condo development to a total width of 20 feet. All the changes that we had requested have been made, so, I recommend approval of those plans.

President Melcher: Okay.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then the last item I have is a request for your authorization for me to send out the RFP for the, RFP on the University Parkway corridor study and for the Baseline and 41 design work. I had planned to e-mail it out to all of the consultants. I maintain a list of all of the consultants who are interested in doing county work, and if you approve the RFP, then I will e-mail that RFP out tomorrow to all of those consultants.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

Health Department

President Melcher: Okay, any other department heads? Chris, do you have anything? No?

Ray Nicholson: Ray Nicholson, Health Officer for Vanderburgh County. By January the 1st there's an electronic system that goes into effect for death certificates, and this coming Friday, the State of Indiana is sending down people to help train doctors in how to do this, along with the funeral directors. It will be an all day affair, and because of this we have two people that are trained in our Vital Records Division, and it will be necessary for them to be at that program. So, it will be necessary for us to close the Vital Records Department this coming Friday, since we have no one else that can take over their place. So, the department will be closed this Friday.

President Melcher: Okay. Do you have any questions?

Commissioner Winnecke: No, it's understandable. Thank you, Doctor.

President Melcher: Okay, thank you.

County Attorney

President Melcher: Any other department heads? Ted?

Ted C. Ziemer, Jr.: The bids—

President Melcher: I was going to get to that.

Ted C. Ziemer, Jr.: Are you ready for that?

President Melcher: Yes.

Ted C. Ziemer, Jr.: For the Hillview Road Culvert; Deig Brothers, \$38,360; BMB, \$53,925. For the Hirsch Ditch, there's only one bid, it's from Deig Brothers, \$92,209. For the County Highway dump truck; Freightliner Western Star, \$136,672; Sternburg, \$136,596.97.

Commissioner Tornatta: Motion to take those under advisement.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Ted, is there anything else?

Ted C. Ziemer, Jr.: No, that's it. Thank you.

New Business

President Melcher: Okay, under new business, we have the tax sale. Ted, I believe that's you again.

Ted C. Ziemer, Jr.: We have, let me see, let me get this in front of me. We have, as a result of this most recent tax sale, 450 properties that were not sold. Now it's the question of how we deal with those properties. For the past several years we've been handling those properties by auction, public auction of those properties. Another way of handling the properties is to sell certificates for the properties. If we

sell certificates, then it's up to the purchaser of the certificate to go through the title clearance process, which the county does in advance if we're going to sell the properties at auction. What we found is when we sell the certificates most of the owners of the properties elect not to go through the title process, and the counties end up back on the tax sale. That happens over and over so that they don't get off the tax rolls. It's more expensive to go through the auction process, and I've sent you separately illustrations of that, but most of that cost, in fact, this year, through the auction process, the county ended up with a profit of \$18,000, and almost all of the properties are back on the tax roll. So, our recommendation is that while it costs more to go through the public auction process, we'll recover that cost through the auction process and put nearly 100 percent of the properties on the tax roll. We recommend that the county again use the public auction manner. If you decide to do that, and so instruct the County Attorney, we then, to get ready for this meeting, we sought quotes from five, six different title companies. Four of them submitted quotes, and the low quotes to do the title work, and since there's so many we recommend that half of them be done by one title company, and half of them by another. Therefore, our recommendation would be, if we're going to use the auction process, that Total Title Services be awarded the contract for 225 of the properties at \$135 per search, which was their bid, and that the other 225 properties be awarded to Regional Title Services for \$160 per search, which, oh, no excuse me, pardon me, delete that. Not Regional Title Services, Direct Title for \$95.50 per title search, which was their bid. That would be our recommendation.

Commissioner Tornatta: Just, real quick, and the breaking up of those two and the price—

Ted C. Ziemer, Jr.: Yes?

Commissioner Tornatta: – why wouldn't we maybe check with that other outfit and see if they want to do it for \$95 and then go down the line? Go down to the lowest bid.

Ted C. Ziemer, Jr.: We can do that. They're obviously not required to do that.

Commissioner Tornatta: Right.

Ted C. Ziemer, Jr.: We don't believe that one title company can handle all 450. Even though it would be better to have Direct Title, who bid \$95.50 per search, to do the, each individual search, we don't think they can do 450 and have the job done by November the 30th, which is when it needs to be done by. Unfortunately, the bid of Total Title was \$135. They may or may not elect to meet the lower price.

Commissioner Tornatta: I just wonder if it sets up for a bidding cycle where somebody knows that they're going to potentially be able to get a higher bid. I would like to see this bid at the \$95.50, if any of those groups, start with the lowest bidder, and if they want to chime in then they can do that.

Ted C. Ziemer, Jr.: We'll be pleased to attempt to do that.

Commissioner Winnecke: What does that do to us in terms of our timetable?

Ted C. Ziemer, Jr.: I mean, is it going to be....we can quickly make the call. We would like not to wait two weeks to award this. If you want to give us the authority to attempt to get a bid for the other 225 down to the lowest amount we can, for \$95.50,

we'll try to do that. If we can't do it, or if the price is less than \$135 but more than \$95.50. If we had authority to proceed with that, it's necessary that we begin having them start the title process, I mean, tomorrow, if possible. It's just going to be physically impossible for them to do all of them, in our opinion.

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: I mean, we would have preferred that, you know, we could do, have Direct Title do the whole work for \$95.50 per search, but we think it's impossible.

Commissioner Tornatta: Okay, but we could check with them. I'm in favor of going through the auction. I think it's been very successful. Anytime you get 100 percent of the properties back on the tax roll, that's a positive, especially when you make a little money on it. Obviously, that goes back into services for the county. So, with that being said, if you will check on that \$95 I would recommend us going with the auction method.

Commissioner Winnecke: Second.

Ted C. Ziemer, Jr.: But, what kind of authority do we have? For example, I cannot, we cannot compel Total Title to lower their price.

President Melcher: So, your motion should state that.

Commissioner Tornatta: Um—

Commissioner Winnecke: Why don't we do two motions. We have one on the floor and a second to go with the public auction. Why don't we vote on that, and then we can circle back and—

President Melcher: Okay.

Commissioner Winnecke: —does that make sense?

Commissioner Tornatta: Alright, I'll make a—

President Melcher: Wait—

Commissioner Tornatta: —amend my motion to say that we want to go the auction method.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: As to the second one, we will, what we did was approach six title companies, and four of them elected to give us quotes, the other two declined to quote. The two lowest quotes were Total Title Services for \$135 per search and Direct Title for \$95.50 per search. We'll look again, see maybe what the volume of Direct Title is, if they can do the whole thing for \$95.50, we would have them do it. What we don't want to do is miss the deadline—

Commissioner Winnecke: Right.

Ted C. Ziemer, Jr.: —so we need some flexibility.

Commissioner Tornatta: I would make a motion that the President has the authority to make the decision on moving that price, if need be.

Ted C. Ziemer, Jr.: In other words, we'll check, we'll get back in touch with President Melcher, and say, this is how many we think one title company can do, and that will be Direct Title and we'll do those for \$95.50. We have this many left over, this is the best price we can get for those, and he has the authority then to go with that.

Commissioner Winnecke: I understand.

Commissioner Tornatta: Yeah.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Old Business

President Melcher: Okay, back on old business, USI polling place.

Madelyn Grayson: When you make your comments would you please try to make sure that you're speaking directly into the microphone so we can pick everything up? Thank you.

John Siepierski: Good evening, I'm John Siepierski. I'm President of the Political Science Society. I met with you last on September 7th, we talked about the issue of a polling place for USI, Perry Township's eighth precinct. I understand, the Political Science Society has been working on this for roughly eight months now, but I understand now that various people, including faculty at the university and various students, and now I understand some associates of Congressman Brad Ellsworth have been trying to make this happen for several years now. Now that we're seemingly closer than we've ever been before, I would just like to thank you, the County Commissioners, for bringing us to this point, closer to than we've ever been in hopefully making this happen. So, thank you for that. So, just to, last week I explained that the precinct's polling place is at West Terrace Elementary School. If you'll notice it's located well outside the precinct on the northern side of the Lloyd Expressway. It's, according to State election protocol, this is in direct violation of State code. There are accessible facilities located within the precinct, as I'll explain to you shortly, and this is against the law. It is a huge barrier to many voters in Perry Township's eighth precinct. First of all, because the Lloyd Expressway, everybody knows there's a lot of traffic jams, especially around USI, and there's also a safety hazard. There's been a lot of accidents that take place on the Lloyd. The biggest part of this barrier is, for a lot of residents, including students who don't have cars in the precinct, there are no crosswalks on the Lloyd. If you don't have a car, and you don't have access to a motor vehicle, you simply cannot legally cross the Lloyd Expressway, over into the Perry Seven precinct to go vote. So, we think this is unacceptable. It's a huge inconvenience and barrier to all the voters in Perry Eight on election day, and it's routinely, as we've talked about earlier, stifled voter turn out. So, as you probably know, we would like to move the polling place to the Residence Life Center at USI. So, as you see here, there were concerns that this might be inconvenient for non-student residents of the community. This is definitely not the case. In fact, this it's more convenient for many of the, for just about everybody in the Perry Eight, Perry Township's eighth precinct. So, as you can see here, right now somebody would be living...and this is the biggest neighborhood in Perry Eight, right here. If you look at, if you consult the map, the red line you see on the map, that's the route that they would take to West Terrace Elementary School. There's really no way of avoiding crossing the Lloyd Expressway. This is the quickest route for them. Once we move the polling place to the Residence Life Center at USI, they're going to be taking that blue line there, and it's a much more convenient route. They, once you take a left off of Schutte on to Mahrenholz Road, it's a straight shot. You don't have to navigate the campus at all. As we talked about, there's going to be absolutely no commuter traffic in there for voters to compete with. Commuters only go across, on the Lloyd down University Drive into this area right here, where all of the, where the library and other buildings are, occasionally they go down Clark Lane to enter the heart of the campus. Voters will not, at any point, have to do that. They'll never have to go on the traffic circle at USI, which were some concerns of some voters. The most convenient route for them to take is just go on to Schutte, take a left and go straight on Mahrenholz right down to Residence Life Center. As we talked about, there's the entire Residence Life parking lot is going to be reserved

exclusively for voters on election day. So, parking will be better than it is now at West Terrace Elementary School. The, speaking with some voters in the community, from what I understand, voters have had to park on the road outside of West Terrace. Parking has been a real issue. So, it will not be a problem at the Residence Life Center. It will be better. So, it will just be generally more convenient for everybody involved. It will be lawful because it will be inside the precinct. It will be especially convenient for students and those that don't have cars. So, when we went over that you wanted to get a letter of commitment from the USI administration, that they would commit to providing this building for the purposes of a polling place. Less than 24 hours after you asked, Dr. Linda Bennett, this right here, a letter of commitment, explaining that the university is eager to accommodate a polling place on election day. Recently we went with, met with the Faculty Senate at USI, and, I'll just read this to you, it says, resolution that they, this was actually passed, I think, two days ago.

“Be it resolved that the Faculty Senate, as representative of faculty at the University of Southern Indiana, supports the efforts of the Political Science Society, acting on behalf of USI students, to move the Perry Township 8th Precinct voting station from outside of the precinct boundaries to within the precinct and to specifically locate the voting station in the Residence Life Center on the University of Southern Indiana campus. Unanimously adopted by the University of Southern Indiana Faculty Senate on September 17th, 2010.”

So, I'll just pass this, this is the original copy signed.

Madelyn Grayson: Can I either keep that, or get a copy of that for the record?

John Siepierski: You can keep it.

Madelyn Grayson: Okay, thank you.

John Siepierski: In the letter from Dr. Linda Bennett, she invited all of you to come down and visit the polling place. From what I understand, Mr. Winnecke took the time to go down there and see it. I'm not sure if any of the rest of you did, but, as we talked about, it meets and surpasses all of the State's accessibility standards for a polling place, as far as parking, handicap accessibility, and accessibility for the elderly. It's a great location, and, like I say, here's some pictures of it. I would just like to pass this around to you.

Madelyn Grayson: May we keep those as well?

John Siepierski: Yes. Here's a copy of the State accessibility requirements for a polling place, which this building meets and surpasses. So, in our interaction with some of the local county officials, there were some concerns that non-student residents wouldn't be so happy about moving the polling place to USI, thinking that there might be traffic or parking problems. Which, as I talked to you about, there will not be. But, we just wanted to get the opinion of some local people who live in the precinct who are not students at USI and see what they thought about the move. So, myself and a few other members of the Political Science Society we went down and just went door to door in the precinct and talked to some registered voters who, just talked to them about whether or not they would like the idea of moving the polling place to the Residence Life Center. Going door to door, I was, when I went down there I was expecting, you know, especially after talking to some county officials, I

was expecting to get doors slammed in my face and angry people, just the whole way that some people made it sound, it didn't sound like we would get a very warm reception. But, it was pretty much the complete opposite. When I went door to door we had almost unanimous approval of moving this polling place to the Residence Life Center. I think there was, out of dozens of doors that we went to, there were maybe two or three people who weren't really on board, two of them were maybes and one of them just didn't want to really talk to us. There was nobody who thought this would be a huge inconvenience to them. Everybody, a lot of people, I actually noticed, first of all, were actually associated with USI in some way and they actually worked there or had kids who went there, and even those who didn't said that they had problems with West Terrace Elementary School and they've always wondered why the polling place was not at USI, because they don't like going across the Lloyd and they don't like having to deal with the parking problems at West Terrace. So, one of these people, when I was going around the neighborhood, some of the neighbors told me to talk to a man named Bill Stein, I guess, he's in charge of the neighborhood watch organization there. He kind of said that he's their sort of neighborhood leader. I went and talked to him about it and he's been great enough to come down and talk about the community sentiments about moving the polling place. So, this is Bill Stein.

Bill Stein: Bill Stein, 9103 Marfield Court. Like he said I'm in charge of the neighborhood watch in our neighborhood, Willow Creek, which is there. We have a Facebook group in our neighborhood. There's 60 some odd folks in that Facebook group. So, if we need to communicate with anybody in the neighborhood you just send out a message. I did send out a message about this, and, you know, for the most part, almost 100 percent no one is opposed to moving it to USI. So, we didn't get any negative response. One person said there might be a lot of traffic trying to get through USI to get to the polling place, then we explained that you just get on Schutte and get on Mahrenholz and you're there. So, I can't speak for all of the neighbors, because I haven't actually spoken to all of them, but for the most part I'm getting a positive response. Thank you.

Commissioner Tornatta: John? If you could, just kind of run your hand down, I guess it's the Lloyd Expressway. If you're heading from the east side of town, through the west side, past the, all the development on the east and west side, the Wal-Mart, going past O'Charley's on down, you'll come up to Schutte Road. If you could put your hand on Schutte Road, or your finger on Schutte Road there. Okay, that's the Schutte Road turn off, now put your hand on University Parkway at USI. Okay, just to show people, this is not really in the heart of the University of Southern Indiana campus. You would actually turn a turn before, at Schutte Road, and then your next available right is this center. So, you wouldn't be going through the campus of USI to get to a polling place if this was something that the Commissioners were in favor of.

John Siepierski: Right, where all of the parking problems and where the classes take place at USI, voters will never, ever have to go in that area of the campus. They're never going to have to go in the heart of campus, it's just in the residential area at USI. You're absolutely right, they never have to go on University Parkway. So, next I would like to invite up a student, he's a new member of the Political Science Society. A.J., do you want to come on and tell us about your story?

Ajmal Myakhel: Hi, good evening, everybody. My name is Ajmal Myakhel. I'm new with the Political Science Society. I just wanted to mention to, here that the voting this is a very positive thing that we have to do, because most of the students there

does not have a vehicle. They cannot go anywhere. In 2008 I was not able to vote. The main reason was because I didn't have a car. So, I couldn't go to the voting place downtown. Also, I couldn't ask any of my friends, because they were all busy and had classes. That's why I couldn't vote. Then, I got deployed, and I just got back from deployment and am going back to school at USI. I think it's a very big issue, because officially if it was in Evansville, if public transportation system was good, the busses, or if you had a train like Chicago or New York City, then it wouldn't be any problem, the voting downtown. Then it would be too easy to come, but especially with a lot of students that live in the USI residence that does not have a car, they go to school there, and they don't have much time between their classes to come to the voting place and go about to their classes, most especially they don't have a car. I was in the same exact situation. That's why I couldn't vote. Even when I had to do, come to my drills to the Armory, down by the Lloyd, all the way down on the left side, I didn't have a vehicle. I had to ask somebody to give me a ride. I used the bus, the city bus, it took me two hours to just get to the Armory, because the bus system does not go straight, it goes circling around the city until it comes. So, it's just really a big problem. So, it's very inconvenient for the students to be there, even if they don't have cars they don't have to come all the way down there to vote. That's one of the reasons that I missed, and, I think, I would really appreciate that this could happen, it would solve a big issue and a big problem for the student. Thank you very much.

Commissioner Tornatta: Thank you.

John Siepierski: A.J. also reminds me of a really important point about the Residence Life Center at USI. Unlike West Terrace Elementary School, it is on a city bus route. So, it has access to public transportation. So, that makes it more accessible to people who don't have cars. Before we wrap this up, I would also like to invite Dr. Armeanu up to speak, she's our faculty advisor for the Political Science Society.

Oana Armeanu: Good evening, I'm Dr. Armeanu. I'm the advisor for the Political Science Society. I just would like to tell you that there's strong support for the student's initiative among the faculty at USI, among the administrators. They have also generated a lot of enthusiasm around the USI campus. The other students strongly support them. They have gathered around 1,000 signatures on their petition. I think that if you just consider for one moment what it is that they ask for, it's just they want to have their voice heard, as everybody else. So, I know that some consider that they're not part of our community because they all come from many different places. The students live in the Residence Life, but this is not so, because they live here for three, four, five years. They are part of our economy. They make a lot of contributions to our city life. What they want is to have our, their voice heard. So, they consider that this is their community. They would like to participate. They would like to have a voice. I'm not going to repeat the reasons that they presented to you, but I believe that it is important to let their voice be heard in our community. As a USI faculty, and as an educator, I am very proud of what they have achieved so far, no matter what the outcome of today's meeting is going to be. Thank you so much.

Elliott Howard: I'm Elliott Howard, and I'm the Vice President of the PSS. I would just like to tell you that we have illustrated that we have the administration behind us, we have illustrated that we have the faculty behind us, and we have more than illustrated that we have the students behind us. Everybody is in favor of this, and I think you should really vote now to get these election booths on campus. USI is an

active part of this community, and by putting voting locations on that, you can just emphasize that we are part of this community. Thank you.

John Siepierski: So, in summary, we think this is a safer, more convenient, just generally a better polling place for all the members of the Perry Eight, Perry Township's eighth precinct. Now that you have USI's commitment to supply the building for the polling place, we hope that you would vote to move today.

Commissioner Tornatta: John, can I ask you a question? This is just for my knowledge only, or to help us, not anything in the decision making process, I guess, for me. How many students have been registered?

John Siepierski: Well, as for the actual current tally, I'm not sure, but, I can tell you that.....here's Caleb, we just started our voter registration drive. So, here's Caleb.

Commissioner Tornatta: Okay.

Caleb Sterling: Hi, I'm Caleb Sterling. I'm kind of in charge of the voter registration drive. We have about 47 students, one absentee ballot, but, we're doing this all week, so, we're going to get many, many, many more.

Commissioner Tornatta: Okay.

John Siepierski: So, this is an on-going process. We have been focusing all of our efforts on preparing for this meeting, but we're going to be hosting a large voter registration drive. We're going to get just about everybody we can, who lives on campus, who would fit the criteria of being a campus resident, registered to vote. So, you can count on that.

Commissioner Tornatta: If there are no other questions, I would like to hear from Voters Registration.

President Melcher: Okay.

Commissioner Tornatta: Thank you, John.

Connie Carrier: Connie Carrier, Voter Registration.

Anthony Bushrod: Anthony Bushrod, Voter Registration.

Connie Carrier: I have a question. John, are you a registered voter in Vanderburgh County?

John Siepierski: My voter registration is in a stack of registrations that we're going to be turning in to you guys in a week or so.

Connie Carrier: Also, there is voting by mail, traveling board, there was satellite voting. There was no reason why none of them could not have voted.

Anthony Bushrod: Early voting. They did turn in petitions, and it totaled 901 signatures, people from out of state, out of the ward and precinct which, a person out of the ward and precinct wouldn't benefit from a polling place there, if you live on the far east side or whatever. Of those petitions that they turned in, there were 16 that were registered to vote—

Connie Carrier: In Perry Eight.

Anthony Bushrod: I went out also and looked at the Life Center, it's a real nice building, but there's some parking issues. The parking lot, which I was shown has like a grade to it. Which means when a person goes down to park, if they are on crutches or a walker, he's been on crutches, walking up a grade.....well, you have, haven't you? Walking up—

Ted C. Ziemer, Jr.: Not anymore.

Anthony Bushrod: —it's tiring. There was about, now, there's places like, which yellow lines are painted out, assuming there's a yellow line you can't park there. But, I think it's about a total of like 15 parking places, maybe, in the area out front of this center. Like I said, they are all on a grade. There's like two or three, or maybe four that are handicap accessible.

Connie Carrier: The reason it was at West Terrace was when the redistricting was back in 2000 was it? The only polling place we could find at the time that was handicap accessible was the school. Recently Tony has—

Anthony Bushrod: Solarbron, which is also in P-8, and I talked to a gentleman there, he was wanting some information to be sure that if the polling place was moved there, it wouldn't disrupt what they do in their facility. I called him today, but I never did get a call back. So, you know, that's also a possible polling place, which is in P-8.

Connie Carrier: You are, by law, you are within five miles. If you cannot find a polling place that meets all of the criteria. That's why it was at West Terrace.

Anthony Bushrod: You all might have a copy of this here. Perry Eight, 1,661 registered voters, 463 are students who registered for the 2008 election, and did vote the one time, not one of them voted in the 2010 primary. 412 students are registered to vote, they registered anywhere between 1998 and 2008 and have never, ever voted. 25 students are registered and have voted two to three times. So, out of 1,661 registered voters, 900 are students with 412 of them never, ever voted.

Madelyn Grayson: Can I have that for the record, Tony?

Anthony Bushrod: Also, here's, pass them down if you can, assessment. Mr. Winnecke, when you were out there, did you notice the parking lot being on a grade?

Commissioner Winnecke: I did not. I got out and walked the parking area, and I walked inside the facility. I did not notice, my take away was that there was no parking issue. That was my impression.

Anthony Bushrod: Okay, it's out in front, you didn't notice that it wasn't level? It's not.

Commissioner Winnecke: I didn't recognize, I'm not disputing what you're saying—

Anthony Bushrod: Yeah.

Commissioner Winnecke: —I didn't notice anything to, that would say, wow, this is going to be dangerous.

Anthony Bushrod: Well, it depends on weather. There is a lot of, you know, foot traffic, because the students don't drive, I think put it at 2:00? You all can use your vehicles after 2:00? I was told, yeah.

Commissioner Winnecke: What have you provided us here, so we can kind of walk through this?

Anthony Bushrod: Okay, that there is the, what we use to go out and survey polling places. What I did was I did the parking and the path of travel, and if you look at number four, all parking spaces on level ground. The parking for that building is not.

Commissioner Winnecke: When you say, I mean, if this is such a concern, have you had this, I mean, what's the degree of slope?

Anthony Bushrod: I really didn't have the tools, we normally have the tools that you use to measure that, but there is a....it isn't on level ground.

Commissioner Winnecke: Are you talking about the spaces directly in front of the building, or on the side?

Anthony Bushrod: It would be like in front and, I guess, facing it would be to the left of them.

Commissioner Winnecke: Okay, and you're saying because of the level of the parking lot it's unsafe?

Anthony Bushrod: I mean, you know, someone could slip and fall.

Commissioner Winnecke: Okay.

Connie Carrier: Well, some of your voters, there's a lot of them, I'm going to assume well over a hundred at Solarbron, that's a senior community. That's probably what, wheelchairs—

Anthony Bushrod: Yeah, and, you know, I mean, that would be more of an ideal place.

Commissioner Winnecke: But, at this time, there's not, we don't have a specific presentation or proposal from them—

Anthony Bushrod: No.

Commissioner Winnecke: —saying that we would like to move it?

Anthony Bushrod: We don't have a commitment, but, you know, they didn't say no.

Connie Carrier: I don't think it's a good time to be changing a polling place. We're getting ready for an election. If you want to change a polling place, it needs to be done in, this is the county, so it would be 2012.

Anthony Bushrod: That can be confusing.

Connie Carrier: It's going to cost you to mail out to all of the voters.

Anthony Bushrod: About 1,700 cards.

Commissioner Winnecke: What's the estimated cost to alert the voters?

Anthony Bushrod: Twenty eight cents times 1,800, 1,700, and then if they come back you have to re-mail them out. Then the paper stock and stuff like that, the time to do them. You might be talking a thousand dollars, maybe.

Connie Carrier: There's many ways to vote, not just at a polling place.

John Siepierski: We would like to respond.

Commissioner Winnecke: Just, okay, they've had their turn. Hold on just a second, we'll get to you.

Anthony Bushrod: You know there is early voting, satellite voting, you know, so that cuts down on the amount of turn out on election day.

Connie Carrier: (Inaudible) polling places right now (Inaudible).

Commissioner Winnecke: This is—

President Melcher: Do you have any other questions for Tony and them?

Commissioner Winnecke: No. No.

Commissioner Tornatta: Thanks. Thank you. Hold on a second. Did you—

Commissioner Winnecke: I was just, to me, this is an easy one for me. To me, this is, it's not all about the students. I mean, the students are part of the equation. I think you're the focus because you brought it to this point, but to me this is every bit as much about convenience for the 1,661 registered voters in that precinct. To the extent possible, I firmly believe that voters should be allowed to vote in their precinct. I've visited this building, I respectfully disagree with Mr. Bushrod's assessment that the parking could be inadequate. I think the facility is very nice. We have a commitment from the university to support this, from the highest level. I think that's great. My personal feeling is that you should be commended for your actions. I know it's been an education along the way, but, you know, I'm ready to vote on this tonight, and if it pleases my colleagues I would make a motion that we move the precinct polling place to the proposed site on the USI campus.

Commissioner Tornatta: And, um, to add to that, I think that if people are able to see this, and I hope that this information gets out, this makes all kind of sense. I like the fact that it's not disrupting the kids at the school, there's not more people going through an elementary school. The college set up is more for something along these lines. I mean it's a wonder we haven't had this, but this building hasn't been there the whole time. It wasn't there when I went to school, but, it's, you know, I've been out there, seen the building on a drive by, know about it. It makes sense not to go across the University, or the Lloyd Expressway, however, I'm going to have to abstain from this vote because I'm on the ballot. Nothing, I want nothing that I do in a vote to sway what anyone else does in their vote. It's not a negative concept, it's a situation that I do not want to go into USI and being in this spot do not want to, I think I'm a little bit too close to the fire so to speak. So, I will have to abstain from this vote.

President Melcher: Okay, any, so, you're not making—

Commissioner Tornatta: I can't make a second.

President Melcher: Alright, I'll make the second motion. Is there any further discussion?

Connie Carrier: I do have a question. Are you going to wait for our answer from Solarbron?

President Melcher: No, the motion is already on the floor tonight to vote tonight.

President Melcher: Madelyn, do you want to—

Commissioner Tornatta: Hold on, hold on, we have a question.

Dennis Siepierski: Is it time for comment?

John Siepierski: No.

President Melcher: No, if you want to make a comment, now would be the time, before we vote.

Dennis Siepierski: Okay.

President Melcher: I thought all of the presentations were already done. John, let him come up.

John Siepierski: I think we're ready (Inaudible). From the sounds of it, like if there's really no more concerns, I think we're ready.

President Melcher: That's what I thought you already had everybody up here.

John Siepierski: Well, yeah, if there were more concerns we would like to elaborate, but if there's not, I think we would like to let you guys vote.

President Melcher: Okay, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Abstain.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

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

(Applause)

John Siepierski: Thank you, Commissioners.

President Melcher: With that, somebody volunteered, if I remember right, to go around knocking on doors. So, if you wouldn't mind coming and stating your name and saying you're going to pass out a flyer to everybody that has moved. You can't hand them their voters registration card. They will have to be mailed.

Matt Beck: My name is Matt Beck. I'm a student volunteer with the Political Science Society. This last summer and the previous summer I worked with the Census Bureau, so I know all the federal rules and regulations on how to approach a household. I'll volunteer my time to get the students out with the Political Science Society to inform the community. We look forward to doing that.

President Melcher: Because if you do that, then we won't have anybody calling on election day saying well, I'm at the old site, there's nobody here.

Matt Beck: Right, thank you.

Commissioner Tornatta: Good luck.

Public Comment

President Melcher: Okay, next is public comment. Anybody have anything on public comment?

Consent Items

President Melcher: Next, consent items.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Madelyn?

Madelyn Grayson: The consent items for the September 21st meeting are as follows; approval of the September 7, 2010 Commission meeting minutes; employment changes, there were 20 submitted for the record, but there are none that require the Commissioners approval; the Commissioners have the USI potential polling location commitment letter, the petition of widening Jobe's Lane, the waiver of the Centre fees for Vanderburgh Homeless Connect on March 16, 2011, the sale of 20 E. Virginia Street; Burdette Park has a request to surplus a 1997 Cavalier, a 1988 Dodge Ram, six chairs, one love seat and seven sofas, and the yearly comparison from January to August from 2009 to 2010; the Building Authority has pay requisition number 91 for jail construction fund; the IBAP Gatekeeper August 31, 2010 report; the County Clerk has a request for leave of absence for a county employee, waiver of the Centre fees/not overtime for poll worker training on October 27th, 28th and 30th, a request to surplus various office equipment and furniture, and the August 2010 monthly report; the Sheriff has a request to surplus and dispose of a 2001 Crown Victoria; Weights and Measures monthly report from August 16th through September 15, 2010; Evansville ARC has the August board meeting minutes and report of activities; the County Engineer has approval of pay request number 113 for TIF

projects in the amount of \$1,398,769.82; and department head reports from the County Highway, Burdette Park and the County Engineer.

President Melcher: Any further discussion? Anyone from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

President Melcher: We're adjourned.

(The meeting was adjourned at 6:16 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of September 7, 2010 Commission Meeting Minutes.
USI Potential Polling Location Commitment Letter.
Petition of Widening of Jobe's Lane.
Waiver of the Centre Fee for Vanderburgh Homeless Connect: 3/16/11.
Sale of 20 E. Virginia Street.
IBAP Gatekeeper: August 31 2010 Report.
Evansville ARC: August Board Meeting Minutes & Report of Activities.

Employment Changes:

County Clerk (3)	Superior Court (2)	Sheriff's Office (7)
VCCC (5)	Circuit Court (2)	Election Office (1)

Burdette Park:

Request to Surplus: 1997 Cavalier, 1988 Dodge Ram, 6 chairs, 1 love seat, 7 sofas.
Yearly Comparison: January to August: 2009 to 2010.

Building Authority: Pay Requisition No. 91: Jail Construction Fund.

County Clerk:

Request for Leave of Absence for County Employee.
Waiver of Centre Fees/Not OT: Poll Worker Training: 10/27, 28 & 10/30/10.
Request to Surplus various office equipment and furniture.
August 2010 Monthly Report.

County Engineer: Pay Request No. 113: Green River-Burkhardt TIF Projects.

Weights & Measures: Monthly Report: August 16-September 15, 2010.

Department Head Reports:

County Highway	Burdette Park	County Engineer
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Adam Groupe	John Ansbro
Rick Davis	Dan Buck	John Stoll
Lisa Daugherty	Gary Heck	Ray Nicholson
John Siepierski	Bill Stein	Ajmal Myakhel
Oana Armeanu	Elliott Howard	Caleb Sterling
Connie Carrier	Anthony Bushrod	Matt Beck
Lana Dippel	Amanda Steinbeck	Emily Forkey
Dennis Siepierski	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING
SEPTEMBER 29, 2010**

A special meeting of the Vanderburgh County Board of Commissioners was held on September 29, 2010, at 11:36 a.m. in room 305 of the Civic Center Complex with President Stephen Melcher presiding. The sole purpose of this special meeting was to address the appointment of a hearing officer for an appeal of a denial of assistance by the Knight Township Trustee.

Call to Order

The meeting was called to order at 11:36 a.m. by President Stephen Melcher.

Attendance

Those in attendance were: Stephen Melcher, Troy Tornatta, Lloyd Winnecke, Bill Fluty, Ted C. Ziemer, Jr. and Marissa Nichoalds. A quorum was pronounced with all three Commissioners present.

**Appointment of Hearing Officer for Denial of Assistance by
Knight Township Trustee to Latonia Shackelford**

County Attorney, Ted C. Ziemer, Jr, reported to the Commissioners that Latonia Shackelford sought assistance with her electric bill from the Knight Township Trustee and was denied. Latonia appealed the decision of the Knight Township Trustee with the Vanderburgh County Commissioners office. The Commissioners must hold a public hearing to allow Latonia Shackelford to appeal the decision of the Trustee. The public hearing will be held Monday, October 4, 2010 at 1:00 p.m. in room 301 of the Civic Center Complex. Indiana State statute provides that the Commissioners can appoint someone as a hearing officer for this appeal.

Commissioner Tornatta made the motion to appoint Ted C. Ziemer, Jr. as the hearing officer for this appeal. Commissioner Winnecke seconded the motion. All three Commissioners voted in approval. The motion passed 3-0.

The meeting was adjourned at 11:40 a.m.

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Notes taken by Marissa Nichoalds. Transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING
SEPTEMBER 30, 2010**

A special meeting of the Vanderburgh County Board of Commissioners was held on September 30, 2010, at 2:02 p.m. in room 305 of the Civic Center Complex with President Stephen Melcher presiding. The sole purpose of this special meeting was to address a third addendum to the SMG management agreement for the Centre.

Call to Order

The meeting was called to order at 2:02 p.m. by President Stephen Melcher.

Attendance

Those in attendance were: Stephen Melcher, Lloyd Winnecke, Todd Denk, Ted C. Ziemer, Jr. and Madelyn Grayson. A quorum was pronounced with two Commissioners present.

Third Addendum to SMG Management Agreement: The Centre

County Attorney, Ted C. Ziemer, Jr., reported to the Commissioners that the current SMG management agreement is due to expire on December 31, 2010. On June 1, 2010 the Commissioners approved a second addendum to the SMG management agreement reducing the notification period from 180 days (July 1, 2010) to 90 days (October 1, 2010). In order to allow Harding and Shymanski sufficient time to complete the 2006, 2007, 2008 and 2009 financial reviews of the Centre, it was recommended that the Commissioners consider a third addendum to the SMG management agreement reducing the notification period from 180 days (October 1, 2010) to 30 days (December 1, 2010). Todd Denk of SMG assured the Commissioners that the completion of these financial reviews is priority one for SMG.

Commissioner Winnecke made the motion to approve the third addendum to the SMG management agreement. Commissioner Melcher seconded the motion. The motion passed 2-0.

The meeting was adjourned at 2:20 p.m.

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Lloyd Winnecke, Member

(Transcribed by Madelyn Grayson.)

HEARING FOR APPEAL OF A DENIAL OF ASSISTANCE OF THE KNIGHT TOWNSHIP TRUSTEE

A public hearing of an appeal of a denial of assistance of the Knight Township Trustee to LaTonia Shackelford was held on October 4, 2010 at 12:57 p.m. in room 301 of the Civic Center Complex with County Commissioner appointed hearing officer, Ted C. Ziemer, Jr. presiding.

Hearing of Appeal of Denial of Assistance: LaTonia Shackelford: 2117 North Harding Avenue
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Ted C. Ziemer, Jr.: My name is Ted C. Ziemer, Jr. I was appointed by the Vanderburgh County Commissioners on September 29, 2010 to be the hearing officer for the hearing that we're conducting today. This hearing is an appeal by LaTonia Shackelford of 2117 North Harding Avenue in Evansville, Indiana, 47714. It's an appeal by her of a denial of benefits by the Knight Township Trustee, of which she received notice on September 20, 2010. Following receipt of that notice, Ms. Shackelford filed an appeal, on the same date, September 20, 2010, with the Vanderburgh County Commissioners. The law requires that that appeal be heard within ten business days from the date of filing, and this would be the last day of that ten business day period. So, we're having the hearing today, this 4th day of October, 2010. What I intend to do as the hearing officer is to first ask Ms. Shackelford to explain what she asked for of the Knight Township Trustee, and other information which I may ask questions about. Following that, we will hear a report from the Knight Township Trustee. At any time during this while I am hearing from Ms. Shackelford, if the Knight Township Trustee has a question, you indicate that to me and we'll ask that question at that time while the discussion is going on. Ms. Shackelford, by the same token, when they are giving their report to me, if you have questions about anything they're discussing, hold up your hand, let me know that you have a question, and then we'll hear that question and answer it at that time. Following the hearing of all of that, that will be the conclusion of this hearing. Then, within five business days from today, the last day of which would be next Monday, the Vanderburgh County Commissioners will issue an opinion as to whether the benefits should be denied as they were by the Trustee, or whether they should be, the Trustee should be overruled and the benefits should be granted. So, I'll start with you, Ms. Shackelford. As I recited your name and address a while ago, was that correct?

LaTonia Shackelford: Yes.

Ted C. Ziemer, Jr.: Thank you. I want to say, I apologize, I think in advance for this formality. This is the only room in which we have recording equipment to be able to make an exact recording, a verbatim recording of what transpires here today. I advise you, Ms. Shackelford, that after the Commissioners have rendered their opinion, you have the right, if you're not satisfied with that opinion to appeal that to either the Vanderburgh Superior or Circuit Court, and then if you go on from there, you could end up in the Indiana Supreme Court.

LaTonia Shackelford: Oh, no.

Ted C. Ziemer, Jr.: Alright, Ms. Shackelford, on, I believe it was on July 12th, at least that's what it shows on this notice, was the date of your application for benefits. Is that right? Is that when you went to see the Trustee?

LaTonia Shackelford: I believe it was.

Ted C. Ziemer, Jr.: Okay. So, would you tell me, please, what you sought on 7/12/10?

LaTonia Shackelford: Well, I went in to see if I could get some assistance with my Vectren, but they told me I couldn't get assistance because I was getting a government check, but, they had already paid my water bill, paid partial of my water bill, maybe a month before. So, I didn't understand why they was denying me saying I couldn't get help with Vectren, but they was helping me with water.

Ted C. Ziemer, Jr.: Right.

LaTonia Shackelford: I was getting a utility check. They said if I get any government help, then I couldn't get help from them.

Ted C. Ziemer, Jr.: Okay, do you live in Section Eight housing?

LaTonia Shackelford: It's, they take Section Eight, but it's not a Section Eight housing.

Ted C. Ziemer, Jr.: Well—

LaTonia Shackelford: Well, yeah.

Ted C. Ziemer, Jr.: — I mean, your rent is covered under Section Eight?

LaTonia Shackelford: Yes.

Ted C. Ziemer, Jr.: You don't pay rent, the government pays that for you to your landlord, is that correct?

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: You also receive a check from the government, do you not, for electric?

LaTonia Shackelford: Yes, a utility check.

Ted C. Ziemer, Jr.: A utility check?

LaTonia Shackelford: I use that to pay my water.

Ted C. Ziemer, Jr.: Okay, how much is that check?

LaTonia Shackelford: \$136.

Ted C. Ziemer, Jr.: Is that, do you get that each month?

LaTonia Shackelford: Yes.

Ted C. Ziemer, Jr.: Do you receive any other assistance from Section Eight?

LaTonia Shackelford: No.

Ted C. Ziemer, Jr.: Are you receiving any assistance from any other government agency?

LaTonia Shackelford: I get food stamps.

Ted C. Ziemer, Jr.: Food stamps, what does that amount to a month?

LaTonia Shackelford: \$367.

Ted C. Ziemer, Jr.: \$367 a month?

LaTonia Shackelford: Uh-huh.

Ted C. Ziemer, Jr.: So, you get \$367 worth of food stamps, \$136 for utilities, and that would be for all utilities, and that would include water and electricity, but you use it for water?

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: Then, your rent is paid, so you don't know what that would amount to, it's just that you don't pay rent?

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: Okay. Just tell me briefly the size of your residence? How many rooms do you have?

LaTonia Shackelford: I have, it's a two bedroom.

Ted C. Ziemer, Jr.: Two bedrooms?

LaTonia Shackelford: Uh-huh.

Ted C. Ziemer, Jr.: Two bedrooms, and—

LaTonia Shackelford: Two bedrooms, a kitchen, bathroom.

Ted C. Ziemer, Jr.: Kitchen—

LaTonia Shackelford: Living room.

Ted C. Ziemer, Jr.: —bathroom, living room.

LaTonia Shackelford: That's it.

Ted C. Ziemer, Jr.: Is that it?

LaTonia Shackelford: That's it, no more rooms.

Ted C. Ziemer, Jr.: Okay, two bedrooms, kitchen, bathroom, living room.

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: Now, at the time that you made your application, that would be back in July, July the 12th, what did you owe for, owe Vectren for your electricity?

LaTonia Shackelford: It was actually \$336. I already had my half—

Ted C. Ziemer, Jr.: Excuse me, is that exactly right, \$336?

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LaTonia Shackelford: Yes, exactly right, \$336.

Ted C. Ziemer, Jr.: Okay, on the nose, okay.

LaTonia Shackelford: I had my half of the Vectren, and I was coming to see if I could get the other half from Knight Township.

Ted C. Ziemer, Jr.: Okay, let me just ask about that. You had your half—

LaTonia Shackelford: Uh-huh.

Ted C. Ziemer, Jr.: —that's money from where?

LaTonia Shackelford: My mom gave me some of it, and then my son's dad gave me some—

Ted C. Ziemer, Jr.: Okay, so—

LaTonia Shackelford: —to make sure I had it.

Ted C. Ziemer, Jr.: — you had really, I guess, gifts of half of that amount?

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: Half of the \$336. Just a second, so you had about \$168 worth of gifts for your electricity, and you were seeking then \$168?

LaTonia Shackelford: Yes.

Ted C. Ziemer, Jr.: Okay, let me look here, alright, and that was in July, and at that time you were told that you were not entitled....what were you told?

LaTonia Shackelford: I was told that they would not be able to help me because I was getting government assistance already. So, I couldn't get help.

Ted C. Ziemer, Jr.: Okay, and that was July the 10th. Now, tell me what happened with that bill after that point in time. Was your electricity shut off then in July?

LaTonia Shackelford: No.

Ted C. Ziemer, Jr.: Okay. Was it ever shut off?

LaTonia Shackelford: It's shut off now.

Ted C. Ziemer, Jr.: When was it shut off?

LaTonia Shackelford: Two weeks ago.

Ted C. Ziemer, Jr.: Okay, in your appeal you say September 15th, would that be correct?

LaTonia Shackelford: Yes.

Ted C. Ziemer, Jr.: Shut off 9/15/10. Pardon me. When do you get your Vectren bill?

LaTonia Shackelford: I get it maybe like the third week of the month.

Ted C. Ziemer, Jr.: The third week? Okay, so, in July you had that third week bill was \$336, now did you get another bill then in September?

LaTonia Shackelford: Yes.

Ted C. Ziemer, Jr.: What was that bill? What was the amount of that?

LaTonia Shackelford: It might have been, ooh, because I had made payment arrangements on the \$336.

Ted C. Ziemer, Jr.: I'm sorry? What?

LaTonia Shackelford: I'm trying to remember how much it was, because I made payment arrangements on the \$336.

Ted C. Ziemer, Jr.: Oh, you did?

LaTonia Shackelford: Uh-huh.

Ted C. Ziemer, Jr.: Like the \$168? Did you go ahead and pay that?

LaTonia Shackelford: I paid the \$168.

Ted C. Ziemer, Jr.: Okay.

LaTonia Shackelford: Then I had made a payment arrangement for the remainder of it.

Ted C. Ziemer, Jr.: Alright, just a second.

Kathryn Martin: Mr. Ziemer, what was the date on that? I have a print out of all the payments that have been made. What is the date that you're asking about? Because I have payments of every—

Ted C. Ziemer, Jr.: Okay, well, we'll see then, but this is, her recollection is that when she came to see, and you tell me if I'm saying your recollection incorrectly, but what I heard you say was that when you went in to the Trustee's office on July the 12th, your bill was \$336 for that month.

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: You had \$168 of that, and you were looking for the other \$168.

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: And, you were told then that there were no funds available. Is that correct?

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: So, that would be the third week in July, the bill was \$336, according to Ms. Shackelford. What do your records show?

Kathryn Martin: It shows that on July 6th there was a \$214 payment. Then, on the 21st a \$26 payment, and on the 22nd of July a \$50 payment. Then, on the 5th of August \$145 payment, and that's it.

Ted C. Ziemer, Jr.: I'm really interested right now in what the bill was.

Kathryn Martin: This doesn't reflect what the actual bill is.

Ted C. Ziemer, Jr.: Your's doesn't reflect that?

Kathryn Martin: This reflects the actual payments that were made.

Ted C. Ziemer, Jr.: Okay, what Ms. Shackelford is testifying is that she got a bill for \$336 in July, that she had \$168 to use to pay on that bill, and she was looking for another \$168. She did not get any assistance, so she paid the \$168 and then these other payments she's mentioning is that—

LaTonia Shackelford: The payment arrangements?

Ted C. Ziemer, Jr.: Yeah.

LaTonia Shackelford: Yes.

Kathryn Martin: But, on that, on July 6th she paid \$214. Then you made a payment arrangement payment of \$26, and then you had help from another agency of \$50 on the 22nd.

LaTonia Shackelford: Of what month?

Kathryn Martin: Of July.

LaTonia Shackelford: We was talking about July the 12th.

Kathryn Martin: Well, then, you didn't make a payment at all on July 12th. You made a payment on July 6th.

LaTonia Shackelford: Well, I made a payment at July the 12th.

Kathryn Martin: Would you like—

Ted C. Ziemer, Jr.: Those are—

Kathryn Martin: —to see?

Ted C. Ziemer, Jr.: —what you're looking at, and you're Kathryn Martin—

Kathryn Martin: Yes.

Ted C. Ziemer, Jr.: —and you're the Knight Township Trustee.

Kathryn Martin: Yes.

Ted C. Ziemer, Jr.: What you're looking at is a schedule of payments made to Vectren, provided to you by Vectren, is that correct?

Kathryn Martin: Correct.

Ted C. Ziemer, Jr.: Okay. Yes, Ma'am?

LaTonia Shackelford: How does she get those records? I mean, those, how does she get that with my name and stuff? My records?

Ted C. Ziemer, Jr.: Excuse me, yes.

Kathryn Martin: At the end of your application it states that you allow us to help you, and by helping you we need to gather this information. So, we have access to your Vectren bill, because we did, back in May, assist you with your Vectren as well.

LaTonia Shackelford: Uh-huh, but you all got those records but you all wasn't helping me.

Kathryn Martin: We helped you back in May.

LaTonia Shackelford: But, this was in July is when I came for help again. From where my records, I mean, I thought I read that you all just got \$100,000.

Kathryn Martin: No, we didn't. That's untrue.

Ted C. Ziemer, Jr.: Ms. Shackelford?

LaTonia Shackelford: Okay.

Ted C. Ziemer, Jr.: I think what, as hearing officer, what I'm going to assume is that they are, since you're asking for Vectren assistance, the Trustee is entitled to find out from Vectren—

LaTonia Shackelford: Okay.

Ted C. Ziemer, Jr.: —and what the payments are.

LaTonia Shackelford: Right.

Ted C. Ziemer, Jr.: All I'm really interested in now is what the bill was and what was paid on the bill. We're not having total jive here between what, when you said you made the payments—

LaTonia Shackelford: Right.

Ted C. Ziemer, Jr.: —and when Vectren shows, but it's possible, people make—

LaTonia Shackelford: Okay.

Ted C. Ziemer, Jr.: —mistakes on dates.

LaTonia Shackelford: Yeah.

Ted C. Ziemer, Jr.: What I'm really getting to then, I guess, is the \$336 got paid, is that right?

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: Then, your next Vectren bill would have been the third week of August, what was that bill? Do you know?

LaTonia Shackelford: Not right off hand. I keep all of my Vectren stubs.

Ted C. Ziemer, Jr.: Sure, and you didn't bring them, that's okay.

LaTonia Shackelford: No, I didn't.

Ted C. Ziemer, Jr.: What, would you have just a....and let me tell you what I'm really getting to, in your appeal you say that you wanted \$400. It's actually a little, am I correct, the request for assistance was in July, and the report, your notice was in September?

Kathryn Martin: Well, that's when she came in and requested, because, at the last time that we assisted we let her know, like we do all of our clients, that because of the circumstances we cannot assist again.

Ted C. Ziemer, Jr.: I know, Kathryn—

Kathryn Martin: So, when she came back in, that's the date that she requested the appeal to take it to Aurora for help.

Ted C. Ziemer, Jr.: So, you came... you were there in July, did you come in in September also?

Kathryn Martin: She did—

LaTonia Shackelford: Yes.

Kathryn Martin: —to come pick up request for denial.

Ted C. Ziemer, Jr.: Let me tell you what's confusing me right now. It says here on the notice on township assistance action that the date of the application, I assume that's the application for assistance?

LaTonia Shackelford: Yes.

Ted C. Ziemer, Jr.: Was July 12, 2010.

LaTonia Shackelford: Yes.

Ted C. Ziemer, Jr.: Then it says the date of the notice was September 20, 2010.

LaTonia Shackelford: Right.

Ted C. Ziemer, Jr.: Now, was there another application for assistance after July 12, 2010?

Kathryn Martin: No. She was, when she came in to request the denial, she was requesting the denial from the time before when she came in and was told she was denied.

Ted C. Ziemer, Jr.: Okay, so she was denied on July the 12th, and she came in in September—

Kathryn Martin: Here, she's the case manager—

Ted C. Ziemer, Jr.: Okay.

Kathryn Martin: –that took care of her.

Ted C. Ziemer, Jr.: And, what's your name?

Kim Ford: My name is Kim Ford.

Ted C. Ziemer, Jr.: K-i-m?

Kim Ford: Uh-huh. Yes.

Ted C. Ziemer, Jr.: F-o-r-d?

Kim Ford: Yes.

Ted C. Ziemer, Jr.: Thank you.

Kim Ford: I cannot speak about the July date, I actually didn't talk to her until August, however, our application itself is good for 180 days. So, she's not required to fill out the nine page application except for every 180 days. So, I'm trying (Inaudible) answer that one.

Ted C. Ziemer, Jr.: So, there could be a difference between the date of filling out an application and then the date of a request for actual money?

Kim Ford: Well, you can ask, I mean, you can come in each month and request, you'll fill out a continuing–

Ted C. Ziemer, Jr.: And you wouldn't have a new application?

Kim Ford: No, just a continuing, it's a short form, a continuance.

Ted C. Ziemer, Jr.: Okay, so, this really is date of application. That's just the first date that she came in after, well, I don't know. Okay, it was the first date that she came in in July. At that point, again, she needed \$336, and she didn't get it, and somehow you paid your electric bill, and we go on into August. On your appeal you say that you asked for \$400, but it also says this, request for assistance, and it doesn't say a date here on the....when, according to your records, when did she ask for the \$400?

Kim Ford: I think it was in September. I spoke with her on August 20th regarding her water bill, and then I spoke to her again on September 15th regarding her Vectren. I didn't actually get a dollar amount at that time.

Ted C. Ziemer, Jr.: I'm looking at the notice of township assistance action. It says, your request for assistance with utility electric in the amount of \$400 has been denied for the following reasons; client receives utility allotment from Section Eight. So, I'm just trying to get to what date that was.

Kathryn Martin: The denial was based on the request that she had back in June.

Ted C. Ziemer, Jr.: Or July?

Kathryn Martin: Or July, because we had already helped her with her utility, with her Vectren bill, and then her water bill, and then she came in in July and asked for \$400 in assistance for her Vectren bill, and that's where that denial is from. She didn't come in and request the actual denial until September whatever the date is.

Ted C. Ziemer, Jr.: When you say request the denial, you mean come in and give me a piece a paper saying that you're not going to give me anything?

Kathryn Martin: Typically, if you don't come in and we don't talk to you face to face, we don't mail you a denial. She came in and asked us for a denial letter—

Ted C. Ziemer, Jr.: Okay.

Kathryn Martin: —to give to Aurora, which is another agency in town. Whether she would have asked for, to come here, it wouldn't have mattered, we have to give it to her.

Ted C. Ziemer, Jr.: Okay, certainly.

Kathryn Martin: But, that's because the date on the appeal was different, because the circumstances hadn't changed in her home, she had called and talked to Kim, and then, at that point, it, we still had to say no. We had assisted because it was the right thing to do. I made the decision to go ahead and help her get on her feet.

Ted C. Ziemer, Jr.: Okay.

Kathryn Martin: But, we are emergency services.

Ted C. Ziemer, Jr.: Sure.

Kathryn Martin: We cannot—

Ted C. Ziemer, Jr.: Okay, Kathryn, we'll get, we're going to get back—

Kathryn Martin: Sorry.

Ted C. Ziemer, Jr.: —and hear from....no, that's okay. But, I'm trying to piece this together—

Kathryn Martin: Right.

Ted C. Ziemer, Jr.: —and that's why I wanted to be able to hear everybody as we go along here. When you say \$368 and you ask for \$168, do you remember asking for \$400?

LaTonia Shackelford: That was in September. That wasn't in July. That was in September.

Ted C. Ziemer, Jr.: Okay, so, you did ask for—

LaTonia Shackelford: No, I didn't even ask for \$400. The guy, the man, I don't know his name, he—

Kathryn Martin: Tony.

LaTonia Shackelford: —Tony, he put down \$400. I didn't tell him how much I needed. That's the day that I came in, when I was denied, I said, well, can I get, whatever the paper is called.

Kathryn Martin: The denial.

LaTonia Shackelford: The denial paper stating why I was denied. He put the \$400 down, and that's when I got the denial paper, because I was told by someone else to get one of those papers to have for record.

Ted C. Ziemer, Jr.: They might be able to help you?

LaTonia Shackelford: I don't, who is Aurora?

Kathryn Martin: It's a homeless prevention.

Ted C. Ziemer, Jr.: Excuse me, pardon me, just a second, Kathryn. So, you didn't ask for \$400?

LaTonia Shackelford: No. That's what the guy put down on there.

Kathryn Martin: The reason we do that is because that's what the total amount of the bill was. We put the total amount of the bill as the denial amount.

Ted C. Ziemer, Jr.: Okay. Alright. So, then, continuing now, you don't remember your August bill, Ms. Shackelford, by September did you owe \$400 to Vectren? Would that have been correct?

LaTonia Shackelford: I know I have it right here.

Ted C. Ziemer, Jr.: That's great if you have something there to refer to.

LaTonia Shackelford: Oh, shoot, no, that's not it. Maybe I don't. Oh, maybe I do. September was—

Ted C. Ziemer, Jr.: Tell me what you're looking at please.

LaTonia Shackelford: This is my Vectren bill—

Ted C. Ziemer, Jr.: Okay.

LaTonia Shackelford: —for the month of September, and it is \$305.33. So, I wouldn't have needed \$400.

Kathryn Martin: Was that the total or the amount past due?

LaTonia Shackelford: That was the amount to avoid disconnect.

Kathryn Martin: Okay, what's your total amount?

LaTonia Shackelford: The total amount is \$613.

Kathryn Martin: Well, he might have taken the \$168 or whatever—

Ted C. Ziemer, Jr.: Excuse me, pardon me, Kathryn—

Kathryn Martin: —off of the \$400, Oh, sorry, Ted.

Ted C. Ziemer, Jr.: That's alright. I don't want you two really to engage each other. I want you to direct your comments to me. But, Ms. Shackelford, I would like to have a copy of that bill.

Madelyn Grayson: I'll bring it right back.

Ted C. Ziemer, Jr.: We'll just wait a minute while she's gone.

LaTonia Shackelford: Thank you.

Ted C. Ziemer, Jr.: Okay, I'm looking at your bill now, which you have there, right, Ms. Shackelford?

LaTonia Shackelford: Uh-huh.

Ted C. Ziemer, Jr.: So, the total amount due is \$613.20.

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: And, then, I don't see it on here, but is there somewhere where it says what has to be paid to avoid disconnect?

LaTonia Shackelford: Yes, \$305.33.

Ted C. Ziemer, Jr.: And does it say, oh, I see, minimum due to avoid disconnection, \$305.33. So, you're saying to me that what you needed in September was \$305.33 to avoid having your utilities cut off?

LaTonia Shackelford: I didn't even need them to give me the whole \$300, but, yes, \$305.33 would have gotten me to where I wouldn't have been disconnected.

Ted C. Ziemer, Jr.: Now, I am going to ask you, Kathryn, is your, are you going to have a record which shows what she asked for when she came to your office in September?

Kathryn Martin: Which was the \$400.

Ted C. Ziemer, Jr.: Okay, so, your statement to me will be that she asked for \$400 in September of 2010. Your statement is, tell me again, what do you think you asked for?

LaTonia Shackelford: It wasn't \$400. I mean, I think the guy might just probably put a price on it because I asked for a denial letter, and he was wanting to know why I wanted it, but I just told him it was for my own personal records. So, he was getting all frustrated, so he just, here, I'll put something down and just go.

Ted C. Ziemer, Jr.: Okay, is your usual electric bill \$300 a month?

LaTonia Shackelford: Sometimes. I have gas and electric.

Ted C. Ziemer, Jr.: Gas and electric.

LaTonia Shackelford: So—

Ted C. Ziemer, Jr.: Do you have air conditioning?

LaTonia Shackelford: Yes, central air.

Ted C. Ziemer, Jr.: Yeah. So, central air, but what other utilities do you have, t.v. set, I guess?

LaTonia Shackelford: Yes, I don't have cable.

Ted C. Ziemer, Jr.: No cable. Cooking?

LaTonia Shackelford: I'm a cook.

Ted C. Ziemer, Jr.: Yeah, I mean, is that, do you use gas or electric for that?

LaTonia Shackelford: That's electric.

Ted C. Ziemer, Jr.: So, your gas bill runs about \$300 a month? Your assistance from Section Eight, or under Section Eight is \$136 for utilities. So, every month you are, if it's averaging \$300 a month, every month you're about \$170 short?

LaTonia Shackelford: Uh-huh.

Ted C. Ziemer, Jr.: You came in July, how do you cover that the other time? Do you have a job?

LaTonia Shackelford: Well, when I moved over there on Harding Avenue, I had a job. So—

Ted C. Ziemer, Jr.: That was when?

LaTonia Shackelford: Three, four years ago.

Ted C. Ziemer, Jr.: Okay.

LaTonia Shackelford: But, I haven't been out of work that long. But, I'm, I never used them. I mean, I wouldn't even go to them, even when I lived on John Street, I wouldn't, I hardly ever went to them, but, I needed them, so I went to them for help. I mean, but the main thing was, I'm not mad because they denied me, it's because the woman in there, I called one day and she told me that I needed to get a job. I needed to go to McDonald's and get a job. I told her I had applications out here. I can't make nobody call me, but I've got applications out there. She told me well I'm looking in the newspaper right now and a I see plenty of jobs. You need to go out and get you a job. Half of America is looking for a job. What am I supposed to do? I mean, I can't make nobody hire me. I mean, I put applications in every week. I mean, that's what set me off was when she told me that. She's sitting in there talking about, well, you need to get a job. We're not here to pay your bills. Well, I know that, that's why I don't come to you all like that. That's what got me. I mean, it's not because they denied me. It's because she was sitting in there talking about I need to get a job.

Ted C. Ziemer, Jr.: Well, and you understand that this hearing in no way addressed what you might have considered rudeness or presumptuousness, that's something that I have nothing to do with.

LaTonia Shackelford: Right.

Ted C. Ziemer, Jr.: The issue for the Commissioners, for whom I'm the hearing officer, is simply whether the assistance you requested was appropriately denied or not. That's going to be based on the standards which have been established for the Knight Township Trustee, and, indeed all of the Trustees have standards, and part of those standards have to do with other assistance which an applicant is receiving

at the time that they, you know, make their application. Okay, so, now, I think, do you have a job?

LaTonia Shackelford: Not at this time.

Ted C. Ziemer, Jr.: Okay, and how long have you been unemployed?

LaTonia Shackelford: About seven months.

Ted C. Ziemer, Jr.: Seven months?

LaTonia Shackelford: About seven months.

Ted C. Ziemer, Jr.: Are you actively looking for employment?

LaTonia Shackelford: Every day. Every day. Every day. I just left the library before I came here to look on and see if I got any hits on a job or what did Work One send me. I mean, I do it every single day.

Ted C. Ziemer, Jr.: Good.

LaTonia Shackelford: But, I just can't make nobody hire me.

Ted C. Ziemer, Jr.: Sure.

Kathryn Martin: Mr. Ziemer?

Ted C. Ziemer, Jr.: Yes.

Kathryn Martin: It was May of '09 was the last job that she had.

Ted C. Ziemer, Jr.: Okay, May—

LaTonia Shackelford: Was that what I put down?

Kathryn Martin: Yes.

Ted C. Ziemer, Jr.: May of 1909¹, according to the Trustee's records.

Kathryn Martin: According to the affidavit she signed.

Ted C. Ziemer, Jr.: Okay. What is your family situation? How many people live with you in this house?

LaTonia Shackelford: Two, I have a nine year old son.

Ted C. Ziemer, Jr.: And yourself?

LaTonia Shackelford: And myself.

Ted C. Ziemer, Jr.: Just the two of you?

LaTonia Shackelford: Uh-huh.

¹Should be 2009.

Ted C. Ziemer, Jr.: Is your son in school?

LaTonia Shackelford: Yes.

Ted C. Ziemer, Jr.: And, your electric was shut off, you stated in your appeal, September 15th, is that correct?

LaTonia Shackelford: Correct.

Ted C. Ziemer, Jr.: Is it still off?

LaTonia Shackelford: Correct.

Kathryn Martin: And the gas is being shut off today. The total amount for reconnect is \$990.16.

Ted C. Ziemer, Jr.: How much is that again?

Kathryn Martin: \$990.16.

Ted C. Ziemer, Jr.: So, Ms. Shackelford, in the meantime, since the shut off in September, you haven't had any other assistance to help you with this bill?

LaTonia Shackelford: No.

Kathryn Martin: Mr. Ziemer, I did bring two agencies, starting tomorrow with the utility services, Vectren offers the Turn On program, where they'll pay up to \$200 to get her utilities turned back on, as well as CAPE, so the energy assistance program. We're very lucky in this community, we have so many agencies that are out there to help. We just try to fill in the gaps.

Ted C. Ziemer, Jr.: Sure.

LaTonia Shackelford: I will be at CAPE tomorrow morning, bright and early, so I can be in line.

Ted C. Ziemer, Jr.: Good. How does that work though? \$200, how is that going to turn on a nine hundred—

Kathryn Martin: Well, and then CAPE has, that's just Vectren's program, and then CAPE has their other program that they've just started as well. Then, you know, there's Outreach Ministries, I should have brought another resource guide, but there's other agencies that will be able to help her.

Ted C. Ziemer, Jr.: In the meantime, you're in the dark there at night?

LaTonia Shackelford: Well, actually, I've been staying with a friend.

Ted C. Ziemer, Jr.: Oh, you have been?

LaTonia Shackelford: Uh-huh.

Ted C. Ziemer, Jr.: With your son?

LaTonia Shackelford: With my son, so I didn't have to be in the dark. It's getting cold, it's been cold, so, she's been letting me come and letting my son take a shower, get

clean clothes and stuff. I just have to drive across town to get him back to school, but it's worth it.

Ted C. Ziemer, Jr.: Yeah, do you have a car?

LaTonia Shackelford: I have a car, it's not mine, but I have a car.

Ted C. Ziemer, Jr.: Yeah.

LaTonia Shackelford: I'm driving it.

Ted C. Ziemer, Jr.: Okay, is there anything else, at this point, that you think I should know relative to your appeal?

LaTonia Shackelford: No.

Ted C. Ziemer, Jr.: Okay, and something may come to your mind now when I hear from the Trustee. I do, let me ask one other question, and have you, so, you went in in July, have you received assistance prior to that from the Trustee?

LaTonia Shackelford: I'm trying to think. I'm not for sure. I can't remember. Honestly, I can't remember. I mean, I went to them for like non-food orders I have, but as far as cash assistance, I really can't remember.

Ted C. Ziemer, Jr.: Okay. Alright, thank you, and if, I will extend to you the same courtesy that I did to the Trustee, when I'm talking to them if a question comes to your mind just let me know that you have a question and we'll hear what you have to say.

LaTonia Shackelford: Okay.

Ted C. Ziemer, Jr.: Alright, Kathryn, you're Kathryn Martin, the Knight Township Trustee, and you've been speaking earlier on this record. I guess, what I would like for you to do is say for the record what is the history of, according to your records, of Ms. Shackelford applying for assistance from the Knight Township Trustee?

Kathryn Martin: Ms. Shackelford had been in in 2007 and then from 2007 till May of this year she hadn't, yeah, she hadn't been in. We did assist in May and June with, one was with her water and one was with her Vectren bill.

Ted C. Ziemer, Jr.: How much on those occasions?

Kathryn Martin: One was \$73, which was her electric bill.

Ted C. Ziemer, Jr.: When was that?

Kathryn Martin: That was June, or, what....where is yours? This one's on this though. Okay, on 5/17 we gave her \$73 for her Vectren bill. Then, on 6/1 she was given \$61 for her water bill. Then, in between she was given non-food, which is \$21 for her and her son to get toilet paper and the necessary items. So, that's neither here nor there, because we no longer have that program.

Ted C. Ziemer, Jr.: Okay.

Kathryn Martin: You know, the one thing that I want to make very clear, I'm sorry, that, you know, she was made to feel that way. I definitely don't want any client to

come in and feel down on their selves or anything. That's not why we're there. So, I want to apologize. Our goal is to help people with their immediate need. You know, it's one thing to say, well, you've given it to me before, I granted it before to help you out of the situation that you're in. I can't continue to do that, because if I did, I would be out of money before the middle of the year, because there's so many people to help. So, by doing, offering the \$73 and then the \$61 just to try to help her get on her feet was a decision I had made. Going by our guidelines we just can't continue to do that. We have a budget to adhere to, you know, I have to stick to the guidelines.

Ted C. Ziemer, Jr.: Alright, as to the guidelines, you're referring to the Knight Township standards?

Kathryn Martin: Correct.

Ted C. Ziemer, Jr.: That's the Knight Township standards for 2010. I have a copy of those standards here. What I'm interested in right at this point in this hearing is whether Ms. Shackelford meets the standards for obtaining assistance. I note that standard 3.00.00 provides that, just a second here, well, pardon me just a second, I'm reading this. Okay, so, actually, it's standard 3.10.00 provides that applicants seeking Township assistance with the payment of energy bills must first utilize all available federal and state programs designed to assist indigent households with the cost of energy, and must furnish the Township with written proof that an application for such assistance has been requested from other government sources. You testified, well, excuse me, you said in your denial, Ms. Martin, that the client receives utility allotment from Section Eight.

Kathryn Martin: Correct.

Ted C. Ziemer, Jr.: And that utility allotment would be \$136 a month, is that correct?

Kathryn Martin: Right.

Ted C. Ziemer, Jr.: So, under your standards you would find that she's not entitled to a utility allotment, however, you have the discretion to determine in unusual cases that you could provide assistance over and above.

Kathryn Martin: Right, and when this was brought before me I looked at the previous months that we had assisted, and at that time I made the decision that we had assisted as much as we could within our office and within our guidelines. You know, I have a little bit of give, but when it comes to somebody that's utilizing all of the Section Eight and the food stamps and all of those programs, we can't do a continuing month by month assistance. We don't have the funding for that, and that's not what our office is. The first two times were to get her on her feet and to assist her as much as we possibly could, but anything above and beyond that, as Trustee, the line has to be drawn somewhere. There are other agencies and other, CAPE, other places that people can go to get help.

Ted C. Ziemer, Jr.: I want to address just for a second the matter that Ms. Shackelford mentioned about someone in your office saying go out and get a job. You do advise your applicants to seek work?

Kathryn Martin: Absolutely.

Ted C. Ziemer, Jr.: And, hopefully, do that in a nice way, maybe not in every case, but anyway that's the aim.

Kathryn Martin: That is our goal.

Ted C. Ziemer, Jr.: And, by that you simply mean that, you know, if you're able to get a job and provide for yourself then you don't need to do it continuously.

Kathryn Martin: Right and that is in our guidelines as well. You know, if you are not out there actively seeking employment, that could be a reason for denial. There's many, many things; wasted resources, you know, if you have a cell phone, cable t.v., things like that. We didn't go into all of that because we assisted two times previously, she is on Section Eight and receives a utility allowance and food stamps and she has a school age child, she's able bodied to work.

Ted C. Ziemer, Jr.: It's just finding it.

Kathryn Martin: And, I understand, I mean, I'm with 'ya. We have clients every day that come in that need help because they can't find work, but, you know, we definitely try to do our best in helping people find employment.

Ted C. Ziemer, Jr.: Do your records show whether Ms. Shackelford sought and was provided assistance other than in 2010?

Kathryn Martin: In 2007 she was.

Ted C. Ziemer, Jr.: Okay, and that was, okay—

Kathryn Martin: But, since, from 2007 to 2010, no.

Ted C. Ziemer, Jr.: No?

Kathryn Martin: No, she had been doing well on her own.

Ted C. Ziemer, Jr.: Okay, and that was then, okay, the \$73 for electric in 2007—

Kathryn Martin: No, that was this year.

Ted C. Ziemer, Jr.: Oh, that was this year?

Kathryn Martin: May and June, or is it June and July. Where did that paper go? Yeah, May and June.

Ted C. Ziemer, Jr.: Okay, what assistance was sought? Can you tell me that, what your records show?

Kathryn Martin: In 2007?

Ted C. Ziemer, Jr.: Yeah.

Kathryn Martin: Utility in July of '07.

Ted C. Ziemer, Jr.: How much then?

Kathryn Martin: \$100.

Ted C. Ziemer, Jr.: Okay.

Kathryn Martin: Then, you'll have to forgive me, a lot of these notes going back to 2007–

Ted C. Ziemer, Jr.: Sure.

Kathryn Martin: –aren't very good.

Ted C. Ziemer, Jr.: Take your time.

Kathryn Martin: August of 2007 it was \$44 for her water bill.

Ted C. Ziemer, Jr.: And that was the last time then, was it?

Kathryn Martin: Um, there was one in 2005 for water.

Ted C. Ziemer, Jr.: What was that?

Kathryn Martin: Well, she was referred to charities. So, I don't know what, this goes back to another administration, so, I don't–

Ted C. Ziemer, Jr.: Okay.

Kathryn Martin: –the notes aren't very clear.

Ted C. Ziemer, Jr.: Alright.

Kathryn Martin: But, I mean, other than that, she really hasn't–

Ted C. Ziemer, Jr.: Okay, I want to ask you a little just about this, Ms. Shackelford mentions something about you receiving \$100,000, and I assume, she can tell us herself, but she's making reference to what she read in the newspaper.

LaTonia Shackelford: Yes.

Ted C. Ziemer, Jr.: Is that right?

Kathryn Martin: They're not always right.

Ted C. Ziemer, Jr.: And, tell me about that, I guess, we've all read that in the newspaper.

Kathryn Martin: Right.

Ted C. Ziemer, Jr.: In fact, I think it's more than \$100,000.

Kathryn Martin: It, hopefully, will be more than \$100,000.

Ted C. Ziemer, Jr.: yeah.

Kathryn Martin: But, that money is virtually already spent. That money has been appropriated–

Ted C. Ziemer, Jr.: Can you just briefly tell me and Ms. Shackelford, while you're doing it then, what do you mean that money's already spent?

Kathryn Martin: We have held off on paying our vendors, because we don't have the funds, because of everything that had gone on before. So, when this money comes in it's going to pay for our fire department that we owe from June. We still have not paid our fire contract, and it's also going to go to pay these bills—

Ted C. Ziemer, Jr.: What is that some \$50,000?

Kathryn Martin: \$55,000.

Ted C. Ziemer, Jr.: \$55,000?

Kathryn Martin: Then we also have our monthly bills.

Ted C. Ziemer, Jr.: That is for the Knight Township volunteer fire department—

Kathryn Martin: Yes.

Ted C. Ziemer, Jr.: —with whom you have a contract.

Kathryn Martin: Correct.

Ted C. Ziemer, Jr.: And, your contract calls for you to pay them so much to provide fire assistance for people who live in Knight Township, outside the city limits. You owe them \$55,000, so part of that money is going to go for that. Any other examples you can give us?

Kathryn Martin: Well, our vendors, we owe Vectren over thirty, how much is it, Paula?

Paula Hurt: We owe our vendors right....right now—

Ted C. Ziemer, Jr.: Your name is?

Paula Hurt: My name is Paula Hurt, I'm the Chief Deputy.

Ted C. Ziemer, Jr.: Paula, would you spell your last name, please?

Paula Hurt: H-u-r-t.

Ted C. Ziemer, Jr.: Okay.

Paula Hurt: Currently we owe our vendors roughly \$40,000.

Ted C. Ziemer, Jr.: Not counting the fire department?

Paula Hurt: Not counting the fire department. Just from—

Ted C. Ziemer, Jr.: Okay, so that would be—

Paula Hurt: —our other direct relief.

Ted C. Ziemer, Jr.: —other direct, so that would be \$95,000.

Paula Hurt: And, actually, it's more than that because I've still got vouchers on my desk that I received back in the mail today. I mean, it just goes up.

Ted C. Ziemer, Jr.: So, that's \$95,000...what is the amount that you're hopeful that you would receive?

Kathryn Martin: \$174,000.

Ted C. Ziemer, Jr.: \$174,000? So, we've accounted maybe for \$95,000 of that.

Kathryn Martin: Or, \$172,000.

Ted C. Ziemer, Jr.: \$172,000? What other then?

Paula Hurt: Well, that has to last us through the end of the year.

Kathryn Martin: Through December.

Ted C. Ziemer, Jr.: Through December?

Paula Hurt: Yes.

Kathryn Martin: Yes.

Ted C. Ziemer, Jr.: These would be for other payments due to the fire department?

Kathryn Martin: No.

Paula Hurt: Other direct relief, other assistance to clients. Our office, you know, we've got a cash flow problem in the office.

Ted C. Ziemer, Jr.: You mean paying the people who work there?

Paula Hurt: Paying the people that work there, paying, you know, just daily operating expenses. We have Vectren in the office, water bills—

Ted C. Ziemer, Jr.: Okay, you have a line item in your office, do you not, out of which you pay relief?

Paula Hurt: Uh-huh, do you want to see that?

Ted C. Ziemer, Jr.: No, I want you to comment about it. What was the budget for that for 2010?

Paula Hurt: Our budget was \$295,313.58.

Ted C. Ziemer, Jr.: For relief?

Paula Hurt: For other direct relief.

Ted C. Ziemer, Jr.: Alright, and, tell me the status of that line item then today.

Paula Hurt: Our year-to-date expense for that is \$247,814.24, which leaves us, as this paper shows, \$47,499.34. Now, you've also got to take into consideration all of the vendors that have not been paid since August. Right now we are at a total of \$13,719.38, plus what is on my desk today. So, the difference in that is what we actually have to assist other clients for the rest of the year.

Ted C. Ziemer, Jr.: How much is that, roughly?

Paula Hurt: \$14,000, I would say about \$14,000, roughly.

Ted C. Ziemer, Jr.: So, everybody in Knight Township that is going to apply for relief between now and December 31st, if they're to get it, will be paid out of that amount of money?

Paula Hurt: Yes.

Ted C. Ziemer, Jr.: Does that cover burial allowances?

Paula Hurt: Yes.

Ted C. Ziemer, Jr.: And, what is the amount of a burial allowance when you pay it?

Paula Hurt: \$2,000.

Ted C. Ziemer, Jr.: That goes to what, somebody who dies, what's the criteria for that to pay—

Kathryn Martin: They have to live in the township and basically be indigent. We just got one today. So, you take that number and you lower it down to \$12,000.

Ted C. Ziemer, Jr.: Yeah.

Kathryn Martin: This is for people who either don't have families, or nobody claims them, or they have families that just cannot afford to bury them. So, you know, we have a couple of burials and it wipes us out. We've had, in August alone we had four burials of people that in no other way would be able to be buried if it wasn't for our office.

Ted C. Ziemer, Jr.: Alright.

Paula Hurt: Would you like me to read you the different things that other direct relief covers with that?

Ted C. Ziemer, Jr.: You might do that for the record.

Paula Hurt: Okay, we've got services of physicians, dentists, opticians; prescriptions; burials; shelter, shelter's our biggest—

Ted C. Ziemer, Jr.: That would be rent, rent assistance?

Paula Hurt: Rent, uh-huh, rent assistance, and then the public utilities.

Ted C. Ziemer, Jr.: Okay.

Madelyn Grayson: Would you like a copy of that?

Ted C. Ziemer, Jr.: Yes, if we could. Not now, after we're finished if we could have copies of that please.

Paula Hurt: You can just have these if you want. I've got plenty back at the office.

Ted C. Ziemer, Jr.: Ms. Martin, anything else that you feel that I should hear with regard to this matter?

Kathryn Martin: Just thank you for your time today.

Ted C. Ziemer, Jr.: Ms. Shackelford, you’ve heard what they’ve had to say, do you have any comments?

LaTonia Shackelford: No.

Ted C. Ziemer, Jr.: Okay, you have no further comment, and Ms. Shackelford, or, I mean, Ms. Martin, do you have any other comment?

Kathryn Martin: No.

Ted C. Ziemer, Jr.: Alright, that concludes this hearing. I will make a recommendation to the Commissioners, and they will take it or not, but they will decide no later than next Monday on this. Their decision could be anything from you ought to have had the \$400, or that you should get the \$200, or \$50 or none. That will depend on their view of your applicability for assistance based on the standards, and that’s it. So, I thank you for coming down here today. We appreciate it, and thank you, Ms. Martin, ladies, and we’re finished.

LaTonia Shackelford: Thank you.

(The hearing was adjourned at 1:50 p.m.)

Those in Attendance:

Ted C. Ziemer, Jr.	Kathryn Martin	LaTonia Shackelford
Madelyn Grayson	Kim Ford	Paula Hurt
Others Unidentified	Members of Media	

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING
OCTOBER 11, 2010**

The Vanderburgh County Board of Commissioners met in special session this 11th day of October, 2010 at 1:02 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding. The sole purpose of this special meeting is to issue a written decision on an appeal of denial of assistance by the Knight Township Trustee.

Call to Order

President Melcher: We'll go ahead and start our special meeting of the Commissioners. It's about two or three minutes after one, we're in the Civic Center, room 301. Madelyn, will you just call the roll for the record.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Findings of the October 4, 2010 Shackelford Appeal for Denial Hearing

President Melcher: Ted, would you like to explain?

Ted C. Ziemer, Jr.: Sure, just, pursuant to you appointing me special hearing officer, on October 4, 2010 we held a public hearing on the appeal of LaTonia Shackelford of 2117 North Harding Avenue of the denial by the Knight Township Assessor¹ of her request for assistance in July and September of 2010. We heard lengthy, and I've provided you with a copy of the minutes, but we had a, I had a lengthy interview with LaTonia Shackelford, and during it I allowed Kathryn Martin to ask her questions through me, if she had any. Then we interviewed Kathryn Martin, and I allowed LaTonia Shackelford to ask questions during that interview, if she had any. At the conclusion of that, I told them that pursuant to the statute, the Board of Commissioners would enter a finding and a decision no later than today. Today is the last day to do it, and it has to be within five days, five business days of the date of the hearing, and that's today. I have prepared and sent each of you a statement of facts, statement of the law and my findings as appointed hearing officer, with the finding being, at the end of that, that the action of the Knight Township Trustee be upheld as being fully within her sound exercise of discretion as permitted by the standards that govern the activities of the Knight Township Trustee. I've provided you with copies of that, which you've had opportunity to review, and you may either, obviously, change the finding, if you wish, or adopt my finding as the finding of the

¹Should be Trustee.

Commissioners. If that's the case, we'll provide a copy of that to Ms. Shackelford and the Knight Township Trustee.

Decision on Appeal

President Melcher: Any discussion or any questions? Okay.

Commissioner Tornatta: I would make a motion to go along with our decision of denial from our hearing officer in denying this petition.

Commissioner Winnecke: Second.

President Melcher: Okay. Any other further discussion? Seeing none, Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Winnecke: Motion to adjourn.

Commissioner Tornatta: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(The meeting was adjourned at 1:05 p.m.)

Those in Attendance:

Stephen Melcher
Ted C. Ziemer, Jr.

Troy Tornatta
Madelyn Grayson

Lloyd Winnecke

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
OCTOBER 12, 2010**

The Vanderburgh County Board of Commissioners met in session this 12th day of October, 2010 at 5:02 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We'll go ahead and get started. It's about two minutes after 5:00. This is the Board of Commissioners of Vanderburgh County. It's October 12th in room 301, again, it's about 5:03. Madelyn, will you call the roll, please?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes. Seeing that we have two of us here, that's a quorum. So, that makes it an official meeting.

Pledge of Allegiance

President Melcher: We're going to have the Pledge of Allegiance, if people will stand. Would Youth Resources start us with the Pledge.

(The Pledge of Allegiance was given.)

Introduction of Teen Advisory Council Job Shadows

President Melcher: Good evening, everyone. I would like to welcome our guests this evening. Youth Resources have these young adults with us a lot. Could you go ahead and start over here, and just state your name and what school and what grade.

Lindsey Moreland: Lindsey Moreland from Harrison High School.

Emily Forkey: Emily Forkey from Castle High School.

Amanda Steinbeck: Amanda Steinbeck, I'm a Junior at Reitz High School.

Maria Hedrick: Maria Hedrick, I'm a Freshman at Memorial.

Ted C. Ziemer, Jr.: Go Tigers.

Lana Dippel: I'm Lana Dippel and I'm a Freshman at Memorial.

President Melcher: Alright, nobody from Bosse. I'm by myself.

Madelyn Grayson: Go Bulldogs.

President Melcher: You're a Bulldog? Alright, there's two of us.

Permission to Open:
County Treasurer: RFP's for Cash Management Services
VC10-10-01: Five Oaks II Subdivision: Concrete Ribbon Installation

President Melcher: Alright, we need now permission for the attorney to open up the RFP's for cash management services for the County Treasurer, and the quotes for VC10-10-01 for Five Oaks Subdivision, concrete ribbon installation.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. All in favor say aye.

Commissioner Tornatta: Aye.

President Melcher: Aye. So, Ted, you could be opening them.

ONB Insurance: Employee Health Insurance Benefits Renewal

President Melcher: Next, we have action items. The first one on the agenda is the ONB Insurance, employee health insurance benefit renewal. Is Dennis here? You're going to talk about the Old National Insurance this evening, about what we're going to save in renewing?

Dennis Woehler: Yes, sir. Also, I've brought along some regular renewal packets, just there's a little extra information in here on claims trends and so forth, and also the renewal on the Spectera Vision plan, and the results of the health fair that we had back in the summer in the back.

President Melcher: Did you only have three?

Dennis Woehler: Of those, yes.

President Melcher: Okay. Go ahead.

Commissioner Tornatta: I think we got this electronically.

Dennis Woehler: Yes. I guess, the largest item on the menu here is the Welborn Health Plan. Welborn Health Plans has put an offer on the table for a contract extension to lower the renewal from 15 percent to 9.9 with a three year extension on the contract. We, with that being correlating to about a \$600,000 a year savings, we recommend that you look at that direction.

President Melcher: So, it's three years, not two years?

Dennis Woehler: It's adding another three years to the contract.

Ted C. Ziemer, Jr.: Excuse me, there are, you've got three options.

Dennis Woehler: Yes.

Ted C. Ziemer, Jr.: One, not to extend it all.

President Melcher: Right.

Ted C. Ziemer, Jr.: Second, extend it for up to two years and get the first rate reduction which saves about \$300,000. Third, extend it for three years, that would be through December 31, 2016, and get a \$600,000 reduction in 2011.

President Melcher: Okay, any discussion? Do you want to discuss—

Dennis Woehler: Now, just to preface a little as to the increase, and I know that there are several things involved here, but we're running at about a 95 and a half percent loss ratio. We actually negotiated on this to not only bring down the contractual maximum that they could have offered you, but also we felt like the extension maybe would make sense. It is a large savings.

Commissioner Tornatta: Dennis, when we look at the plan from last year to this year, what differences do we see?

Dennis Woehler: The plan from last year to this year, there really should be no differences in the plan, other than the fact that as part of our recommendation it may make sense to offer a Health Savings option. The premiums on it are significantly less, and, obviously, it would be the decision of the county as to whether there was seed money to put into the side accounts for the Health Savings Account. But, it is a viable option and certainly a money saving option.

Commissioner Tornatta: Okay.

President Melcher: Can we do that at anytime? Or does that just come once a year?

Dennis Woehler: Actually, you can fund the accounts however, if you decide that you want to fund the accounts, that could be done just about any time. Some employers will put a one time, up front deposit into the accounts, some employers do it monthly. So, it's, that's a business decision.

Commissioner Tornatta: However, that should be done during open enrollment.

Dennis Woehler: Actually, it should be announced during open enrollment and the deposit made after January 1—

Commissioner Tornatta: Right.

Dennis Woehler: —or on January 1.

Commissioner Tornatta: Got it.

Dennis Woehler: Around that time.

Commissioner Tornatta: In our case, the County Council has already approved a preliminary number off of the 15....Bill, is that, was it 15 percent that they factored?

Bill Fluty: Yes, it was.

Commissioner Tornatta: Okay, and that number was already put into the budget. So, we would have an opportunity to see what that, what any number lower than 15 percent would do. Then, if we were to go further—

Dennis Woehler: Absolutely.

Commissioner Tornatta: –lower, then we would look at the Health Savings.

Dennis Woehler: (Inaudible) initiated some action to educate the employees as to what a Health Savings Account is, a high deductible health plan, coupled with a Health Savings Account is. So, and, obviously, it would be incorporated into our open enrollment meetings.

Commissioner Tornatta: Right. Now, in the past, and as I was sitting on this Board when we decided to go with the contract initially with Welborn Health Plans, it was told to us that there would be no change in plans, but what we found is there were some inconsistencies with plans from one period or one vendor to another. Can you explain how quarterly these changes occur? And, how, although, one quarter they might take on a certain prescription or a certain block of prescriptions, and another quarter it might change.

Dennis Woehler: That's actually a decision made at the level....and, what, it's not all about money. There are a lot of other issues that are involved in what, in the way a formulary list works, but you will find that the majority of companies adjust their formulary lists occasionally. It's not just this company, but all companies. Normally they do that because they try to populate the formulary list with the drugs that get the best results for those conditions for the most people. Now, it may not be the best results for everybody, but it's the drugs that get the best results for the majority of the people with that condition. So, occasionally they adjust the formulary lists to accommodate drugs that are coming off of patent, for drugs that show improved outcome. Now, and they're not always the cheapest drugs.

Commissioner Tornatta: Okay.

Dennis Woehler: Now, I know there has been a change here recently, but that was a change in the pharmacy benefit manager. Anytime you move a large lot of business like that there's a couple of bumps in the road. I just had a conversation with their CEO today, and they are ironing out the issues that have come with this change. Now, that change really, in the long run, should benefit the county, just as it does all of their other employer groups, because they will actually be getting a better discount on the drugs, which in the long term helps rates.

Commissioner Tornatta: Now, the people that do the formularies and the people that run this program right here, they are local, are they not?

Dennis Woehler: Yes. Now, the pharmacy benefit manager that they use is not a local company. It's a national company. They buy drugs in huge quantities for discounts.

Commissioner Tornatta: Right.

Dennis Woehler: Then, a company like Meritain or Welborn will contract with them for those discounts. So, but everything else is handled locally here as far as claims management, that sort of thing is all handled here.

Commissioner Tornatta: If there is an employee that has an issue with a premium or a co-pay or some denial of some sort, are they to contact you?

Dennis Woehler: Well, the way I normally do it in your enrollment meetings or anyone else's, you know, you have a number on your card, call them. If you don't get the results with the first call, the next one should be to us.

Commissioner Tornatta: Okay. From what I've been able to understand, and I know we've had some, as you said, bumps in the road with changing plans and just going to one plan, but, it is to my understanding that all of these pieces are being rectified, monies are given back if it was, the claim was not handled correctly. How many outstanding claims do we have at this point?

Dennis Woehler: You know what, we don't have a number on it. We haven't received a ton of calls, but we have received some. That's why I said, I was on the phone with their CEO today, and we don't live in a perfect world. So, the people who did the step therapy drugs and things like that there were a couple of mistakes that they made too where they actually had made drugs a better pricing or put them in a different tier than they should have been in. They have actually agreed to, for the next year, to reimburse, or to honor the tier that those drugs were in for another year.

Commissioner Tornatta: Okay.

Dennis Woehler: So, as far as the things like step therapy and the drugs that need prior authorization, those things were just a little slower in transferring over that are supposed to be all fixed without any further calls.

Commissioner Tornatta: Okay. Of the calls I've gotten, to be honest with you, if they haven't been taken care of, I'm not aware of them.

Dennis Woehler: Yeah.

Commissioner Tornatta: Because I've passed that on. Even, I get check up calls from their CEO, asking me how the plan's going and how things are working. Obviously, we want to pay attention to it. The part that we're most concerned with is the fact that we're at 95 percent of that rate, which, you know, that's not necessarily helping our discount, but, at the same time we have a pretty rich plan. We're still offering that to employees at a time when most companies and municipalities aren't offering that type of plan, we're still able to do it at the eight percent, which we've held for some period of time. So, I feel pretty confident that you all are doing what you need to do, and Welborn Health Plans is honoring their costs.

Dennis Woehler: And, I might just add that a 95 percent loss ratio with a company that has the best discounts with the providers and the facilities in this entire area, bar none. So, with any other carrier, it would have been worse.

President Melcher: Where do we stand at this 95 percent you're talking about with other groups? Is it 80 percent? Or, what is supposed to be the number?

Dennis Woehler: Well, as far as the refund arrangement goes, the, it really....most insurance companies set a standard of 85 percent to where they can make any money.

President Melcher: That's what I thought.

Dennis Woehler: Yeah.

President Melcher: So, we're ten percent high?

Dennis Woehler: Yes. The reason for the offer of the contract extension, quite frankly, would be they're hoping that you'll have a better year and they can make some money.

President Melcher: I'm kind of worried about our employees more than about who makes money.

Dennis Woehler: I understand.

President Melcher: I do get e-mails, and even tonight, walking in the building I was asked by somebody that they're still having trouble with their prescriptions. So, where do they go?

Dennis Woehler: Well, I'm not sure. They're not calling us, or we would have gotten it fixed.

President Melcher: Well, maybe we need to get that word out, but—

Dennis Woehler: And—

President Melcher: —because you said something to Troy there's a number on the card they could call. But, they usually get denied when they've got three pills left. Do you know what I mean? They've got three pills left, four pills left, including myself, it happened to me, and I was able to make some calls and get it corrected, but, maybe there ought to be some more education about how they could get this handled.

Dennis Woehler: Well, and we endeavor to educate your employees. We actually go to them for open enrollment meetings, the Garage, the Sheriffs, you know, everywhere that's kind of off campus here, and we try to educate your people. We had our first Q & A last month and I personally, we blasted out the e-mail to everybody, and we had one attendee who showed up. We try to get the information out to them, we try to get, to have a health fair, we try to get our name out there and our phone numbers out there and do the best we can to provide the people an avenue in case they don't get an answer from that number on their card.

President Melcher: Okay, I would think, maybe during this open enrollment period, when you're here, and maybe Bill's got some input on this, somehow if you could have a special card or some kind of something to give some phone numbers so they could go this one, this one and this one.

Dennis Woehler: We'll make up a flyer—

President Melcher: Because we need something to help them, counting myself again, because it's going to happen to me again, along with everybody else.

Dennis Woehler: Well—

President Melcher: I mean, they're the reason why we're having this. We're all in this together. It's about saving money, and the way the climate is and everything, we have to save money.

Dennis Woehler: Sure.

President Melcher: But, when's the contract expire now, Ted?

Ted C. Ziemer, Jr.: December 31, 2013.

President Melcher: Okay.

Dennis Woehler: So, that's an excellent idea on the flyer though. We'll put together a flyer with a list of numbers on it.

President Melcher: The prices aren't going to go up? Are they going up or not going up?

Dennis Woehler: On—

President Melcher: The insurance premiums.

Commissioner Tornatta: Well, next year is set in at 15 percent to date.

President Melcher: Okay.

Commissioner Tornatta: If we take action we bring that down to 9.9 or 11.9, depending on what we want to do. Now, as far as, let me clarify something, because I know Dennis didn't mean this in this way. The money side is for us.

Dennis Woehler: Yes.

Commissioner Tornatta: That is looking at how we can save premium on an insurance policy, and it's up to us as a county to keep that policy low. There is a grid from 97 percent down to, I think, 64 percent in here that essentially tells us that if our health and what we utilize in the account is lower than an 85 or 80 percent, it's 85 percent, then we can actually receive monies back. So, you know, the money making thing is for the county's benefit. The more the county can do to keep those health costs down is strictly to our benefit and our employee's benefit.

Dennis Woehler: Absolutely.

Commissioner Tornatta: And the taxpayer benefit, because we're going to see a lower rate. Before, when we started this plan we saved \$400,000. In looking at this, if we do essentially half of that plan and save another \$600,000, it seems to me like it's a good business decision, anytime we can save that type of money. But, that's just looking at the hard numbers.

President Melcher: I'm okay with that, but it still goes back to rates for what. We've got to do everything. We've got to save it for our employees, we've got to save it for the taxpayers, and we've got to keep the premiums where our employees can afford it.

Dennis Woehler: Absolutely. I was being facetious awhile ago, because they are a vendor, we are the customer, and I understand, I'm a taxpayer here as well. So, it's important to all of us. I think the offer that they put on the table is a reasonable offer considering the circumstances.

President Melcher: I've also got to ask about life insurance going up or not. I understand it's not going to go up?

Dennis Woehler: No, sir.

President Melcher: Supposedly there's a lot of people thinking that life insurance is going to go up in premiums.

Dennis Woehler: Now, your life insurance is age banded. So, some people's life insurance may go up—

President Melcher: Because of their age, not because of what we're doing or not doing.

Dennis Woehler: Right. I might add, and this, well, we'll finish the health insurance first, but the dental and vision benefits are in your packets as well.

Commissioner Tornatta: Well, that was my next thing, if we can, if we can go to dental and vision.

Dennis Woehler: The dental insurance, we got some feedback from some employees, and, obviously, from the survey as well that they didn't feel like that it was doing what it ought to do. So, after a little digging, what we found is that the \$1,000 max on the plan seemed to be an issue for some folks, because, let's face it, prices for dentists are going up as well. So, our recommendation is, and the options that Health Resources sent, the \$1,200, increasing to a \$1,200 max is very little increase in premium and would give the people a better benefit, a richer benefit.

President Melcher: Okay.

Dennis Woehler: So, that would be our recommendation on that plan.

Ted C. Ziemer, Jr.: I'm just going to say, I know the Commissioners understand this, but if you were, going back to Welborn Health Plans, if you were dissatisfied with the service that you're getting, or that the employees are getting, then you wouldn't want to extend the contract for three years just to save \$600,000—

Dennis Woehler: No.

Ted C. Ziemer, Jr.: —because you would be extending something that you're not happy with. If you're satisfied with the service, and, I guess, you have to look back at what the results of the survey were, and, I had never received that, but I understand you all did receive information on that, and then if you're satisfied with the service, and I think there are still, I was advised that there are still some issues and you mentioned some today, President Melcher, that still need resolution, and as long as the company is committed to doing that, if you extend it, that's fine. But, once you extend it, you lose the leverage that you had when it was going to expire in 2013, because after you extend it, it's not going to expire until 2016, and there is no ready way to terminate the contract, after you extend it, except if they fail to perform in accordance with the terms of the contract, or if it did not get funded by the County Council. So, I just wanted to mention that.

President Melcher: No, I understand that, and I read the surveys. So, that I do understand.

Commissioner Tornatta: And, the surveys were predominantly positive.

Dennis Woehler: Yes, as a matter of fact, I have a copy of what Commissioner Winnecke sent out the other day, and 75 percent of the employees rated Welborn Health Plans medium high to high satisfaction.

Commissioner Tornatta: And, I've been in business long enough to know that that's a pretty good survey.

Dennis Woehler: So, from medium to high, I mean, we're looking at almost 90 percent of the employees were satisfied.

President Melcher: Well, that's what I said, I already knew the survey results.

Dennis Woehler: Yeah.

President Melcher: I'm still trying to get the best bang for our buck, and even for the employees.

Commissioner Tornatta: So, okay, so we talked about dental, what about vision?

Dennis Woehler: The vision plan we were able to negotiate a rate pass. They are going to hold their rates and guarantee it for another two years. They will also increase their dependent age to 26 to match the rest of the plans.

Commissioner Tornatta: As you bring that up, that's across the board on all plans?

Dennis Woehler: Yes.

Commissioner Tornatta: At no extra charge?

Dennis Woehler: Yes.

Ted C. Ziemer, Jr.: I don't have a contract on that. I don't think we've got one here in front of us.

Dennis Woehler: The Spectera?

Ted C. Ziemer, Jr.: I know we don't. I have not seen that.

Dennis Woehler: The renewal, we just, between when the rest of this was sent out to you and today we got their renewal in. It's in the Commissioners—

Ted C. Ziemer, Jr.: Okay, I haven't seen it. Thank you.

President Melcher: Anything else, Troy?

Ted C. Ziemer, Jr.: Well, I just want to ask a question, like all insurance contracts you can hardly read these things.

President Melcher: That's why I'm asking some questions myself.

Ted C. Ziemer, Jr.: You've got it, do you have it in front of you now?

Dennis Woehler: I just gave you my copy, but that's alright.

Ted C. Ziemer, Jr.: Well, if you know, where on here does it say what the rate is going to be for 2011 and '12? You said they were going to extend it for two years?

Dennis Woehler: Yes, sir. It's going to be the same that it is this year.

Ted C. Ziemer, Jr.: Okay, tell me where it....let's see, I've got 2012—

Commissioner Tornatta: (Inaudible) renewal effective date.

Ted C. Ziemer, Jr.: The effective date is January 20, 2011, okay, for 24 months—

Madelyn Grayson: Current and proposed.

Ted C. Ziemer, Jr.: —current and proposed are the same. Okay, alright, I'm satisfied. Yeah.

Commissioner Tornatta: Okay.

President Melcher: I was going to get to that before it was over anyway. Anything else, Troy?

Commissioner Tornatta: No.

Ted C. Ziemer, Jr.: Thank you.

President Melcher: I think it's time maybe, Dennis, are you done presenting?

Dennis Woehler: Yes, sir, unless you have further questions.

President Melcher: No, I think we can open it up to the audience now. There might be some employees that might want to say something. Is there any employees that would like to say something or any taxpayers that would like to say something?

Connie Carrier: Hello, Connie Carrier, Voter Registration. Dennis, how many employees was in that survey?

Gary Heck: 262 total.

Connie Carrier: And we have over 700 employees, so, I don't think that's a fair survey.

President Melcher: They all had the same chance. I mean, it's similar to where I work at—

Connie Carrier: I understand too that a lot of folks were going in and just voting over and over and over and over again.

Commissioner Tornatta: No, those are unique.

Connie Carrier: (Inaudible) survey.

Commissioner Tornatta: We already checked that. Those were unique.

Connie Carrier: Okay, then how come these aren't out for bid? Our health insurance, shouldn't it go out for bid?

Commissioner Tornatta: It's a service.

Connie Carrier: Shouldn't you try to find the best bang for your buck during the bid process?

Commissioner Tornatta: Yeah, we did.

Connie Carrier: Not if you're wanting to extend it.

Commissioner Tornatta: Okay, Connie—

Connie Carrier: Why can't you, how long is the contract for right now?

Commissioner Tornatta: It's running through 2013.

Connie Carrier: Well, shouldn't you go out for bids after that?

Commissioner Tornatta: Well, Connie, we have a proposal on the floor that is allowing us to save money. Now, are you, or do you, are you not up for saving money?

Connie Carrier: How do you know unless you go out for bids with other insurance companies?

Commissioner Tornatta: We do check with other insurance companies. There's no one that beat their price, but are you not wanting to save money?

Connie Carrier: I'm in favor of saving money, but you asked if I have an opinion, I do.

Commissioner Tornatta: Sure.

Connie Carrier: Shouldn't this go out for bids?

Commissioner Tornatta: We're 2013, we have an opportunity to extend this bid and save \$600,000.

Connie Carrier: When is the deadline to give him an answer?

Ted C. Ziemer, Jr.: It's the, currently the beginning of open enrollment and I don't know what that date is, but it's very soon.

President Melcher: It's in November isn't it?

Ted C. Ziemer, Jr.: It's before the next meeting of the Commissioners if we don't push back the time for open enrollment, Connie.

Connie Carrier: If we're talking about a lot of money, I don't understand why it's not up for bids. The contract for services is not that great, not just prescriptions, but other issues.

Ted C. Ziemer, Jr.: I would let the Old National Bank Insurance representative who is the county's insurance agent of record speak to this. Their job is to, their job was, at the time that the county decided to contract with Welborn Health Plans to review insurance companies that were available to provide this service to Vanderburgh County, and then to recommend the best plan, on the most economical basis for the employees to the Commissioners. They did that, and the answer, at that time, was Welborn Health Plans.

Connie Carrier: At that time, that's what I'm saying, why can't it go out for bids?

Ted C. Ziemer, Jr.: I think, that's what I said, excuse me, I think that Dennis can further address that, they keep aware of what's going on. Dennis, I think she's suggesting that there may be a company, even with the \$600,000 savings we're talking about, there may be a company available who starting at the end of this contract, on January 1, 2014, might provide similar benefits for substantially less money to Vanderburgh County.

Dennis Woehler: That's highly unlikely. There are, most insurance companies will base, I mean, they're going to look at your loss ratio. They're going to look at your claims data, and running at a 95 percent loss ratio, if you have \$12 million worth of claims this year, for example, they're going to set your maximum liability at 125 percent of that next year, plus administration. So, and, in a market where you're a fully insured product and over 50 employees, in the State of Indiana they do not have to accept you at all. So, at the time the contract was written it was the best for the money for Vanderburgh County. That has not changed.

Ted C. Ziemer, Jr.: In your opinion?

Dennis Woehler: It's not all just in the price, but it's in the discounts at the facilities and with the providers.

Commissioner Tornatta: But, I mean, the fact of the matter is we didn't get this, we didn't just dream up that we had to keep health insurance, we had to do things with health insurance, I check it, I check with other providers. I see other providers in the field. I ask them those questions. I was also alerted that a year to a year and a half ago after we saved the \$400,000, that Anthem, who we did have who we dropped, went up 37 percent in a year. We didn't get to realize that. So, you know, had that happened to us we would have saved whatever difference it was between 37 percent and what we paid, which I believe was 11 percent. So, the county has made good moves, because we're very informed, and it's not just the fact that Old National keeps us highly informed, it's the fact that we've got to do our own homework to make sure that we're getting the best bang for our buck, because, obviously, that's the position we're in. That's what we do. We are to monitor and maintain how the county does business. So, that's what I do, I know that's what these other two Commissioners do, and in other areas as well, but this one deals with health care.

Dennis Woehler: I congratulate you on your monetary prudence. It's, I feel like that, you know, that moves have been good moves as well. If you look at the claims information, that's all HIPPA compliant, the Vanderburgh County, in most of your major categories, are running ahead of Welborn's book of business. You'll find that there is a comparison in there on everything; heart surgeries, doctors visits, RX, all of your major categories, the county is running ahead. Now, part of that reason is because the county has a very, very good plan.

Commissioner Tornatta: Yeah.

Dennis Woehler: You can have a \$100,000 heart surgery and it's going to cost you a hundred dollars.

Commissioner Tornatta: In other plans you might end up in a situation where you will have more co-pay, which is going to lower that rate to an 85 percent because you have more personal out-of-pocket costs.

Dennis Woehler: True.

Commissioner Tornatta: Is that correct?

Dennis Woehler: That is correct. If the Commissioners decided that you needed an 80 percent plan instead of a 100 percent plan, then the employee would be responsible for the other 20 percent to whatever maximum you set.

Commissioner Tornatta: But, it's this Commission—

Dennis Woehler: That's two thousand or five thousand.

Commissioner Tornatta: —and the Council's view that we still want to offer the eight percent premium to the employee—

Dennis Woehler: Sure.

Commissioner Tornatta: – and still keep the plan that we have to a point—

Dennis Woehler: Right.

Commissioner Tornatta: – to where we have to make a change. If we're able to pull, in this case, over the contract, if we were to extend it, a million dollars off the table that is savings year over year.

Dennis Woehler: Yes, it is.

President Melcher: So, Ted, right now you're satisfied with the language?

Ted C. Ziemer, Jr.: Well, I'm only, I'm satisfied with the legality of the contract.

President Melcher: That's what counts.

Ted C. Ziemer, Jr.: I don't express any opinion on the substantive nature of it.

President Melcher: That's what I was counting on. Anybody else that would like to say anything? Troy, you got anything else? I need a motion.

Commissioner Tornatta: I would like to make a motion to extend the contract with Welborn Health Plans for three additional years, ending in 2016, to reduce the premium down to 9.9 percent.

President Melcher: I'll second it. Any further? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Commissioner Tornatta: Thank you, Dennis. Any information you can continue to move along with our employees is obviously of benefit.

Dennis Woehler: Absolutely.

Ted C. Ziemer, Jr.: Excuse me, were you going to wait until later in the agenda for the dental contract and the eye contract?

Commissioner Tornatta: We can go ahead. I would like to accept the eye and dental contracts that were recommended by ONB Insurance.

President Melcher: Okay, I'll second that also.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: Okay, thank you.

Dennis Woehler: Thank you.

Commissioner Tornatta: Thanks, Dennis.

<p style="text-align: center;">Reading of Bids: VC10-10-01: Five Oaks II Subdivision: Concrete Ribbon Installation RFP's for Cash Management System</p>
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President Melcher: Next—

Ted C. Ziemer, Jr.: I have the bids, if you want me to do that, only to allow the, John Stoll wants to review these and maybe have a decision made today.

Commissioner Tornatta: Okay.

President Melcher: Okay.

Commissioner Tornatta: Alright.

Ted C. Ziemer, Jr.: It will only take a second. Thank you. For the Five Oaks Subdivision concrete ribbon installation. We have a bid from Jack Hahn Excavating for \$6,900, and a bid from Allen Relleke Excavating for \$6,045. For the cash management system for the Vanderburgh County Treasurer, I'll say that we only have two bidders, Fifth Third Bank and Old National Bank. They each bid various services that they're willing to provide for the Treasurer in response to the Treasurer's specifications. Whether or not they each bid every specification I'll leave it to the Treasurer to advise us after he reviews the bids. Each did provide that they would give, for an interest rate on funds held by the banks, Fifth Third would provide the Federal Funds Rate minus 25 percent compensation for the bank, or a minimum of point, I said 25 percent, it's .25 percent for the bank, or a minimum of .25 percent. Old National Bank is going to use the Bloomberg Rate, because they don't always have federal funds investments, and under the Bloomberg Rate they would use that rate less .25 percent for bank compensation and a minimum of .25 percent just as in the case of Fifth Third. The Treasurer would like to have these.

Commissioner Tornatta: Motion to take both of these under advisement.

President Melcher: Contracts for both? I'll second it. All in favor say aye.

Commissioner Tornatta: Aye.

President Melcher: Aye.

(Motion approved 2-0)

President Melcher: Thank you.

<p style="text-align: center;">Permission to Award: CPO-022-2010: Copy Paper & VC-014-2010: Dump Truck with Snow Plow</p>

President Melcher: Next we have permission to award. I think Mike Raisor is going to be here. The copy paper bid to River City Industrial and Alpha Laser Services and also the dump truck and snow plow. Go ahead.

Mike Raisor: Good evening. I represent the Cooperative Purchasing Organization of the City, County and Evansville-Vanderburgh School Corporation. Tonight I have one item for your consideration, a recommendation for awarding contracts for various styles of copy paper. Requests for bids were sent to vendors and published in the Evansville Courier & Press on both September 1st and September 8, 2010. Bids were received and opened on September 16th. A copy of the bid tabulations has been provided for you. For 8 ½ X 11 white copy paper, the recommendation is for River City Industrial of Owensboro, Kentucky, and for all other paper the recommendation is for Alpha Laser Services of Evansville. Also, document shredding has been provided at no additional cost by River City Industrial, which allows us to entertain the lower, without shredding price, that was provided by Alpha Laser. I would be happy to answer any questions that you may have.

Commissioner Tornatta: Okay, who had this last year, was it River City?

Mike Raisor: River City had everything besides the computer greenbar paper.

Commissioner Tornatta: Okay, and at that point were there some issues with delivery? Or were we okay?

Mike Raisor: We were okay with delivery. They do desktop delivery up to, in some cases, one ream actually.

Commissioner Tornatta: Okay, and the, I'm just making sure that the note in the back of my head was saying that there was an issue with either the quality of the paper or delivery. Delivery, no, quality of paper's okay?

Mike Raisor: Recently there was an issue with the quality of the paper, and the information that I received is some of the paper was slashed or in the middle of the ream was wrinkled, but they replaced all of that upon request.

Commissioner Tornatta: Okay, so, we have no outstanding issue with—

Mike Raisor: No.

Commissioner Tornatta: Okay.

Mike Raisor: They've remedied the situation.

Commissioner Tornatta: Thank you.

President Melcher: I guess, I missed your name again.

Mike Raisor: Mike Raisor.

President Melcher: Okay.

Commissioner Tornatta: Okay, so, at this point we've reviewed all of the bidders as far as taking them under advisement, this is your recommendation as we speak?

Mike Raisor: Yes, and the Board of Public Works and the EVSC Board of Trustees also passed this.

Commissioner Tornatta: Okay. Mr. President, I would recommend the River City Industrial and Alpha Laser Services for paper products following the recommendation of the Purchasing Organization.

President Melcher: I'll second that. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Mike Raisor: I do not have the dump truck with the snow plow.

President Melcher: Yeah, I know. I figured you didn't.

Mike Raisor: Okay.

Commissioner Tornatta: That's fine.

Madelyn Grayson: Debbie did provide the documents.

President Melcher: I'm sure somebody is going to jump up here.

Mike Raisor: Sure.

Commissioner Tornatta: Okay, thank you, Mike.

Mike Raisor: You're welcome.

Commissioner Tornatta: Alright, Chris?

President Melcher: I didn't think he would do the dump truck.

Chris Walsh: Chris Walsh, the Vanderburgh County Highway Department. I would just like to make just a brief statement. After we reviewed both of the bids that we had received, one from Sternberg and one from Freightliner, we compared them to the specifications that we had sent out. We found that Freightliner had no exceptions to the specs that we had put out, however, Sternberg had a couple, and for those reasons, I think there was a 75, 76 dollar difference in pricing, we would like to recommend Freightliner for the bid.

Commissioner Tornatta: Alright, Ted, you've reviewed?

Ted C. Ziemer, Jr.: I have. There's another, I think, fairly major discrepancy between the two bids. Freightliner promises delivery in 130 days and Sternberg in 120-240 days, which could mean that delivery might occur after the snowfall is over with. So, that would be another reason to be considered, and, in giving the, if you wish, award to the lowest and best bid, you would be within your reasonable bounds to find that Freightliner was that bidder.

Commissioner Tornatta: The difference, if I'm not mistaken, might be \$75?

Chris Walsh: I believe it's \$76.

Commissioner Tornatta: \$76?

President Melcher: So, that's your recommendation?

Chris Walsh: Our recommendation, yes, is for Freightliner.

President Melcher: Okay.

Chris Walsh: The two other exceptions were major in what we had put forward as far as specs.

President Melcher: Is your recommendation—

Commissioner Tornatta: That causes some issue with maintenance?

Chris Walsh: Correct, in the long term I think we'll save.

Commissioner Tornatta: Yep, yep.

President Melcher: Do you want to make a motion?

Commissioner Tornatta: Yeah, I'll make a motion to approve the dump truck and snow plow from Freightliner.

President Melcher: I'll second that. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Chris Walsh: Thank you.

Commissioner Tornatta: Thank you, Chris.

EMA: Award Mitigation Plan Update Proposal Quote to AMEC

President Melcher: Next is EMA, award mitigation plan update proposal quoted to AMEC.

Commissioner Tornatta: Sherman, I know we've talked about this. Is there any updates, anything else we need to know?

Sherman Greer: No, we talked to Mr. Ziemer and everything. We would just like that the company, this AMEC, that we want to go with is the one that we would prefer.

Commissioner Tornatta: Alright, I would like to make a motion to approve the update quote proposal from AMEC.

President Melcher: I'll second it. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: Thank you.

Sherman Greer: Thank you, gentlemen.

Commissioner Tornatta: Thank you, Sherman.

Award VC10-09-01: Hillview Road Culvert #1079 Replacement

President Melcher: Next is County Engineer's, award VC10-09-01, Hillview Road culvert replacement to Deig Brothers Lumber and Construction for \$38,360. John, do you have anything that you want to add to that? Okay.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Any further? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Permission to Advertise 2010 General Election Polling Places

President Melcher: Next is permission to advertise the 2010 General Election polling locations. The change we made earlier is the first one, it's the P-8 that's been moved from West Terrace Elementary to USI Residential Center, and at the same time 5-8 and 5-9 is not really moving but they changed the name of the school from Harwood Middle School to the Academy of Innovative Studies. So, we have to vote on advertising that.

Commissioner Tornatta: Alright, and just an FYI it's the USI Residence Life Center just for those who are keeping track of that. USI Residence Life Center.

President Melcher: Then, also, and I think we've done this in the past, it says if we want it in Our Times, which is the other newspaper, it runs probably about \$500 for the 15th and the 29th.

Commissioner Tornatta: Alright, motion to approve.

President Melcher: I'll second it.

Ted C. Ziemer, Jr.: Are you saying that you're going to advertise in both? Is that what you're saying?

President Melcher: Yes.

Ted C. Ziemer, Jr.: Okay.

Commissioner Tornatta: Yeah, and that's been consistent.

President Melcher: Yeah, that's been consistent.

Ted C. Ziemer, Jr.: No, I thought maybe you were thinking of Our Times in place of the Courier & Press.

President Melcher: No.

Commissioner Tornatta: No, no, no.

Ted C. Ziemer, Jr.: Thank you.

Commissioner Tornatta: It would be advertising in both. The Our Times proposal was to publish full page legal ads on October 15th and October 29th, \$250 per page.

President Melcher: We're going to advertise in the Courier and them.

Commissioner Tornatta: Right. Motion to approve.

President Melcher: Second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Award of Moving of Election Equipment
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President Melcher: Next we have the moving of election equipment. Ted?

Ted C. Ziemer, Jr.: The, in the spring the Commissioners awarded PD&S the contract for moving the election equipment. The County Clerk is recommending that for the fall election we use Kinder Moving Company, which has long time experience in moving election equipment. Since this is a service, you may select, and the difference in the bids for the fall election is \$1,500, so you may select any of the movers that you wish. The County Clerk recommends Kinder Moving and Storage Company.

President Melcher: Are you going to make a motion?

Commissioner Tornatta: Oh, yeah. Motion to approve.

President Melcher: I'll second the motion for Kinder, per the County Clerk's suggestion. Any further discussion? Anybody else in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Permission to Hold Road Race: Bob's Gym 5K

President Melcher: Next we have permission to hold a road race at Bob's Gym 5K Race, I guess it is. It's a race held on October 23rd and will follow the same format as last year. Lexie Jones with Bob's Gym, I guess, has been in touch with the Sheriff and is here to discuss it.

Lexie Jones: Okay, it's, we've had this race several years in a row, and, basically, it's going to be the same as far as security. Then we have Sargent Jack Spencer in charge of coordinating the road security, and several REACT people coming out to help us out.

President Melcher: Okay, I think we came up with a plan, right, for all of these races?

Commissioner Tornatta: Yeah, and I think they're compliant with everything at this point.

President Melcher: It's probably something new that maybe you did or didn't do, since you've done it in the past.

Commissioner Tornatta: She's submitted everything.

President Melcher: She got everything?

Commissioner Tornatta: Yep.

President Melcher: We just try to make it easier for us and you and everybody, and I didn't know if you did.

Commissioner Tornatta: What time does, tell a little bit about the race and when it starts.

Lexie Jones: Okay, it starts at 9:00 a.m. and all of the proceeds are going to the Evansville Boys and Girls Club. We are shooting for around 200 participants.

Commissioner Tornatta: And registration is?

Lexie Jones: The cost?

Commissioner Tornatta: Well, tell us about registration?

Lexie Jones: Okay, well, from here, you can register up until right before the race. It's \$18 to run the race, and then we also have a kids dash on our, in our parking lot area, and that one is free.

Madelyn Grayson: Lexie, can you confirm the date of the event?

Lexie Jones: It's October 23rd.

Commissioner Tornatta: Saturday. Okay, Mr. President, motion to approve.

President Melcher: Second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Commissioner Tornatta: Thank you, Lexie.

President Melcher: Thank you.

<p>Sale of County Owned Property: Notice to Abutting Property Owners: 1018 and 1042 Adams Avenue</p>

President Melcher: Next, I guess, we have a sale of the county owned property, notice to abutting property owners at 1018 Adams and 1042 Adams. The County Attorney has been contacted by the interested buyer for both properties. This notifies abutting property owners and allows eligible abutting property owners to bid on these properties.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Any discussion? Ted, do you have any—

Ted C. Ziemer, Jr.: No, that's it.

President Melcher: I understand. Okay. Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

County Engineer: Xerox Maintenance Agreement
Sheriff: ICJI Grant Agreement: Violence Against Women STOP Grant
Markham Security Service Agreement
OCH Lease Agreement: Cultural Resources Analysts
Professional Services Agreement: Superior Court & IU Bd. Of Trustees
Superior Court Agreements: Christen Kelly & Toy Widmer
Health Dept: Red Cross CPR/AED Training Agreement
Health Dept: 2011 Emerson Network Power Agreement
Health Dept: AcuTemp Vaxipac Vaccine Agreement
Health Dept: Bioterrorism Grant Agreement
Health Dept: Lieberman Technologies FLIP Database Agreement
Health Dept: Verizon MiFi Cards and Equipment Agreement

President Melcher: Next we have contracts, agreements and leases. The Engineer is up first, it's the extension of the maintenance agreement of the office Xerox machine. The P.O. for the maintenance agreement showing the cost will be \$288 for a period of November 1, 2010 till October 31, 2010¹. This is 24 more dollars than it cost from the last prior maintenance agreement.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: Next we have one for the Sheriff, it's an ICJI grant agreement. It's identical to the grant agreement approved by the Commissioners in 2009. It provides a new grant amount in the sum of \$32,248 and extends the grant term from July 1, 2010 to June 30, 2011.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

¹Should be October 31, 2011.

(Motion approved 2-0)

President Melcher: Next we have the Markham Security Courier Service agreement for the County Clerk, County Treasurer and County Recorder. It's identical to last year's agreement except for the appropriate date changes.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Discussion? Audience, anybody? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: We're going to skip over the lease of the Old Courthouse, it's not ready this evening, the first one for suite 107. We've got another one for the Old Courthouse agreement with the Cultural Resources Analysts to include additional space. The company has a current lease in suite 204 in the courthouse which runs through October 31, 2010. Then it would be terminated. The new lease will add suites 2009, 2009A. It will be a one year lease with optional two, one year renewals at a monthly rate of \$1,096.

Commissioner Tornatta: That would be suite 209 and 209A.

Lisa Daugherty: Correct.

Commissioner Tornatta: Okay.

Lisa Daugherty: I'm Lisa Daugherty with F.C. Tucker Commercial. 209 and 209A have to be leased together. This is the tenant that I talked to you about, about taking 202.

Commissioner Tornatta: Yes.

Lisa Daugherty: I convinced them to move across the hall.

Commissioner Tornatta: Okay.

Lisa Daugherty: Because it's ready to go.

Commissioner Tornatta: Okay, since you're here, do we, are we cleaned up, do we have everything cleaned up, moved out? Not yet?

Lisa Daugherty: No, we do not. I have another issue to discuss once we approve this lease.

Commissioner Tornatta: Okay, motion to approve.

President Melcher: Second. Any further, anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: You have another item?

Lisa Daugherty: I have one quick little thing to discuss. This is....I'll wait until I get back here...so you would have this to look at. This is the suite that we leased last week. You're looking at the door jam. I was not aware that it was in this condition. It cannot be locked. The tenant has asked me to ask you to have it repaired so that he can lock his suite that he just leased last month.

Commissioner Tornatta: Okay.

President Melcher: Yeah, that's not--

Lisa Daugherty: I'm sorry?

President Melcher: Go ahead.

Lisa Daugherty: I talked to Chris, he said that he has someone that in their spare time could go over there quickly and remedy that.

Commissioner Tornatta: Okay.

Lisa Daugherty: With your permission.

Commissioner Tornatta: Yeah, and--

Lisa Daugherty: I feel like we should provide them with a door that locks.

President Melcher: No, if we lease it to them, they should have....especially now.

Commissioner Tornatta: Have you also told Phil Wolter to go look at that?

Lisa Daugherty: I have not. Otis--

Commissioner Tornatta: Okay.

Lisa Daugherty: --told him that he had to take care of it himself.

Commissioner Tornatta: Had to what now?

Lisa Daugherty: Otis told the tenant that he had to fix it himself.

Commissioner Tornatta: Okay, no, no, no. That's fine. One of the things that, you know, if Chris could look into that, but, I think, Phil Wolter knows a lot about that woodwork.

Lisa Daugherty: I don't know Phil.

Commissioner Tornatta: Okay, we can get in touch with him.

Lisa Daugherty: Okay.

Commissioner Tornatta: Or, we'll get somebody out there.

Lisa Daugherty: And, I mean—

Commissioner Tornatta: That will be taken care of.

Lisa Daugherty: —there's an inexpensive way to fix it without repairing the door jam. If we move the deadbolt—

Commissioner Tornatta: Yeah.

Lisa Daugherty: —that's there, because the deadbolt, there's a deadbolt in the door.

Commissioner Tornatta: Got it.

Lisa Daugherty: It goes into that hole—

Commissioner Tornatta: Okay.

Lisa Daugherty: —and all you have to do is pull and it's—

Commissioner Tornatta: Okay, we'll get a handle.

Lisa Daugherty: Okay.

Commissioner Tornatta: So, tell them it should be handled by next week.

Lisa Daugherty: Okay, so, how do I go about....you're going to talk to Phil, or I need to talk to Phil?

Commissioner Tornatta: We'll take care of it.

Lisa Daugherty: Okay.

Commissioner Tornatta: Yeah, and we'll have a temporary solution until it's fixed—

Lisa Daugherty: Well, he's fine for now.

Commissioner Tornatta: Okay.

Lisa Daugherty: Very, he's very nice, he's perfectly fine.

Commissioner Tornatta: Okay. We will, we'll handle it. It will be done before the end of next week.

Lisa Daugherty: Wonderful.

Commissioner Tornatta: Okay? Thanks.

Lisa Daugherty: And, then—

Commissioner Tornatta: The only reason I'm saying that is because I don't know with the woodwork, I mean, we'll have the deadbolt moved immediately.

Lisa Daugherty: I'm surprised that anyone allowed the previous tenant to do that to the door jam.

Commissioner Tornatta: Right.

Lisa Daugherty: That's... I guess, they had a card slider and they took it with them when they left.

Commissioner Tornatta: Okay. Well, we'll—

Lisa Daugherty: They left that.

Commissioner Tornatta: —address that.

Lisa Daugherty: Okay, I appreciate it. We'll have that other lease, hopefully, next month.

Ted C. Ziemer, Jr.: When was that?

Lisa Daugherty: I don't know, that was prior to me, because this particular suite has been used for storage as long as I've been representing the county. So, I'm not sure who used to be there.

Commissioner Tornatta: Yeah, this probably pre-dated us.

Lisa Daugherty: It did.

President Melcher: Okay.

Lisa Daugherty: I'm sure it did.

President Melcher: The only thing we have to do is fix it now.

Lisa Daugherty: Yeah.

President Melcher: We leased it, we fix it.

Lisa Daugherty: To some form or fashion.

President Melcher: I agree.

Commissioner Tornatta: We'll get it fixed.

Lisa Daugherty: You know, it's pretty—

Commissioner Tornatta: Well, you know, it has to look right. That's fine.

Lisa Daugherty: Yeah.

Commissioner Tornatta: Thank you.

Ted C. Ziemer, Jr.: I just wondered if I needed to sue them.

Lisa Daugherty: Yeah, ask Marissa, maybe we should, because that is pretty bad.

President Melcher: I have a conflict of interest there.

Commissioner Tornatta: Well, we'll get a handle.

Lisa Daugherty: Okay, thank you.

Commissioner Tornatta: Thank you, Lisa.

Lisa Daugherty: Have a good evening.

Commissioner Tornatta: Okay, you too.

President Melcher: Okay, the next one we've already done earlier, under the dental contract option. Then, the next one is another one where it's not ready, we're going to discuss it on the 26th is the 2011 Humana Medicaid² contract.

Commissioner Tornatta: Okay.

President Melcher: So, we'll move down to Superior Court, professional service agreement between Indiana University Board of Trustees and the Vanderburgh County treatment court for consulting services for the IU pilot forensic problem gambling project. The term of the agreement is from October 1, 2010 and June 30, 2011. The county treatment center will receive \$2,475 payable at the rate of \$275 per month.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: Next we have the independent contractor agreement with Christen Kelley, Troy Weimer—

²Should be Medicare.

Commissioner Tornatta: Toy. Toy Widmer.

President Melcher: Widmer? He's got two of them.

Commissioner Tornatta: She.

President Melcher: She? She's got two of them. Independent contractor agreements to be entered between the county on behalf of the juvenile division of Vanderburgh Superior Court and the indicated private individuals for circus court, Circuit Court. To fees provided by the private individuals are as stated in the agreement and will be paid through the use of the grant funds available to the court.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: Next is a few from the Health Department.

Commissioner Tornatta: If we could take those all at the same time, that would be great.

President Melcher: I think we can. The first one is a Red Cross agreement for the CPR and AED training. The agreement provides that the space for the classes on January 6th and 7th, 2011 be provided by the Health Department with the instructor to be provided by the Red Cross. The cost of the course is \$60 a person, minimum eight students. The Health Department has a grant fund to use to defray the cost of training. The next one is the 2011 Emerson Network Power agreement. This is to provide battery backup power service for the freezers, refrigerators and the Health Department lab. It's identical to last year's agreement except for a price increase from \$5,506 to \$5,570 per year. The next one is an AcuTemp quote for Varipack³ Vaseline⁴ carrying case. The coolant packs quote and agreement for the carrying case for vaccines and two coolant packs for a total cost of \$1,002. The Health Department has grant funds to use for the payment of this one. Next is bioterrorism grant from the State of Indiana, Department of Health, for \$10,000 in support of the required public health emergency preparedness activities. The grant for this period is August 10, 2010 through August 9, 2011. Next, is Lieberman Technologies grease trap proposal for the FLIP database. The cost of the agreement is

³Vaxipac.

⁴Vaccine.

\$1,875.50, and the Health Department has appropriate funds to cover it. Next, is the GSA federal supply schedule purchase order/Verizon phone cards and equipment. The purchase order for the MiFi cards and unlimited broadband access for up to ten lines at \$299.90 per line for the ten lines. The total access equipment fee of \$3,598.80. We've approved a similar purchase last year when the per line charge was \$515.80 for up to 12 lines, with a total of \$6,190.56. So, this represents a considerable savings. The Health Department also grants to cover this cost. I guess, that's it. Anything you want to say, Gary.

Gary Heck: I appreciate your support of these projects.

Commissioner Tornatta: I would make a motion on all of the aforementioned in the Health Department.

President Melcher: I'll second it. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Gary Heck: Thank you.

Commissioner Tornatta: Thank you, Gary.

County Engineer

President Melcher: Department head reports. County Engineer.

John Stoll: The first item I have is a request for approval on a change order on the Fickas Road culvert project. This is the culvert that was replaced on Fickas Road west of Green River. The increase is \$12,085.93. We had overruns in asphalt due to the change in the road profile, trying to give it a smoother ride. We added a couple of gabion baskets due to the steep slopes on the embankments out there. We had some additional excavation associated with some poor soil conditions, which that pumped up the rock backfill quantities, and then we just flat out omitted the rip rap that was in the bottom of the, that was supposed to be in the bottom of the box culvert based on the DNR permit. So, all total that is the increase, and I would request your approval on the change order.

Commissioner Tornatta: Before I make a motion, John, is this the road that was left a little wavy?

John Stoll: Yes.

Commissioner Tornatta: And, were the costs picked up?

John Stoll: These, this change order does not include any costs for any resurfacing. That's all excluded.

Commissioner Tornatta: That's being done as we speak by the provider?

John Stoll: The contractor took care of it.

Commissioner Tornatta: Okay.

John Stoll: They did an asphalt overlay, and those extra costs for asphalt and striping are not included in this.

Commissioner Tornatta: Okay, so, once again, clarification, they fixed their problem?

John Stoll: Correct.

Commissioner Tornatta: Okay, thank you very much.

John Stoll: At no cost to the county.

Commissioner Tornatta: I make a motion to approve.

President Melcher: I'll second it. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

John Stoll: Next I have a street acceptance request for sections two and three of Wynnfield Subdivision. For section two it would be 131 feet of Preston Drive and 755 feet of Hedgewood Court. Then on phase three it's 457 feet of Hartwell Drive, 100 feet of Tacoma Drive, and 610 of Windham Drive.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

John Stoll: Next I have a change order on the Winstead Way pipe repair project. This is for an increase of \$490. This change resulted from us changing the inlet box that was called on that project to a catch basin, and changing out the associated casting with that. This would all be paid for out of the storm sewer maintenance fund where we collect the two dollar per foot fee for storm sewers off the county right-of-way. I would request your approval on that change order.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

John Stoll: Then, next, I would like to request approval to go to County Council to transfer \$11,000 from the Neu Road culvert account, \$15,000 from the Fickas Road culvert account, and \$40,000 from Broadway Avenue bridge number 270 account. All of those would be moved to the Bridge Contractual account in order to accumulate enough money to replace a metal pipe up on Frontage Road.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

John Stoll: Next I have a change order on the Burdette Park-USI bike path project. This change order does two things, one it adds 15 days to the contract, which would make the final completion date October 27th. This was necessitated by needing to make some changes to the connections to the phone lines up on the USI campus end of the project. Then, also, there are some minor changes to various quantities that result in a net decrease of \$2,419.97. So, I would request approval of that change order as well.

Commissioner Tornatta: Now, John, I've got a list here that says the completion date was supposed to be October 25th. So, you said 15 days, that's, we're only talking two

days there. I mean, do we, were they ahead of schedule and then we're giving them 15 days, which would only put them two days past schedule.

John Stoll: The issue was delivery time on the new phone cable that they had to provide. I may have a typo on my dates. I would have to look at the change order again to make sure I have the right date down there.

Commissioner Tornatta: Well, I guess, what I'm asking, is the 15 days from October 25th, or 15 days from now?

John Stoll: It would be 15 days from now.

Commissioner Tornatta: Okay. Which, the original completion date was supposed to be October 25th. So, this is two days. This is peanuts. Motion to approve.

President Melcher: Second.

Commissioner Tornatta: Any further? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

John Stoll: From what they are telling me too, when it's all said and done, they're estimating that the overall net decrease to the project will be about \$20,000 under the bid price. So, we'll see a net savings when the whole job is done. The final item that I have is the bids that were opened this evening on the Five Oaks II project, I would like to request your approval to award that to Allen Relleke excavating for the amount of \$6,045. I went through the bids, and all of the numbers check out, and the paperwork was in order.

Commissioner Tornatta: Motion to approve.

President Melcher: Second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

John Stoll: Just for clarification, that will be paid for through a letter of credit that was called in when the developer didn't finish out some of the subdivision work. So, it wouldn't be county funds.

Commissioner Tornatta: While you're here, good news, the Metropolitan Planning Organization, we requested that they look back through their projects and see how their money flow was. They, we kind of stood in line, we did have a project drop out of the, because it was not totally ready, one of their projects dropped out. We were able to insert our project for Burdette Park to University of Southern Indiana, and in doing so we'll complete phase three of that project, which is all four phases will be done and we will have a direct link from USI to Burdette Park and back. So, that was actually an additional \$317,000, almost \$318,000 that was added to the \$780,000 almost \$781,000 that we were awarded. So, a little perseverance got us that, and we will start on a bid letting in January 2011. We anticipate by the end of the year we'll have that mile built and it will complete a spectacular trail from USI to Burdette Park.

John Stoll: As it stands now, I think we're down to this one issue in regard to some paperwork with INDOT. So, we should be ready to go.

Commissioner Tornatta: So, we think, thanks to the MPO and Brad Mills and the like for believing in this project, the state for giving us their funds. If, as we have it, we received the transportation enhancement funds, which we received on stage two, if I'm not mistaken, we had them down here and we had them out there and they bought into our project. They've delivered us almost a million dollars in that step, and then this \$781,000, and then we got the state transportation—

John Stoll: Surface transportation.

Commissioner Tornatta: —surface transportation, which is another federal grant, for the three hundred and almost eighteen thousand, all at the same time. We're able to leverage that \$1.1 million with just \$275,000 of ours. So, good work for you.

John Stoll: I was going to say that it's looking great. Everything that's been done so far looks fantastic.

Commissioner Tornatta: Yeah. Steve Craig is a major contributor to all of the success that we've had. He's put numbers in front of us and really a great cheerleader. So, we do appreciate that.

Madelyn Grayson: John, do you have a document from the Five Oaks?

John Stoll: Yes.

Board Appointments

President Melcher: Alright, next we have a board appointment. We only have one it's for an opening for the Human Relations Commission, which is joint city-county, and we're going to, we have William VanHooks, Jr. He lives here in Evansville. He's over the Central ROTC. If you've ever seen him out there doing a lot of public awareness, and he's also an Army veteran. I know he's a member of Otis Stone Post 354.

Commissioner Tornatta: I make a motion to approve Mr. VanHooks, Jr.

President Melcher: I'll second it. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

Commissioner Tornatta: Mr. President, I would recommend, at this time, because I did hear back from some of the people on the Greenway Passage Commission, that they were interested in making sure that they had their appointees, if they were going to get those appointees, they were going to be on board. So, to not delay this, I think we're going to reassure that we're still committed to the Pigeon Creek Commission, Greenway Commission, and we would re-appoint all members; Ann Ennis, Lester Steinmetz, Steve Craig, Fred Padget, and Blaine Oliver to that position. They actually expire 10/31. So, we'll—

President Melcher: I know Fred's already asked about it.

Commissioner Tornatta: Okay, so, we would re-appoint all of our, all those members.

President Melcher: And, Blaine Oliver is from the Area Plan.

Commissioner Tornatta: Yeah.

President Melcher: Okay. Is that a motion?

Commissioner Tornatta: That was in the form of a motion.

President Melcher: Second. Any further discussion? Madelyn?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

New Business

President Melcher: Next we have new business. Any new business for the—

Old Business

President Melcher: Old business?

Public Comment

President Melcher: Okay, then we have public comment. Is there anybody in the audience that has anything to say? Just, state your name for our records.

Bill McKeon: Yes, good evening, gentlemen. My name is Bill McKeon, 2611 Deerfield Drive, Evansville. I think you all know me. I've been here before. Tonight I have just one request, and that is that the County Commissioners institute an ordinance on noise decibels within the county. The reason I ask this is because the EPA states that this is a local authority issue. I have appeared before the County Council, and I've requested the same, and they've referred me to the County Commissioners. I appeared before the City Council, and they said that they had no jurisdiction, because the airport's within the city, I live within the county, therefore, they have no jurisdiction. I've spoke to the Mayor, who was going to get back to me two months ago, I'm still waiting for his call. But, material-wise, right now there is no noise ordinance in either Evansville or in Vanderburgh County. Now, you could refer to one particular ordinance affecting the noise, and that is 10.40, that the City Council approved, and you, as a county, I believe passed it in March or April of this year, but that refers to automobile noises, radios. I believe it is within 50 feet, or 75 feet, if a police officer or somebody hears a noise that is bothering their ears they can be issued a ticket. Other than that there is no ordinance whatsoever, noise ordinance. So, I'm requesting tonight gentlemen, for my sake, and for the sake of everyone in Evansville, and just to solidify exactly what I'm saying, last night between 7:00 and 8:45 some aircraft came into Evansville Region Airport, and I'm assuming it was the same plane that departed between 7:15 and 8:45, it must have been three to five minutes of the most terrible noise that you want to hear.

Commissioner Tornatta: Uh-huh.

Bill McKeon: I don't know what, but in Europe, American airplanes were refused to land years ago unless they had a hush kit, which is a muffler. I was wondering are the planes landing here in Evansville required the same thing. It's called a hush kit. It's mandatory in Europe. Most of, if you go on the internet you can find hundreds of municipalities who have ordinances on this noise decibel thing, 65 is the decibel required in the airport by FAA. We, as I spoke here before, the two tests that EPA made both exceeded that requirement. So, I was wondering, for the welfare of myself, my neighbors, the community, and Evansville would you pass such an ordinance? I think it's in the welfare of the community and the county. If you have any questions, I would be glad to answer them.

Commissioner Tornatta: Okay.

President Melcher: Do you have any?

Commissioner Tornatta: I did hear the noise that you heard last night. I was outside and it was very loud.

Bill McKeon: Yeah.

Commissioner Tornatta: I would just direct our attorney to check and see what jurisdiction we have with the FAA, and what recourse we would have with the FAA to move forward with an ordinance of that request.

Bill McKeon: Well, there's a town in New Hampshire called Newington where, again, the FAA, the airport there, and I think it's Peace, I'm not sure of the airport name, I did have it, but 65 is required. Of course, they as a community requested 60 dld, dnl's. Like I said, I'm protecting myself. I know a lot of people in this community, whether it's the east side, west side, north side of Evansville, or in the county in itself, we have a lot of people, and some people, as one told me today about motorcycles, they roar and bother people. Well, this would be a good example. How many people complain about radio noises? Not many. Where we live I don't have that problem, so it don't affect me. But, that's it....and, gentlemen, if I just may make one comment? I see Chris is still here. He got that new snow plow by, was it Peterbilt? No, not Peterbilt.

Commissioner Tornatta: Freightliner.

Bill McKeon: Freightliner. There was a county road department out at my development today for the first time now. I've been there for 23 years and I've never seen a county worker there. Could I ask to have my streets plowed in the future? Because they've never been plowed. So, just a little point that I bring up while here.

Commissioner Tornatta: Bill, we have an opportunity, anytime that you feel the need you may call one of the Commissioners or call out to the Highway Department and inquire about a road if it's not been serviced. We will be glad to go out there and take a look at it and look at putting it on a plow list.

Bill McKeon: I appreciate that.

Commissioner Tornatta: Sure.

Bill McKeon: Because, like I said, where we are we don't cause any trouble. We're in a good area, a good subdivision, everybody's peaceful, everyone gets along. Outside of, and I'm being honest here, I think you've heard me before, outside of like that plane last night and a few others occasionally, hey, we live with the noise of the airport, and it don't bother us, it's part of our life.

Ted C. Ziemer, Jr.: What time, what time was that? Because I'm going to check with the airport.

Bill McKeon: It was a little after 7:00, and I believe the departure was around 8:45.

Commissioner Tornatta: Um—

Bill McKeon: But, I don't know what it was—

Ted C. Ziemer, Jr.: Excuse me, the departure was....they came in at seven something—

Bill McKeon: I'm assuming it was the same plane departing.

Ted C. Ziemer, Jr.: —and then there was a departure about what time?

Bill McKeon: Around 8:45.

Ted C. Ziemer, Jr.: Anyway, it made a noise similar to the first one?

Bill McKeon: I heard that thing coming. I'm sitting outside on my screened in porch, listening or watching t.v., and that thing, I heard it before it came within my area, and then after it passed me, it just roared. Now, I don't know if it just stayed on the runway with that engine roaring, I have no idea.

Commissioner Tornatta: It flew over my house too. I mean, it was loud, it was loud.

Bill McKeon: Right, and that's what I've been arguing about all the time.

Commissioner Tornatta: What I don't know, and this is the thing that's difficult, and we'll ask Ted to check on, if a plane lands in an emergency or, I mean, I guess it would be an emergency situation, we've had jet fighters come in, we've had planes that are not necessarily frequent flyers in our airport.

Bill McKeon: Right.

Commissioner Tornatta: So, to me it seemed like that, we might have been hit with something of that nature last night, because I don't ever hear that as well, and I'm kind of over the flight plan.

Bill McKeon: Again, then, that's one of the points I was stressing, the fact is did it have that hush kit on it, and if it was an emergency, okay, but, the point is many communities...I believe it's St. Louis in Lambert Airfield, they gave the people three options; buy their property, which we don't want to sell, insulate our homes to cut the noise down, or to buy the property, or you're going to have mufflers. All planes had to have mufflers arriving at a certain decibel that they had to maintain. Again, that's what we're asking that, you know, if they say 65, great, let it be 65, and I'll be satisfied, no problem.

Commissioner Tornatta: And, we'll get a rating back from the airport as well.

Bill McKeon: Thank you.

Commissioner Tornatta: Okay, thank you, Bill.

Bill McKeon: Appreciate it, gentlemen, thank you, and young ladies, thank you.

President Melcher: I will say that being a City Councilman for a lot of years, and now a Commissioner for a few years, the county does a hundred percent better job than the city on snow removal. The city only does the main roads, they've got like A, B, C and maybe D. They never get to C and they won't do D and they won't do others. I noticed with the county we pretty much do them all plus ones that call in. So, that's not a problem for us. All you've got to do is if you feel like it needs it, you call it and when we get the time we'll get there. We do have to take care of all of the main ones first, and then what I think we do, we do all the subdivisions towards the end that's got more people in them. Yours is probably just a little smaller, and sometimes it's melted before we get there.

Bill McKeon: Generally that's true, but there has been sometimes we can't even get out of our driveway.

President Melcher: And the noise ordinance, I helped write the noise ordinance on the city. So, I knew they've had one for a long time.

Bill McKeon: Yeah.

President Melcher: So, I think that's something we need to look into.

Bill McKeon: Okay, thank you. I appreciate it. Good evening.

Consent Items

Commissioner Tornatta: Motion to approve consents.

President Melcher: Second. We're going to leave one off though, the one for the request for the two parking spaces for the Civic Center. We'll take that one out for this evening.

Madelyn Grayson: The consent items for the October 12th meeting are as follows; approval of the prior meeting minutes; there's our regular Commission meeting on September 21st, and two special meeting summary minutes, one on September 29th and one on September 30th; employment changes for the Commissioners approval; the Health Department there are two, Legal Aid has two, and Burdette Park has four; the Building Authority pay requisition number 92 to be paid from the jail construction fund; the County Auditor has requested to surplus eight file cabinets; the County Engineer has pay request number 114, those are from the TIF projects; the County Treasurer year-to-date report and the August 2010 monthly report; Area Plan has the annual multi-hazard mitigation plan progress report and the Vanderburgh County CRS recertification; the Commissioners have the Hillcrest Washington Youth Home third quarter fees for service; the request to amend approved road paving list to include Little Schmuck Road; the AMR second quarter report; and consent for reassignment of Kinder Records management agreement. I'm sorry, there are department head reports from Burdette Park, the County Engineer and the County Highway.

President Melcher: Any further discussion on that? Okay, Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0)

President Melcher: Is there any other business to come before the Board of Commissioners this evening?

Commissioner Tornatta: Motion to adjourn.

President Melcher: Second. All in favor say aye.

Commissioner Tornatta: Aye, and there will be no Drainage Board tonight.

(The meeting was adjourned at 6:25 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the September 21, 2010 Commission Meeting Minutes
Approval of the September 29th & 30, 2010 Special Meeting Summary Minutes.
Building Authority: Pay Requisition No. 92: Jail Construction Fund.
Request to Amend 2010 Paving List to Include Little Schmuck Road.
Hillcrest Washington Youth Home Third Quarter Fees for Services.
AMR Second Quarter Report.
Consent for Reassignment of Kinder Records Management Agreement.

Employment Changes:

Burdette Park (4)	Legal Aid (2)	County Clerk (4)
Health Dept (3)	Sheriff (4)	Assessor (1)
Circuit Court (2)		

Auditor: Surplus Request Letter: Filing Cabinets.

County Engineer: Pay Request No. 114: Green River-Burkhardt TIF Projects.

Treasurer:

August 31, 2010: Year-to-Date Report.
August 2010 Monthly Report.

Area Plan Commission:

Annual Multi-Hazard Mitigation Plan Progress Report.
Vanderburgh County CRS Recertification.

Department Head Reports:

County Highway	County Engineer	Burdette Park
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Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Lyndsey Moreland	Emily Forkey
Amanda Steinbeck	Maria Hedrick	Lana Dippel
Dennis Woehler	Connie Carrier	Mike Raisor
Sherman Greer	John Stoll	Lexie Jones
Lisa Daugherty	Bill McKeon	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
OCTOBER 26, 2010**

The Vanderburgh County Board of Commissioners met in session this 26th day of October, 2010 at 5:01 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We're going to go ahead and open up the Vanderburgh County Board of Commissioners meeting. It's 5:01, it's October 26th and we're in room 301. Madelyn, would you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance

President Melcher: I'm going to ask Loretta Townsend to lead us in the Pledge this evening.

(The Pledge of Allegiance was given.)

Introduction of Teen Advisory Council Job Shadows

President Melcher: We have some students with us tonight, and I thought we would just start with them. Just flip on your microphone and state your name and grade and what school you go to.

Amanda Steinback: I'm Amanda Steinback, and I'm a Junior at Reitz High School.

Emily Forche: I'm Emily Forche, and I'm a Junior at Castle.

Lonna Dippel: I'm Lonna Dippel, and I'm a Freshman at Memorial.

Lindsay Moreland: I'm Lindsay Moreland, and I'm a Senior at Harrison.

President Melcher: We want to thank you for coming this evening.

**Permission to Open RFP's:
Baseline Road-U.S. 41 Intersection & University Parkway Corridor Study**

President Melcher: With that we need permission to open up the proposals of Baseline Road-U.S. 41 intersection and University Parkway corridor study.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: So moved, or, second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: It passes.

<p>ONB Insurance and First Federal Savings Bank: Health Savings Account Plan</p>

President Melcher: On action items we have the Health Savings Account plan.

Commissioner Tornatta: Dennis, if you want to come up first.

Dennis Woehler: Dennis Woehler, Old National Insurance.

Commissioner Tornatta: Alright, Dennis, if you will, I guess, go over kind of where we stand on the Health Savings Plan, and some of the things you've been doing to educate our general employment.

Dennis Woehler: Well, we've, obviously, the county would like to look at ways to make the health plan more affordable, and to also offer some opportunities to the employee. So, a Health Savings Account is not a new trend in the market. It's been around for a while, and it's an opportunity for folks, if it makes sense to them, to put back some monies for catastrophic events, and, you know, the trade off, of course, is a lower premium on their insurance. So, with that being said, we've looked at ways to get information out, and we've put out a couple of e-mail blasts to the employees already on basic information about how HSA's work, the high deductible health plan combined with the Health Savings Account, how they work. We will also be taking information like that to each of the enrollment meetings, because they are all scheduled now for the next couple of weeks. So, we're trying our best to get information out to all of the employees, either it will be handed to them at a meeting, or all of them that are on the e-mail address have seen something on it already. So, they at least have the information to make an informed decision.

Commissioner Tornatta: Okay. And, I believe, Mr. Genet is here to explain how this process would be handled by one of the banks in town.

Dennis Woehler: Yes, that's what I understand. Just for the record, just for the sake of not, of nothing looking like that it was inappropriate, we as a bank-owned agency have maintained a neutral position on who would handle the account, should anybody choose the HSA. I did, for the sake of the county employees though, go ahead and do a little survey of kind of what's going on in the area, of just some of the major, some of the major institutions in town and what the current rates are on Health Savings Accounts.

Commissioner Tornatta: Alright, and, just kind of given the overview, as we see it, if you were a single, if you have a single plan, then you would have the \$2,500

deductible. If you are a family plan, because there will only be two plans, as I understand this, then you would have a \$5,000 deductible, which could you talk about the embedded costs of the \$5,000?

Dennis Woehler: An embedded deductible simply...there are two ways that an HSA, a high deductible plan can be written, either with a combined deductible where the entire \$5,000 would have to be served before the insurance company had any responsibility, or you have what is called an embedded deductible where no one person can serve more than the \$2,500 single deductible. This kind of acts like a buffer zone for catastrophic situations. Companies will write them either way, in a lot of cases, but the majority of people who take these types of plans will use the embedded deductible. It seems that's been my experience.

Commissioner Tornatta: Okay. With the Health Savings Account, the one thing that I think that we see is the escalation of health care costs. At some time the county's going to have to make that decision on how to handle these escalating costs, and, obviously, we're trying to do everything we can to keep that in check. But, we do take care of 92 percent, the county, of those costs for our employees. Their responsibility is the eight. If somebody, I guess, this plan is tough to look at now, because of the mere fact that we do take care of a lot of the premium, however, in the future we have no idea of what's going to happen to that premium. So, this is just another opportunity.

Dennis Woehler: It is an opportunity, and one that probably, if people will take the time to educate themselves a little on it, or listen to what we have to say on it, especially for your younger people who don't have a lot of claims, it might make sense. It is a cost savings measure, obviously, with that type of deductible, but the whole idea, the trade off is, that the premium is significantly less as well.

Commissioner Tornatta: As we've talked about, and, obviously, it would have to be approved by this Board, but, we did run over some numbers that we would incentivize the individuals that did move onto this Health Savings Account, which would be in a first phase would be a \$500 for a single employee and \$1,000 for a family group that got into the system, and then for the single it would be a \$50 match per month, and for the family it would be a \$100 match per month, trying to get them as close to that deductible as possible, and over the next few years they could potentially get to that deductible where they would be fully funded. So, and, as I understand it, you gave us these percentages, but this is an account that rolls over year after year.

Dennis Woehler: That is correct. It's not like a flex plan, it's not a use it or lose it. The account rolls over every year, and will continue to draw interest on any balance that's remaining in it. So, and the good thing about them is, over the long term as people take advantage of them, and doing a matching contribution is a good incentive for people to add some of their own monies to the account, because you can actually fund it for more than what the deductible is, and as time goes by, because, by nature of what the Health Savings Account is allowed to do, people can actually use those monies at a future date for other medically necessary expenses, if that be dental co-pays, or children's braces or glasses or, you know, we normally encourage people to try to save their deductible first, but, beyond that then they can be used for anything medically necessary.

Commissioner Tornatta: And, that's all pre-tax dollars?

Dennis Woehler: Yes.

President Melcher: Do you have any questions?

Commissioner Winnecke: So, what are we doing here tonight?

Commissioner Tornatta: Well, I figure, if no one has any questions of Dennis, then we'll hear from the individuals from First Federal, and they will go over what plan that they have. Then, at that point, if we want to vote on that, then I think it's an opportunity for us to do so with open enrollment looming.

Commissioner Winnecke: Okay, so, the proposal will be to engage First Federal, is that what I'm hearing?

Commissioner Tornatta: Yes.

Commissioner Winnecke: Okay, then I would ask a couple of questions, what, you gave us the interest rates that the other banks are paying, so, how do these other financial, how do the similar products with these other institutions compare to First Federal's?

Dennis Woehler: As far as charges or—

Commissioner Winnecke: Fees, what have you.

Dennis Woehler: From what I have seen and what I have heard, the experience that I have, they're very competitive as far as their fee structure goes as well. They don't have a set up fee or a minimum balance fee. So, and, I would defer questions about them specifically to their expert who is here, but—

Commissioner Winnecke: What about the competitors though? Has Old National Insurance shopped these? I mean, you've got the interest rates, but have you done other shopping on our behalf to compare the like products?

Dennis Woehler: These are the rates that the institutions—

Commissioner Winnecke: No, I understand that, but, for, I mean, on any, what about fees, for instance on these other, the competitors?

Dennis Woehler: I'm, I don't have an entire fee structure for each of the competitors. I would be happy to furnish it to you.

Commissioner Winnecke: Okay.

Dennis Woehler: But—

Commissioner Winnecke: Well, let me ask you this, I mean, is the First Federal product, as our insurance broker, is Old National Insurance endorsing this product to this body?

Dennis Woehler: Old National Insurance is not endorsing a product. This is a vendor which I assume that the Commissioners will vote on. We don't handle the banking. Now, as far as, you know, I provided information on the accounts because this is a product much like the dental or the vision that the Commissioners vote on as well,

when you don't actually have any cost involved in it. There won't be any cost involved for the county itself on this.

Commissioner Winnecke: Will there be a minimum threshold for enrollment?

Dennis Woehler: No.

Commissioner Tornatta: Can we just have you up here? I mean, we're, he's trying to answer questions for you. If you could--

Commissioner Winnecke: Well, not entirely, I mean, I asked him as our insurance broker if he had shopped it, compared the other products. I don't think--

Commissioner Tornatta: Well, there's no cost. So, if we find out there's no cost, I don't understand why we're going about this, because there's no cost to this. I don't call it a product, I call it simple banking. So, it's not a product.

President Melcher: State your name and--

Travis Genet: Travis Genet from First Federal Savings Bank.

Commissioner Winnecke: Is there a minimum threshold of enrollment?

Travis Genet: No. It's totally dependent upon, if you have ten people enroll, if you have all of them enroll, it makes no difference on the pricing on that product.

Commissioner Winnecke: Is there an administrative fee at all?

Travis Genet: No. There is no fees to the county, there's no fees to the employees. We structured it so that, a great interest rate and no fees, no set up, no minimum monthly balance fees, that's all taken care of for the employees. So, this is something that we approach, and we actually approached the Commissioners about this. He's, so, I mean, that's where we kind of got involved with this and with the HSA. This is totally independent, First Federal wanted to come and try and get this business.

Commissioner Tornatta: In all fairness though, there would be a fee for standard things like overdraft, or if they were buying checks or--

Travis Genet: Correct, but, for the employee to open the account and operate it in a positive balance situation, there would be no, no (Inaudible) fees. If they wanted to order checks, that's the only thing we're not covering. We're providing debit cards at no cost, unlimited access to that, free on-line banking, they can view their statements, there's no charge to actually receive a paper statement, if they choose to. So, I mean, that's, it's a free account for the employees, per se.

Commissioner Tornatta: Would you explain how a typical transaction would occur? If somebody has money in the account, they go to their pharmacy and want to buy an over the counter?

Travis Genet: There's two different typical situations where funds are dispersed from a high deductible plan and an HSA. Basically, when they go in the doctor's office they're going to present their insurance card, they're going to bill to the insurance, find out how much the discount is for being on the particular network, then the

employee is going to receive an insurance bill in the mail. They'll write their debit card information on there, pay from there, pay on-line bill pay at no charge, however they choose to do that. Typically, when they go into a retail location and they're buying a prescription, they'll give them their debit card, providing the available funds are in there. That's one of the nice things about that is they have funds withheld out of their pay, pre-tax dollars, they can do that. If they have a large, unexpected medical expense, they can come into any one of our banking centers, make a deposit, that is potentially tax deductible at the end of the year. So, they're not penalized for not having it come out pre-tax, like a flexible spending. If they don't have a Flexible Spending Account, they lose those tax benefits, if they didn't withhold them at the beginning of the year. So, that's where the benefit is, if somebody has a large, unexpected expense, they can go in, make the deposit to the account, and pay from their account, it would be a debit card, that's typically the way to do it. If an individual chooses to order checks, they can. If they come in to reimburse themselves, have them come in to one of the banking centers, they'll cut a cashiers check to them at no charge.

President Melcher: This debit card you have, is that just for the health care?

Travis Genet: It is just for—

President Melcher: So, they couldn't use it for groceries and going to the show?

Travis Genet: It is a vendor provided, so, if they went into Wal-Mart, Buehler's, Schnuck's, those facilities sell over the counter, right now qualified over the counter items are eligible expenses. Say somebody went in to get some Thera Flu or something right now, right now that's an eligible medical expense, they all have pharmacies, so they're coded that way. Could they go into Lowe's or the liquor store? No. It would not work in those locations. We even restrict it to the point where they aren't allowed to get cash from the ATM's. We want to protect the employees and have a paper trail for them. So, if they come in to get a withdrawal, they have to actually come in to the banking center and make that withdrawal, because we want that paper trail for the employee. It's also another opportunity to make sure, are they aware that, is this for a qualified medical expense? If it's not, we're going to refer them to whoever prepares their taxes to make sure that they're accounting for the potential penalty in expenses, because this is for qualified medical expenses only. The nice thing is that takes the burden off the county to have to do that.

Commissioner Tornatta: Can you tell us who you're involved with as far as either municipalities or systems?

Travis Genet: Presently we're doing Warrick County employees. They just, they're in their second year and they've now gone to one plan, and it's a high deductible HSA plan. We do it for the Warrick County School Corporation, as well as large customers that have significant amount of accounts, anywhere from the two hundred range. We service multiple locations. We did, a case in point, over the next nine days we're going to be, we're going to have nine training sessions with the Warrick County employees at varying times, the Highway Department, we're going to meet them at 6:00 a.m. in the morning. We're going to go to the Sheriff's Department after hours, we're going to have after hours for the employees again, so, they see what the benefits....we don't care which plan they choose, we just want to make sure they understand how their Health Savings Account works and how it could work for

them. Then they have the opportunity to choose which plan works out best for them.

Commissioner Tornatta: And, you have submitted, just for the record, from, I guess this is employees zero to twenty five hundred?

Travis Genet: Uh-huh, it's a tier based account. So, basically, if they have a dollar in there they are going to earn two percent on their funds. If it goes over \$2,500, and they're going to see this in year two, but it's not uncommon to see folks have well in excess of their deductible in their account.

Commissioner Tornatta: Okay, that's a dollar amount then?

Travis Genet: Uh-huh.

Commissioner Tornatta: Okay, not a, okay, I see. So, you're saying from zero to \$2,499 they'll earn two percent?

Travis Genet: Uh-huh.

Commissioner Tornatta: From \$2,500 to \$9,999, two point five percent, and anything above \$10,000 they'll earn three percent?

Travis Genet: Uh-huh, that is correct.

Commissioner Tornatta: Okay.

President Melcher: Any other questions?

Commissioner Winnecke: Yeah, I have a couple more. Where will our incentives, what budget line item will the incentives come from? And how much do we anticipate that being in the first year?

Commissioner Tornatta: The cost estimate that, or the participation estimate that we believe will be between ten and fifteen percent, which should be somewhere in the 70 to 100 members would look at doing this. All of these would be covered under the existing health care budget line.

Commissioner Winnecke: So, we anticipate 70 to 100 of our—

Commissioner Tornatta: 700.

Commissioner Winnecke: Would participate in this?

Commissioner Tornatta: That's just, I think, you said that your first participation was 20 percent in Warrick County.

Travis Genet: Warrick County when they did theirs, and they rolled theirs out in a similar time frame the first year and they got 20 percent, based on how they matched it. Now, their premium structure, I'm not exactly sure, but it wasn't near as favorable—

Commissioner Tornatta: Right.

Travis Genet: —the 92 and eight. So, I mean, I think that's going to have some impact on it, the enrollment percentages.

Commissioner Winnecke: So, is there, so, if we anticipate 70 to 100 members that opt for it, do we have a feel for like how many are going to be single and how many are going to be family? I mean, what's the dollar amount?

Commissioner Tornatta: Well, I mean, what you're going to find in this is you're going to find people who feel like they're in pretty good health that decide that they want to move into this program, and if they decide that they want to do that, they're looking down the road at these costs that they can put back for a rainy day fund for their health care. If they can, you know, I've been in this, in government for ten years, as well as you have, and Steve's been in it for 17 or 18, and if I would have done that when I had the opportunity to do it, there would be a sum of money in there that I would have money for braces and some money that would be, instead every year it goes away if I don't use it. I don't use it very often. So, that's a premium that's unutilized. So, as I look at it, it was, it might be favorable for some people at some points in their life, and others at other points in their life. With the realization of this, we are a very rich plan right now. I stated that at the very beginning, however, we don't know if that will be the plan forever. So, we have to be mindful at some point with the difference that's coming about with health care every year that we could be seeing escalating costs to the point that we have to do something different.

Dennis Woehler: Well, and with, by virtue of the new health care reform laws, there is a possibility, depending on how the final regulation shakes out, that you could be in Cadillac status and would have to revise the plans anyway. So, and then just one last note on the high deductible health plan itself, we will explain the nuances of that to the employees at the time, because one of the big things, especially for your healthy people is that they can still go get their annual physical, there's no limit on it. So, and it's free. It doesn't, they don't have to pay for that.

Ted C. Ziemer, Jr.: Are you going to have a contract or something that the county can sign? I'm thinking of this, like how are the rates going to be held at this two percent, two point five percent and three percent rate?

Travis Genet: That's something that, it's not a fixed rate. They've been that rate since 2007. So, through the economic downturn that we have seen, it hasn't affected the rates on this account. That's something that we could propose, if you need it. The contract, because this is actually a portable account that the employee takes with them, even if they leave, no longer employed with the county, it's still a viable account that they have—

Ted C. Ziemer, Jr.: Well, as I understand this, with the, I mean, the county's not really involved in this, it's the county employees, and the county is agreeing that you may approach county employees for this plan. I guess, the county would like some assurance that, I mean, we're quoting rates here, and today is Tuesday, that, you know, they're going to be good through Friday, anyway, or, you know, at some point in time. Mr. Head, I think, wants to address that.

Mike Head: I would be the final authority on that at our institution. Mike Head, CEO of First Federal Savings Bank. At this time, and we have, this is totally a niche product that our bank has chosen to specialize in. These rates have been in effect since the time that we started these accounts almost two years ago. We do not foresee at anytime in the near future that these rates would change. These are the same rates we were paying, you know, whether it's, you know, whether it's a large trucking company in town that we have over 100 accounts with, to Warrick County,

to the Warrick County teachers. The rates, what's going to happen in the bond market tomorrow no one knows.

Ted C. Ziemer, Jr.: Sure.

Mike Head: But, in the foreseeable future, these are the rates that would be in effect.

Commissioner Tornatta: And, let me just throw this out here, if in that year the employees, I mean, this is always as we talked about, a rotating account, so if it's not, if this isn't something that works as a mutual partnership between the county and this business, then that can always be moved. I mean, if you're locking in a rate and you're saying it now and it's on a contract that's one thing, if it's different, I mean, you need to say that.

Mike Head: Well, there is no guarantee on the rate, because if we sign a contract and lock a rate, if 24 months from now the rate curve has shifted up 300 basis points, your employees are going to be a little bit upset that they are locked in at two percent.

Commissioner Tornatta: Yeah.

Mike Head: So, I mean, you know, that's a sword that cuts both ways, but the question you asked, in the foreseeable future do we anticipate (Inaudible) rates? No, we do not.

Ted C. Ziemer, Jr.: Let's assume that an employee takes advantage of one of these accounts, and they put \$2,500 in it so they're expecting to get two percent, and in six months there's some major change in the economy and you can no longer afford to pay two percent on that and you want to drop it to one point five percent, what option....the employee can get his money out and go somewhere else?

Mike Head: By regulation we're required to give at least 30 days notification of any kind of rate changes. That is a federal banking law.

Ted C. Ziemer, Jr.: Right, and then, their option then if there is going to be a rate change is what?

Dennis Woehler: May I address that--

Ted C. Ziemer, Jr.: Sure.

Dennis Woehler: --Mr. Ziemer? An HSA works very much like an IRA. You can have one, or you can have two, or you can have it anywhere you want it that offers the HSA account. For the sake of bookkeeping, normally to employers, we recommend that if they're going to send money they send it to one institution. If people want to take from there tomorrow and move it somewhere else, they have the right to do it just like they can their IRA.

Travis Genet: That's where they're getting a better deal right now. If you look at the competitor's, shop the competitor's or got an RFP from them, verifying most charge a \$15, \$20 account opening fee, some have monthly service charges. There is, so, the option available to the employee is, yes, that rate is subject to change, but as you saw the rates in front of you, they're not going to go and get a much better rate, and they would be subject to the fees of opening that particular account, and they

wouldn't necessarily get the benefit of, I mean, we're presenting a plan to the county to benefit all. So, it's a better plan than they could get if they went on their own.

Ted C. Ziemer, Jr.: Is there a way to tie these rates to...I don't know how, what it is, but say two percent, is that so many basis points above prime or something right now?

Travis Genet: It's a product that are aggressively pursuing that's a niche product for us.

Ted C. Ziemer, Jr.: Right.

Travis Genet: That is where we have set these rates to attract the customers.

Ted C. Ziemer, Jr.: What I was thinking about was maybe it could be a moving thing. You would tell us that currently two percent is, there's some formula that gives rise to two percent or two point five or three percent, if that goes up, the rate would go up. If that goes down, the rate would go down, everybody would know that at the outset, but they would get the advantage of this higher starting point.

Mike Head: At this point I don't think you would find any institution that would lock in any kind of interest rate. I mean, that's just not going to happen.

Ted C. Ziemer, Jr.: Yeah, I didn't really, Mike, mean lock it in, just to say—

Mike Head: Well, lock it into a scale.

Ted C. Ziemer, Jr.: Oh, I see. Okay, alright.

Mike Head: Yes.

Ted C. Ziemer, Jr.: You would not? Okay.

Mike Head: No, we present, we brought this forward, we presented it because we are very active in this niche market. It's something that we have very much an expertise in, plus we have seen what savings that they have been able to save at Warrick County, the Warrick County teachers, and as people that reside in Vanderburgh County, you know, if we can cut \$700,000 to \$800,000 a year out of the medical budget by going to this kind of plan, and the individual employees do not suffer, it's a win-win for the taxpayers, it's a win-win for the Commissioners and the employees. Personally I have my own HSA.

Ted C. Ziemer, Jr.: In that case, Commissioners, I don't think it's necessary to have a contract. What you would be doing is, going into this, understanding what the presentation is, and that's the representation that you would make to our employees. If you want to take advantage of this, this is what you can get. That can be changed at any time, and if it is changed, you have the option to—

Mike Head: There is no fees.

Ted C. Ziemer, Jr.: —to move it. Right. So, I think you could do it without a contract, as long as you're satisfied.

Commissioner Winnecke: I guess, I'm less concerned about the rates on the deposits as I am the rates on the insurance. Do we not need an additional contractual agreement with Old National and Welborn Health Plans to lock those rates in?

Dennis Woehler: That was assumed to be part of the renewal that has been signed. If you would like a separate document on just this specific plan though, we'll be happy to produce you one.

Commissioner Winnecke: I'm not sure what you mean by...I mean, I understood the last part, I didn't understand the first part.

Dennis Woehler: When the rates were presented, they were presented on the renewal at the last meeting.

Commissioner Winnecke: These rates were?

Dennis Woehler: Yes. The rates for the HSA were. So, they will be locked in.

Commissioner Winnecke: Okay.

President Melcher: Do you have any other questions?

Commissioner Winnecke: No, just, I did a little quick math, if my math was right, at 70, if 70 employees, in terms of the costs of the incentives, if 35 were single and 35 were family, that's roughly \$63,000 a year in incentives, at 100, again at 50 percent each way, it's, you know, \$90,000 to \$100,000 in incentives. So, and you're comfortable that that's in the insurance line item?

Commissioner Tornatta: Yeah, yeah, there's, I submitted an insurance form to you, and, all those, even with the blended ones would still give the county cost savings and be able to match those employees—

Commissioner Winnecke: No, but, I mean, in the county budget, you're comfortable that incentive money is in our insurance line item? It's budgeted?

Commissioner Tornatta: Yes, yes, it's under the budget that we have right now.

Commissioner Winnecke: Okay.

Commissioner Tornatta: These are budgeted numbers.

Commissioner Winnecke: Right, I got it.

Commissioner Tornatta: Now, I will make the caveat that is that all of those are funded fully by the County Council. All those lines are funded fully.

Commissioner Winnecke: Okay.

Commissioner Tornatta: Thank you, gentlemen.

President Melcher: Any other discussion? Anybody from the audience? I'll entertain a motion.

Commissioner Tornatta: I would make a motion to accept the HSA account, well, I'm going to make two motions.

President Melcher: Well, make one.

Commissioner Tornatta: Pardon?

President Melcher: Make one of them.

Commissioner Tornatta: Right, right. First off, I would make a motion to use First Federal as our HSA holding bank for our employees.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion?

Commissioner Winnecke: I would just make a comment in general, and I'll probably make my votes and be quiet. This, I think this is, on the surface, a good idea. It seems to be a little quick. We've been studying this for now all of one month. I'm going to vote in the affirmative on, assuming I can anticipate your second motion, on each of the motions, based on the fact that there is no administrative fee and there's no minimum threshold for enrollment. It does seem like the right way to go, but, in the future I would hope that we would be a little more deliberate in our considerations. So, that's my second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: My second motion would be that the county would incentivize in two separate plans, a single plan, which would be otherwise known as the E or the EE plan by the Deaconess only HMO, the dual choice HMO, or the point of service plan, and that would be to incentivize those employees that get into this plan with \$500 up front and then match up to \$50 a month for a total of \$600 in that, or, well, \$600 from the county in that plan. Then, for the family plan, which would be the ES, which is employee and spouse, the EC, employee and child and the family, we would incentivize with \$1,000, and then up to \$100 per month, which would be \$1,200 from the county, \$2,400 total¹. I make that in the form of a motion.

¹This should be \$2,200.

Commissioner Winnecke: Just to clarify, \$500 for the single for the EE, and a \$50 monthly match—

Commissioner Tornatta: Right.

Commissioner Winnecke: —on an annual basis, or for this year anyway. Then, on the ES, that's the \$1,000 for the family plan, up front, and \$100 per month?

Commissioner Tornatta: Up to.

Commissioner Winnecke: Up to—

Commissioner Tornatta: In a match, and that's dollar for dollar.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you, gentlemen.

**2011 Humana Medicare Contract
Extension of Software Maintenance Agreement with ISI
EMA: Homeland Security Standard Operation Policy for Trailer
Superior Court: Drug Task Force & Drug Court Grant Agreements**

President Melcher: Next we'll go to contracts, agreements and leases. The first one is the 2011 Humana Medicare contract. Humana PPO plan for retired Vanderburgh County employees for 2011. The premium is going down from \$74 last year to \$59 per month per employee. The coverage has increased to include some dental, sight, and hearing benefits. Also for 2011, retired employees may be able to obtain slightly different benefits for individual coverage for \$36 a month. As retired employees are advised of the plan changes for 2011, they will be advised to check with Humana to see the plan for individuals, as opposed to group coverage, might not be more desirable for any individual employee. The group plan would still be available for all.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a first and second. Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Thanks, Gary.

President Melcher: Next we have the Auditor, extension of the software maintenance and service agreement with Interactive Systems, Inc. It extends the agreement for one year for the cost of \$17,600, which is \$1,200 less than the cost for 2010.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Bill, did you want to say anything?

Bill Fluty: No.

President Melcher: Okay. Anybody from the audience? Well, just thought I would ask. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is EMA standard operating policy for the trailer and tent from Indiana Department of Homeland Security. The SOP makes the county responsible for the maintenance of the tent and trailer and for assurance that it's only used in connection with a disaster. Emergency Management will assume the county's liability in regard to this, and has the grant funds to cover this cost.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: I believe this is actually for the district, is that right? Didn't we have this discussion a couple of meetings ago?

Sherman Greer: Yes, we did. Sherman Greer, Emergency Management Director. We have seven of these throughout the district so that we'll be able to support any county that has a hospital for surge capacity, where that they would be getting a lot of people in, they set the tent up and have them not with the general population of the hospital. Also, it will act as a living quarters for us if we're deployed somewhere else to help out.

President Melcher: Okay. Any questions? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Sherman, before you leave. Can I just interrupt for one second? You were talking about the space that we might potentially have at the old—

Sherman Greer: Trade school?

Commissioner Tornatta: —trade school. How soon would you want to do something if that were available?

Sherman Greer: Well, I would think right now they're still auctioning off—

Commissioner Tornatta: Auctioning.

Sherman Greer: —auctioning the supplies and things that are, desks and things that they had at the Cedar Hall School and everything out of there.

Commissioner Tornatta: Okay.

Sherman Greer: So, they're not going to be finished until after the first of the year.

Commissioner Tornatta: Okay.

Sherman Greer: So, that would be something that we're going to look at, but that trailer that we have that's got over a half million dollars worth of equipment on it and

everything, that would be large enough for us to get that semi-trailer in there and get it out of the weather.

Commissioner Tornatta: Okay.

Sherman Greer: Okay?

Commissioner Tornatta: Well, we need to probably address that sooner than later, if you talk about weather.

Sherman Greer: Yeah.

Commissioner Tornatta: So, yeah, let's see what we have to do about speeding up that process.

Sherman Greer: Okay.

Commissioner Tornatta: Okay?

Sherman Greer: Alright.

Commissioner Tornatta: Alright, thanks.

President Melcher: Alright, next, we have the Superior Court, we have two of them. The first one is the Drug Task Force grant agreement for \$20,829, and it doesn't require any matching funds. The second one is the Drug Court grant agreement. It's for \$78,903. It also requires matching funds which the Drug Court funds will cover.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: I would like to say that there are eight graduates tonight from the Drug Court. So, that brings their total up to over 150, I believe, since it's been in existence. Tough program, but they seem to get a lot out of it. So, thanks to Judge Trockman and all of his staff.

County Attorney

President Melcher: Next we'll have department head reports. Ted, do you want to go first?

Ted C. Ziemer, Jr.: Yeah, thank you. First I have two purchase agreements that the Central Purchasing Organization sent to me. One is a, and we, they took bids for paper, copy paper, and you approved the low bidders. These are simply contracts with the successful bidders. So, one is a purchase agreement with River City Industrial for white 8 ½ by 11 paper at the bid amount. The other is a purchase agreement with Alpha Laser and Imaging for some white size papers and also various color paper, and also at the amount which they bid, and the bid was the low bid. Both agreements are satisfactory for execution. We didn't get them in time to get them on the agenda, but, Madelyn has the copies.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: The next item is, we only learned this afternoon that the Greenfield for the city would like to acquire some 40 properties that, to which the county has acquired title through tax sale. They want a letter to send to a grant organization from who they are seeking grants, and the letter needs to indicate that the county will acquire, no, will sell them those 40 properties. We're only willing to do that if they're willing to pay the price for those properties, which is \$400 per property based on the cost of acquisition. So, we've prepared a letter to be signed by Commissioner Melcher as President, agreeing that the county will sell them those 40 properties at \$400 a property. If they don't want to pay the money, they're not going to get the properties. So, we would like that approved. Then, I have it for your signature.

Commissioner Tornatta: I would like to ask a question on that.

Ted C. Ziemer, Jr.: Sure.

Commissioner Tornatta: Any other fees associated, when you say \$400, we weren't charged for mowing fees, or we weren't charged—

Ted C. Ziemer, Jr.: No, no, no, these are, these are title examination fees, attorney fees, and that sort of thing. No, there are no lien fees in there.

Commissioner Tornatta: Okay, and these aren't on, haven't been on the tax sale?

Ted C. Ziemer, Jr.: Not yet. They're properties that would if we didn't sell them to the brown fields.

Commissioner Tornatta: Okay, and then, the last question, so, there are taxes associated to the properties?

Ted C. Ziemer, Jr.: No, no, that's been taken off the books. We've acquired title to it. We would now sell them at tax sale for whatever we could get to get them back on the tax roll.

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: There are no delinquent taxes.

Commissioner Tornatta: Okay, alright, thanks.

Ted C. Ziemer, Jr.: Madelyn, I'll give—

President Melcher: We need a motion for that.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any discussion here? Anybody from the audience? Madelyn, do you want to go ahead and call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: I have one more, actually, I have two more items. Let's do the, I opened these proposals, and, so, there are no sums of money involved at this time. These people are all just submitting responses to requests for proposal, and now we'll negotiate with them. For the Baseline-41 work that involves, it's in support of EVSC, we have five responses to the request for proposal from; Wessler Engineering, Clark Dietz, Morley and Associates, Neikirk, no, I guess it's, Neikirk Engineering, and Straub, or Strand Associates, Inc. For University Parkway corridor

study we have two responses to the request for proposal, one from Bernardin Lochmueller and one from RQAW Corporation.

Commissioner Tornatta: Motion to take those under advisement.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Finally, I wrote the Commissioners on October 18th relative to a lease that the Indiana Attorney General would like to enter into with the county for space in the Old Courthouse. The state, it's not the Attorney General's fault, but the state has various sort of unusual lease provisions that they would require if we want to lease property to them. The most burdensome, it seems to me, is their right, they want a two year lease, but the lease would provide that they can terminate anytime on 90 days notice. Well, that really means it's only a 90 day lease, because they can get out of it, you know, at the end of any 90 day period. In addition to that, the state will not provide any insurance for the property. The state says they are self insured, and, of course, they are. I'm not worried about the state having enough money, at least at this time, to pay any liability that would arise regarding their occupancy of this space. In addition to that, there is this right to terminate on 90 days notice. I didn't want to authorize or send you a recommendation to sign a lease with that kind of a provision in it unless you were fully aware of it and willing to accept that. You understand the lease is for two years, and it's for an annual rent of \$6,000. If we lease it to any other tenant, we would lease it for two years and we would expect them to stay for two years. If they didn't, we would intend, probably, to sue them for rent that they owe us. I've talked to the, our leasing agent, Lisa—

Commissioner Tornatta: Daugherty.

Commissioner Winnecke: Daugherty.

Ted C. Ziemer, Jr.: —yeah, Daugherty, and she advises that, you know, this is not going to be terrible space to lease, and perhaps there are other tenants that she can find for it who would sign a lease for a whole two years. So, it's okay, you may accept these terms if you want to, but I wanted you to do it with your eyes open, so to speak.

President Melcher: I've got a question, we do have to put some money in these places, right?

Ted C. Ziemer, Jr.: Thank you, thank you for mentioning that. We have to agree to do carpeting and painting. They are willing to say, if they terminate the lease prior to the end of the two year period, they would pay for the cost of the carpeting and the painting.

Commissioner Tornatta: I've got no problem with going that direction. I make a motion to accept.

Commissioner Winnecke: Second.

President Melcher: Okay, there's been a first and a second. Any further discussion? We don't treat anybody else that way though, right?

Ted C. Ziemer, Jr.: No, but it's true though that they are a political subdivision, and when the county contracts with people we put some provisions in there that they wouldn't have to agree to with private contractors, but they have to agree to it with us or we won't do business with them. So, I'm not saying it's high handed in any way, it's just the way the state operates, but we have to do it with our eyes open knowing what the risks are. I think the risks are probably minimal. They want to use the space, but I wanted you to understand that. What you're approving here is for me really to go ahead and finish negotiating this lease with these changes. When I'm finished I'll bring you a lease with recommendations to approve it. Okay? Thank you.

Commissioner Tornatta: We've got to vote.

President Melcher: I know.

Commissioner Tornatta: Oh, sorry.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Hesitantly, I will go ahead and vote yes.

(Motion approved 3-0)

President Melcher: Anything else, Ted?

Ted C. Ziemer, Jr.: No, that's it. Thank you.

President Melcher: John?

County Engineer

John Stoll: The first item I have, it doesn't really require action on your part, it's just a submittal of the right-of-way certification letter for the Burdette Park bike path. That's just submitting it for the record. I had to get Commissioner Melcher to sign it last week, because the submittal deadline to get on the January bid letting was last week for INDOT. So, anyway, just wanted to get that submitted for the record. It just acknowledges that no new right-of-way was required, because the right-of-way was all secured prior to federal funding being involved in the project. I got that handed to Madelyn for the record. The second item that I've got is a travel request for Pat Seib and Tom Goodman to attend the concrete paving seminar at Purdue on November 18th. I just wanted to get your approval retroactively. I did file the paperwork with the County Council, since the deadline for the filing for the November meeting was last week as well.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I have three change orders on phase two of University Parkway. The first change order is actually change order number two. It is for a credit of \$7,276.98, and that credit is due to the use of some recycled asphalt pavement. INDOT specs require granting credit back when the recycled asphalt is used. Then change order number three is a credit of \$24,577.40. This was due to the elimination of settlement stakes and settlement plates north of Marx Road. Since that is going to be paved as part of the current project, it won't be paved probably until some time in late 2011, early 2012, at the earliest. So, it will have ample time to settle, so no monitoring was required. Then, change order number four was an increase of \$31,636 to cover the cost of removal of unsuitable soils that were out there. All total the net difference to the contract is a net decrease of \$218.38. I just need your approval.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second, and, John, if I can ask you a question. How do those soil set ups work? I mean, how does that come about?

John Stoll: As they get out there, if the soils are excessively wet, or just not stable they have to remove them and replace them with suitable soils. They estimate quantities, like where old ditches or creeks cross through the project limits, they estimate some increased quantities of excavation to get rid of the unsuitable soils, but, in this case, they had to do a more undercut than what was anticipated.

Commissioner Tornatta: Okay. Alright, and they normally would keep that in a, I mean, anticipate any of those things in their bid?

John Stoll: It's paid for on a cubic yard basis.

Commissioner Tornatta: Uh-huh.

John Stoll: So, when they remove an extra cubic yard they are paid for that.

Commissioner Tornatta: Okay.

John Stoll: It's tracked through the project.

Commissioner Tornatta: Okay, thanks.

John Stoll: Sure.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then fourth, I have a letter that needs to be submitted to IDEM. This is for the Maryland Street bridge project. This letter is just a requirement of the environmental process that R.W. Armstrong's going through right now, in anticipation of hopefully getting federal funds. IDEM requires this letter to be signed that just acknowledges all of the different permits that will have to be secured in the event that they apply to the project. There's an itemized list, and I need the Commissioners signature to submit that.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: The last item is the bridge inspection contracts with DLZ. I got those yesterday, which was too late to get them on the agenda. The County Attorney had previously reviewed those and okayed everything. The inspections were due to start again in November, so, once the Commissioners approve this, then I can submit it to INDOT, and then INDOT will allow us to issue a notice to proceed for the contract.

Ted C. Ziemer, Jr.: You got the dollar figures now? I mean, that's—

John Stoll: Correct.

Ted C. Ziemer, Jr.: —okay, good, Yeah, thanks.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: And, those dollar figures changed because there's different regulations?

Commissioner Tornatta: Right.

John Stoll: That was one of the things that, just trying to find out what was an appropriate cost, given the fact that so many changes have taken place.

President Melcher: So, INDOT's okay now?

John Stoll: Actually, INDOT didn't review it. It was all up to us to find what the comparable costs were.

President Melcher: Okay.

John Stoll: I checked with other counties, I checked with LTAP, and it sounds like, from what I found, the costs are all over the place at this point, mainly because there haven't been a substantial number of new contracts signed as of yet with the new Federal Highway and new INDOT requirements.

Commissioner Tornatta: Right, and that's the key. The new requirements have them to do more checking and more detailed checks than they've had to do in the past, which is a big time issue.

John Stoll: Correct.

Commissioner Tornatta: And, I will say one thing, these came in higher, and I do appreciate the fact that you went and surfed the state to try and make sure that we were going to get our bang for our buck. You know, I know you do that on all of these contracts, but that's the type of thing that we appreciate most.

John Stoll: Thanks.

President Melcher: So, we have the two motions. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Melcher: Thank you, John.

President Melcher: Next we'll have Loretta Townsend from Weights and Measures.

Commissioner Tornatta: Before John gets too far away, not necessarily needing John for this, but did make contact on the USI interchange, and did talk to Troy Woodruff and Rusty—

John Stoll: Fowler.

Commissioner Tornatta: —yeah, Fowler, at the state, or at Vincennes, and I would recommend all of our Commissioners try and make that call to talk to them about the significance of that intersection, because, as we want to see development in that area, or at least a fluid movement, if there is ever development in that area, we're going to need to address that intersection. Where they stand right now is that they say all of the models show that that intersection is a little compact, but it's moving the cars fine. What's not been anticipated, and what's not been put in the model is opening from 62 to 66 and USI's growth and any kind of gasification plants in Mt. Vernon and any type of increased growth on that corridor and no development on that connector road. So, they see it, they might have a little issue with their calculations, but we need to stay on top of them to make sure that they're, they continue to address that issue.

John Stoll: In conjunction with that, I did get word that the final segment of University Parkway will be on the December INDOT bid letting, which should mean that the entire project would be completed by the end of 2012, and, that, like Commissioner Tornatta said, that will be when substantially more traffic will be on that north leg of the interchange. That's when the problems will be magnified.

President Melcher: Okay.

Commissioner Tornatta: Thanks.

President Melcher: Thank you.

Commissioner Tornatta: Sorry.

Weights & Measures: Roof Repair Request
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President Melcher: Okay, now, Loretta.

Loretta Townsend: As I've talked to you before, our main problem is our roof is leaking. It's very simple, we've got to have it fixed.

Commissioner Tornatta: I make a motion to fix your roof. Let me get this real quick. Loretta did have a quote, that quote was from the contractor that actually did the renovations to the building where you are now.

Loretta Townsend: Yeah.

Commissioner Tornatta: And, the one thing that we do know is it has not rained a whole lot since you've been in that building. The one thing that we also knew was, at the time, the roof was not, the first maintenance problem that needed to be fixed, and we had to categorize what we needed to fix, as we have seen there is a deteriorating condition in the roof. There are some leaks. I'm sure you've got several cans catching the water.

Loretta Townsend: We had nine leaks, and now we have two more as of today. They're not in good places either.

Commissioner Tornatta: Okay.

Loretta Townsend: If there is such a thing as a good place for a roof leak.

Ted C. Ziemer, Jr.: We'd better hurry.

Commissioner Winnecke: Troy, you got some buckets?

President Melcher: She's out of buckets. I've already asked.

Loretta Townsend: The problem that we're a little bit worried about is the leak today is right in between the new furnace and air conditioner.

Commissioner Tornatta: Right.

Loretta Townsend: That would be more than fixing the leak and the roof.

Commissioner Tornatta: Okay, as proposed to furnish labor and material and equipment to complete the following roof work, tear off the roof, mechanically attach one layer of cover board, and all of the processes with a 15 year warranty, the sum of that would be \$19,440. The county's portion, as I read it, would be \$10,692, with the city's portion—

Loretta Townsend: That's a big figure, but I would think, you know—

Commissioner Tornatta: —as the city's portion would be somewhere in the \$8,750 range. With this, and the problem with, obviously, you need to get that fixed expeditiously, I would recommend approval.

President Melcher: So, your motion is to recommend Empire Contractors?

Commissioner Tornatta: Yes.

Commissioner Winnecke: And, I would second that with just, to add to, yeah, I agree we need to get it fixed right away. This is the organization that did the initial—

Loretta Townsend: Yes.

Commissioner Winnecke: —repairs and renovations, so, it makes sense, I think, that we ask them to finish the work for us. Second.

President Melcher: And, what they did was the interior.

Commissioner Tornatta: Yeah.

Loretta Townsend: Yes. We had a hard time determining exactly what interior problems we had, because we couldn't get them to move their stuff out of there.

President Melcher: You're talking about Wesselman's?

Commissioner Tornatta: Wessleman's.

Loretta Townsend: Wesselman's, yeah.

President Melcher: Okay, Ted, did you have something?

Loretta Townsend: Don't ask me no more.

Ted C. Ziemer, Jr.: I was just going to say that it's under \$25,000, so it doesn't have to be bid anyway, but, I think your point, Commissioner Winnecke, is good, since they did the other work and very familiar with the project it should be a good bid.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Loretta Townsend: Thank you. So, I call Empire?

Commissioner Tornatta: Tonight.

Loretta Townsend: Tonight? I could.

Commissioner Tornatta: Okay.

Loretta Townsend: First thing in the morning.

Commissioner Tornatta: Knock yourself out.

Loretta Townsend: Okay, thank you.

Commissioner Tornatta: They get up early.

Loretta Townsend: Thank you.

Commissioner Tornatta: See ya.

President Melcher: Okay, any other department heads? Steve, you got anything? Okay.

Commissioner Tornatta: Chris.

President Melcher: Chris?

County Highway

Chris Walsh: Chris Walsh, County Highway Department. I just wanted to bring the Commissioners an update on the paving list. We are done with the original paving list. The only thing that we have left is the addendum to that, which was Little Schmuck Road. I hope to have that done next week, weather permitting. It's just a couple day job. We are on budget, and Little Schmuck should come in within this budget as well. I don't know, there's one other project, the Millersburg Road, which is somewhat of an emergency project. The road is breaking down because of the construction in the area. We'll have that done as well. Then, I hope to start buttoning things up and getting ready for winter at that point.

Commissioner Tornatta: Have we addressed with that particular vendor about that project?

Chris Walsh: John Stoll has helped arrange that, and we've come to an arrangement where they're going to supply some labor and some material, and then I'm going to supply some material and some labor as well to get that done.

Commissioner Tornatta: Okay.

Chris Walsh: I'll probably need to look at that....if this project is done, we probably need to look at Millersburg Road paving—

Commissioner Tornatta: Right.

Chris Walsh: –unless you're going to have some other project in mind.

Commissioner Tornatta: But, it's only bad in one real area.

Chris Walsh: Yeah.

Commissioner Tornatta: It's cracking, but–

Chris Walsh: Yeah, there's one real bad area, it's a few hundred feet long.

Commissioner Tornatta: Uh-huh.

Commissioner Winnecke: Just, there have been some e-mails exchanged on this, but I think this is a good place to discuss this. Even though this is not under, there's no warranty, I guess, is the way to say it. I wish John was still here. I don't think we should be, we being the county, should be liable for any of this.

Commissioner Tornatta: I don't either.

Commissioner Winnecke: This work was just completed in the winter. I can't believe that any vendor would expect their work to last such a little amount of time, guarantee or no guarantee.

Commissioner Tornatta: Well, they fixed, they didn't that part, right?

Chris Walsh: No, and, you know, and this came up last year, this being my second year doing the paving, and we had a bridge project on, I believe it was Baseline Road out there, and when they use these access roads for their projects, it breaks down, because these trucks are somewhat overloaded, fully loaded and lots more on the road than has been in the past, and these roads break down pretty quickly.

Commissioner Tornatta: But, they're using this–

Chris Walsh: Quicker than we anticipated.

Commissioner Tornatta: – yeah, they're using this road to their benefit.

Chris Walsh: Right.

Commissioner Tornatta: That's where I have a problem. I mean, it's, they're going down the road and cutting at that angle to get rid of debris on a piece of land that they've negotiated a price or leased or whatever they're doing.

Chris Walsh: That's my understanding as well.

Commissioner Tornatta: And, at that point, I mean, that was my initial question to address what their participation is going to be, because I don't think we've fixed the road, however, I know that they've definitely damaged the road. It's, I don't know–

Chris Walsh: It accelerated it by the added traffic–

Commissioner Tornatta: Yeah.

Chris Walsh: –and weight on the road.

Commissioner Tornatta: I mean, I didn't notice that the road looked necessarily new.

Chris Walsh: No. It would probably be a candidate in the next few years to be paved.

Commissioner Tornatta: Yeah.

Chris Walsh: But, this is significantly more (Inaudible).

Commissioner Tornatta: Just get back with us, I mean, if they were paying a majority of the cost, it's a fair deal. If they're, because I, we were going to have to pave that road. There's cracks on it, it's older, but the amount of damage they've done over that short period of time has been pretty drastic.

Chris Walsh: I do feel confident what we're doing will buy us enough time that at some point in the future if you want to look at whatever, we'll be in good shape by then.

Commissioner Winnecke: Okay.

Commissioner Tornatta: I would also, since we're on this topic, I still want you to talk to the utility companies about formulating a plan on how they patch our roads. We have been in the past where we might even go through a new road, and next thing you know they're cutting a trench across it to put in a utility and they put the patch in it. Well, they put a patch, as we've seen in the past, that's a trouble spot for us forever. We have to take care of that.

Chris Walsh: Yeah, I can check into that. We, as the County Highway Department, we've kind of changed, since I've been there, how we backfill and that, and it seems to be helping.

Commissioner Tornatta: Yeah, but I would rather see us do it, and, you know, one of the thoughts that we threw out there was the utilities would contract with the county to backfill and to take care of the road, at that point, and then we would be uniform in how we do it.

Chris Walsh: Okay, I'll get with John Stoll and see what I can do.

Commissioner Tornatta: Okay, thank you.

President Melcher: I guess, while we're on this subject, and I wish John would have stayed too, you know, they're doing this Oak Hill widening, the city is, but the bridge is ours, and, to me, the bridge looks like it's going to pot now. I think there's going to be some trouble when the snow flies. So, I think that's something—

Chris Walsh: Is that project going to be open by winter?

President Melcher: Well, I don't know that. You know, it seems like it's been tore up, that whole area, and they're not really, they keep tearing up more and they're not fixing what they're tearing up. We don't have any control over it, but that bridge is ours, and it wouldn't hurt for you to look at it and then maybe talk to John. Then, maybe we could get with Pat Keepes and find out, we need to schedule on them getting that bridge under some kind of secure area for the traffic.

Chris Walsh: Okay, I'll get with John on both of those points and get back with you.

Commissioner Tornatta: I've checked into this. The, for them to go ahead with the project, they had to take care of the bridge. Normally the bridge maintenance would be ours. They're actually taking care of the bridge maintenance on this one.

President Melcher: But, you know, they're leaving some ditches open out there, I mean, if you drive out there you'll see what I'm talking about. Maybe you have.

Commissioner Tornatta: Yeah.

President Melcher: But, they need to take care of this bridge before it starts snowing and icing.

Commissioner Tornatta: Yeah.

Chris Walsh: I'll get with John and report back to you at another meeting.

Commissioner Tornatta: Okay.

President Melcher: Okay.

Commissioner Tornatta: Thank you.

President Melcher: Alrighty. I think that's the end of department head reports.

New Business

President Melcher: New business? Seeing none, we'll go to old business. So, Rick, you're up.

Old Business

Rick Davis: Good evening, Rick Davis, Vanderburgh County Treasurer. I have with me my Chief Deputy, Zachary Heronemus, and he's handing out some handouts for you. My First Deputy, Candy Nance, who handles our cashbook for the county. I have a slight, or a small Power Point I want to present. It should not take very long. If you will allow me a few moments to load it up.

Consent Items

Commissioner Tornatta: Do you want to do the consents in the meantime? If he's got a minute?

Commissioner Winnecke: Sure.

Commissioner Tornatta: Is that okay?

President Melcher: Yeah, that's okay.

Commissioner Tornatta: Motion to approve the consents?

Commissioner Winnecke: Second.

President Melcher: We have a motion to approve the consents, we have a second. Any discussion on the consents? Madelyn, do you want to go ahead and read it while he's loading?

Madelyn Grayson: Sure, the consent items for the October 26th meeting are as follows; approval of prior minutes, we have the October 11, 2010 special meeting minutes and the October 12th Commission meeting minutes; employment changes, there is one for the Commissioners approval this evening for the County Highway; EMA has the multi-hazard mitigation plan statement of intent to participate; the County Commissioners have an appropriation request; the Engineer has approval of pay request number 115 for the amount of \$1,389,476.06; the County Auditor has the September 2010 A/P vouchers; we have waiver of fees/not overtime for the Centre for the Evansville Fire Department for tutoring session and written examination on Saturday, April 30th and Saturday, May 7, 2011, the Evansville Police Department has two requests, one for physical fitness assessments and training for 2011 and one for various events for 2011, including ceremonies, classes, board meetings and applicant events; Circuit Court has a request to surplus one broken chair; the County Treasurer has the September 2010 monthly report and the September 30, 2010 year-to-date report; the Public Defender Commission reimbursement; Legal Aid Society, September 2010 statistics; Weights and Measures monthly report for September 16 through October 15, 2010; the IBAP Gatekeeper September 30, 2010 report; and department head reports from the County Engineer, County Highway, Burdette Park and Ozone Officer.

President Melcher: We already have the motion. So, do you want to go ahead and call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Old Business Continued

President Melcher: Back to you, Rick.

Rick Davis: Okay, thank you. Rick Davis, Vanderburgh County Treasurer, for the folks at home keeping score, last month I came in front of this body and asked permission for a request for proposal, also known as an RFP for our cash management services. You approved it, and at the last Commissioner meeting County Attorney, Ted Ziemer, opened the bids. We had two bids received after the bids were legally advertised in the newspaper. We also submitted them to several local institutions. Old National Bank was one of the bidders, and that's our current bank, and Fifth Third Bank also submitted a proposal. Other banks expressing an

interest, but not making a formal presentation were German American Bank, Bank of Evansville and Legence Bank here in Evansville. The RFP covers a period from January 1, 2011 to December 31, 2012. A proposal overview, both banks submitted proposals based upon a fee structure, rather than one total figure that covered a set amount or period of time, like "x" amount of dollars per year, "x" amount of dollars per month. The fee amounts are based upon estimated bank activity, such as number of deposits, wire transfers, tax collection services, etcetera, and those are based upon past averages by the Vanderburgh County Treasurer's office. To give you a little bit of insight, the last time this was bid out was in 2006. In 2008 Old National Bank received a two year extension by the previous County Treasurer without an RFP. Fees increased from \$958.34 per month to \$1,200 per month, which was a 26 percent increase. From January of '09 until today our checking account has not earned a single penny in interest, and the reason why is the previous agreement was based upon the Fed rates minus a quarter of one percent. As you know, the banking industry was in a crisis in 2008, and the Fed in order to stimulate the economy and increase lending dropped the Fed rate between zero and one quarter of one percent. So, long story short, just like everyone else at home has a check book that earns interest, we have a check book for the county, it earned zero interest from January 1 of '09 until today, because the Fed rate has been below the fee amount of a quarter of a percent. To put that in perspective, in 2007 our cash management account earned a quarter of a million dollars in interest. In 2008 that total dropped more than half. So, the economic crisis had a major impact on the amount of money that our cash book earned. Again, to put this in perspective, in October of '08 we made \$3,700 in earned interest on a six million dollar average daily balance. That was just in one month. In November of '08 that amount fell to \$824 in earned interest. In December of '08 that amount fell to \$189. This on an agreement that required an average daily balance of five million dollars. I have a belief that if you have five million dollars sitting in a bank it should earn something. My account at the Firefighters Credit Union earned more interest than our county bank, and I assure you I didn't have five million dollars in that account. So, I had one change in the RFP, I requested that this account would earn no less than one quarter of one percent. Our request for one quarter of one percent on our average cash book balance, according to the previous agreement, would have meant nearly, well, \$12,000 in earned interest on that five million dollar agreement. The proposals came back, rather than, again, a fixed figure over a certain amount of time, like one year or per month, based on the activity, and Old National Bank's figure comes to \$55,915.06. Fifth Third Bank came in at \$59,989.82. So, they were very close to each other in that amount. Old National Bank will pay the minimum of one quarter of one percent. Fifth Third Bank asked for a floor of one tenth of one percent, or as they say in the industry, ten basis points. The best news I can tell you about this is that Old National Bank will now no longer require a minimum average daily balance. So, we won't have the problem of five million dollars a day sitting in there not earning any interest. We can knock that level down considerably. We can invest that money in CD's, our Trust in Indiana account, and Agency Securities, increasing our interest earned. Once the economy improves, interest earned on the cashbook and with our CD and Agency Security investments will eventually pay for these service charges. Again, the reason why these increased fees have happened is Federal lending practices have heightened considerably since the 2008 crisis. It's caused bank profits from loans to decrease tremendously. Banks are looking for alternatives to improve revenue, including service fees, and, our request for a quarter of a percent, obviously, had a factor as well. They weren't going to give us \$12,000 for nothing. The FDIC insurance has increased from \$100,000 to \$250,000, meaning that's a greater cost for banks to insure their deposits. I didn't know this by myself, I did some research with our county broker at Morgan Stanley Smith Barney, plus the

representatives from Fifth Third and Old National Bank. Also, there are some other laws that have affected the banks that are still being interpreted even as I speak right now. Banks really don't know what the cause and effect is going to be on their ability to make money in the near future. So, there is still some uncertainty out there with the lending institutions. Our recommendation to you to today, I would like to say that both Old National and Fifth Third are extremely sound banks. There have been 300 banks that have failed since the banking crisis began at the end of '08. Both banks are rated three stars out of five at bankrate.com, and both banks have in excess of five billion dollars in assets. Old National is listed as the 18th best large bank in the nation by Forbes Magazine. Old National will continue to accept property tax payments at all 18 branches in the tri-state area, comprised of six cities and towns in a five county area. There is a time value of money. There are only twelve people in the Treasurer's office, and we are one location. When people make these payments we encourage them to go to Old National Bank through the teller, because that money is deposited into our account within 24 hours. If we did this job all by ourselves that money would sit in a postal bag for several weeks waiting to be tendered. So, that money is earning interest at a much quicker rate. ONB's proposal to eliminate the five million dollar average daily balance is also very appealing. So, while both banks are sound, and both offers are very competitive, my recommendation today is to award the RFP to Old National Bank. I would be glad to answer any questions you may have.

Commissioner Winnecke: Rick, are the fees on an annual basis, or do they represent the life of the RFP?

Rick Davis: That's, according to the activity of the account, and it covers both years.

Commissioner Winnecke: Thank you.

Commissioner Tornatta: On the recommendation of the Treasurer, I would look to accept ONB for his services.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Rick Davis: Okay, thank you for your time. I really appreciate it.

Commissioner Winnecke: Thanks, Rick.

Commissioner Tornatta: Thank you.

President Melcher: Anything else under old business?

Commissioner Tornatta: Motion to adjourn.

President Melcher: Wait, we've got public comment.

Commissioner Tornatta: Oh, sorry.

Public Comment

President Melcher: Is there anybody that has anything under public comment?
Alright, make your motion.

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: Alright, all in favor say aye.

All Commissioners: Aye.

President Melcher: We're adjourned.

(The meeting was adjourned at 6:20 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the October 11, 2010 Special Meeting Minutes.
Approval of the October 12, 2010 Commission Meeting Minutes.
EMA: Multi-Hazard Mitigation Plan Statement of Intent to Participate.
Appropriation Request: Drainage Board: PERF.
EPD & EFD: Requests for Waiver of Centre Fee/Not OT for 2011.
IBAP Gatekeeper September 30, 2010 Report.

Employment Changes:

County Highway (1)	Sheriff (3)	VCCC (1)
County Assessor (7)	Superior Court (3)	Election Office (1)
Prosecutor (1)		

County Engineer: Pay Request No. 115: Green River-Burkhardt TIF Projects.

County Auditor: September 2010 A/P Vouchers.

Surplus Requests: Circuit Court: (1) chair.

County Treasurer:

September 2010 Monthly Report.
September 30, 2010 Year-to-Date Report.

Public Defender: Third Quarter 2010 Request for Reimbursement.

Legal Aid: September 2010 Statistics.

Weights & Measures: Monthly Report for 9/16-10/15/2010.

Department Head Reports:

County Engineer	County Highway	Burdette Park
Ozone Officer		

Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Amanda Steinback	Emily Forche
Lonna Dippel	Lindsay Moreland	Dennis Woehler
Travis Genet	Mike Head	Sherman Greer
John Stoll	Loretta Townsend	Chris Walsh
Rick Davis	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
NOVEMBER 9, 2010**

The Vanderburgh County Board of Commissioners met in session this 9th day of November, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We would like to open up the Vanderburgh County Board of Commissioners. It's November 9, 2010. We're in room 305¹, it's 5:00 p.m. So, we'll start off with the call of order. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance

President Melcher: Next we'll have the Pledge of Allegiance. Would you mind giving us the Pledge of Allegiance? After that, you will state your name and what school you go to.

(The Pledge of Allegiance was given.)

Introduction of Teen Advisory Council Job Shadow

Paige Scott: I'm Paige Scott, and I attend North High School as a Junior.

President Melcher: Usually you have a few friends here, but I think they left you tonight. So, they owe you.

**Appointment of Hearing Officer: Appeal of Denial of Assistance:
Pigeon Township Trustee**

President Melcher: First we have an action item on the appointment of a hearing officer for appeal of denial of assistance by the Pigeon Township Trustee.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

¹Room 301.

President Melcher: So, the officer will be Ted Ziemer, our hearing officer.

Ted C. Ziemer, Jr.: Okay. Thank you.

President Melcher: So, any discussion? Ted, I guess, you agree to do that?

Ted C. Ziemer, Jr.: Oh, I do. I do. I want to.

President Melcher: Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

<p>Resolution CO.R-11-10-011: Accepting Transfer of Ownership of Surplus Vehicles from the Evansville-Vanderburgh Airport Authority</p>
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President Melcher: Next is resolution CO.R-11-10-011 to accept surplus vehicles from the Evansville-Vanderburgh Airport Board.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Resolution CO.R-11-10-010: Waiver of Vanderburgh County's
Share of Recovery Zone Facility Bond Money (Private Projects)**

President Melcher: Next we have resolution CO.R-11-10-010, the waiver of the county's share of recovery zone facility bond waiver. Ted?

Ted C. Ziemer, Jr.: I'm sorry?

President Melcher: You're going to discuss this one?

Ted C. Ziemer, Jr.: Which one?

President Melcher: The waiver of the county's share of the recovery zone—

Ted C. Ziemer, Jr.: Yes, yes, thank you. As you know, the county had recovery zone economic development bonds, and of that we had \$2,700,000 worth, and then, and that was for public projects. Then we have facility redevelopment bonds of which we have \$4,090,000, and they're for private projects. You'll recall that there was some suggestion by, I can't remember whether it was GAGE or, what's the....I can't remember which organization had a potential project for those—

Commissioner Tornatta: CVB.

Ted C. Ziemer, Jr.: Was it?

Commissioner Tornatta: The CVB.

Ted C. Ziemer, Jr.: CVB?

Commissioner Tornatta: Convention and Visitors Bureau.

Ted C. Ziemer, Jr.: No, no.

Commissioner Winnecke: The Economic Development Coalition.

Ted C. Ziemer, Jr.: Yeah, either the, thank you, either the Economic Development Coalition or GAGE came forward with a prospect. It developed that that prospect did not meet the requirements for those bonds. I'm unaware of any project that the county, any private project that the county has for the use of those bonds. If that's true, and I think it is, then the State of Indiana does have other counties that would like to use those bonds if we'll relinquish our bonds back to the State of Indiana. The resolution you have before you would relinquish our \$4,090,000 worth of facility recovery zone bonds back to the State of Indiana, and they will then reassign them.

President Melcher: Okay, so this is actually going back to the State of Indiana?

Ted C. Ziemer, Jr.: Yes, it is.

President Melcher: Okay, that was a little confusing for me, but I understand.

Commissioner Tornatta: So, just, so we're clear, by this going back to the State of Indiana, and the State of Indiana has the right and jurisdiction to pass these out however they see fit?

Ted C. Ziemer, Jr.: To Indiana—

Commissioner Tornatta: And there has to be an application to the State of Indiana—

Ted C. Ziemer, Jr.: By some other county.

Commissioner Tornatta: —by somebody else?

Ted C. Ziemer, Jr.: Right. If we had a project we could reapply to the State of Indiana. They may or may not have any of these left over. I think the question is whether we think there's any possibility of a viable project for these in the remaining two months of this year, or month and a half, and, if there isn't, it makes sense to relinquish them back to the State, but, that's, of course, up to the Commissioners.

President Melcher: As far as I know we don't have a project right now. You have to have it done before the end of the year.

Ted C. Ziemer, Jr.: Yes, sir.

President Melcher: So, it makes sense to send it back if there's somebody that needs it.

Commissioner Tornatta: At this time, this would be for public, not private, correct?

Ted C. Ziemer, Jr.: The private portion is what we're relinquishing back.

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: Yes.

President Melcher: Okay, any other discussion? Anybody from the audience?

Commissioner Tornatta: One last question.

President Melcher: I need a—

Commissioner Tornatta: One last question real quick here. As far as, on the private side, when do these have to, these have to be back by what time? I mean, relinquished by?

Ted C. Ziemer, Jr.: Well, they want them as soon as possible, Commissioner Tornatta—

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: —so that they can assign them to another county who might be in a position to close a bond issue before December 31, 2010.

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: If we thought there was any likelihood that we were going to have a private project for these bonds, we would not relinquish them.

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: Yeah.

President Melcher: So, I need a motion.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody in the audience? Madelyn?

Bill Jeffers: Are they—

President Melcher: I'm sorry.

Bill Jeffers: Does that affect the ballfields?

Ted C. Ziemer, Jr.: It will not. Those are public.

Commissioner Tornatta: The question was will those affect the ballfields, and this has nothing to do with the ballfields.

Ted C. Ziemer, Jr.: Correct.

President Melcher: Okay, Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

<p>County Assessor: Permission to Seek Quotes for Consultant Services to Assist with Commercial and Industrial Appeals</p>

President Melcher: Next we have the County Assessor, permission to seek quotes for consultant services to assist with commercial and industrial appeals. Is there any discussion needed from the Commissioners?

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Jonathan, did you have any discussion on it? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Sale of County Owned Property:
Quit Claim Deed for 1042 Adams
Notice to Bidders on 1018 Adams**

President Melcher: Next we have the sale of county owned property, the deed for 1042 Adams to Christian Tabernacle Church. The bid amount was seven dollars. Notice to bidders on 1018 Adams, there were two bids received on this property, therefore notice will be sent to the two bidders asking for their best and final bid. I need a motion for both these items.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Burdette Park: Action Pest Control Agreement
Cambridge Subdivision Right-of-Way Encroachment Agreements
County Assessor: Pictometry and Change Finder Agreements**

President Melcher: Next is contracts, agreements and leases. For Burdette Park, agreement with Action Pest Control, an agreement for pest control in chalet number five. The cost is \$2,000. Burdette has the funds in their budget to cover it.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Okay, we have a first and a second. Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the County Engineer, Cambridge Subdivision right-of-way encroachment agreement.

Ted C. Ziemer, Jr.: There's two of them.

President Melcher: Two of them?

Commissioner Tornatta: Motion to approve on both of the encroachment agreements.

President Melcher: Okay.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the County Assessor again, Pictometry agreement. The cost of the agreement will be \$57,314 for the 2011, plus the charge for the Change Finder services of \$25,865.78, and the second year payment being \$57,129.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion?

Commissioner Winnecke: I did have a question. I didn't really understand the Change Finder service. Jonathan or Ted?

President Melcher: Go ahead and state your name for our record.

Jonathan Weaver: Good evening, Jonathan Weaver, your Vanderburgh County Assessor. Mr. Winnecke, it's a software program that detects changes in the property. It allows us, for example, compares the photo, the current, the new photo we're going to get to the old photo, and will detect changes and outline it for us. So, if someone added a room addition on to a house it will tell us.

Commissioner Winnecke: Okay.

Jonathan Weaver: It saves us time going out in the field. If someone took down their above ground pool or a deck, it would show us that.

Commissioner Winnecke: Okay.

Jonathan Weaver: You know, if they tore down a garage, it would show it's missing.

Commissioner Winnecke: Thanks.

Ted C. Ziemer, Jr.: And, just to further elaborate on that, we had the Change Finder agreement also two years ago in 2009, at which time the cost was about \$40,000. This year the cost is reduced to \$25,800. So, it is the same service, but the cost of it has been reduced.

Commissioner Winnecke: Thank you.

President Melcher: Okay, any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Jonathan Weaver: Thank you.

Additional Discussion of Recovery Zone Bonds

Ted C. Ziemer, Jr.: Excuse me, if I may? Commissioners, I just want to be sure here, Commissioner Tornatta was mentioning to me the possibility of a private project. I was unaware of it. If, you know, if you think that there is something that could possibly qualify for these bonds, and I don't know whether what's in the offing would qualify or not, you know, this could be done at our next meeting in November. It will be late for the State, but we shouldn't give up something that we could use, but I have no idea whether there's a project that's viable or not. You know, we could rescind our motion, if we choose to do that, and take the time to look at this other project and see whether it's possible to do bonding for that before the end of the year.

Commissioner Winnecke: I don't know that that's going to be....if I'm. I don't know.

Ted C. Ziemer, Jr.: Two things, we don't know whether it qualifies.

Commissioner Winnecke: Right.

Ted C. Ziemer, Jr.: And I wouldn't know until I know a lot more about the project. Second, even if it does, whether starting tomorrow, if we knew, we could have bonds issued before December 31, 2010 is very problematic, but possible. So, I just, you know, mention that.

Commissioner Tornatta: It's alright.

Ted C. Ziemer, Jr.: Huh?

Commissioner Tornatta: We're good.

Ted C. Ziemer, Jr.: Okay.

Commissioner Tornatta: Thank you.

Ted C. Ziemer, Jr.: Uh-huh.

County Engineer

President Melcher: Next we have department head reports. The County Engineer, John.

John Stoll: The first item that I have doesn't require any action. It's an amended right-of-way certification letter for the final segment of University Parkway. INDOT had requested another change in the letter stating that there were, there was no additional right-of-way required since the last right-of-way certification letter was submitted. Commissioner Melcher came over and signed the amended letter last week and I'm just submitting that for the record. So, we don't need any further action on that one. Then, the second item that I have is the agreement between the county and INDOT for the federal funding share on the University, the final section of University Parkway. This would be for a federal amount of \$8,984,795.30. That is for the 80 percent federal share. Based on current cost estimates that is sufficient to cover the construction, construction inspection and the utility relocations on the project. It would leave a cushion of about \$240,000 for any change orders for any

unforeseen conditions out there. Anything above and beyond the eight point nine million dollar figure, if anything runs the cost up would be 100 percent locally funded. To help offset that, if there are any surplus funds from section two, they may be able to be transferred to section three, but here this evening I just need your signatures on the agreement so that we can sent it to INDOT. Then we'll still remain on schedule for the December 8th bid letting.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: The next item is a change order on the Evergreen Acres project. This results in a net increase of \$3,703.71. This is the final change, the only change order and the final one on the project. The reason for the increase was primarily due to all of the additional patching that we dealt with out on Heather Court. We had to make some changes to delete some concrete patching repairs, and that helped offset this increase, but we can pick up the concrete repairs on the next phase next year. So, I request your approval on the change order.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Next I would like your approval to file a travel request for me, Pat Seib and Valerie Harry to attend the county bridge conference at Purdue on January 12th and 13th.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: A first and a second. Discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Now, you're going to County Council with that?

John Stoll: Yes.

Commissioner Tornatta: Okay.

John Stoll: I just need to request your approval.

Commissioner Tornatta: That's fine.

John Stoll: Time wise to meet their filing deadlines.

Commissioner Tornatta: Okay.

John Stoll: The last item that I have is that I would like to request approval to begin negotiating a contract with Clark Dietz for the Baseline-41 work. This is in response to the RFP that we got proposals on at the last meeting. We received proposals from Clark Dietz, Strand Associates, Morley and Associates, Wessler Engineering and—

Commissioner Winnecke: Neikirk.

John Stoll: —Neikirk. Of those, I was, I'm glad you saw an e-mail I sent you. I was requesting, recommending Clark Dietz, based on their involvement with their 41 project for INDOT.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: That's going to save us some money, because they've already got part of that in there?

John Stoll: Right, it should help us out.

President Melcher: Okay, any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: I'll see if I can get that contract, if not at your next meeting, before the first meeting in December. That's all I have, unless you have any questions.

President Melcher: No.

John Stoll: Thanks.

President Melcher: Thanks, John. Any other department heads? Ted, do you have anything?

Ted C. Ziemer, Jr.: No, sir.

New Business/Old Business

President Melcher: Okay, we'll move down to new business. Any new business? Any old business?

Public Comment

President Melcher: Any public comment?

Consent Items

President Melcher: Consent agenda items.

Commissioner Tornatta: Motion to approve the consent agenda, minus, I'm just going to do it right now.

Commissioner Winnecke: Thank you, I appreciate that.

Commissioner Tornatta: Minus the Girl Scouts of Southwestern Indiana fundraising event on May 14, 2011.

Commissioner Winnecke: Second.

President Melcher: A first and a second. Is there any further discussion? Madelyn, would you like to read them?

Madelyn Grayson: The consent items for the November 9th meeting are as follows; approval of the October 26, 2010 Commission meeting minutes; employment changes for the Commissioners approval, there are two for the County Highway; the County Auditor has the October 2010 A/P vouchers; Burdette Park yearly comparison from January-September of 2009 to 2010; the County Clerk September 2010 monthly report; Evansville ARC September 2010 report of activities; Commissioners request for waiver of fees/not overtime for the Centre for the Southwest Indiana College Access Network for 2011 College and Career Expo on March 6th; the Commissioners citizens letters regarding proposed Wesselman ballfields; department head reports from the County Engineer, Burdette Park and the Ozone Officer.

Gary Heck: Commissioners, I thought we had an employment change for the Dental Clinic?

Commissioner Winnecke: I don't remember seeing that.

Gary Heck: It's a green sheet.

Madelyn Grayson: I don't have one.

Commissioner Winnecke: That's fine.

Madelyn Grayson: I didn't read it into the record.

President Melcher: I didn't get that.

Commissioner Winnecke: I'm okay with signing it.

Madelyn Grayson: I will pull it out.

Commissioner Tornatta: Okay. Yeah.

Madelyn Grayson: I only did one for the Southwest Indiana College.

President Melcher: Okay, are we all squared on that now?

Commissioner Tornatta: Yep.

President Melcher: Any further discussion then? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Ted, did you want to—

Ted C. Ziemer, Jr.: Yes, sir. Thank you. I forgot when you called on me for my department head report. I did e-mail the Commissioners about the, our recommendation that we have an executive session to review a personnel matter/pending litigation, and just thought that I would bring that to your attention so that you....you don't need to decide when, we can have Marissa work out a time and notice and everything, just that you're willing to go ahead and have that executive session.

President Melcher: Alright, thank you.

Commissioner Winnecke: Did, were you guys going to do Girl Scouts? It doesn't matter.

President Melcher: No.

**Final Reading: VC-2-2010: Petitioner: Scott J. Okesson
Address: 5901 Hirsch Road
Request: Change from C-4 to Ag
Action: Approved 3-0**

President Melcher: Okay, next we'll have the rezoning, this is a final hearing on VC-2-1010².

Janet Greenwell: Janet Greenwell with Area Plan Commission. We have one rezoning on the docket tonight, VC-2-2010. It's a request by Scott Okesson to downzone three tenths of an acre, part of his lot, from C-4 to Agricultural. His property was zoned C-4 back in '86. It since has undergone a few changes that need some correction. There has been some splits of the land that have to be subdivided. This is Mr. Okesson's first step in getting all of the problems solved on this lot. Plan Commission did recommend approval unanimously at their meeting on October 14th.

President Melcher: Alright. Any questions?

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Any petitioners?

²VC-2-2010.

President Melcher: I was going to ask that. Is there anybody in the audience that has anything? Okay, we've got a motion.

Commissioner Tornatta: Second.

President Melcher: We have a second. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Is there anything else to come before the County Commissioners this evening?

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

President Melcher: We're adjourned.

(The meeting was adjourned at 5:21 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the October 26, 2010 Commission Meeting Minutes.

Evansville ARC September 2010 Report of Activities.

Waiver of Fee/Not OT for the Centre: SICAN (EVSC): College Career Expo: 3/6/11.

Citizen Letters: Proposed Wesselman's Ballfields.

Employment Changes:

County Clerk (2)

Sheriff (1)

VCCC (2)

County Assessor (1)

County Highway (2)

Prosecutor (1)

County Auditor: October 2010 A/P Vouchers.

Burdette Park: Yearly Comparison: January-September from 2009 to 2010.

County Clerk: September 2010 Monthly Report.

Department Head Reports:

County Engineer

Burdette Park

Ozone Officer

Those in Attendance:

Stephen Melcher

Troy Tornatta

Lloyd Winnecke

Bill Fluty

Ted C. Ziemer, Jr.

Madelyn Grayson

Marissa Nichoalds

Paige Scott

Jonathan Weaver

John Stoll

Gary Heck

Janet Greenwell

Others Unidentified

Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**PIGEON TOWNSHIP TRUSTEE
APPEAL HEARING OF DENIAL OF ASSISTANCE
NOVEMBER 18, 2010**

A public hearing of an appeal of a denial of assistance of the Pigeon Township Trustee to Lynette Head was held on November 18, 2010 at 10:45 a.m. in room 307 of the Civic Center Complex with County Commissioner appointed hearing officer, Ted C. Ziemer, Jr. presiding.

**Hearing of Appeal of Denial of Assistance:
Lynette Head: 627 Sweetser Avenue**

Ted C. Ziemer, Jr.: We'll start this hearing. My name is Ted C. Ziemer, Jr.

Madelyn Grayson: Ted, your microphone is not on.

Ted C. Ziemer, Jr.: My name is Ted C. Ziemer, Jr. I was appointed by the Vanderburgh County Commissioners on November 9, 2010 to be the hearing officer for this appeal by Lynette Head, who is with us today. Ms. Head is appealing from an order of the Pigeon Township Trustee of November 5, 2010, denying her benefits. Ms. Head filed this appeal and believes that she's entitled to benefits. The purpose of this hearing is to determine whether or not the Commissioners will uphold the decision of the Pigeon Township Trustee to deny your benefits, or find that the Pigeon Township Trustee was incorrect in its determination and ordering that you receive benefits. I'll point out, for the record, that the Pigeon Township Trustee is governed by standards established by the trustee, which were reviewed and approved by the Vanderburgh County Commissioners as being in accord with Indiana law for such standards. Then, for the record, I will show, state, and it's in the standards that to receive, to be entitled to assistance from the Pigeon Township Trustee by one individual person their minimum net, maximum net income cannot exceed \$800 per month. Now, that's for the record. I want to further state that following this hearing...oh, I want to point out that Indiana law requires, Ms. Head, that this hearing be held within ten business days of the date that you filed your appeal, which was November 5th, and today, November the 18th would be the last of the ten business days. So, we are holding the hearing within the time prescribed by law. And, following this hearing today, within five business days, which would be November 25, 2010, the Commissioners must enter an order, based on this hearing, and they will, in fact, do that at the Commissioners meeting on November 23rd, which is next Tuesday. So, the hearing is today, I'll report my findings to the Commissioners between today and next Tuesday, and they will then either approve or disapprove my recommendations and enter an order relative to your appeal. So, I want to start, I think, with you. I'm going to ask, is your name Lynette Head?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Where do you reside?

Lynette Head: 627 Sweetser Avenue.

Ted C. Ziemer, Jr.: Okay, and that's in Evansville, is it?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Okay.

Madelyn Grayson: Can you speak a little closer into the microphone so that we can pick up your comments?

Ted C. Ziemer, Jr.: Okay, that's good. Thank you. Now, you have applied for benefits numerous times in the past, is that correct?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Most recently you applied on November 5, 2010, and in your application at that time, how much income were you making on November 5, 2010, per month?

Lynette Head: \$956.

Ted C. Ziemer, Jr.: And you reported that, at that time, on November 5th that you were, had Social Security income of \$950?

Lynette Head: Yes. I have proof of that right here.

Ted C. Ziemer, Jr.: That you have income of two hundred, \$956, right?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Okay, now, I want to ask you, how long have you been receiving that Social Security check of \$956 a month?

Lynette Head: Since May of this year.

Ted C. Ziemer, Jr.: Okay, so, well, in May you received, did you not, I'm going to ask you....let's look here, in May you received, what, a check for \$956?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: And, then, did you also receive a check for prior benefits that were awarded by the Social Security Administration in the amount of \$16,148?

Lynette Head: Yes, but they took out, I actually got a little over \$13,000.

Ted C. Ziemer, Jr.: Okay, so, you received \$13,000, and when did you get that, Ms. Head?

Lynette Head: May 1st.

Ted C. Ziemer, Jr.: Okay, so, you got \$13,000 on May 1, 2010, and you got, I'm asking, did you receive then a check for \$956 in addition in May?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Okay, and, then, have you been receiving that amount since May?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: So, in every month, and the May check was for April, and then you've been receiving, every month, a check for \$956?

Lynette Head: Yes, but my first check was in May.

Ted C. Ziemer, Jr.: Okay, and, then, the lump sum payment, did you receive a statement from the Social Security Administration regarding what they were going to pay you?

Lynette Head: Yes, and I have that right here.

Ted C. Ziemer, Jr.: Okay, let me ask you, is that dated April 3, 2010?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: And, you have it in front of you there, I'll ask, does it say that you will receive \$956 for April around May 12 of 2010?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Then, does it say, in the second page of that letter, that you'll also be receiving a check for \$16,148 less the charges of your representatives in obtaining that payment from Social Security? Then, I'll ask you, then that amount was \$13,000?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: And, you received that on May 1, 2010?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: So, then, for the entire period from April 13, 2010 through November 5th, when you filed your appeal, you have been receiving \$956 a month from Social Security?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Okay, I'll say, at this time, that it appears to the hearing officer that you are receiving income, Social Security, in the amount of \$956 a month, which exceeds \$800 per month, which according to the standards of the Pigeon Township Trustee would indicate that you're not entitled to any benefits from the trustee. Having stated that, I now want you to tell me, as the hearing officer, why you believe you're entitled to benefits.

Lynette Head: Okay. I feel strongly that I was wrongly accused of not reporting my disability lump sum on November 5th of this year because I was told in a letter from the Social Security office that it was a settlement for all the years that I waited for my benefits. First, I reported to Kim, my case worker, in April this year of what I was, what my monthly check would be, showing her that in an SSI letter, plus it had how much my lump sum would be on one of the other pages which she should have looked at to begin with. In May this year, Kim took away my right to receive any help from the trustee except for non-food orders just because I didn't report my income to my property manager, which I thought didn't concern her at all. This situation was resolved in May 2010. I also want to say that Kim makes it very hard for us to

receive any financial help from the trustees many times, especially for black people. I believe firmly that she has personal problems and she takes it out on us. I reported this to Donna, her manager, and it appeared that it went from one ear to the other. I'm not the only one who's saying these things. I have a very close relative who has Kim as her case manager—

Ted C. Ziemer, Jr.: I'm sorry, has what?

Lynette Head: I have a very close relative who has Kim as her case manager.

Ted C. Ziemer, Jr.: Oh, okay. Thank you. Go ahead.

Lynette Head: She told me that Kim gives her a very hard time in getting financial help too, and that Kim is always very late to work, making everyone wait. She also said that other clients are complaining about Kim too. Kim and Donna act like the funds are coming out of their own pockets, which makes me think that they're putting some of the money in their own pockets, the funds. I really need financial help, especially with non-food items, because I use a lot of bathroom tissue each month because of my illnesses, plus trash bags, laundry detergent and soap. If I'm reinstated, I do not want Kim or Donna to be my case worker at all. I want someone who will be, will treat me right and not give me problems, period.

Ted C. Ziemer, Jr.: Thank you for your statement. Anything else that you would like to say, Ms. Head?

Lynette Head: No, that's all.

Ted C. Ziemer, Jr.: Okay, at this time I want to call, I think, or I ought to recognize as being here today, Ms. Donna Jones, who is, what is your position with—

Donna Jones: Chief Deputy at the Pigeon Township Trustee's office.

Ted C. Ziemer, Jr.: Okay, and, you have heard the statements on the record by Ms. Head in response to my questions that during the period from April 13, 2010 through November 5, 2010, and, in fact, by her own acknowledgment, in her application on November 5, 2010, has been receiving \$956 a month Social Security benefits, is that right?

Donna Jones: Correct.

Ted C. Ziemer, Jr.: Then, could you tell me please, Ms. Jones, what does, what do the Pigeon Township Trustee standards say regarding entitlement to benefits based on income of those who apply for assistance?

Donna Jones: Our guidelines for incomes for one person in the household begin at \$800. We must also, in that \$800, in doing a financial budget, have to consider the other things that are available, or that our client is receiving, such as; food stamp program or subsidized housing, which in both instances Ms. Head had been receiving.

Ted C. Ziemer, Jr.: Okay, let me ask you, in the, during the period from April 13, 2010 and October 5, 2010....what do we have to do, wave our hands around to make that light come back on? I don't know, walk around or something, dance? There you go. Very good.

Donna Jones: Motion, motion sensors.

Ted C. Ziemer, Jr.: Thank you. The lights are back. Do you have copies of application for additional assistance or continuing township assistance filed by Ms. Head on April 13, 2010, June 4, 2010, July 5, 2010, August 13, 2010, September 7, 2010 and November 5, 2010?

Donna Jones: Correct. I have the originals to the copies that you have in your hands.

Ted C. Ziemer, Jr.: I want to hand you these copies to compare to the originals, just to tell me, please, whether those are exact copies of those.

Donna Jones: Yes, sir. Everything is matching up, signatures, dates, everything is the same.

Ted C. Ziemer, Jr.: Okay, and these are applications filed by Ms. Head on each of those dates seeking assistance from the trustee?

Donna Jones: Correct.

Ted C. Ziemer, Jr.: Alright, the applicants show, on their face, and I want to ask you whether you agree that on each occasion Ms. Head received a non-food payment of \$20?

Donna Jones: Correct.

Ted C. Ziemer, Jr.: Also, the applications indicate that, at the time of each application, of the dates that I have indicated, Ms. Head was receiving, it's written in there, total income \$400. What would that have been?

Donna Jones: Unemployment compensation.

Ted C. Ziemer, Jr.: Unemployment compensation?

Donna Jones: Correct.

Ted C. Ziemer, Jr.: And, also, each application indicates, on its face, and I'm asking you if your record shows the same, that at the time of filing each application, each of....well, alright, Ms. Head was receiving food stamps in the amount of \$200 per month?

Donna Jones: Correct. We have that up until the 11/5/10 date when we were completing our six month renewal application when Ms. Head did share with us the information that is indeed now her income, the change in her food stamps, and the change in her rent.

Ted C. Ziemer, Jr.: And, the Social Security income that Ms. Head was receiving from April 13, 2010 through November 5, 2010, you did not know about that?

Donna Jones: It was never reported. Each month, as she would speak with her case manager, or whomever to receive her non-food voucher, it is always asked of them is there any change in your income? What is your income? What are you applying for today? How much are you receiving in food stamp benefits? At the end of those

questions, then they are asked if everything you are stating to our office is true, please sign your name on this line and date it with today's date.

Ted C. Ziemer, Jr.: Okay, I'm going to, Ms. Head, I'm going to hand you these copies. I want you to examine each of them and tell me whether or not it is your signature that appears on each copy. Your signature would be, if it's your signature, on the reverse side.

Lynette Head: Okay.

(Ms. Head examined the documents presented by Mr. Ziemer.)

Lynette Head: Yeah, these are all my signatures.

Ted C. Ziemer, Jr.: Yeah, and, I noticed that you checked, or each page you were going through, is the information stated on their correct?

Lynette Head: Except for the time that I came in—

Ted C. Ziemer, Jr.: November?

Lynette Head: —I was five minutes over one o'clock.

Ted C. Ziemer, Jr.: What?

Lynette Head: I was five minutes over one o'clock instead of ten minutes.

Ted C. Ziemer, Jr.: I didn't, I'm sorry.

Lynette Head: Okay, the day that I came in the last time—

Ted C. Ziemer, Jr.: Yes.

Lynette Head: —it was 11/5.

Ted C. Ziemer, Jr.: Right.

Lynette Head: And, I was in at one, I checked in at 1:05 instead of 1:10.

Ted C. Ziemer, Jr.: Oh, okay. Alright, but, the income information shown on these, you signed them, you believed that was correct at the time?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: None of them show the Social Security check for \$956. Do you want to, can you explain to me why you did not put that on the applications? In other words, this is an application for assistance, and it asks you what income you have, and the only thing you show is unemployment of \$400. You don't show that you're receiving Social Security of \$956.

Lynette Head: You mean for the month of April?

Ted C. Ziemer, Jr.: April, May, June, July, every one of these you never show the Social Security until November. Then, in November you report the Social Security,

and you were receiving it, you told me you were receiving Social Security in May, June, July, August, September, but you didn't put it on the form. Do you—

Lynette Head: Actually, I didn't fill out the form. I just put my signature on it.

Ted C. Ziemer, Jr.: But, you read the form before you signed, did you not?

Lynette Head: No, I didn't read them all, but I did put the, I did tell them how much I was making each month.

Ted C. Ziemer, Jr.: Okay, and that was \$400, it says anyway, for unemployment.

Lynette Head: In April?

Ted C. Ziemer, Jr.: In April, May, June, July, I mean, August, September, each of those months.

Lynette Head: That's not what I put on there, because I read that. The \$400 I was still drawing unemployment up to the time that...okay, in April that was my last time I was drawing unemployment, \$400 a month.

Ted C. Ziemer, Jr.: Oh, it was the last time?

Lynette Head: Yes, that was the last time.

Ted C. Ziemer, Jr.: Okay, so, in each of these months after that, it shows \$400 unemployment, but you were not actually receiving that?

Lynette Head: No.

Ted C. Ziemer, Jr.: Okay, so, that income, according to you, you were not receiving after April, but you were receiving, in each of those months, \$956?

Lynette Head: Yes, from April, or from May.

Ted C. Ziemer, Jr.: May, right, but you don't show that on any of these forms. Any reason why not?

Lynette Head: Can I please look at those forms again?

Ted C. Ziemer, Jr.: Certainly.

Donna Jones: Mr. Ziemer, may I please make a statement that may help to clarify?

Ted C. Ziemer, Jr.: Okay, yes, Ms. Jones, one second.

Donna Jones: I can wait.

Lynette Head: I don't see why they put \$400 on all of these, because I told them, actually, there was some months that they didn't ask me how much I was making, because they said I wasn't certified until November 5th. But, I did tell them in April, before I got my first Social Security check that I was going to make \$956 a month.

Ted C. Ziemer, Jr.: Your statement is that you advised them in April?

Lynette Head: Ahead of time.

Ted C. Ziemer, Jr.: Ahead of time?

Lynette Head: Yes, and I showed them this paper here.

Ted C. Ziemer, Jr.: The Social Security letter?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: And, you say, your testimony is that you showed them that in April?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Okay, let me have those back, please. Are you finished looking at them?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Okay, thank you. Alright, now, thank you, Ms. Head. I'm going to ask Ms. Jones, you've heard that, your response please.

Donna Jones: First of all, it is a normal practice that when someone does come in and apply for assistance and it's on the continual assistance sheet that you have the copy of there, that rather than going through each and every question, the normal activity is, are you still living at this address? Normally, yes, of course, they would say yes. Were you receiving any food stamp benefits? Are there any changes in your household income? Most of the time that is a yes or a no answer, but at the end of that, as the case worker fills this out, which everything is filled out on this form by the case manager, except the signature and the date.

Ted C. Ziemer, Jr.: Right.

Donna Jones: Then, this will be handed to or given to, whatever, for the client to look at, is everything correct on here, if so, you need to sign here. So, at no time can I accept that she did report that Social Security, because for what reason would any of my case managers just automatically know or write something down in their head? Because they don't have the last month in front of them to compare every time. They only have the information that they are receiving during that interview that would be at hand, number one.

Ted C. Ziemer, Jr.: Right.

Donna Jones: Number two, the first time, and I do have it in my notes, that we saw the letter on the Social Security was on the November date, whenever we asked for verification. Lynette was very cooperative in saying that she had paperwork to substantiate this, and she shared it with us, there, because I do date forms as they come into the files, and there was nothing dated from April, May, or all the way up until September when we received something back from Social Security. Then, when Ms. Head came in in November, she offered to share her paperwork with us. That is our first opportunity to see what she was receiving.

Ted C. Ziemer, Jr.: Okay, thank you. If she was going to report Social Security income on this application form, where would it appear, down at the, in that block down at the bottom of the first page?

Donna Jones: Oh, you mean on the continual? Yes, where you see income and expenses at the bottom of the page—

Ted C. Ziemer, Jr.: Uh-huh.

Donna Jones: – you would put the date received and so forth, and, yes, again, without going through the actual numbers, the normal practice is, is there any changes with your income, what is your income now? They give them whatever the source is, it's usually written in there. Since it was not a six month application renewal, there was no reason to believe that she wouldn't be eligible for her non-food, because she was receiving our reporting that she was receiving \$200 in food stamps, and the amount of \$200 in food stamps is for someone that is receiving less than poverty level income—

Ted C. Ziemer, Jr.: Uh-huh.

Donna Jones: –which would not be the Social Security amount. It would be the unemployment amount. So, until we did our actual six month application, not the continual monthly sheet, we had no reason to believe that there was a discrepancy.

Ted C. Ziemer, Jr.: Okay, thank you. Now, I want to just read into the record, where it says income and expenses on the form—

Donna Jones: Uh-huh.

Ted C. Ziemer, Jr.: –I want to hand you one of them. You see down where it says income and expenses, Ms. Head?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Okay, and it says, okay; "Income and any source of benefit to your, or any number of your, any member of your", any number of your household? I think that should be any member of your household. "Whether money or payment assistance. This includes work income, AFDC", what does AFDC stand for?

Donna Jones: That is child and mother, or family benefits—

Ted C. Ziemer, Jr.: Okay.

Donna Jones: –through Family Services.

Ted C. Ziemer, Jr.: "Housing assistance, odd job money, sick pay, relative or church assistance, EAP project State payments, workers compensation, Social Security benefits", that's income, "unemployment, child support, vacation pay, tax returns, bartered goods, etcetera." So, let me have that back, please, but you saw that statement down there. So, I mean, it's clear that the form indicates that if you received Social Security income you should report it on this form. Now, I hear your testimony being that the form was filled out, you signed the form, and, I guess you're saying, or did you say that you didn't know that you were supposed to put the Social Security benefits on the form?

Lynette Head: No, I was talking about the lump sum.

Ted C. Ziemer, Jr.: Except for the \$956 a month you were receiving from May on?

Lynette Head: I did report that to them since April—

Ted C. Ziemer, Jr.: Okay.

Lynette Head: —of this year. I was going to say too that whenever Kim had me to sign a form, she didn't allow me to look at the front part of the page, just the back part of the page. She just said sign it.

Ted C. Ziemer, Jr.: Okay, alright, and I hear that, and then I've heard and so have you heard how Ms. Jones described the process and how they asked you whether it's correct or not and then asked you to sign it. So, we have a contrary testimony here by you saying that, I guess, that you didn't know the \$950 a month wasn't on the form, or didn't know that it was supposed to be on the form. By Pigeon Township Trustee, based on the testimony of Ms. Jones, that they asked you to look at the form and tell them if it's not correct, and not to sign it unless it is correct. Of course, you did sign each one of them, and you admit that that is your signature, right, on each one?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: So, okay, we have that discrepancy. What I want to be clear about here this morning is that, and I'm going to ask you again, you started receiving Social Security checks in May of 2010, correct?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: And, at that time you received a lump sum check of about \$13,000, right?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: And, you received, in addition, a check in May of \$956, as your monthly payment?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: And, you have been receiving that check every month since then, is that correct?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: And, are you still receiving it today? Have you gotten your November check yet?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Okay, and that was \$956?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: So, it's clear then that in all of these months, including November when you made your application, you were receiving Social Security income of \$956?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: So, I'm going to say that, as the hearing officer, it's not going to make any difference to me whether that is on this form or not, whether you knew it was on the form or not. The fact is you've testified, and you agree, and you are receiving \$956 a month Social Security?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: And, the standards, as I have indicated to you say, if you make over \$800 a month, from whatever, you're not entitled to assistance. So, I'm going to review all of this testimony and make a recommendation to the Commissioners. I want to comment that I understood from your statement that you are dissatisfied with the way that, Kim, what is your last name?

Kim Myers: Myers.

Ted C. Ziemer, Jr.: Kim Myers, you are personally dissatisfied with the way Ms. Myers dealt with you on the occasions when you came to the office. You made an allegation that you believe that it might be racially motivated. You stated that you were aware of other people that you believe Ms. Myers is not fair with, or doesn't treat appropriately. I'm going to say that if any of those things occurred, certainly, you're due an apology from the Pigeon Township Trustee. On the other hand, if they did not occur, in their opinion, then, of course, they would not make an apology. So far as this hearing is concerned, I'm not to concern myself as hearing officer with complaints of what impropriety that you allege on the part of Pigeon Township Trustee, that's not the reason for the hearing. The reason for the hearing is to determine whether, based on your income, and other facts surrounding your application for assistance, whether, given that, under the standards, as they exist, and as have been approved, and in accordance with Indiana law, whether that income, compared to those standards, entitle you to assistance. I will tell you that, at this point, I'm going to review this evidence again after its typed up and prepared, but at this point it appears to me that you are receiving income in excess of what the standards provide for, and, therefore, probably are not entitled to assistance. I will prepare a report and it will be based on the written minutes of this meeting, and I'll present that to the Commissioners, and they will then either approve or deny what my recommendation is. I want to be sure that I, anyway, am treating you totally fairly and with every deference, and I hope you agree that I am. I want to hear anything else that you have to say relative to this process. I would be delighted to hear anything you want to tell me.

Lynette Head: Yes, I have a question. I was wondering why Pigeon Township Trustee would allow me to have assistance when I get \$956 a month, if that's over the income, which I didn't know?

Ted C. Ziemer, Jr.: I'm sorry, I don't understand your question. Yes, \$956 a month is over the income level for assistance.

Lynette Head: I'm asking why would they allow me to have financial assistance knowing that I make over \$800 a month to begin with?

Ted C. Ziemer, Jr.: Alright, there's that question.

Donna Jones: May I?

Ted C. Ziemer, Jr.: Yes, please.

Donna Jones: Okay, first of all, the difference with the trustee system as opposed to any of your State programs that have State guidelines, they must go by the letter of the law. If you are one quarter over any of their guidelines, you are not eligible. Now, with trustee assistance, not just our office, any trustee's office, it will read in the guidelines, the copy that our attorney has here can show you that, that any assistance is at the discretion of the trustee, or their deputies. Now, being only a non-food order, which is a supplement to your food stamps, I made that choice, what, back at the first of the year or whatever, to continue your non-food order as a reason to help you and your household simply because if you wanted to go through the process of making an application and coming into our office for that assistance, I felt that it was fair, and I have the legal right to have that income leniency to do that. But, I must tell you, since you have stated that you feel like that part of those funds go in our pocket, I want to go by the letter of the law with this on the income guidelines.

Ted C. Ziemer, Jr.: You mentioned one thing, I just wanted to clarify for the record. You said, "our attorney". I am not the attorney for the Pigeon Township Trustee .

Donna Jones: No, I'm sorry, excuse me.

Ted C. Ziemer, Jr.: And, nor am I the attorney for you. I am simply, I am an attorney, I am the hearing officer, and I'm hearing what you have to say, and I'm hearing what the trustee has to say. I want to ask you, Ms. Jones, you said you were exercising, I know that you have the right to exercise discretion, but unless I misunderstand, what did you believe that Ms. Head's income was in—

Donna Jones: Back in April?

Ted C. Ziemer, Jr.: In July, August, September, October and November?

Donna Jones: Whenever we had began, first of all, may I please make this statement? To get all of that information prepared for you, which Ms. Head and I can sit here and discuss it and you will probably be able to understand.

Ted C. Ziemer, Jr.: Okay, excuse me, Ms. Jones. I don't want to get beyond the record.

Donna Jones: Right.

Ted C. Ziemer, Jr.: Let me just ask a question, and then you answer it. In, when the application was filed by Ms. Head on June 4, 2010, what did the Pigeon Township Trustee's office believe that her income was?

Donna Jones: \$400.

Ted C. Ziemer, Jr.: Alright. What did you believe her income was in July?

Donna Jones: \$400.

Ted C. Ziemer, Jr.: And, what did you believe it was in August?

Donna Jones: \$400.

Ted C. Ziemer, Jr.: Okay, so, in those months, you weren't exercising discretion, I don't, the record appears that you, her income was under \$800, in which case she qualified for assistance, isn't that right?

Donna Jones: That is true. That is very true.

Ted C. Ziemer, Jr.: Right, and, so—

Donna Jones: That statement was to go there after and why did I deny her at that point.

Ted C. Ziemer, Jr.: Yeah, okay. Okay, does that answer your question?

Lynette Head: I'm kind of confused right now.

Ted C. Ziemer, Jr.: It is confusing, Ms. Head. I'm going to try, just to, I'm explaining what my understanding of this is. The guidelines are set so that there is a record, and everybody in the world knows what it is. The trustee is generally to go by those guidelines. The guidelines say if you make, if a single individual makes \$800 a month, from whatever source, then that individual is considered not to be entitled to benefits. And, I'm going to say that in most cases when you go into a trustees office, any trustees office and have income in excess of \$800, they're not going to give you any benefits. If your income is less than \$800 a month, then they're more than likely going to give you benefits, if everything else is equal. In the months of April, June, July, August and September, which are the applications that you've looked at, and that you agreed that those are your signatures, and I've looked at them, and they're in the record, they show that your income during those months was \$400 a month. So, you did get assistance of \$20 for non-food items for each of those months. According to the testimony of Ms. Jones it wasn't until November that the trustee's office became aware that your income is \$956 a month, and had been, in fact, for those earlier months, but they, their testimony is they didn't know that. So, your question why did they pay me when I was getting \$956 a month, their testimony is they didn't know you were getting \$956 a month. I understand that your testimony is that in April you told them that you were going to be getting \$956 a month. Therefore, there is testimony by you that the trustee should have been aware that you were getting \$956 a month. The testimony by the trustee is, as based on the applications that are in the record today, they thought your income was only \$400 a month during that period. So, that, I think, answers your question of why did they give you relief. They thought you were making less than \$800 a month. You thought that they knew that you were getting \$956 a month. And, that, so, I hope that answers what your question was. Do you have other testimony for me today? Or any question, or anything else that you would like to ask me?

Lynette Head: Well, if I've been reinstated to non-food orders, I was hoping that my very close relative would get another case worker.

Ted C. Ziemer, Jr.: You want your close relative to get another case worker? Alright, I'm going to tell you that, as hearing officer, I have nothing to do with that. However, the trustee is sitting here, the deputy trustee, and I leave that to them. Generally, I think, the trustee's office has case workers and as people come into the office,

whichever case worker is available probably takes care of the next person. But, I'm just going to suggest to the deputy trustee that, and I don't know who that person is, you would have to let them know who it is, you just said very close relative, but, I don't know, can you—

Donna Jones: May I go on record as saying if your very close relative has a problem with Kim or any of my case managers, I welcome those telephone calls. It is my job to look into anytime anyone feels that they have been treated unfairly. But, I also must add to you, if it is simply because there was a change in assistance, then, no, I would not just automatically....I have to look through it and make that judgement call case by case. But, please, feel free to have your relative call me, ask for Donna Jones. I'm there or I'm across the street. They can leave a message, they will get a call back within that working day, and I will be more than glad to listen to their complaints, because I will not tolerate, not from my employees, or from the clients to my employees, rudeness or anyone being disrespectful. Because, by the grace of God, we could be on the other side of that desk any day. I've been there 35 years, and I'm more accused of overdoing than under doing. So, please, have them call me. I want you to, please.

Ted C. Ziemer, Jr.: Okay, Ms. Jones, and I'm only going to suggest that in the future, should you apply for assistance, take a good look at the form that you sign, to be sure that, in your opinion, it adequately and correctly states information about your status. If it doesn't, don't sign it until they make it correct. If they won't correct it, then that is certainly a basis to file for an appeal, and I'll be glad to hear about that. Okay?

Lynette Head: Okay.

Ted C. Ziemer, Jr.: Anything else that you would like to say to me today?

Lynette Head: No, that's all for me. That's all for me.

Ted C. Ziemer, Jr.: Okay, does the trustee have anything else to say?

Donna Jones: No, I think that we've done the best that we can to resolve it, and I wish you well, Lynette—

Ted C. Ziemer, Jr.: Okay.

Donna Jones: —in whatever, and I am very glad for you that your income did go through, because I know you've been, you've had a struggle.

Lynette Head: Thank you.

Donna Jones: I wish you the best.

Ted C. Ziemer, Jr.: Okay, and, I want to be certain that you don't think that in this hearing that there's been anything inappropriate. Do you feel that you've been treated fairly and given every opportunity to say what you have to say?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Okay. I've done okay, right?

Lynette Head: Yes.

Ted C. Ziemer, Jr.: Okay, thank you. That concludes this hearing. I will make a recommendation to the Commissioners. The Commissioners meeting will be at 5:00 next Tuesday evening, and I will make a recommendation to them at that time. They will decide whether to accept my recommendation or to not. Then they will decide whatever they want to do. That's it. That concludes this hearing. Thank you very much for coming. It's nice meeting you.

Lynette Head: You too.

Ted C. Ziemer, Jr.: Okay, alright, thanks everybody.

(The hearing was concluded at 11:32 a.m.)

Those in Attendance:

Ted C. Ziemer, Jr.

Donna Jones

Kim Myers

Lynette Head

Madelyn Grayson

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
NOVEMBER 23, 2010**

The Vanderburgh County Board of Commissioners met in session this 23rd day of November, 2010 at 5:01 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: We'll go ahead and call the meeting to order. This is the Vanderburgh County Board of Commissioners. It's November 23, 2010. It's 5:01, room 301. Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

Pledge of Allegiance

President Melcher: With that we'll have our students with us this evening lead us in the Pledge.

(The Pledge of Allegiance was given.)

Introduction of Teen Advisory Council Job Shadows

President Melcher: Thank you. While we're right here, why don't we just go around. If you could click on your microphone, there's a button there, press it and it turns red. Just give your name and what school and what year you're in.

Megan Brasher: Megan Brasher a junior at Bosse.

Paige Scott: Paige Scott, and I'm a junior at North.

Brandon Wolf: Brandon Wolf, I go to Central and I'm a Freshman.

Dakota Meade: Dakota Meade, Central, Freshman.

President Melcher: Well, we welcome you here this evening. Afterwards, I think, if you've got some papers to sign, we can sign them.

**Permission to Open Quotes VC10-11-01:
Frontage Road Culvert No. 2091 Removal and Replacement**

President Melcher: Okay, right now we need to have permission to open up the quotes, VC10-11-01 for the Frontage Road culvert at 2091 removal and replacement.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: I have a first and second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

**Pigeon Township Trustee Denial of Assistance: Lynette Head
County Attorney: Statement of Facts, Law and Findings**

President Melcher: Next, we'll go to action items, to the County Attorney, the Pigeon Township Trustee hearing recommendation. Ted?

Ted C. Ziemer, Jr.: I, at your request, and having named me as hearing officer, I did conduct a hearing on the complaint of Lynette Head against the Pigeon Township Trustee's office for denial of benefits to her. I forwarded to the Commissioners a copy of the minutes of that meeting, and then based on that hearing, the paper evidence submitted at the meeting and those minutes, I submitted to you my findings of facts and findings of law, and my recommendation, which was that the decision of the Pigeon Township Trustee that is appealed from be upheld. That is that Ms. Head be denied benefits due to the fact that she has income in excess of \$961 per month, where the county standard, where the Pigeon Township standard for benefits is \$800 per month, per individual. Therefore, my recommendation was that the decision of the Pigeon Township Trustee denying benefits appealed from be upheld, and that Ms. Head be advised that she has the right to appeal this decision to the Circuit Court of Vanderburgh County. If the Commissioners wish to adopt my finding, an appropriate motion to that effect would be in order.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: We have a first and a second. Any discussion? Is there anybody in the audience that would like to say anything? Madelyn, will you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Building Authority: Request to Repair or Replace Boiler at the Centre
--

President Melcher: Next we have, from Dave Rector, a request to repair or replace the boiler at the Centre.

Dave Rector: Good afternoon, gentlemen. We have the number two boiler at the Centre that needs to be replaced or repaired. The repair cost is over \$30,000. The replacement cost is just over \$40,000. I'm suggesting that we replace it instead of repairing it. At the same time we had the mechanical firm in there looking at it, I had them evaluate all of the other boilers, and they're advising that the fifth boiler is, the technical term is "over fired and rest due to the excessive draft of the boiler assembly" and the air fuel ratio valve needs to be replaced. The boiler is not able to be used, and that's a little under \$10,000. So, I'm requesting, if we could, not to exceed \$55,000 to make the replacement of the number two boiler and a repair to the number five boiler at the Centre. I'm at a loss to explain why, after 11 years, we're having this kind of problem with boilers. They should last longer than that, but, the fact is, we do.

Commissioner Winnecke: I assume warranties have expired?

Dave Rector: Long since, yes.

Commissioner Tornatta: Motion to approve not to exceed \$55,000.

Commissioner Winnecke: Second.

President Melcher: We have a motion. Any further discussion? Anybody from the audience? I agree with you. In fact, I was going to bring that up, you know, this is the second time we've had something that's going out.

Dave Rector: Last year it was the cooling tower, major.

President Melcher: Right.

Dave Rector: A cooling tower should easily last—

President Melcher: And, I'm not saying this one way or the other, but maybe we need to look at how we're maintaining these, all of that equipment over there, and maybe there's something we're missing.

Dave Rector: We are, this year, with the Building Authority taking on some other responsibilities of other buildings, in fact, I've gone out and I'm soliciting preventative maintenance services for all of our buildings. The ones we've always done, plus the new ones, and Darren Stearns at SMG and I have talked and he would like us to add the Centre to that and get that on a preventative maintenance program too.

President Melcher: I think that would way save us more than this \$55,000 we spent this evening. You've got to be proactive in this. So, that's why I was going to bring it up. We, I should have said something after the cooling tower, and I thought that was a freak accident. Then, when I seen this, I thought, well, what's next?

Dave Rector: There's been some changes, as you're aware, with the Building Authority and buildings and with SMG–

President Melcher: Yes.

Dave Rector: –this is going to give us an opportunity then to assist them in some of that.

President Melcher: Okay. Anybody from the audience? Anybody else? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Dave Rector: Thank you, gentlemen.

Commissioner Winnecke: Thanks, Dave.

Swift Athletics: “Run this Whey” Road Race/Road Closure Request
--

President Melcher: Next we have the road race request for the Swift Athletics “Run this Whey” two, ten and 20 mile run/walk. The request was to hold the race on December 12th. Organizers spoke with the Sheriff's office. Rebecca Paxton is here to answer any questions about the race. Is she here? I believe this is the one we got the e-mail from the Sheriff on.

Commissioner Winnecke: It is.

President Melcher: So, we probably need to have a little bit of discussion. Does anybody have any questions?

Commissioner Winnecke: Maybe we could wait, put it down on the agenda in case she comes.

President Melcher: Okay.

Commissioner Winnecke: How's that?

President Melcher: Alright, just remind me later.

Commissioner Winnecke: Okay.

Economic Development Coalition: Bohannon Estates Sewer Project

President Melcher: Next we have the Economic Development Coalition, the Bohannon Estates update. Debbie Bennett-Stearsman is here to give the update.

Debbie Bennett-Stearsman: Good afternoon. Debbie Bennett-Stearsman with the Economic Development Coalition. As you're probably aware, our office has been working with the residents of the Bohannon Estate area since about the middle of this summer to try to find a grant program to help with their sewer improvement project. The grant program that we have identified, that best suits Bohannon Estates, is the Community Development Block Grant program. It is a federal program that is distributed from, by a state agency called the Indiana Office of Community and Rural Affairs. It is given only to cities, towns and counties that are non-entitlement, and it's given on a semi-annual basis with a maximum amount of \$600,000 per project, with a ten percent match for the grant. The first step in making sure that the project was eligible for funding was to do an income study of the area. We've worked with the residents over the past three months and we turned in our survey information and methodology to Bob Smiley, PhD, and he has certified that the residents are eligible for grant assistance. The reason that I'm here today is to ask if the county wants to proceed forward with applying for grant funding, and from that step we'll work with the county and the residents and the City of Evansville to accomplish the many steps that we need to take to put the grant application in. In order to proceed, if the Commissioners vote today to proceed with the project, the first step would be to hold a public hearing before the proposal stage. The proposal stage is due, for next year, January 14, 2011, and a full application on March 18th of 2011. There is a required public hearing prior to each process. Neither process totally commits the county until the grant is awarded, and even at that point, if you decided not to move forward you could give the grant back. We would hope you not do that, but, you could. If you do decide to go ahead, I would like to set a public hearing for sometime in December, and I need a date, time and place for that public hearing. Also, I would have to re-appear at a Commissioners meeting in December to have two documents signed. One of the documents would be to allow us to conduct the public hearing and take the minutes of the public hearing, and the second would be the last page of the proposal, which just states the county is proposing a project, and that they did conduct a public hearing.

Ted C. Ziemer, Jr.: A couple of questions, from a legal perspective. There's a local match for this, is there not?

Debbie Bennett-Stearsman: Correct.

Ted C. Ziemer, Jr.: What is the amount of that?

Debbie Bennett-Stearsman: Well, it's ten percent of what we determine the entire project to be. Preliminarily, the construction for the project was \$541,000 to do the project, and engineering was \$54,000. Then, grant administration is eight percent.

Ted C. Ziemer, Jr.: So, the total is—

Debbie Bennett-Stearsman: It's approximately \$646,000.

Ted C. Ziemer, Jr.: So, the ten percent is of \$646,000?

Debbie Bennett-Stearsman: Correct.

Ted C. Ziemer, Jr.: So, that would be \$64,000. Where will the local match come from?

Debbie Bennett-Stearsman: Okay, actually, it equates to \$66,000.

Ted C. Ziemer, Jr.: Alright, \$66,000.

Debbie Bennett-Stearsman: It's an odd way, that is something that we would be working on with the residents, and working with the county and the city to determine. It could be from the residents, it could be from a loan to the residents with pay back, I mean, there's different ways that that could be fashioned. The application cannot go in until that is determined. The county, by resolution, would have to establish and say where those, where that funding is coming from.

Ted C. Ziemer, Jr.: Okay, let's see, you said the application is due when?

Debbie Bennett-Stearsman: March the 18th, if we go in the first round.

Ted C. Ziemer, Jr.: Okay, 3-18-71. Then, what was the date prior to that, some date in January?

Debbie Bennett-Stearsman: January the 14th. It's a two phase process. It's a proposal and then an application. In this type grant funding, you can put a proposal in and then not, if you don't reach all of the readiness thresholds, you do not have to put an application in March 18th. There is a second round next year, so, it's just putting the proposed project in front of the state.

Ted C. Ziemer, Jr.: Okay, so, the proposal needs to be in by January 14th, '72. The application is March—

Commissioner Tornatta: Hold on, hold on...real quick. 2011.

Ted C. Ziemer, Jr.: Wait, January, yeah, let me change that number. Alright, the proposal has to be in by January 14, 2011. The application needs to be in by March 18, 2011, correct?

Debbie Bennett-Stearsman: Correct.

Ted C. Ziemer, Jr.: Okay, before the application goes in, you have to be advised how the local match will be paid. It's that date, right, in March that you need to know that?

Debbie Bennett-Stearsman: Correct.

Ted C. Ziemer, Jr.: You do not need to know that on January 14th?

Debbie Bennett-Stearsman: That's correct. The only thing we need for the January 14th is a proposed project cost, which we have.

Ted C. Ziemer, Jr.: Okay, also before January 14, 2011, you need to have this public hearing held?

Debbie Bennett-Stearsman: Correct.

Ted C. Ziemer, Jr.: Will that be advertised in the newspaper?

Debbie Bennett-Stearsman: Yes, it will.

Ted C. Ziemer, Jr.: What is it, do you know what the public hearing is about?

Debbie Bennett-Stearsman: The public hearing is basically for the beneficiaries impacted to attend and ask questions about the budget and the time table and what readiness issues are needing to be completed.

Ted C. Ziemer, Jr.: Readiness issues, like what?

Debbie Bennett-Stearsman: There are five areas of readiness before the application goes in, and the first is, obviously, getting a local match in place. The second is making sure that the preliminary engineering is complete, which is done. The third is to give, our office will be working on what's called an environmental review process and getting clearance from seven state agencies to proceed with the project. The next is identifying the permits that are required, and that is now complete. The last is site control, meaning if there are any easements that need to be acquired, they have to be acquired before the application. It's my understanding in the meetings that I've had this is already accomplished. I can't say that because I'm not the engineer, but that's what I've been told.

Ted C. Ziemer, Jr.: Okay, and, so, the Commissioners need to...and what's the advertising time prior to the public hearing?

Debbie Bennett-Stearsman: Ten days prior to the public hearing.

Ted C. Ziemer, Jr.: Ten days?

Debbie Bennett-Stearsman: Correct.

Ted C. Ziemer, Jr.: So, you would almost need to approve this today. Do you think the public hearing needs to be in December? Or, it needs to be before January 14th?

Debbie Bennett-Stearsman: We say January 14th it has to be in Indy, but we like to be working on it during that week, so we like to have the hearing before the week of the 14th so we can get the public hearings transcribed.

Ted C. Ziemer, Jr.: Okay, so, the public hearing could be—

Debbie Bennett-Stearsman: The week of the 3rd.

Ted C. Ziemer, Jr.: Okay, next year?

Debbie Bennett-Stearsman: It could be in January, or it could be late December, whichever you would want.

Ted C. Ziemer, Jr.: And, there's no agreement on the part of the county at the time of the proposal, is that correct?

Debbie Bennett-Stearsman: It's just proposing, if you don't get a proposal in, you miss the grant opportunity for the spring round.

Ted C. Ziemer, Jr.: And, the, I'm sorry to keep pressing this, but, the public hearing is solely a requirement prior to the proposal? No matter what we hear at the public hearing, you're going to take minutes, I assume, but, whatever is said is said. That doesn't affect whether or not the proposal goes in, is that true?

Debbie Bennett-Stearsman: That's true.

Ted C. Ziemer, Jr.: There's no vote taken of the people in attendance or anything like that?

Debbie Bennett-Stearsman: No, we hope, during the time before March 18th, to get a good feel of the residents—

Ted C. Ziemer, Jr.: Sure.

Debbie Bennett-Stearsman: —of whether they want us to proceed on this project or not.

Ted C. Ziemer, Jr.: And, whether they want to pay toward the match?

Debbie Bennett-Stearsman: I would assume, an assumption that they would, because we had 100 percent return on the income study. So, I, evidently there's interest there somewhere.

Ted C. Ziemer, Jr.: Sure. Okay, thank you. Well, from a legal perspective, I see no problem with the Commissioners authorizing the holding of a public hearing as preliminary to the filing of the proposal.

Commissioner Tornatta: And, just to kind of add to what we had talked about in the meeting with the engineer, we had seen prior that the, it was \$5,000, then it was \$8,000, then it was \$10,000, then it got up to \$12,000. That's when people started to drop out. They had a threshold of somewhere around \$7,000. We believe, worst case scenario, that we would see \$4,400 as an offset for the county, and very clearly could be lower than that. That's what—

Ted C. Ziemer, Jr.: Well, Commissioner Tornatta, I'm not sure I understand that. If \$66,000 is what we need, there are about 60 people in this subdivision.

Commissioner Tornatta: Well, the local match cannot be tap-in fees. So, was I not supposed to say that?

Debbie Bennett-Stearsman: It can, just say it that way.

Commissioner Tornatta: Okay.

Debbie Bennett-Stearsman: It actually can be if, if the, I hate going on record saying it, if the match money is given by the utility, from their operating capital, they can recoup it through the tap-in fees.

Commissioner Tornatta: Okay.

Debbie Bennett-Stearsman: So, essentially, you could.

Commissioner Tornatta: Okay. Well, the last correspondence I got, she said, no way, Jose.

Debbie Bennett-Stearsman: Not directly from—

Commissioner Tornatta: I think.

Debbie Bennett-Stearsman: — the homeowners. The only way that it can be, a special assessment can be counted as a local match, is if a utility or a governmental unit would take it, if you had a utility, from your operating and maintenance account, and then the tap-in fees reimburse the operation maintenance account.

Ted C. Ziemer, Jr.: Do you know how much the tap-in fee is going to be per—

Commissioner Tornatta: \$1,200.

Debbie Bennett-Stearsman: \$1,200, I believe is what it was. Well, that's what, and we don't know that for certain, but that's what it is right now.

Commissioner Tornatta: There are, there are going to be a few fees that are going to have to be taken into account. One fee will be the connection to the line, and the plumbing into the house. So, a private property issue. Then, the other fee will be the tap-in fee.

Debbie Bennett-Stearsman: And the abandonment of the septic.

Commissioner Tornatta: That's right, that's right, which is, you know, a couple hundred bucks a house. So, what we were looking at is the maximum, add all of those together, if you didn't have any, the fee would be about \$4,400. If we were able to go and find out that there was another mechanism to get that done, then, obviously, you start chipping away at that pretty consistently.

Ted C. Ziemer, Jr.: Good, thank you.

Debbie Bennett-Stearsman: I would like to go and make sure it's on the record, we have not, we don't have anything firm from the City of Evansville as far as tap-in fees or anything. So, I don't want it to be that, you know, we're saying these numbers without meeting with them first.

Commissioner Tornatta: So, that's why I brought up the \$4,400, because that would be a maximum amount.

Ted C. Ziemer, Jr.: Thank you.

President Melcher: So, where are we exactly at then? We're supposed to vote on—

Debbie Bennett-Stearsman: First of all I'm asking if you want us to proceed. I'm asking, because you will be the legal applicant. You will receive the dollars. They are not in an incorporated area or a sewer district, so all of the money will flow through

the county. The county would sponsor and receive the grant. So, do you want to proceed with at least the proposal?

Commissioner Tornatta: I would make a motion to receive those funds.

Commissioner Winnecke: Second.

President Melcher: Okay, is there any further discussion of us?

Ted C. Ziemer, Jr.: Do you want to incorporate authority to set the public meeting in that motion?

Commissioner Tornatta: We can do that...I guess we can. No? First we want to accept this. Then we can do something with the motion.

President Melcher: Okay, is there anybody in the audience that would like to speak on this? Alright, Madelyn, would you call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Okay, now, I would propose we set this meeting at, you might have trouble with December 3rd, or do you want to do it the 21st? Is it the 21st?

Madelyn Grayson: We meet the 7th and the 21st.

Commissioner Tornatta: The 7th? Okay.

Debbie Bennett-Stearsman: I would just, as a suggestion state that maybe your public hearing be held either at a location near the residents or we could do it at our office at a time outside of the Commissioners meeting, because it could get lengthy with questions, but that's entirely up to you. We will be taking the minutes and conducting it, and you are welcome to attend, but, I'm just....we can do it outside the Commissioners meeting or prior to, or at another time.

Commissioner Winnecke: I think if we had it outside and maybe at a location that's more convenient to the residents, I think that's appropriate.

President Melcher: I agree with that. They wouldn't have to go through all the security and everything.

Ted C. Ziemer, Jr.: Okay, have we decided on a location?

Debbie Bennett-Stearsman: No, I've offered our office, which a couple of the residents said that was fine. I asked about an area out there, and I don't really know where—

Commissioner Tornatta: How many people were at your office for the preliminary?

Debbie Bennett-Stearsman: We probably had about 26 residents there that night.

Commissioner Tornatta: Which is half?

Debbie Bennett-Stearsman: (Inaudible) 30, yeah. We had it like later in the evening at 7:00 or 7:30, so that everybody could come after work.

Ted C. Ziemer, Jr.: If the Commissioners are going to vote tonight on setting a time, they need to set the time and place—

Debbie Bennett-Stearsman: Correct.

Ted C. Ziemer, Jr.: —and, so, if we want to have it in your office—

Debbie Bennett-Stearsman: That's at Innovation Pointe.

Ted C. Ziemer, Jr.: Right.

Madelyn Grayson: We need to make sure it's at least ten days out for your publication.

Debbie Bennett-Stearsman: Right, before you said it I was—

Ted C. Ziemer, Jr.: So, Madelyn, how soon does it have to be at the newspaper in order to get it published ten days prior to December the 7th? Or, no, they aren't going to have it at a Commissioners meeting, they are going to have a special meeting.

Madelyn Grayson: I don't think you could make December 7th. If you sent it to the paper tomorrow, they could publish it, at the earliest, my understanding is they need three days notice—

Debbie Bennett-Stearsman: Yes.

Madelyn Grayson: —which would put it at the 30th of November.

Ted C. Ziemer, Jr.: That would not be ten days.

Madelyn Grayson: One, two, three, four...do you count weekends?

Debbie Bennett-Stearsman: Yes.

Madelyn Grayson: So, you're looking at December 9th at the earliest, if it's published on November 30th.

Commissioner Tornatta: What day is that?

Commissioner Winnecke: Thursday.

Commissioner Winnecke: Can we shoot for like the 15th maybe?

Ted C. Ziemer, Jr.: Is that when that is? Oh, that's no good.

Commissioner Winnecke: What did you say about that?

Madelyn Grayson: It has to be published at least ten days, so anytime after the 9th would be okay.

Commissioner Winnecke: Would the 15th?

President Melcher: That's a Wednesday.

Ted C. Ziemer, Jr.: What time?

Commissioner Winnecke: What time do the residents appreciate? 7:00?

Debbie Bennett-Stearsman: We did a 7:00 the last time to make sure everybody had time to get home. I think there's only one resident here. How do you feel about that?

Mr. Bailey: That's fine.

Commissioner Winnecke: Mr. Bailey's here. Is 7:00 alright, Mr. Bailey?

Mr. Bailey: That's fine.

Commissioner Winnecke: 7:00?

President Melcher: So, we're setting it for 7:00 on the 15th on a Wednesday at your office.

Commissioner Winnecke: Is that good for you, Debbie?

Debbie Bennett-Stearsman: Yeah, I was just looking to make sure.

President Melcher: I was doing the same thing here.

Debbie Bennett-Stearsman: I just couldn't get there. Then, when, on the 21st then, if it would be okay to come back to the Commissioners, I'll just have two documents, and then I could bring you the minutes too for the record to put—

Commissioner Winnecke: Perfect.

Debbie Bennett-Stearsman: —we have a court reporter that transcribes them, so.

President Melcher: That will work.

Debbie Bennett-Stearsman: Okay. Alright. Is there any other questions?

Commissioner Winnecke: Did we—

President Melcher: We probably need a motion.

Debbie Bennett-Stearsman: Oh, sorry.

Commissioner Tornatta: I don't think we need a motion for that, we're just setting a date.

President Melcher: Okay.

Ted C. Ziemer, Jr.: I don't think we voted on the other one, have we?

Commissioner Winnecke: Yes.

President Melcher: Yes.

Ted C. Ziemer, Jr.: Okay, we did, sorry.

President Melcher: Okay.

Commissioner Tornatta: Thank you.

Commissioner Winnecke: And, Debbie, just to clarify, you'll work on the notice?

Debbie Bennett-Stearsman: We'll do the notice, send a copy to Madelyn and Mr. Fluty and also put it in the paper, and then it get posted here too. We'll send it to the residents, we have their mail and we just send them documents every time we have something.

Commissioner Winnecke: Thanks for your help.

Debbie Bennett-Stearsman: Okay.

<p style="text-align: center;">SMG Management Agreement: Fourth Addendum INDOT Agreement: Burdette-USI Bike Path Agreement with BLA: University Parkway: Marx Rd to SR 66</p>
--

President Melcher: Next we have contracts, agreements and leases. The fourth amendment to the SMG management agreement. This doesn't go away. This extends the November 30, 2010 deadline to determine whether the county wishes to extend the SMG agreement for another five years, commencing on December 21, 2010.

Ted C. Ziemer, Jr.: Actually, the fourth addendum says that it will automatically renew for five years unless we give notice at least ten days prior to December 31, 2013¹. So, I think if you would just have a motion to approve the fourth addendum to the SMG management that has been presented to the meeting, you'll be stating it correctly.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

¹December 31, 2010.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next, we have the County Engineer, the Burdette Park-USI bike path construction agreement with INDOT. The agreement caps federal funds for the project at \$1,098,768.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: If you want to speak on it.

Patrick Seib: You said basically what I was going to say, but I don't know if I heard you say anything above that limit would be 100 percent local dollars.

Commissioner Tornatta: Yep.

President Melcher: Okay. Okay, anything else? Do we want to hear the next one?

Commissioner Tornatta: Do you want to vote on that, or do it at the same time?

President Melcher: We'll just do them at the same time.

Commissioner Tornatta: Okay.

President Melcher: Consulting agreement between the county and BLA for work on University Parkway phase three from Marx Road to SR66. The compensation of the consultant is not to exceed \$946,000.

Commissioner Tornatta: I'll reconfirm my motion.

Commissioner Winnecke: Second.

President Melcher: So, with a motion on that, any other discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: That's it. Thank you.

Patrick Seib: Good enough.

Commissioner Winnecke: Thanks, Pat.

Patrick Seib: I was going to say, I've got a few items under the department head. Do you want me to just go ahead and run through them?

President Melcher: You might as well, because that was next. So, we'll go to department head reports and you're up.

Patrick Seib: How's that?

County Engineer

Patrick Seib: Good evening, Patrick Seib, Assistant County Engineer. The first item that I have is for storm sewer acceptance in Crown Ridge Subdivision in section one and section two. Section one has 384 feet and section two has 576 feet.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Patrick Seib: The second item I have is to request approval to file a travel request for me and John Stoll to attend INDOT's LPA "Employee in Responsible Charge" training. That's going to be in Huntingburg on March 29, 2011.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Patrick Seib: And, my last item, I believe Madelyn, I gave her some sketches here, this is, we had a request come in from the developer of the apartments at the Lloyd Expressway and Schutte. They're wanting to put a sidewalk in on the south side of Stellar Drive. It's my understanding that this is going to connect, they are putting a sidewalk on the east side of Schutte, and USI's going to be running a sidewalk out to Schutte, and this eventually will connect those apartments, by sidewalk, all the way to the campus. So, the kids aren't having to walk on the side of the road.

Ted C. Ziemer, Jr.: And, we've reviewed the drawing and the sidewalk is totally within the right-of-way, outside the improved area of the roadway—

Patrick Seib: Correct.

Ted C. Ziemer, Jr.: —and there is sufficient additional right-of-way between the improved roadway and the sidewalk for additional expansion of the roadway should that be necessary.

Commissioner Tornatta: So moved.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Patrick Seib: The only other thing I have is to wish everybody a happy and safe Thanksgiving.

Commissioner Winnecke: Thanks, Pat. Same to you.

Commissioner Tornatta: Thank you, Pat.

President Melcher: You too. Thanks, Pat. Other department heads? Anybody else have anything?

County Attorney

Ted C. Ziemer, Jr.: I guess, I've got some bids here.

President Melcher: Okay, these are bids for the Frontage Road culvert. There's one from Adler Excavating for \$97,167; one from Jack Hahn Excavating for \$63,166.24; one from Deig Brothers for \$77,124; one from Koberstein Contracting for \$74,391; one from Blankenberger Brothers Construction for \$60,452.

Commissioner Winnecke: Motion to take under advisement.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Is that it, Ted?

Ted C. Ziemer, Jr.: Yes.

President Melcher: In your department head report?

Ted C. Ziemer, Jr.: Yes, thank you.

Commissioner Winnecke: Do you want to go back to the roadway? I don't know if they came in or not.

President Melcher: I was going to ask that.

Swift Athletics: “Run this Whey”: Road Race/Road Closure Request

President Melcher: Okay, back on, we had the road race request for the Swift Athletics “Run this Whey” two, ten and 20 mile run. Is anybody here yet?

Rebecca Paxton: Yeah, I had a sick baby.

President Melcher: Okay, if you wouldn’t mind coming to the podium, and state your name and what you’re going to do.

Rebecca Paxton: My name is Rebecca Paxton, and my husband and I own Swift Athletics in town and we are wanting to put on a road race called “Run this Whey”, a two mile, a ten mile and a 20 mile. It’s whey is spelled w-h-e-y because our daughter has a condition called galactosemia and she can’t actually process whey.

President Melcher: Okay. Is there any discussion? We did have a letter from, is, I think you’re the one that we had the letter from Eric. We have a, we try to make sure these are safe and the roads are done by the Sheriff’s and that, and I understand, where do you stand with the Sheriff that you know of?

Rebecca Paxton: We have been contacted and they said that they were going to send a car to kind of monitor the area. This is exactly what they did last year.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Rebecca Paxton: Thank you. Last year we were able to raise \$1,500, and we already have that much in people already registering. So, we’re pretty excited. Thank you guys.

Commissioner Tornatta: Super.

Commissioner Winnecke: Thank you.

President Melcher: Thank you.

New Business/Old Business

President Melcher: Okay, new business? Old business?

Public Comment

President Melcher: Public comment? Is there anybody in the audience that would like to say anything?

Consent Items

President Melcher: Next we'll have the consent items.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Madelyn, would you mind reading them?

Madelyn Grayson: The consent items for the November 23rd meeting are as follows; approval of the prior meetings minutes, there's the November 9, 2010 Commission meeting minutes and the November 23, 2010 Executive Session summary minutes; employment changes for the Commissioners approval, there is two for the Health Department and one for the Public Defender's office; the Building Authority has pay requisition number 93 to be paid from the jail construction fund; the Evansville ARC September and October 2010 meeting minutes; Legal Aid Society non-city/county United Way funds report of September 30, 2010; the County Engineer has pay request number 116 for TIF projects in the amount of \$1,160,165.38; there are surplus requests from Circuit Court and the County Auditor; Burdette Park has a request to transfer a 1998 Ford Taurus from the Department of Weights and Measures to Burdette Park and yearly comparison of January through October from 2009 to 2010; Weights and Measures October 16 through November 15, 2010 report; the IBAP Gatekeeper October 31, 2010 report; Larry Aiken two foot by two foot portrait at the Centre; and department head reports from the County Engineer and Burdette Park.

President Melcher: Is there any discussion? Anybody from the audience? Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Is there any other business to come before the County Commissioners?

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

President Melcher: We're adjourned.

(The meeting was adjourned at 5:35 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the November 9, 2010 Commission Meeting Minutes.
Approval of the November 23, 2010 Executive Session Summary Minutes.
Building Authority: Pay Requisition No. 93: Jail Construction Fund.
Evansville ARC: September and October 2010 Meeting Minutes.
IBAP Gatekeeper October 31, 2010 Report.
Larry Aiken 2' X 2' Portrait at the Centre.

Employment Changes:

Sheriff (4)	Health Department (2)	County Clerk (1)
Public Defender (1)	County Assessor (5)	

Legal Aid: Non-City/County United Way Funds Report: September 30, 2010.

County Engineer: Pay Request No. 116: Green River-Burkhardt TIF Projects.

Surplus Request Letters:

Circuit Court: 1 typing table.
Auditor: 1 microfilm machine.

Burdette Park:

Request to Transfer 1998 Ford Taurus from Weights & Measures to Burdette.
Yearly Comparison: January through October from 2009 to 2010.

Weights & Measures: Monthly Report: 10/16/10-11/15/10.

Department Head Reports: Burdette Park County Engineer

Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Megan Brasher	Paige Scott
Brandon Wolf	Dakota Meade	Dave Rector
Debbie Bennett-Stearsman	Patrick Seib	Rebecca Paxton
Mr. Bailey	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
DECEMBER 7, 2010**

The Vanderburgh County Board of Commissioners met in session this 7th day of December, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Stephen Melcher presiding.

Call to Order

President Melcher: Okay, we would like to call to order our meeting of the Vanderburgh County Board of Commissioners. It's December 7, 2010. It's 5:00 and we're in room 301. Madelyn, could you call the roll please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance

President Melcher: At this time we're going to say the Pledge of Allegiance. If everybody would stand. Today is December 7th, back in 1941 the Japanese attacked Pearl Harbor. As an Army veteran, I think that means a lot to a lot of us, for after that we have the right to be here this evening. So, as an Army veteran, I'm going to start the Pledge tonight. Normally I ask somebody else. So, would you just face the flag.

(The Pledge of Allegiance was given.)

President Melcher: Thank you.

Evansville ARC: Bi-Annual Report

President Melcher: With that, we're going to have Deidra Conner come up from the Evansville ARC.

Deidra Conner: Thank you. My name is Deidra Conner. I'm the President of Evansville ARC. This is our bi-annual presentation to the County Commissioners. So, first of all, thank you for inviting us tonight to be here. I'm going to keep my comments short and sweet. I have two much more, two people who are much more important and much more interesting to hear from than me tonight, but I know all of you sitting at the table know about ARC and who we are and what we do, but for the benefit of the people in the audience and those watching us on t.v., just a brief history and a little bit of information about ARC. Evansville ARC began in 1954 by a small group of parents who had children with disabilities who were looking for a school. They needed an educational opportunity and special ed did not begin in the public school system until the mid 1970's. So, ARC began at the school, but as those

children grew and developed, the programs and services at ARC grew and developed to meet their needs. Today we serve over 700 adults and children with disabilities in a wide variety of programs. Our goal is to help people live independent lives in the local community. So, we do that through an inclusive NAYCE accredited, licensed child care facility, we do that with an adult day program for adults with severe and profound disabilities, we do that through a Community Job Link employment program, through a Transition program with EVSC, through a manufacturing facility that's ISO registered and FDA certified. Our goal is to help people live independently. Tonight you're going to hear from Crystal Sisson who has been with Evansville ARC since 2005. She is the coordinator of the Transition program, which is a partnership with EVSC. She also coordinates our Best Buddies program and our Self Advocates program. She has brought with her one of our real success stories, one of our stars, Nathan Breeden, to tell you a little bit about his experiences with Evansville ARC. Crystal?

Crystal Sisson: Hello, I'm Crystal Sisson. I'm the Transition Consultant for Evansville ARC and the EVSC. I work with the high school students and their families. I'm trying to help educate them and prepare them for life after high school, and signing up for services that they will need to make them more successful. With the Best Buddy program, that's an international organization that works with matching individuals who have a disability with an individual who does not have a disability and making a one on one friendship that we hope will last a lifetime. I also work with the Self Advocates. At Evansville ARC we have about 20 individuals that we serve that are involved in that group. We work with trying to educate them on their rights and also trying to help them to speak out on issues that concern them. I have Nathan with me here today, who is actually involved, used to be involved in the Successful Transition program, and is now working through the Community Job Link program in his employment in the community, which he'll tell you a little bit about. Nathan's also the Buddy Director, which is a nice position through Best Buddies, for the University of Evansville. He's also on our Self Advocates group. So, Nathan?

Nathan Breeden: Hi, my name is Nathan Breeden. I graduated from Harrison High School in 2008. I work at the eastside Wal-Mart. I've been there now for two years. I am also in Best Buddies, which Crystal said I'm the Buddy Director, and that's really an honor. I have been at Wal-Mart now for two years. Without Evansville ARC I would not have a job. Through Community Job Link I got a really good job working at Wal-Mart in the maintenance department. My job coach, Kevin, he taught me how to ride the bus, and how to, if I have any issues at work, he taught me how to take care of them. I'm also, he helps me with my job schedule. My goals in life are to move out, get a family of my own and become the CEO of Wal-Mart.

Commissioner Tornatta: Nathan, what type of things do you do at your job?

Nathan Breeden: I am a maintenance associate at Wal-Mart.

Commissioner Tornatta: Okay, so what do you do on a daily basis?

Nathan Breeden: I clean the rest rooms and I clean up glass spills, and I clean up any kind of spills that people make.

Commissioner Tornatta: Okay.

Commissioner Winnecke: There are probably a lot of spills at this time of year?

Nathan Breeden: Yes, it's really crazy this time of the year.

Commissioner Tornatta: So, what's the best part of your job?

Nathan Breeden: Getting lunch.

Commissioner Tornatta: What do you like the least? Going back to work?

Nathan Breeden: Yes.

Commissioner Winnecke: Wow, I can relate to that.

Commissioner Tornatta: Well, thanks for coming today.

President Melcher: Thank you.

Commissioner Tornatta: Congratulations on your job.

Nathan Breeden: Thank you.

(Applause)

Deidra Conner: Nathan is a lot more interesting than I am. Nathan is joining our board of directors in January as a self advocate. He also spoke at the legislative forum that we hosted this fall, and spoke to a group of 90 people about his concerns about possible State funding cuts and the impact on people with disabilities. So, he has really become a great, great representative for Evansville ARC and for the successes that individuals with disabilities can make in our community. I did not mention earlier, Crystal has been recognized, Crystal Sisson has been recognized earlier this year as the Best Buddies host site coordinator of the year. U of E and USI are both Best Buddies locations for us. USI just started this year. U of E has been recognized twice in the last four years as being the Best Buddies chapter of the year. The ARC Successful Transitions program that she mentioned, was one of only 45 chapters this past year out of 750 ARC chapters to receive an ARC U.S. Wal-Mart grant to expand that relationship with EVSC. We take a lot of pride at Evansville ARC in doing things really well. Through our accreditations, through those kinds of recognitions, it's important to us to be the best of the best, so that the people we serve can be the best of the best. We have great partners in this community, U of E, USI, EVSC, the County Commissioners are part of that partnership. I say this every time I'm here, Lloyd, our successes are your successes. We could not do what we do without your support. We've had it for a long time. It means a lot, and folks like Nathan are able to do wonderful things and be successful in our community, because of partnerships like our County Commissioners. Any questions?

Commissioner Winnecke: Just thanks for the great work you do.

Deidra Conner: Thank you.

Commissioner Winnecke: It's important. Thank you.

Deidra Conner: Thank you for letting us be here.

President Melcher: Thanks very much.

Ted C. Ziemer, Jr.: I just want to comment that in addition to all of the awards she's mentioned for them, Deidra was mentioned in the Evansville Courier and Press yesterday as having received the Accountant of the Year award by the Accounting Department at USI. We're very proud of her for that as well.

Commissioner Winnecke: Good catch.

President Melcher: Thank you very much.

Substance Abuse Council 2011 Funding

President Melcher: Next we'll have Wanda McCarter of the Substance Abuse Council.

Wanda McCarter: Good evening. I'm here on behalf of the Substance Abuse Council of Vanderburgh County, our council members and our screening committee to present to you the proposed allocations of the Drug Free Communities Funds for 2011. As you have in front of you, we have to provide funding in four different areas; discretionary, law enforcement, prevention and treatment. As mandated by the Governor's Commission, each area has to receive a minimum of 25 percent of the funds that we draw down each year from the Drug Free Communities Fund. The Drug Free Communities Fund is built from collected counter measure fees and distribution of court fees. So, this is an annual process for us. This year we have a total distribution thus far of \$197,248.33. We will be putting out a request for a mini grant, as I said, 25 percent, or each area, each category has to receive 25 percent of our funds, and our law enforcement agencies usually come up with a little over \$50,000, and this year they were a little under. So, we will be putting out an announcement to our law enforcement agencies that there is a mini grant still available. So, I'll be in front of you at some point before the end of the year, the end of 2011 to spend out the rest of that amount so that it equals out to \$50,000. I also provided the minutes from the screening committee meeting where these amounts were discussed and decided upon, and our full council meeting yesterday where the proposal was voted on and approved. Are there any questions for me?

President Melcher: Any questions?

Commissioner Winnecke: Are there organizations that applied for funding that did not receive funding?

Wanda McCarter: Yes there were. Unfortunately, especially in the areas of treatment and prevention. Under treatment we had a request for funds of \$75,000, and I stated we only had \$50,000 in each category to spend. In prevention there was a request of \$70,000. So, what we were able to do, for example, Deaconess Cross Pointe requested resources, we were not able to provide that out of the treatment fund, so what we have done already is provided them with a donation to build their treatment resource center for their patients and staff out of our discretionary funds. That was out of the 2010 funding.

Commissioner Winnecke: Of the treatment organizations, the organizations that have applied for treatment grants, how many organizations were not able to be funded, of the \$25,000 in requests then?

Wanda McCarter: Of treatment it was Deaconess Cross Pointe and the Institute of Alcohol and Drug Studies, which is hosted by U of E. For them we're going to provide a \$1,000 sponsorship. Their grant of \$2,000 was cut. The screening committee felt like direct client services needed to be funded before education and before resources. So, that's why those two grants were cut.

Commissioner Winnecke: Okay, thank you.

President Melcher: Any other questions?

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: Thank you.

Wanda McCarter: Thank you.

Commissioner Winnecke: Thanks.

Growth Alliance for Greater Evansville (GAGE) Presentation

President Melcher: Next we have the permission to award VC10-11-01–

Commissioner Tornatta: Whoa.

President Melcher: Oh, GAGE. I'm sorry, I had them marked off. Debbie Dewey from GAGE.

Debbie Dewey: I can go home. That's okay.

President Melcher: Go ahead.

Debbie Dewey: Let me move this down. On the agenda later tonight is the approval of the contract with GAGE for 2011. What I wanted to do was to take a few minutes anyway and to go through the new strategic direction that I'm setting for GAGE so you understand how we're going to allocate those resources in 2011. You do have a copy of the presentation in front of you. The thing that's been clear from the board is that my mission is economic development. That's bringing jobs and revenue to Vanderburgh County. That's the goal of GAGE. Also, what we have to do is to recognize the importance of tier one businesses. If you go to the third slide where it says business tier, you'll see that these are some definitions that I've been using with the board and the alliance partners that I've been working with. A top tier business is one who's customers are beyond Vanderburgh County. If they're not beyond Vanderburgh County today, they will be. It's a customer who's actually, or it's a company who is bringing dollars into Vanderburgh County, therefore paying people more, paying more people, adding jobs, bringing people into Vanderburgh

County. A tier two business or a non-basic business is one that is a key supplier to a tier one business. So, for example, if a Toyota comes into the area, we have a number of businesses who have also located here, or businesses who have expanded in order to be suppliers to Toyota. Then, the tier three business makes up the majority of the businesses in terms of numbers; hair salons, restaurants, even Wal-Mart. This is, these are the businesses who's customers are primarily within Vanderburgh County. So, the thing that we need to recognize at GAGE in terms of allocating our resources is that if we only focus on tier three businesses, opening a new restaurant is going to cannibalize the business from the restaurant down the street, if you don't have actual more dollars coming into Vanderburgh County. So, the importance of the tier one business is key. We have to pay attention to that when we're allocating our resources. So, the four areas of strategic focus that I have teed up and have been approved by the board are, number one, the basic tier one attraction of business, and also retention and expansion of our existing businesses, to pay attention to them, so that our existing tier one businesses if they have an expansion opportunity or they're struggling we can be there and know about it up front and see if we can do something to help. Secondly, is actually to be in a position to grow the next generation of tier one businesses. This is based on our relationship with the Naval Surface Warfare Center, Crane, where we have a chance to bring technologies from federal labs and develop new products. This is an opportunity that many economic development organizations don't have. We can actually create that next generation of our tier one businesses. Thirdly, we do have a responsibility for targeted commercial corridors. The focus right now has been on the downtown commercial corridor, realizing the plan for downtown and to attract the businesses that will make that vision happen, but, as we finish that we need to be looking then at the next corridor. What is the next commercial corridor in Vanderburgh County that requires attention? Then, lastly, we do have a responsibility to small businesses, tier two and tier three businesses that want to start up or they're existing businesses who are struggling or have expansion opportunities. GAGE can be the resource for them to call and find out are there places where I can go for some help in writing a business plan? Or direct them to people who may have access to capital. So, we also have a responsibility there. The measures of success are pretty straight forward. The number of jobs, the number of new dollars that come into Vanderburgh County, what kind of jobs those are, the wage rates, do we have new businesses that are created and new products that are created as a result of what GAGE is doing. On the tier one attraction, retention and expansion, we need to be marketing Vanderburgh County. We need to be the advocate that says this is why you should locate your business in Vanderburgh County. We also need to be working with the county and the city in terms of incentives. Are we competitive with other regions of the country. When we're competing with somebody else for a business to attract them, are our incentives competitive? What can we do to make those competitive? We also have to pay attention to the existing business relationships. Who are our existing tier one businesses, and, again, what are the issues that they're facing? Bench marking, as I said, we should bench mark ourselves against other communities. We need to be able to identify sources of capital for start up businesses. Even though I'm not a lobbyist, I think that lobbying is a piece of it, because we need to be influencing you, the City Council, as well as State government in terms of the incentives that are offered and how those can best realize the economic development goals that we have. The corridor development, as I said, our focus has been downtown and will be downtown until we finish the plan for development of downtown. One of the things that is going to change in terms of resource allocation is that we're not going to be the event champions, the event producers. We're in the process right now of finding outside organizations, hopefully, not-for-profit organizations who can take

over execution of the events. We've kind of been, I'll call it the event incubator. Now, as those events are successful, we still want to have them, we still want them to attract people to downtown, but let's give them to a not-for-profit agency who can then execute the event and use it as a fund raising opportunity for them. So, we're in the process of doing that now. On business services, again, GAGE can be the gatekeeper, if somebody wants to know how to start a business, never owned a small business, they can call us, we can ask them some questions, we can refer them to other resources that can help them start their business up and to be an advocate for them. So, we do have to pay attention to the start up and success of small businesses. One of the things that I say has pleasantly surprised me, and maybe I shouldn't say that, but when you look at all of the different alliance partners that GAGE has, whether it be the Regional Economic Development Coalition, or the State IEDC, the City and County departments, all of the folks listed there, and I'm sure any time you put together a list and you do a public presentation you're probably going to forget somebody. So, if I did, I apologize, but so far in the 90 days that I've been at GAGE, it's, to me it's obvious that this is a partnership. I don't see people fighting over turf. I don't see people saying this is my job, that's your job. We're all going to work together and we're going to direct the clients we have to the best resource that meet their needs. I've been very thrilled with this alliance partnership. The last strategy that I wanted to talk about is the one that probably excites me the most, again, this is the one of actually taking technology from the federal labs and creating our own next generation of tier one businesses. We have a unique opportunity with the Crane relationship, and I've done some studies and it appears that economic development dollars that can come from federal lab relationships have primarily been focused on companies who already do business with Department of Defense. They're already selling something, so they develop a new product and sell more of that, so they get an economic development benefit. But, there's not a lot of experience with taking technology and patents from federal labs and using it to commercialize and develop new products in the commercial sector. I think that that's something that we can become good at. I think we can lead the pack. Of course, this map is my favorite, if you look at the area bounded by Indianapolis, St. Louis, Louisville, Nashville, Evansville is dead in the center. I would like to see I-69 become the technology corridor so that when people want to learn how to take technology from a federal lab, commercialize it into a new product to grow a business or start up an existing business, that this is where they look to do that. That our incentives and the programs that we have in place all support that, so we become that technology corridor. In terms of the allocation of resources, you can see we have them fairly evenly split between the basic tier one attraction, retention/expansion, our technology transfer and growing that next generation of tier one businesses, helping the small tier two and tier three businesses, as well as the commercial corridor development. So, this is how we will allocate the resources that are given to GAGE. Then, if you look at the next slide, you can see where those resources come from. One of the things that I know from this job is I am not going to come to the county or the city for any more money. So, if I want to do more things, if I want to do more in the technology transfer area, then what I'm going to have to do is to look towards grants and also invest dollars from local businesses. They need to see a value to that business from GAGE so that they will invest in GAGE. So, folks who are investing in GAGE are investing in economic development for Evansville-Vanderburgh County, and programs that are aimed at job creation and generation of revenues, and programs that are aimed at creating that next generation of tier one businesses, and programs that make this a geographic center of a new technology corridor, and activities that make this the destination for businesses who are technology based, where they want to locate and they want to

start a new business. So, that's about as fast as I can talk. Are there any questions?

Commissioner Winnecke: As you catch your breath, and before anyone asks a question, I would just offer, I'm this body's appointment to GAGE, and I will tell you that in the three months or so, or probably less, that Debbie has been at GAGE, she has developed this plan in much greater detail than what we've heard tonight, and the board is extraordinarily excited about the passion, the energy, and the focus that she brings to this. I think the board recognizes that while well intentioned, our endeavor in the events got us side tracked from the main mission of economic development. We recognize that, and Debbie has just shown great leadership in a short time to get us to this point. So, congratulations.

Debbie Dewey: Thank you.

President Melcher: I do have a question. I've been involved in tax abatements, or now they are called tax phase-ins, for 19 years, and it's probably being run better now than it has ever run as far as consistency and working with the State. I understand you're probably not going to be doing that anymore?

Debbie Dewey: No, we do have that responsibility. I'm sorry I didn't go that detailed, but one of the responsibilities we have in terms of the tier one attraction and retention and expansion is tax phase-ins, tax abatements. So, we will be completing the forms and assessing it and coming to the county and the city elected officials in terms of recommendations for incentives, so, and doing all of the paperwork and the compliance reporting and everything, GAGE will still be responsible for that.

President Melcher: So, you're not taking that out of house?

Debbie Dewey: No. No.

President Melcher: Okay.

Debbie Dewey: Any questions? Thank you.

Commissioner Winnecke: Thanks, Debbie.

**Permission to Award VC10-11-01:
Frontage Road Culver #2091 Removal and Replacement**

President Melcher: Next we'll have, now we'll get them back on, permission to award VC10-11-01. It's the Frontage Road culvert number 2094¹ removal and replacement to Brandenberger², Inc. for \$60,452. John, did you want to discuss this?

John Stoll: Blankenberger was the low bidder on the project. So, I would recommend that it be awarded to them.

Commissioner Tornatta: Motion to approve.

¹2091.

²Blankenberger.

Commissioner Winnecke: Second, and, John, what's the time line on the installation? Do you know?

John Stoll: I don't remember the exact date, but it has to be in by April of next year.

Commissioner Winnecke: Okay.

President Melcher: Is there any questions? Others in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Sale of County Owned Property: 1018 Adams
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President Melcher: Next is the sale of 1018 Adams to Christian Tabernacle Church for \$1,024.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Request to Extend Redemption Period for Tax Sale Properties:
618 E. Louisiana St. & 15 E. Tennessee**

President Melcher: Next we have the request to extend the redemption period for the tax sale properties of 618 E. Louisiana Street, 15 E. Tennessee. The redemption deadline on these properties is December 29, 2010. The Commissioners office has received a request for an extension of the redemption period for each of these properties.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any—

Ted C. Ziemer, Jr.: We need to set a date.

Commissioner Winnecke: Was that not in there? I'm sorry.

Commissioner Tornatta: It's in there, the 29th.

Ted C. Ziemer, Jr.: Oh, it's on yours.

Commissioner Tornatta: Yep.

Ted C. Ziemer, Jr.: It's not on mine. Okay, thank you.

President Melcher: Alright, any other discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Co-Op Extension: SBM Equipment Service Agreement
Treasurer: ONB Depository Agreement
EMA: Agreement with AMEC: Mitigation Plan Update
OCH Lease Renewal: Suite 108: Miller & Ellis
OCH Lease Renewal: Suite 113: Ellis, Weber & Medina-Vega
2011 GAGE Service Agreement
2011 METS-USI Transportation Agreement
Health Dept: Addendum to Univ. Of Illinois Collaboration Agreement
Health Dept: 2011 STD Grant Agreement
Sheriff: ICJI Stop Grant Agreement
Sheriff: Action Pest Control Agreements
VCDRDC: Home Verification Agreements: Hardin, Wingerter & Collins

President Melcher: Contracts, agreements and leases. The first one is Purdue Cooperative Extension equipment service equipment with Southern Business, Inc. It's for one year between January 20, 2011 through the first of January 20th again of 2012. The cost of this is \$625, which is the same as last year's lease.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The next one is the County Treasurer, depository agreement with Old National Bank. It's a two year depository agreement with ONB, a period of January 1, 2011 through December 31, 2012. The annual service charges will be \$55,915.05.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Emergency Management Agency, agreement with AMEC the local hazard mitigation plan update. The contract is for the local hazard mitigation plan is recommended by Sherman Greer.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Sherman, did you want to say anything?

Sherman Greer: No.

President Melcher: Okay. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Too late now. Next is under Commissioners, the Old Courthouse lease renewal of suite 108 to Miller and Ellis. It's identical to the current lease, but the tenants expect that the rent has been increased to \$3,670.92 per year, payable at the rate of \$305.91 per month. It will run from December 1, 2010 to November 30, 2011.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The next one is another Old Courthouse lease for suite 113 to Ellis, Weber, Melinda-Vega³. The lease is identical to last year except for a three percent rent increase.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The next one the 2011 GAGE service agreement. It runs from the first of January, 2011 to December 31, 2011. The fee is \$150,000 a year.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Do we have any discussion? Seeing none, anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

³Medina-Vega.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Commissioner Tornatta: Back up one.

President Melcher: Oh, the Old Courthouse lease renewal of suites B55, B6, B7 and B7A—

Ted C. Ziemer, Jr.: That's not on, that won't be on the agenda tonight.

President Melcher: 2011 METS-USI transportation agreement, a one year agreement, the cost of the agreement to the county continues to be at \$25,000.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The Health Department, an amendment to the collaboration agreement with the University of Illinois. The only change made by the amendment is to define the word "college" as used in the collaboration agreement between the Board of Trustees of the University of Illinois.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the 2011 STD grant. The original grant approved by the Commissioners on March 2, 2010 for a period of \$75,000, for a period ending December 31, 2010. This amendment extends the grant to December 31, 2011 and increases the grant to \$150,000.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Do you have anything to say about this?

Gary Heck: Only if you have questions.

President Melcher: I don't see any. Anybody in the audience have any questions?
Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Melcher: I thought you had something to say since you came up so quick.

Gary Heck: I just printed out the (Inaudible).

President Melcher: Next is the Sheriff, we probably can take both of these. Indiana Criminal Law Institute⁴, domestic violence STOP grant. The sub-grant agreement between ICJI and the county wherein the Sheriff's office is named the sub-grantee for the grant approval on October 2010.

Commissioner Tornatta: Let me ask a question on that while we got it. Is that coming out of Sheriff funds?

⁴Indiana Criminal Justice Institute.

Ted C. Ziemer, Jr.: Yeah. The Sheriff, I did check after I received your e-mail. The Sheriff does have funds appropriated to meet the local grant.

Commissioner Tornatta: Okay.

President Melcher: The next one is the Action Pest Control agreement, it's four pest control agreements with the pest control in three buildings operated by the Sheriff on Kansas Road and the Sheriff's command post on Highway 41. Each agreement is for one year ending on December 31, 2010⁵. The cost is \$200 for four services per building, and \$50 each for additional services.

Commissioner Tornatta: Alright, and I'll make a motion, and we'll say that he's got the money in his budget for that.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: The Day Reporting Drug Court home verification officer agreement with Deputy Troy Hardin, DW Security LLC, and Deputy Michael Collins. These deputies are paid \$29.14 per hour for their services, the same hourly rate as in their prior agreements. Each agreement runs through the first of January 2011 to December 31, 2011.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

⁵December 31, 2011.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Engineer

President Melcher: Next, department head reports. We have the County Engineer first.

John Stoll: The first item I have is to request your approval to go to County Council to file a travel request for me, Pat Seib and Valerie Harry to go to the storm water drainage conference at Purdue in February.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Probably not. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then, second, I've got a street acceptance request for Heston Green River Estates Subdivision. This is a 70 foot extension of the street which primarily just consists of adding a cul-de-sac on to the existing end of English Way.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any other discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I have a change order on the Hillview Road culvert project. This is for an increase of \$3,176. The reason for the increase was we underestimated the amount of flowable mortar it would take to fill all of the voids associated with the old culvert. We bored a new culvert under the road, then plugged the old one with the mortar, and there were additional voids that we just didn't account for.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any other discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: Then, I have one other item that I didn't have on the e-mail that I sent you earlier today. Ted had finished a review of an agreement between the county and the Evansville MPO for doing a master plan for the bike paths out in the Burkhardt Road TIF district and out in the U.S. 41 TIF district. The agreement is for a total of \$49,368, but the MPO was able to obtain federal funding on this, so the county will only have to pay a local match of \$9,874. Ted reviewed and approved the agreement. He made a few changes, but I would recommend approval so we can get it back to the MPO and get it started.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Do we have that? Do you have the agreement?

Ted C. Ziemer, Jr.: Madelyn has it.

President Melcher: Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Melcher: Thank you.

Commissioner Winnecke: John, before you leave. We chatted today about the Green River Road update. That's kind of interesting. I think folks would like to hear its status.

John Stoll: We, if we had just a couple more weeks of good weather, it would have been fully paved and striped and open, but the cold weather prevents the final surface asphalt and final striping from being able to be placed. So, right now it looks like it would carry over into next year. Ballpark estimate would be, they probably won't be able to do the work until, the paving and striping work, until late March-early April would be an estimate. I believe the temperature for striping, it has to be 60 degrees, and for asphalt, surface asphalt, was 45. So, we aren't looking at any temperatures in that range, so that's what's preventing the job from getting finished. We're looking at the possibility of trying to do some temporary striping on the existing asphalt out there to get it fully opened to traffic. The cost we thought initially would be \$5,000-\$10,000. Now, it's more like \$37,000, because the existing stripes, the striping that's out there right now with all of the traffic moved over to the western edge of the road between Hirsch and Heckel, and then it diagonals across and ends up on the east side of the existing pavement between the soccer park and Millersburg, all of that existing line striping would have to be ground off, and we initially thought it could be just painted over with black paint. But, that's what drove up the cost, so, it makes it a little less cost effective to put the temporary, to put temporary striping down and get the project fully open. That was the objective, and the cost was just a lot higher than what I had given you last week.

Commissioner Winnecke: Is there, so, roughly, \$35,000 to do temporary striping, and then come back in warmer weather to grind that off and re-stripe it and put the final layer on?

John Stoll: The grinding would take place on the stripes that, the striping that's out there right now.

Commissioner Winnecke: Oh, okay.

John Stoll: Once the, any temporary striping was placed out there, it would just be paved over in the spring.

Commissioner Winnecke: Okay.

John Stoll: So, whatever would be temporary would not have to be removed again later.

Commissioner Winnecke: From a traffic flow standpoint, does it make sense to try and find the \$35,000 or so to open up all the lanes, even until the warm weather, or not?

John Stoll: It would be beneficial to all of the motorists using Green River, because it would get all five lanes of the, four and five lanes of the new road, open to traffic. It just comes down to the cost, as far as spending the extra money to get it done.

Commissioner Tornatta: What do you anticipate the savings would be today, off the project so far?

John Stoll: I wasn't given a specific number on that. The project engineer did say that it was still running beneath the original bid price. So, we are (Inaudible), I just don't have a specific dollar figure.

Commissioner Tornatta: I mean, I would be in favor, if we are under that bid price, we were looking at between \$9,000 and \$10,000 anyway to do this. I mean, if we come in and it's \$25,000 in savings, I mean, I don't see where we're worse for wear to get that open. The main reason, obviously, it's a safety issue. The other reason is with the potential snow and weather that could come, we're going to have barrels out there, barrels are confusing and they're also a projectile when people go and hit them, especially our trucks are out there doing salt and trying to clear the roads. Somebody's got to go out there and spend their man hours re-setting those barrels, or whatever that piece is out there, and then we damage the barrels, we're renting the barrels right now, if I'm understanding that right, we're paying a rental fee. So, I mean, if this is something that we're under budget and we could use that under budget monies to go ahead and finish her up, I mean, I think that that's the way to go.

John Stoll: In talking to the project engineer, he said that ballpark estimates were that he thought that the removal of the existing lines and putting new ones down, temporary ones down to open all the lanes, would probably be done by late next week or early the following week. So, it would be, it appears that it could be open, all of the lanes could be open prior to Christmas.

Commissioner Winnecke: I think that's probably the way to go. Obviously, the understanding is, with the motoring public, that when the weather warms up in the spring for the extended period of time, to finish the striping correctly, or finish the paving and then the striping. Then, for a period of three or four weeks we would be, the lanes would be reduced again, is that correct?

John Stoll: Right, they would have to reduce it again to just one lane in each direction to do the paving and striping again. But, that could be handled by the barrels, flaggers, whatever the case may be.

Commissioner Winnecke: I would make a motion to direct the County Engineer to proceed with temporary striping, as you've proposed, to, in order to open up all lanes until such time as the weather warms up and you can finish the project.

Commissioner Tornatta: Second. Do we want to put a cap on that?

Commissioner Winnecke: Oh, yeah, not to exceed \$40,000.

John Stoll: That should cover it from what I was told today.

Commissioner Tornatta: Second.

President Melcher: Any other discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

John Stoll: I'll see what I can find out.

President Melcher: It's better than the barrels.

John Stoll: Yes. I'll keep you updated.

Commissioner Winnecke: Thanks, John.

Commissioner Tornatta: Alright.

County Attorney

President Melcher: Any other department head reports?

Ted C. Ziemer, Jr.: Yes. The first item I have, for several years now the county has subsidized providing bus service for elderly and handicapped individuals in Vanderburgh County. This year it's proposed that the Board of Works of the city, through METS, provide that service for the county for another year. The, I apologize for, I didn't get this to you until just now because I was waiting for information from the city's insurance department, which I did finally receive late this afternoon, so, the cost of the agreement goes up from \$11,666.68 per month to \$11,807.50 per month. So, it's a modest monthly increase. I do have the insurance provisions resolved and I've provided Madelyn with a copy of the certificate of insurance. Madelyn has copies of the agreement to be signed by you, if you approve it.

Commissioner Winnecke: Do we happen to know how much is budgeted in this line item for the new year?

Ted C. Ziemer, Jr.: There is—

Marissa Nichoalds: \$140,000.

Commissioner Winnecke: I'm sorry? \$140,000? So, the amount of the increase would be covered adequately?

Marissa Nichoalds: No, it's actually short about \$1,460, or somewhere in that range. So, we'll have to file for a transfer. The agreement's always been \$11,667, which comes out to \$140,000 equally. So, we weren't aware of the increase until today.

Commissioner Winnecke: Can we take this under advisement until our next meeting?

Ted C. Ziemer, Jr.: You can, but for this problem. It's not sure that the Board of Works will meet again in calendar year 2010. If they don't, this agreement would not be approved in time to begin the first of January. What did you say the difference is?

Marissa Nichoalds: I think it's roughly around \$1,400.

Commissioner Tornatta: Yeah, I mean—

Marissa Nichoalds: Just over....it's, we have enough in other accounts that we could file a transfer.

Ted C. Ziemer, Jr.: My recommendation would be that you approve the agreement subject to their being a transfer to cover the \$1,400.

Commissioner Winnecke: Okay, that's prudent.

Commissioner Tornatta: Yeah, and while we do that, I mean, it would probably be nice to, do we have any utilization numbers? Do you know?

Marissa Nichoalds: No, but I can check.

Commissioner Tornatta: That might be something to get back to the Commissioners just to make sure that this program that we're funding and increasing is actually increasing in service. I'll make a motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Then I have another matter. First, as you know the accountant for the county, Harding and Shymanski, have been in the process of conducting a review of the books of SMG for the years 2006, '07, '08 and '09. That review is nearly completed. It is still not totally completed, then there's another matter that's arisen, which I'm going to tell you about in a minute. Because of the time this continues to take, we have entered into four different addendums, or addenda, and I'm going to suggest that you enter into a fifth addendum with SMG for this purpose. Our contract says that if we don't notify SMG by 90 days prior to the termination date, which would be December 31, 2010, that the agreement would extend for another five years. Each addendum that we have entered into has shortened that period to allow us additional time to complete the work of the review and to have a report prior to the Commissioners determining whether or not to allow it to roll over for another five years. The last addendum you signed, which was the fourth addendum, provided, and that was, yeah, provided that we would have until December the 20th to make our decision whether or not to allow the agreement to renew for five years. The fifth addendum will provide that we have until December the 28th to decide whether or not to extend the contract for another five years. So, we recommend, in order to allow some of these things to transpire, that you approve the fifth addendum, and Madelyn has copies of that should you desire to approve it.

Commissioner Tornatta: I make a motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Now, in addition to the completion of the review itself, another matter has arisen out of the review which has been brought to your attention, but which I am prepared to comment on further this evening. As you know, from conversations with me, and with, I think you've had individual conversations with Steve Titzer, the accountant providing the review of Harding and Shymanski, and some conversations with SMG. It developed in the course of the review that using the formula provided for in the agreement, to wit that SMG would be entitled to an incentive fee to the extent that, to the extent of 25 percent of the excess of operating, the operating revenue benchmark agreed to over revenues less event expense. That's what the agreement says, and using, well, under the agreement for the years 2006, 2007, 2008 and 2009 SMG has been paid a certain amount each year, which totals \$338,195 for the three years. So, SMG received incentive payments in the amount of \$338,195 for those four years. During the course of the review the accountants in checking the amount of incentive paid over the formula provided for

in the agreement determined that SMG was not entitled to any incentive payment for the years 2005, I mean, excuse me, 2006, 2007, 2008 and 2009. That would mean that for those four years, given that formula as provided for in the agreement, that SMG was overpaid \$338,000 worth of incentive. Let me mention that at the same time that the review shows that Vanderburgh County still owes SMG \$36,000 of qualitative incentive for the year 2009. Therefore, subtracting that \$36,000 from the \$338,000 it would appear that SMG owes Vanderburgh County \$302,195. We contacted, when we were advised of this by the accountants, we contacted SMG, and we've had numerous conversations with SMG in this regard. They are of the opinion that when the contract was negotiated it was the intention of the parties that the incentive agreement would be based on a computation equaling 25 percent of total revenue, rather than, without deducting event expense, and that based on that SMG agreed to the establishment of certain benchmarks in the agreement which are an integral part of the formula which gives rise to the incentive payments. So, for example, the operating revenue benchmark for 2006 was \$1,750,000. Okay, if you then compare that to the total revenue of \$2,039,000 less event expense of \$765,000, you come out with operating revenues of \$1,273,000, which, since that's under \$1,750,000 means that for that year SMG was not entitled to an incentive payment. If, on the other hand, as SMG contends, the benchmark in the agreement should have been \$1,275,000, they would have been entitled to an incentive payment of \$38,000 for that year and not zero as you would find under the terms of the agreement. SMG acknowledges that under the terms of the agreement, using the written language in the four corners of the agreement, that they are not entitled to any incentive agreement for those four years. They maintain, however, that that was a mistake, and that they, and they apologize for this, but they failed to discover the mistake, and they would not, they say, have entered into this agreement with the formula that is described in the agreement, because that would mean under no circumstances could they have ever obtained an incentive during the four years of that agreement. They say that applying the correct benchmarks for the four years of the agreement, they would have been entitled to \$208,000 worth of incentive payments, as opposed to the, as opposed to zero incentive payments, which is what the formula described in the agreement would indicate. If that is correct, then, instead of owing the county \$338,000, they would owe the county \$129,000, and applying the, deducting the \$36,000 that the county still owes SMG for 2009, would leave an amount in the sum of \$93,000 which SMG believes, or admits, says that it's owed to the county. So, on the one hand we have a formula in the agreement, which was signed by SMG and signed by the county, which spells out that SMG owes the county \$302,000, while using a formula which SMG contends was the intention of the parties, though misstated in the agreement, they would owe the county \$93,000. So, a difference of \$207,000. We've been discussing this with SMG and they have given us documents to show why they think it would have been more correct to use the benchmarks, well, not only more correct, it would have been correct to use the benchmarks they describe, we are today at a point, or we were this morning, at a point where the agreement says they owe us \$302,000, they would contend that they owe us \$93,000. This morning SMG contacted me and proposed, they said, you know, we still contend that all we owe is \$93,000, but we would like to settle this matter, which we think is the result of an honest dispute, and we would like to settle this by paying Vanderburgh County \$150,000 in cash before December 31, 2010, so that's roughly one half of the \$302,000 that would appear to be due the county based on the plain terms of the agreement. In addition to that, SMG is willing to provide \$10,000 toward the payment of the accountants for the county for additional work required to be done by them in connection with this incentive issue, and, finally, SMG would agree to waive the payment by the county to SMG of the \$36,000 qualitative incentive payment due for 2009. So, that would be a total \$150,000 plus

\$10,000 plus the \$36,000 waiver, that would be a total offered to Vanderburgh County of \$196,000 against the \$302,000 that SMG would appear to owe the county if you follow the strict language of the agreement. So, resolving this is yet another reason for entering into the fifth addendum to allow additional time. However, we do have this offer which SMG has asked me to present to the Commissioners at the meeting this evening, and I now present this settlement offer to settle for \$196,000 through the payments that I indicated, two payments and one waiver of a payment by the county, to resolve the, as they describe it, the failure to have a meeting of the minds when the parties entered into the agreement in 2005.

Commissioner Winnecke: Can you repeat that? No, I'm just kidding.

President Melcher: As long as everybody understands that.

Commissioner Winnecke: I think, first, thank you for recapping it, and I don't know how you could have done it in a more succinct manner. I think I feel differently than other folks on this board, but I'm not sure. I've noodled on this a lot, and I keep coming back to what they say their intent was and the intent of both parties during the negotiations. I, first of all, let me preface my remarks, I think this is an honest mistake. I do not believe for one second there is any attempt on the part of SMG to take money intentionally from the county that it's not owed. So, let me get that on the table first. Having said that, I was not part, nor were either of my colleagues part of the negotiations in 2005 for the contract that took effect in 2006, so, I don't know what the intent of the Commissioners were at that time. So, all I have to go by is the language contained in the contract. Based on that, I think they owe us the \$302,195.

Commissioner Tornatta: The amount that was, obviously we've talked about this several times, and the intent was on some documentation that was delivered to us, I believe, last night, and the intent did show, puts some skepticism to whether the true reading of that document was the actual intent. After having several conversations with all parties, I believed when I heard of the offer that that was an opportunity for SMG to take probably a bigger hit than they thought they were times two, and at that time to get the payment expeditiously to the county, and also to say that even though we don't believe that that's part of our, that that was a situation where we should be paying that much money, and especially in that amount of time, that being a good corporate partner with the county is more important. With that in mind, I was kind of shocked, because I think the number we heard all along was \$129,000 minus \$36,000, which is \$93,000, and that was, we didn't know how we were going to get it, and if we were ever going to, if we would ever get that. So, I mean, I think they stepped up to the table, they gave us an honest shot at it, and also among some of the things that they have done, they even said that we'll look at your independent auditor, which is what that's supposed to represent, and would even look to offset some of the costs to the county for the extra work that had to be done. Now, this is a process that started in 2006, correct? 2007?

Ted C. Ziemer, Jr.: The review started in 2007.

Commissioner Tornatta: I think we're in 2010, so, however you read into that, that's a long time to do an audit. Now, I don't blame anybody, because the blame is not, has not been put on, I don't think the blame should be put on anybody. It was a situation where it has to be brought to the Commissioners, and the Commissioners duties at that time would be to settle any of these cases as we've done hundreds of times since I've been on this Commission. So, I believe there's a lot of opportunities for, to call it dropped balls, but I would prefer that we look at the opportunity to work

with a corporate partner and acknowledge that there are opportunities where there are misunderstandings and misinterpretations in the hundreds of contracts that we have, and for them to step up and take part of this and take over half of the liability is, I think, it's onerous, and it should be looked at favorably by this Board.

Commissioner Winnecke: I don't disagree with anything you said, but I would just offer this as one rebuttal, and that is they've had 338,195 of our dollars for a period of time, not the entire time, to which we have not had access. If you interpret the contract, that is the amount minus the \$36,000 from the 2009 qualitative incentive fee, that they would owe us. So, that's, I hear ya, I just don't necessarily agree with it.

Ted C. Ziemer, Jr.: Let me just ask a question, Commissioner Winnecke. Would you be suggesting then that I talk to them, and if they would offer to pay interest on the sums they've held, and, you know they got one quarter of this in 2006, another quarter in 2007, and it wasn't an exact, the exact equal amounts each year, but it adds up to this, that that would make you feel differently?

Commissioner Winnecke: It could, I don't know what those numbers are, because, to date, the only thing, I think the only figures I've seen are those, just sort of an aggregate number representing the period of 2006 through '09. So, I would be open to that.

Commissioner Tornatta: Then we would have to go back and find out the amount of interest, because if we use today's interest, it's zero.

Ted C. Ziemer, Jr.: Well, we won't use today's.

Commissioner Tornatta: Well, I understand, but, I mean, in fairness, in fairness we would use the amount of interest at that point, and I don't know that it's ever been above a point. I don't, I just think at some point we're kind of splitting hairs, because they're offering \$10,000 outside of that contract payment to assess, and we still have one more qualitative to judge this year, and that's open to the interpretation.

Commissioner Winnecke: Sure.

President Melcher: SMG is here, would you want to say anything? I think, if we're deciding things, you ought to at least say something.

Todd Denk: Hi, Todd Denk, Assistant General Manager with SMG. The only thing that I want to add is, is that I know we've been going through this process for quite some time and looking to get resolution on it. I appreciate Commissioner Winnecke's comments about the intention and not anything being done purposefully. Again, an honest mistake that we were fortunate to catch, and I think from the SMG perspective we want to do what we can to make this right and to move forward in the positive relationship that we've had with the county for the last ten years, and move forward with it. That would be the only comment I would have to make.

President Melcher: Does anybody, everybody here in the audience is probably too confused to ask a question. You have the opportunity if you want to. Bill, what about you on your side?

Bill Fluty: Then again, I've been in some of the meetings, but it's actually a decision by the three Commissioners. You have all of the facts in front of you.

President Melcher: The only thing I can state, basically, is I know Sandie Aaron real well, and I was on the City Council 17 years and I know how they operate, and I know how SMG bought that out, and I know how everything came to be now. I've worked with them and they are a great asset to our community, and they do good work, and I think when the whole thing is done they'll probably be one of the only ones left to even do it. Then again, on the other side, we've got a contract. Now, I've got to put my, I've been a business person all my life, and if you put a business hat on, you look at it and you say, well, this is what the contract was, and when you buy your house that's what it is. I wish there was some way we could work it out, I wish it wouldn't have waited till 2007 till tonight. I don't know if we have any other options as of tonight, because if I would have asked legal, they would say you have to go by the contract, and I've always followed the legal since I've been on the City Council and the County Commissioners. This is a good company. I think it was maybe the intent of everybody, but the intent is not what's written there. Ted?

Ted C. Ziemer, Jr.: Well, you mentioned legal, so I'll, since I'm legal—

President Melcher: I've asked you all along, I won't skip you on this one.

Ted C. Ziemer, Jr.: No, you're correct, I would say always to you, and the other Commissioners, or any client of mine, if you have an agreement with somebody you look to the terms of the agreement to determine what the obligations of the parties are under that agreement. At the same time, I will say that it is possible in agreements that there isn't a full meeting of the minds of the parties when they entered into the written agreement, and on those occasions when that's discovered it's not improper, it's not required, but it's not improper to consider, well, what were the true understandings and did we, you know, was there a mutual mistake. It's the contention of SMG that there was a mutual mistake, and, as Commissioner Winnecke has said, he wasn't around then and he doesn't know whether it's a mutual mistake or not. He only knows what it says in the agreement, but it would not be considered improper in such a situation to consider the possibility of settling. If, for example, we, the Board, adopts the position of Commissioner Winnecke, the Board is saying, in effect, we're going to go by the written language in the contract, and we grant no credence to the, we don't think it was done intentionally, as Commissioner Winnecke has said, but we give no credence to the position of SMG that, hey, it shouldn't have been that way, and had we done it properly, yes, we would owe you something but we wouldn't owe you \$302,000. So, if the Board, or any member of the Board wants to give some credence to that position of SMG, then it's not improper for that person to consider some figure less than what is provided for in the language of the contract. So, it's not proper or improper to do that.

Commissioner Winnecke: Maybe I'll, I'll just, I'll make a motion and see what happens. Are you ready for that?

President Melcher: Well, with him stating what he did, do you still believe the way...I guess if you're going to make a motion you do. What kind of motion would we need?

Ted C. Ziemer, Jr.: Well, Mr. President, what you have on the table, I guess, what I have placed on the table, at the request of SMG, is their proposal to resolve any differences regarding the payment of incentive, under the terms of this agreement, by their paying the county \$150,000 in cash by December 31, 2010, paying the county an additional \$10,000 for its use in payment to its CPA for conducting the investigation, and third waiving any requirement that the county pay the \$36,000

which is now due SMG for the 2009 qualitative incentive, or a total dollar value of \$196,000. What's on the table, I think, is whether or not to accept that.

President Melcher: Well, then, I think we need to look, to talk a little bit about step two, what would step two be as far as a new contract? Before we vote on it.

Ted C. Ziemer, Jr.: I think what is contemplated is, if we would go to step two, as you describe it, and I've discussed this with SMG as well, they understand that I as County Attorney would act with Harding and Shymanski as the accountants to develop new language for the contract going forward into 2011, which will be agreed to by both SMG and the county to solve the kinds of problems that we are now experiencing with regard to the computation of the incentive. So, if, for example, the settlement were approved, then I would ask you to direct me to proceed to negotiate with SMG the terms of a new contract to be entered into on January 1, 2011 to cover the period for five years subject to a three year termination.

President Melcher: And a three year termination is because of?

Ted C. Ziemer, Jr.: The current agreement provides for, to run from 2006 through 2010, subject to the right of the county to terminate at the end of 2008. We didn't elect to terminate at the end of 2008, so the agreement ran through 2010. The new agreement would run from January 1, 2011 through December 31, 2015, subject to the right of the county to terminate the agreement on December 31, 2013.

Commissioner Tornatta: '14.

Ted C. Ziemer, Jr.: '13.

Commissioner Tornatta: '11, '12, '13. '13? Okay. Then, that would be after today. We would vote on that after today, if we develop the language.

Commissioner Winnecke: Right.

Commissioner Tornatta: So.

Commissioner Winnecke: I understand.

President Melcher: Right, I understand that. I just want to, I think all of us need to know what we're voting for. So, they could elect, if we vote one way, they could elect not to pursue that contract.

Ted C. Ziemer, Jr.: Certainly. We don't know—

President Melcher: I would like to go ahead and do that.

Ted C. Ziemer, Jr.: Yeah.

Commissioner Tornatta: That's all in contract negotiations.

President Melcher: I understand that. All this was in contract negotiations too, which we weren't privy of. I'm just trying to get everything out so that everybody understands.

Commissioner Tornatta: I mean, they'll draw that contract, the new contract would be placed before you to vote on before the 28th, if that be the case.

President Melcher: Okay.

Commissioner Tornatta: This would not be, I don't think this would be part of the contract, any type of reconciliation.

Ted C. Ziemer, Jr.: No, if we, if you agree to their proposal, then we would draw up an agreement under the terms of which they will pay these amounts of money to the county to resolve that dispute, if you will, then we would go forward with a separate agreement for the next five years.

Commissioner Tornatta: If we put a forensic interest clause into that piece that he was given by SMG, does that make a difference?

Commissioner Winnecke: I don't understand what you mean.

Commissioner Tornatta: Forensic interest would be we would look at the interest rate at that time from the monies we received and compound that interest to the date.

Commissioner Winnecke: I guess, I'm still not following you, Troy.

Commissioner Tornatta: You were talking about the interest on monies, and they were given, or, I mean, they were paid the money from the county—

Commissioner Winnecke: Right.

Commissioner Tornatta: — at a certain time. When they received that check, the interest at that time would start on that money and continue until the next payment they received, and the new interest rate would be applied to that money at that time. That's just going back on the interest side if that's a piece you wanted to add on to their offer. I don't know, if they would accept it or not, I mean, but that's we're in—

Commissioner Winnecke: Right.

Commissioner Tornatta: — a lot closer at that point probably.

Commissioner Winnecke: I understand. So, probably the first thing we need to consider is SMG's current proposal to settle this offer in the total amount of \$196,000.

Ted C. Ziemer, Jr.: Yes.

Commissioner Winnecke: Including \$150,000 of, for the overpayment of incentives, and \$10,000 for the accounting fees, and a credit of \$36,000 on the outstanding qualitative fee.

Ted C. Ziemer, Jr.: Yes, sir.

Commissioner Tornatta: Or, we shoot them back another offer.

Commissioner Winnecke: Right. I, okay, I would make a motion to not accept the proposal that you have presented on behalf of SMG.

President Melcher: I'll second it. Any other discussion? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: No.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0. Commissioner Tornatta opposed.)

Commissioner Winnecke: I would make a second motion that we direct the County Attorney to, I'm trying to think of the right word, to direct the County Attorney to present an offer to SMG to settle this dispute in the full amount of \$302,195.

President Melcher: What was that amount again?

Commissioner Winnecke: \$302,195. That is the amount of the overpayment, per terms of the contract, minus the \$36,000 still due from the 2009 qualitative fee.

Ted C. Ziemer, Jr.: Commissioner Winnecke, just to be exact, you're right, except the numbers are just slightly different.

Commissioner Winnecke: Oh, okay.

Ted C. Ziemer, Jr.: If we're going to use the exact numbers, it's \$338,195 less \$36,159.

Commissioner Winnecke: Oh, I'm sorry.

Ted C. Ziemer, Jr.: The net amount would be, we were speaking in round numbers before, but the net amount for that motion would be \$302,036.

Commissioner Winnecke: I will amend my motion to use the corrected term of \$302,036.

President Melcher: Any other discussion? Oh, sorry, that was a motion. Second. Any other? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: No.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 2-0. Commissioner Tornatta opposed.)

Ted C. Ziemer, Jr.: Okay, I will do that, and, well, I'll notify you of the need for a special meeting of the Commissioners to act on their response.

President Melcher: Okay, anything else under your department?

Ted C. Ziemer, Jr.: No, sir. Thank you.

President Melcher: Any other department heads? Chris? Steve?

New Business/Old Business

President Melcher: Any new business? Old business?

Public Comment

President Melcher: Public comment? While we're on public comment, we didn't introduce the Youth Resources. We apologize for that. If you could just state your name and what school and what year you're in.

Dakota Meade: Dakota Meade, Central High School, Freshman.

Brandon Wolfe: Brandon Wolfe, I go to Central and I'm a Freshman.

Paige Scott: Paige Scott, I go to North High School and I'm a Junior.

Adam Tucker: Adam Tucker, I go to the New Tech Institute and I'm a Freshman.

President Melcher: Thanks for being here and being with government this evening. Any other public comment? As you come up, when you get to the microphone just state your name. We have to have that for our records.

Wayne Fehd: Wayne Fehd, Vanderburgh County resident.

President Melcher: Thank you.

Wayne Fehd: I'm here tonight on two things. One thing is I'm an elected supervisor for the Vanderburgh County Soil and Water Conservation District. I just wanted to come by and say thank you for the support you've given us in the past in this last year, and I look forward to working with you all in the future. If you had any questions.

President Melcher: I don't have any. Is there any questions? I guess there isn't any questions, but we appreciate you coming.

Wayne Fehd: Okay.

President Melcher: You don't get thanks enough, but we want to thank you for thanking us.

Wayne Fehd: Okay, well, I think it's appropriate. We work together.

President Melcher: It's all about working together for our community.

Wayne Fehd: It helps our water quality, better for our Water Department to clean it up than whenever we do different farm practices out on the farm to the soil all in the field and help keep the runoff out there down to a limit, smaller amount. I think—

President Melcher: It all works if everybody pitches in.

Wayne Fehd: It does. It really helps. The place to keep the water and the problems is up on top of the hill and not in the bottom of the river. It's all over with by the time it gets there. We know what siltation in the bottom of a river does. If you've ever tried to move barges full of grain and commodities up and down the river and the siltation has raised the bottom of the river up. We'll have to build new dams and raise the pool stage up whenever the water gets low. So, that was, I think it's for everybody's good as far as the Soil and Water Conservation District. The other matter is I always have trouble getting some right-of-ways mowed. I called down to the office back in August on the right-of-way on, the full right-of-way on Young Road south of Boonville-New Harmony Road; the full right-of-way on Boonville-New Harmony Road from Young Road back to Green River Road; then coming back down south on Green River Road about a half mile, three quarter of a mile north of Kansas Road on both sides down south to Kansas Road; then turn east on Kansas Road and mow it down to the Sheriff Training Center on both sides, then go back south on Green River Road to Millersburg Road and I own a piece of property that comes out on Millersburg Road, 5300 Millersburg Road. The people that live in the home there, they are having trouble when they pull out of the driveway looking to the east. In the summertime the trees sometime get four and five feet tall and full of leaves there. I was getting, it never got mowed this summer, and the next thing that happens if we don't mow it while it's green, it gets dry, it's a fire hazard, it's underneath the utility poles and the telephone lines and electric lines. I just want to see if I can get a commitment where I don't have to keep coming down here every year.

President Melcher: Well, we wouldn't want you to come down every year. Did you get, I guess, we'll get all of that on our minutes? Because you don't have a list with you, right?

Wayne Fehd: No.

President Melcher: So, we'll look at our minutes and we'll get them to the appropriate and see what we can do and what we can't do. If you can leave your name and number we could get back with you, or if you've got an e-mail address that would be quicker.

Wayne Fehd: I don't have an e-mail.

President Melcher: Well, if you just, when this, when you're done, just ask Madelyn and she'll get—

Madelyn Grayson: Did you sign into the, did you sign your name on the sign in sheet? That would have your number on it.

Wayne Fehd: I got here late. I parked in the parking lot over there, when I got to the doors—

Madelyn Grayson: I'll find it for you.

Wayne Fehd: — it was locked and I had to walk all around this building to get in.

President Melcher: I had to do that in the pouring down rain one night, so I know what you mean.

Wayne Fehd: That is really.

President Melcher: They're supposed to stay open.

Wayne Fehd: That is really bad when you're having a meeting down here. I think that needs to be changed too. So, you work on that one.

President Melcher: I've been working on that and haven't won yet.

Wayne Fehd: Okay.

Commissioner Winnecke: Madelyn will take care of you. Thanks, Wayne.

President Melcher: Madelyn will help you with that so we can get back with you.

Wayne Fehd: Okay, thank you.

Commissioner Tornatta: Thanks, Wayne.

President Melcher: Anybody else for public comment?

Consent Items

President Melcher: Next we could go to the consent agenda.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: As soon as Madelyn gets back we'll have her read them.

Commissioner Tornatta: Why don't you read them?

President Melcher: Oh, I could do that. Approval of prior minutes, November 23, 2010 Commissioner meeting minutes, December 7, 2010 Executive Session summary minutes; employment changes; County Auditor has November 2010 A/P vouchers, list to surplus two black, metal bookcases; the County Clerk's October 2010 monthly report; the County Treasurer October 2010 monthly report; the County Engineer pay request for a hundred, for number 117 for TIF projects in the amount of \$31,911.48; department head reports. So, after they've been read, all in favor say aye.

All Commissioners: Aye.

President Melcher: So, it passes.

(Motion approved 3-0)

Rezoning Petitions: First Readings

**VC-3-2010: Petitioner: Gabriel L. Schroeder
Address: 6011 New Harmony Road
Request: Change from Ag to R-3**

**VC-4-2010: Petitioner: Edith Woodburn
Address: 407 W. Campground Road
Request: Change from R-1 to CO-1**

President Melcher: Next is rezonings. This is a first reading of petition VC-3-2010, petitioner, Gabriel L. Schroeder. Are they here?

Madelyn Grayson: They just need to have a motion made to pass them on to Area Plan Commission.

Commissioner Winnecke: Motion to approve.

President Melcher: Oh, is that all? Okay.

Commissioner Tornatta: Change from Ag to R-3. Second.

President Melcher: We'll just take the next one too. The first reading of petition VC-4-2010, petitioner Edith Woodburn, that's changed from R-1 to CO-1.

Commissioner Winnecke: I'll amend my motion to include both.

Commissioner Tornatta: Amend the second.

President Melcher: Okay. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: Okay.

Commissioner Tornatta: Motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Melcher: Thank you.

(The meeting was adjourned at 6:28 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the November 23, 2010 Commission Meeting Minutes.

Approval of the December 7, 2010 Executive Session Summary Minutes.

Employment Changes: Health Department (1)

Auditor:

Approval of November 2010 A/P Vouchers.

Request to surplus (2) black metal bookcases.

County Clerk: October 2010 Monthly Report.

Treasurer: October 2010 Monthly Report.

County Engineer: Pay Request No. 117: Green River-Burkhardt TIF Projects.

Department Head Reports: County Engineer

Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Bill Fluty	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Deidra Conner	Crystal Sisson
Nathan Breeden	Wanda McCarter	Debbie Dewey
John Stoll	Gary Heck	Sherman Greer
Todd Denk	Dakota Meade	Brandon Wolfe
Paige Scott	Adam Tucker	Wayne Fehd
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
DECEMBER 21, 2010**

The Vanderburgh County Board of Commissioners met in session this 21st day of December, 2010 at 5:00 p.m. in room 301 of the Civic Center Complex with President Troy Tornatta presiding.

Call to Order

President Melcher: We would like to call to order the Vanderburgh County Board of Commissioners. It's December 21, 2010. It's 5:00, room 301. Madelyn, would you call the roll, please?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance

President Melcher: With that we're going to have the Pledge of Allegiance. Troy, would you mind leading us in the Pledge this evening?

Commissioner Tornatta: Sure.

(The Pledge of Allegiance was given.)

**Permission to Open Quotes: VC10-12-01:
Mann Road Culvert #1212 Replacement**

President Melcher: I need permission to open the quotes for VC10-12-01, the Mann Road culvert number 1212 replacement.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: All in favor say yes.

All Commissioners: Yes.

(Motion approved 3-0)

President Melcher: Okay, Ted, you'll be opening them?

Ted C. Ziemer, Jr.: Yes.

Introduction of Teen Advisory Council Job Shadows

President Melcher: Also, now with the, our Youth Resources, would you push on so it goes red so we have it. Give your name, school and what grade you're in.

Dakota Meade: Dakota Meade, Central High School, ninth grade.

Brandon Wolf: Brandon Wolf, I'm a Freshman at Central.

President Melcher: Thanks for coming this evening.

ONB Insurance: 2011-2012 Property and Casualty Insurance Renewal

President Melcher: Next we have action items. The first one is ONB Insurance property and casualty insurance premium comparison. Dennis Feldhaus?

Dennis Feldhaus: Good evening, Commissioners. I'm Dennis Feldhaus with Old National Insurance. I'm here this evening with one of our other team members on the insurance team at Old National, Norbert Niemeier. We are here to review the insurance renewal premiums and do a comparison to expiring for the policy period of February 1, 2011 to 2012. Do you have a copy of that with you this evening?

Commissioner Tornatta: Yes.

Dennis Feldhaus: Good. Thank you. First of all, I did not bring a comparative package of coverages. We're only going to look at the premiums this evening, but I did want to highlight one point, is that the property coverages are up four million over expiring. So, the increase in coverage exposure is included in the pricing that we are looking at this evening. Basically, good news, I wanted to make sure that that was in green and not in red. The good news is that the renewal offer for all lines of insurance is two percent less than expiring from last year. Even better, it's 11 percent less than what we had anticipated, because we budgeted for an increase which did not happen. So, I can go into detail. I would be glad to entertain any questions, but this evening would ask that the Commissioners give approval to the renewal and we can order the policies then.

President Melcher: Any questions?

Commissioner Winnecke: To what do you attribute the reduction in—

Dennis Feldhaus: The reduction in premiums, still the marketplace is still a little soft. The climate within our industry allows us to actually be able to negotiate a little better on your behalf. So, that is being reflected in the premium renewal.

Commissioner Winnecke: This is even down from two years ago.

Dennis Feldhaus: Correct. We've had a three year decrease in cost.

Commissioner Winnecke: Alright.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Dennis Feldhaus: I want to thank the Commissioners for their offer of renewal, and I would also like to point out that in 2011 Norbert Niemeier will be the lead point for our team. We'll continue to try to be of service and bring you the best quality program at the least cost. Thank you very much.

Commissioner Tornatta: Thank you, Dennis.

Commissioner Winnecke: Thanks, Dennis. Merry Christmas.

<p>Cooperative Purchasing Organization: Award of Bulk Fuel Bid: Wabash Valley Services</p>

President Melcher: Next we have the Cooperative Purchasing Organization, award delivered bulk fuel to Heritage Petroleum and Wabash Valley Services.

Mike Raisor: Good evening, Commissioners. My name is Mike Raisor with the Evansville-Vanderburgh School Corporation, but I'm here on behalf of the Cooperative Purchasing Organization. This evening I have one item for your consideration, the bid to award bulk fuel delivery at fixed and flex prices. The fixed price diesel is primarily for the School Corporation and the City METS busses. The flex price goes to our smaller above ground tanks throughout the city, county and School Corporation. The other thing that I did want to bring up on your bid tab that you have, the prices were as of December 1st, the date that we were instructed to use in the bidding. With flex price fuel it's just the same as if when you go up to the pump. It's a different price practically everyday, sometimes every hour. So, I would be happy to entertain any questions that you have.

President Melcher: Any questions?

Commissioner Winnecke: So, on the flex price, so that, I guess, I think, I mean, it's as simple as just whatever we pay as a consumer.

Mike Raisor: It is, and what we look at whoever is charging us really the lowest margin.

Commissioner Winnecke: Okay.

Mike Raisor: So, we used the December 1st prices—

Commissioner Winnecke: Okay.

Mike Raisor: —and looked at that.

Commissioner Winnecke: Okay, thank you.

President Melcher: If we could only figure out a way to get it to go down as fast as it goes up. Any other questions? Anybody from the audience?

Commissioner Tornatta: Motion to award, we need to award the bid? We need to award this bid?

Mike Raisor: Yes.

Commissioner Tornatta: Okay, motion to award delivered bulk fuel to Heritage Petroleum and Wabash Valley Services.

Commissioner Winnecke: Second.

President Melcher: Okay. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Mike Raisor: Thank you very much, gentlemen.

President Melcher: Thank you.

Commissioner Tornatta: Thank you.

Commissioner Winnecke: Thanks, Mike.

2011 Southern Indiana Classic Marathon and Half Marathon

President Melcher: Next we have Jill Gehlhausen, the Southern Indiana Classic Marathon and Half Marathon. It's scheduled for April 10, 2011.

Jill Gehlhausen: Hello, everyone.

Commissioner Tornatta: Hi, Jill.

Jill Gehlhausen: We have just a document to give to each of you.

Commissioner Tornatta: Thank you.

President Melcher: Thank you.

Commissioner Winnecke: Thanks, Jill.

Jill Gehlhausen: My name is Jill Gehlhausen. I'm the race director for the Southern Indiana Classic Marathon and Half Marathon. With me tonight is Lee Rudisill, he's the director of course operations. We are here to talk a little bit about the event. It's in its second year. We were just overwhelmed with the amount of community support and the support the county gave us last year for the first year of the event. We did end up with about 1,600 runners registered, and we had a little over 10,000 attend the party in the community. This year we are hoping to have double the amount of registrations for the event. So far we're at three and half times where we were this time last year. So, all signs are pointing to us to have double the registrants for the adult portion of the event. The document that you have in front of you, I just want to go over what each page is. The first page is just talking about the event, describing each of the events that we have associated with the Southern Indiana Classic brand in general. We've added a kids dash this year on Saturday, during packet pick up. We are having packet pick up on site at the Vanderburgh County 4-H Center this year. Last year we had it off site. So, that will add even more out to the center. We do expect a little over 15,000, weather permitting, to the SIC celebration, or S-I-C celebration. We are doing a little bit more with the community too, as far as when we mail out packets to them, talking to them a little bit more of the folks that are along the course so they will be even more excited we hope this year to come to the party. Page two tells about all of the organizations involved with the race. So, you can just glance over that at your leisure. Then, page three tells you the things that we learned from last year and what we're planning on doing different, and I'll come back to this with the main part of the presentation tonight. Page four hasn't changed from last year, it is the roads that will be closed. The course is exactly the same as last year. We had a wonderful amount of support from the community and from the Sheriff's Office on security. Page five talks about the time that we expect each to be on each portion of the road, and, again, this will go out to each resident that is affected in a timely manner before the race so they will be aware again this year. Page six talks about, we have a new picture of our turn by turn, and you can also access this from our website, which is sicmarathon.com. Then, there's also a brand new map, as the next page...when you see it in color it shows the difference between the full and the half marathon and the portion that overlaps. Then, we have our certificate of liability insurance. This is just for our race's insurance, and we have requested the county be named as additional insured. We have requested that certificate, and I have that information here.

Ted C. Ziemer, Jr.: A question, when is the race? The race is not until next year?

Jill Gehlhausen: Right.

Ted C. Ziemer, Jr.: You'll be getting that to us shortly though, right? The certificate of insurance—

Jill Gehlhausen: Absolutely.

Ted C. Ziemer, Jr.: —naming Vanderburgh County as the insured?

Jill Gehlhausen: Right, and we did that last year too.

Ted C. Ziemer, Jr.: Right.

Jill Gehlhausen: It's so simple to do.

Ted C. Ziemer, Jr.: Yeah, it's just that when I got my packet it had the one naming you—

Jill Gehlhausen: Okay.

Ted C. Ziemer, Jr.: —as the insured—

Jill Gehlhausen: Right.

Ted C. Ziemer, Jr.: —and that's not what we need.

Jill Gehlhausen: Okay, yes, and we have, it's so easy to request these certificates and it takes two weeks to get them in the mail.

Ted C. Ziemer, Jr.: That's fine.

Jill Gehlhausen: So, it should be here. I think, this year they changed their format, they told me we could just download them, so that's what we thought we could just get it at the drop of a hat, and it turned out you down, you do apply for it online this year, but it takes two weeks. So, it should be to you within two weeks.

Ted C. Ziemer, Jr.: Good. Thank you.

Jill Gehlhausen: Then, lastly we have the, you know, the road closure request form which is new this year. If you go back to page three, I wanted to address that we have requested the certificate naming the county as additional insured, just as last year. We have also, we are ready also to renew our contract with the county to cover the costs of the immense amount of race day security. From what we understood last year, the cost would be exactly the same as the cap. We would just like to confirm that, and we did end up, after the race day having a little bit less cost associated with that than the cap that was within the contract. But, we were delighted with the amount of security, they really could have handled even more runners they did such an excellent job. So, we couldn't be more elated, the county and the county support and the Sheriff's Office hard work and months of planning to make last year such a success. This year they are ready to start planning again, just as many hours as they did last year. We feel that we have much less time that we need to use to plan, because so many things went so great last year, we just have a few items that we would like to change, and that's what we've brought before you today. The first item is coordinating SIC personnel for the command center. This year we will have a dedicated SIC member in the command center, along with the Sheriff's Office and Scott Township Fire Department, to assure all aspects of the event are under control at any given time during the race. They'll actually be behind those closed doors away from the race course. Secondly, we would like pre-race traffic control. We're going to discuss this with the Sheriff's Office very soon. During the debriefing after the 2010 event, a bottleneck was identified on the U.S. Highway 41 before the race, and it was proposed that we start traffic control on 41 much earlier, so that we ensure parking on the grounds is fully prepared to handle the traffic, and also to reduce the amount of stress to the county residents that day.

Next we would like a notice of the road closure leading up to the event. We would like notices posted both in local public establishments, as well as on the affected roadways. We did this last year some, but we would like to be set up even more this year so that everybody is well aware of this event happening on this day. Next, we would like the use of dedicated trail vehicles and enforcement of time restrictions. We did have a gentleman last year who ended up placing a national record for the oldest, the fastest marathoner for an 87 year old. We did wait, and we let him finish, even though it was past our time that we were going to close the course last year. He ended up making a national record, and that should be in Runners World Magazine anytime, but that being said, we will strictly enforce that this year and it will be closed when the race is over. Next is better forms of communication on the course. Last year we used cell phones that were donated by a sponsor, and this year we would like to use, we've already secured walkie talkies that are much like what the Sheriff's Office uses, and they have a 30 mile radius. So, we feel that, you know, we'll have better communication with the entire course at the same time. So, we're just here to see if we can have permission to go ahead and put on this event this year, and see if there's any more information you need from us.

President Melcher: I just want to make sure you coordinate everything with the Sheriff's Department.

Jill Gehlhausen: Okay.

President Melcher: Safety is the number one issue.

Jill Gehlhausen: Right.

Ted C. Ziemer, Jr.: And, then, I think, any motion to approve ought to be subject to my reviewing the certificate of insurance, naming the county and the completion of the agreement with the Sheriff for the reimbursement of the funds. We'll need to get with the Sheriff and get that agreement prepared.

Jill Gehlhausen: Okay.

Commissioner Winnecke: I was just going to ask to what extent the Sheriff's Office has been involved with your planning?

Jill Gehlhausen: This year?

Commissioner Winnecke: Right.

Jill Gehlhausen: Every step of the way as far as these items go. So, they're really willing to work with us, meet with us anytime that we want. We will start more than monthly meetings with them starting in January. So far we've met with them two or three times since the completion of the race. So, we have met with them several times to start talking about this year, but as far as all these last details, we will have that finalized probably in January.

Commissioner Winnecke: I think, to the extent possible, you can, as you mentioned, increase the communication to the nearby residents. I think that will help.

Jill Gehlhausen: Okay.

Commissioner Winnecke: I mean, I got a lot of positive feedback on the event, but there were some folks who were unhappy with the road closures, and, you know, as much as we think we communicate, you can never do it enough.

Jill Gehlhausen: Right.

Commissioner Winnecke: So, but, this is, I think, a great, great event. So, I would like to see it continue.

Commissioner Tornatta: Alright, with the completion of the paperwork that Ted mentioned, I would be in favor of approving this race for next year.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Jill Gehlhausen: Thank you. Happy Holidays.

Commissioner Tornatta: Thank you, Jill. Keep up the hard work.

Jill Gehlhausen: Thank you very much.

<p>Economic Development Coalition: Bohannon Estates Sewer Project Permission Letter: To Hold/Advertise Public Hearings and Take Minutes Citizen Participation Report</p>

President Melcher: Next we have the Economic Development Coalition that's going to talk about the Bohannon Estates permission letter to hold and advertise the public hearings and the citizen participation report. Is there anybody here?

Commissioner Tornatta: I don't see.

Commissioner Winnecke: I thought she was going to be out—

Ted C. Ziemer, Jr.: She is. She had surgery yesterday. She's just left two documents with us, requiring signature. One granting permission to hold and advertise for the public hearings, and then signing the citizen participation report. Madelyn has those documents for your signature, if you, and this is just to allow this to go forward.

Commissioner Tornatta: Yeah, we held a hearing, and the hearing was attended by, I would say, eight residents at that time, and they asked a hundred questions, a hundred good questions, and I think that everyone left satisfied that this is the right direction to go. They were happy with the reduced amount from \$12,000 to what we conceive to be a maximum of \$4,400 and potentially less. So, the people made a wise decision and we thank Debbie Bennett-Stearsman at the Economic Development Coalition for looking for the grant. We do believe, although it's competitive, that this group will be in for that grant, and moving on will allow that process to work.

Ted C. Ziemer, Jr.: Right, the one possible problem area is going to be the local match, and that will be something in the neighborhood of \$60,000. There is no statutory provision allowing for the neighbors to pay that as part of their tax bills, like you do in the case of a Barrett Law. So, you know, it's going to figure out to something like \$900 to \$1,000 per neighbor, and I really think they need to be thinking internally about collecting that money from their neighbors. I mean, it was going to be \$10,000 under the Barrett Law process, and now it's down to a thousand dollars.

Commissioner Tornatta: Well, that would be, that would move into the \$4,400 range, if there was something worked out with the Water Department, then that would potentially come down, or if it would be amortized over a period of time, the Water Department could potentially do that. That's in negotiations right now. So, right now this is just a kind of a kick off step, and so far everyone is in. Mr. Schofstall, do we have anything else we need to go over?

Justin Schofstall: No.

Commissioner Tornatta: Okay, I think everyone is in agreement out there that this might be their best opportunity to get sewers. So, I would make a motion to approve the permission letter to hold and advertise the public hearing, and for the citizen participation report.

Commissioner Winnecke: Second.

President Melcher: We have a first and a second. Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Old West Heights Trade School Property: 1430 Harmony Way

President Melcher: Next we have the old West Heights Trade School property at 1430 Harmony Way. The School Corporation has requested an early termination of their lease on this property, effective December 31, 2010. EMA has indicated they have some interest in using part of the facility for storage.

Commissioner Tornatta: I mean, I've talked to Sherman, I think this is a great idea and an opportunity to get some of his equipment inside. So, I make a motion to approve.

Ted C. Ziemer, Jr.: Excuse me, just, there is question of somebody actually going through those buildings out there. Paul Neidig at the School Corporation would be delighted to accompany anybody that wants to go out there, he's very familiar with the properties. He's got pictures of the properties. Somebody ought to walk through, before the end of the year, to make sure that there's not some glaring construction problem or something that we'd be facing if we take these over now. But, short of that, it's ready to go.

Commissioner Tornatta: Let me amend my motion to state that with approval of the County Engineer, or somebody appointed to go through the building for structural issues.

Commissioner Winnecke: Second, and, if I may, just clarify that we're directing, by virtue of this motion, we're directing the County Engineer to do that, is that what you're saying?

Commissioner Tornatta: Yeah.

President Melcher: Or his department.

Commissioner Winnecke: Or his designee.

President Melcher: I think he's off.

Commissioner Tornatta: Or Pat.

President Melcher: Before the end of the year.

Commissioner Tornatta: Yeah.

President Melcher: So, we have a motion.

Commissioner Tornatta: A motion and a second.

President Melcher: Any other discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Sale of County Owned Property: 1018 Adams
--

President Melcher: Next we have the sale of 1018 Adams Avenue to Christian Tabernacle Church. The purchase price is seven dollars. That's what the bid was. That was the only bid, is that—

Commissioner Winnecke: Motion to approve.

Ted C. Ziemer, Jr.: That's correct. There was another bid, then it was found that the other bidder was not an adjacent property owner, so they really had no right to bid. Our recommendation is that you accept the seven dollar offer. The church is developing other properties in the area, this will get it back on the tax roll, and it will become...well—

Commissioner Tornatta: It won't be back on the tax roll.

Ted C. Ziemer, Jr.: —so long as it's church property it won't be, but in any event it will be developed and maintained. We don't think we'll do any better at an auction.

Commissioner Tornatta: That encompasses all of our fees?

Ted C. Ziemer, Jr.: Yes.

Commissioner Tornatta: Okay. Seven dollars?

Ted C. Ziemer, Jr.: Yeah, there have been no fees on this property yet—

Commissioner Tornatta: Okay.

Ted C. Ziemer, Jr.: —because we haven't done anything yet.

Commissioner Tornatta: Okay, alright. Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Approval to Redeem 620 East Gum

President Melcher: Next we have the redemption of 620 East Gum. This is for a late redemption of this property. All of the back taxes and fees have been paid in full by the owner.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Audience, anybody? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Requests to Extend Redemption Period on Tax Sale Properties:
618 Louisiana
15 E. Tennessee
807 S. Werner Avenue
1010 N. Second Avenue
1015 N. Fifth Avenue

President Melcher: Then we have a list of properties here, a request for redemption for period extensions on the tax sale properties; 618 Louisiana, 15 E. Tennessee, 807 S. Werner Avenue, 1010 N. Second, 1015 N. Fifth Street. Right now, I guess, the attorney has recommended March 1st for the deadline on these requests.

Ted C. Ziemer, Jr.: Yeah, no later than.

President Melcher: No later than March 1st for these, for the extension on these properties.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

**Health Dept: Verizon Wireless Contract
Health Dept: Childhood Lead Poisoning: Amendment #2
EMA: Sub-Grant Agreement: PC
Purdue Co-Op Extension: Contractual Services Agreement
Burdette-USI Bike Path Agreement: Cripe Architects & Engineers
Sheriff: Sprint/Nextel Agreement
Commissioners: Frederick Bumb Drainage Tile Easement
OCH Lease Agreement: County Engineer
OCH Lease Agreement: Aids Resource Group
2011 WNIN Agreement
2011 YMCA Membership Agreement
2011 Mulberry Center Employee Assistance Agreement
2011 Youth Resources Agreement
2011 Evansville ARC Grant Agreement
OCH HVAC Maintenance Agreement: JE Shekell
Xerox Lease Agreement: Auditor's Office
Addendum to Welborn Health Plans Agreement
SMG Management Agreement and Side Letter**

President Melcher: Next we have contracts, agreements and leases. The Health Department looks like has a couple of them here. One is the Verizon wireless contract for five new lines, messaging enhancement for the Health Department at a cost of \$2,279.40 per year, payable in monthly increments of \$189.95. Did you want to talk about it?

Commissioner Tornatta: Yeah.

Gary Heck: Just to let you know that it's under a grant. It's a grant reimbursement, funds are in place.

Commissioner Winnecke: What's, Gary, can you outline the need?

Gary Heck: It's one of the grant requirements in one of our specialty clinics where when they're out in the field they have the ability not only to be in voice communication but also texting. These are particularly texting phones. It's a program that is being worked on under the auspices of the Indiana Department of

Health. They are recommending this texting ability as the way to reach these particular clients because that's how they are in touch with each other when they are doing follow ups.

Commissioner Winnecke: Thank you. Motion to approve.

Commissioner Tornatta: Second, oh, hold on, we're taking both of them.

Commissioner Winnecke: Oh, I'm sorry. I beg your pardon.

President Melcher: The grant agreement A70-1-068-038CLP, the 194-19 amendment two. The amendment of the childhood lead poisoning grant agreement by increasing the grant amount of \$5,477 to \$50,869 with the additional funds to be used to conduct a community-wide outreach program in a high risk zip code.

Gary Heck: Same thing, we're certainly willing to comply with this, and the funds will come in handy to allow us to do that.

Commissioner Winnecke: Now, motion to approve.

Commissioner Tornatta: Second.

President Melcher: Okay, we have a first and second on these two items. Any further discussion? Anybody in the audience? Seeing none. Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Melcher: Next we have EMA, a sub-grant agreement of EDS#CP, C44P-1-164A, it's a sub-grant agreement number for \$3,750 for the purchase and installation of a PC for the Emergency Management Department. The grant period is for two years.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the Purdue Cooperative Extension Services amendment number three to the contractual services agreement. Amendment number three to extend the contractual service agreement between Purdue University and Vanderburgh County, which would extend the agreement of January 1, 2008 by another year to December 31, 2011, for a cost to the county of \$72,934. That's the same as it was for 2009 and '10.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is the County Engineer's LPA consulting contract with Cripe Architects and Engineers for the work on the Burdette Park-USI bike path, third phase, the location between 1,600 feet south of Broadway Avenue and Nurrenbern Road. The consultant compensation is not to exceed \$135,189.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next is for the Sheriff, this is a Sprint/Nextel agreement, for a two year agreement, the average monthly charge would be \$2,678.62, for a total cost of the two year life agreement of \$64,286.88.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Next we've got a few items here on renewals for 2011. We're going to put all of this in one motion. Fred Bumb drainage tile easement, Vanderburgh County Engineer's Old Courthouse lease agreement renewal, the AIDS Resource Group Old Courthouse lease agreement renewal, the 2011 WNIN agreement, the 2011 YMCA membership agreement, the 2011 Mulberry Center employee assistance agreement, the 2011 Youth Resources agreement, the 2011 Evansville ARC agreement, JE Shekell contract for semi annual maintenance of the HVAC at the Old Courthouse, Xerox copy lease for the County Auditor's office, amendment to Welborn Health Plans agreement, and the 2011 SMG management agreement.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Did you have a question?

Commissioner Winnecke: No, not a question, but I think it's probably important to make a couple of comments on the SMG agreement. One, I think the new agreement provides much greater clarity as to the incentive provisions than our

previous agreement with SMG. It does provide SMG, opportunities for SMG to earn incentives based on their performance. A greater emphasis in this contract on expense control. There is a new provision in there that allows the county to claw back some of its incentives if the, if SMG exceeds an operating loss benchmark of a certain amount, and, I think for the first time in our history with them, it does provide an additional incentive to SMG if, for them to receive a portion of a profit if that facility becomes profitable, and we all certainly hope it does. So, I think it really buttons down a lot of the issues that were sort of lingering out there. Just to reiterate my position from a couple of weeks ago, I'm pleased with generally how SMG has operated our facility in the past, and I'm comfortable with the new contract and certainly the spirit in which these negotiations have been conducted in the last couple of weeks. I think we owe our County Attorney and Steve Titzer from Harding and Shymanski a special kudos for their help in drafting language that provides even greater protection to the taxpayers.

President Melcher: I think that was well said. It was pretty much all of us were all working together, and SMG. They're a good company. I think, you know, basically, we wanted to keep them, and that's what we're doing here. Troy, did you have any? Ted, did you have anything? With that, I need a motion.

Commissioner Winnecke: So moved.

Commissioner Tornatta: Second.

President Melcher: Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

County Attorney

President Melcher: Next we have department head reports. Ted, would you want to read the bids?

Ted C. Ziemer, Jr.: Sure. I've got the, opened the bids, and I have the results for the Mann Road culvert replacement. BMB Construction, \$47,070; Blankenberger Construction, \$53,945.50; M. Bowling, Inc., \$62,915; Jack Hahn Excavating Company, \$40,944.50; Deig Brothers, \$48,487; J.H. Rudolph Company, \$46,569; Koberstein Construction, \$49,200; Adler Excavating Company, \$39,372.02.

Commissioner Winnecke: Motion to take under advisement.

Commissioner Tornatta: Second.

President Melcher: Any discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Is that it, Ted?

Ted C. Ziemer, Jr.: I have two other items. One has to do with auctioneer services for the 2010 auction. Last year we took bids on the auctioneer services, there were two bidders. The successful bidder was Sohn and Associates, who did, in fact, provide the auctioneer services the year before. They did an excellent job for us. They sold all 450 properties that were being auctioned. Their fee for this year, if they were selected to do the auction, would be the same as they proposed last year, which is 4.5 percent of the total sales price, or an \$8,000 flat fee, whichever is greater. Then with a cap on any maximum fee of \$18,000. The estimated cost of advertising for the sale is about \$3,678, and that includes advertisements in the Courier and classifieds and on the internet, signs on the auction property, color brochures, mailings and exposure on Sohn's online website, all of which would be provided as a part of their price. We recommend, so that we can get moving on the sale for 2010 that we dispense with bidding for services this year and be authorized to use Sohn and Associates to go forward with this project.

Commissioner Tornatta: I make that in the form of a motion.

Commissioner Winnecke: I'm really torn about the second. I don't doubt their ability and their performance, but I really like the idea of seeing who else is out there that can perform the service.

Ted C. Ziemer, Jr.: Yeah, and we don't have any objection to that, Commissioner Winnecke, it's just that it takes a lot of time, and in the last two years of doing it, Sohn has been the successful bidder. You know, maybe this time it will be charms and somebody else will be the successful bidder, but it's whatever the Commissioners, you know, we can handle it either way.

Commissioner Winnecke: If we wait till our first meeting, if we alert other possible bidders between now and our first meeting in January and make a decision then, does that hamstring us too much?

Ted C. Ziemer, Jr.: No.

Commissioner Tornatta: By law this is a service still.

Commissioner Winnecke: Right.

Commissioner Tornatta: And it's the same type of service that we did when we awarded the hauling contract to Kinder without a bid. So, I mean, it's a service, and this is a service that is, in this case, there have been a lot of success, we've had success because they have actually sold all of the property and done it with a fee that was actually less than was done in prior years. So, to the county's credit, we've had quite a bit of savings over the years that this has been done. I think the, it being smooth helps us all, especially with attorneys, the attorneys working on this as well.

President Melcher: So, if I understand it right, what you're asking for, Commissioner Winnecke, is for Ted to put something out now so we could have it by the 11th?

Commissioner Winnecke: That would be my preference. I mean, I hear what you're saying and I don't disagree with anything you've said, but, I think, just personally from a consistency standpoint I would like to see us, and maybe this is, maybe this year the response will convince me that next year we don't need to bid it out. But, yes, that's—

President Melcher: I don't see a problem, if you're saying it's okay, if you could go ahead and send that out right away, and then if we don't get anything, we don't get anything.

Ted C. Ziemer, Jr.: We'll do that and have a report for you at the January 11th meeting.

President Melcher: Okay. You had another item?

Ted C. Ziemer, Jr.: Yes. I'm sorry. I was just making a note. We have a contract with AMR Ambulance Service to provide ambulance service in the county. That contract expires on December 31, 2010. I have reviewed the proposed form of contract that AMR would offer for a new five year contract between January 1, 2011 through December 31, 2015. It is essentially identical to their last five year contract. It provides for, in 2011, subsidy by the county in the amount of \$214,315, which is the same amount as the subsidy for 2010. If the contract is granted, then in 2012 through 2015 that amount may go up depending on CPI increases or decreases. It could also go down. The city, you should be aware, I'm sure you are aware, negotiated an agreement with AMR under which the city no longer offers a subsidy of any kind to AMR. In return for that the city, AMR negotiated substantial changes in the agreement. For example, under the contract with the city no other ambulance service, other than AMR, is allowed to provide ambulance service in the City of Evansville; the rates for provision of the service in the City of Evansville are substantially higher than they are in the county. An ambulance run in the county today is a charge of \$550 before any Medicare or Medicaid or so forth reimbursement, the same service in the city is \$1,450, \$900 more. In addition, the response times under the city contract have been increased so that AMR has a longer response time than they earlier had, which is a cost saving factor for AMR. All of these things together have induced AMR to enter into the contract without requiring any subsidy. That simply means that they believe with the changes that were made in the contract they can make their profit without any need for subsidizing any loss that they might have. Because of that possibility, oh, first let me say, the County Council has approved or appropriated the \$214,315 for 2011 for this contract should the Commissioners approve it. In addition, I've gotten AMR to agree to a clause in the contract which says that at any time after January 1, 2011 that the city

instigates it we can begin negotiating with AMR to arrive at changes in the contract which would either eliminate or at least lessen the amount of the subsidy, but they will be changes of the kind which I described as being in the city contract as opposed to the county contract. So, in essence they're agreeing that we could negotiate that contract and substitute a new contract for this contract without having to wait for the five years to go up before we do that. Further the contract contains the usual provision that in any year that the funds for the contract, which is exactly, which to wit is the subsidy, in any year that the County Council would not appropriate funds to meet that subsidy the contract can be terminated. So, it's here today in that form should you wish to approve.

President Melcher: I just, you said something about the city going ahead and extending the time that they could get there?

Ted C. Ziemer, Jr.: Yes.

President Melcher: Because they were always doing the opposite before, because you've got to get to a person in less than four minutes.

Ted C. Ziemer, Jr.: Right, and the longer AMR has to be able to arrive at a location, the less costly it is for them. What they negotiated with the city was an extension of those times. Instead of, I don't have that with me, but instead of, for example, eight minutes and 29 seconds for runs in the inner city, I think that's now extended to ten minutes and something under the new contract. Other areas are further extended beyond that.

President Melcher: I know the Fire Department is the first ones there with the defibrillators, and they always beat the ambulances, AMR. But, it's just amazing to me that they did that. Okay.

Commissioner Winnecke: I just had a question. Are there provisions in the contract that would take into account possible unification of the government down the road?

Ted C. Ziemer, Jr.: There is a provision, I'm sorry, thank you for asking that. There is a provision in the contract that it would automatically terminate in favor of a new contract with a new city-county reorganized government should that take place.

Commissioner Winnecke: Thank you.

President Melcher: Any further discussion? I'm going to need a motion, to accept it, right?

Ted C. Ziemer, Jr.: Yes.

Commissioner Winnecke: Motion to approve.

Commissioner Tornatta: Second.

President Melcher: Any further discussion? Anybody from the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

President Melcher: Thank you, Ted. Any other department heads? Steve?

County Engineer

President Melcher: Okay, Pat, do you want to go ahead and state your name?

Patrick Seib: Yes, good evening, Patrick Seib, Assistant County Engineer. The only item that I have tonight is to request acceptance of the streets in Mystic Creek Park and Mystic Creek P.U.D. Mystic Creek Park contains 542 feet of Mystic Creek Drive, and Mystic Creek P.U.D. contains 591 feet of Mystic Creek Drive, as well as 528 feet of Mystic Court, for a total of 1,661 feet of new roadway acceptance. These streets were inspected during construction and all requested repairs have been completed in general conformance with the approved plans.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Any further discussion? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Patrick Seib: The only other thing that I have is to wish you all a Merry Christmas and safe and happy New Year.

Commissioner Tornatta: Thank you, Patrick.

Commissioner Winnecke: Thanks.

Setting of First Commission Meeting for 2011

President Melcher: Okay, next we set the first meeting for 2011. I think we've set it here this evening already, but it will be January 11th at 5:00 in room 301. Is there anything else? Any other department heads?

County Highway

President Melcher: Any old business?

Commissioner Tornatta: Hold on one second.

President Melcher: Okay, Chris?

Chris Walsh: Chris Walsh, County Highway Department. This being our last time together as this group of Commissioners, I would just like to make a comment on a personal note, if you don't mind. It won't take but just a minute. I would like to thank you gentlemen for the chance to have served the taxpayers of Vanderburgh County and to serve you all. I'm grateful to have been given the opportunity to come back to the Highway Department one more time. There is a lot of very good people out there. I'm proud of what we were able to do together when we were out there. A few of the things was installing a waste oil heater, I believe that that's going to save potentially about \$100,000 for the taxpayer over the life of that unit. I'm especially proud of the first aid training certificate, that I had hoped to have in place, with most, if not everyone, most everyone participating in that by the end of January of '11. I think, ever since that tornado, that was one thing I wanted to bring back to that department if I could was a higher level of training, and this is one step in that direction. On the snow fighting end of it, we started with the beet juice many years ago, and when the price of beet juice dropped it gave us the opportunity to not only use it as a pre-wetting agent, but to use it as a de-icing agent, and then also treat the salt with it. By doing those measures, and then also we just installed a new spray system, that gives us an individual ability, per load, to address each storm as it comes to us. Whoever is in, the opportunity to look at these storms, the temperature, the road condition, and make a lot of multiple decisions that were not in place before. It can save as much as 30 percent on your salt and 30 percent on your chemicals. It's a little hard to quantify that because of the amount of events that, the duration of the event and that sort of thing, but I'm real proud of that. We had a leader in the snow fighting industry in to our operation, he said, you know, when you do get that, even where you're at right now, your department is probably in the top ten percent of the country in snow fighting ability. That's something I'm really proud of that we were able to do. The other part of that, was instead of going with a national company, we partnered with Elpers Truck and he was able to build this unit for us, in Evansville, keep the dollars in Evansville, and give us a savings of \$3,000 on the unit. So, we're real happy with that. So, again, I just wanted to tell you thank you very much for giving me the opportunity, and I hope you all have a great Christmas.

Commissioner Winnecke: Alright, thanks, Chris, same to you.

President Melcher: Did you leave out the rodeo?

Chris Walsh: I did.

President Melcher: You did a good job. I will say this, in the 17 years, I was getting phone calls all of the time about snow removal as a City Councilman. As a Commissioner I haven't had any.

Chris Walsh: Well, thank you. Thanks for the pleasure of doing it.

Commissioner Tornatta: Great job, Chris.

Chris Walsh: Thank you.

New Business/Old Business

Commissioner Tornatta: I do want to bring up one thing, there was a press conference today, American Eagle Airline announces increasing seasonal service from Chicago O'Hare to Evansville, Indiana, five daily non-stops to Chicago beginning April 5, 2011. For some more information on that, I'm sure you can go to American Eagle, or mediarelations@aa.com and find out those particular times. But, Doug Joest is the new director out there at the regional airport and he's hitting the ground running to try and make some of these things happen and get the airport pumping. The airport is, it's a needed economic device in Evansville and Vanderburgh County. So, we're happy that they're taking steps to make sure that we can get people in and out of Evansville on a timely manner and as many times as possible. So, thanks to Doug, the board, and all of the people out at the airport for getting this done. Before we forget, there is a new hotelier that will be hooked up, I'm sure at some point, to the convention center, and it is a Hyatt and it gives us an opportunity to potentially in the next 18 months to two years to have that convention hotel to bring that convention business back to Vanderburgh County and back to our Centre. So, I thought that that was a great opportunity today to hear that we have some good news coming down the pipe, tearing down the Executive Inn, building a new convention hotel, and that will obviously be a benefit to our community.

President Melcher: It's good that it's a local firm, local people that's doing it. So, that is also good.

Public Comment

President Melcher: Anybody under public comment that would like to say anything this evening? As normal, just state your name, even though we know it, just state it—

Eldon Maasberg: My name is Eldon Maasberg. You didn't give me a chance to talk when Jill was up here, Gehlhausen, but what, we're kind of concerned because we're in that neighborhood. Can them roads be not shut down so much so that we can get in and out? Last year at 7:00 you started closing the roads down, people couldn't get out, we couldn't get to our farms to go to work, and we couldn't get out either, and yet there was nobody running on the roads yet. We were wondering whether you can't, they originally said it was only going to be closed for an hour and a half, and it wound up being from 7:00 till dinnertime.

Commissioner Tornatta: Eldon, Jill is going to have an information packet. What I would suggest, and she's going to send some information to your house. Take that information, call her, work something out. They've had, they had deputies out there last year to try and coordinate getting out of your house, if that's an issue.

Eldon Maasberg: Well—

Commissioner Tornatta: And, she'll do the same thing.

Eldon Maasberg: —from what I understand, like 911, Vanderburgh got full and some of them started winding up in Gibson County, trying to call 911. I mean, they had a good run, I ain't going to argue that. I mean, but, roads that, couldn't some of them, like where you cross and you don't see any runners, can't you let the people in and out, couldn't the Sheriff be a little bit more flexible.

Commissioner Tornatta: They're going to deal with that this year. I've talked to Jill and she's assured us that—

Eldon Maasberg: And I heard her say she wanted to open it up, or close the roads around the 4-H Center earlier, so those over there are going to have bigger problems. But, I mean, some of them that was trying to get to church couldn't get to church, and I think that Salem Church, I don't know how they had church service, because they had the road closed there all morning.

Commissioner Tornatta: We'll have a service at your house.

Eldon Maasberg: Mine was in a farm tractor.

Commissioner Tornatta: Okay.

President Melcher: Any other public comment?

Commissioner Tornatta: Fred.

President Melcher: Yes, come on up.

Frederick Bumb: Thank you. I'm 15 minutes late or so, I believe, I believe have you acted on the tile easement?

Commissioner Tornatta: You got your tile, yeah.

Frederick Bumb: I got the, is, I got the notice and I made a telephone call, they said it was 6:00 you folks were going to meet, and I got here at a quarter till, and I guess it's over with, right? Is there any chance at all to consider a couple of points in that thing? Or has it been decided?

Commissioner Tornatta: Well, Fred, we've already voted on it.

Frederick Bumb: I'm Frederick Bumb, I'm sorry, yeah, I'm sorry Bumb farm operation on the south on the west side. We are, I've been asking for an easement that the, for a tile that has been placed on the county property, and I'm hoping for an easement so that we can maintain this.

Ted C. Ziemer, Jr.: That was granted today. The Commissioners approved the easement today.

Frederick Bumb: Was it? Okay.

Ted C. Ziemer, Jr.: Yeah, and your lawyer, Reid Schmitt, looked at it earlier today. He and I have talked about it three times, and he is aware—

Frederick Bumb: (Inaudible), Mr. Ziemer.

Commissioner Tornatta: —yes, and he is aware of what it said, and the Commissioners did approve the easement today.

Frederick Bumb: I see, well—

Ted C. Ziemer, Jr.: So, you'll get your easement that you've been looking for.

Frederick Bumb: Well, okay, I understand that, but there was a couple of things in there that I just think is not in order for us. The one thing was that the easement was only ten feet, and that's not in order for maintaining a tile. So, I didn't know if anything could be considered on that.

Ted C. Ziemer, Jr.: The County Engineer recommended the width of the easement, and he, of course, is more familiar with that than I am as County Attorney, and we accepted his recommendation.

Frederick Bumb: And, I guess, the other thing is, that comes to my attention is, this tile, now maybe you can answer me this on this, this tile is not on the property line of our and the county. It gets away from the property line. Now, will this easement give us the permission to egress on the, over the property of the county to get to, to maybe possibly maintain it. Or, not maintain it—

Ted C. Ziemer, Jr.: Well, that's the purpose of the easement, to allow you to be able to get to the field tile, which is located in the mitigation area, so that you can maintain it.

Frederick Bumb: Okay, in other words, we would, in other words if we see a problem, are we going to have to contact....well, I believe it says it in the easement that we're supposed to contact some folks, I guess, with the County, right?

Commissioner Tornatta: Probably the County Engineer.

Frederick Bumb: I'm sorry.

Commissioner Tornatta: Fred, the County Engineer.

Frederick Bumb: The Commissioners?

Commissioner Tornatta: The County Engineer.

Frederick Bumb: Oh, the Engineer.

Commissioner Tornatta: John Stoll.

Frederick Bumb: John? Oh, I see, okay.

Commissioner Tornatta: Yeah, you would contact him and get approval.

Frederick Bumb: Well, we don't expect anything in the near future.

Commissioner Tornatta: Right.

Frederick Bumb: I guess, I'm just up here for things in the future see.

Ted C. Ziemer, Jr.: Yeah, your lawyer did talk to me, apparently you're concerned about water draining off of your property into the—

Frederick Bumb: Yes.

Ted C. Ziemer, Jr.: —mitigation area, and maybe somehow causing water to back up on your property. It's unknown at this point what could happen in that mitigation area which could cause water to back up on your property.

Frederick Bumb: Right.

Ted C. Ziemer, Jr.: I explained to your attorney that, I guess, anything is possible, and if, anything that the county does causes water to back up on your property, you call the County Engineer, and I think you'll find that the County is ready to address that. We don't anticipate that ever happening.

Frederick Bumb: Okay, well, I understood that. He passed that on to me. He really did. I appreciate that. I appreciate the fact that you folks have made....and, I just feel more comfortable with an easement than anything else, but the ten feet is kind of out of line. So, that would be maybe the Engineer's mistake, I think, wouldn't it be?

Ted C. Ziemer, Jr.: I don't, he ordinarily doesn't make any mistakes. So, I would be surprised if he did in this case.

Frederick Bumb: Yes.

Ted C. Ziemer, Jr.: But, whatever he recommended is what we used.

Frederick Bumb: I see, well, I'm just concerned about it for somebody else. I most likely won't be involved with it, but on the other hand it was kind of, I think, out of line. Thank you for your time.

Commissioner Tornatta: You're welcome, Fred.

Frederick Bumb: Yes?

Commissioner Tornatta: I said, you're welcome.

Frederick Bumb: Okay.

Commissioner Tornatta: Have a Merry Christmas.

Frederick Bumb: Same to you.

Commissioner Tornatta: Okay, buddy.

President Melcher: Any other public comments this evening?

Consent Items

President Melcher: We'll go to the consent agenda.

Commissioner Tornatta: Motion to approve.

Commissioner Winnecke: Second.

President Melcher: Madelyn, would you like to read them?

Madelyn Grayson: The consent items for the December 21st meeting are as follows; approval of the December 7, 2010 Commission meeting minutes; employment changes for the Commissioners approval, there is one for the County Highway, one for Veterans Services, one for the Commissioners, and one for Burdette Park; the Commissioners have an Old Courthouse boiler motor replacement quote; the County Engineer's pay request number 118 for \$415,818.76; the County Treasurer has the November 2010 monthly report; the Kraftwerks, Inc. Old Courthouse craft show 2010 financial report; the Southwestern Healthcare Hillcrest Washington Youth Home contract increase for 2011; the Sheriff ICJI impaired and dangerous driving grant the County Treasurer November 30, 2010 year-to-date report; Burdette Park year-to-date comparison from January through November from 2009 to 2010; and the Commissioners request for waiver of Centre fees, not overtime, for the EVSC "Options and Opportunities Fair" on Thursday, January 6, 2011; and there are department head reports from Burdette Park, the County Engineer, the Ozone Officer and Weights and Measures.

President Melcher: Any questions? Anybody in the audience? Madelyn?

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Tornatta?

Commissioner Tornatta: Yes.

Madelyn Grayson: President Melcher?

President Melcher: Yes.

(Motion approved 3-0)

Year End Commissioner Comments

President Melcher: Before we adjourn, being, Troy, this is your last day, I think some words, Lloyd, would you?

Commissioner Winnecke: Yeah, I just, we don't always vote the same way. We don't always get to the same place the same way, but I do appreciate the passion and the zeal that you bring to this job. Something tells me that this is not your, this may be your last Commissioners meeting, but I don't suspect this will be your last bit of public service. So, thanks for all that you've done in the past, and Merry Christmas to you and Anne.

Commissioner Tornatta: Thank you.

President Melcher: I would just like to say, this is going to be my last time, I'm going to be in a minority for the first time in my life starting January 1, but it was great serving with you, Troy, and you've helped me a lot. I know we've disagreed on some things, and we voted against each other, that's one good thing about the Commissioners, all three of us, we've all voted against each other the whole time, and I think that stands good. I think the public is served well by that. One thing I did, with the help of the ladies in the office was dug out of the closet the plaque that had all of the Commissioners on it. It hasn't been updated, I think they had to add six or seven Commissioners. I don't know if you've noticed it, but I had Dave Rector put it up at the top, so it's all caught up now and your name is on it, and we wanted to make sure that at least it stayed up. I guess it kind of quit there for a while, but it's back. It's in this room, because now this room is not the City Council room anymore, it's the Kevin Winternheimer Chambers. It looks like we'll probably never be going back in the other room, but I think it's quite an honor to have it in here along with everybody else. Then, the other plaques that were hanging over there we're going to put in the hallway of the office. It was good serving with you.

Commissioner Tornatta: Thank you. Thank you. Being that this is the last meeting, I do appreciate all of the, over the course of my four years we've been able to get one person in the office married, and the other one is going to be pretty soon. So, Marissa just got engaged. So, we're letting the cat out of the bag there.

Ted C. Ziemer, Jr.: Did you have anything to do with that?

Commissioner Tornatta: Well, I had a little coaching on that deal.

Commissioner Winnecke: Ryan is a lucky man.

Commissioner Tornatta: But, thanks to Kristin Comer for her dedication to the office. I think it's been, it's been paramount. She's been through several offices, and she keeps her job because she does her job well. Marissa, as an executive assistant, has just been the glue of the office, to make sure that everything stays in shape, and she keeps the Commissioners abreast of everything we need to know in a part time basis. So, Marissa, really do appreciate all that you've done and helped with us. Otherwise, we wouldn't have a State of the County. I can tell you that. To all of the officeholders who have been a part of the county community that we've had here, I do appreciate you. It's been an effort to try and coordinate, but it's been a pleasure to serve in this place. Not getting to that point yet, because we do have the attorneys, the attorneys have served us well. Vanderburgh County is very lucky to have a staff like Ziemer Stayman Weitzel and Shoulders to be there and to participate on many levels. It's not just Ted, it's not just David Miller, it's all of the people in the office that are there to watch out for the county's best interest. I do appreciate the services that your firm has given us. It's always been professional and timely. There is a level of passion that goes with that job. If you don't have it, you need to get another group. Chris Walsh was up here, Chris, I think that you've taken that position and you're going to make it hard to fill those shoes. You have made it a professional position, and you have taken the level of support of the staff out there and the compliance that the individuals in that office have for the Highway Department and you've set a bar. So, you know, I appreciate the fact that I don't get any calls about your office. Any calls that I do get, I call you and they're handled and I get a thank you. That's, as I told you when you entered the office, I really don't care to hear from you, except for the good things. That's all I got. So, you did your job

well and I appreciate that. To John Stoll and his office, the best engineer in the State. There's no question about it. John has been a guy that takes care of the county in so many ways. Ways that we can't pay him for, although there won't be a raise after this comment, but, and Patrick has been his right hand man. I know it's going to be a tough Christmas for you, but, you know, you've done a fantastic job to be the support of John. We're glad to have you back on a full time basis. You know, Steve Craig out at Burdette Park is constantly doing things that are extraordinary at that park, making it a top notch park. Now we have, all of the cultivation that you've done on the bike trail has been exceptional. From zero dollars to be able to bring in almost three million dollars to a project, outside county dollars, has been extraordinary. Without your help it would not be there. The enjoyment that people will have on into years and years would not be the same without your participation out there. So, you know, I can't say enough about the job you do, and the amount of time that you put in to make that one of the greatest parks in the State. I thank you for all you've done. And, with that being said, I just, it's been an honor to serve the people of Vanderburgh County. I've had a ball. It's been a great opportunity. I will go out with my head up, and with an opportunity to see when doors close what doors open. So, I appreciate all of the people that have been there and around, and, Gary, don't let me forget the Health Department. The Health Department has done a fantastic job of serving us, and Gary continues, and Dr. Nicholson continue to just bring more professionalism to that office than what was there ten years ago when I started. So, I appreciate all you guys have done. So, with that being said, thank you for letting me have my two minutes. I would like to make a motion to adjourn.

Commissioner Winnecke: Second.

President Melcher: All in favor say aye.

All Commissioners: Aye.

(Applause)

(Motion approved 3-0)

(The meeting was adjourned at 6:08 p.m.)

CONSENT ITEMS:

Commissioners

Approval of the December 7, 2010 Commission Meeting Minutes.
Old Courthouse Boiler Motor Replacement Quote: Morrow Mechanical Services
Kraftwerks, Inc. Old Courthouse Craft Show Financial Report.
Southwestern Healthcare: Hillcrest Washington Youth Home 2011 Increase.
EVSC Request to Waive Fee/Not OT: Centre: January 6, 2011.

Employment Changes

Superior Court (7)	Commissioners (1)	Sheriff (1)
Veterans Services (1)	County Council (1)	Coroner (1)
Circuit Court (3)	County Assessor (4)	Burdette Park (1)
County Highway (1)		

County Engineer: Pay Request No. 118 Green River-Burkhardt TIF Projects.

Treasurer:

November 2010 Monthly Report.
November 30, 2010 Year-to-Date Report.

Sheriff: ICJI Impaired and Dangerous Driving Grant.

Burdette Park: Year to Date Comparison: January through November 2009-2010,

Department Head Reports:

Burdette Park	County Engineer	Ozone Officer
Weights & Measures		

Those in Attendance:

Stephen Melcher	Troy Tornatta	Lloyd Winnecke
Joe Gries	Ted C. Ziemer, Jr.	Madelyn Grayson
Marissa Nichoalds	Dennis Feldhaus	Mike Raisor
Jill Gehlhausen	Gary Heck	Patrick Seib
Chris Walsh	Eldon Maasberg	Frederick Bumb
Brandon Wolf	Dakota Meade	Justin Schofstall
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Stephen Melcher, President

(Not in Office When Approved)
Troy Tornatta, Vice President

Lloyd Winnecke, Member

(Recorded and transcribed by Madelyn Grayson.)