

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JANUARY 11, 2011**

The Vanderburgh County Board of Commissioners met in session this 11th day of January, 2011 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 meeting. It's January the 11, 2011. It's about two or three minutes after 5:00. We're in room 301. Madelyn, could you call the roll, please?

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Here.

Madelyn Grayson: President Melcher?

President Melcher: Here.

Pledge of Allegiance

President Melcher: Thank you. Marsha, being that you're our new Commissioner and everything this evening, we have to welcome you aboard, and welcome Joe aboard as the new Auditor. So, Marsha, would you mind leading us in the Pledge?

(The Pledge of Allegiance was given.)

Election of Officers for 2011

President Melcher: Next we have the election of officers. So, I guess we'll open the floor up for the election of officers.

Commissioner Abell: Am I on? I move that Lloyd Winnecke be President.

President Melcher: I'll second that. Any further nominations? Seeing none, Madelyn, do you want to call the roll?

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Winnecke?

Commissioner Winnecke: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

(Motion approved 3-0)

Commissioner Melcher: With that, it passes, and I hand it over.

President Winnecke: Thank you.

Commissioner Melcher: It's all yours.

President Winnecke: Thank you, and thanks for your hard work in the last year as our President. At this time I would accept nominations for Vice President.

Commissioner Melcher: Yeah, I'll move that Marsha Abell be Vice President of the County Commission.

President Winnecke: Second. Any other motions? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

<p>First and Final Reading of Ordinance CO.01-11-001: An Ordinance Concerning Meetings</p>

President Winnecke: Okay, very well, our first action item of the year is an ordinance concerning our meetings for the year. This is the first and final reading. I did print out the, my cheat sheet and I forgot to bring it in here. But, essentially, we're going to establish our 2011 County Commissioner meeting dates. We'll have two votes. The first motion I would accept is to waive the second reading so we can get the meetings on the docket for, tonight, for the balance of the year, and that needs to be a unanimous vote.

Commissioner Melcher: Yes, I'll go ahead and make the motion that we waive the second reading and make the first a final reading.

Commissioner Abell: I'll second.

President Winnecke: All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed? Okay.

(Motion approved 3-0)

President Winnecke: Now, we need to entertain a motion, I would entertain a motion to approve the meeting ordinance that has been presented before us.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, all in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Okay, and our meeting dates for the year have been set, and they will be on our Commissioners website for reference.

**Legal Services Agreement with Ziemer Stayman Weitzel and Shoulders
Legal Services Agreement with Joseph Harrison
2011 OCH Lease Agreement with Ivie Burns: Ste 111
Health Dept: Security Enforcement Agreement for WIC**

President Winnecke: First we have, next we have two contracts and a lease to consider. The first is for legal services, our agreement with Ziemer Stayman Weitzel and Shoulders. This agreement is for the services of the firm to represent us as County Attorney for 2011. The form of the agreement casts the firm as an independent contractor with the county, and specifically indicating Ted C. Ziemer, Jr. to be the designated partner who will act as the County Attorney for the firm. The contract amount is sixty one thousand thirty four thousand, I'm sorry, \$61,034 for the year. I would entertain a motion to approve.

Commissioner Melcher: I'll make a motion to approve. Ted Ziemer, Stayman Weitzel and Pat Shoulders as our attorney.

President Winnecke: Second. Any other questions or discussion?

Commissioner Abell: Mr. President?

President Winnecke: Yes.

Commissioner Abell: I think that I would like to see us discuss this contract. I haven't had an opportunity to discuss it. I haven't been, this is my first meeting, and haven't had an opportunity to actually discuss it with anyone because I'm not supposed to discuss those type things except in a public forum or if we have an executive committee meeting, an executive board meeting, to discuss the contract amounts. I think I read that the Executive Session could accept those type agreements to be presented. I haven't had anything presented, actually this is not the one that was originally presented to me, actually. The last one had Mr. Joe Harrison was also as attorney and I don't see him on here. So, there's been some changes made and I haven't had an opportunity to look at that.

President Winnecke: I'm not familiar with the contract that you're referencing mentioning Mr. Harrison. I would, I guess, I'm comfortable moving forward with the

contract as presented. We do have a motion and a second on the floor. Mr. Melcher, would you have any comments?

Commissioner Melcher: No, I don't have any comments.

President Winnecke: I would just say that in my two years as Commissioner I've witnessed first hand the professionalism that Mr. Ziemer, Mr. Miller and other members of his firm have represented on behalf of the county. I have no problems moving forward with them. The contract amount is similar to the amounts we've spent in previous years. While I respect that this is your first meeting, I think it is important that we have legal counsel on board right away. So, that would be my position.

Commissioner Melcher: I do want to make a comment now. You mentioned David Miller, but David Miller, it's my understanding is not going to be part of this.

President Winnecke: No, I understand. I was just—

Commissioner Melcher: But, I just wanted it out in public now.

President Winnecke: Right.

Commissioner Melcher: He's not going to be part of this.

President Winnecke: Correct. Any other comments or suggestions? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

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

President Winnecke: Also tonight we have, Mr. Ziemer, with that vote I would ask you to come up and take a seat please. Also we have an agreement before us, a legal service contract with Joe Harrison, Jr. This agreement is to represent the Vanderburgh County Sheriff's Department before the Sheriff's Merit Board relative to Deputy Sheriff Tucker, and the fee to be compensated for Mr. Harrison is \$150 per hour. I would move, I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Any questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have an Old Courthouse 2011 lease with Ivie Burns. This is a term for one year from January 9th of this year to January 8, 2012. The rent for the new lease is \$6,396.30 per year. I would consider a motion for approval.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have an agreement with the Health Department for security enforcement for the Health Department. The agreement is with Thomas B. Shoulders Security Enforcement for \$10.75 per hour without any overtime charges for hours, for after hours or weekends or holidays. Gary Heck from the Health Department is here with more on that. Gary?

Gary Heck: Thank you, Commissioner. Gary Heck, Vanderburgh County Health Department. The agreement is with Security Enforcement. Thomas Shoulders is actually the director. Security Enforcement is a division of Comaier Services. We have secured grant funding in order to have after hours security on Tuesday and Wednesday nights when our WIC Clinic is open. This security agreement would allow us to have security officers in place during those after hours clinic hours. We would hope that everything is in order. It's been reviewed by Ted Ziemer. It's my understanding that it's in approvable form if the Commissioners so wish to have it approved.

President Winnecke: Thanks, Gary. Any questions or discussion for Gary? I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed?

(Motion approved 3-0)

President Winnecke: Thanks, Gary.

Gary Heck: Thank you.

Tax Sale Auction Quotes

President Winnecke: Next we have tax sale auction quotes. The quotes were submitted by Sohn and Associates, Kurtz, and Curran Miller. Sohn is the low bidder with a maximum fee of \$18,000, including advertising for the 320 properties. Mr. Ziemer, would you have anything to add to that.

Ted C. Ziemer, Jr.: No, other than to say that regardless of the number of properties that are finally sold, it may end up being 250 properties, or 270 properties, however you look at it, based on the three quotes, the maximum amount proposed by Sohn, which is \$18,000, will be less than either of the other quotes. So, we recommend that the auction be given to Sohn.

Commissioner Melcher: So, in essence, from the last meeting where we were going to vote on it, we went ahead and took proposals, and this is the lowest one?

Ted C. Ziemer, Jr.: Yes, sir.

Commissioner Melcher: I'll vote to, I'll make a motion to retain Sohn and Associates.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Permission to Award: VC10-12-01: Mann Rd. Culvert 1212 Replacement

President Winnecke: Next we have permission to award VC10-12-01, Mann Road culvert number 1212 replacement to Adler Excavating LLC for \$39,371.84. County Engineer, John Stoll, would you like to help us understand that?

John Stoll: Adler provided the low bid on the project. Everything was in order with their bid submittal. So, I would recommend awarding the contract to Adler.

President Winnecke: John, what would be the time line on the replacement in the process?

John Stoll: Off the top of my head, I don't remember. The culvert has to be made, I think the culvert wasn't going to be ready until late February or early March. Typically we don't have more than a couple of weeks road closures. So, I don't know the exact date, but I can give you an update at the next meeting.

President Winnecke: Okay, great. Thank you.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes?

Madelyn Grayson: The dollar amount on the contract is different than the motion that was made. Is that an issue?

John Stoll: The amount, I thought that got corrected. The amount on the Form 96 was incorrect. The language on our contract says that unit price is covered, and that caused the final amount to be a few cents different than what is shown on there. So, the amount read into the record was correct. The Form 96 amount was incorrect.

President Winnecke: So, that's \$39,371.84.

John Stoll: Sorry about that.

President Winnecke: Any other questions for John? I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thanks, John.

Burdette Park 2011 Proposed Rates
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President Winnecke: Steve Craig of Burdette Park will be here to discuss the proposed rates for the new year. Steve?

Steve Craig: Steve Craig, Manager of Burdette Park. What I had submitted to you was a copy of what was the 2011 Burdette rates, which is the rates for this year, and then a three percent raise across the board for 2012. Then I also submitted a rate change with some adjustments. Some of the numbers were getting out of whack, I guess, you would say with the amount of people and the amenities that the buildings have got. Some of them went up a dollar or two, some of them went down a dollar or two, but I put a third one in so that you could take a look at that as my suggestions.

President Winnecke: Steve, how do you, how are the rates advertised?

Steve Craig: How are they advertised?

President Winnecke: If someone wants to consider renting any of the facilities?

Steve Craig: We either send them a copy of our rates in the mail, if they ask, or request a copy of them, or they call over the telephone and talk to the ladies that do the rentals and they tell them what the buildings are, or the rates to the facilities such as the Aquatics Center, the golf course.

President Winnecke: Are they available online anywhere?

Steve Craig: Yes, they are.

President Winnecke: Okay. Great. Any questions of Steve? I would consider a motion to approve the proposed rates as Steve has proposed.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Steve Craig: Thank you very much.

President Winnecke: Thanks, Steve.

**Requests for Extension on Redemption Period for Tax Sale Properties:
40 W. Iowa, 1300 John St., 508 E. Chandler Ave.
40 W. Maryland St., 1326 Keller St., 737 E. Blackford,
1415 Parrett, 3017 Crowley Drive**

President Winnecke: Next we have requests for extension on redemption period for the tax sale of the following properties; 40 W. Iowa, 1300 John St., 508 E. Chandler Ave., 40 W. Maryland St., 1326 Keller St., 737 E. Blackford, 1415 Parrett, and 3017 Crowley Drive. I would entertain a motion to approve the extent of the deadline to March 1st.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: There's a motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

County Engineer

President Winnecke: Next we have department head reports. John?

John Stoll: I have two items, the first is a right-of-way encroachment agreement for Mystic Creek Subdivision. This covers right-of-way encroachments that consist of street lights, decorative brick walls and subdivision name signs. The subdivision is on Green River Road, the west side of Green River Road between Morgan and Lynch. I worked with Ted Ziemer to get the agreement reviewed and approved. Ted has okayed everything and I have received the certificate of insurance to cover the encroachments. So, I would request your approval of the encroachment agreement.

Ted C. Ziemer, Jr.: Excuse me, John? Do you have or have you given to Madelyn the revised form?

John Stoll: I gave it to Madelyn.

Ted C. Ziemer, Jr.: Okay. I didn't have that before me. So, good, thank you.

President Winnecke: Any questions of John on this? Otherwise I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions, discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: The other item I have is a change order on the First Avenue Bridge project. This change order is for an increase of \$80,097.29. These cost increases are a result of unknown abutments that were approximately 30 feet deep below the surface of the existing road. We didn't know they were out there. That necessitated additional soil borings, drilling through the abutments in order to get the piles for the new bridge driven, and required design modifications. It required bringing the crane, the pile driver in and out of the site several times, rather than just once. The net result was the \$80,000 increase. So, I would request approval of the change order.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Any questions or discussion on the change order? This has been a challenging little project as a result of all those old abutments. So, we appreciate your patience in seeing this through. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Anything else?

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

President Winnecke: Thanks, John.

John Stoll: Thanks.

Board Appointments

President Winnecke: Next, board appointments, we have several to make, and several we'll make in future meetings. First I would like to, just a moment of reflection perhaps, on a long serving member of the Alcohol Beverage Commission. Frank Daugul, a long time appointment of this body passed away over the weekend, and had eagerly volunteered prior to the new year to be re-appointed. It would be appropriate, I think, to take just a moment to remember Frank and his service to our community.

(A moment of silence was observed.)

President Winnecke: Thank you. Area Plan Commission—

Commissioner Melcher: I would like to say one thing about Frank.

President Winnecke: Oh, sure.

Commissioner Melcher: Frank has been here a long time, and if you ever wanted to know really what it was, you had to call him. They are really going to be missed. I mean, they are not going to be able to find somebody that's dedicated...it will take a long time to replace what he did.

President Winnecke: Couldn't agree more. Area Plan Commission, the Commission appointee will be Commissioner Melcher.

Commissioner Melcher: Are you sure? I'm just throwing that out. I had your name down here.

President Winnecke: I'm pretty sure it's going to be you, Steve.

Commissioner Melcher: You're pretty sure, huh?

President Winnecke: But, thanks for asking.

Commissioner Melcher: How do you count, right?

President Winnecke: Central Dispatch, the Commission appointee will be Commissioner Abell. The Community Corrections Complex, Commissioner Melcher has agreed to be re-appointed to that. Our Construction and Roofing Board, the members being Steve Heidorn, Ron Dauby and John Elpers, hereby re-appointed. We have two appointments to the Convention and Visitors Bureau. I don't really think, I don't think we're going to be in a position to appoint these tonight, fill these, but I do, I know I've got a couple of names to throw out, and I suspect others do too. I think it would be appropriate for us to consider all the names that have been presented to us and take a little time to figure out who we would like on there. Would you like to start with any names you have?

Commissioner Abell: Oh, I've got about 12 or 13, but some of them I don't even know, but some of the names—

President Winnecke: Turn your mic on.

Commissioner Abell: Some of the names that have come out are Lynn Finney, Bud Farmer, Chuck Whobrey, I have a resume here from somebody who I don't know. There's been just a lot of interest. I mean, I can't, I wasn't prepared to bring those forward tonight.

President Winnecke: Okay.

Commissioner Abell: But, there's a lot of interest in that appointment.

Commissioner Melcher: And, I agree with that. I've had people calling me too. The one thing I wanted to make sure that we were doing right, since this is a state statute type of office, I understand, do they have, what the requirements are for our appointees. I didn't know what that was.

President Winnecke: Well, by law, we have to appoint one hotelier.

Commissioner Melcher: And that's already been done by the Mayor.

President Winnecke: No.

Commissioner Melcher: No?

President Winnecke: Our body has two appointments.

Commissioner Melcher: Our body, okay, that's what I wanted to make sure of.

President Winnecke: One of them must represent the interests of a hotel.

Commissioner Melcher: That's what I wanted to find out, because I thought it was one, and I figured since the Mayor did it, but, that's fine.

President Winnecke: I'll throw out a couple of names that, people that I've heard from; Pat Rayburn who is involved in, a small business person and active with the Evansville Otters, and Becky Kasha from the Zoo and who was most recently chaired the government reorganization committee. Those are just two of the names that I've....and, then, here's....Neikirk, Dolli Neikirk. So, I would say these, these are two we're going to consider for our next meeting. To the Disability Services Advisory Board, Don Counts is hereby re-appointed. Commissioner Melcher will be re-appointed to the Disaster Resistance Community Corporation.

Commissioner Melcher: Technically that committee was going to disband, and then they came back to life and they took the Commissioner off of it. So, they went from like 15-20 members to seven, and they've got their seven. So, I don't think we're even on it now, at least—

President Winnecke: Well, we'll check.

Commissioner Melcher: They voted us out.

President Winnecke: They voted us out?

Commissioner Melcher: They voted us out.

President Winnecke: Well, we'll check and make sure that's really correct.

Commissioner Melcher: Actually, that committee is a duplication of what we already have. For some reason one of them wanted to hold on to it, and then there was a Commissioner up in Warrick County president of it and he wanted to keep it too so.

President Winnecke: Okay.

Commissioner Melcher: So, they redid it, and I think Joe Harrison did the by-laws for them.

President Winnecke: For the Evansville ARC we would hereby re-appoint Bill Nix to fill that seat. To the four county Economic Development Coalition, I will assume that appointment from the County Commission. The Electrical Board, we would re-appoint Randy Brievogel, Jerry Goedde and Jim Rexing. To the Emergency Management Agency—

Commissioner Melcher: Didn't we get an e-mail or something from Rexing?

Commissioner Abell: We did.

Commissioner Melcher: We did.

Commissioner Abell: He wants off.

Commissioner Melcher: Yeah, he's served a long time. He had a person on there, and I've kind of been trying to check with a lot of people and I've got one resume supposedly coming to me. I've had some others call, but I'm just one of us three. So, we probably need to appoint the two and then next meeting do the third.

President Winnecke: Okay, then we'll hereby re-appoint Brievogel and Goedde and leave the Rexing position open until a future meeting.

Commissioner Abell: (Inaudible. Mic not on.)

President Winnecke: I was going to check on those and circle back. Emergency Management Agency, re-appoint Tom Barnett, Eric Williams and Randy Gentry. The GAGE board position, the Growth Alliance for Greater Evansville will be taken by Commissioner Abell. The HVAC board we would re-appoint Bob Crow, John Dillingham and Wayne Ravelette. The Levee Authority, Mike Whicker will be re-appointed. The Mayor's Education Roundtable will be taken by myself. The Metropolitan Planning Organization, Commission Melcher will be on.

Commissioner Melcher: Going once.

President Winnecke: The Old, no, we'll come back to that one, the Parks Commission, Gary Shetler will be re-appointed to. We would hereby re-appoint Ann Ennis, Lester Steinmetz, Steve Craig, Fred Padget and Blaine Oliver to the Pigeon Creek Greenway. Public Defender, we would re-appoint Commissioner Melcher. For the Redevelopment Authority, we would re-appoint Mark Pettinga, Dan Carwile, Matt Meadors. To the Redevelopment Commission we would re-appoint Kirk Knight, Chuck Whobrey, Jim Will, Sr. and Chris Kiefer. For the Workforce Reinvestment Board we will re-appoint Andy Goebel. The rest we'll try and fill in our next meeting.

New Business

President Winnecke: Any new business? I have two matters if no one else has any. First, we have been presented tonight, and we literally have just gotten it, the report from the government reorganization committee. It is predictably lengthy, but just as a reminder this organization was appointed to do its work last January after being appointed by this body, the County Council, the City Council and the Mayor. This 12 member citizen committee, I think, has done a great job in finding its way through the structure of local government and they have landed on this document. Obviously it is not going to be without some controversy. The process, going forward, that I see, and I'm just throwing this out for discussion, first this would not be on the ballot if it were, let me backtrack, for it to be on the ballot for citizen approval, our body and the City Council would have to pass identical plans. I would propose that this body take the next month, and I literally mean the next month, to go through this in detail. I would then propose that, this has now been presented to the City Council, I don't know if they've seen it yet, but it's been presented to the City Clerk, I believe, to be distributed to them. I would propose that after each body has had ample time to thoroughly review it we would hold a joint meeting with the City Council, at which time we would hear, have our questions of the plan answered by the leadership of the reorganization committee. I think, maybe going forward from there we would have another joint meeting where we would take public input. A joint meeting of the City Council and the County Commissioners. Then, after that, we would take whatever modifications we may seem are necessary, based on the feedback, and have a smaller committee of this Commission and the City Council to try and make those modifications and get back before us. I think it's important that we try and keep this on track for, you know, to get this done this spring. But, initially, I would think that we would need at least a month for all of us to go through it in detail. Questions or comments?

Commissioner Melcher: I just gave my copy to Ted. So, if I could get a copy later.

President Winnecke: Yeah, we'll get another copy.

Commissioner Melcher: Okay.

President Winnecke: If that sounds like a reasonable plan, I will reach out to members of the City Council to pitch that. The next item under new business that I have, a couple of years ago this body repealed a smoking ordinance that I thought was really important to our community. I would like to see us revisit that issue. I would like to see us direct the County Attorney to present to this Board, at our next meeting, a comprehensive no smoking policy for the county. I would propose that we would receive that at our next meeting on the 25th for review. Not to take action on that night, but just to review. I would then propose that we would have our first public hearing and consider a first reading on February 8th, then a second reading for February 22nd, and if an ordinance were to be passed I would like to see it take effect July 1 of this year. Any other comments or suggestions?

Commissioner Melcher: The only comment I would kind of like to say, I've been involved in this for many years, and we've passed a few prior to me being on here. This original smoking ordinance was passed by committee of the Commissioners and the City Council, and then what happened, at the time, the Commissioners decided to change it at the eleventh hour after the sub-committees got it all together and it came back. So, it was going to go down where the City Council met on Monday, so they were going to pass it on Monday, and then Tuesday the County Commissioners were. Well, what the County Commissioners did, they jumped ahead the week before or whatever and passed it and made the changes after we had all of these hearings, joint hearings. That's the second time it happened to us. It happened under tax phase-in stuff, and I figured it happened again, but everybody said, no, this time it's going to work, well, it didn't. What we're trying to do, and why I voted last time to get it back, I've been trying to keep, I've been working a long time, for five or six years or more trying to get all of our ordinances the same. So people don't get confused. So, those four restaurants in the county, and one Funkhouser Post, American Legion Post isn't different than the others, because they can just go on over to Posey County. All I was trying to do was make sure we're on the same page. I would also think, since you've been reading in the paper where this is the Governor's proposal now, and he's got both the House and the Senate, and they are going to have some kind of an ordinance, which I think a Democrat House Representative is bringing forward, I would like us to maybe think about holding it and see if the State's going to pass it State wide so that it would at least be fair to everybody around us. If they are going to really pass something, then let's make it fair for everybody. That's kind of where I would like to see us do it. If you want to go ahead and move forward you can. I think we ought to give the State a chance. We've been this way for two years, I don't think another few months, I think their term ends what, the end of April? The first part of May we'll know by that time if it's going to pass or not, then we could always do this. But, I'm just trying to keep us on board. Even Henderson had a stronger ordinance, they turned around and copied the one that the city had, Evansville had, pretty much. So, basically, I'm just trying to keep us all together so we're not losing business and giving it to somebody else. I think it hurts the people of our community, and especially the veterans out there, they would hate to lose some membership, and they leave that post to go to posts in Evansville...and I don't think this is going to put any pressure on the City Council with the ones that are there now. So, with that I would just like you to think about it between now and the next meeting.

President Winnecke: Anything you would like to add? I would just add that I hear what you're saying and I appreciate it. I guess, I'm not convinced that the legislature will take the action. I guess, I would rather be a leader than a follower.

Commissioner Melcher: Well, no, and I understand, and that's what the committee did. The committee met, was the leader. The committee worked together for over, almost a year or more, and I know Bagbey represented the city, and the County Commission kind of let us down on it, because we wanted to keep it the same. Plus the Smokefree Community kept telling us that as soon as we passed it that the other counties around us would follow suit. Every time I've asked those other County Commissioners or whatever, they're not even interested in listening to it. It doesn't matter if it's a Democrat majority or a Republican majority. So, that's why you haven't seen it in Warrick County or Gibson or Posey, they're not still interested in it. We was also told by the State that if we would pass it, then that would give, since we're a bigger city and we passed a joint one, that would help the State pass it. So, I just, I don't know where the answer is, all I was trying to do was make it fair for all the people that live in Vanderburgh County. That's the only thing that we were trying to do, and treat all of the veterans the same here. But, if we do pass this, then we're going to be sitting here for at least until after this coming election in 2011, maybe if they change some people there they might change then, but I would think that we would want to give the State....I don't see why they can't, they say it's going to be number one and they control the vote. I don't see why it won't happen. If it doesn't happen now it won't happen in the State.

President Winnecke: Well, Mr. Ziemer, if you could proceed with drafting an ordinance for us to review at our next meeting. Again, we'll just review it at that time we won't vote on it or anything like that. Any other new business?

Old Business

President Winnecke: Any old business to come before us?

Public Comment

President Winnecke: Public comment? Anyone from the public that would like to bring an issue before us?

Chris Walsh: Chris Walsh, Vanderburgh County Highway Department. Excuse me, I turned in my letter of resignation to be effective for this Friday, which is the 14th. I've been in contact with, the salt is going to be completely re-supplied from the storm that we've had, so you're going to be in good shape, a fully stocked barn and should be in real good shape with that. But, I appreciate the opportunity that you've all let me have to serve you.

President Winnecke: Chris, you've done a very good job and we appreciate your professionalism, and wish you the best of luck with the city.

Chris Walsh: Thank you. I wish you all the best of luck as well. Thank you.

Commissioner Melcher: And, Chris, I would like to say you done a good job. Like I've said before, I didn't get any snow complaints since I've been a Commissioner. I might now, but I did when I was a City Councilman. I think you've done a good job.

Chris Walsh: No matter who's in this job, that department does an excellent job out there.

Commissioner Melcher: Yeah, and this is a political office. It seems to be. That's what was said two years ago too. So, basically, I wish you well, and I want to thank Commissioner Winnecke and even Commissioner Abell for when I was having discussions with them about giving you the same time frame as we gave Duckworth instead of just sending him on his way like was done in the prior administration. That was pretty bad and I didn't want to do that. So, we gave them a time frame. So, I want to thank both of you for giving Chris time to find something. I'm glad you was able to find something and come in, unlike the last time where it kept getting extended, extended, extended. You did something about going out and finding you a job.

Chris Walsh: Thanks.

Commissioner Abell: Chris, are you transitioning to the city, is that what you're doing?

Chris Walsh: Yes. Yes, I'm going to work at the city next week.

Commissioner Abell: Well, good.

Chris Walsh: So, I'm looking forward to that, and I'll be available if there's any questions or anything that needs. I'm having some meetings with some people to make sure the transition is completely smooth.

Ted C. Ziemer, Jr.: What department with the city?

Chris Walsh: The Utility Department, the Water Department. So, I'm looking forward to it. Similar to the kind of work I've been doing here, and had done in the past. So, looking forward to it.

President Winnecke: Thanks, Chris.

Commissioner Abell: Good luck to you, Chris.

Commissioner Melcher: Thank you, Chris.

Chris Walsh: Thank you.

President Winnecke: And, on the, in our employment changes, under the consent items is not only the pink slip or the paperwork for Chris, but also the appointment of Chris' replacement who is Mike Duckworth the former Superintendent out there. Mike in his time there has done extraordinary work too. So, I'm comfortable that the fine work of that department will be continued.

Commissioner Melcher: And I would like to say something about the consent agenda also. Tonight we're going to be, in the veterans, which we're over the veterans organization as far as the county office. It's been a long time coming, as you know Mark Acker retired back in April, and then we had to wait a while before we could move Jay Ball into it. His resignation is the 21st, and we've been trying to get Tami, which is the secretary into the middle position. With both of your help, but especially Marsha before she was even a Commissioner was helping me on it with the County

Council. It seemed like we had a couple that didn't want to do it, but tonight we're voting on moving Tami to the Office Manager, and we're voting on bringing a gentleman, a veteran on as Secretary until the buyout of Jay Ball's term is over. So, when that happens we'll be able to automatically move him up. So, hopefully, we'll be able to put a secretary in there, and, hopefully, by the end of the year have some where the office could run smoother. But, it's going to be hectic in the beginning because we're going to have some days without a veteran in there. But, I do appreciate both of you helping. I do appreciate Marsha getting on the ball and helping me, because it's been a long battle since April. I appreciate the County Council finally seeing the light, that our veterans in our community mean something to us. Thank you.

Commissioner Abell: If I could, Steve, for the benefit of those watching on television that don't know, could you just briefly say what the Veterans Administration does for us?

Commissioner Melcher: Well, the Veterans Administration, it's a small office, the computers are still on telephone lines. The Vanderburgh County Veterans Council, they work hard at making sure that the word gets out that we support our veterans. What's happened over the years, the veterans office here, I mean, the VA Clinic here and the new one quit having a person inside there to help them with their claims. So, we're getting more and more of those claims. I understand from about two weeks ago Work One is starting to do the same thing. They're going to quit allowing the veterans in there to help them with their claims. So, guess who they're sending them to. They're sending them to us. So, we are kind of a regional hub. What happens is we also get some other counties in there on that, but it works vice versa, if you work in Boonville and you're a veteran and you live in Evansville, you'll probably go to Boonville instead of driving all the way back to Evansville on your lunch hour. So, it kind of washes out at the end, but they are going to get more and more claims as these soldiers come back from Iraq and that. I think they work pretty lean and mean in there with antiquated equipment. I know the Veterans Council raises money and buys some computers in there. I think the county only has one in there, the rest of them we bought as veterans. But, they help all the claims, and there's also dates when a person files a claim, he has so many days that they have to get back to it. If not, and he gets denied they've got to get back, but if for some reason we mess up then that falls back on the county, we're responsible. So, if we don't have somebody in there that knows what they're doing, that could hurt us financially down the road. That's what I was trying to get across and I couldn't get that across, but, again, with your help we have been able to do that. We're like number four and number five in the State considering the size of ours, getting money back to this area. I mentioned it last year at the Rotary when we spoke in front of Rotary how we're so much further ahead, basically, per people in our community our office runs pretty smoothly. It's just started falling down since we have it. We also got a letter from the State asking us to fully fund it. So, hopefully, that's going to happen.

Commissioner Abell: Thank you.

Consent Items

President Winnecke: At this time I would consider a motion to approve the consent agenda items as presented.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Madelyn, would you be so kind.

Madelyn Grayson: The consent agenda items for the January 11th meeting are as follows; approval of the December 21, 2010 Commission meeting minutes, employment changes for the Commissioners approval this evening, there are two for the County Highway, one for Burdette Park and one for Veterans Services; we have three 2011 township trustee poor relief standards, one for Knight, one for Center and one for Pigeon—

Ted C. Ziemer, Jr.: Excuse me, Madelyn, those really need to come off the agenda. I'm sorry I did discuss that with Kristin, Marissa, and, I guess.... here's what happened, when I started looking at the Knight Township Trustee's standards from a point of view of approving them, the dating was incorrect. I thought we still have two other townships that we haven't heard from, so, I thought if it satisfies you we will put all five on the January 25th meeting.

President Winnecke: I apologize, I had deleted that from mine and forgot to tell the others.

Commissioner Melcher: I had it deleted too.

Commissioner Abell: I did too.

President Winnecke: Anyway, please proceed.

Madelyn Grayson: Okay, the County Auditor has the December 2010 A/P vouchers, there are three surplus requests from various offices, the County Assessor, County Auditor and Superior Court for office equipment and furniture, the County Clerk has the November 2010 monthly report, the Sheriff has the ICJI Governor's Council on Impaired and Dangerous Driving grant, the Commissioners have the Old Courthouse Superior Courtroom renovations change order number two, Evansville ARC report of activities for July through November 2010, the Health Department has a request for approval of telework, the County Engineer approval of pay request number 119 for TIF projects in the amount of \$994,894.97, the IBAP Gatekeeper December 2010, I believe, monthly report, and department head reports from the County Engineer and Burdette Park.

President Winnecke: Any other discussions or questions? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Is there any other business to come before the Commissioners?

Introduction of Teen Advisory Council Job Shadows
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President Winnecke: Oh, I do want to introduce, I beg your pardon, we do have someone from the Youth Resources Teen Advisory Council. Anna, would you like to introduce yourself over there on the end? Just push the button and say your name and your class and school.

Anna Loehr: I'm Anna Loehr from Memorial and I'm a Freshman.

President Winnecke: Thanks for sitting with us tonight. Be careful driving too, by the way. I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We are adjourned.

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

CONSENT ITEMS:

Commissioners:

Approval of the December 21, 2010 Commission Meeting Minutes.
OCH Superior Courtroom Renovations Change Order No. 2.
Evansville ARC Report of Activities: July-November 2010.
IBAP Gatekeeper December 2010 Monthly Report.

Employment Changes:

Veterans Services (1)	Prosecutor (9)	Sheriff's Office (6)
County Assessor (8)	County Clerk (3)	Auditor (1)
Burdette Park (1)	Superior Court (1)	Circuit Court (1)
County Highway (2)		

Auditor: December 2010 A/P Vouchers.

Surplus Letters:

Auditor: One printer and one printer table.
Superior Court: Three chairs.
County Assessor: Various office equipment and furniture.

County Clerk: November 2010 Monthly Report.

Sheriff: ICJI Governor's Council on Impaired and Dangerous Driving Grant.

Health Dept: Request for Approval of Telework.

County Engineer: Pay Request No. 119: Green River-Burkhardt TIF Projects.

Department Head Reports:	County Engineer	Burdette Park
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Those In Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Gary Heck	John Stoll
Steve Craig	Chris Walsh	Anna Loehr
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JANUARY 25, 2011**

The Vanderburgh County Board of Commissioners met in session this 25th day of January, 2011 at 5:02 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening and welcome to the January 25th Vanderburgh County Board of Commissioners meeting in room 301 of the Civic Center. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

Introduction of the Teen Advisory Council Job Shadows

President Winnecke: Thank you, before we get to the agenda, we have a number of student visitors here. Why don't we start on this end, please introduce yourself. Turn the microphone on and state your name, what grade in school you are and what school you represent.

Taylor Hinton: My name is Taylor Hinton. I'm a junior at Reitz Memorial High School.

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

Rebecca Reidford: I'm Rebecca Reidford, and I am a senior at Reitz Memorial High School.

Christina Salgado: I'm Christina Salgado, and I'm a senior at Memorial High School.

President Winnecke: Ladies, thanks for joining us.

Appointment of 2011 Hearing Officer

President Winnecke: We'll get to our action items. First on the agenda is the appointment of a 2011 hearing officer for the purpose of conducting appeal hearings connected with the denial of assistance by any of the township trustees. I would recommend that Ted Ziemer, our County Attorney, be named as the hearing officer for the Commissioners for 2011, as he was in 2010.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Melcher: No, I'm just glad that we're doing this now so we would have it for the whole year. I think that's something that we talked about last year.

President Winnecke: Right. Any public comment? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Permission to Advertise 2010 Statement of Receipts and Expenditures

President Winnecke: Next, permission to advertise the 2010 statement of receipts and expenditures. This is the annual ad of the county's receipts and expenditures.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

St. Jude 5K/10K Road Race Request
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President Winnecke: Next, St. Jude benefit, the 5K and 10K road race request. Katie Witsoe is here. Katie is the organizer. She's been working with the Sheriff's office and has submitted all of the required forms to our office. Would you like to come up please?

Katie Witsoe: Thank you for having me. My name is Katie Witsoe. We are seeking approval for a road race down at Burdette Park. It will be a five and 10K road race. All of the benefits of this event will go to St. Jude Children's Research Hospital in Memphis. Our son was a patient there. Every year they do a walk in November, but we were unable to pull that together in Evansville, and we know of about 50 families here in the area and more outside the area that their children go to St. Jude, and we just think it will be a great event to bring to Evansville.

President Winnecke: Katie, would you just review with everyone the date and times?

Katie Witsoe: The date is April 30, 2011. The starting time will be about 8:00, and we expect it to go until about noon.

President Winnecke: Okay.

Commissioner Melcher: And, you're working with the Sheriff's Department?

Katie Witsoe: Yes, we, I've been in contact with Sargent Molden, who is in final contact with Sargent Lutz.

Commissioner Melcher: So, you know about overtime pay and anything that you have to pay on it?

Katie Witsoe: Well, he's told us that they'll need about eight people at the event, and I just asked him for the final costs of what that's going to be, but we are working also with St. Jude and their national headquarters to pull this event together as well.

Commissioner Melcher: Because I'm okay with it as long as we cover the costs.

Katie Witsoe: Absolutely. Yeah, we will be covering those costs.

President Winnecke: Sheriff, did you have any concerns or questions?

Eric Williams: No, I believe, she addressed them very adequately. We've reviewed the course and we feel that we need probably eight people to cover those. Those are fairly busy roadways through there, in the bottoms, and we figured eight people for three hours each, so about 24 hours of overtime. If the Commission wants us to do it we would be glad to do it. We welcome these kinds of events.

President Winnecke: Great. Thank you.

Ted C. Ziemer, Jr.: Excuse me, though, are you planning then to be reimbursed for that by the—

Eric Williams: That's been generally the protocol.

Ted C. Ziemer, Jr.: Then we need a little, we'll need an agreement to that effect, just as we did in the—

Eric Williams: We've kind of got that standard agreement that we could put that language in, a not to exceed number.

Ted C. Ziemer, Jr.: Right, if you can get me that number, and if you can give me the name of your organization and your phone number I'll get that agreement prepared. When is the race?

Katie Witsoe: April 30th.

Ted C. Ziemer, Jr.: Oh, we've got plenty of time. Yeah, if you would get me that information, I'll get the agreement prepared. Thank you.

Eric Williams: They've been very cooperative and very understanding of our situation.

Ted C. Ziemer, Jr.: Great.

President Winnecke: Any other questions of Katie? Okay, we'll get you back on the agenda at a later meeting and get everything approved. Thanks for showing up tonight.

2011 Board of Finance Meeting

President Winnecke: Next on the agenda is County Treasurer, Rick Davis, to talk about the annual Board of Finance meeting. Rick?

Rick Davis: I have some forms I want to hand each of you, if you will give me just a moment.

Commissioner Melcher: Thank you, Rick.

President Winnecke: Thanks, Rick.

Rick Davis: I have a Power Point too I'll be presenting in just a minute. I'm going to go ahead and load it. Okay, thank you. My name is Rick Davis, I'm your Vanderburgh County Treasurer. I'm here today for two reasons, one State law requires the Treasurer to meet with the Vanderburgh County Commissioners in the month of January and establish a Board of Finance. So, we'll be taking care of that first. Historically the county uses this meeting to vote for a President and a Secretary. 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. I'm told this is something you generally make in the order of a motion.

President Winnecke: I would entertain a motion to appoint the County Treasurer as the President and the County Auditor as the Secretary to the Board of Finance.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Rick Davis: Thank you. Another housekeeping item, this is my first meeting to come here this year, so, I wanted to welcome aboard our new County Auditor, Joe Gries, and County Commissioner, Marsha Abell. I look forward to working with both of you. I've given you some exhibits, exhibit A is obviously the Power Point presentation I'm about to go through; exhibit B is the percentage earned in Trust in Indiana; exhibit C is the percentage rate that we have received daily for this year, which is around a quarter of a percent, just slightly above that a few days; exhibit D is some bedroom reading for you, it's a Bloomberg Report saying the FDIC bank fee change may drive near zero short term interest rates lower. So, they are already near zero and they are going to be even lower. So, that's something for you to take a look at tonight. Exhibit E is a complete listing of all of our investments from CD's, our agency securities with Smith Barney Morgan Stanley, and investments in Trust in Indiana. The Power Point that I'm going to go through is to kind of give everyone a summary of the amount of money we brought in and the percentage rate we received. The investment climate right now is pretty much the same as it has been since the fall of 2008, and that is not rosy to say the least. The financial crisis hit in 2008 and it really had a major effect on banks. Twenty five banks failed in 2008, 140 in 2009, and 157 in 2010. Only one bank has failed in Indiana, and none of the banks in Evansville have failed. We have a very conservative investment opportunity in Indiana's governing units. The most we can go out on an investment is two years. So, most of the investments we have are very short term, especially when you look at some people invest 10, 15, 20, 30 years. The economy, when the banking crisis hit in 2008, it made Vanderburgh County change the way it invests your taxpayer dollars. In 2009, 2010 and even, I'm sure it's going to have an effect on us this year as well. In addition to traditional certificates of deposit, known as CD's, and repurchase agreements, which are basically extremely short term CD's, and when I mean short term, I mean like two or three days. We began investing in a government pool, Trust in Indiana, managed by the State Treasurer's office in 2009, and that helped us with liquidity. The money that we have and invest we have to pay bills with, we have to pay bonds with, we have to make payroll with. So, there's a

balancing act with keeping money fluid enough to pay our bills, but also maximizing our investment dollar, because as County Treasurer I feel every dollar we earn in interest is a dollar that the county doesn't have to tax. In 2010 the Treasurer's office sought and received approval from the Commissioners to create an investment policy. We put in order of importance the following; safety, especially in light of all of the number of banks that were failing; liquidity in order to make payroll; and yield. The reason why is a lot of Treasurers of other governing entities they chased a higher percentage rate yield, and a lot of people forget even when you're dealing with CD's, the higher the interest rate the greater risk there is of the investment failing. That's why you get paid interest to begin with. In 2010 the Treasurer's office sought and received permission to invest in agency securities with Morgan Stanley Smith Barney allowing the county to diversify our investments. We had hundreds of millions of dollars invested with our local banks only covered by about \$250,000 in FDIC insurance. So, we had a lot of eggs in only three or four baskets. So, by investing with Morgan Stanley Smith Barney we're able to invest at an amount roughly around \$240,000 or less in CD's around the country, with banks, I'm sorry, around the country so that our investment is entirely protected in the event that those banks failed. I also go to a website called bankrate.com and I look at the rating of the banks to ensure that none of the banks are a one or two star, well, two star is not bad. It only goes to four, but just to make sure that the banks we're investing in around the country are sound and will not fail, but in the event that they do, we have got a level that will be 100 percent protected by FDIC Insurance. The results, I have listed them by CD's and repos, we did no repos but I still put it on there with the CD, was just a shade under one percent return on our investment. We're earning around a quarter of a million dollars. Agency securities, point seven at \$16,000 we brought in. Now I want to clarify that, we started agency securities in April, whereas the CD's, some of them are two year CD's, so they were purchased when the CD rates were much higher, and the rates have just slipped downward over the last two years. So, that's not apples to apples. The CD's are a longer term, whereas the agency securities, those are all of the investments that matured just this year between April and, or, I'm sorry, April through December 31st. Trust in Indiana was a point three and brought in \$154,280. Legence Bank, we have a savings account that had a point six four at \$2,000. The checking account I put on there, even though it's zero, the reason why, under the previous agreement signed by the previous County Treasurer, she signed a two year extension that had a quarter of a percent minus the Fed rate. The Fed rate has been zero, or, I'm sorry, point two five or less, so, our checking account since I became Treasurer, January 1, 2009 has not earned one single penny. To add insult to injury, we had to have a five million dollar minimum balance in there. So, we had a five million minimum balance earning zero percent interest for two years. The County Commissioners in the month of December, I believe, possibly November, signed a new agreement with Old National Bank, it was bid out competitively and after consulting with County Attorney, Ted Ziemer, I really said that if we're going to have five million dollars in an account it should be earning something. So, the County Commissioners agreed and that bank account will now earn one quarter of one percent for the next two years at the bare minimum. So, in 2010 we brought in just a shade under \$400,000 in investments. It's not great, but it's far better than I would have expected considering how rotten the economy has been the last couple of years. I put a couple of previous years totals on here; in 2009 we brought in just a little over a million dollars; in 2008 it was three million. On December 31, 2010 we reported to the Indiana State Board of Accounts that we had sixty three million two hundred eleven dollars eight hundred fifty nine, I'm sorry, \$63,211,859.79 invested. That was in Trust in Indiana, Legence Bank, agency securities and CD's. To give you an idea, again, on the investment climate we have right now, ten year Treasury Bills fell below two point five percent in 2010. That

means there are people out there investing for a full decade at two and a half percent. As I said earlier Indiana allows only two year investments maximum, and four of our matured CD's earned a combined \$136,000 plus, an average of one point seven nine percent. They were invested for 460 days. The average of those CD's was two million dollars. In 2007, to put that in perspective, we had an eight day investment of three million dollars that yielded a four point three percent rate. In 2008 the average percentage rate was two point seven percent. The Fed rate remains at zero or up to a quarter of a percent, and coupled with economic indicators that's kept our investment opportunities low in 2010. We're hoping for a better 2011, but long range CD's maturing in 2011 will not be as big as they were this year and last year. When I say long range I'm talking the two year maximum. We have three CD's that are maturing in 2011 from local banks, they're estimated to earn around \$100,000. So, when those investments come through we're guaranteed, just on those investments to bring in \$100,000 for 2011. Those investments are an average of 608 days at one point one five percent, and are \$1.67 million average. Our agency security investing is doing better than our local rates for CD's, but still are less than one percent and are mostly at one and a half to two year maturation dates. I kind of tested the waters at the end of December to see where our CD rates were locally, and the last three CD's we purchased, which were only for 44 days, came in at point oh five percent. Keep in mind, that eight day investment was earning far greater than that three years ago. So, a 44 day investment was only point oh five. That's why I'm so grateful that the Commissioners allowed us to invest in agency securities last year. The Fed is keeping interest rates at an all time low as an effort to boost spending and borrowing. Banks are not making money off of loans these days. They are switching to fees. The economic situation, jobs, inflation, retail, Wall Street, trade with other countries, real estate must improve in order for our interest income to rebound. Obviously, it does not pay to be a saver or an investment in this type of climate. That's all I have. Again, I wanted to mention to the folks at home, all of these investments that I have given the County Commissioners are available on our website, vanderburghtreasurer.org. Within the last year or two my Chief Deputy, Zachary Heronemus, put every investment going back to the year 2000 on our website. So, anybody who wants to look to see what kind of income the county has generated through their investment opportunities, you can do that. I would be happy to answer any questions.

President Winnecke: Any questions of the Treasurer? Rick, I just have one quick question.

Rick Davis: Yes?

President Winnecke: On the slide that's slugged 2010 investment results, where it breaks down the interest earned for the year, on the CD/Repos is the point nine nine is that an average?

Rick Davis: That's an average.

President Winnecke: For the 12 month period?

Rick Davis: Yeah, and that includes that point oh five from the last three, and it also includes CD's that were purchased in 2008 when the rates were still much higher.

President Winnecke: Right.

Rick Davis: So, everything that matured in 2010, that was our average, point nine nine. Again, when you're looking at ten year Treasuries at 2.47 percent, you know, a two year or less investment earning one and a half times less that is not too shabby, in my opinion. I wish we could do better. I've said this to the newspaper before, I wish I could wave a magic wand over our checking account and make the rates go higher, but I just can't. There are so many variables and the economic situation that lead to these interest rates that I can't change them. I just, it's my job to keep investing this money as best I can. Again, every dollar we earn from investing is a dollar that the County Council or County Commissioners or even other governing entities do not have to tax.

President Winnecke: Thanks, Rick.

Rick Davis: You're very welcome. Thank you for your time.

**Notice to Abutting Property Owners:
1301 Fountain, 26 E. Blackford, 80 Bayard Park
2023 S. Fares and 1223 S. Governor**

President Winnecke: Next, the Commissioners, we need to notice abutting property owners of the following properties that these properties will be offered for bid; 1301 Fountain, 26 East Blackford, 80 Bayard Park, 2023 South Fares, 1223 South Governor. I would entertain a motion to such effect.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Central Dispatch: Energy Savings Performance Contract Approval
County Assessor: KRONOS Timekeeping Software Renewal
Health Dept: ESRI ArcView Use Licenses Agreement
Health Dept: ESRI Maintenance Agreement
Health Dept: WIC Grant Agreement
Health Dept: Breastfeeding Peer Counselor Agreement: Emily French
Health Dept: H1N1 Grant Extension
County Engineer: Clark Dietz Agreement: Baseline & U.S. 41

President Winnecke: Under contracts, agreements and leases Central Dispatch, I believe I saw someone from Central....Dona Bergman's here, from the energy savings performance contract. Dona is here to discuss, and Joanne Smith, nice to see Joanne.

Dona Bergman: Thank you, Mr. President. My name is Dona Bergman with the City of Evansville's Department of Sustainability Energy and Environmental Quality.

Joanne Smith: I'm Joanne Smith the Director of Central Dispatch.

Dona Bergman: Mr. President and County Commissioners, we, the City of Evansville received \$1,206,000 from the U.S. Department of Energy as part of the stimulus package. The intent of those funds are to allow us to finance energy efficiency improvements. To that end we issued a request for qualifications for energy audits and energy performance contracts for the Central Dispatch building. Energy Systems Group was the respondent who was chosen. Energy Systems Group has since done a very thorough audit of the Central Dispatch building, has developed a list of recommended energy conservation measures totaling \$143,041. That includes spray foam insulation in the attic, changing out all of the lighting to more efficient lighting, some, adding another HVAC unit, programmable thermostats and some other miscellaneous items. The energy efficiency and conservation block grant through the stimulus funds will pay for \$20,000 of that, those improvements, because, basically, we're trying to leverage those funds to stretch as far as we can and improve as many city properties as possible. The remaining \$123,041 will be financed through the Bond Bank at a one percent interest rate. The energy savings from the project will pay for the payments to the Bond Bank. It should have an absolutely neutral or even slightly positive effect on the Central Dispatch budget. Because it's an energy savings contract, Indiana Code requires that the governing body approve such a contract. The Central Dispatch Board has already approved it. The City Council has approved it, and because Central Dispatch is a joint city-county department, we are now asking for your approval.

President Winnecke: If I remember correctly from one of the e-mails that I read, the annual savings would be in the neighborhood of \$14,000 or \$15,000, is that correct?

Commissioner Abell: I don't believe so.

Ted C. Ziemer, Jr.: No, I think it's closer to about \$9,000.

President Winnecke: I'm sorry, okay.

Ted C. Ziemer, Jr.: Yes.

Dona Bergman: We expect that the payments to the Bond Bank will be offset by the savings in operational savings, less repairs, cheaper maintenance contracts, and then actual energy savings.

President Winnecke: Okay.

Dona Bergman: Then, this, of course, is guaranteed by Energy Systems Group.

Ted C. Ziemer, Jr.: Yeah, so that if those savings aren't achieved, we'll receive the money for the difference.

Dona Bergman: If Energy Systems Group guaranteed we would save ten dollars and we only saved eight, they would write us a check for two. On the other hand if they guaranteed we would save ten and we actually saved 12, well, that's gravy to us.

President Winnecke: And the City Council approved this last night, is that correct?

Dona Bergman: Their last meeting, I believe.

President Winnecke: The last meeting?

Joanne Smith: Two weeks ago.

President Winnecke: Two weeks ago?

Dona Bergman: Yeah, January 10th.

President Winnecke: Any questions of Dona or Joanne?

Commissioner Abell: Joanne, how old is that structure?

Joanne Smith: Twenty years. It was completed in 1990.

President Winnecke: Other questions? I would entertain a motion to approve the contract for the energy savings.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, ladies.

Dona Bergman: Thank you so much.

President Winnecke: Next, the County Assessor has a request to update the KRONOS software, total cost of \$488. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: We have an Old Courthouse lease agreement renewal with Robert W. Collier for one year from February 1, 2011 through January 31, 2012, for an annual rental of \$2,472, payable at \$206 per month. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: Standard rate increase?

Ted C. Ziemer, Jr.: Yes, three percent.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have an addendum to the F.C. Tucker listing agreement with the Old Courthouse. Ted?

Ted C. Ziemer, Jr.: Actually it's not an addendum. I know it reads that way on the agenda. We have a listing agreement with F.C. Tucker, which renews until it's terminated by either party. It has not been terminated. The agent previously under this account was Lisa Daugherty, who was an agent with F. C. Tucker. She is no longer an agent with F. C. Tucker. The Commissioners have the option of either terminating the listing agreement and following Lisa Daugherty, or continuing the listing agreement and having a new agent named to work that account. It's at the pleasure of the Commissioners.

President Winnecke: If we opted...oh, go ahead.

Ted C. Ziemer, Jr.: Excuse me, nothing to be signed, it would just be the naming of a new agent by F. C. Tucker.

President Winnecke: Okay, if we took no action the contract, the listing agreement continues with F. C. Tucker?

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

President Winnecke: So, we don't necessarily need action if that's our desire.

Ted C. Ziemer, Jr.: Yes, the only issue then is who will be the agent so that Marissa will know I will know for, in terms of leasing those spaces in the Old Courthouse.

Commissioner Abell: Well, I know.

President Winnecke: Turn your microphone on.

Commissioner Abell: A little disclaimer, I work for F.C. Tucker. Kyle Bernhardt will be the...it's B-e-r-n-h-a-r-d-t, will be the leasing agent.

Ted C. Ziemer, Jr.: Okay, Kyle, and spell that again for me.

Commissioner Abell: B-e-r-n-h-a-r-d-t.

Ted C. Ziemer, Jr.: Thank you. Marissa, you got that. Yeah, thank you very much.

President Winnecke: So, I would entertain a motion to renew the leasing agreement, the listing agreement with F. C. Tucker.

Commissioner Melcher: We don't have to.

Ted C. Ziemer, Jr.: You don't really need to do that. It will continue unless somebody wants to terminate it.

President Winnecke: Okay. I think that's it.

Ted C. Ziemer, Jr.: Right.

President Winnecke: Okay. Next, Health Department has several items. Two, I will take the first two together, ESRI quote for purchase of five ArcView single use licenses. The license agreement with ESRI for five ArcView licenses at \$1,350 each, for a total contract price of six hundred, I'm sorry, \$6,750. With that, the cost of the maintenance agreement with that organization is \$1,650, which the Health Department indicates has been appropriated. The term of the agreement is from January 14th of this year through January 13, 2012. I would consider a motion to take both of those.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Gary, anything that you would like to add?

Gary Heck: Thank you.

President Winnecke: Good.

Commissioner Abell: We like that answer.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have a WIC grant. This is amendment number one to the agreement EDS#A70-1-070306 for the WIC program. The amendment increases the amount of the original grant by \$69,113 to a total of \$599,004, with the additional funds to be used to cover increased costs for rent and the need for additional staff due to the increased case load. The term of the grant is from, it started October 1, 2010 and runs through September 30th of this year, and it remains otherwise the same. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: There's a motion and a second. Questions or discussion?

Commissioner Abell: I have a question. When the grant money runs out on September the 11th, how are you going to handle the additional staff?

Gary Heck: They are all time limited. So, they're all what are considered a green slip.

Commissioner Abell: They go with the grant?

Gary Heck: They are all green slip employees.

Commissioner Abell: Okay.

President Winnecke: Other questions?

Gary Heck: I should add that we've had this grant for over 30 years, so it's fairly stable.

Ted C. Ziemer, Jr.: So, you would expect an extension before that time?

Gary Heck: I would expect that it be renewed, yes.

Commissioner Abell: I just don't want to put people on the payroll we can't afford.

Gary Heck: We understand that. Thank you.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have a breastfeeding peer counselor contract with Emily French. Ms. French will provide counseling services for a fee of nine dollars per hour. The contract is identical to previous such contracts with other peer review counselors. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, H1N1 extension on the grant contract. This H1N1 extension grant with the State Department of Health for \$105,662 for the periods from October 1, 2010 through July 30th of this year. The grant funds are for health preparedness and response with regard to H1N1. I'll consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Gary, do you have anything to add to this, or clarification?

Gary Heck: This will allow us to actually fund eight different projects. One of them will include video conferencing equipment, which will allow us to receive training here without necessarily having to go other places, as long as it's offered that way. The State Department of Health is beginning to offer a lot of their trainings that way. So, it should decrease travel time, it should allow us to do various webinars where we can participate, very similar to how distance learning classes are set up on various campuses around Vanderburgh County. Also, it will allow us to put in wireless access points within the Health Department, purchase a smart board for the same use with electronic conferencing equipment. We're going to also be able to include 12 additional computers for the Health Department, which should finish our recent like refresh of the computer program for the Health Department—

President Winnecke: Right.

Gary Heck: —where we've been able to do it all under grant money. It also will allow us to carry on with the GIS contract that you all have approved previously, and also acquire P25 compliant, 800 megahertz radios, ten radios that can be used for future public health emergencies, and they're inter-operable with the system that are used. They came recommended by Sherman Greer, our Emergency Management. So, this is a very nice package for Vanderburgh County and the Health Department in particular, where we can pick up some infrastructure that will allow us to better respond to future pandemic exercises and events, if you will.

President Winnecke: Great. Any other questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Winnecke: Thanks, Gary. John Stoll, County Engineer. The first thing on John's agenda is the agreement for engineering services with Clark Dietz for the Baseline Road-U.S. 41 improvements. These, this is tied to the new North Middle School and High School. John?

John Stoll: Correct. That, the scope of work would be to extend the turn lanes for the northbound right turn lane on 41 and also improve the east leg of the intersection to accommodate the school traffic. The contract is for an amount not to exceed \$75,410. Of that amount, \$20,310 is for right-of-way engineering acquisition services. I just wanted to point that out, because that was based on the assumption that there would be three right-of-way parcels. So, in the event there are more than that, then we'll have to come back with another supplemental agreement to address the correct number of parcels.

President Winnecke: Just for clarification, this is being funded from by proceeds from the Azteca TIF.

John Stoll: Correct.

President Winnecke: Questions of John on this project? I would consider a motion to approve the agreement with Clark Dietz.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

County Engineer

President Winnecke: John, do you want to go down through your other items?

John Stoll: Sure. At the last meeting there was a question about the Mann Road culvert project. The completion date on that project is April 29, 2011. We still don't have an exact start date because the concrete box culvert has not been made as of yet, but once we do know a start date we'll notify the media like we always do, but I didn't have that completion date when I was here at the last meeting. So, I wanted to pass that on. The next item I have is approval for a notice to bidders and advertising for the next phase of the Evergreen Acres project. This section of the project covers the reconstruction of the intersection of Holly Hill and Berry Drive. This project was committed to at last year's road hearings. In conjunction with that project we will be totally removing and replacing the streets, adding new storm sewers, new curbs and a new culvert that crosses underneath the street. I just need your approval on the notice to bidders and then it can be advertised. We've submitted the paperwork to the Auditor's office for the advertisement.

Commissioner Melcher: Is this the one that had all the utility problems?

John Stoll: Yes.

Commissioner Melcher: And all the water? Okay.

John Stoll: In the Power Point last year where the pictures were taken in the streets that were just totally destroyed, this was the section that was so bad.

Commissioner Melcher: Now, will this finish up that project?

John Stoll: Yes, there's still a section that's technically not Evergreen Acres, but Heather Court runs out over towards Old State Road, that, by plat, is not part of Evergreen Acres, but it's immediately adjacent to Evergreen Acres, so we'll probably continue to get requests for road repairs out there until that portion is done, but that was not anything that was discussed at last year's road hearing.

Commissioner Melcher: So, we told them two or three years, we're going to get it done in two.

John Stoll: Two, correct.

Commissioner Melcher: Thank you.

President Winnecke: Other questions of John on this? I would consider a motion to approve the notice to bidders.

Commissioner Melcher: So moved.

Commissioner Abell: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Also, on that same project I need your signatures on the cover sheet for the plans. So, if you would sign off on that too, that will take care of everything.

President Winnecke: Do we have to do anything on the amended subdivision sign standards?

John Stoll: The previous version had the Commissioners signatures approving the specs as a whole, so, I do have an amended sign specification that has a signature page for you, and, like I'd said in the e-mail the amended sign specification is the result of a change in federal standards where street signs used to have all upper case letters, now the standards have been revised to require upper and lower case letters. That's the only change that we made in those specs. We just post it on the website, so that way the developers can see the specs.

President Winnecke: The old, the existing signs are grandfathered, I assume, under previous standards?

John Stoll: Long term, no. They have to be replaced, and that's one of the issues with that revision by the Feds is it's a substantial expense to say the least.

President Winnecke: Is there a justification, although I'm afraid to ask, the government says we need upper and lower case versus all upper case?

John Stoll: I think I read about that sometime, but I don't remember what study or excuse they used.

Commissioner Melcher: So, it's another unfunded mandate?

John Stoll: Just like the sign reflectivity requirements—

Commissioner Melcher: I agree.

John Stoll: —the storm water requirements and everything else that trickles down to us.

Commissioner Melcher: Sometime it ought to trickle up, you know it.

President Winnecke: Touche. So, do we need to vote to approve?

John Stoll: You can just vote to approve it. It's just a signature page.

Commissioner Melcher: Okay, so moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Other questions or discussions or snide remarks? Okay, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Winnecke: Thanks, John.

John Stoll: Thanks.

County Attorney

President Winnecke: Next, County Attorney, Ted Ziemer, we have a remediation issue regarding a meth lab explosion.

Ted C. Ziemer, Jr.: Yes, I have e-mailed the Commissioners regarding this. So, I will be brief. A piece of property and a house that was owned by the Commissioners, having taken title because it wasn't purchased in a tax sale. While it was owned by the Commissioners some trespassers occupied the property, and on December 11, 2010, due to their operation of a meth lab on the property, the building exploded, and we're now required as the owner of the property under IDEM regulations and Indiana law to remediate the property. I've supplied the Commissioners with three examples, really the first one is not an example, it's, Premium Environmental is a local company who said that they would do the testing to see what was required for \$800¹ to \$250. I wanted to have some idea for you of what it might cost to do the remediation, and while neither of these other companies have actually seen the property, so it's purely an estimate on their part, you'll see that it ranges between \$3,836 for one estimate through \$6,000-\$7,000 for another estimate, but we're asking for permission to seek official quotes of certified parties, and they must be certified by IDEM, to conduct remediation on these properties.

President Winnecke: I would entertain a motion to make that approval.

Commissioner Abell: So moved.

¹Should be \$80.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: I don't suppose there's any chance that insurance covers anything?

Ted C. Ziemer, Jr.: There really isn't. No. Too bad.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have some outstanding board appointments to make.

Ted C. Ziemer, Jr.: Pardon me, I have one other—

President Winnecke: I apologize. Go ahead.

Ted C. Ziemer, Jr.: I'm sorry. It wasn't on your agenda, so you didn't know. This is another piece of representation which we would like to refer to Joseph H. Harrison to do. There's a contract for you to consider executing in this regard. This is the case of Amy McCoy, a former employee of the Vanderburgh County former Assessor's office against the county for, she's filed a tort claim notice, and I suspect it's for, she believes she was wrongfully terminated. This contract would allow Mr. Harrison to conduct that representation.

President Winnecke: Is that at the typical \$150 an hour?

Ted C. Ziemer, Jr.: Yes, at the standard rate of \$150 an hour, yes, sir.

President Winnecke: I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Do we, do we need to schedule an executive session in regard to that or not?

Ted C. Ziemer, Jr.: We may, but that will, if that develops you'll be advised of that.

President Winnecke: Okay. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

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

President Winnecke: Okay, thanks.

Board Appointments

President Winnecke: Next we have board appointments. First, our appointment to the Alcoholic Beverage Commission, Pete Swaim; to the Convention and Visitors Bureau, John Montrastelle and Barbara McCarty, both of whom—

Commissioner Abell: They are both here.

President Winnecke: —both of whom are in the audience. Wave your, raise your hand and wave. If you would like to come up to the podium. Why don't you come on up. Also, from the Economic Development Coalition, Mike Hinton; and for the Property Tax Board of Appeals, this is now a three member board to which the Commissioners have two appointments, Carrie Hatt-Figueroa and Kurt Kiefer. This would be a good opportunity to introduce two new members of a highly visible board, an important board for our community, the Convention and Visitors Bureau. First, we appreciate your agreeing to serve on this board. Anything you would like to say?

Barbara McCarty: It's my pleasure to do so. Thank you for asking me.

John Montrastelle: I'm excited. I can't wait to get going and meet the other six board members. I know Barbara from—

Barbara McCarty: We played baseball in the street together where we grew up.

John Montrastelle: She had a little doll house in the backyard. We used to harass her, because the neighborhood was full of boys.

Ted C. Ziemer, Jr.: You had a height edge on her for the baseball, right?

Barbara McCarty: I don't know. I was pretty good.

President Winnecke: You might just give, for the folks in the audience and perhaps watching at home, just a brief background on your professional experience.

John Montrastelle: Okay, I'm a graduate of Memorial High School and the University of Evansville with a degree in Legal Administration. I've really had two real jobs in my professional career, and that's with the Lipton Tea Company, where I was a sales representative, and then a Regional Sales Trainer, I went from tea to tents, now I'm working at Anchor Industries for the past 15 years where I'm Sales Manager of the government and international side of the business. Married for 25 years, three daughters.

President Winnecke: Good, thank you. Barbara?

Barbara McCarty: I'm born and raised in Evansville. Evansville is my hometown. I love Evansville and am excited about being on the board as well. I am the Director of Sales and Marketing at the Residence Inn by Marriott, been there for three and a half years. I love my position. I love being in the hospitality industry and the tourism industry. I hope that John and I and the rest of the board can promote new tourism into town, bring in new events, and just, you know, really create a great environment for everybody to use more and more of our leisure activities in Evansville. I'm active at Wesselman Park Nature Center. I've known Marsha for a long time through that, and I'm still active there. In fact, right now the new development of exhibits is staying at the Residence Inn, complimentary, because she's here in town helping them to get their new nature center all in shape. So, I'm excited I was able to do that. Then, I'm a big tennis player, so, the Wesselman Park tennis courts are a big part of my life too. So, I just love it.

President Winnecke: Great.

Barbara McCarty: I've raised my children here and am still here. I'm anxious to serve.

President Winnecke: Well, again, thank you both for agreeing to serve. Marsha, do you have anything else?

Commissioner Abell: I'm really happy, hometown products, you should certainly be able to convince other people what a wonderful place Evansville is. You've got a clean slate to start with, a brand new board, everybody's fresh and I'm really looking forward to working with you. I might point out that I was appointed to the Wesselman Park Nature Center Board with Barbara more years ago than either one of us probably want to admit, when Ms. Carol McClintock was the Parks Director in Evansville.

Barbara McCarty: Yes, she was.

Commissioner Abell: So, it's been a long time ago. Thank you both for coming tonight. I'm sure that the press is happy to see you here. Thanks.

John Montrastelle: Thank you.

President Winnecke: Thank you.

Barbara McCarty: Thanks a lot.

President Winnecke: Steve, did you have anything to say?

Commissioner Melcher: Yeah, I'm really glad you came aboard, and I hope you have a lot of time and good luck. If you need any help from us, just call us.

John Montrastelle: Thank you very much.

Barbara McCarty: Appreciate the support.

Commissioner Melcher: Just keep an open mind and everything. Thank you.

Barbara McCarty: We'll do that.

Commissioner Abell: And a closed pocket book.

President Winnecke: Thanks.

(A vote was taken on the recommended board appointments later in the meeting.)

Old Business/New Business

President Winnecke: Next, I thought we would just briefly place for discussion, although the real public hearing, in my mind, will be February 8th. At the request of this body, the County Attorney has provided us with the proper language to reinstate the restrictions that had been lifted on the previous smoking ordinance. In my mind, we have that before us, but, in my mind the first public hearing and the first consideration for a vote will take place at our February 8th meeting. Assuming an affirmative vote, a second hearing and a second vote would take place at our February 22nd meeting. I notice there are several people who are here tonight, and we don't necessarily, I wasn't intending to have a public hearing, but if you would like to get up and say something we would love to have you do that tonight. Or, if you would like to wait until the 8th, that's great too. But, just for the record, notice that there are several people in the audience apparently in support of that. Anybody?

Martha Caine: Thank you, Lloyd. I'm Martha Caine, I'm the Executive Director for Smokefree Communities of Vanderburgh County. I just want to thank you for bringing this issue back up. We know that it's very important to our community and we will back on February 8th and February 22nd.

President Winnecke: Great. Thank you. Okay, we'll move on. Thank you. Any old business?

Public Comment

President Winnecke: Any public comment on any issue? Pertinent to the Commissioners that is. Hearing none.

Consent Items

President Winnecke: I would consider an approval, and a motion to approve the consent items that are before us.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Madelyn, would you do a dramatic reading please?

Madelyn Grayson: Sure. The consent items for the January 25th meeting are as follows; approval of the January 11, 2011 Commission meeting minutes; employment changes for the Commissioners approval, there is one for the County Engineer; Health Department J&S quotation; County Engineer pay request number 120 in the amount of \$288,005.46; the County Treasurer December 2010 monthly report; the Commissioners have the Westside Improvement Association Neighborhood Association registration, a DOC grant letter, the Centre preventative maintenance memorandum of understanding; the County Clerk December 2010 monthly report; there are surplus requests from the Superior Court and County Assessor for various office furniture and equipment; Hillcrest Washington Youth Home fourth quarter fees; Evansville ARC December 2010 report of activities; Weights and Measures December 16th through January 15th monthly report; and Burdette Park has a yearly comparison of January through December from 2009 to 2010, and the summer daycamp sponsorship letter; and there are department head reports from the County Engineer and Burdette Park.

President Winnecke: Any questions on the consent agenda? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: At this time I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We stand adjourned.

(The meeting was adjourned at 5:56 p.m.)

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

Reconvening of the January 25, 2011 Commission Meeting

President Winnecke: I would reconvene the January 25th meeting of the Vanderburgh Board of Commissioners. Would there be any objections to that?

Commissioner Melcher: No.

Commissioner Abell: No.

(Approval to reconvene 3-0)

Appointment of Commissioner to District Planning Oversight Committee

President Winnecke: Okay, Sherman, you're on.

Sherman Greer: I'm very sorry about that. This appointment is very important to us as far as our grants and things that we get for Homeland Security. I've passed on the information there that, we meet in Jasper, but as a, we also have a conference call that you can call in on (Inaudible).

President Winnecke: And, who is the appointment?

Sherman Greer: It's up to you, whoever you want to appoint.

President Winnecke: I mean, who is your recommendation, what's your recommendation?

Sherman Greer: I don't know. Steve?

President Winnecke: It's a member of the Commission? Is that what you're telling us?

Sherman Greer: Yes.

President Winnecke: Oh, okay.

Sherman Greer: Yes, it's a member of your Commission, yes.

Commissioner Abell: Oh, I'll do it. I'm the only one that doesn't work.

President Winnecke: Your words, not mine.

Sherman Greer: That's great.

Commissioner Melcher: I'll make a motion that Marsha is our representative.

Commissioner Abell: When is it?

Sherman Greer: Tomorrow.

Commissioner Abell: Tomorrow?

Sherman Greer: Yeah.

Commissioner Melcher: Do you want to second that?

Sherman Greer: You've got a number there that you can call, it's on a conference call. Just as long as you're on the conference call—

Commissioner Abell: Okay.

Sherman Greer: –that would be sufficient.

Commissioner Melcher: I made a motion.

President Winnecke: I'll make the second. Roll call vote please.

Madelyn Grayson: Oh, I'm sorry, that's me. Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Sherman Greer: Thank you.

Commissioner Melcher: Welcome to the County Commissioners.

President Winnecke: I would consider another motion to adjourn.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: We are adjourned.

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

(The meeting was reconvened at 6:08 p.m.)

Second Reconvening of the January 25, 2011 Commission Meeting
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President Winnecke: I would reconvene the January 25, 2011 Vanderburgh County Board of Commissioners meeting. Are there any objections?

Commissioner Melcher: No.

Commissioner Abell: No.

(Approval to reconvene 3-0)

Approval of Various Board Appointment Recommendations
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President Winnecke: I would entertain a motion for the board appointments.

Commissioner Melcher: I move to approve the board appointments recommended earlier in tonight's meeting.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Commissioner Melcher: Motion to adjourn.

Commissioner Abell: Second.

President Winnecke: We are adjourned.

(The meeting was adjourned at 6:10 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the January 11, 2011 Commission Meeting Minutes.
West Side Improvement Association: 2011 Neighborhood Association Registration.
DOC Grant Letter.
Centre Preventative Maintenance Memorandum of Understanding.
Hillcrest Washington Youth Home: 4th Quarter Fees.
Evansville ARC December 2010 Report of Activities.

Employment Changes:

Auditor (4)	Sheriff (4)	Circuit Court (2)
County Engineer (1)		

Health Dept: J&S Quotation: Portable radios.

County Engineer: Pay Request No. 120: Green River-Burkhardt TIF.

Treasurer: December 2010 Monthly Report.

County Clerk: December 2010 Monthly Report.

Surplus Requests:

Superior Court: Various non-operational office equipment.
County Assessor: Various office furniture.

Weights & Measures: December 16, 2010-January 15, 2011 Monthly Report.

Burdette Park:

Yearly Comparison: January through December: 2009-2010.
2011 Summer Daycamp Sponsorship Letter.

Department Head Reports:	County Engineer	Burdette Park
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Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Taylor Hinton	McKenzie Thomas
Rebecca Reidford	Christina Salgado	Katie Witsoe
Eric Williams	Rick Davis	Dona Bergman
Joanne Smith	Gary Heck	John Stoll
Martha Caine	Sherman Greer	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
FEBRUARY 8, 2011**

The Vanderburgh County Board of Commissioners met in session this 8th day of February, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the February 8th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

**Approval of Expenditure from Joint EVCBA-Commissioner Fund:
County Assessor Office Renovations**

President Winnecke: We have an action packed agenda. We're going to slip one thing into the very, very beginning. It should not take long. Mr. Rector, Mr. Fluty would you come forward please?

Dave Rector: Thank you, Commissioners. Dave Rector, Building Authority. I have a request tonight to spend some money from our joint fund that we have for some in-building projects between the Commissioners and the Building Authority. The only way we can spend from that fund is if both of our boards approve that. When Bill came in the office, the Assessor's Office, he had some minor renovations he wanted to do to improve the flow through the office. I was able to handle those through our budget, the minor ones. Bill then wanted to do a little bit further work, I'll let him explain what he's wanting to do, but he's done a lot of things down there to help improve the flow by furniture and all, but this entails some renovation kind of work that he's wanting to do is why we're requesting \$2,000 for this, not to exceed \$2,000 to finish it off. I'm going to let Bill explain what he's wanting.

Bill Fluty: When I originally spoke to David I had talked about kind of creating a hallway down through, between about four different offices. We did, he had the money available to do about a four foot opening in two different offices. When we got

to the third office it kind of made more sense to actually take that wall out. Which really expands real estate into where personal property is. Personal property was a pretty big office with five people in it, which had extra space, and then the real estate was very cramped, and they needed to kind of expand. This actually puts all of them in the same office. We may move maybe transfer down to this side or something, but it's at the point that we get that wall out, we are really done with any renovations and we have plenty of space and won't be back before this Board for any spacing needs. So, we're asking if that can be done.

President Winnecke: Dave, if I remember correctly, there's a little over \$400,000 in that?

Dave Rector: Yes, there is.

President Winnecke: Is that right?

Dave Rector: Yes, you're correct.

President Winnecke: Okay, and how quickly would this work be completed?

Dave Rector: Immediately.

President Winnecke: Okay. Any questions? I would entertain a motion to approve an expense not to exceed \$2,000 from the Commissioners and the Building Authority's joint account.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or further discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Dave Rector: Thank you, Commissioners.

President Winnecke: Thank you, gentlemen.

Dave Rector: What we're going to do, when we're done with this then, is I'm going to go ahead and replace all of the carpet in that area so that it makes it uniform.

With all of the old township offices you've got a hodge podge. So, it's going to totally improve that area for you.

President Winnecke: Thanks, appreciate it. Have a good evening.

INDOT: U.S. 41-Lloyd Expressway (S.R. 62) Interchange Plan

President Winnecke: Next we have Rusty Fowler who is from the Indiana Department of Transportation, Vincennes Office. I asked Rusty down late last week when word began to urp up about the changes, the modifications to the proposed interchange at U.S. 41 and the Lloyd Expressway. Rusty, I appreciate you coming down. I thought maybe we would begin, if you would just basically exchange, describe for us and for the folks watching at home, the modifications to the plan and the reasonings behind it.

Rusty Fowler: Sure. Absolutely. My name is Rusty Fowler. I'm with the Department of Transportation, (Inaudible) in Vincennes. I absolutely appreciate the opportunity to come in and talk to you. I've met a few of you before, but not all of you. As you know we are tasked with delivering projects across the State of Indiana with the focus on what's best for infrastructure, what's best for the taxpayers dollars. We continuously review those projects for budget purposes, the need, scope, try to get the best bang for the buck. U.S. 41 and Lloyd is no exception, you know, we also look at that. Recently it was being reviewed by the project manager and several things were kind of noted about the project. One, the existing full interchange project was in excess of \$30 million, over \$10 million of that was only in drainage items to drain the new interchange. Also, the mere fact that we're trying to get away from (Inaudible) interchanges because of the merging movements that they do create. So, what we did was we said, well, is there a better option that will allow free flow on the Lloyd, reduce some of those merging movements, save some of the dollars that were appropriated for the project. A few options were explored. The selected option, the one that we kind of looked at and said, you know, this has very good benefits, which I'll get into here in a second was a partial cloverleaf with loops in the northeast and the southwest quads of the intersection. Now, obviously, there is a challenge in that it would require two signals on U.S. 41 to control the ramps. Interestingly enough the significant impact to the Lloyd will surface on 41 is, it's very insignificant as far as the additional signals go. Just to kind of let you know that the signals are really to control the left turn movements at the ramp ends. Our planning folks looked at the delay time caused by those signals, and the average delay time per vehicle was generally less than 5.5 seconds, except at one location where it is 10.3 seconds. All of those are high levels of service. So, you know, if those could all be possibly improved by re-timing signals up 41 through the corridor as well. Now, that's the challenge, now let's look at the positives of what we can do here. We can reduce the number of merging movements of the full interchange, because we're only going to have a couple of merging movements now. The existing merge movements, particularly southbound 41 to westbound Lloyd would be lengthened by approximately 700 feet. So, it improves that merge movement. Lloyd would be free flowing. It opens up approximately another four and a half miles of signal free Lloyd, improves that level of service on the Lloyd. The pedestrian structure is still included. The greenway details can still be worked in. We talked about that with the MPO and the city and some county folks last week. Overall cost savings is an estimated \$12 to \$15 million. So, the project schedule is (Inaudible) interchange. With what we're proposing, we would have a public information meeting in late spring, hopefully, before the end of April, where the public could come in, take a look at the specific

plans, comment on them at that point in time as well. Still looking at the same fiscal year, being an April '12 letting, and proposed December of 2013 opening. After a request of the MPO last week, we are going to be providing the traffic and planning numbers that was used by our planning folks to do the analysis. You know, obviously, interested in comments back as they get a chance to look at that. Also, we will be attending the transportation committee meeting later in the month as well, to kind of have this similar discussion. So, that's it in a nutshell, and interested in comments, or always here to listen, obviously.

President Winnecke: Again, thanks for coming down and clarifying. I have a few questions—

Rusty Fowler: Sure.

President Winnecke: —then I would turn it over to my colleagues, if that's okay?

Rusty Fowler: Sure.

President Winnecke: The two additional stop lights on Highway 41 you say would cause, you said a very insignificant impact on Highway 41 traffic. Then I thought I heard you say that's going to be anywhere between 5.5 seconds and 10.3 seconds, did I understand you right?

Rusty Fowler: Yes.

President Winnecke: So, help me, you know, as a motorist on that, help me understand how two more stop lights along a thoroughfare that's punctuated with a lot of stop lights is going to, not going to change my life a lot?

Rusty Fowler: It's really all about the timing. If those two new signals can be timed up, synced up with the ones just to the north and just to the south, that impact should be very minor. Keep in mind one thing, we will drastically improve the level of service on the Lloyd because we will free flow that. Those two signals, even though, I realize the perception is, wow, we've got a lot of signals on 41 right now. Those two signals won't change the level of service dramatically on 41. So, you know, that's why we're looking at it as a, you know, it's an insignificant impact to 41. It's a big impact to the Lloyd, and it saves between \$12 and \$15 million.

President Winnecke: I can appreciate the cost savings. I hope this isn't an apples to oranges comparison—

Rusty Fowler: Sure.

President Winnecke: —but, I'm thinking about the eastside of Evansville, from roughly the entrance to the Target complex to going northbound on Burkhardt Road to Virginia—

Rusty Fowler: Sure.

President Winnecke: —I think is about 2,500 feet. Walnut to Virginia along the 41 corridor another, is about 2,900 feet. So, it's 400 feet longer, but the traffic count is twice as much on 41 already than it is on Burkhardt. I guess, I hear ya about changing the timing, but, I guess, I'm not really kind of buying into the theory yet that this is going to be better for us, when we have roughly the same length of corridor

and the traffic is going to be twice as much as it is on Burkhardt, and Burkhardt Road is horrendous.

Rusty Fowler: Yeah, keep in mind one thing about these signals, Lloyd, the signals that we're talking about are to control the ramps at the top of the intersection of 41 and that ramp. So, as you come up to that ramp, if you're going to go right, whether you're coming from the east or from the west, when you come up to the top of that ramp you're going to have a (Inaudible) to be able to take the right without stopping. Now, if you're going to take a left at either one of those locations, you'll have to stop at the signal. So, that signal is not to control any through traffic, obviously, it's just to control that ramp. That's all it will control. So, priority has got to be given to 41, obviously. So, it's not a through signal intersection signal as you might, as you look at it, maybe the situation over at Burkhardt.

President Winnecke: Okay. Help us understand sort of the process. We're going to have, you're going to, you're body is going to have a late April public meeting and you're going to hear input. I suspect the comments that you hear from my colleagues tonight will not be unlike mine, what happens if it's just so overwhelmingly negative? What does INDOT do at that point?

Rusty Fowler: You know, we're tasked with moving ahead with projects in order to best spend the taxpayers dollars. We're charged with that. We would certainly take anything into consideration, but, obviously we're not in a situation where we're going to negotiate at that point in time necessarily, okay. So, we would hope to move ahead. I obviously don't want to say, well, you know, we could take the project off the books. I don't want to say that. If it's overwhelmingly negative, I suppose that's always an option, but I don't see that as an option. I think there's a need there that we need to address.

President Winnecke: Okay.

Rusty Fowler: So, I don't think that's a logical solution.

President Winnecke: Okay.

Commissioner Melcher: I can start out with saying, I've sat on the MPO a long time and that project wasn't even on the State's radar. That project was only on the State's radar because of Mayor Lloyd. When, on the MPO, Mayor Lloyd and myself and some members of the MPO, which used to be called EUTS at that time, picked three projects. Vann Avenue was one, 41 was another and Fulton was done. Fulton didn't end up the way we thought it was going to be done, but it seems to be working. I'm not sure about getting on the highway when you get up there at the end, but it seems to be working. So, I don't really understand, it seems like and don't take this wrong, but it seemed to us, it's perceived to us because of all the future and all the stuff we've had in the past too, it always gets cut down here in the south. It doesn't get cut up north. You go up to Indianapolis, you're constantly waiting for all of these new super highways, these turns and everything. Down here, you're wanting to install two lights on a busy one already, you're going to cut \$13 million, so what does that leave out of the other? How much is that ramp going to cost now, under what you've got now?

Rusty Fowler: Well, let me kind of jump in there, and I don't have all the numbers exactly in my head.

Commissioner Melcher: Okay.

Rusty Fowler: You know, I'm from southern Indiana, born and raised. I've heard that we don't have all of the opportunities that other people have or other locations have. I disagree with that. Right now we've got a \$1.1 billion commitment with I-69 to link Evansville up with Bloomington and then on into Indianapolis. We've had \$77.5 million of Major Moves projects completed in Warrick County, 50, I believe 55, again my numbers may be a little off here, 55 plus or minus a million dollars completed in Vanderburgh County, another in excess of 30 million in a combination of Vanderburgh and Warrick County that aren't complete but that are active. So, you know, we've got a tremendous amount of work going on. Those are just the big projects. We've got a tremendous amount of work going on in the Vincennes District in southern, southwestern Indiana right now. We've never seen construction like this before in our area. It's phenomenal. It's a great time to be in transportation. It's a great time to be in the Vincennes District. So, you know, I necessarily can't agree. I think we've got a boom construction business going right now. We're very fortunate to have that.

Commissioner Melcher: Well, I'm not disagreeing with all that. A lot of that is because of Major Moves and us selling our highways off for 75 years and getting that money. I understand that made a big deal and I'm for that. But, how much do you think, how much is this intersection going to cost now the way you've got it designed now?

Rusty Fowler: With the new proposal?

Commissioner Melcher: Uh-huh.

Rusty Fowler: The new proposal is going to be about \$17 million construction.

Commissioner Melcher: Okay, and what I'm leading to, I don't think it's really broke that bad, but we knew we needed to tune it up and try to fix it better and try to spread it out, that's why we put it on the agenda and hoped that priority would come down the road sometime, but then we've got, we're sitting out here with USI and an interchange that the State wouldn't build. None of us were here at that time, but they wouldn't build it, but they need to take ownership of it, we need to straighten it out now, if we're going to. What I'm trying to get around to, I guess, if we can't get what's good the first time, or the second time around, I don't want a third time around at 41, let's take that same money and let's do something proactive on the west side and fix up the westside interchange.

Rusty Fowler: Yeah—

Commissioner Melcher: Let the 41 stay, because as we continue up, which we are, as soon as we hook up to Diamond and move on up to 64, you know, there's going to be a lot of trucks coming in that way and they're going to be dumping right at the front door of USI. So, to me, that's a more important one, if we're going to start cutting, if we're cutting back, let's take that cutting back money and move it to USI.

Rusty Fowler: Okay, and I appreciate the comment. Obviously we're always interested to hear what the county and the MPO and locals feelings are about what the priority is. I can tell you that right now, and I've talked to others about this, USI as far as long range, has, there's not any kind of projected project out there right now long range, because our long range planning people have told us that nothing

is warranted at this point in time. Now, I do agree that there's, you know, University Parkway is another big project that we've been involved in, and it is progressing along, but right now we're still showing that there's no, there's no interchange work required there.

Commissioner Melcher: Well, reality is there is. I think if the State would get serious about looking at it. I don't think the State's been serious at looking at it over the time frame. That is going to be a major problem out there. The neighbors didn't even know that all the trucks and everything were going to be rolling down that way. USI went ahead and built their circle or whatever you want to call it, and now that's really hurt that interchange. It should have been working with you, but because we couldn't get the State and us all on the same page, everybody's doing what they think. So, what we've got, we're going to have two or three patch jobs out there before we get a real one. So, I really think we need to look at it, because once, and I think the numbers will show once we could get it all done, and we talked about doing a study, we met with INDOT here two or three times, and they said, well, we need a study, but we don't want to spend the money for a study and then you make us come back later and do another study. We don't want to pay for it twice. So, that's, we want to do it correct this time. We want to do that correct for the future, let's build for the future is the way I look at it.

Rusty Fowler: I appreciate your comments absolutely.

Commissioner Melcher: I don't need to be up here, we'll go to the public hearings and that.

Rusty Fowler: I absolutely appreciate your comment there.

Commissioner Abell: Thank you for coming. You know, I attended the INDOT meeting, you met me up there last Thursday. A couple of things that were said at that meeting I would kind of like to go over. One was that the traffic count at that particular intersection, the 41-Lloyd Expressway intersection, someone, not you, but, I think, Mr. Pence, must have said on 41 the traffic count was 50,000, and on the Lloyd it was 60,000. So, you felt that that was the highway that needed the more improvement because it had the 10,000 more vehicles. My concern is not necessarily the number of vehicles, my concern is the number of wheels that are on those vehicles. I think that the tire count on Lloyd Expressway would be about 60,000, but I think the tire count on 41 would be way above the 50,000, because the Lloyd Expressway basically is our residents going from one side of town to the other, but that corridor that goes through the middle of our city and which has been terribly dangerous for our citizens for years, carries heavy semi traffic. I would be more inclined to think that we should be thinking about the safety rather than we are ten to 15 seconds time. I'm more concerned about my children getting on that highway with my grandchildren in the backseat than I am with whether or not they're going to be 15 minutes late to my house for dinner. The other thing that was mentioned there that I thought was extremely important was that it seemed from the comments that were made, the highway would have been a go and no one was going to have any problem with it until you hit the problem of the sewer system, because as I recall the gentleman said, and these aren't his exact words, but correct me if I'm wrong, that you are going to be putting down less pavement now than you would have with the original plan, and since you are now putting down less pavement instead of more you get the freedom to leave the old combination sewer system there and you don't have to replace it, I think was pretty much what he said.

Rusty Fowler: That's close. Basically, the bottom line is that if we're going to build a full interchange, it will require at least a ten million dollar structure to get up to where we need to outlet that structure. In the event that we change this and do provide a higher level of service overall on the interchange, by maintaining the same square footage of pavement that we have now we don't have to change the drainage as it would exist.

Commissioner Abell: Okay.

Rusty Fowler: So, that is true, and that's part of, that's the majority of the cost savings.

Commissioner Abell: That's what I thought. Well, with that said, I can, I have to echo what Mr. Melcher said, and I know, I think Mr. Winnecke agrees with is that, you know, we don't mind that staying just like it is, because we're going to have to pull it up pretty soon anyway to replace that sewer if you're not going to. So, why do the typical thing that, excuse me, but INDOT normally does is put the pavement down and then we come back a year later and dig it all up. That combination sewer is not going to last forever. We've already been cited from the EPA for different sewer problems here, so, my preference, representing the people of Vanderburgh County, would be that we take the millions of dollars that certainly we're entitled to in the southern, down here in the very, very southern part of the state, and use it on the USI interchange, instead of putting it at the Lloyd Expressway and 41 where it's really not going to change much except make it harder for people on 41. I understand that you indicated that the studies say that there's no need for it at USI. I certainly, first of all, would beg to differ because I've been out there a lot, and there are, if you stop when you're supposed to make a left hand turn at USI you can now go meet the guy that just hit you in the rear. That's the growth of Evansville. We have already reached the Warrick County line, we can't go south because we have a river, and the northern part along the 41 corridor is already being developed. The only place Evansville has got to develop is to the west.

Rusty Fowler: Right.

Commissioner Abell: Why should we wait and let it all develop and then come back here and say, oh, my goodness we should have accommodated a road, and then tear it up and put it in after we've already put in all the utilities, the drainage, all of the drainage, all of the sewer lines, all the utilities that we have to have to force it to be built.

Rusty Fowler: Sure.

Commissioner Abell: We need to be looking at 30 years from now, not lunch next week. I think it's important that you take back to INDOT that we feel our growth is that direction, and that's where we need to put our money. 41 and the Lloyd is fully developed and has been for many, many years. There's nothing going to go in there.

Rusty Fowler: Right, well, I absolutely appreciate those comments. Keeping in mind, if it is the locals wish that we don't proceed with this project, I can't promise that those dollars stay here. We do have State-wide asset teams that look at projects State-wide and they, you know, we have to look at those priorities State-wide, because we're trying to function as where is the most need for the dollars State-wide, not necessarily in one particular area. But, the comments about USI, you

know, I understand where you're coming from there, and I can certainly take that message and share that within INDOT, if truly you're not necessarily wanting this project.

Commissioner Abell: I appreciate it. Thank you.

Rusty Fowler: Thanks, Marsha.

President Winnecke: Clearly, we'll have, you know, this is three folks who have just had a few days to kind of digest this. It will be interesting to hear what other folks have to say at your public hearing or public meeting whenever it is scheduled in April. You know, just, before we open up to anyone in the audience who might have a comment on this, you know, relative to the USI interchange, the latest MPO traffic studies show that in a moderate growth area, the traffic northbound on University Parkway is going to grow at a 30 to 40 percent range between now and the year 2025, with strong growth, and we hope there is strong growth, and hopefully we should plan for strong growth, those traffic counts increase 130 to 140 percent. I know INDOT did an evaluation of all of the State interchanges a short while ago, and at that time the USI interchange was not very high in terms of—

Rusty Fowler: Yeah.

President Winnecke: —relative to others in the State.

Rusty Fowler: That's true.

President Winnecke: But, it is a high priority for us, we've worked closely with Brad Mills and the MPO team to get the best data we can. We've talked to the residents out there on a regular basis about what we can do, and we're soon going to launch a corridor study out there. So, you know, that is a message, I think, that this body is universal, or is unanimous in, that's a message that we would like for you to take back. We understand there are formal channels to go through—

Rusty Fowler: Sure.

President Winnecke: —and all that, but that is a big priority for us.

Rusty Fowler: Okay, alright, well, I appreciate that. Yeah.

President Winnecke: I know John Stoll, our County Engineer, is here. John, is there anything that you would like to add to the discussion? I don't see you, I know you are here.

John Stoll: I think you've all pretty well covered it. Basically, like Rusty had said, I had spoken to him about the USI interchange, and Rusty had indicated the prior INDOT studies didn't show a problem, but with the completion of University Parkway by the end of 2012, we will see more traffic on that corridor. Or even worse, if the problems at the interchange are a bottle neck and divert people away from that whole corridor, then the county has spent a tremendous amount of construction dollars on a project that won't be used to its full capacity. So, either situation is not good. That would show that the interchange does need looked at in great detail out there.

President Winnecke: Thanks, John. I see Brad Mills, is there anything that you would like to add from the MPO's perspective?

Brad Mills: I'm going to wait for the traffic data, obviously, so that we can take a good look at that and see what those numbers say. One of my big concerns, just from looking at the interchange is, right now, for the eastbound coming from the westside to go northbound, we have a loop ramp, and what they're proposing is for that to be signalized. That's a pretty heavy movement now. He mentioned the southbound to west bound, which would be the complimentary movement, how high that is and we need that weaving. So, I have a lot of concern that that's going to be congested and possibly back up to the Lloyd like we have at USI. So, I'll have to wait to see what the traffic numbers are though.

President Winnecke: I have that same thought. Thanks.

Rusty Fowler: If I'm on the same page with you, that is the point where the local service is actually a B instead of an A.

Brad Mills: Okay.

Rusty Fowler: So, it is a little bit less than the other sites.

Brad Mills: Okay.

President Winnecke: I thought I saw Pat Keepes, the City Engineer. Pat, is there anything you would like to—

Pat Keepes: Thank you. Pat Keepes, City Engineer. With all due respect to the Commissioners, and the priorities in the county, I agree with the needs in some of those areas that you mentioned, USI and some of the others. However, speaking on behalf of the city, I wouldn't want Mr. Fowler to leave here tonight with the impression that we don't want the improvements at U.S. 41 and the Lloyd Expressway. We do feel like there's a need for improvements there. We would love to see it done with no signals added and signals removed, as a matter of fact. I understand the drainage aspect of it, and, to me, there's an opportunity there to address the combination sewers that have plagued this, as well as many other (Inaudible) communities. We addressed those issues on part of our major reconstruction projects. So, I wanted to make sure that Mr. Fowler understood that we do still see a need for improvements there. Again, with all due respect to the Commissioners and the needs in the county.

President Winnecke: That's a good point. I think we wouldn't just like to see it done, we would like to see it done correctly.

Pat Keepes: I agree.

President Winnecke: And in a manner that we feel would benefit all of us, but your point is well taken. We don't want to send the message that we don't want improvements, we just want them to be effective.

Pat Keepes: I agree. I thank you for the opportunity to come before you.

Commissioner Melcher: Before you leave up there, I, that's what I said originally. We do want some improvements, we want to do it right. We've had to redo the Lloyd a

couple of times already and raising it and everything else. We've always had the water problems. But, basically, Pat, you might want to think about this, just, since we're talking about the sewers, maybe under this \$13 million savings or 17, whatever it is, maybe we ought to look and see what the city is going to have to pay for sewers, and what infrastructure we're going to have to build because of that, because that was the problem we had out at Burkhardt, if you remember. We were going to have to come up with about \$20 million worth of improvements when they cut that project back. So, we might end up cutting the same thing, you know, so, once, you might want to do that on the city side just so we have an idea, so when these public hearings come up, the State's saving 13, but as a city and us residents down here have to come up with 13. Just food for thought.

Pat Keepes: Right. I appreciate that. We look forward to continuing these discussions with INDOT. Hopefully, we'll all keep open minds here and look forward to working with them as this song plays out. Thank you.

President Winnecke: Thanks, Pat.

Pat Keepes: Thank you again.

President Winnecke: Anyone from the public who would like to speak? I see Councilman Lloyd here.

Russell Lloyd: Good evening, Mr. Fowler, how are you doing? Good evening, Commissioners. I had sent a letter to INDOT expressing my concern about the project. Just a quick history, as Commissioner Melcher mentioned, when I was Mayor we pushed for trying to get some great improvements on the Lloyd Expressway, and that former INDOT Commissioner, Bryon Nichol, we came up with a corridor study, I'm sure I have it at home somewhere, but it took the whole Lloyd Expressway from basically the far eastside all the way to USI, and the thinking being you can have all this growth out at USI and the Expressway was laid in the early 80's and there was things that needed to be fixed on it. So, part of what came out of that was there was going to be express, or there was going to be an overpass at Burkhardt and Lloyd, well, that was changed, the improvements of 41 and Lloyd, you could argue that should have been a full cloverleaf from the get go, but it wasn't, and then we've got the new overpass at Fulton, which I would contend is a good thing and certainly moves traffic a lot better. I know, I think in the plan now you've got an overpass at St. Joseph Avenue and Lloyd, and then also the study going out to USI. But, my concern is, as you mentioned, the vehicle counts, Highway 41 north-south, 50,000 vehicles, Lloyd Expressway, 60,000 vehicles, I would ask INDOT to look at this, see if they can come up with a way to not add lights to U.S. 41, which, I know at one time I had an exact count, I've lost that count, but it's probably upwards of 20 if you go all the way up to, start at the State line and go all the way up to north around 64. It makes it difficult, there's safety issues. Obviously, if there's some way, we're cognizant of trying to save money. That is important, but this is a project that's been on the drawing board, if this Lloyd and 41 is improved, you will take two lights out, and you'll have a straight shot with no lights all the way from Vann Avenue all the way out to, right now, St. Joe and eventually past that. So, it will help the motoring public going east-west, but I would contend we don't want to see degradation of north-south U.S. 41. We can't put overpasses on all of those interchanges, but I think it would be better for the motoring public and for safety reasons not to add lights to that. So, anyway, I sit on the MPO with Commissioner Melcher as well, and look forward to working with INDOT as we move through this process. Thank you.

President Winnecke: Thanks, Russ. Anyone else from the public that would like to come up and speak to this issue? Yes, sir.

Mike Lockard: President Winnecke, Commissioners Melcher, Abell. On behalf of Westside Improvement, by the way, Mike Lockard, Westside Improvement. On behalf of all of us, thank all three of you very, very much, our admiration for the fact that you are looking out for what those of us that live out on the westside, around the USI area have known for a long time. The fact that all three of you have been so forthright with INDOT on that, I hope that they take that message back appropriately. President Winnecke, two years ago you had the MPO do a study out there, and that study has widely been around the State, and I think it proves pretty clearly what the need is out there. Mr. Fowler, you and I we met with Mr. Woodruff up at your office last year some time, I find it interesting that last year Russ Lloyd told me that we made the last bond payment on that interchange at USI in January of 2010, 25 years and we finally paid it off just last year. It was this Commission, many years ago, or several years ago, that actually started the University Parkway project in getting it moving forward. We have talked with not only folks in Vanderburgh County, but also Posey County and Gibson County, and, Commissioner Abell you said it right, clearly that is the future of the west side, and it's the future of Evansville for growth, and it's not going to be just a corridor in Vanderburgh County, it's going to be a regional corridor. We've talked with the President of USI about that and what they would like to see out there, and I don't think for INDOT that this should be a matter of Solomon trying to split the baby in half. If we can save \$13 million on the Highway 41 project, \$13 million will go a long way towards the USI interchange. Why do we have to have one or the other? I guess, my question for INDOT to take back is, if the money is ours, why can't we have both? I think, you said it very good, President Winnecke, that, you know, we've waited around a long time down here for some of these projects, I think we're due to have some changes made, and there's no reason why with \$30 million set aside for this project, if you can save 13, then give it to USI, and I'm sure between the federal government, the state government, and the local government we can find a way to change the USI interchange and have both of them done. I hope that's what INDOT takes away from it that we don't want one or the other, we want both of them. Thank you.

President Winnecke: Thanks, Michael.

Rusty Fowler: Just for a quick comment on that.

President Winnecke: Sure.

Rusty Fowler: INDOT has been supportive of University Parkway and been involved in giving federal funds to that project. So, you know, we're partners on that as well.

President Winnecke: We understand that, yeah.

Rusty Fowler: As far as, and, again, going back to a comment I made earlier, if we save this additional money and do progress ahead with this project, let's say it rolls forward, there is no guarantee that that \$13 million stays here. That would have to be assessed on a State-wide level, and, particularly in a situation where right now the long term study doesn't show us needing anything out there, I would be hard pressed to say that it would probably go there even if it, you know, even if that was an option. But, again, I'll just, talking off the top of my head here, I will definitely take that message and share it with everyone and go from there.

President Winnecke: Okay, thank you. Any other public comment before we move on?

Eldon Maasberg: My name is Eldon Maasberg. You're talking about Lloyd Expressway, correct me if I'm wrong, but is one of them out there on the westside ain't it the number one accident in Vanderburgh County, or even in the city? Why ain't we doing something with that one?

President Winnecke: Which one are you speaking of, Eldon?

Eldon Maasberg: I think it's Red Bank Road, or one of them two at the bottom of the hill there.

President Winnecke: I don't have those statistics off the top of my head.

Eldon Maasberg: It was in the paper in the last year.

President Winnecke: Well, then it must be right. No offense, Richard.

Rusty Fowler: I appreciate those comments too. I don't have any data on that either.

President Winnecke: Any other comments?

Unidentified: Do you know where we'll be able to see the plans?

President Winnecke: Richard, or—

Unidentified: The plans, when the public can see them and where?

Rusty Fowler: Yeah, we want to have a public information meeting, it will probably be by the end of April. That's not set yet, but that was, that's what the project manager has told us. It will probably be later on in the spring, but it would be down here somewhere, exactly I don't know where, but it will be later this spring.

President Winnecke: Are they—

Unidentified: Not until then?

President Winnecke: —available on line anywhere, Rusty?

Rusty Fowler: They are not available online. Honestly, with what we've got right now, with the proposed changes, they're just now beginning to make these—

President Winnecke: Okay.

Rusty Fowler: — changes to the design plans, okay? So, at the public information meeting there will be a lot more to see. I'm going to have the project manager with me when we come down to the Transportation Committee, but, again, he's going to probably have the same drawings that I shared with Marsha last week. I doubt that he would have any kind of definitive plan at that point in time to be able to show, you know, the conceptual schematics.

President Winnecke: Okay. So, more to come. Anyone else? Rusty, thanks for coming down today. I appreciate it, and we look for continuing dialogue and partnership with INDOT.

Rusty Fowler: Absolutely. I mentioned this to Pat on the way in, absolutely appreciate the opportunity to come in. We've always had a good relationship with the MPO and the city and the county, and absolutely wish to continue that.

President Winnecke: Thank you, sir. Appreciate it.

Rusty Fowler: Thank you.

Commissioner Melcher: Thank you.

Appointment of Insurance Agent of Record

President Winnecke: Okay, next on the agenda, I would entertain a motion to reappoint Old National Insurance as the agent of record for the county's insurance needs. I would make that motion. I would recognize that it dies for a lack of second.

Commissioner Melcher: I'll make the motion to make ONB, retain ONB for the property and casualty insurance.

President Winnecke: I will second that. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: No.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-1. Commission Abell opposed.)

Commissioner Abell: I would like to move that the Torian Hoffman Dillow and Flittner Insurance Agency be made agent of record for the health insurance.

Commissioner Melcher: I'll second it.

President Winnecke: There's a motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: No.

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

Request for Redemption Extension: 200 E. Delaware St.

President Winnecke: Next, request for redemption extension for 200 East Delaware Street. I would entertain a motion to approve the extension date to March 1st of this year.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Resolution CO.R-01-11-001: Transfer of County Property to
City of Evansville, DMD and Parks and Recreation**

President Winnecke: Next we have resolution CO.R-01-11-001, this is the transfer of county property to the City of Evansville, DMD and Parks and Recreation. This is for, the transfer of county owned property acquired by default, and this is going to DMD, and as I said, the Department of Parks and Recreation.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Sheriff: Issue Trak Software Lease
Sheriff: Reimbursement Agreement for St. Jude 5K/10K Walk/Run
Burdette Park: AT&T Advertising Agreement
Tyler Technologies Software and Maintenance Agreements
DivLend Equipment Leasing: Lease-Purchase Agreement
Government Lease-Purchase Resolution (DivLend)
BLA: Supplemental Agreement #1: Millersburg/GRR/Hedden Project**

President Winnecke: Next we have several contracts to consider. The first through the Sheriff's Department. This is for Issue Trak, it's a software lease for the license and sale of software to the Sheriff's Office to provide for tracking of various internal issues in the operation of the Sheriff's Department. The total cost for the ten stations is \$4,774. This is money, I understand, that is appropriated.

Commissioner Abell: Out of the Sheriff's budget?

President Winnecke: Yes.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have a reimbursement agreement for providing security for the 10K/5K race/walk for the St. Jude Hospital.

Commissioner Melcher: That's with the Sheriff's Department?

President Winnecke: Yes.

Commissioner Melcher: I'll make the motion.

President Winnecke: There's a motion.

Commissioner Abell: Second.

President Winnecke: And a second. Questions or discussion? Hearing none, all in, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have an agreement for Burdette Park for the AT&T advertising agreement. The cost of this agreement is \$3,150 for the year. This is an increase of \$48 over last year. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: Is this out of Burdette's budget?

President Winnecke: It is. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, out of the Commissioners, Tyler Technologies software and software maintenance agreement. This is to provide integrated public sector finance, human resources, payroll, community development and utility information systems. The cost will range between \$221,365 and \$412,240 for software, depending on the actual needs over the county over the next four years, plus annual maintenance services of \$98,400, of which \$75,805 is waived in the first year. The County Council appropriated \$160,235 to the IT Department for this project. We have Matt Arvay here to, Matt, do you want to come up and chat about that?

Commissioner Abell: I'll move approval for the sole purpose of discussion.

Commissioner Melcher: I'll second.

President Winnecke: Matt?

Matt Arvay: Matt Arvay, Computer Services. This will allow the Auditor's office and the county to replace our financial systems, as well as the HR/Payroll. It will also allow us to continue removing applications off a piece of hardware that's over 25 years old. So, in addition to that, it will coincide with the financial system that the city's putting in place. So, we have some experience there with the implementation, and the Auditor's office should see those benefits of us already going through an implementation on a financial system. The county also sees the 57 percent discount that the city received by moving with the same software product. So, it's everything on a modern system, a web-based browser system, and you should see some efficiencies from that.

President Winnecke: Matt, just a clarification on the financials. The, what has been appropriated is a little over \$160,000, that's for this fiscal year?

Matt Arvay: Yes.

President Winnecke: The projections that you provided, \$221,300 to \$412,000 is over a four year period, is that correct?

Matt Arvay: Right, that varies based on the implementation services. So, a portion of the \$412,240 are implementation services. On the city side we are seeing us use the budgeted money for implementation services. So, I foresee us using them, but if we can save some money throughout the project on implementation services, we will do so, and we will not expend all those monies.

President Winnecke: Any other questions?

Commissioner Abell: Am I correct that if we were to have consolidated government, these financials would go together and we would not have to buy another package?

Matt Arvay: We would have the same software. There would be some consolidation of data bases, but as far as we would get credit, we have some language, I worked with Ted on some language, so we would get credit on both sides for what we've paid into the system. Ted, do you want to talk about that?

Ted C. Ziemer, Jr.: That's going to be true if consolidation occurs before March of 2014.

Matt Arvay: So, we've got some protection in there in case consolidation does occur.

President Winnecke: Other questions or discussion? Hearing none, roll call vote please.

Ted C. Ziemer, Jr.: Excuse me.

President Winnecke: I'm sorry.

Ted C. Ziemer, Jr.: You ought to maybe have the issue of, the financing of this is going to be through the document with Diversified Financing. So, perhaps, I mean, one without the other is not going to be effective. So, perhaps, Mr. President, you want to just discuss the government lease-purchase agreement as well.

President Winnecke: Where is that?

Ted C. Ziemer, Jr.: It's a separate document to be approved.

President Winnecke: I don't even see it.

Commissioner Melcher: Is it this one?

Ted C. Ziemer, Jr.: Madelyn, do you have that? The cost of this agreement, \$412,240, will be financed through Diversified Lending, which is a funding company for government financing in Texas. The financing will provide that, they will advance the funds to Tyler, as the county requests portions of the software provided for under the agreement. The county will pay for the \$412,000 worth of financing at the rate of \$28,000 plus and some change a quarter for each of four years through 2014. The reason it's spread out that way is because there is sufficient money to cover that in this current calendar year, that is \$28,014 times four. There will have to be appropriations in future calendar years for '12, '13 and '14, and if there were none that provides that the, for failure of appropriation, it would terminate, and then the whole deal would terminate.

President Winnecke: So, we need, just to clarify, we need to approve the agreement with Tyler, and then a separate agreement to agree to provide the financing with—

Ted C. Ziemer, Jr.: DivLend.

President Winnecke: –DivLend Equipment Leasing?

Ted C. Ziemer, Jr.: Yes.

President Winnecke: Okay, we have one motion on the floor for the Tyler Technology agreement. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, I would entertain a motion to, Ted, how does this need to be worded here?

Ted C. Ziemer, Jr.: I'm sorry?

President Winnecke: I'm unclear how the next motion should be worded.

Ted C. Ziemer, Jr.: It should be a motion to approve the government lease-purchase agreement with DivLend Equipment Leasing of Texas, and a resolution, and a motion to adopt the government lease-purchase resolution, which is contained in the documents in connection with the funding agreement.

President Winnecke: Okay, I would entertain a motion to such.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thanks, Matt. Next we have the County Engineer, a supplemental agreement for consulting and right-of-way acquisition for the Millersburg-Hedden-Green River Road project. The supplemental agreement increases the not to exceed price of the original agreement of June 1, 2010 by \$160,500 to a new not to exceed price of \$573,400. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

John Stoll: I just have one correction.

President Winnecke: Okay.

John Stoll: The fees have been revised. We had deleted the review appraisals. They were not necessary based on the County Attorney's opinion. So, the increased amount now is \$139,100, as opposed to the \$160,000 figure.

President Winnecke: Is the not to exceed price still correct at \$573,400?

John Stoll: I didn't write that down, but it would have gone down by—

President Winnecke: The same amount?

John Stoll: —\$21,000.

President Winnecke: Okay, so that would be?

Ted C. Ziemer, Jr.: Yeah, that happened since I sent you the e-mail on this.

President Winnecke: Yeah, \$21,400, so, 552,okay, so the, it would reduce it by, it would increase the not to exceed price of the original agreement by \$139,100, and the new not to exceed price of \$552,000. Do we have a motion and a second?

Commissioner Abell: I think we did.

Ted C. Ziemer, Jr.: Yes.

President Winnecke: Would you amend your, whoever made the motion, to have the corrected figures please.

Commissioner Abell: I made the motion, I'll amend the figures to \$139,100 from \$160,500, to \$552,000 from \$573,500.

Commissioner Melcher: I'll second that amendment.

President Winnecke: Okay, additional questions or discussion? Thanks for the clarification, John.

John Stoll: Sorry about that.

President Winnecke: Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

County Engineer

President Winnecke: John, did you have anything else you wanted to present to us?

John Stoll: I have two other items. They are storm sewer acceptances for two different subdivisions. The first one is for sections two and three of Cayman Ridge Subdivision. The linear footage of the storm sewers outside public right-of-way in section two is \$1,248¹. The developer has submitted the \$2,496 acceptance fee on that. Then on section three we have 130 feet of sewers, storm sewers to be accepted outside of the right-of-way. The \$260 fee has been submitted on that. So, I would request acceptance of those storm sewers.

President Winnecke: I would entertain a motion.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then the other subdivision is sections one, two and three of Wynnfield Subdivision. This covers 2,044 feet of storm sewers on section one, 361 feet of storm sewers on section two², and 230 feet of storm sewers outside of right-of-way on section three.³ The two dollar a foot fee has been submitted on all three of those sections in the subdivision as well. So, I would request acceptance.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

¹Should be 1,248 linear feet.

²Should be section three.

³Should be section two.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

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

President Winnecke: I think you're good.

John Stoll: Thanks.

President Winnecke: Thanks, John.

County Attorney

President Winnecke: Ted, did you have anything for us?

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

**First Reading of Ordinance CO.01-11-002:
Amending Ch. 8.24: Smoking in Work Place and Public Places Ordinance**

President Winnecke: Okay, next we'll get to our first reading of CO.01-11-002, this is amending the ordinance regarding smoking in public and work places. I believe everyone is familiar. We are essentially removing the exemptions that had previously been put in place. I know we have a number of people who are here to speak. I hadn't really planned on putting a time limit on you, but I would hope that you keep it to a reasonable time and try not to be too repetitive. So, whoever would like to start, is welcome.

Commissioner Melcher: President, while they're coming up, can we go ahead and announce, just in case somebody's staying for a Drainage Board meeting, there's not going to be a Drainage Board meeting after this meeting.

President Winnecke: Good catch. Thank you.

Commissioner Melcher: So, if you're staying here for the Drainage Board, there's not going to be one this evening because of the length of this meeting. There is only one item and we're going to hear it on the next meeting.

Commissioner Abell: (Inaudible. Microphone not on.)

President Winnecke: Yeah, let's do that. Before we get to the discussion, just to get it on the floor, I would entertain a motion to approve the revised, the ordinance as is.

Commissioner Abell: So moved.

President Winnecke: Second. Okay, now it's on the floor. So, if you would state your name.

Tyrese Morris: My name is Tyrese Morris, and I'm the coordinator at the Caldwell YMCA Outreach Facility. We have a couple of youth, we have Nixon, Temiah and Temayah, and they actually put together a Smokefree Community video in order to get people, to encourage people to stop smoking inside of restaurants and other places, and for it to be smokefree. So, we're going to play a video.

President Winnecke: Okay.

(Video presentation was played.)

(Applause)

Tyrese Morris: Then we're going to have a speech lead by Temiah.

Temiah Cooper: Rat brains—

President Winnecke: Could you pull the microphone down.

Madelyn Grayson: There's a cordless mic right there also if you would like to use that.

Temiah Cooper: Rat brains, poison fries, nicotine coke and a lung cancer burger doesn't sound tasty. How many of you realize that this is what you're eating when you're being exposed to cigarette smoke in a working environment. My name is Temiah Cooper. During the Smokefree Club I have had a fun time, but it was also a learning experience. I've learned that there are hundreds of chemicals inside of one, learned that there are hundreds of cigarettes and that just one cigarette can lead to cancer. I've also learned that secondhand smoke is even more dangerous than just smoking a cigarette. I want to be another strong person to stand up against smoking in a working place and encourage others to take a stand up for a healthier environment for everybody to enjoy smokefree air indoors.

President Winnecke: Thank you, Temiah.

(Applause)

President Winnecke: Who else?

Nadine Coudret: I'm Nadine Coudret, a nursing and health profession educator who cares deeply about our community. I speak in support of this ordinance. I want to thank you, those of you who have recognized the opportunity that this ordinance has for improving the health of our community. Also, for not succumbing to the political pressures that have stalled this effort in the past. Third, for the leadership that you

are displaying for not waiting until the city, the state, or maybe the nation in fact takes this action. The leadership is certainly appreciated. I'm not going to repeat the scientific data that shows the negative impact that smoking and secondhand smoke has on both the individual and in our community. That information is fact, and truly is not worthy of debate. It is also a fact that smoking is a compelling habit, and a physical addiction. As such, my comments are not to criticize those who smoke, but it is to encourage those who smoke to participate in the stop smoking programs that we do have in our community and that are readily available. Stopping smoking is very difficult, but it can be done. The benefits to the individual who stops smoking, the benefits to their family and to our community are great. I again want to commend those of you who have taken this leadership position and encourage you to follow through and pass this ordinance. Thank you.

President Winnecke: Thanks, Nadine.

Cathy Engel: My name is Cathy Engel and I'm a citizen of Evansville. I'm also a member of the Board of Health, and I just want to remind you that in, on February 11, 2010, the Vanderburgh County Board of Health had a resolution in support of 100 percent smokefree work place and public places. You may find that online at vanderburghgov.org. Thank you for revisiting this issue, and, hopefully, taking our recommendation in support of 100 percent smokefree. I would also like to personally say this is just a question, to kill or not to kill, that's the question. Secondhand smoke kills. It is your decision whether to allow secondhand smoke to kill someone in Vanderburgh County in any work place. I beg of you with all my heart and soul, please choose to prevent that death. Thank you.

President Winnecke: Thank you.

Tony Schmitt: Good evening. My name is Tony Schmitt. I'm a respiratory therapist, as well as an educator. I have some data that I requested from several different organizations and could never find, but ITPC brought me some information that I was looking for, though dated, is still true, and going to be more true every day. We are all, my age and above, baby boomers. As we grow older there's going to be a lot more of us, so the realistic approach to this is that smokefree now is not going to do anything for us, that's the truth. However, it's not me that I'm worried about. It's my children and my grandchildren, and the perception the city provides for itself as being a smoking city. Just the numbers that I have in front of me, it costs us about \$62 per Hoosier to cover the cost of smoke related illnesses. These are 2008 data from an IU published study. In Evansville alone, based on the population, 22 people died of chronic obstructive pulmonary disease related to secondhand smoke itself. In Vanderburgh County that number was 34, that was in 2008. So, with the population growing older, more people still smoking at 23 or 26 percent, whatever it is that you hear, we're all going to be affected. We all deserve to have the right to have clean air. I too am not against the smoker, but I think with the things that we have available, the programs, other medical research that's out there. We should provide that opportunity for them to become non-smokers and join the crowd. Thank you.

President Winnecke: Thanks, Tony.

Thomas Stratton: Good evening. I'm Thomas Stratton. I'm a family physician with Deaconess Clinic. Not long ago my family moved from Louisville, which in the heart of tobacco country, passed a comprehensive indoor clean air measure. Even in today's economy Louisville's extraordinary blend of local dining and a vibrant music

scene continues to thrive absent the toxic blue haze which once pervaded many public spaces. Smokefree can and does work, and businesses savvy enough to cater to the 70 percent of us who do not smoke know it. The notion that clean air rules somehow infringe on private property has no merit, as if one could hold a lease on the air we breathe. Public health efforts already rightly ensure that restaurants and taverns don't take reservations from rodents, and that the soup of the day doesn't hold open swim for cockroaches. A license is required to sell liquor, basic work place safety measures to protect life and limb have enabled many Americans to move beyond the live and let die industrial ethos that was so graphically portrayed in Upton Sinclair's The Jungle. Such measures make sense when they protect the workforce and the public without placing an undue burden on the owners, employees or patrons. Simply requiring that smokers step outside to enjoy their right to smoke in order to preserve the right to breathe of everyone else inside is likewise a reasonable step and one who's time has come. We are also told that it is somehow unconscionable to restrict a legal product. Well, gasoline is a legal product. You might take issue, however, with my right to bring in an open container of this legal product into this room and start flailing it about. Why might that be? The term passive smoking is a misnomer. There is nothing passive about the damage that environmental tobacco smoke causes. It is an actively destructive process. A host of agents and tobacco fumes triggers an inflammatory process that can wreak havoc immediately and produce long term disability and disease. From asthma exacerbations in children leading to ER visits and hospitalizations, including the ICU, to heart attacks and even the risk for lung cancer among adults, through secondhand smoke exposure, the toll in illness and deaths in Indiana is enormous and has already been recounted. All of us paid a cost in lost wages, productivity and expensive medical intervention. As a family physician I routinely see people who smoke without ever lighting up because they are exposed to second day poison at work on a daily basis. Some of these patients have asthma, some are at risk for heart attack or stroke. Maybe they should just get another job. If only it were so easy. To expect that they could trade their livelihood for their health is neither realistic nor ethical. These patients know it, their families know it, the American Medical Association knows it, the Surgeon General knows it, Casino Aztar knows it too. They just won't admit it. The science on secondhand smoke is clear. The harm in delaying action is tremendous. Regretfully the collective skill of Indiana's legislature has managed the equivalent of striking out at wiffle ball by failing, yet again, to enact a comprehensive bill. The burden and the opportunity to act on behalf of every citizen of Vanderburgh County rests with you. Thank you.

President Winnecke: Thank you, Doctor.

Bob Murphy: I didn't want to ruin my new coat. Bob Murphy, I'm a registered pharmacist. I tell you what, if you ever want to go after somebody like him, he's the guy to go after, because I couldn't have said it any better. It's just funny, I'll just take a couple of minutes, I won't go over the facts. I've done that many times before. It's just kind of funny, when you walk in here, the first thing you see as you walk in the building, what do you see? No smoking within 25 feet. Okay, what more do we need to know? How many people here know about asbestos? How many people, everybody knows about asbestos and the effects of asbestos on the lungs. If you have ever seen a building with asbestos and the process these people go through to remove the asbestos from the building, you would think you're at a sci-fi movie. I mean, their gowns, their, you know, because they don't want to get it, but yet we continue to let people smoke in Vanderburgh County in restaurants. I get a little nervous when I'm up here, because I'm so passionate, but I just applaud the fact that we're looking at this issue again. I think for once, I really feel positive that it's

going to happen. It rests with you. As I said, you know, I'm not going to go over the facts, because I've, back in 1998 I got passionate about this, and was able to hold a little conference about trying to get people to stop smoking. That was back in 1998, yes, and we were assuming that maybe 50 people would show up. We had 300 people there. I thought, wow! People really want to quit, and they do. 90 percent of smokers want to quit. It's just hard. I feel sorry for them. I smoked, and it's not easy, but, I know better. It's not about rights, it never has been. It's a public health issue. Secondhand smoke is just as dangerous as smoking. So, I look forward to your vote on the 22nd. Thank you.

President Winnecke: Thanks, Bob.

Joe Wallace: Good evening. I'm Joe Wallace. Two years ago Vanderburgh County Commissioners became one of the only elected bodies in the United States to ever reverse an anti-smoking ordinance. That decision reversed four years of progressive work that would have brought Vanderburgh County into the '90's in 2008. You'll hear people talk about rights. There's 30 states and about a hundred cities that have smoking ordinances. The Constitution has never been used to overturn one. The people who talk about a right to smoke are completely misinformed, and the courts have struck it down. Today I would like to thank you for revisiting this, having the courage to bring this back up after it was struck down. There are a lot of reasons for smokefree work place laws. You've heard a lot about public health, but what I would like to address is economic competitiveness and attractive lifestyle for young, educated professionals. Evansville and Vanderburgh County do not compete. I repeat we do not compete with Lynnville, Owensville or Monkey's Eyebrow, Kentucky for economic opportunities. Our competition is not who can sell hamburgers to people at lunch, our competition is for economic prosperity that's generated within and brought from other places. Our competition are our peer cities; Lexington, Louisville, as you heard from that doctor, Raleigh, North Carolina, the capital of tobacco road which the entire state is now smokefree, and Chattanooga, who recently got a Whirlpool expansion when our place was shutting down. In the 50's our competition was San Jose, Nashville and Phoenix, cities of all the same size of Evansville at that time, most of which are in the top ten in the country now. The Los Angeles Lakers don't really care about the talent level of Harrison High School's team. The big leagues compete against the big leagues. They play by different rules and they set the bar a whole lot higher. All of the big league cities restrict smoking, most of them do it comprehensively. If we don't go that direction, we're going to be a leader or a finalist on a project and it's going to come down and it's going to be Evansville or Chattanooga or Peoria or whatever, and it's going to come down to that question of lifestyle. That executive will look at it and he will say can I attract 50 young, educated people to move to a place that allows public smoking when the other two who also qualified for the project don't allow it? We're going to lose those projects. We're going to lose them every time that we compete with people who don't do it. Now, for you people on the City Council who are thinking of running this year, you're watching on television, this will be a key issue in 2011. You need to get on board and follow the leadership of your County Commissioners. When this comes up for a vote, it's going to be a litmus test. If you block it and it doesn't come up with a vote, it's going to be a litmus test. You will pay at the polls in November if you don't do this at the city level too. You like to say it's the State, it's not the State's job to tell the urban areas how to compete with the rest of the world. Don't use that as a bailout. The ones of you who celebrated the pact that you made to ignore the 73 percent of the people in this town who are in favor of a non-smoking workplace ordinance, you know, that looks very much to me when you're going around high fiving yourselves, that it's kind of hazardous to your elect

ability. It reminds me of a fella that stood on the front of a ship with a big mission accomplished sign behind him to be high fiving and congratulating yourselves for not passing a smoking ordinance. Finally, congratulations, guys, I know how this vote's going to go. I would like to encourage very much that this is a unanimous decision. Remember, lifestyle is what attracts talent. Talent will attract investment. Investment will attract these jobs that everyone needs, and these jobs are what builds the wealth and sustains a community. Thank you very much.

President Winnecke: Thanks, Joe.

Brian Kessler: Hello, my name is Brian Kessler, Director of Respiratory Care at St. Mary's. On behalf of St. Mary's Health System, our President and CEO, Tim Flesch, I'm here today to show our public support for the smoke banning for all public places. As a leader and a local health care facility we know all too well the effects that smoking and secondhand smoke can have on the body. While some make the conscious decision to smoke regardless of the dangers by continuing to allow smoking in some public facilities, non-smoking patrons are still being put at risk. Secondhand smoke kills children and adults who don't smoke, and it makes others sick. Scientific evidence shows there is no safe level of exposure to secondhand smoke, despite a great deal of progress over the years. There is no risk free level of exposure to secondhand smoke. To show our support of this ban, St. Mary's campus and all of our facilities have been smokefree since November 17, 2005. This amendment would benefit our entire community, not only today, but also provides protection for future generations. The scientific evidence is clear regarding the negative health consequences for involuntary exposure to tobacco smoke. We strongly urge you to vote in favor of health and well being for our community and all of its members. Thank you so much for your time.

President Winnecke: Thanks, Brian.

Sheila Seiler: Hi, my name is Sheila Seiler. I'm the Executive Director of the Susan G. Komen For the Cure Greater Evansville Affiliate. Just as cancer has no discernable boundaries, neither does secondhand smoke. Secondhand smoke doesn't care what color you are, doesn't care if you are a male or a female, or if you are a smoker or non-smoker. Smoke flows through the body causing damage much like a cancer does. Although we know that smoking causes lung cancer, not many people realize that secondhand smoke may also cause lung cancer. I have a cousin going through treatment for lung cancer right now and he's never smoked a day in his life. However the rest of his family did. According to a 2005 report of the Environmental Protection Agency, and a 2011 study just completed by Komen Researches, it involved nearly 400,000 women nationwide, long term exposure to secondhand smoke has become a risk factor for a pre-menopausal woman in getting breast cancer. Maybe this is the reason why 21 years ago I was diagnosed as one of the youngest in the country of having breast cancer, and I've never smoked a day in my life, had no history of breast cancer in the family. I'll never really know, but I did not smoke and my parents did. According to a 1993 study by the Centers for Disease Control, smoke filled rooms can have up to six times the air pollution of a busy highway. A 1986 report of the U.S. Surgeon General ventilation is not a viable alternative. That's why we need this ordinance. That's why I thank you for being proactive and taking this action to improve the lifestyles of Vanderburgh County. I thank you very much for being courageous enough to take this initiative, do it now, and not wait for what the State's going to do.

President Winnecke: Thanks, Sheila.

Sheila Seiler: Thank you very much.

President Winnecke: Appreciate it.

Lindsay Grace: Hi, Commissioners. Thank you for allowing me to testify today. My name is Lindsay Grace. I'm here today representing the American Lung Association. I do live in Indianapolis, but we do serve the entire State of Indiana. We have a couple of programs here, including a Better Breathers Club, we provide radon kits for free to your Health Department, etcetera. Of course, our board is supportive of this. I'm going to read a brief letter on their behalf:

"Dear Commissioners, on behalf of the American Lung Association and the Indiana Board of Directors we are writing to urge your support of a comprehensive smokefree ordinance for Vanderburgh County. The American Lung Association supports the right of all Vanderburgh County residents and workers to breathe smokefree air in public places and work sites. Exposure to secondhand smoke causes many of the same tobacco related diseases and premature death as active smoking, including increasing nonsmokers' heart disease, stroke and cancer risk. Right here in Indiana 1,240 adult non-smokers die every year from exposure to secondhand smoke. That's nearly four Hoosiers every day."

The other gentleman had comments that were very specific to Vanderburgh County.

"Not only is exposure to secondhand smoke in the workplace dangerous to health, it's costing communities across Indiana millions of dollars. A 2009 study that was talked about earlier Bowen Research Center at IU School of Medicine concluded that secondhand smoke costs our State \$390 million a year, or \$62 a taxpayer. The Indiana Chamber of Commerce recently released their legislative priorities for 2011. Amongst education reform and economic development, the Chamber has prioritized making all workplaces in Indiana smokefree. They stated, "Support total ban on smoking in the workplace. Smoking is detrimental to employee health and productivity and contributes to higher premiums for businesses providing health benefits."

Just to touch on that, you've heard a lot of talk tonight about the Statehouse and what's going to happen there, I think we all know that it did pass the House and it has moved over to the Senate, but the Indiana Chamber Associations of Cities and Towns and the Indianapolis Chamber have been very big advocates at the Statehouse. So, I hope your Chamber of Commerce is also supportive of this issue.

"Smokefree laws are good for health, good for the economy and widely supported amongst Indiana voters. Two recent polls, one a poll of rural Hoosiers in four Indiana counties and the other a State-wide poll, both concluded that 66 percent of adults would support requiring all workplaces, including restaurants and bars, to be totally smokefree."

I think those numbers actually poll higher here in the metropolitan area.

"The American Lung Association believes that smokefree air ordinances are a public health issue and governments have the right and responsibility to enact them for the health benefits of all employees

and residents. At this time, more than half the United States population benefits from laws that require workplaces, including bars, to be smokefree. The American Lung Association Board of Directors urges your support of the strongest possible smokefree air ordinance that eliminates employee exposure to secondhand smoke in the workplace. Thank you for your consideration.”

Signed William B. Stephan.

President Winnecke: Thank you, Lindsay.

Lindsay Grace: Thank you for your time.

President Winnecke: Thanks for coming down.

Brad Wilhelm: Good evening. My name is Brad Wilhelm. I’m from Monroe County. I’m from Bloomington, and I work with the good folks here in Vanderburgh County on this issue with the youth group that you just saw. I just would like to say that since 2005 Monroe County has done exactly what you’re doing here today, and also Hancock County has done this very same thing. You know, Hancock is a pretty conservative county and Monroe might be classified as a pretty liberal county, but we have seen no decline in business in bars, private clubs, donations from social service organizations to those, from those organizations that rely on bingo or any other kinds of things that you are going to hear testimony that it’s going to hurt those things. That has just not happened in either county and it’s not going to happen here in Vanderburgh County. Thank you very much.

President Winnecke: Thanks, Brad. Anyone else? Commissioner? Okay, we have a motion on the floor to approve in the first reading. I don’t know that I have anything—

Commissioner Melcher: I think we already had the motion.

President Winnecke: Yeah, I’m just saying that it’s on the floor.

Commissioner Melcher: Okay.

President Winnecke: Yeah. I think anything I could say would be repetitive. I thank everyone for coming out. Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Basically, my stance over the years is already out there. I think I represent some of the people too, and I’ve also had a lot of people talk to me about this, and everybody needs to understand this is just outside the city limits. So, people like St. Joe Tavern, St. Wendel and the American Legion Post Three, sorry that’s mine, American Legion Post Eight is going to be affected. If we’re going to pass one, I would like to see one passed unanimously by the city and county. We worked hard on this ordinance for years in the city. It’s very passionate on both sides, and when it came down to it we thought we had an agreement with both sides

of how it was going to go down and then at the eleventh hour the County Commissioners changed it and went with the one they went with at the time to be effective, I think, January 1, 2009. That put the city and county kind of in competition. At the same time Henderson lowered theirs, they went totally smokefree then they changed theirs to match Evansville. Then Gibson and Posey and Warrick was supposed to file suit and they never did. I wished there was some way we could try to get them on board too. I'm just trying to keep everybody on the same playing field. So, I vote no.

Madelyn Grayson: President Winnecke?

President Winnecke: This is an issue of public health and economic development. I vote yes. So, I show it two to one on first reading. It will be considered passed after our second reading on November, February 22nd.

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

President Winnecke: Thank you for everyone who came out to speak tonight.

Board Appointments

President Winnecke: Next we have board appointments. Several of them, I will read them and please catch me, Commissioners, if I—

Commissioner Melcher: We're not doing Electrical Board.

President Winnecke: Okay. Central Dispatch, appointing JoAnn Smith; the Disability Services Advisory Board, Jenny Dewey⁴; the ITAC Board, that's the Information Technology Advisory Committee, Commissioner Abell; the Old Courthouse Foundation, Commissioner Abell, Roger Lehman, Dave Rector, Mary McCarthy, Brian Hayden, Ted Ziemer IV, Nancy Drake, with a "D", Marissa Nichoalds from our office, and Larry Bristow. The MWBE, Holli Sullivan. I make those in the form of a motion.

Commissioner Abell: Second.

President Winnecke: A motion and second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

⁴Should be Jenny Downey.

(Motion approved 3-0)

New Business

President Winnecke: Any new business to come before the Commission tonight?

Old Business

President Winnecke: Any old business?

Public Comment

President Winnecke: Public comment on any issue? Hearing none.

Consent Items

President Winnecke: We do have a consent agenda. I would consider a motion to approve the consent agenda.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Madelyn, would you provide the dramatic reading please?

Madelyn Grayson: The consent items for the February 8th meeting are as follows; approval of prior minutes, the January 25, 2011 Commission meeting minutes, the February 8, 2011 Executive Session summary minutes; employment changes, there are none for the Commissioners approval this evening; the Sheriff has approval of payment for repairs to Sheriff's cruiser; the equitable sharing agreement and certifications for the Drug Task Force, County Prosecutor's Office, and County Sheriff's Office; the County Commissioners have a Tess Grimm proclamation; the County Auditor has the January 2011 A/P vouchers, an affidavit regarding certification of employment, covered bridge certification and Barrett Law lien releases for Oak Hill, Aabel's Park and Mill Terrace Barrett Law projects; the Public Defender Agency request for reimbursement to the State Public Defender Commission; County Treasurer December 31, 2010 year-to-date report; the County Engineer pay request number 121 for TIF projects in the amount of \$33,110.24, and the transfer of county vehicle, a 2000 Ford pickup truck to the County Highway Department; there are surplus requests from the County Assessor and the County Prosecutor for various office equipment and furniture; and there are department head reports from the County Engineer and the Ozone Officer.

President Winnecke: Very good. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: I vote yes. I just want to go on record as saying Aabel's Park I have no part in.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I don't have any money on it. So I vote yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Final Reading: VC-3-2010: Petitioner: Gabriel L. Schroeder
Address: 6011 New Harmony Road
Request: Change from Ag to R-3
Action: Approved 3-0**

President Winnecke: Next we have a final rezoning, VC-3-2010, excuse me, finally we have a rezoning. Final reading of VC-3-2010, the petitioner Gabriel L. Schroeder, 6011 New Harmony Road. Hello.

Janet Greenwell: Hi, Janet Greenwell with Area Plan Commission. Mr. Schroeder came to our meeting in January with a request to rezone the old Alpine Hotel building on New Harmony Road. It's zoned agricultural. He's trying to zone it to R-3 to get it into compliance with current zoning ordinances. The Plan Commission voted unanimously at their January 13th meeting to approve, to recommend approval by this body.

President Winnecke: Any questions? Hearing none, I would consider, entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Introduction of Teen Advisory Council Job Shadows

President Winnecke: No other business before us, I would entertain, oh, I forgot one thing. I wrote on every piece of my agenda, our students tonight. If you could introduce yourselves. Turn your microphone on and give your name and the school that you attend.

Rebecca Reidford: I'm Rebecca Reidford from Reitz Memorial High School.

Anna Loehr: I'm Anna Loehr from Memorial.

Caleb Heiman: I'm Caleb Heiman from North.

President Winnecke: Okay, thanks for coming out tonight. You got more than you probably bargained for. I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We stand adjourned.

(The meeting was adjourned at 6:32 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the January 25, 2011 Commission Meeting Minutes.
Approval of the February 8, 2011 Executive Session Summary Minutes.
Tess Grimm Proclamation.

Employment Changes:

Prosecutor (1) County Clerk (1) County Assessor (1)

Sheriff: Approval of Payment for Repairs to Sheriff's Cruiser.

Prosecutor: Approval of Equitable Sharing Agreements and Certifications for Drug Task Force, Prosecutor's Office and Sheriff's Office.

Auditor:

January 2011 A/P Vouchers.
Affidavit Regarding Certification of Employment: John Stoll as County Engineer.
Covered Bridge Certification.
Barrett Law Lien Releases: Oak Hill, Abel's Park and Mill Terrace.

Public Defender:

Request for Reimbursement to State Public Defender Commission.

County Treasurer: December 31, 2010 Year-to-Date Report.

County Engineer:

Pay Request No. 121: Green River-Burkhardt TIF Projects.
Transfer of County Vehicle: 2000 Ford Pick up to County Highway.

Surplus Request Letters:

County Assessor: Various office equipment and furniture.
County Prosecutor: 1 table, 3 shelf bookshelf, 1 chair.

Department Head Reports: County Engineer Ozone Officer

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Rusty Fowler	John Stoll
Brad Mills	Pat Keepes	Russell Lloyd, Jr.
Mike Lockard	Eldon Maasberg	Dave Rector
Bill Fluty	Matt Arvay	Tyrese Morris
Temiah Cooper	Nadine Coudret	Cathy Engel
Tony Schmitt	Thomas Stratton	Bob Murphy
Joe Wallace	Brian Kessler	Sheila Seiler
Lindsay Grace	Brad Wilhelm	Rebecca Reidford
Anna Loehr	Caleb Heiman	Janet Greenwell
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
FEBRUARY 22, 2011**

The Vanderburgh County Board of Commissioners met in session this 22nd day of February, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: I would like to call to order the February 22nd meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Introduction of Teen Advisory Council Job Shadows

President Winnecke: Thank you. Before we get into the meat of the meeting, I would like each of our students to introduce themselves. I kind of forgot that last time. Just push the button and speak into the microphone. Give your name and the school and what year in school you are.

Anna Loehr: I'm Anna Loehr. I'm from Memorial. I'm a Freshman.

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

Jamie Caldwell: I'm Jamie Caldwell, and I'm a Junior at Central High School.

Rebekah Riedford: I'm Rebekah Riedford, I'm a Senior at Memorial.

President Winnecke: Welcome, ladies. Thanks for your attendance.

Disability Services Advisory Board Update

President Winnecke: First, we would hear....is Rob Kerney here?

Commissioner Abell: Mr. President, Mr. Kerney is not here. I met with him yesterday. He gave me a report to hand to you about the work progress that the Disability Services Advisory Board has been doing. I have that on my desk. I'll give it to you this evening.

President Winnecke: Okay, great. Thank you.

Greater Evansville Runners/Walkers Club Hot Dog Race

President Winnecke: Road race requests, first is the Greater Evansville Runners/Walkers Club, the Hot Dog Race, a fundraiser for Williams Syndrome. Is someone in the audience to speak to that? Come forward please. Good evening.

Marie Roeder: Good evening.

President Winnecke: Could you state your name for the record and describe—

Marie Roeder: My name is Marie Roeder.

President Winnecke: I'm sorry?

Marie Roeder: Marie Roeder. We are having a race at Burdette Park on March 26th.

President Winnecke: Do we have the paperwork on that one?

Commissioner Melcher: I haven't seen any.

President Winnecke: It's in here, yes. This is out on the west side out on Nurrenbern Road?

Marie Roeder: Yes.

President Winnecke: I believe everything, you have your certificate of insurance liability. You expect 100 to 150 participants, then are you....you've coordinated everything with the Sheriff's Department in terms of—

Marie Roeder: Yes, I did.

President Winnecke: —public safety?

Marie Roeder: Yes, I did. I did with, his name is Brian Traylor.

President Winnecke: Okay.

Marie Roeder: He told me he was going to take care of it.

President Winnecke: Okay.

Marie Roeder: I called back today and I'm waiting for them to call back again.

President Winnecke: The date of the event is the 26th of March, correct?

Marie Roeder: Yes, it is.

President Winnecke: Any questions?

Commissioner Melcher: I just like to make sure we confirm that with the Sheriff. If there's any financial—

President Winnecke: He's nodding as—

Commissioner Melcher: Okay.

President Winnecke: —with his approval in the back row. He just gave me an okay sign. Good enough? Okay. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Marie.

Marie Roeder: Thank you very much.

President Winnecke: Okay.

Southern Indiana Classic Marathon/Half Marathon
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President Winnecke: Next we have the Southern Indiana Classic Marathon and Half Marathon. Is Jill here? Oh, there she is.

Jill Gehlhausen: Hello, Lee Rudisill joins me tonight, and he is the logistics director for the Southern Indiana Classic Marathon and Half Marathon. This event is scheduled to take place on April 10th at the Vanderburgh County 4-H Center. We have a kids dash on Saturday, April 9th at the Vanderburgh County 4-H Center at 2:00 p.m. We're really excited, because last year was our first year, and we had almost 1,600 registrants for the actual race, and a little over 10,000 attendees to the after party that was associated with it, a spring festival, on the same day at the same time. This year we're expecting to increase registrants and then also increase the participation at the festival. So, we're just delighted with the support the county has

given us. We have presented one time, and we were asked to bring back the certificate of liability showing the county as additional insured. We have that, and I can pass out copies for each of you. Then, we also were asked to confirm that we definitely were going, that we had everything okayed with the Sheriff's Office on the financial agreement for the security for the event. We have met with the Sheriff's Office and we are ready to move forward with that at the same amount as last year, because we did come in much lower than the cap for last year. So, we are ready to sign the contract for that, and have that finalized. We handed a document out at the last meeting, and I brought one more for—

President Winnecke: Great.

Jill Gehlhausen: —you to review.

President Winnecke: If you could present Mr. Ziemer with the liability certificate, real quickly, he can inspect that.

Jill Gehlhausen: In March we'll have letters sent to every resident that is affected by the event, a little over 600 residents. It will show road closures, it will show, you know, all of the information about that race weekend that they need to be aware of. We are working also with the county on road closure signs, barrels, cones. Last year they helped us a little bit, and this year they're doing even more so of that.

Ted C. Ziemer, Jr.: The insurance is satisfactory. Have you gotten the agreement signed for us? The agreement with the Sheriff.

Jill Gehlhausen: We have talked about it verbally, and we're ready to sign it. We 100 percent agree with everything—

Ted C. Ziemer, Jr.: Okay.

Jill Gehlhausen: —that's within it.

Ted C. Ziemer, Jr.: Okay, and then you'll get that back to me?

Jill Gehlhausen: Uh-huh.

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

President Winnecke: The Sheriff again has nodded as if they are in agreement. So, I would trust that document would be signed and circulated to us. With that in mind, and I do appreciate the attempt to notify the residents in a timely fashion so they understand the nature of the road closings. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you very much.

Jill Gehlhausen: Thank you.

<p style="text-align: center;">Sale of County Owned Property: 800 Bayard Park, 26 E. Blackford, 1223 S. Governor & 1301 Fountain Ave. Second Notice to Bidders on 2023 S. Fares</p>
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President Winnecke: Next we have the sale of county owned property. I will, if it's okay I'll just do these as a group; 800 Bayard Park to the Boom Squad for one dollar; 26 East Blackford to Kerry Postlewaite for \$513; 1223 South Governor to Channing and Elizabeth Hayden for \$350; 1301 Fountain Avenue to Jerry Kissel for \$250, and the second notice to bidders on 2023 South Fares. There were multiple bids that were submitted on this property. This is for a second and final bid. I would entertain a motion to approve those as presented.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Second/Final Reading of Ordinance CO.01-11-002:
Amending Ch. 8.24: Smoking Prohibited in Work & Public Places**

President Winnecke: Next we have the second and final reading of CO.01-11-002, amending the ordinance regarding smoking in public and work places. I guess, first, this did pass at our last meeting on the first reading. I would entertain a motion and a second to get it to the floor, then we'll open it for discussion.

Commissioner Abell: So moved.

President Winnecke: Second. Okay, are there folks from the audience that would like to speak to this? Okay, we'll get to Kenny.

Commissioner Melcher: Mr. President? One thing I forgot to say last time, what I would like to do this time is what we've done in every smoking ordinance that I've sat in, the people coming up to speak just state their name like normal, but say if they live in the City of Evansville or if they live in the county, or if they live in Henderson, or Indianapolis, just say where you're from so we know. Thank you.

Marjorie Soyugenc: Hello. My name is Marjorie Soyugenc. I'm a resident of the county. I have had 40 years experience in health care administration in this community, primarily through the Welborn system, and volunteering on many, many not-for-profit organizations, which are looking out for the welfare of the citizens of this community to improve the quality of life. I don't think there is much more that could be said that has not been already said. One, medical research strongly supports the definitive secondary smoking results are negative to everyone who is involved. We are endangering the health of our community by further having allowed people to have smoking in their immediate vicinity. Secondly, I think we have to look at the economics also. As a health care administrator, we know that there are millions of dollars of financial consequence to the family, to our community, to the entire health care system for the problems of respiratory therapy, respiratory problems that are caused by the many different diseases that smoking does promote. We hope that you will look favorably on the changes in this ordinance, and that you will vote for a stronger resolution of smoking control in this county. Thank you very much.

President Winnecke: Thanks, Marge.

Madelyn Grayson: Marjorie, will you spell your last name for me please?

Marjorie Soyugenc: It's spelled S-o-y-u-g-e-n-c.

President Winnecke: Thanks, Marge. Kenny, would you like to come up?

Kenny Page: Thank you guys for letting me speak, County Councilmen. I think that if they voted on it in the city and then the county, that you guys shouldn't vote it. I think that you guys voted for, or they voted for and there is a resolution on it, then you guys don't need to. That's what I think. I'm for smoking. I live here in the City of Evansville. I'm Kenny Page.

President Winnecke: Thank you, Kenny.

Kenny Page: Thank you.

President Winnecke: Thank you.

Linda White: Good evening, I'm Linda White. I'm the President and CEO of Deaconess Health System, and I live in Vanderburgh County. First of all, thank you, Commissioners, for looking after the health and well being of the citizens of our fine county. As we all know, cigarettes cause many, many deaths, many, many different kinds of illnesses, and, in fact, they cause more deaths than cocaine, auto accidents, AIDS, alcohol, heroine, fire, suicide and homicide all combined. So, by passing an ordinance that supports our community and our citizens, we thank you very, very much and we know that this is something that you have thought of for a long period of time. The statistics tell us that 28 percent of the adult population in Vanderburgh County smoke. So, by passing an ordinance, you are helping the 72 percent of the people who do not smoke live a healthier lifestyle, one that is going to be very much supported by a stronger ordinance. Deaconess Health System has been a smokefree community for a long period of time, but it is not without lots of problems and lots of challenges to protect our patients, our staff, our families and all of our visitors. So, on behalf of Deaconess Health System, we thank you for giving very serious consideration for moving forward with a stronger ordinance. Thank you.

President Winnecke: Thanks, Linda.

William Wooten: Good evening. I'm Dr. William Wooten. I'm a retired physician. My area of practice was family practice and also I worked for 20 years at the Addiction Treatment Center at Mulberry Center, formerly known as Welborn Hospital. I want to speak in favor of stronger control of cigarette smoking in Vanderburgh County. I've spent a number of years advocating for the reduction of tobacco, alcohol and other drug use among young people in the area, and we've made great strides in that regard over the past ten or 15 years. I hope you'll do the right thing and vote to regulate cigarette smoking in public places more strongly. Thank you for your time.

President Winnecke: Thanks, Bill.

Wanda McCarter: Good evening.

President Winnecke: Good evening.

Wanda McCarter: My name is Wanda McCarter. I'm the Director of the Substance Abuse Council of Vanderburgh County. As Director of the Substance Abuse Council of Vanderburgh County I'm, of course, concerned about the addictive nature of tobacco and tobacco related products, but as a registered nurse I want to speak about the concerns I have on the health impacts of smoking and secondhand smoke. In 2007 the IU School of Medicine published findings from a study that they entitled, Estimating the Economic Impact of Secondhand Smoke on Indiana. Surprisingly the research showed that secondhand smoke costs Hoosiers about \$390 million a year in health care costs. To break that down locally, in Vanderburgh County we carry \$10.5 million in health care costs annually due to secondhand smoke, and there are 34 deaths on average annually related to secondhand smoke. In Evansville it's a little over seven million in health care costs with 22 deaths estimated to be attributed to secondhand smoke. Locations that have comprehensive smokefree laws on their books have seen a great reduction in smoking rates. In addition to that, it saves taxpayers money, but most importantly it saves lives. Thank you.

President Winnecke: Thanks, Wanda.

Sally Herron: Good evening, my name is Sally Herron, and I live in Vanderburgh County. I would urge you to vote against this bill because the State, the federal government, the local government controls enough of our lives. I don't smoke. I've never had the habit of smoking. I detest it. I have a granddaughter that her father smokes. I can't stand it. My father had two bypass surgeries from smoking, but, he's dead, but he would be the first one to tell you that the government does not have a right to tell a business what they can or cannot do in their business. Next it will be you can't do, well, my lands Michelle Obama wants us to keep from eating hamburgers. Is that going to be here? I don't think it's the government's place to tell people, in their own business, what to do. If you want to have a no smoking policy in a hospital that's actually owned and operated by certain people, that's fine. If you want to run a bar or a restaurant and say no smoking, that's fine. But, I think that if you don't want to be around the smoking, then you don't go to the places that they have smoking. It's a choice. Everything in life is a choice. It shouldn't be shoved down our throat. Thank you.

President Winnecke: Thank you.

Martha Crosley: My name is Martha Crosley. I live in the city, but just about by this much. I'm very close to the county line. To some extent what Sally just said is true. It is about choice, but in a different way than she just stated. If you say, if you do what someone suggested, and what Sally kind of implied, that you put smoking or non-smoking on the doors of various establishments around town, and all the smokers can go to the smoking establishments and all the non-smokers can go to the non-smoking establishments, when you think about it that really doesn't work and it's not fair. Smokers can go to the non-smoking establishments, because they just would stop, would not smoke there or would go outside and smoke and come back in. Smokers¹ could not go to the smoking establishments, because to do so would be to smoke secondhand smoke. So, to set up something of that nature is again restricting the non-smokers, which are the majority of people here. I own a business, and I know a whole lot about government regulations on businesses. My husband is a dentist, and the OSHA code from the federal government and the State of Indiana is thicker for dentistry than it is for any other industry, manufacturing, bar none. So, we have huge, huge amounts of restrictions. We, at first, found it extraordinarily expensive to do, but we knew it was right. We knew it was appropriate to do. When something is right, you do it, even if you have to suck it up a little bit and scrimp your pennies, you do what is appropriate and right for the health of the citizens of this area. Another factor that plays into this is there's a lot of talk about the brain drain in this area. There's a lot of talk about getting young, professional people to move back here, or to stay here once they're out of college. Areas which smoking ordinances are in place have a better chance of keeping those people here. We need those people. We need those people to be able to grow this community in the way it needs to be grown. On a personal level, I would like to go, I'm thinking about places in the county now, I would like to go to the Hornet's Nest. I love the Hornet's Nest, but if I go in there, I come out with clothes smelling like smoke, and hair smelling like smoke and it's not pleasant. So, hopefully when this ordinance gets passed and they kind of clean up the nicotine on the walls a little bit and make the place smell a little bit better, I would like to go in there again. So, I would be a person who would go to places that I can't go now, or am smart enough not to go to now. Thank you.

¹Should be non-smokers.

President Winnecke: Thank you.

Ray Nicholson: I'm Dr. Ray Nicholson, Health Officer for Vanderburgh County, and resident of the city. As Health Officer I feel like I would be remiss in my duty if I did not make a statement for you. Up to February of this year, the number of service men and women who have died in a battle, since the beginning of our nation, all the battles that this country has ever fought, from the Revolutionary War to the present Iraq and Afghanistan wars, has been about six thousand six hundred, 660,000 souls. The number of our population that die each year, not since the beginning, but each year, is approaching that number. That is an astounding number. This has to be treated like an epidemic. If a half a million people in our country died of the H1N1 virus last year, you would all be up in arms, the whole country would. Every health department would be answering questions of why did this happen. So, it has to be treated like an epidemic. It's not just a small thing. It's really big. Tobacco use is the biggest public health threat that this world has ever seen. Smoking is the single largest preventable cause of disease and premature death. On average, smokers lose 14 years of their life to premature death. Our veterans fight a war, they fight for our nation, but if we really want to help them, we would make sure that all those different clubs that they belong to have a comprehensive no smoking ban to help their health. Closer to home, I would make a statement about secondhand smoke here in Indiana, in nine years of a war in Iraq, the U.S. has lost 4,400 soldiers. During that same time in Indiana, there are 10,800 Hoosiers that have lost their lives to secondhand smoke alone. The number that have died of smoking related illnesses is much higher. I'm just talking about secondhand smoke. That's 1,200 people per year that lose their lives in Indiana to secondhand smoke. So, I certainly hope you'll vote favorably and pass this ordinance. Thank you.

President Winnecke: Thank you, Dr. Nicholson.

Bruce Ungenthiem: Good evening. My name is Bruce Ungenthiem. I'm a Vanderburgh County resident. I come here tonight to give you a perspective on secondhand smoke, as an issue from a son, a father, and a grandfather. I have to confess that I am not a smoker, nor have I ever smoked in my life. I owe that in large part to my mother, who challenged myself and my two brothers when we were very young, that if we did not smoke until we were 21 she would give us each \$100. I still have that hundred dollars in my pocket. You would rightly ask how does a man who has never smoked a day in his life fully understand this issue. Well, two years ago next month, on March 2, 2009, I held my mother's hand as she struggled to take her last breath. Her lungs filled from the fluid that cancer had caused by smoking. You see, she grew up in the 40's and 50's when smoking was glamorized by tobacco industries, movie industries, and most teenagers succumbed to the allure of tobacco and the addiction of nicotine. Throughout her life she continued the addiction, but as adult realized the dangers of the habit and did not want her three boys to get involved, thus the \$100 bribe. Excuse me, but what my mother did not know at the time, which we now know, is the negative effect secondhand smoke has on the people in close proximity to smokers. My brothers and I, having lived in my mother's house for the first 18 years of our lives, know this issue first hand. My younger brother and I suffer from chronic sinus issues, nerve related damage to our inner ears, hypertension and a compromised immune system that causes a common cold to hang on for weeks at a time. My older brother had all of these issues, but does not suffer from them any more. You see in May of 1992, at the age of 39, he died of what doctors said was a curable cancer, but because of his compromised immune system could not fight off the disease. Yes, my family and I know first hand the dangers of secondhand smoke. So, I come here tonight as a father of my youngest

son, who on January 25, 2011 realized a dream of his and purchased the Hornet's Nest in northern Vanderburgh County. The previous owner of the Hornet's Nest was a smoker and thus allowed smoking in the bar. My son, who does not smoke, would like to change that practice, but fears his customer base would simply find another bar that allows smoking and not return to his business. Business, place of business, yes, that's truly what a tavern is. Just like a bank, or a real estate office, or a government organization, there are some 50 plus taverns in Vanderburgh County and they employ 20 to 40 people who work there, plus the dozens or so delivery and support people who visit the establishment on a daily basis. So, to them it is a place of employment. It is also a public place where people come to bring their families for a break from normal life, to eat dinner and enjoy family and friends. It is my son's place of business, and I'm very concerned about him, his employees, his support people and his customers who are currently exposed to the secondhand smoke. You see, he's my youngest son, he was born on March the 2nd, the day my mother died. I don't want to see him exposed to the dangers of secondhand smoke. So, I ask you tonight, as a son, as a father, and as a grandfather of his two little girls, to do the right thing and pass this county-wide smoking ban for all work places and public places, that includes over 100 places in Vanderburgh County called a tavern or bar. My son's life and well being may depend on it. My two sons daughters are my granddaughters, please pass that bill so they don't have to hold their father's hand as he tries to take his last breath. Thank you for this resolution, and I hope that you pass that. Oh, by the way, if you pass that this evening, on March the 2nd of this year, I'll take that hundred dollars out of my pocket and I'll donate it on your behalf to the American Cancer Center. Thank you.

(Applause)

President Winnecke: Thanks, Bruce. Who else?

Ryan Rigg: Thank you. My name is Ryan Rigg. I'm the Community Representative for the American Cancer Society for Vanderburgh County. I live in Warrick County, but I am the Community Representative for Vanderburgh County. Scientifically the debate is over, secondhand smoke is more than a mere nuisance, it kills people. The 2006 Surgeon General's report was unequivocal, there is no safe level of exposure to secondhand smoke. The report concluded that the only effective way to protect people from secondhand smoke is to completely eliminate indoor smoking. Restaurant and bar employees are particularly at risk. According to the Journal of the American Medical Association food service workers are 50 percent more likely than the general population to develop lung cancer, largely because many of them are exposed to secondhand smoke on the job. In reality there is only a smoking section and a secondhand smoking section. Comprehensive smokefree policies protect everyone's right to breathe smokefree air, workers, visitors and patrons alike without harming business. In too many work sites our workers are regularly exposed to hazardous cancer causing chemicals from secondhand smoke. Employees needlessly suffer adverse health effects without any power to stop it. Employers should have to protect their employees from known cancer causing hazards like asbestos and secondhand smoke by making their building smokefree. The public can choose a smokefree establishment, but employees cannot. No one should have to choose between a paycheck and their health. You have a responsibility to make evidence based decisions, smokefree laws protect health, save lives and promote business. Throughout Indiana and the nation localities have demonstrated that smokefree laws are popular, can be implemented with little difficulty, are met with high levels of compliance, and do not have a negative economic impact on restaurants and bars. From a medical or economic standpoint, creating smokefree

work places just makes sense. The American Cancer Society supports smokefree work places for all employees, and I urge you to pass a comprehensive smokefree law that makes all work places smokefree. Thank you.

President Winnecke: Thanks, Ryan. Anyone else?

Alaxis Hopkins: Hi, my name is Alaxis Hopkins. I'm a representative for the Boom Squad Voice Group. We are a youth group working with the Smokefree Communities Coalition. Tonight we have heard some testimonials, facts, figures and about the health costs of tobacco and (Inaudible) tobacco is a part. What we are talking about here is regulating a product that is harmful to the human body and removing it from work places and public places so there is no longer harm. If we weigh this problem on a scale, one side there will be a pack of cigarettes and on the other side of the scale there will be one human being. The question you are answering tonight is which one is most important. I think you have made your statement and the representatives of the Smokefree Communities Coalition have made their statement that this product is not worth not one more human life in our community. I thank you for your vote to save lives.

President Winnecke: Thank you, Alaxis.

Bryce Miller: My name is Bryce Miller. I go to Castle High School. I am not a resident of Vanderburgh County, but I am part of the Boom Squad, and I basically have lived my whole life here. As you guys probably know we own the Stanley Hall building on 800 Evans, and I believe that we, our building is smokefree, like you cannot smoke inside of our building, but if you walk out of the doors anybody can grab a cigarette and smoke. I personally don't enjoy whenever we have functions and there are people that smoke there, they stand outside and just, they smoke away, and I want to go outside and go home and I can't breath while I'm walking out of the door. I believe if you pass this we will actually have some say in what we can do. I do believe it is a choice whether you go somewhere that is smokefree or you don't go where you don't want to be in smoke, but it is also not a choice because I remember a couple of years back my friend he has a serious asthma attack in Golden Corral because he was getting salad at the salad bar and whenever they didn't have the all no smoking that was where the smoking section was and he couldn't breath for about a minute to a minute and a half and he just fell flat on his face. The hospital and the doctors just, they knew it was because of secondhand smoke, and it wasn't an assumption, and nobody questioned it because, I mean, secondhand smoke is such a deadly cause. I mean, it is, it's a fact that it is more harmful for you to receive secondhand smoke than it is to smoke yourself, because of the tar that is on the end of the cigarette and it gets in the smoke. Other people inhale it and there is a filter on the other end where the person that is smoking is smoking and they have a filter. So, basically they're healthier smoking than you are not smoking. So, that's basically it.

Commissioner Melcher: Thank you.

President Winnecke: Thanks, Bryce.

Andrea Hayes: Good evening. My name is Andrea Hayes. I'm the Director of the Movement Initiative at the Welborn Baptist Foundation. I just wanted to share a few facts with you. Smoking is the single greatest avoidable cause of disease and premature death in the nation. Smoking is estimated to be responsible for \$167 billion in annual losses to the U.S. economy. Smoking harms every organ in the

body, resulting in enormous health consequences, this includes 90 percent of lung cancer deaths in men, and almost 80 percent of lung cancer deaths in women. In 2008 a telephone survey conducted by the Welborn Baptist Foundation found that 25 percent of Vanderburgh County respondents, adult respondents, were smokers. This is higher than the national average of 20 percent. Among those smokers identified in the study, half had made a serious attempt to quit in that current year. Thank you for your time.

President Winnecke: Thank you, Andrea. Anyone else?

Barbara Lord: Good evening.

President Winnecke: Good evening.

Barbara Lord: My name is Barbara Lord. I am not a resident of Vanderburgh County, I'm a resident of Warrick County, but I Relay for Life here in Vanderburgh County, and I also do 95 percent of my shopping here, probably 98 percent of my going out to eat with my husband. My mother lives in Vanderburgh County, and when I take her places here, obviously, there are people out of Vanderburgh County that have a great, I think, what's, I've lost the word I want. We have a great attachment to this issue, because, as I said, when we go out to eat somewhere in Vanderburgh County, this amendment is going to impact the quality of life we have. In 1964 I sat in Gerald Jesse's civics class out in Reitz High School, and I listened to him preach to us about individual rights. One of the things that has stuck with me all of my life, and he said to me that my rights as a citizen end where your nose begins, but conversely your rights end where my nose begins. When I am in an area where there is secondhand smoke, that secondhand smoke does not end at my nose. It goes in my nose, in my lungs, in my bloodstream. I think the facts of secondhand smoke speak for themselves. Thanks for your time this evening.

President Winnecke: Thank you, Barbara.

Casey Williams: Good evening, Commissioners Winnecke, Abell and Melcher. My name is Casey Williams and I am the Public Relations Coordinator with Smokefree Communities Coalition of Vanderburgh County. On behalf of the hundred plus coalition members I want to thank you for the opportunity to testify in support of this amendment to make all work sites in the county smokefree. I'm here today because we are concerned about the effects of secondhand smoke on workers. I'm also here today because as a group of concerned citizens we want to point out the economic costs of smoking related illnesses is enormous. The savings in reduced health care expenses alone should be enough incentive to pass this legislation. Tobacco use costs us all, it hurts more than just the user. Even if you don't smoke and aren't around smokers you are still paying the price for tobacco use. Each Hoosier citizen pays \$585 per year for costs related to tobacco use. Smoking costs Indiana nearly \$2 billion every year in medical costs, lost productivity, fires, absenteeism, and extra house keeping costs. In addition, employer costs are affected. An employee who smokes costs their employer \$1,760 per year in lost productivity. Costs can soar as much as \$3,391 per year in medical expenses. There are other benefits to going smokefree beyond employee safety. Those operating retail businesses, especially restaurants, bars, and hotels usually find that their business goes up once customers know they are smokefree. 77 percent of Indiana's population does not smoke, and generally prefers a smokefree atmosphere. In fact, many smokers do as well. Business owners in communities that choose to go smokefree also realize a smoking cessation benefit. Many smokers choose to use this as an opportunity to

quit smoking, multiplying the positive public health effect of such a choice. As you can imagine my office at Smokefree Communities is smokefree, but my second job as a musician is not smokefree. Those of us who work in bars have the lowest level of protection against secondhand smoke. Many jobs such as musicians or wait staff or bartenders do not include health insurance. If we get sick from secondhand smoke, we either go untreated or the treatment we do receive will likely become a public expense. What is the best answer? Protect all employees from the dangers of secondhand smoke. This is going to be an excellent way to protect both the health and pocketbook of all Vanderburgh County residents. The citizens have asked for this for a long time. It's been five years since the Commissioners have moved to protect the citizens of this community. The coalition would really like to recognize their effort and toil to get this rule clear, correct and right for its citizens. We also recognize that a similar challenge is due for the City of Evansville Council. We also will take steps to ensure that the entire community is protected. Our office is here to support you as you transition to the new smokefree work place ordinance in Vanderburgh County. Again, we thank you. My name is Casey Williams, I live in the City of Evansville.

President Winnecke: Thanks, Casey.

Casey Williams: Thank you.

President Winnecke: Would anyone else like to speak to this issue? Okay, we, in that case, we have a motion and a second on the floor to pass, on final reading, CO.01-11-002. Any comments from my colleagues?

Commissioner Melcher: I would just like to make one. I will try to keep it short. I've been working on, like I said at the last meeting, on this for many, many years, and I do know it's a health issue. I don't even smoke myself or my family doesn't. This is only for the county, just so everybody understands that this is not for the City of Evansville. This is only for the Hornet's Nest, that was brought up tonight, St., let's see, I think it would be St. Joe, also the American Legion Posts. Some of them have been calling me for the opposite because they know which side I try to be on, especially the veterans. They're saying that they're afraid that what the veterans there will end up doing is transferring to a post in Evansville. That's going to hurt that post and that's a good ole post out there, if you've ever been out to Funkhouser's. I'm just trying to make sure that everybody's on the same playing field. When the State was thinking about it, it was in the paper, "Is the smoke ban worth the gamble? Local casino taxes clouds issues." Well Aztar didn't want to be included in it, and what the City Council did at the time, they passed one, they left the boat exempt and some stuff in the early beginnings and they were able to create The District and all that economic development down there with it. They said if it was a smoking ban it wouldn't pass. The State is also looking at it, so the very first one they wanted to eliminate was the casinos. Now they've gone bars and taverns. So, at the State it looks like it will pass, the same party has the Governor and the House and the Senate. If it passes, that means Gibson County, and Warrick County, and Posey County, for the first time, will be smokefree, except for the taverns and a few other exceptions. That will put pretty much everybody on a level playing field, except for the those two or three restaurants in our county and that American Legion Post. I was kind of hoping that we would look at this after the State did or did not do what they were going to do, but we don't know what that's going to be. But, I just wanted to make sure that everybody understood tonight that this is just for the few out there, and there always is the part about, at the time we were passing these there wasn't any smokefree bars hardly in Evansville, only a few restaurants. There's been a lot

of new bars open up, a lot of new ones are going smokefree. So, if the Hornet's Nest does want to go smokefree, they can, but they probably will, if this passes, they probably will lose for a while some of their customers, because they will come in to Evansville or go where they can smoke. Then, when the State passes it that will also create the same thing for the counties. I also know talking to other County Commissioners around us, like we were promised by Smokefree Communities that they were going to pass as soon as the City Council passed, and they didn't do it. None of the Commissioners right now are thinking about a smoking ordinance that I know of. Henderson even changed theirs to match Evansville because they were losing business to Evansville. So, that's the statement I wanted to make this evening. Thank you.

Commissioner Abell: I want everyone to know why I feel like I do. Economic development is a charge of the Vanderburgh County Commissioners. If we can do anything to encourage job growth in this county, it is incumbent upon us to do that. It has been proven that health insurance premiums can be reduced for companies that provide health insurance to their employees if they can prove that the community is a healthy community. If a company was looking to come to Vanderburgh County and looked at another county that did have a healthy county and went to them rather than us, I would feel terrible about the jobs that the people in our community would have lost, because if there's anything that the people of Vanderburgh County need right now, it's a place to work. My other issue that I want to explain to you is that this country was founded on, and is a country of representative government. I was not elected to vote my own will on the people. I was elected to vote the will of the people that I serve. My phone calls and e-mails are strongly in favor of a strict smoking ordinance in Vanderburgh County. I feel that I have to follow the direction of the people that elected me and vote that way. Democracy, representative form of government, isn't just a form of government when it's your way. It's our way of life, it's our form of government, and if you disagree with this one, you might not disagree with the next one, and you wouldn't want the minority to win over something that you were strongly in favor of. Those are the two reasons that I will be voting in favor of this ordinance this evening. Thank you.

President Winnecke: I would just add, excuse me, just personally, in my opinion, a matter of public health, quality of life and economic development. I certainly understand the opposition, but those three tenets, I believe, outweigh the opposing arguments, in my mind. Hearing, seeing no other discussion, I'll call for a roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: No.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

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

President Winnecke: The motion passes, and the ordinance becomes effective. Thank you, everyone. Appreciate the attendance tonight.

Commissioner Abell: Thank you.

(Applause)

President Winnecke: If anyone wants to leave, I'll give you the chance before we continue on. We do have a lengthy agenda.

**Mark Rolley Consulting (MRC) Extension Agreement
Barnes & Thornburg: Federal Relation Counsel Agreement
Barnes & Thornburg: State Governmental Relations Agreement
OCH Lease Agreement: Phoenix of Evansville
EMA: Homeland Security Grant Agreement
Superior Court: 2011 CASA Agreement
Sheriff: Lease Agreement with Morton Avenue Warehouse
Health Dept: Affiliation Agreement with USI College of Nursing
Health Dept: 2011 Radon Gas Grant
Health Dept: Telework Agreement: Marjorie Logan
Supplemental No. 1: United Consulting: 1st Avenue Bridge Project**

President Winnecke: Okay, we'll continue with the contracts, agreements and leases. The first item under the Commissioners, the extension of agreement with MRC. This extends the term of the agreement to 12/31/16, but leaves the 2011 compensation as it is under the present agreement, and it provides for increases in compensation in the years 2012 through 2016 based on three percent annual increases. I would consider, entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, we have federal lobbying agreement with Barnes and Thornburg, this is also a state executive lobbying agreement with Barnes and Thornburg. Under these agreements, Barnes and Thornburg would provide federal

lobbying for \$50,000 for 2011, that is through March through December, and state executive lobbying for \$20,000 for that same period of time, for a total charge of \$70,000 in this year. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second.

Commissioner Melcher: And, this one also is cheaper, isn't it? Isn't the total cheaper?

President Winnecke: It's, actually it's a little more, but we've eliminated one facet which we felt we didn't need this year.

Commissioner Melcher: Right.

President Winnecke: Any other discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, an Old Courthouse lease renewal with Phoenix of Evansville for suite B9. This is for one year, from January 1 this year to 12/31 this year. The rent of \$8,568 annually, paid at \$714 per month, is the same as the lease with Phoenix for 2010. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, with EMA, Homeland Security grant program sub-grant agreement EDS#C44P-1-234A for \$199,000 to the sub-grantee Emergency Management Agency for the acquisition of equipment in support of the District 10 Task Force. This is the purchase of a portable 50 foot communications tower. Is Sherman here?

Commissioner Melcher: I'll move for approval.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Go ahead.

Commissioner Abell: Mr. President, I just wanted to make clear a couple of things that I think were clarified at a meeting that Mr. Gries and I attended with the Homeland Security people that were here last week. This money is a grant and this is a district expenditure. This does not come out of Vanderburgh County tax dollars. So, for anyone who might be concerned if we're spending money to help one of our fellow counties, while that would certainly be an admirable thing to do, it isn't what we do. In fact, it's a district and it's funded through the Homeland Security money and not through your tax payers.

President Winnecke: Good.

Commissioner Abell: Thanks.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, Superior Court agreement with CASA, Incorporated. It runs from January of this year through December of this year. This is identical to the contract signed by the Commissioners in this regard for the year 2010. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, the Sheriff, lease agreement with the Morton Avenue Warehouse for training purposes. This is for one year, this covers this calendar year at the cost of one dollar. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, we have three from the Health Department. The first is an affiliation agreement with the University of Southern Indiana College of Nursing. This is a three year affiliation agreement to allow students from the College of Nursing and Health Professions to intern at the Health Department for clinical learning experience. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Also from the Health Department, a radon gas grant. It's in the amount of \$5,000 to aid the Health Department in increasing its program to detect radon gas in residences. It runs for the period of January 25, 2011 through June 30th of this year. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Finally, from the Health Department, we have a telework feasibility assessment and telework agreement. Under the terms of this Marjorie Logan will perform telework from her residence. A similar arrangement was approved for her at the January 11th meeting of this body and will expire on February 24th. This agreement runs from the 24th through March 24th. There is an explanation in our packet. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, from the County Engineer, is John still here? We have supplemental agreement number one with United Consulting for the First Avenue Bridge over Pigeon Creek. This is that rehabilitation project. The purpose of this supplement is to increase the time period for the inspection due to an increase in construction time from 30 weeks to 35 weeks, resulting in an increase in the contract price by \$22,100, bringing the total project price of \$169,500. John?

John Stoll: This was all a result of the old concrete footings that we found that we previously didn't know about there. That delayed the project, which in turn caused the need for the additional construction inspection.

President Winnecke: Any questions of John? I would entertain—

Commissioner Melcher: Move for approval.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

County Engineer

President Winnecke: John, anything else for us tonight?

John Stoll: I've got a couple of things. First, I also have a change order on the construction on the First Avenue Bridge. This is for an increase of \$7,304.67. This covers the installation of a traffic signal conduit that was omitted from the plans. That was about \$1,900. We put in about \$1,200 of temporary striping right before Christmas in order to get all four lanes of the bridge open throughout the winter, that was \$1,200. Then, the balance, about \$4,200, was to cover the cost of change in the sidewalks and curbs. What was shown on the plans didn't match exactly with what was out there. So, it had to be altered in the field.

President Winnecke: So, that total is \$7,304.67?

John Stoll: Correct.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or further discussion on this? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, I would like to file a travel request for me, Pat Seib and Valerie Harry to attend Purdue Road School on March 8th.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, all in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Just thought I would throw you off, make sure everybody was paying attention. Anything else, John?

John Stoll: Another travel request, it would be for me to attend the IDEM annual storm water meeting in Indianapolis on May 24th.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: Then, last, I don't know if it was discussed, I was late for the meeting, but the Evergreen Acres bid was delayed a week because we omitted the MBE/WBE paperwork, and we will have the contractors submit those bids next week, even though we had originally said that it would have been today. We did get the correct paperwork sent out to all of the contractors in an addendum.

President Winnecke: Thank you, John.

John Stoll: That's all I have.

Health Department

President Winnecke: Any other department heads that are here that would like to make a comment? Gary or Dr. Ray, anything you would like to offer?

Gary Heck: Gary Heck, Vanderburgh County Health Department. I just wanted to let you know that I e-mailed you the Dental Clinic report and the prescription drug report from the National Association of Counties.

President Winnecke: Great.

Gary Heck: So, you should have those in your alls e-mail accounts.

President Winnecke: Okay, thank you.

Gary Heck: You're welcome.

Commissioner Melcher: Thank you.

Board Appointments

President Winnecke: We have no board appointments tonight.

New Business

President Winnecke: Any new business to come before us?

Public Comment

President Winnecke: Public comment? I had, I know of three. Bruce, you're jumping up here. So, feel free to go first.

Bruce Ungenthiem: Again, my name is Bruce Ungenthiem. I'm a Vanderburgh County resident. I'm here tonight to talk to you about the consolidation report which was submitted to the Commissioners on January the 11th. I am the representative of We the People of Vanderburgh County. There are many of us who have been meeting for a month or so, talking about the consolidation issue and going through the consolidation report, trying to understand it, trying to understand the pros and the cons and how it affects the people. We chose tonight not to make this a big public meeting, so there are a few people in the audience, but we chose not to bring a large crowd at this point in time because we knew your time was valuable. We feel that the committee did not accurately reflect some of the issues the people of Vanderburgh County have about this consolidation plan. So, we reviewed the report and we came up with the following ten issues, top ten, it's not David Letterman's top ten, but it's pretty close, the top ten issues that we have with the plan. The first issue is the voter threshold issue. The introduction indicates a voter threshold of 50 percent of all Vanderburgh County residents, but because this is a change in the constitution of the local government, by eliminating two governments and forming one government, and reducing the representation of the citizens, we feel very strongly that the voter threshold needs to be set at 2/3, not 50 percent. The reason is, if you change the United States Constitution, the United States Constitution requires a 2/3 vote. In fact, if you read in this plan itself, under Article 11.1.1, any legislative action that changes the plan requires a 2/3 majority vote of the new Council to approve. So, it should require a 2/3 vote from the people to change this form of government. The second issue is the lack of financial information. The plan preamble states that efficiency, simplicity and clarity, however, in the plan there's no claim of any cost savings, and I would suspect if you're more efficient, simpler and more clear, you would have some cost savings. There's no ROI on this project, there's no ten year financial analysis for this plan, there's no mention of how much money has been spent to date, which we think is \$108,000, or how much will be needed to complete the plan. The taxpayers deserve to know what this plan, how this plan affects them, and their property taxes before they vote on it. Item number three has to do with representation. The current plan now changes the representation of the people in Vanderburgh County from 19 representatives down to 11. This is a 43 percent reduction in representatives in our county government. In addition, all representation is based on population and none on area. The recommendation that we would have would be to increase these Council members to 15, have eight Councilmembers by area, one from each township, seven Councilmembers by population, say every 25,000 people, and no at-large members, because at-large members are not as accountable to the voters as people who are in the districts. The fourth issue is too much Mayoral power. The Mayor has too many appointments, and the appointments do not require approval of the consolidated Council. In addition, one legal counsel, the plan indicates one legal counsel appointed by the Mayor for the entire government, and that puts too much power into that Councilman's or into that lawyer's lap. The recommendation is the Councilmember's should lead the various boards. If we're going to have 15, each Councilmember would take on two boards

and lead that so they have some responsibility, that the board has some responsibility to the voters. The second issue, the second recommendation is that the legal counsel should be separate for the Mayor and the consolidated Council, and both should be awarded based on bid. Issue number five is election. The plan indicates that all elections are at the same time. We recommend that the elections should be staggered to minimize transition issues. Think about this, if you have an election where every Councilmember changes at the same time, what kind of chaos that would be to the government. Nobody would know who had the keys to open the door. It also indicates there are no term limits on offices. We have term limits on the President, we have term limits on the Governor, we should have term limits on the Mayor. We're recommending eight years for the Mayor, and the Council should have term limits of 12 years. Issue number six is the unfair tax proposal. The financial analysis that was done as a part of this plan indicates that non-urban property taxes will go up 28 cents per 100 net assessed value. This means an additional \$280 for a \$100,000 house outside the urban district in Vanderburgh County. However, there's no indication that there will be any additional services provided with this increase, and I also think that based on the cap on how much you can increase property taxes in a given period of time, that this far exceeds that one percent property tax. So, this is unacceptable. Issue number seven is the Darmstadt issue. Section 1.4 indicates that Darmstadt is not included in the plan, however, Darmstadt will pay general services taxes in this plan, will vote for Councilmembers in this plan, will vote for Mayor in this plan, and can even run for Council or Mayor in this plan. So, it's hard for me to understand how Darmstadt cannot be included in the plan, if you get to pay taxes and vote for the Mayor. So, if Darmstadt is in fact included, then by State law, all groups included in the plan must approve this plan independently. I believe that's Indiana Code IC36-1.5-4-32. Item number eight, new plan annexation rules, section 7.4.1 indicates that any area can be annexed, and I use the term annexed, it does not say that in the plan, but that's essentially what it is, can be moved from the general services area to the urban services area with a simple request of either the Mayor or the Council, no vote of the affected people is required. This is simply unacceptable, and must be changed. Item number nine has to do with partisan elections. Section 1.5 of the plan calls for partisan elections. This is not in the best interest of the community, and the recommendation is to go to a non-partisan election. Now, this is not necessarily our idea. When George Washington wrote his four farewell addresses....that's easy for me to say, farewell address, after eight years as President of the United States, he warned us about the evils of separating into parties, and he actually made the recommendation that we should stay non-partisan. Mayor Abramson, who was invited to speak here about and for consolidation, at the Rotary Club, I believe, when asked what was the biggest mistake that Louisville made in its consolidation effort, indicated that allowing partisan elections was the biggest mistake that they made. You know, it's difficult enough to get two parties to agree on an issue, I don't have to tell you folks this, you've been through that scenario before, what will happen when there's three? It's on its way. Item number ten, elected officials, elected State officials that are retained. The plan indicates that there are nine elected county officials that will be retained. The plan indicates that the Sheriff will assume all law enforcement duties in the county. How and who do these nine elected county officials report to in the new government? It's not clear in the plan. The question then becomes, does the Mayor set the budget for all of these offices, including the Sheriff's Office? The conclusion is that the plan has a lot of unanswered questions. There is no clear reason why we should continue this effort. I think we got so caught up in whether we could consolidate that we've not stopped to consider whether we should consolidate. We the People strongly request that you reconsider why we should consolidate, and is it really in the best interest of all the residents or just a select

few? This last slide was one that I added, and it came as a result of the census information that came out in the past week or so. If you look at the blue line, at the top is Vanderburgh County. Over the last 50 years, Vanderburgh County has continued to grow in population, although its area has been fixed. The second line shows the City of Evansville, and although the area of the City of Evansville continues to grow, its population continues to decline. I think that's the real reason for this consolidation, is that the City of Evansville is in a state of decline. So, I would like for you to think about this, as all the hubbub is done for the day, you lay down on your pillow and you're staring up at the ceiling, think about this piece of information right here. If you were a small business, what line would you like to tie your business to? If you were a real estate company, would you be interested in investing in the City of Evansville line or the Vanderburgh County line? If you were a banker, would you invest in the City of Evansville line or the Vanderburgh County line? The reality of it is, is we understand the City of Evansville is in trouble. We understand that the population continues to decline, but adding the entire Vanderburgh County community into the City of Evansville's troubles doesn't solve the problem. It didn't solve the problem in Indianapolis. Indianapolis still has a lot of budget issues. It didn't solve the problem in Louisville. Louisville's going through a lot of budget issues right now. So, we just ask that as you consider this proposal, and as you talk to your fellow Councilmembers in the City Council, that you think about these issues. As we go forward through this, I'm sure we'll have more time and more opportunities to discuss this. Thank you.

President Winnecke: Just, before the next, I know I have at least two more speakers that I've been notified would like to address this issue, let me just remind everyone where we are. I have exchanged e-mails as late as this morning with City Council President, B.J. Watts. We are, I think, that close to agreeing on a couple of joint meetings, and we hope to announce the dates in the next few days, but they would be in March sometime, with plenty of advance notice. The idea, and we've kicked this around in this meeting, in this body before, the idea is that the first meeting would be a joint meeting of the County Commissioners and the City Council where we could ask as many questions of the reorganization committee as possible in a public forum. A couple of weeks later we would reconvene in a joint fashion and have a public hearing to address issues much like Bruce has brought before us tonight. So, we hope to announce those dates very, very shortly. It's just been a matter of trying to coordinate schedules at this point. So, having said that, I'll call our next speaker, Mike Sandefur. Do you want to come up?

Mike Sandefur: My name is Mike Sandefur, I'm a Vanderburgh County resident. I want to say that I appreciate the opportunity to talk. This issue is difficult. State law mandated that you guys move forward with this, so now you've been given lemons and hope to make lemonade. So, going from there we appreciate that we can make something good from this. Our republic form of government was not designed for political expediency. It wasn't designed after a business model for efficiency. It was designed for sustainability, accountability, and representation. I think we would all agree that we probably don't have a lot of influence over our President, Barack Obama, or for that matter any President before that, but we do have influence at the local levels. That is how our republic government was set up, so that the people could be in touch with their representatives. As we dissolve long standing governments of this, we lose that. Even the fact that we may, if you agree to increase the number of representatives, we have still lost a branch of government, which means its less opportunity for the people to have their voice and say. I think we would recognize that we can influence local elections. We see that, just recently, that if someone is not performing the way they should, they're not here anymore.

Those are the types of things, as we consolidate government and consolidate more government, we lose those. The simplest, you know, the simplest type of government is a monarchy. A single ruler. Very efficient, but it doesn't represent any, any representation of the people. I think long standing governments should not be casually discarded. I think if there were announced in the federal government in the morning that we're going to have a consolidation with China or Mexico and it was going to be done on a simple vote, by the people, on a 50 percent vote, we would all be up in arms. We would say that's ridiculous. You're not going to just, you know, you're not going to just dissolve a long standing government on that kind of pretense. Well, that's what we're doing right here in Vanderburgh County. We're proposing, this board has proposed to do a simple vote and dissolve a long standing government. I think that is an issue that you need to correct. I think if you're going to dissolve a long standing government that it needs to be on a super majority, a 2/3 vote. Like I say, even within this plan, any changes have to be done at a 2/3 vote. Every, virtually everything of major impact is designed so that it has a lot of thought and it has a decent majority, except for this plan here today, which is a 50 percent. So, I would encourage you to make that change, and, I think it's for the benefit of the county and the city, and it represents the voice of the people better. Thank you.

President Winnecke: Thanks, Mike. David Christmas?

David Christmas: Yeah, good evening. My name is Dave Christmas. I do live here in Evansville. I'm on the west side. I'm on, right near the city-county line. So, I'm kind of right there in the middle, but I would like to echo the sentiments of Mike. What we're doing in our society today is we're throwing away the best thing that was given to us by our fore fathers, which was our representative form of government, a Constitutional Republic with democratic elections. It's the best thing in the world. Consolidation, as Mike has pointed out, and Bruce has also pointed out, is counterproductive to that. I read the Shepard-Kernan report. I would encourage each of you to do the same. When you read that report, which is where all of these ideas stem from, you'll find a lot of statements that aren't backed up by anything. Now, when I read something like that, I call it propaganda. Okay? Somebody is trying to convince me, but they're not giving me any evidence of why their way is better. So, I resent it wholeheartedly. You know, we have a really good form of checks and balances, we're going to throw those away, by and large with the way you're proposal goes to the representation. It's unnecessary. If we have redundancies, or efficiencies, we can do those without consolidating, I really believe that. I believe that we've got some professional people here, and I think that the electorate can elect their people. I like the ability to elect you three folks. I like for you to have the ability to have some autonomy from the city. That's a check and balance. I would like my law enforcement officials to have some autonomy from each other, that's a check and balance on law enforcement. So, with that said, again, the, my final point would be the fact that it appears the way this ballot referendum is set up, it's kind of a done deal. You consolidated the election before the people had a chance to say no. I don't understand how the county has the ability to say no, because with the 50 percent it's basically taken away. I think that the probability is that it would go towards consolidation. So, that's, I appreciate your time. Thank you for letting me speak. That's all I have to say.

President Winnecke: Thanks, David. Anyone else on public comment on any other issue?

Bill Jeffers: Bill Jeffers, Vanderburgh County Surveyor. I've been impressed twice tonight by Bruce Ungenthiem. I'm sure you have been too. He did a great job on,

this Power Point he had is very impressive, but I believe even though it encompassed ten points, I believe there are still some critical issues missing from that Power Point. Now, I wrote an article that was published in the Courier & Press, I believe last Thursday, and there's no need to rehash that now, I plan on presenting a summarized version of that when you have your public hearing after you have your joint meeting to discuss the issues between your Councils and the committee, but I'll wait until that second meeting when you ask for public comment. But, I would like to touch on just a couple of things that Bruce's Power Point, Bruce Ungenthiem's Power Point did bring out. On the Darmstadt issue, it was strange to me also that Darmstadt was not included. I think Bruce pointed, Bruce Ungenthiem pointed that out clearly why it should have been included. It is obviously an integral part of the merger, for reasons he points out. I believe it wasn't, although I may be wrong, was a legal move to keep the merged, the merging entities to number two. If there were three entities merging, you would have automatically had the rejection threshold, I believe. Is that correct or not correct? Does anybody know that at this time?

Ted C. Ziemer, Jr.: That's not correct that you would automatically have a change in the rejection threshold.

Bill Jeffers: Okay.

Ted C. Ziemer, Jr.: Since you asked for a comment, let me just straighten one other thing up for the record. At the Commissioners January 5th meeting² to discuss these issues, the President of the Town Council of Darmstadt appeared before the Commissioners, Mr. Bob Stobbs, and said that the Town of Darmstadt did not want to be a part of the reorganization process. In addition to that, I spoke to the attorney for the Town Council of the Town of Darmstadt, and he told me that it had been determined that they did want to be a part of it. Had they wanted to, it would have been a very simple matter to have three units of government involved in this instead of two, but they indicated they did not want to be included, and therefore they were not.

Bill Jeffers: Yes, I was at that meeting, and I recall that exactly the way you describe it. I've had conversations since that time, and more recently with people from Darmstadt who are privy to Town Board sentiment at this time, and they indicate they may have been sorry they did that, or it was their impression that if they had been included the rejection threshold would have kicked in, but apparently that's not correct. Another point that I would like to emphasize with regard to Bruce Ungenthiem's presentation, I believe the Mayor would have direct authority over the Constitutional office holders budgets, because our budgets would have to be submitted through the Mayor's appointed Budget Director. Then, after his or her review, and recommendation to the Common Council, only a super majority of the Common Council could overturn the Budget Director's recommendation regarding a Constitutional office holder's submitted budget. That's totally different than the way that the County Council operates with elected office holders at this time. That's something that you might want to take a close look at. I'll let it go at that, because, basically, like I said, I have more to say on it, but I'll, I am still working on a couple of more issues that I either want to present through the Courier & Press or directly to you at your second hearing.

President Winnecke: Thanks, Bill.

²January 5, 2010.

Bill Jeffers: If there's no other comment on—

President Winnecke: Oh, Marsha's going to ask you a question.

Bill Jeffers: —consolidation—

Commissioner Abell: I have a question.

President Winnecke: She's going to ask you a question.

Commissioner Abell: I have a question for you, Mr. Jeffers?

Bill Jeffers: Yes, Ma'am?

Commissioner Abell: You drew the map that set out the number of representatives from each different area?

Bill Jeffers: I drew—

Commissioner Abell: I mean, I knew you were asked to. I don't mean, I'm not insinuating—

Bill Jeffers: —a map for the reorganization committee at their request—

Commissioner Abell: Yeah.

Bill Jeffers: —and at their direction. Their specific direction to keep the city wards, which are the six City Council voting districts, to keep those boundaries as close as possible to the same as they are today, recognizing there would have to be some shifting done because you have a portion of Knight Township that is separated from the rest of the county out and is not contiguous, so it would automatically have to go into the first or second ward, and thereby cause some shifting as you moved across the city, some minor shifting. They also specifically directed me, after creating those six districts, as close as possible to the existing lines, to take the county portion, the unconsolidated area of Vanderburgh County and divide it into two equally populated areas. That was done based on census 2000 population data. I told them at that time, and I think I made that statement also in public, that census data 2010 would totally change those lines.

Commissioner Abell: That was—

Bill Jeffers: I believe I pointed that out in the article to the Courier.

Commissioner Abell: That was my question, is because I think that the numbers are going to be, would be drastically changed if we used the 2011, 2010 census numbers that just became available recently. I point that out because I don't think there's proper representation in the county. If we don't anticipate that our population is going to move north, we've just invested an awful lot of money on a high school that shouldn't be built. So, I would think that if everyone's anticipating the county's going to move that way, and we know that the numbers have changed at that point, from what I've seen, then maybe we need to think about redrawing these lines. I'm not asking you to do that, or insinuating that you should. I know that the committee asked you to do a job and you did it as Surveyor, but I have some problems with the map and I just wanted to clarify those.

Bill Jeffers: Well, 12,000 people already have moved that way.

Commissioner Abell: Right, I know that. Thank you.

Bill Jeffers: Yes, the map needs to be redrawn. The point I made Thursday in my article was simply that if you went ahead with the districts as drawn, you would be asking the voters of Vanderburgh County to vote on a plan that has no correct redistricting laid out for them.

President Winnecke: Right.

Commissioner Abell: I agree with you.

Bill Jeffers: Believe me, when I tried to redraw those districts anticipating where people moved, the lines went all to hell. That's all I can tell you. They just, it was a total mess. There's no way you can keep the six city districts anywhere near what they are today when you take the fifth district, the fifth ward and the adjacent third ward, and the adjacent first ward and go out there into Center Township and try to take back enough people out of the 10,000 people that moved into Center Township in the last ten years and take them back into the urban areas, there was absolutely no way to keep the other ward lines from shifting all over the place. So, nobody knows right now how it's going to look when they're asked to vote on it. They'll be voting from an area where they live that's lopsided compared to an area where they left. See what I'm saying? You would not have a one man-one vote, pardon me for using that term, but that's the old term that comes out of the Supreme Court ruling, one person-one vote mandate from the Supreme Court, you would be voting, the people out there in the eighth, district eight would be overwhelmed, have a totally watered down by 12,000 disadvantage.

Commissioner Abell: Yeah.

Bill Jeffers: Okay. Well, enough of that.

President Winnecke: Actually—

Bill Jeffers: If there are no other comments on—

President Winnecke: —I think Mike wants to come back and offer one more, I think.

Mike Sandefur: If you can stand, move right quick to the left and I'll make this real quick.

Bill Jeffers: I'm a Surveyor, is that a foot?

Mike Sandefur: That looks about right.

President Winnecke: There's probably a joke there, but we won't go there. Go ahead.

Mike Sandefur: I think, in regards to the discussion on Darmstadt, and I hate to put intent in somebody's comments, but I think Darmstadt's intent was they don't want to be subject to it. It's not necessarily that they didn't want to be part of it, if they had been told that you're going to be subject to it, they probably would have stepped forward and said if we're going to be subject to it, then we want to be a part of it. So,

I think there should require some clarification on what Darmstadt was actually requesting, because there's a very relevant and probably legal difference between subject to and part of. Thank you.

Commissioner Melcher: I will say, I'm the one that asked them to come to the meeting, because we knew there might be some problems, and we wanted on the record what they were doing. They knew they were going to be part of it, they knew it was going to be all of Vanderburgh County. We wanted to get something from them, from their board or something saying they were going to be part of it or they weren't going to be part of it, and they insisted they weren't. I said, then good, come to the meeting and state that for the record so that we have it in our minutes, so this wouldn't come up that's come up today.

Mike Sandefur: Well, and—

Commissioner Melcher: We wanted to make sure that that part was covered.

Mike Sandefur: Okay, well, and perhaps they may support that, but that may be, they may come back and say, well, that obviously there was some miscommunication, but thank you.

President Winnecke: Thanks, Mike. Bill, you can take your step back to the right and proceed.

Bill Jeffers: Yes, with regard to the smoking ban ordinance that you passed today. I missed the reading of it, and I have not had the opportunity to read it closely, when does that take effect?

President Winnecke: July 1st.

Bill Jeffers: July 1st? Okay. That gives you plenty of time then to address a comment that I have. Very briefly, does it exclude, specifically exclude the casino?

President Winnecke: The casino, since it's in the City of Evansville—

Bill Jeffers: The boarding platform and the, whatever they call that area that you go in there and eat and stuff, that's in the city. The boat itself, I'm not sure. The boat itself I believe is probably floating in the county jurisdiction.

Commissioner Abell: I think when they docked the boat it became part of the city. I think that was the, and I think there's documentation of that in the city—

Bill Jeffers: Did they annex?

Commissioner Abell: I think when they attached their boat and no longer made it a mobile, no longer had to go up and down the river, and there was something in the City Council minutes about this, it became a part of the rest of the structure, the rest of the structure is considered city property.

Bill Jeffers: Because for a long time, until 1988, well, no, until 2006, the city-county line went right through Gordman's and Panera Bread Company is in the city, and these other shops down there, that battery shop's in the county. The same building.

President Winnecke: Well, we can, I do not know the answer. I bet you we can ask our County Attorney to research that—

Bill Jeffers: Okay, just a—

President Winnecke: —and we can report back.

Bill Jeffers: —I mean, I'm fairly sure it's floating outside the low water mark of 18 whatever that's the city boundary.

President Winnecke: Thanks. Any other public comment before we proceed with our agenda? Bob?

Bob Stobbs: My name is Bob Stobbs. I'm the President of the Darmstadt Town Council. Yes, I was at the meeting, originally it was asked if Darmstadt wanted to participate in this thing, and at that time with the discussion with the other board members and our attorney, we decided that, at that point, because we didn't know exactly what was taking place with it, we did not want to be a part of it. But, since that time, we have reviewed everything, especially with the proposal that was put forth before you on January the 11th of this year, and we have done a lot of work on it. As you can see, we've highlighted an awful lot of things in this proposal, and one of the things that comes up in here in, on section 7.3.3 regarding town services district. It points out in here that the Town of Darmstadt will be subject to the special services taxing districts just like everyone else has. The question that we have, and we've been discussing this, if we're going to be a part of this special services district and be taxed for it, does that mean that whenever the consolidation goes through that the consolidation then will take over the running of our sewer system that we have in the Town of Darmstadt? Is it going to take over all of the streets and roads, as far as maintenance of them within the Town of Darmstadt, and any other thing? Right now we pay the Sheriff for police patrol in the Town of Darmstadt, and is this going to take care of that for us as well? These are some of the things that have been brought up. After that first initial meeting we were never re-approached by anyone. Have you changed your mind, or do you want to discuss this any further or anything else? At this point, these are some of the things that in meeting with Bruce Ungenthiem, we've discussed a lot of this thing. We just feel like that, you know, we're being included in it, but we're not being included in it. At this point we would like to have some answers. I appreciate your time. Thank you very much.

President Winnecke: Thanks, Bob. As I mentioned earlier, we'll, this body and the City Council will, in a joint meeting, sometime in the month of March, probably around the middle of the month, will ask these questions and many, many more. Then, a couple of weeks after that, probably toward the end of March, we'll have another joint session where anyone who would like to come before the two bodies and ask questions or make a point will be welcome to do so, and we'll publicize those meetings well in advance. We'll move on, if it's okay. Anything else from the public before we move on with our agenda? I appreciate everyone's patience tonight. It's been a long evening.

Consent Items

President Winnecke: At this time I would consider a motion to approve the consent agenda.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Madelyn, would you do your dramatic reading for us please?

Madelyn Grayson: The consent items for the February 22nd meeting are as follows; approval of the February 8, 2011 Commission meeting minutes; employment changes for the Commissioners approval, there are two for the Health Department; the County Engineer has pay request number 122 for TIF projects in the amount of \$53,047.66; request for waiver of Centre fees/not overtime, there's one for the exhibit hall for Indiana Minority Supplier Development Council Southern District Business Opportunity Fair on September 20th and 21st of 2011, and for a meeting room for the Vanderburgh County Sheriff's Office for the recognition/swearing in ceremony on March 20, 2011; there are surplus requests from Circuit Court Adult Probation, the County Assessor and the Health Department for various office furniture and equipment; the Commissioners have a request for late redemption of 3306 Coker Avenue, and the letter does state no later than March 1, 2011; Commissioners have a citizen, have citizen letters regarding proposed amendments to smoking ordinance; Burdette Park has the yearly comparison from 2010 to 2011 through January 31st, and the 2010 year end report and cost analysis; Legal Aid has the January 2011 statistics and the non city/county United Way funds report of December 31, 2010; Weights and Measures monthly report of January 16th through February 15, 2011; the IBAP Gatekeeper report; the County Clerk has the January 2011 monthly report; the County Treasurer has the January 2011 monthly report and the January 31, 2011 year-to-date report; there's 2011 poor relief standards for all eight Township Trustees in Vanderburgh County, the Commissioners have a late redemption of 605 Jackson Avenue, and Department Head reports from the County Engineer and Burdette Park.

President Winnecke: Thank you, Madelyn. Any questions of the consent agenda? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Is there any other business to come before this body? I would entertain a motion to adjourn.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. We stand adjourned.

(The meeting was adjourned at 6:41 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the February 8, 2011 Commission Meeting Minutes.

Request for Late Redemption: 3306 Coker Avenue.

Citizen Letters Regarding Proposed Amendments to Smoking Ordinance.

IBAP Gatekeeper Report.

2011 Township Trustee Poor Relief Standards: All 8 Townships.

Late Redemption of 605 Jackson Avenue.

Employment Changes:

Health Dept (2)	Auditor (3)	Superior Court (1)
County Clerk (1)	Sheriff (8)	VCCC (1)
County Assessor (3)	Superior Court (1)	

County Engineer: Pay Request No. 122: Green River-Burkhardt TIF Projects.

Requests for Waiver of Centre Fees/Not OT:

Indiana Minority Supplier Development Council Southern District Business Opportunity Fair: September 20-21, 2011

Sheriff's Office: Recognition/Swearing In Ceremony: March 20, 2011

Surplus Requests:

Circuit Court/Adult Probation: 1 computer monitor, 1 HP printer, 1 Nortel phone.

County Assessor: Various office furniture and equipment.

Health Dept: Various office equipment.

Burdette Park:

Yearly Comparison: 2010-2011 through January 31st.

2010 Year End Report and Cost Analysis.

Legal Aid:

January 2011 Statistics.

Non-city/county United Way Funds Report of December 31, 2010.

Weights and Measures: Monthly Report of January 16-February 15, 2011.

County Treasurer:

January 2011 Monthly Report.

January 31, 2011 Year-to-Date Report.

Department Head Reports: County Engineer Burdette Park

Those in Attendance:

Lloyd Winnecke
Joe Gries
Madelyn Grayson
Rebekah Riedford
Kenny Page
Wanda McCarter
Ray Nicholson
Alaxis Hopkins
Barbara Lord
Jill Gelhausen
Mike Sandefur
Bill Jeffers

Marsha Abell
Ted C. Ziemer, Jr.
Anna Loehr
Jamie Caldwell
Linda White
Sally Herron
Bruce Ungenthiem
Bryce Miller
Casey Williams
John Stoll
David Christmas
Others Unidentified

Stephen Melcher
Marissa Nichoalds
McKenzie Thomas
Marjorie Soyugenc
William Wooten
Martha Crosley
Ryan Rigg
Andrea Hayes
Marie Roeder
Gary Heck
Bob Stobbs
Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MARCH 1, 2011**

The Vanderburgh County Board of Commissioners met in session this 1st day of March, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the March 1, 2011 meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

**Permission to Open Bids: VC-11-01-01:
Evergreen Acres Phase II: Holly Berry Reconstruction**

President Winnecke: Okay, we'll begin with permission to open bids for VC11-01-01, this is the Evergreen Acres Phase II, Holly Berry Reconstruction.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Amended Equitable Sharing Agreements: Prosecutor/Drug Task Force
Xerox Lease Agreement: Commissioners (Deferred)
OCH Lease Agreement: Gary Hobdy
OCH Lease Agreement: Whole Truth Ministries**

President Winnecke: Okay, action items, we have just a couple of items on this part of our agenda. First, from the Prosecutor, the amended equitable sharing agreements and certification for the County Prosecutor's office and Drug Task Force. I would entertain a motion to approve as presented.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, the Xerox copier lease agreement. Do we have any information on that?

Ted C. Ziemer, Jr.: Yes. This came in just yesterday, and I have sent an e-mail on it, but I don't think you've seen it yet. We currently have our lease agreement with the Lang Company for a copying machine. We would like to switch to the Xerox copier under the master Xerox lease agreement that was approved by the county, I think it was in June. So, the first thing we have to do is give notice to Lang, their lease provides that it will automatically roll over if we don't give them notice within 60 days prior to May 23rd. So, the only action we would like today is the approval of the Commissioners for me to give to notice to Lang that we are terminating their copy lease, effective as of May 23, 2011. In the meantime, it's the desire of the office that we enter into a new lease agreement with Xerox that would take effect when the Lang lease terminates. So, really, today, if you would just approve my giving notice to Lang to terminate their lease, I will do that.

President Winnecke: Then we would circle back at a later date to approve the Xerox lease agreement—

Ted C. Ziemer, Jr.: Yes, yes.

President Winnecke: –to take effect from May 23rd on?

Ted C. Ziemer, Jr.: Yes.

President Winnecke: Okay, at this time I would entertain a motion to direct the County Attorney to serve notice to Lang to end the agreement with that organization effective May 23rd.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: I have a question. Are we saving money? I mean, why are we doing this?

Ted C. Ziemer, Jr.: Yes, we are.

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: Yeah, it's considerably less expensive, and it's a much better copying machine.

Commissioner Abell: Okay.

Commissioner Melcher: So, we're upgrading?

Ted C. Ziemer, Jr.: We are, and we're doing the same upgrade that the Auditor's office has done, the Assessor's office has done that, and now the Commissioners office will be doing it.

President Winnecke: Other questions? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, under the Old Courthouse, a lease agreement with Gary Hobdy. This is lease of suite 300 in the Old Courthouse for him to use as an artists studio. The lease is for one year from April 1, 2011 to March 31, 2012, and the

annual rent is \$2,640, payable at the rate of \$220 per month. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, we have a lease with Whole Truth Ministries, lease of suite 114 in the Old Courthouse for three years, with two options to renew for additional terms of three years. The rent is \$7,800 per year, payable at the rate of \$650 per month, and it's subject to the standard language regarding increases. The effective date of the lease is May 1, 2011. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

New Business/Old Business

President Winnecke: Before we get to the department head reports, just a couple of announcements. One, our annual road hearing will be scheduled, is scheduled now for March 16th, 5:30 p.m. at the Career and Technical Center. Mr. Duckworth and Mr. Stoll will be coordinating that. Again, that's March 16th, 5:30 p.m. at the Career and Technical Center. Also, I know there have been, there's been a lot of discussion about when our joint meetings with the City Council will occur relative to the government reorganization report. We do, I'm happy to report, we do have two dates that are now firm. Our first joint meeting with the City Council will be on Monday, March 14th, that will be at the conclusion of their regular weekly City Council meeting. At that time I anticipate that our body, along with the City Council will have questions, ask questions of the government reorganization committee of the plan that they have presented to us. That is, I see as an open forum for us to ask questions of them. The other meeting will be on January, excuse me, on March 30th. That will be, again, a joint meeting, and that will be a public hearing at which time any members from the public will be welcome to come to this room and state their opinion about the pros and cons of the reorganization plan that has been presented. The times for each meeting, Mr. Ziemer and the City Council attorney, Mr. Hamilton are working out the start times, the proper way to advertise it. Their first, their regular meeting is at 5:00 p.m. that night, so, I suspect it will be around 5:45 or 6:00, but we'll get that and make sure that everyone knows that. But, the 14th and the 30th for joint meetings with the City Council on the proposed government reorganization plan.

Commissioner Abell: (Inaudible. Mic not on.)

President Winnecke: The 30th is not a Monday night. It's a Wednesday night.

County Engineer

President Winnecke: Department head reports. John, I see you first.

John Stoll: (Inaudible. Podium mic not working.)

Madelyn Grayson: It was working a few minutes ago.

(Microphone was disconnected from base and reconnected.)

President Winnecke: Thank you, Madelyn.

John Stoll: Okay, I didn't know that little trick. The only item I have is a street plan approval request for sections four and five of Wynnfield Subdivision. This is located at the southeast corner of Kansas Road and Green River Road. This will be a continuation of the roads that have been constructed in the previous phases of this, in sections one through three. They're all asphalt streets with curb and gutter. We have reviewed the plans and would recommend approval.

President Winnecke: I would entertain a motion to that effect.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion of John? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

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

President Winnecke: Thanks, John.

John Stoll: One other thing, while we were talking about public meetings, we did get the Green River Road public meeting set for March 15th at 5:30 at Christian Fellowship Church.

President Winnecke: That's for the next leg of the Green River Road widening project, correct?

John Stoll: Right, from Millersburg to Kansas.

Commissioner Abell: What time, John?

John Stoll: 5:30. It's a similar format to the Millersburg meeting. There will be some informal displays and discussion prior to a formal presentation. The formal presentation will begin at 6:30, based on the current schedule the consultant's have provided.

President Winnecke: The consultants have notified, or are in the process of notifying the affected neighbors?

John Stoll: They will, yes.

President Winnecke: Thanks, John.

John Stoll: Thanks.

Commissioner Melcher: Thank you.

Burdette Park

President Winnecke: Steve?

Steve Craig: Steve Craig, Manager of Burdette Park. Commissioners, Ted Ziemer. I've been working with Ted, John Stoll and Bill Jeffers on clarifying property as owned by Vanderburgh County Commissioners. This is pertaining to a tree planting that has been offered to Vanderburgh County through the Resource Specialist Division of Soil and Conservation, ISDA. Through the excellent work of Ted, John and Bill Jeffers' office, I think we have in order what property is owned by the Vanderburgh County Commissioners on Nurrenbern, and that the planting could take place with no problem. I would like to thank Ted and them, we had to figure a few things out before we got to find out which property was actually the Commissioners. Living Lands and Waters barge is coming to Evansville on April 27th through April 29th for several programs in the Evansville area. On Thursday the 28th they would like to arrange with Burdette Park and Vanderburgh County to partner for a tree planting on a county owned property. Requested bottom land tree seedlings have been promised about 700 white oak seedlings and 300 bur oak seedlings to plant. The targeted area would be a space on Red Bank and Nurrenbern Road curve to the northeast of the road. The trees are two to three year old seedlings and not large. We also hope to be able to partner with some of the students from the Service and Leadership Club at USI for this activity. We will ensure that the trees be spaced properly and not to be a future problem in this area. Bottom land tree plantings is one of the management practices that the NRCS promotes to reduce sediment and nutrient loading in waterways. So, it's a very desirable practice to implement for the water quality improvement of Vanderburgh County. I was wanting to inform you of this and see if you have any problems with it or if you had any questions about it.

President Winnecke: That begins the 28th of April?

Steve Craig: Yes, sir.

President Winnecke: How long will it take to plant those 1,000 trees?

Steve Craig: They told me we could do it in a day.

Commissioner Melcher: One day?

Steve Craig: That's what I was told. They're going to get some volunteers. That is our object....the way I look at it, I don't know if the area's quite that large to get that many trees in, but we'll plant as many as we've got. They've made an offer to USI and some other entities in Vanderburgh County about planting these trees. I think it's a program that's a win-win situation. It's going to clean up a lot of the pollutants that are, you know, in the farm soils and that, and it also makes everything a little bit cooler with the trees and that. I just think it's a good project.

President Winnecke: I agree with you. What students from USI will be involved?

Steve Craig: They are the Service Leadership Club at USI. She's talked to them about them bringing the kids. They worked with us on a project, we had the YMCA come out to Burdette last fall and we planted ten trees on our new trail. The younger

children from the YMCA came out, and then the kids from USI, the older kids, they came out and we had a tree planting session. It was a pretty interesting project to say the least. Marsha, you've seen some of our trees that we plant out there. We plant them anywhere and everywhere. You know, if anybody's interested, we do have a tree memorial at Burdette, if you would like to plant trees in memory of someone, we do plant them. I guess, if you need a tree planted, we can do it.

President Winnecke: Okay, any other questions of Steve?

Commissioner Abell: This is at no cost to the county, is that correct?

Steve Craig: That's my understanding.

Commissioner Abell: Good.

President Winnecke: Okay, good luck.

Steve Craig: Thank you. Thank you, Ted.

County Highway

President Winnecke: Mike?

Mike Duckworth: Good evening, President Winnecke, members of the Commission. Mike Duckworth, Superintendent of Vanderburgh County Highway Department. I only have one thing this evening, and that is, as in past practice over the last few years, it's this time of the year that we notify our union employees and their organization if there is an intention for us to go to a four day work week, working ten hour days. My past experience shows that during that time period we are able to stay on task during the daylight hours and be more efficient with our time and realize some savings on fuel and utilities and those kinds of things. Today I went back and looked through the records and we'll be compiling those on previous years to show you how those years stacked up. Since I've not been there the last couple of years I can't tell you how that's worked out to this point, but I will get a report to you to indicate to you if that's the case. I would tell you that during those daylight hours when we're mowing and we are paving and we are ditching and those kinds of things, to give us a couple extra daylight hours that we're not staging and re-staging equipment, my personal thinking is that it enables us to do more work in that time period. So, I'll get that information back to you, but my request this evening, I have notified the union that our intention is that we proceed with four ten hour days commencing April 1st, upon your approval. So, I would ask for your indulgence in that at this time.

President Winnecke: I mean, I think it makes, I mean, in the past, and I'll have to, just anecdotally, I know that we feel like we have, get more productivity in the longer daylight hours. So, I think it's probably a good measure to repeat. Any other comments, suggestions by anyone else?

Commissioner Melcher: No, we've done it in the past, and other counties that we have spoke to, they've done the same thing, and there's some kind of a formula out there, I can't remember what it is now, but you actually pick up like four extra days a month or something like that, by doing it that way. By the time you figure your down time, driving back and everything.

Mike Duckworth: Right, and, you know, I am having them, as they have in the past, they've monitored the information provided to them by citizens in regards to their complaints and their work orders, but they've not really compiled them. So, I am going to have them compile those and I'll get that information to you to give you kind of a bird's-eye view of how it's happened in the past and the efficiencies that we hope to gain in the future. So, I don't know if you need to vote on that, but I'm just asking—

President Winnecke: Yeah, Mr. Ziemer advised us that we do. So, at this point I would entertain a motion.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and second to instruct the County Superintendent of Highways to go to four ten hour workdays and direct the union, effective April 1.

Mike Duckworth: April 1, and it runs through—

President Winnecke: The time change.

Mike Duckworth: —the first Monday of November.

President Winnecke: Further questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Mike Duckworth: Thank you.

President Winnecke: Thanks, Mike.

Joe Gries: President Winnecke? If I could just real quick, Mike, one thing that we might want to do is just make sure that we do that at the start of a pay period.

Mike Duckworth: April 1st is a Friday.

Joe Gries: Thank you very much.

President Winnecke: Gary, did you have anything? Okay.

County Attorney

President Winnecke: Any new business?

Ted C. Ziemer, Jr.: I have the bids.

President Winnecke: Okay.

Ted C. Ziemer, Jr.: If the Commissioners are ready, for the Evergreen Acres Phase II, Holly Berry Reconstruction we have six bids. First is from Koberstein Construction, \$144,927; second is from Deig Brothers, \$214,233; next is from JBI Construction, \$178,588.70; the next is from Ragle, Inc. Construction, \$197,986.50; the next is from M. Bowling, Inc., \$174,256.90; and the last is from J.H. Rudolph and Company, \$343,995.¹

President Winnecke: At this time I would entertain a motion to take those bids under advisement.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Public Comment

President Winnecke: Next we'll move on to public comment. I believe there are some folks from CAJE that would like to say something.

Linda Henzman: Good evening. I'm Linda Henzman. I'm a Vanderburgh County resident, a member of CAJE. I've been on the transportation team, and I know many of us have met with each of you. You probably see some familiar faces here from the transportation team members. We do appreciate the time that you've taken to meet with us. We know that you already understand our mission to make a new bus route

¹ Some of these bids were read into the record incorrectly. Reference the 3/22/2011 Commission meeting minutes for corrected totals.

up north 41 a reality for those hard working individuals who can't get to the jobs up there, and for students, parents and workers at the new North High School, and I think there's going to be a Junior High also. Last week after our presentation, the County Council recommended that we work with the County Commissioners to look for funding in the budget. So, that brings us to the purpose for our being here this evening. We don't have access to delve into the budget to identify unappropriated funds, or identify funds from groups that are not being put to good use. We are asking you to find those funds, but we want to stress that those funds should not come from other areas that are helping the working poor, like child care vouchers. Further, we do not, we do understand and we do truly appreciate the dire situation with the county budget. We heard about it prior to our County Council presentation, during the County Council meeting, and we all read the in-depth article in the Courier and Press yesterday. It is a little confusing, some of the things that we read in that article, because there was mention of a Rainy Day Fund, and unappropriated Riverboat money, and Jail Set Aside Funds that all totaled around six million dollars. So, again, that's why we're asking you to find the funds. Also, we've heard about the repayment to the state. If that is to start in 2012, we feel like this is the year that we need to identify those funds before that repayment process starts. So, based on these budget blues, to borrow from yesterday's headline, we propose shortening the pilot run of the bus route from one year to six months. Even though, Mr. Winnecke, you mentioned at one of our meetings that a one year pilot would give us a better picture of the route through all of the seasons of the year, we still believe that a six month pilot will provide real data and real ridership numbers that the county can use when approaching the city, the north side businesses, and maybe even the EVSC about partnering in the cost of this bus route. We are not asking for millions from the budget. The latest figure that was provided to you from METS, for one year, was \$179,000. Now, as Mr. Melcher pointed out to us, we can't assume that six months would be exactly one half of that amount, there might be some start up costs, but even so, we are talking about less than \$100,000. Mr. Kiefer mentioned last week that County Councilmembers will be meeting with METS, and Mr. Lloyd suggested that METS could re-evaluate their current routes, and we assume that would be to identify maybe some underutilized routes and redirect those funds to the north 41 route. But, we fear that this would be a very long, involved process for METS, and we suggested that if they want to do that, fine, but the six month pilot should be running as soon as possible, and then that data from the pilot could be incorporated into any re-evaluation that METS might do. Just as you, Mr. Winnecke, championed the dental clinic, we need a champion from the Commissioners to take leadership and be proactive in making the bus route a reality. Stephanie Terry is working with us as a champion from the County Council. She used that term, she called herself a champion. We'll be working with her to secure the four necessary votes from the Council to successfully fund the pilot. Speaking of votes, we'll also need our Commission champion to make an appropriation request so that the funding can come to a vote at the April 6th County Council meeting. So, to recap, funds needs to be found for a six month pilot now, a County Commissioner needs to take leadership, and an appropriation request is needed. Also, we want to invite you to our April 11th action, that's a Monday. We're going to be at Crossroads Christian Church this year, we've outgrown St. Ben's Cathedral, and it will be at 6:30 p.m. We are hoping that this action will be a celebration of a yes vote on the route of the County Council. Please don't wait, ask us to wait and be patient. Those who work on north 41 have been patient, but waiting patiently at a bus stop for a bus that isn't coming is not an option for workers who want and need to get to work but don't have vehicles, or for workers who have a car but can't afford the soon to be four dollar a

gallon gas. Let's truly make this about jobs and economic development and help those willing workers get to the jobs. Thank you.

President Winnecke: Thank you.

(Applause)

Commissioner Abell: I can tell you that after I met with you, I called Mr. Duckworth, who is on the School Board and we have begun the process of meeting with the EVSC.

Commissioner Melcher: I met with them, and when we talked about the budget and that, I did bring up that, you know, start up money is going to cost something. So, just because it's a six month and they scale it back don't mean it's going to be half, and she mentioned that. So, basically, I guess, you're asking for us to try to find something in there, and I think we can try to look for it, I can't promise we'll find it. As far as who the champion's going to be, we'll probably have to figure that out. I don't know if we could give you an answer tonight or not.

Linda Henzman: (Inaudible. Not at mic.)

Commissioner Melcher: I know that. I know you won't lose my e-mail neither, so.

President Winnecke: They've got our numbers, Steve.

Commissioner Melcher: I know that.

President Winnecke: Anyone else that would like to speak under public comment?
Gary?

Gary Heck: Gary Heck with the Vanderburgh County Health Department. I'm glad you mentioned that you didn't want to hurt the other working poor. The Dental Clinic was cut from the original appropriations the Commissioners made last year, by the County Council, and asked to go back and check with the hospitals to see if they would reconsider additional funding for the Dental Clinic. That hasn't happened. They haven't come forward with funds. I know that we will be looking to ask for that additional \$50,000 that was cut by the County Council when they made the request that we go back to look at the hospitals. So, when you're looking through your....and that was also a CAJE sponsored project, so as we're looking forward for funds, I would hope that you would also remember that and consider that as well, because people need to have good teeth when they're working out on the north side as well. Thank you.

Commissioner Melcher: I've got a question.

Gary Heck: Yes, sir?

Commissioner Melcher: You confused me a little bit. Did you say you have approached the hospitals and they haven't, or nothing has happened yet? Or, where do we stand with the hospitals?

Gary Heck: We made the request of the hospitals, as the County Council asked us to.

Commissioner Melcher: Okay.

Gary Heck: We haven't received a response—

Commissioner Melcher: From—

Gary Heck: —from either of the hospitals. Or, at least I haven't received a response, somebody may have received a response, but I haven't.

Ted C. Ziemer, Jr.: I mean, do we know that they were officially asked, or was it just talked about at the—

Gary Heck: No, I know that I asked, I made an e-mail and sent some extensive documentation on the time line of everything that transpired; the history of the Dental Clinic, the number of clinics that have been served. I believe former Commissioner Tornatta had offered to speak with the Deaconess folks. I don't know what his outcome, or whatever he found from that was either, so. I know they've been approached, I just know that we haven't received an answer. I know we're going to need the money before the end of the year, if that's an opportunity, to go back and revisit that with the County Council.

President Winnecke: I'll follow up and see where that stands.

Gary Heck: Thank you.

Commissioner Melcher: Can you copy me an e-mail of what you sent them?

Gary Heck: I'll be happy to. It will be in three separate packets, and it's quite large. So, hopefully, as long as your computer will handle ten meg or more—

Commissioner Melcher: Well, can you get me something?

Gary Heck: I'll be happy to.

Commissioner Melcher: Or a brief summary of what, I mean, something so that I have something to look at.

Gary Heck: Yes, sir. I will.

Commissioner Melcher: Okay. Maybe you overwhelmed them.

President Winnecke: Any other comments under public comment?

Consent Items

President Winnecke: At this time I would consider a motion to approve the consent agenda items.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Madelyn, your dramatic reading please.

Madelyn Grayson: The consent items for the March 1st meeting are as follows; approval of the February 22, 2011 Commission meeting minutes; employment changes for the Commissioners approval this evening, there's one for the County Highway and one for the Co-Op Extension; the County Engineer has pay request number 123 for TIF projects in the amount of \$62,464.05; the County Auditor has the February 2011 A/P vouchers; the County Assessor has a request to surplus various office equipment; the EMA has a request for use of credit card; the Evansville ARC has the January 2011 report of activities; there are late redemption requests, one for 737 East Blackford extended until March 31, 2011 and one for 2109 Hercules Avenue extended until March 1, 2011; there are department head reports from the County Engineer and Burdette Park.

Commissioner Abell: Mr. Ziemer? On the late redemption requests on the properties, how long does an adjoining owner have to be able to purchase one of these properties?

Ted C. Ziemer, Jr.: They, after the notice is given to them, they have five days is what we have been asking them to respond whether they are interested in that or not.

Commissioner Abell: So, five days from March 31st?

Ted C. Ziemer, Jr.: No, March 31st is the last date we think the Commissioners should consider ever approving this.

Commissioner Abell: So, if we know someone, there is someone interested in one of these properties. You'll have to tell me what to tell him to do, because he doesn't know.

Ted C. Ziemer, Jr.: I wish you would tell him to call me.

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: Then, we'll instruct him what he needs to do.

Commissioner Abell: That's easy enough. I'll do that. Thank you.

President Winnecke: Roll call vote on the consent agenda please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We are adjourned.

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

CONSENT ITEMS:

Commissioners:

Approval of the February 22, 2011 Commission Meeting Minutes.

Approval of Use of Credit Card for EMA.

Evansville ARC: January 2011 Report of Activities.

Late Redemption: 2109 Hercules & 737 E. Blackford.

Employment Changes:

Sheriff (3)

VCCC (1)

County Highway (1)

Co-Op Extension (1)

Prosecutor (1)

County Engineer: Pay Request No. 123: Green River-Burkhardt TIF Projects.

County Auditor: February 2011 A/P Vouchers.

County Assessor: Surplus Request Letter: Various Office Equipment.

Department Head Reports: County Engineer Burdette Park

Those in Attendance:

Lloyd Winnecke

Marsha Abell

Stephen Melcher

Joe Gries

Ted C. Ziemer, Jr.

Marissa Nichoalds

Madelyn Grayson

John Stoll

Steve Craig

Mike Duckworth

Linda Henzman

Gary Heck

Others Unidentified

Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING
MARCH 14, 2011**

The Vanderburgh County Board of Commissioners met in special session this 14th day of March, 2011 at 5:30 p.m. in room 307 of the Civic Center Complex with President Lloyd Winnecke presiding. The sole purpose of this special meeting was to review and consider adopting an ordinance regarding Flood Hazard Protection.

Call to Order

President Winnecke: I would like to call to order the meeting, the March 14th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: We'll stand and do the Pledge please.

(The Pledge of Allegiance was given.)

**First and Final Reading of Ordinance CO.03-11-003:
Amending Ch. 18.04: Flood Hazard Protection**

President Winnecke: Okay, our first and only action item is the first and final reading of county ordinance CO.03-11-003 that is amending the floodplain, the flood hazard protection ordinance. The amendments bring the ordinance into compliance with new floodplain management regulations established by FEMA. Ben Miller, our Building Commissioner has been negotiating with FEMA and other stakeholders to ensure that the changes to this ordinance meet requirements of FEMA and the Homebuilders Association. The first, before we get into the discussion of the ordinance, first I would entertain a motion to waive the second reading.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Next, I would entertain a motion to approve the ordinance on the first and final reading.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or comments? All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed? Okay. Ben?

Ben Miller: Yes, sir.

President Winnecke: You're on.

Ben Miller: Okay, this ordinance is an update to our flood hazard protection ordinance that we currently had. From time to time FEMA updates information through a floodplain insurance study. That's reflective in here. It's actually been, some of our firm rates are as old as 1981, some of them 1991, so, this encompasses that amendment. We were able to meet the NFIP requirement that, the federal government's requirement, and the state requirements, as well as keep our current administrative structure in place for the floodplain management, and, additionally, keep all of our development standards exactly the same as they are now.

President Winnecke: If you could boil this down to a few sentences about what it means for our, the residents of Vanderburgh County, how would you describe it?

Ben Miller: Well, I think the biggest thing is that it's the latest information that is out there. For our citizens, it, actually, from a number perspective, you know, in the city and county we have 78,000 parcels, roughly, it changes, you know, based on splits and such, we're actually going to remove 4,245 parcels from the floodplain. So, I think that 's a big win for some of the folks that had, that were considered in the floodplain that are no longer considered in the floodplain. The other thing is, it has in there that any citizen that feels that they're wrongly in the floodplain, there are steps that they can prove, through engineering analysis that they are no longer in the floodplain, and actually have FEMA take them out of the floodplain. So, there, I think it's a good thing, again, it's the most updated information that will help us in how we call out development approvals and that type of thing, but, yet, from a county's perspective, and the city too, that all is encompassed here, we want to make sure that we make wise decisions in development in the floodplain in making sure that we're not creating additional hazards. So, it has standards in there to regulate that to make sure that when we do develop in the floodplain we're doing it wisely.

President Winnecke: Okay. Steve?

Commissioner Melcher: I might be getting confused on one topic versus another—

Ben Miller: It's pretty complex.

Commissioner Melcher: –but I know there’s always been a lot of talk about the east side, about the work that we had to do out there with the Wabash-Eerie and going into Wesselman’s.

Ben Miller: Yes, sir.

Commissioner Melcher: Somehow that was going to affect the homeowner’s insurance and everything. Does that correct some of this?

Ben Miller: There are many cases that, you know, that the new insurance study took into account all of the studies that have been out there, the individual studies on particular areas and used that data as the latest information for where they basically are projecting where a flood would occur. So, that those are all encompassed in it, so, there is many cases within it that would be included.

Commissioner Melcher: Well, I wasn’t sure, because I know there was some talk about the state reducing the size of their pipe that went under Green River Road, which kind of hurt us, because they were supposed to build it bigger.

Ben Miller: That’s true, yeah.

Commissioner Melcher: They went cheaper.

Ben Miller: That’s correct, yeah.

Commissioner Melcher: And when they went cheaper that handled a bunch of properties.

Ben Miller: And that, if that would have occurred, then they would have took that into account, and the additional areas out there may not have been added in that effect, absolutely.

Commissioner Melcher: Okay, thank you.

Commissioner Abell: I have a couple of questions.

Ben Miller: Yes, ma’am.

Commissioner Abell: Do you, you mentioned the number of parcels that had been removed from the floodplain.

Ben Miller: Correct.

Commissioner Abell: Do you have any idea how many went into the floodplain?

Ben Miller: We got, I apologize there, there were 1,863 parcels added to the floodplain that were not previously in there. As far as how that would affect a citizen is, it would very much vary. These numbers are not saying there’s actually a structure on there. Right now, currently, there’s 591 policies in the county that, for floodplain protection. So, I don’t see that there’s going to be much of a shift. We’ve been flooded with folks that have been coming out, because FEMA sends them a letter and says, hey, if you come in to your floodplain administrator office, our office, we can actually sign for them, and they are moved down to preferred risk coverage.

So, the average house may be \$1,800 for floodplain insurance, if you're in a floodplain, it would be knocked down to about maybe \$300.

Commissioner Abell: Okay.

Ben Miller: So, we've been working with all of those.

Commissioner Abell: So, the people were advised? It wasn't, it's not just going to be—

Ben Miller: Yeah, they were noticed, FEMA noticed everybody that was being added, these 1,800 parcels back in July of 2009. It was in the newspaper, it was on t.v., and they invited everybody in to come and explain it all to them. Actually, FEMA and DNR hosted that and explained everything to them. Then, additionally, once these new maps were becoming close to effective, FEMA would notice the ones that were coming out, by having them come in and we actually sign for them to have their insurance changed.

Commissioner Abell: If someone is, has a, I'm just going to use a for instance—

Ben Miller: Sure.

Commissioner Abell: —let's say I have five acres—

Ben Miller: Uh-huh.

Commissioner Abell: —my house sits on the front four acres, and a half of the acre at the back is in the floodplain—

Ben Miller: Yes.

Commissioner Abell: —is there a remedy for me to be able to get my house excluded from that particular—

Ben Miller: Absolutely. That's a scenario we run into everyday. Depending on your mortgage holder, which some of them have different requirements, but from the basic federal requirement, that house is not considered in the floodplain. Now, what, if it's closer than, you know, four acres or so, FEMA requires us to mandate to the homeowner that if you're going to add on or build a new structure, that they provide us an engineered surveyed layout of the lot and actually show exactly where the floodplain line is from survey quality, and then we make that....so, if the structure is beyond that line, then they can build without any regulation.

Commissioner Abell: Okay.

Ben Miller: Most mortgage companies will accept a letter from us, which we do all the time for citizens, that say, hey, here's exactly where the floodplain line is and we're certifying to them that the building is not in there.

Commissioner Abell: Okay, and the only other question I have then is you mentioned that they can be removed from the floodplain.

Ben Miller: Yes, absolutely.

Commissioner Abell: Is that a hard process? Do they have to get an attorney and go through a lot of—

Ben Miller: You don't have to get an attorney. Many times they'll have to hire a surveyor to confirm the elevation of their home.

Commissioner Abell: Okay.

Ben Miller: Because FEMA has limited resources and a big task to map these floodplains, they don't always study exactly to the property. So, there may be properties that are shown in that are actually elevated higher and would not be in there, so they have a free letter of map amendment, they call it, is a process they go through. It's free from a fee side, but there's some stuff, and we get involved there as the community, we actually authorize them. So, we work with the citizens on that, and then they would have to hire a surveyor to shoot the elevation—

Commissioner Abell: Okay.

Ben Miller: —of their home to prove that they're higher, and then FEMA can accept that. They call that a letter of map amendment. What, another benefit of these maps is that they were able to take the many letter of map amendments that have been out there over the last 30 years or so and include those on the new maps.

Commissioner Melcher: So, they know where some of the elevations have been shot and are higher?

Ben Miller: Absolutely.

Commissioner Abell: Okay.

Ben Miller: Absolutely.

Commissioner Abell: Okay, thank you.

President Winnecke: Ben, so these new base flood elevations become effective later this week on the 17th?

Ben Miller: That's correct.

President Winnecke: And, part of what we're doing tonight is adopting, or amending our ordinance to set in place regulations that adhere to that.

Ben Miller: That's correct. As they require for our continued participation in that program.

President Winnecke: Right, and one of the large, aside from, are there changes in the regulations that we're adopting that are....I'm trying to remember. The base elevations are different, we know that. The maps have changed.

Ben Miller: In some instances, yeah.

President Winnecke: But, what about the regulations?

Ben Miller: The regulations have been kept the same. I think that was big part of our discussion with DNR is they wanted us to change the way we administered the floodplain. It's a little bit complex from, they're used to working with, you know, the City of Evansville or Vanderburgh County separately, and we kind of have a different form of government. So, that had to be worked through as far as how we administrate it. The requirement of, you know, we have sub review that reviews proposed developments, you know, that is not typical in other jurisdictions, everybody kind of has their own thing. So, that was kept in there. The requirements that developers would have to meet is exactly the same as what they have to do now. So, we were able to keep everything the same, adopt the new maps as the latest data, and then continue to provide, I mean, we also have an appeals process that any developer can go through if they feel that we've misinterpreted.

President Winnecke: Okay.

Commissioner Abell: I just would like to put on the record—

Ben Miller: Yes, ma'am.

Commissioner Abell: —that I've talked to Bill Pedtke, and I think probably the rest of us have, with the Builders Association, and they don't have any disagreement with this.

Ben Miller: That's true. We worked very closely with them and the other stakeholders on this, absolutely.

President Winnecke: Any other questions? Hearing none, I would entertain a motion to approve on first and final reading county ordinance CO.03-11-003.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or further discussion? I'm sorry, Bill, is there anything you wanted to add relative to this? I meant to ask you that earlier.

Bill Jeffers: First, I think the 1,863 parcels that were added are mostly south of Boonville Highway, Morgan Avenue, and are not small parcels. Not necessarily a lot of residential, I think it's a lot of commercial that are large, very expensive parcels and the insurance policies will be very high. They won't be these little three and six hundred dollar residential policies, they will be like for Wal-Mart or Sam's Club or whatever. Next, I have not heard anyone tell me they've been able, for the last ten years, to get a letter from the Building Commissioner saying that the floodplain does not impact the structure on their lot, and it's been my experience for the past ten years that if there is the slightest blue line across a parcel, no matter how big it is, a single parcel, if there's the slightest bit of zone A floodplain, FEMA will not exempt the structure from floodplain insurance until the owner gets a LOMA, letter of map amendment, or letter of map revision, LOMR, completed. That is not free. I have never seen one cost less than \$750, and they mostly run over \$1,000 to \$2,000, because the surveyor has to complete it. I don't know who charges the fees or what have you, a surveyor, obviously, charges \$150 an hour, but DNR, I believe, charges something whatever. These base map changes, that, to my recollection the County

Surveyor and the Drainage Board was not notified of the public hearing for those maps. At road school last week, the lady from DNR said that FEMA and DNR want input from the locals, as much input as possible, but I would like to point out that never have they set foot in our office. They never asked for any data. They never asked us to look at any of the drainage plans for the east side that we've done since 1979. They were using data from prior to 1979 that showed the wrong points of concentration for the ditches. They still show drainage going north to Pigeon Creek that for the past 30 years has gone due west to Pigeon Creek there at Romain Buick, the old Romain Buick. So, the data they're operating on was faulty to begin with, and when we did spend a half a million dollars correcting all that, half of it was Building Commissioner money, half of it was Drainage Board money, County Surveyor money, they did accept that, but I would like to point out the things we have done since then, since 2002. That's the last data they have is 2002. They haven't updated the data since 2002, to my knowledge, because they don't communicate with us. So, they may have, but I don't know about it. Since then we have done many things on the Wabash and Erie Canal and we plan on doing more that I will tell you has lowered the floodplain. So, after you adopt this, which you have to do. I mean, they have told you, you know, if you don't adopt this, you're out of the program, you know. So, I understand that the adoption has to take place. I'm not appealing that. I'm not arguing against it. You should adopt it, but once you have adopted it you need to continue to feed them data that will continue to lower our floodplain on the east side, as much as possible to help that commercial property come out of the floodplain, where that's possible. For example, you're going to build a bridge on Old Boonville Highway, and that bridge is going to be built well above the floodplain. It's down in the floodway now, and when you do build that new bridge, it will allow more water to flow northward through Crawford Brandeis extension, and it will lower the floodplain. The railroad has taken a pipe out that Commissioner Melcher had mentioned, or alluded to, and that pipe was identified by FEMA as an obstruction, and had raised the floodplain, I believe, six or eight inches, and now that pipe is gone. We should have that analyzed, and hopefully lower the floodplain. The pipe he was talking about at Green River Road, while it wasn't made any larger, we did get the state to put in a headwall, and that increases the head pressure, allows the water to accumulate above the pipe and caused more pressure, forced more water through the pipe more quickly, and that has lowered the floodplain a little bit. We need to analyze that and turn that into them. So, as you go forward and approve this ordinance, just keep in mind that there is still things left to do that we can help ourselves and our community move forward with lowering the floodplain on the east side.

President Winnecke: Thanks, Bill.

Bill Jeffers: Thank you.

President Winnecke: Any questions of the County Surveyor?

Bill Jeffers: I just wanted that on record.

President Winnecke: Sure, I appreciate that.

Commissioner Abell: I have a question. So, you're saying that FEMA sort of dropped the ball? I mean, I'm just trying to follow what's going on here.

Bill Jeffers: No, FEMA does things their way.

Commissioner Abell: But, they didn't work with you?

Bill Jeffers: FEMA hired a contractor from Virginia I think it was, to come here and analyze floodplain and never came down to this building and asked for any, what they called latest, best available data.

Commissioner Abell: Uh-huh.

Bill Jeffers: They just went on their own, and had they come and sought more recent data, they would have found that you and the city, the Drainage Board and the city had spent millions of dollars redoing east side drainage between 1979 and 19, you know, and 2000, and that we were still working on the future at that point. We were still working into the future improving our drainage. And, at that time, I heard this has been corrected, at that time, they stopped their study at the county line. They didn't go into Warrick County, even though our drainage, when it gets to a certain height flows backwards into Warrick County, thence through Cypress Ditch to the Ohio River. It doesn't even come back this way. So, there was a standing wall of two and half foot deep water at the county line, they didn't, I mean, it was like Noah, I mean, excuse me, Moses was standing at the county line with his staff holding the water back. It doesn't work that way. I'm just saying they didn't use good data, they didn't use the most advanced data.

Commissioner Abell: Okay.

Bill Jeffers: And, now I just heard at road school they intend to do that. There was a huge comment period at our road school class where County Surveyors have experienced this very same thing, that they go to the floodplain management, floodplain manager, which in most cases is the Building Commissioner, but they do not come to the County Surveyor, and yet it's the County Surveyor who's working with the Drainage Board on all of these projects in all of these different counties. Now, they say they're going to start doing that, and I hope they do. So, I just kind of wanted to go on record.

Commissioner Abell: Okay.

President Winnecke: Any other thing, comments, questions? Hearing none, we have a motion on the floor and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Public Comment

President Winnecke: Any other public comment to come before the Commissioners at this time?

Commissioner Melcher: I've got one.

President Winnecke: Yes, sir.

Commissioner Melcher: I'm going to get a hold of David Rector and tell him to put the flag on the right. It's on the wrong side.

Commissioner Abell: It is on the wrong side.

Commissioner Melcher: The American flag.

President Winnecke: It is indeed.

Commissioner Melcher: So, that's kind of an insult. So, we need to put it on this side. It's always on the right hand—

Commissioner Abell: That's kind of pet peeve of yours.

Commissioner Melcher: That is a pet peeve of mine.

President Winnecke: Understand.

Commissioner Melcher: Thank you.

President Winnecke: Any other business? We stand adjourned.

(The meeting was adjourned at 5:49 p.m.)

Those in Attendance:

Lloyd Winnecke
Joe Gries
Ben Miller
Members of Media

Marsha Abell
Ted C. Ziemer, Jr.
Bill Jeffers

Stephen Melcher
Madelyn Grayson
Others Unidentified

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**JOINT MEETING
BOARD OF COMMISSIONERS-CITY COUNCIL
MARCH 14, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville met in joint session this 14th day of March, 2011 at 6:16 p.m. in room 301 of the Civic Center Complex with Commission President ,Lloyd Winnecke, and City Council President, B.J. Watts, presiding.

Call to Order

President Watts: First of all, welcome to everyone. I have to, regardless of which side of this fence you're on, thank the board for the hundreds and hundreds of hours that you have spent on this. You are a service to your community, whether people agree with you, disagree with you, the time and effort that you've spent trying to do the right thing and make this a better place to be is certainly commendable, and whatever you're making let's double your salary. Triple it, there you go, but I certainly do appreciate all, as we all do, all the time that you've spent, and your community appreciates it, and I'm sure that you don't hear that very often. So, thank you very much. With that, I think Lloyd's going to go through the procedure, and then we will go through our resolutions that we have to accept, and then we'll get started.

President Winnecke: Thanks, B.J. Good evening. Thanks, first of all, to the Commissioners and to the Councilmembers for your willingness to get together in joint session. I think this is the logical next step in this process. As B.J. said, I'm grateful also for the hard work and long hours put forth by the reorganization committee to get us to this point. You have done a yeoman's job, and I appreciate that. As I've outlined in previous Commissioner meetings, I believe this meeting is primarily for our two bodies to hear publicly from the reorganization committee about the plan that they have presented, how they got to the conclusions they've reached, and maybe some of the thinking behind the decisions they made. We're not voting on the plan tonight, as just a point of order, this is an informational gathering meeting. A public hearing will be held in this same room, March 30th at 6:00 p.m. So, mark your calendars.

President Watts: It's 5:30.

President Winnecke: 5:30? I apologize, first correction of the night. In this very room, so we will be here again in a joint fashion to hear comments, questions and suggestions on the plan. The state statute does require each of the bodies tonight to approve a resolution indicating that we are officially considering the plan that has been presented. Again, after our public hearing on the 30th we will have three options; we could adopt the plan as it's presented to us, we could adopt the plan with modifications, or we could reject the plan and ask the reorganization committee to submit a new plan of reorganization within 30 days. Those are our options after we complete our public hearing on the 30th. Again, as another reminder, in order for a plan to pass, or a reorganization plan to pass, the Commissioners and the Council must pass identical plans in terms of it going to a referendum. In terms of the format for tonight, B.J. and I have agreed that we thought we would start with section one, go through all of the questions, comments, suggestions by members of the Commission or the Council, go to section two until we've completed the entire plan. At that point, at the conclusion, if there are members from the public who would like to speak, you will be welcome to do so. Having said all that, B.J. if you guys want to consider your resolution first, or John.

John Hamilton: I just have one clarification. On the public hearing, the joint public hearing March 30th, that can also be continued to a second date—

President Winnecke: Right.

John Hamilton: —so it doesn't necessarily conclude that date, just on your procedure outline.

President Winnecke: Good point.

John Hamilton: So, that triggers the next action. So, just so everybody understands that.

**First Reading of City Council Resolution No. C-2011-7:
Incorporating and Considering a Plan of Reorganization**

President Watts: This is where we go into resolution C-2011-7, which was read into the record at the regular City Council meeting, which just says that we are considering this plan and what our options are. So, now I would entertain a motion to accept resolution C-2011-7.

Councilmember John: So moved.

Councilmember Friend: Second.

President Watts: Councilman John moved, and Councilman Friend seconded the motion, excuse me, to accept resolution C-2011-7. All Councilmembers in favor please signify by saying aye.

All Councilmembers: Aye.

President Watts: Opposed? Seeing none.

(Motion approved 8-0)

President Watts: We will move forward. I apologize, an error, I just got a text is why I know it, Councilman Mosby told us about three weeks ago that she was going to be out of town on business this day. We got with Lloyd and when you have this many schedules with people this busy, we just said, sorry, there's no way that we can move it, and we're not going to fit everyone. So, she sends her apologies. I told her that I would convey that. With that, resolution C-2011-7 is hereby declared adopted.

**First Reading of County Commission Resolution CO.R-03-11-003:
Incorporating and Considering a Plan of Reorganization**

President Winnecke: Moving on, from the Commissioners, same point of order. I will read this, because we have not read it into the Commissioners record.

“Whereas, the State Legislature has provided a mechanism through Indiana Code 36-1.5-4, under which local units of government, with express approval of their citizens, may enter into reorganization and/or consolidation agreements; and, Whereas, pursuant to the Act, the

Board of Commissioners of Vanderburgh County adopted resolution number CO.R-01-10-001 on January 5, 2010, and the Common Council of Evansville, Indiana adopted resolution C-2010-2 on January 11, 2010 and the Mayor of Evansville signed same on January 13, 2010, each proposing a reorganization between Vanderburgh County, Indiana, the "County", and the City of Evansville, and authorizing the establishment of a Reorganization Committee for the purposes of drafting a Plan of Reorganization for consideration by the legislative bodies of the County and the City. The Committee consists of twelve (12) members; three (3) each appointed by the County Commissioners, the County Council, the Mayor and the City Council. Whereas, said Committee approved the City of Evansville-Vanderburgh County, Indiana Plan of Reorganization, 1-11-11, the "Plan", and has submitted the Plan to the Evansville City Council and to the Vanderburgh County Board of Commissioners for their consideration and action; and, Whereas, the Plan is attached hereto and incorporated herein as part of this Resolution; and, Whereas, the Board of Commissioners of Vanderburgh County now wishes to consider the Plan pursuant to Indiana Code 36-1.5-4-19, Now, Therefore, Be It Resolved, by the Board of Commissioners of Vanderburgh County, Indiana, that this Resolution be read in at least two (2) meetings, and following that, after having conducted a public hearing on the Plan, the Board of Commissioners of Vanderburgh County shall do one of the following: (1) adopt the Plan as presented to the Commissioners; (2) adopt the Plan with modifications; or (3) reject the Plan and order the Reorganization Committee to submit a new plan of reorganization within thirty (30) days, all pursuant to Indiana Code 36-15-4-20. Passed and adopted on the 14th day of March, 2011 by the Board of Commissioners of Vanderburgh County for the first reading on this date, and second reading March 30th."

I would entertain a motion to approve that resolution.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please. Oh, I'm sorry.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Okay.

Discussion of Reorganization Plan with Reorganization Committee

President Watts: With that, I think, are we going to go into, do we want to have, I think, do we want to have an executive summary?

President Winnecke: I think we just go through it. I think they've done that.

President Watts: Yeah, perfect. That was my question, Becky, so.

Becky Kasha: (Inaudible. Not at mic.)

President Watts: I said, that was my question. So, don't worry about it.

Becky Kasha: Oh, okay.

President Winnecke: Okay, section one, general provisions. I would just make a note, 1.1, in terms of the reorganization, reorganizing political subdivisions, that the Town of Darmstadt officially did decline to participate in the legal reorganization, just as a point of clarification.

Becky Kasha: Good evening, ladies and gentleman. I do have one, we've, of course, subsequently found a few little things here and there that needed revision. In item 1.2 there's a reference to section 1.8, and that actually should be a reference to section 1.7.

President Winnecke: Okay. Any questions regarding 1.2, regulatory powers? Powers of a city and county combined government? Surely we'll have some takers on the boundaries of the proposed reorganized government. Commissioner?

Commissioner Abell: I guess, I will. I'm assuming that this refers to the boundaries of the map that was presented to us?

Becky Kasha: Right. The boundaries of the combined government is the boundaries of Vanderburgh County. That particular provision would just merely be referencing the boundaries of Vanderburgh County.

Commissioner Abell: Not the way that it was divided?

Becky Kasha: No, that will be later.

Commissioner Abell: Oh, okay.

President Winnecke: Oh, I'm sorry. I apologize.

Becky Kasha: That's okay, I mean—

President Winnecke: I was skipping ahead.

Becky Kasha: —we can take it up any time you want, but, technically, it would be later.

President Winnecke: Right.

Commissioner Abell: Okay, I'll take it up when we get to it.

Becky Kasha: Okay.

President Winnecke: Partisan elections?

Councilmember John: This isn't a question or comment about that, but I would like to point out that the Evansville Courier and Press did have all of this in a section, a special section in Sunday's Courier and Press. So, for the people in the audience that maybe have not seen what we're looking at, if you go back to last Sunday, this is printed by, courtesy of the Evansville Courier and Press. It may give you a better idea of what we're looking at up here.

Becky Kasha: Very good. I appreciate the press, The Courier and Press, printing that for the community's sake and for the sake of the community.

President Winnecke: One of the questions I've received in the last week or so has to do with the merits of partisan elections. Can you, or anyone from the committee help us understand the thinking behind recommending retaining partisan elections?

Becky Kasha: Well, I believe, the discussions pertaining to retaining partisan elections were grouped predominantly in two areas, as I recall. One was the concern that that was a huge departure from the political process and the election process as we know it today, and this was a lot to bite off as it was, and that that was, if there were merits to it, it was something that could be, perhaps, done at another time. There was also some concerns about the, I believe one might say, the law of unintended consequences of partisan elections. We undertook research about partisan versus non-partisan elections and turned to some of the literature and the studies that were done in other communities that were switching from non-partisan, from partisan to non-partisan elections or debating that concept. My research that I shared with the committee, and I indicated that there was, that non-partisan elections tended to result in decreased voter participation and a decrease in, those decreases were concentrated in the less educated and less affluent communities. I guess, you would have to say because of the racial disparities, and to some extent, socioeconomic status, that non-partisan elections then tended to have a disproportionate effect on voters, minority voters, and diminished the influence that they had in their communities. That was some of the research that we had come across. That, of course, was troublesome to us. The research also indicates without, I guess you would say political affiliation, without that informational cue for people, that they tended to base their voting decisions on other things, such as perceived ethnicity, race, gender, those kinds of things, and the issues and the qualifications of the candidates tended to be less prevalent of a consideration for the voters. It also tended to have an us versus them effect on, in various communities when people voted on the basis of things other than political parties. The alliances or the coalitions coalesced around different kinds of issues and they tended to be racial and socioeconomic, based on the literature that was I able to find. Because of the expense of running campaigns and minority representation also tended to be diminished in non-partisan races. One that I thought was interesting is that they indicated that non-partisan races tend to elevate the importance of name recognition and the importance of money. So, you tended to see well known people that tended to be wealthier were the ones who got elected in non-partisan races. My thought

was why transfer power to just people with well known names and people that had a lot of money? I thought that was troublesome. Also, I believe that it, because you tend to have run offs in partisan, in non partisan elections, that you, the chances of fringe candidates being elected tends to increase. We saw that in France, I believe, in 2002, when, I believe the gentleman's name was **Lapen** who was sort of aligned with the Neo Nazi Party. He begot involved in the run off with only 17 percent of the vote, because he had an energized base and was able to make it to a run off. So, those were some of the reasons that I found partisan elections to be the preference.

Councilmember Bredhold: Would you mind sharing some of that research? I am interested in non-partisan elections, and I think a lot of the things that you say about what those things tend to produce already exist, name recognition, those sorts of things. I've personally wondered if we could attract more people to politics if we went to, you know, if we would attract more people to step up and be leaders in this community, something that we desperately need. So, I would be interested in seeing some of that.

Becky Kasha: I can share that with you.

Councilmember Bredhold: Thank you.

Becky Kasha: I think that the research indicates that that, unfortunately, is not the case. That even though it opens the field allegedly wider to more people, people are somewhat afraid of the political process, of the election process I should say, and without the assistance that parties give, that a lot of people tend to not want to run. So, and, of course, there is the thoughts, reasonable minds can differ and there is some research and evidence to the contrary, but the research that I did indicated to me that this was a more likely scenario given where we are at now in our political arena, I guess you would say. But, I can make those studies available to you.

Councilmember Robinson: I would also like to see a copy of that, because I think might be true nationally, but I don't think it's true locally.

Becky Kasha: What isn't true locally?

Councilmember Robinson: As far as people, whether you're affiliated with a party or not, and they want that support of the party. Nationally they might, I think locally, I don't see that.

Becky Kasha: Well, my, I did try to focus my research on city and county races as opposed to national races, because I do believe there is a significant difference between those two. There has been, to my knowledge there has not been any evidence, any research that would be particular to our area. If someone has it I would be certainly interested in seeing it.

Councilmember McGinn: Hi, Becky.

Becky Kasha: Hi.

Councilmember McGinn: You know, I've been a proponent of non-partisan—

Becky Kasha: Yes.

Councilmember McGinn: – from day one.

Becky Kasha: Yes, sir.

Councilmember McGinn: I've looked at information and all that, but here's what I've been hearing and what I have found. You know, there's a lot of code words and key words that are being used when people talk to me about this plan, and, you know, about the size of the districts and the areas of the districts and that type of thing, and I think what it boils down to, if you just cut to the chase, is people are counting how many straight tickets are voted in this area and how many in this area, and they're, you know, this is, you know, we've got gerrymandering going on now on a state and a national level and it's going to be happening here at a local level. Has there been any thought or any research on this allowance of straight tickets on just these local elections? Because, even if it's a smaller electorate, if they're well informed and well educated in a conscious choice rather than just pulling a lever because someone, for whatever reason, you know, I would prefer that personally, people who actually read and know who's voting.

Becky Kasha: I agree,

Councilmember McGinn: Has there been any talk or any research, or is it possible to have...we can't go non-partisan because it's going to be a hot button issue, could we go no straight tickets on this? Is that legally acceptable under the statutory framework?

Becky Kasha: I don't, the concept of not being permitted to vote straight ticket was not discussed. That just wasn't a concept that we entertained. I will say, when we came up with this map, what we asked our County Surveyor to do was keep the districts that currently, or the boundaries that were currently in the city essentially the same, being told numerous times that Evansville does not like change. We've tried to minimize that as much as possible. Then we are, from that point on, constrained by state statutes that require that voting districts be reasonably compact, contiguous, and not split voting precincts and that kind of thing, and that was really the little information that we gave Mr. Jeffers. Certainly there was no, anything on our part to try to make districts swing one way or the other politically.

Councilmember McGinn: Yeah, I know that the gentleman from Louisville spoke–

Becky Kasha: Yes.

Councilmember McGinn: –and his second thought was what his main, I forget how he phrased it, but he wished that they had gone non-partisan. Was that weighed, did that carry any weight with your group?

Becky Kasha: I think that that's the first time the committee really ever considered it. It hadn't been an issue that anybody had brought to us up until that time, and that was, I don't believe that that is a stance that would be necessarily shared by the rest of the people in Louisville.

Councilmember McGinn: Okay.

Becky Kasha: That was the first, I believe, that we had heard that they wished they had gone to non-partisan races. Of course, there could have been other things that

people heard, but no one had brought that up to me as something that Louisville was lamenting about on a widespread basis.

Councilmember McGinn: Okay. Alright, thanks.

President Winnecke: Anyone else? Okay, section 1.6.1, the compensation issue? Any questions there? Moving on to 1.7, the effective date and the transfer of powers? Just to sort of clarify, theoretically, if an organization plan were passed by our two bodies, it would be on a referendum in November of '12. There would be a transition committee that would work on budgeting, etcetera, for the first year of the new government, an election would take place in November of 2014, and the new government would take effect in 2015, is that correct?

Becky Kasha: That's correct, assuming that this got on the ballot in 2012.

Councilmember Bredhold: I'm sorry, Commissioner Lloyd, did you go from 1.5 to 1.6.1?

Becky Kasha: We didn't, I mean, we haven't--

Councilmember Bredhold: Did we talk about the election cycles?

Becky Kasha: You may have, I think you may have skipped that, but we haven't been--

President Winnecke: Did I skip a line? I'm sorry.

Councilmember Bredhold: I'm sorry for calling you Commissioner Lloyd.

President Winnecke: That's alright.

Councilmember Bredhold: Commissioner Winnecke.

President Winnecke: It happens all the time, believe me.

Councilmember Bredhold: I'm really sorry.

President Winnecke: I apologize, I did, I titled that the wrong, but the cycle is correct.

Becky Kasha: Right, that cycle is correct. Then, the elections would occur every four years thereafter, and all seats would be, all seats, I guess, would be elected at the same time to minimize, you know, continuous transitioning, continuous campaigning.

President Watts: Since budgets are approved usually 18 months prior, would the existing bodies approve the budget for '14 in the middle of the year on '13? It would have to have approval from the Commissioners and the Council to approve the first year's budget?

Becky Kasha: Say that again?

President Watts: Since the budgets are approved 18 months prior, I'm assuming the Council and the Commissioners would have to approve the proposed budget for the new government in 2014 in 2013 when those two bodies still exist, right?

Becky Kasha: I'm going to turn to legal counsel on that one. The question would be who would approve the budget--

President Watts: What did I say 18 months? With the elections that would be held in '13 to take effect on January 1 of '14, the proposed budget would be normally presented six months prior to, we would do budget hearings in July of the prior year. So, how would the budget for 2014 seek approval when there's going to be two bodies and one doesn't hold office yet?

Becky Kasha: The new government would not go into effect until 2015. So, the question is who would pass the budget--

President Watts: Who would approve the budgets in July of 2014?

President Winnecke: The transition committee, correct?

Becky Kasha: Right.

Mike Schopmeyer: The transition committee.

President Watts: Okay.

Mike Schopmeyer: That's contemplated later, you'll see that later in the plan.

Becky Kasha: Later in the plan.

Mike Schopmeyer: But, that's discussed.

Becky Kasha: By statute they, a transition committee approves those budgets because of what you said, there isn't a combined, elected body in existence at the time when there needs to be for the budget to be considered.

Mike Schopmeyer: So, you'll still have each body that will have a budget, but they'll have to work together, because the next year it will be combined.

President Watts: Okay, and that was my question.

Mike Schopmeyer: That's why that committee, and you'll see that later, that's contemplated, spelled out. The statute allows for that and kind of induces you to do that, and this group included that in the plan.

President Watts: Thank you.

Councilmember Walker: (Inaudible. Microphone not on.)

Becky Kasha: Certainly.

Councilmember Walker: (Inaudible) referendum (Inaudible) vote on this?

Becky Kasha: Whole city vote on what?

Councilmember Walker: On the reorganization, if they want it. If the public wants it.

Becky Kasha: Yes, it will go on a general referendum ballot in 2012. General referendum is not the right word. It will be a referendum question at the general election in 2012.

Councilmember John: Becky, I've got a quick question. It talks about we'll keep the same cycle. Are you saying that there would be possibly an election in 2014, a city election, which is a state general election?

Becky Kasha: No. The elections would be every four years.

Councilmember John: So, it would be in '15?

Becky Kasha: No.

Councilmember John: There's an election this year, a city election this year—

Becky Kasha: Right.

Councilmember John: —in 2011—

Becky Kasha: Well, once we have the first election for the combined government, then the elections will be every year, every four years thereafter, regardless of whether, when the city or the county elections were.

Councilmember John: So, the city elections may change to an even year, as opposed to an odd year right now?

Becky Kasha: Right, and there's, my understanding is there's some legislation at the state level to do that too, so that all of the elections are held at the same time, to cut costs. Of course, nobody's considering legislation at the state level at the moment.

President Winnecke: Any other issues before we move on?

Councilmember Adams: Yeah, let me throw, I'm sorry, let me cut to the chase here, because we can go through this page by page. The gorilla in the room from my constituency is, what will this plan do to property taxes? I don't see anything in here that gives us any kind of **proforma** or any kind of indication that exactly who's taxes go up, who's taxes go down.

Becky Kasha: Have you seen that we have a report on financial analysis of the proposed reorganization of the City of Evansville and Vanderburgh County?

Councilmember Adams: Yes, ma'am, I've seen that—

Becky Kasha: Okay.

Councilmember Adams: —and your quote to me in November was that property taxes generally would go up, but the slope of increase after the merger will be less than if it was if the merger did not go up.

Becky Kasha: That is what we would hope would happen, yes.

Councilmember Adams: Okay, thank you.

President Winnecke: Well, to clarify, because it would be up to future Councils—

Becky Kasha: Yes.

President Winnecke: —to determine how the taxes would be distributed.

Becky Kasha: Yeah.

President Winnecke: So, subject—

Becky Kasha: Obviously, the transition committee has no control over—

Councilmember Adams: Time out, I'm not talking about distribution. I'm talking about collection.

President Winnecke: No, I understand.

Becky Kasha: That's not our decision either.

President Winnecke: But, the disbursement of how the taxes are levied across the county would not be determined, that would be determined by every Common Council.

Councilmember Adams: Sure, but what I'm hearing from people is will my taxes go up or not?

President Winnecke: Sure, I understand.

Councilmember Adams: Yeah.

President Winnecke: Right.

Becky Kasha: Next, I mean, if there are other questions certainly, but, I don't know who, if you want to call on people.

President Winnecke: No, we'll just—

President Watts: We'll go through—

President Winnecke: —Wendy?

Councilmember Bredhold: I have a question about 1.6, I'm sorry.

President Winnecke: Go ahead.

Councilmember Bredhold: We had a gentleman come before us at the last City Council meeting representing a group called We the People.

Becky Kasha: Okay.

Councilmember Bredhold: And he was asking about the fact that the Mayor and the Common Council of the combined government will all be elected every four years at the same time. His question was about the wisdom of that and continuity, issues

of continuity, which I'm sure you discussed. What is your response to any concerns about continuity?

Becky Kasha: Our, I mean, I think my recollection from the committee as a whole, and I'm sure if someone remembers differently they'll tell me, was that we thought that it would be best to have as few of transitions as possible. Instead of having part of the Council elected every two years, we would have all of it elected once every four years. That would decrease the electioning that goes on during, you know, people perhaps act differently during election years, and we wanted to diminish how often that would occur.

President Watts: Councilman Walker, did you, are you good with your question too, about like how we'll get to that referendum part? Okay.

Commissioner Abell: Since we're on this I have a question. I was going to wait until we got to term limits of the Common Council, but—

Becky Kasha: Okay.

Commissioner Abell: — I guess, I also question having everyone change every four years. Having sat on probably every board sitting here tonight, I can tell you that the concern that I would have is that we have contracts in the city, we have contracts in the county with different vendors providing things, such as MRC that provides our computer services, which is now on a five year contract with the city and the county. When you don't have any continuity, when you don't have anyone sitting on a board that had been there previously, you don't have any background. As you attorneys might would say, your notes, as to historical notes as to why we did what we did with that particular contract. I think those contracts are seriously important to the fundamental workings of the city and the county, and I think to not have someone on a board with a lot of new people that has some history with it would cause a lot of chaos, certainly in the beginning. I would encourage this body to think about the possibility of maybe the at-large people running with the Mayor one time, and then two years later have the rest of the Council, so that the Common Council does have some turnover. We, in the county, have existed with that since the beginning of time, and it does not create a problem for us. None of the three Commissioners run on the same time, and none of the seven County Councilman run at the same time. Now, the City Council does all run at one time—

Becky Kasha: Yes.

Commissioner Abell: —but, I think as we grow, because while this is supposed to be streamlining, this actually is going to grow government because it's going to be one bigger government. It's going to be a problem when we get to talking about our contracts. I just wanted to make that point.

President Winnecke: Anything else along 1.6 or 1.7? Moving on to 1.8? I have a question about 1.8.2, at the risk of offending anyone who's an attorney, I have no idea what this means. It sounds like it was written for legalese. Could someone explain it to us?

Becky Kasha: My, the basic import of this is if there's a section of this that is held to be unenforceable, it doesn't make the entire, the rest of the entire document unenforceable as well. That's the upshot of that.

President Winnecke: I understand that. Thank you.

Becky Kasha: Okay. You know, why say something with one word if you can use ten, I guess.

President Winnecke: I understand, yeah. Anything else in section one before we move to section two? Section two, the executive branch? Pretty straight forward, I believe. Curt?

Councilman John: This is basically as it is today, isn't it? With the Mayor, he's the Chief Executive.

Becky Kasha: Yes, right.

Councilman John: No term limits.

Becky Kasha: Right.

President Winnecke: I did have one question regarding the job expectations of the Public Information Officer. How does that, or does it differ from that of a Communications Director, a Press Secretary, or are those two different sorts of roles in the committee's eyes?

Becky Kasha: The primary intent behind this was just to make sure that there was one person who was charged with that responsibility, regardless of who that was, so that somebody would be the one that you would go to for access to public records. It could be any number of people, but we thought it was important to have one designated person.

Commissioner Abell: Are we doing anything in section two?

President Winnecke: Anything in section two. We're there.

Commissioner Abell: Okay. I have some things I had written notes on. One is just a little comment that I certainly happen to be one of those elected people that think we should all have term limits. I see that the Mayor and the Common Council would not be term limited. We're not term limited now, but it doesn't mean that that isn't something that's food for thought. I happen to think it would be a good thing. Legal counsel to the combined government, I don't know where that, what the thinking was there, other than maybe you might save a few dollars having one legal counsel for both.

Becky Kasha: No, no.

Commissioner Abell: But, I think—

Becky Kasha: There isn't one legal counsel for both. Let me just, that—

Commissioner Abell: Legal counsel to combined government.

Becky Kasha: Just like now—

Commissioner Abell: So, the Mayor has his own legal counsel, and the Council will have their own legal counsel?

Becky Kasha: Yes.

Commissioner Abell: Okay.

Becky Kasha: 3.11, the Council has its own legal counsel just like you do today.

Commissioner Abell: Well, I saw it said the Council may employ, but I thought it should say shall employ.

Becky Kasha: Well, if you don't want a lawyer, I don't, you know—

Commissioner Abell: Well, I mean, you define shall back here. I mean, I'm not playing with words.

Becky Kasha: No, and I'm not either.

Commissioner Abell: You define shall as something they have to do.

Becky Kasha: Right.

Commissioner Abell: And if you said they may employ, to me that says if we decide we want to we can, but we don't have to.

Becky Kasha: Okay.

Commissioner Abell: This should say shall so that we would have definitely that the Mayor has his own legal counsel and the Common Council has their own legal counsel.

Becky Kasha: That was certainly not intended to be a differentiation between the two.

Commissioner Abell: And I wouldn't have thought it had it also said may for the Mayor, but it said shall for the Mayor and may for the Common Council.

Becky Kasha: I see what you're saying.

Commissioner Abell: Mayoral appointments shall not require advice or consent of the Common Council.

Becky Kasha: Correct.

Commissioner Abell: I do not think that any policy making appointments should ever be by one body, whether it be the one body of the Council or the one body of the Mayor. Policy making decisions, if they are appointed bodies—

Becky Kasha: Okay.

Commissioner Abell: —removes the ability of the public to have direct input into the people that are governing them.

(Applause)

Commissioner Abell: I can give you a really quick little, Jim Price, a wonderful City Councilman for many, many years wanted a stop sign put by Harrison High School. A Councilman elected by the people in the First Ward wanted a stop sign in the First Ward, and when he went to the Safety Board they denied it and he had no recourse. He should have been able to have that done because he was elected by those people that lived there and they wanted a stop sign. Whether or not that had anything to do with traffic count or whatever is not the issue, the issue is when the people elect us we're a representative form of government. I'm not a representative form of government if I have no control over the people that have been appointed and that are now controlling the people that they are making legislation for. Sure, we can call them and say we would like for you to do this, but we can't force them to do it.

Becky Kasha: I guess, I don't see, maybe, does someone else understand that issue? I don't, I mean, we've had appointed bodies, the Mayor has some appointments, the Council has some appointments. The Mayor doesn't ratify the Council's appointments, and the Council doesn't ratify the Mayor's appointments.

Commissioner Abell: But almost all of our boards have like two appointments from the Mayor, two from the City Council, two from the County.

Becky Kasha: Right.

Commissioner Abell: They don't have just everybody's appointed by the Mayor.

Becky Kasha: They're not. Did you, the list in the back, we went to great pains to make sure, and I, excuse me, that we went through, and with very limited exceptions made sure that there was bifurcated appointing authority on these boards. So, there aren't—

Commissioner Abell: Where?

Becky Kasha: —it's pages 22 through 27. In very, I would say far and away, most of the boards have appointments by both the Mayor and the Council. Excuse me.

Councilmember Adams: (Inaudible. Microphone not on.)

Becky Kasha: I can't hear you, what?

Councilmember Adams: I'm sorry. It's all dominant by the Mayor.

Commissioner Abell: Yeah, it is.

Councilmember Adams: My list, the Mayor gets three, we get two or something like that. I would like to echo my colleague's worry about non ratification of major appointments by the Mayor. I think that the Metro Council should also ratify that.

Becky Kasha: Should the Mayor then ratify your appointments? I don't—

Councilmember Adams: No, just the converse. I agree with her.

Becky Kasha: The Mayor is elected—

Councilmember Adams: Yep.

Becky Kasha: —as well. So—

Councilmember Adams: His appointments, I think, should be approved by the Metro Council.

Becky Kasha: Okay, point noted.

Councilmember Adams: And, I also would like to, I'm getting a lot of feedback from my constituency about term limits, that they really would like to see term limits by the Mayor, a three or four year, as well as the Metro Council. What was your discussion on that in your group?

Becky Kasha: Our discussion was that there are term limits every time there is an election. If people are unhappy with the people that represent them, they vote them out.

Councilmember Adams: Okay.

Becky Kasha: I will say, just for my own curiosity, I went back and looked, and since 1900 we've had two Mayors that served more than two terms. In those situations it was three terms, and then in Frank McDonald's term he had one additional year because of the resignation of his predecessor. So, at least from the Mayor's perspective, we have not had, you know, dynasties.

Councilmember Adams: Well, that sounds slick, but I'm just reflecting what I'm hearing from my constituents.

Becky Kasha: I'm just trying to explain the rationale that we had.

Councilmember Adams: Yeah.

Becky Kasha: It really wasn't slick, it was just, the idea was that you have elections, and if you, if people are not happy with who represents them then they vote them out.

Councilmember Adams: And what I'm hearing from people is that they disagree with you.

Becky Kasha: Okay, that's fine.

Councilmember Adams: Great.

Becky Kasha: You wanted my opinion, or our opinion—

Councilmember Adams: Yep.

Becky Kasha: —and that's—

Councilmember Adams: I agree, thank you.

Becky Kasha: Okay.

Commissioner Abell: Well, I would just like to submit for our consideration that when we come to this point we might want to think that some of these boards have an elected official on the board, so that there is some input from the elected officials to that board from the people that put us where we are. Thank you.

Councilmember McGinn: Just, a point on that if we're going to be thinking about that, we need to keep in the back of our minds that there's some laws, and Mr. Hamilton found them for me when I was very interested in being on the Evansville Redevelopment Commission. If this Council approves their budget, then we have a legal conflict of interest, and you have to quit one to, you can't do both. So, that budgetary process does cause some problems.

John Hamilton: I was going to raise the issue, I don't know if you know the answer, a lot of the boards are controlled or set up by state statute—

Becky Kasha: Right.

John Hamilton: —as the enabling statute. They say who appoints what.

Becky Kasha: Right, our legal counsel has indicated to us that under the statute that we're operating under that we have the authority to make whatever changes would be necessary to effectuate the plan.

John Hamilton: And that would override whatever those other—

Becky Kasha: I mean, it's untested thus far, because no one else has done this under this statute on this scale. There have been some others, but not on the city-county scale.

Councilmember Adams: But, certainly we do need elected officials on these boards, even in a non-voting capacity. We need some accountability. We need some sort of feedback, and we're not getting it right now.

Councilmember McGinn: I think, elected officials, in my experience, have a tendency to ask more questions when someone comes before them with a multimillion dollar contract and says sign. What about ex-officio members? I mean, I can't imagine that that would be a conflict. Have you checked on that? If a non-voting, an elected official being an ex-officio member on one of these boards just to ask questions? No vote on the budget which would avoid that conflict. I mean, maybe I'm speaking out of turn—

President Winnecke: No, that's good.

Councilmember McGinn: —but the lack of questions being asked about issues at various boards is what causes me concern. You know, ex-officio as opposed to voting would kind of make me sleep better at night.

Becky Kasha: My, I guess, I would just, I would point out too that there aren't, for the most part now, most of these appointed bodies do not have anybody from, any elected officials on them. So, that would be a substantial change.

Commissioner Abell: Well, this is a substantial change.

Becky Kasha: Oh, it is. I'm just saying—

Commissioner Abell: And, they're not working good now, which is what we're trying to say, because we all know this because we deal with them day in and day out. They're not working good now—

Becky Kasha: Right.

Commissioner Abell: —which is why we would like to see some changes.

Becky Kasha: No, understood.

Councilmember McGinn: And the main question that I get is why didn't someone ask, and then they tell me the question. I say, well, you know, I wasn't at that board meeting. So, I mean, does that solve some issues people have if there's at least an elected official there to ask questions and engage in debates as opposed to voting? I mean, do you guys, ladies and gentleman, I mean, is that—

Commissioner Melcher: I can throw something in, I used to attend the Redevelopment Commissions, and I used to ask a lot of those questions, but you never got an answer. So, if you're an ex-officio there, you can do all the talking you want to, and they're not going to do anything. They're going to vote the way they want to vote. So, they're not really listening to you. I questioned one time between Christmas and New Year's, and I said you've got this major project going on, we're between Christmas and New Year's where's everybody at? Nobody knows this is going on, and you're going to pass it tonight, and they did. So, I think just having somebody ex-officially is not really going to give you the answer you want, because it's not going to happen. You know, I've recommended a lot that all these bodies should, and I know that's a lot of work for the Council, but that's something to think, like redevelopment, they shouldn't be allowed to spend a nickel. They should be like Area Plan and just say this is what we pass, now it comes to us, the County, whatever it's going to be called, the joint Metro Council, they'll be the ones that make the final decision, because they have to answer to the elected taxpayer. Because we're elected, and we want to make sure that that happens.

Councilmember McGinn: Yeah, or even every contract they sign is subject to our ratification. That way we don't usurp a state function. I mean, will that work, Johnny?

John Hamilton: I don't know how they define the Council as the legislative body, and who's going to have the power to make contracts under this entire plan. Is it similar to what is there now?

Mike Schopmeyer: Indiana went bankrupt in the 1800's. Remember that? As a result we have a lot of quasi governmental bodies; Airport Authority, Levee Authority that are required to be separate because of the fact that we have one of the tightest limits on the ability to finance of any state. So, without that you would cripple probably the ability to finance many of these areas. So, that's why, that's how it came to exist is because of the two percent debt limit that exist, from my old State Board of Accounts days. So, one way to do it besides ex-officio is a liaison and have reports. As we went to other cities, Nashville, for example, this body, I'm assuming this is the new Metro body, for example, votes on the school budget. You want to

talk about a big item, take out all these little ones were talking about, in some areas where they've unified the government they've gone to that. There seemed to be no interest in that here when we had the meetings, but Councilman John has brought this up many times over the years, you have some central area as John has raised with you, it creates these problems with our statutes for these limits. So, maybe the best way is to have liaison and reporting, where they periodically report, and the information officer is an attempt to have this central depository, is one attempt to create that check and balance. But, remember, you always have the appointments, so, you have the power of the appointments, you do have the appropriation power in many cases, so, there's a lot of checks and balances. They're really not any different than we have now. I mean, many of these things you talk about exist today in the current government.

Commissioner Abell: Mr. Schopmeyer, we understand they exist today. What we're trying to say here is, like for instance, the Minority Business Women, they haven't had a quorum for the last three meetings. What we're trying to say is put, make this such an important thing that one of us are on it, that we make sure people show up, that we make sure business is conducted, and then we make sure that the people who are paying the taxes are well represented on all of these bodies. That's not happening now. If we're going to make a huge change, which this is, why not make it a better change, and not just a change, but a better change, and we think it would be better if some of us had input on these boards rather than....I can go sit at the Minority Business Women's meeting, but I can't do anything to help them have a quorum.

Councilmember McGinn: Also, I know the conflict statements there, but we have the Mesker Park Zoo and Botanical Garden Advisory Board, and that requires, it doesn't require, it authorizes and allows an elected member of this body to serve. So, we did that by city ordinance allowed that to happen, and, I guess, we legislated away the conflict. This board does okay the Parks and the Zoo's budget, so, I mean, if this enabling legislation authorizes a member, an elected member of the Metro Council to be on, I mean, there ought to be one on the Works Board, Water Board, Safety Board, Parks Board, anybody who spends money there should be an elected official on there. Do you think if we make it by law it eliminates this conflict?

Mike Schopmeyer: Possibly. As we alluded to earlier in one of the questions, this statute, I can read the cites, but there's four or five provisions that we're acting under and that this committee adopted this plan gives very, very broad powers. So, I suppose that's something that could be looked at. I wasn't today trying to say not to do this. I was trying to say why it is, has been this way and why this group elected to go with the status quo was because of the two percent debt limit, you'll bump into that on certain of these that have debt, redevelopment being one, somebody mentioned, you mentioned redevelopment. I mean, that's one that clearly exists because of the debt limit, Levee Authority, Airport Authority, the ones that are dealing with large sums of money. But, you know—

Councilmember McGinn: Those are the ones we (Inaudible) on.

Mike Schopmeyer: —WBE/MBE, I wouldn't see why that couldn't be done. I mean, I don't think there's much of a budget there in many of those cases anyway, not, where there's bonds. You know what I'm getting at when I say not much of a budget. There's not a bonding that goes on, and that's where you get into debt limit. Then,

you've got what Mr. Hamilton pointed out, and that is if you approve the budget you've got that legal problem. The statute is pretty broad. It could be tried.

President Winnecke: So, for clarification, John or Ted, you'll run the trap on whether we could modify the plan to include appointed, or elected officials on these boards?

President Watts: We're just talking about boards that have the authority to spend money, correct? If you have the authority to spend money—

Mike Schopmeyer: Most of them have authority to spend money though, don't they?

President Winnecke: Yeah, most of them have budgets. So, they're spending money.

Mike Schopmeyer: Yeah, I mean, that's going to be almost all of them.

President Winnecke: Yeah, I mean, everyone's got a budget.

Mike Schopmeyer: I think this came up—

Councilmember Adams: This became a problem with something that was determined in the 1800's. I'm not sure that it's still viable in the 21st century.

Mike Schopmeyer: It is on bonds.

Councilmember Adams: Let me finish please.

Mike Schopmeyer: If you want to be taxes—

Councilmember Adams: Let me finish please. You did bring this up, so I would you to try to help me with this, the bond debt capacity, which is defined two percent of one third of the assessed value of the city and the county. Something when we merge that debt capacity, if I remember correctly is about 44 million. Suddenly you lose 44 million ability to do it. There was a certain amount of debt for the county and a certain amount of debt for the city, when that comes together it comes pretty close to exceeding the bond debt capacity. I don't think anybody understands that by this merger you're going to lose 44 million dollars of bond debt capacity.

Mike Schopmeyer: I'll let Mr. Hafer address that, it was his committee, but I'm not sure about the accuracy of that.

Councilmember Adams: Okay, well, I mean, it was in the newspaper that when you did bring these two together—

Mike Schopmeyer: Well, it must be true.

Councilmember Adams: Well, I mean, I don't know. You don't get 88 million.

Mike Schopmeyer: Yeah, Crowe, understood.

Councilmember Adams: Yeah.

Mike Schopmeyer: And the debt has to stay with the units. I mean, this isn't exactly to your point, but that debt has to follow the units. So, we'll, if you live in one district, you may, until those bonds are satisfied, they'll continue to be paid off by the old districts even though we're going to have a whole new set of districts.

Councilmember Adams: So, for some 20 or 30 years the people in the city will be paying off their debt and the people in the county will be paying off their debt, but who pays off the new debt that the combined—

Mike Schopmeyer: It would be county-wide, as you suggested.

Councilmember Adams: Yeah, so then we end up with \$120 million worth of debt, \$132 million worth of debt.

Mike Schopmeyer: While my undergraduate was in finance, I didn't do the finance—

Councilmember Adams: Well, I'm not asking you, I'm just working it out in my head. If you still have bond debt capacity for residual from the city, and a bond debt residual from the county, and then you have a new bond debt capacity potentially, I think that's 132.

Ed Hafer: I'm Ed Hafer. I was fortunate to chair the tax and finance sub-committee. Councilman Adams, the question was asked specifically of Crowe, and as I understand what you're saying, if it's the same question that we asked them, that if the assessed valuation of the county is, you know, used for one, which includes the city, in fact, we actually duplicate that when we do the city, because the city's assessed valuation is included in the county. So, therefore, if, in fact, it all becomes one, we're going to lose that \$44 million, your number, not mine. I was told that no, that's not the way that it will work, and that's not the way that it works right now. That there may be some debt limit reduction, but it shouldn't be significant. I'm an architect and the last thing you would want is an architect giving you financial advice, but the question as specifically asked of the financial consultants, and they said it would not make a significant difference.

Councilmember Adams: Honestly, sir, I'm a retired heart surgeon, I don't really know this either, but somewhere along the line—

Ed Hafer: We're good company to talk about it.

Councilmember Adams: —no, right. I'm certainly getting tachycardia here when you tell me that you're not—

Ed Hafer: You're way over my head.

Councilmember Adams: When you tell me that you're not quite sure what the number of the debt capacity is going to be, it sounds like it's coming out of the ether. I would love to know what that's going to be. I mean, I think the taxpayer needs to know what they're bonded for.

Ed Hafer: I mean, let us get that number for you.

Councilmember Adams: I would love it.

Ed Hafer: It would be based upon today's assessed valuation.

Councilmember Adams: While we're talking about money, thank you so much for giving us tonight an itemized bill of what you did with \$108,000. I really appreciate that, truly.

Ed Hafer: Okay.

President Winnecke: Is everybody ready to move on? Section three, the legislative fiscal branch, Common Council, authority and general obligations of the Council? I suspect one of the big issues would be the number of, numbers folks would like to talk about.

Councilmember Adams: Yep.

President Winnecke: Connie?

Councilmember Robinson: How did we come up with 11 members instead of 20? I guess, I'm concerned about minority representation.

Ed Hafer: Don't mistake my eagerness to jump up here. I think it came about, I don't think, it came about in very early meetings that we had there were people who expressed a concern of preserving the rural areas and having representation for the rural areas. There was concern about minorities in the traditional districts within the city. It seemed like a pretty simple thing to do, in the beginning, to the greatest extent possible to preserve the six wards within the city. We didn't hear a lot of complaints about the status quo. In doing that, then used sort of the traditional north-south border of St. Joe, and everything east of that, Scott Township, McCutchanville would be one district, totally outside the city. A district that would be 100 percent residents of the county outside the city. Then, the other one, the remaining area outside the city to the west of St. Joe. The numbers worked out. That average, at that time, was about twenty thousand three or four hundred per district. I think the map that you have in the study does a pretty good job of that. Mr. Jeffers certainly helped lay that out. That all seemed to work pretty good. We've heard there should be more. I think part of ours was the fact that if you have more, you know, you tend to, you run the potential of maybe not adding minority participation or rural participation, would you rather have one or two of eight, or one or two of ten? In fact, you could actually maybe reduce it. The number of, using the new census data where, you know, we work out to about 22,500, you know, per....when you look at some of the other consolidated governments within the Midwest, around the Midwest, Indianapolis is about 31,275 per district, Lexington is about 25,750, Louisville is about 28,800. Nashville is only 15,900. Nashville has 40 districts, no, 35 districts and five at large Councilmembers. So, we heard from Jerry Abramson, Mayor Abramson, from Louisville who said the more districts you have, the stronger the Mayor will be, because larger Councils tend to dilute authority among themselves and lack consensus building. It may not satisfy you as an answer, but it just seemed to feel good to most of us, the numbers that we had.

Commissioner Abell: It doesn't feel good to me, Mr. Hafer. I have, I asked Mr., well, first of all, I think this, it was drawn on the 2000 census. Mr. Jeffers numbers were drawn on the 2000 census.

Ed Hafer: That's correct.

Commissioner Abell: Not the 2010.

Ed Hafer: That's correct.

Commissioner Abell: So—

Ed Hafer: And we stated time and time again that, no matter what we put out as a part of this plan, in January we won't have the 2010 numbers, and whatever we do will have to be redrawn anyway. But, that, we still recommend the eight districts and three at large.

Commissioner Abell: And you still recommend one representative in Scott Township, rather than two, even though there's no question that Scott Township is destined to grow, and has grown immensely in the last ten years.

Ed Hafer: Well, but, you know, it may very well grow by those numbers, or by that drawing of not just, I believe, that's what, the 8th district, Scott Township?

Commissioner Abell: Yes.

Ed Hafer: Being the 8th district, and is that the 1st district then out there? That would also grow.

Commissioner Abell: But, the numbers of the people out there are already much greater than they were when this map was....I actually have an e-mail from Mr. Jeffers, and I know that he was told to do it this way, that he actually said that it shouldn't be done this way. It should be done on the 2010 census. I don't think there's any question that Scott Township is going to grow. If that weren't the case, I think that they would hang the School Board up by their thumbs for building a new high school out there. I don't know how we can say this is a plan for the future. This is a plan for the past.

Councilmember Bredhold: Do you have Bill Jeffers' numbers in front of you, Marsha? What, how, is it a significant number that has grown?

Commissioner Abell: Mr. Jeffers is here. If Mr. Winnecke doesn't mind, let's bring him up here and let him answer that.

Councilmember Bredhold: I mean, I think that, you know, we don't want to over represent Scott Township either.

Commissioner Abell: No, we don't.

Councilmember Bredhold: There are methods in the plan that would allow us to change the structure in the future.

Commissioner Abell: But, I do think any plan should be done on today's numbers, not 2000 numbers.

Councilmember Bredhold: I'm just wondering how significant those—

Ed Hafer: Councilman Abell—

Councilmember Bredhold: –the difference is?

Ed Hafer: –we’ve said that from the beginning, but we also are required by law to turn this plan in by January the 11th. There were not 2010 numbers available at that time, but I think those who have been in attendance at our meetings, you know, we said time and time again, no matter what we do, it’s going to change when the new census comes out. You know, I mean, you’re absolutely right.

Commissioner Abell: Well, I don’t think, I don’t know how we as a....I certainly am not going to feel comfortable voting on something on these old numbers. I would want them changed by our next meeting. I mean, if it’s a plan, it is, and if it isn’t, then let’s throw it away, but.

Ed Hafer: There’s a process–

(Applause)

Ed Hafer: –that, I mean, it’s not just a matter of (Inaudible) reorganization. Just as we can’t figure a budget or a tax rate, or a tax levy or a tax rate. We’re prohibited from doing that. We also do not have the right to establish these districts, you know. The state statute outlines how, you know, how these are to be done. So, somebody’s going to redo it. I think the issue is eight versus ten.

Councilmember Robinson: I think it needs to be more than ten.

Ted C. Ziemer, Jr.: Commissioner?

Ed Hafer: I think it finally comes back to the Commissioners and the Council.

Ted C. Ziemer, Jr.: Yeah, excuse me. Commissioner Abell, the plan cannot be amended by the plan committee any further at this point. It’s presented to the Commissioners and to the Council. I’m addressing your comment that it be changed by the next meeting. If there are going to be changes in this plan, from this point forward, they have to be changes made by the City Council and the County Commissioners that are agreed to, and then reported back. So, for the meeting on March the 30th, we can’t change what the plan committee has done. We can certainly discuss changes, but it can’t be changed by the next meeting, if I understood your comment.

Commissioner Abell: Well, then when can we amend it to make the changes so that we all like everything that’s in it?

Ted C. Ziemer, Jr.: When you, when the, after the public hearing has occurred, and it’s finally finished, assuming that you don’t continue that meeting, within 30 days after the public hearing, the County Commissioners and the City Council will decide either to accept the plan, to modify the plan, or to reject the plan. The County Commissioners’ report and the City Council’s report must agree if it’s to go forward to the referendum. If they don’t agree, it goes back to the plan committee for revision.

Commissioner Abell: So, by May 1st then? If we have it May, April, March 30th is our next meeting, then by April 30th we make all the amendments and changes that we

want to make? I'm actually not asking the committee to make any anyway, let me state that. I'm actually talking to this group. I'm not really talking to them.

Ted C. Ziemer, Jr.: Oh, okay. You said by our next meeting, and I thought you meant March 30th.

Commissioner Abell: Well, I meant by our next meeting, yeah, but I understand that we can't do that.

Councilmember Adams: Are these amendments to be accepted by a majority vote, or does it have to be two thirds, or does it have to be unanimous?

Ted C. Ziemer, Jr.: It's just passage by, it's a majority vote, which is all your vote is required.

Councilmember Adams: What I'm hearing from my constituents is that they would like more representation. I think there's a happy medium, and I would suggest that maybe we think about increasing the Metro Council to 13 or 15. I know that there was some minority where a few people on your committee that felt that also. People really, I think, the magic number of 20,000 could be 15 for us. I don't think we should get as many as we have in Nashville, but that's a totally different thing. Some, I think, at this existing thing, I think we need to parse so that we have more, if you will, village representation. I think people are afraid of losing their representation at this juncture.

Commissioner Abell: I agree.

President Winnecke: Other comments?

Ed Hafer: Okay.

Councilmember McGinn: Question on that. Is that done by redrawing these districts? Or is it just by adding Council people at large?

President Winnecke: You could, anyway we want to do it.

Councilmember McGinn: Either way?

President Watts: As long as it's an odd number.

Ed Hafer: I mean, I think in reality that, to come back to you, Commissioner Abell, you're going to do this twice, because this isn't going to take effect, you know, until, at best, sometime after 2012. You're going to have to redistrict based upon the current districts and the current census information, you know, as a city and a county before then. Then you're going to do it again, if it passes.

Commissioner Abell: If it passes this body, or if it passes the general public's vote?

Ed Hafer: If it passes the general public.

Commissioner Abell: Well, see, that's my concern is that I don't think we're giving the general public, they need to know exactly what the plan is. If we're going to be piddling around with it while they're voting on it, they don't know what they're getting.

Ed Hafer: Okay.

Commissioner Abell: But, I'll—

Ed Hafer: Okay.

Commissioner Abell: — you know, in the concern for time, I'll quit discussing this.
President Winnecke: We've got all night. I do.

Commissioner Abell: Yeah, but I've got a lot more comments.

President Winnecke: Oh, okay. Any other discussion on the legislative, fiscal....John?

John Hamilton: Yeah, I have a comment. On 3.1.3 and then especially 3.1.4, doesn't this address some of the concerns of Councilman Adams and Councilman McGinn where it says that to the extent that state law authorizes an authority, board or commission to levy taxes, etcetera, this plan provides approval by the new Metro Council before any of that can happen? Isn't that what some of you were concerned about?

Councilmember Adams: I just want people to understand there are some ramifications, bond debt capacity ramifications. I don't think people even understand the term, but I wanted to bring it out so they did understand it.

John Hamilton: Okay, but I'm talking about the point earlier that you made where you wanted input on these different boards that were appointed and different commissions that were appointed, doesn't 3.1.4 address that issue?

Councilmember Adams: Well, I think there's no reason why we couldn't put accountable elected people on all boards that spend money and allow them a vote, because of the wide powers that we're supposed to have with this thing, and then see whether the Supreme Court likes it or not.

John Hamilton: But, the way I'm reading this is, the way it's going to be set up is that the new Council would actually have to approve any budgets, levy of taxes, establishment of fees, incurring of any new bonded indebtedness by any of these, unless I'm reading it wrong.

Councilmember Adams: I agree with you, Mr. Hamilton. Unfortunately, if we have enough vaguerity, I'm afraid that the public will react and we won't even get to a Metro Council.

John Hamilton: Well, I was just asking if this is what you were looking for, or if you're asking me to look at something more.

Ted C. Ziemer, Jr.: I just, I mean, maybe I'm going to reiterate the same thing that John just said. As I heard that you were interested in perhaps having a member of the Metro Council be on each one of these subsidiary boards so that we would know that the, somehow the Metro Council knows what those boards are doing and they can't just run off and do whatever they want to do. This section, 3.1.4, requires that the Metro Council approve whatever those subsidiary boards do with regard to levying taxes, adopting fees and so forth. Which makes it redundant really to have

somebody from the Council be on the board, because the Council's going to have to approve what the board did after it does it.

Councilmember Adams: So, the Redevelopment Commission would have to come to the Metro Council to get approval for spending millions of dollars?

Ted C. Ziemer, Jr.: Yes, under this section.

Councilmember Adams: Thank you. Okay.

Councilmember McGinn: But, again, isn't this just limited to the three, I'm talking about if a guy on a board hires his brother-in-law to dig ditches and put in water lines, you know, I mean, that's just totally off the wall. That's not in here. It's not the day to day contracts that are in there. This is levy, budgets and bond indebtedness, which—

John Hamilton: Okay, if you're getting into contracts, then you're getting into separation of powers. Has that been addressed, Mike? I mean, is that something you feel like, when you talk about changing the powers of executive versus legislative? You know, it's normally an executive power to make and enter into contracts, and the legislative does not have that authority, are you suggesting that we even have the power to change the separation of powers as defined by state law?

Becky Kasha: No, I don't think we—

John Hamilton: Yeah, it's in the Constitution. It's even Constitutional.

Becky Kasha: I think, we don't have that opportunity—

John Hamilton: I don't think—

Becky Kasha: —I have to say this is not something that the committee even thought about.

John Hamilton: Right.

Becky Kasha: So, addressing questions about this, it's a little hard for us to answer, because it's not something that we ever really considered asking those 11 people to serve on these 60 boards or something.

John Hamilton: I'll look at it, Councilman, but my opinion right now is I don't think you can enter, cross that separation of powers.

Councilmember McGinn: Well, that's, I don't want to go there either, you know, that's a whole other course, but, again, that's why I thought the possibility of an ex-officio member of every board that is an elected body. Because it's the asking of questions that, what I hear, what I know is lacking at the board level on some areas.

President Winnecke: Anything else in section three?

Commissioner Abell: Yeah, I have something else in section three.

President Winnecke: Sure, go ahead.

Commissioner Abell: No geographic districts for at large members. The three at large candidates who receive the highest number of votes regardless of what voting district they reside in shall be elected. Currently, at large Commissioners have to live in a certain area.

Becky Kasha: That's true.

Commissioner Abell: This theoretically you could, I live on Stringtown Road, which would be the Fifth Ward, I could run for the Councilmatic District in the Fifth Ward, and the other three people running at large could live across the street from me and all four of us could be on one street and get elected. I don't think that's a good form of government.

Becky Kasha: I don't--

Commissioner Melcher: That's what we have now.

Commissioner Abell: Not in the Commission we don't.

President Winnecke: The city it does.

Commissioner Abell: Yeah, the city does, but the Commissioners don't. Well, you know, if we're going to have combined, I mean, I think the Commissioners have some part here that I think...I just think that's a bad idea.

Becky Kasha: That, there was some discussion about that in the committee, but we felt that whoever gets the highest number of votes should win, regardless of where they live. That was the feeling of the majority of the people on the....I mean, reasonable minds can differ, certainly, and there are pros and cons to both of that, but that's the way we came down.

Commissioner Abell: Well, that speaks back to Connie's concern that the minorities would be left out, because, you know, people could, people in one area could all decide to get four votes from one area. I think that that really opens itself up to have some real problems.

Becky Kasha: Well, and conversely three people from the Fourth Ward could run and be elected for at large.

Commissioner Abell: Well, oh, I understand, but that doesn't make it right either direction.

Becky Kasha: That's true, and whoever runs against those three people who live next door to each other doesn't mention that in their campaign literature, I suppose that's a....I just really guess I trust the voters a little bit to make wiser decisions.

Commissioner Abell: Ooh.

Becky Kasha: Oh, okay. Well, sorry--

Commissioner Abell: Run a campaign sometime.

Becky Kasha: Excuse me?

Commissioner Abell: (Inaudible) campaign (Inaudible. Microphone not on.)

President Winnecke: Okay, any, going on, we've discussed the number of district seats. Do we, any more points on that? We've discussed, to some degree, the issue of term limits. Any other issues there? Compensation?

Adrian Brooks: Pardon me, committee, Commissioners and City Council.

Becky Kasha: Come on up.

Adrian Brooks: I was against this number.

Becky Kasha: I was waiting for you.

Adrian Brooks: So, I don't want you to think that we are just a big, happy, unified group over here. We do have differences of opinion. We respect the work that Ms. Kasha has done, and she's led us well, but we have a number of differences of opinion about, for instance, the number of Council people. We've always felt that the way it is presented would dilute the influence of both those who live in rural areas and those of us who live in the center city. We wanted more Councilmembers, because we felt that it would create a micro political dynamic where people would feel like they had representation. Currently, whether you agree with me or not, when it comes to County Council, County Commission, those of us who live in the city really are not that, feel that represented by those two bodies, to be very candid with you. We feel like we get assessed, we pay our taxes, but in terms of what do we get for those dollars in representation and interaction, it's very little. So, and I think the county feels that way as this plan goes forward. We've developed a quite tight network with our friends in some of the rural areas over needing more representation. We like 15, but if you tossed around 18 or 20, I don't think any of us would be upset about it. That's, I'm just being honest, because we feel like if this plan goes into effect with 11 representatives, that a lot of us would not have effective, interactive levels of representation. That is how we feel about this issue. There are other issues that you will discuss that I'll be happy to come back up here and be the dissenter on. There are a few other issues I dissent, but this is one of them. This is not any disrespect to anyone. It is my perspective as a member of the committee that was given the task of putting this together.

Councilmember Bredhold: Reverend, I have a question. Did I hear Mr. Schopmeyer make the opposite point? That the more people you add to that body, the more diluted minority populations would be? Don't you think there's a point in that?

Adrian Brooks: Well, sometimes we say things and I disagree with them. I'll just put it that way, without being a long winded Baptist preacher, I just disagree. I've looked at case studies that indicate that the more representation you have, the happier the electorate is because they feel like they have a voice. If you dilute that and you allow 11 people to cover our whole county, I think that those who are in the rural area, and I'm just going by conversations I had with some of my dear friends at the Hornville Tavern. That's right, the Reverend went to the tavern and a few other places. In those discussions there was some concern about not having enough representation.

Councilmember Adams: You will never find a lack of opinion from Debbie Schneider who owns Hornville Tavern.

Adrian Brooks: Yes, sir.

Councilmember Adams: She's a dear old friend of mine.

Adrian Brooks: Well, it was a great experience, good food, and I wouldn't have any problems with having three, four African Americans on a city-county Metro Council. I wouldn't have any problem with having more female representation, Latino representation, representation from the lesbian/gay community. I think everybody needs to have representation here. The rural community needs to have adequate representation, and I don't think that this plan addresses our concern. That's my opinion, mine only. That's all.

President Winnecke: Thanks, Adrian. Section three, any other comments before we move on? Everybody comfortable their questions have been answered there? Section four, the judicial branch? No significant changes there.

Becky Kasha: If I may.

President Winnecke: Yes.

Becky Kasha: We have received some input from the Circuit Court and the Superior Court, their Chief Judges who aren't interested in changing the concept, but interested in changing the wording, because the judges truly are a state agency. So, that, where you, the plan doesn't recommend any changes in how things are doing, or how things are provided through the court system, but the language of the plan isn't correct. So, that's going to have to be amended to provide that they'll remain agencies of the State of Indiana, but the combined government would provide facilities and personnel and such as they do now. The upshot of that doesn't change.

President Winnecke: Right. Okay, section five, elected offices other than Mayor and Common Council. This is where we get into the issue of the Constitutional offices. Becky, talk a little bit about the election cycles. Would they remain in different years, as the proposed Metro government?

Becky Kasha: The county, the nine county offices mentioned in section 5.1 would stay on their current election cycles.

President Winnecke: Okay, thank you. What about the legal needs of these county offices? Currently under the Commissioners, the County Attorney under the auspices of the County Commissioners provides legal counsel to them. What about going forward, would they fall under the Mayor's legal counsel? Or was there thought to that?

Becky Kasha: No, I don't think that we addressed that point.

President Winnecke: Okay. Also, this section outlines that the City Clerk's office is eliminated and how those duties are dispersed among other offices. I wasn't sure what 5.4 really means.

Becky Kasha: I think that's just a catch all situation so that we have assigned certain duties to certain officials, but if there is something that needs to be accomplished that isn't already in a statutorily defined office, then that, just like it is today, that's something that's picked up by a department, a board, a commission, an agency and that sort of thing.

President Winnecke: Okay.

Councilmember Adams: Would you not think that the Metro Council should approve those disbursement of responsibilities with the Mayor?

Becky Kasha: Our feeling was that that was an executive branch decision, so that's, it was more appropriately in the office of the Mayor.

Councilmember Adams: But, you don't think you might consider the possibility of the Metro Council approving those assignments?

Becky Kasha: Again, it's an issue of the Mayor would decide how the particular operation needed to be handled. If there was a department, just like now in the city, then a department would be created. I don't think the City Council approves departments now, and I don't, as a legislative function that wouldn't be in their, under their purview. Boards and commissions, agencies, authorities, I do believe that there are situations where the City Council does create boards and agencies. So, I guess that could occur, and that doesn't mean, I guess, from time to time that this city, that the Common Council would do that.

Councilmember Adams: Well, what I'm hearing, again, from my constituents, that people are afraid of the concentration power of the Metro Mayor. I would think in anyway that we could dispel that fear, enhances the possibility that this measure may pass.

Becky Kasha: Alright.

President Winnecke: Any other questions or discussion on section five? Section six discusses the financial planning and the budgeting process.

Becky Kasha: Just another clerical point of order. In section 6.2 in that last full sentence, we say that certain duties would be assumed by the County Auditor and the County Treasurer, that probably ought to say Combined Government Auditor and Treasurer, just not have any modification at all.

Councilmember Adams: I would suggest that under 6.3.4 that the Common Council also be able to decrease a line item. I think that we need to have the Metro Council be a true legislative body that really does have a chance to effect changes in the budget, as we have at the state level.

Councilman John: We already have that authority. We can decrease or eliminate budget items right now.

Councilmember Adams: Well, I mean, what I would like to see us do is be much more active about how we go line by line through the thing. So, that we can alter the budget as we send it back to the Mayor. I want more strength from the Metro Council is basically what I'm saying.

Becky Kasha: Yeah.

Councilman John: Right now we've got all of those abilities with the exception of adding—

Becky Kasha: Right.

Councilman John: —we can make recommendations—

Becky Kasha: Yep.

Councilman John: —but under state statute we can't add.

Councilmember Adams: We can't add to the bottom line though. We can't suggest that the budget be higher.

Councilman John: That's what I'm saying.

Councilmember Adams: In toto.

Councilman John: We can't increase it, but we can eliminate it or decrease it under the current state statutes.

Councilmember Adams: Yeah. Well, I'm trying to make the point that we do need to make the Metro Council more powerful in terms of the money.

Becky Kasha: Well, this is merely, and actually it's an increase in the power of the Common Council, because that's not something that can currently be done now. Because, obviously, you can decrease, you do it all the time, it's not mentioned here, but this was an attempt to expand, and I just, probably that needs to be clarified so we're not implying that you're no longer allowed to decrease. So, that's a point taken.

President Winnecke: Becky, what's the mechanism for an additional appropriation during the course of the year, after the budget's been approved? Or anyone on the committee.

Becky Kasha: What I'm, I don't think that's anything that's statutory. I don't think that was something that was, that we proposed how that would be handled. I guess, that's—

President Winnecke: So, Ted or John, would that just be the same process? For additional appropriations?

John Hamilton: (Inaudible. Microphone not on.)

President Winnecke: Okay. Any other questions on section six? Section seven, tax rates and service districts?

Councilmember Adams: I guess I would have a question on legal counsel. Do you think it would be possible to have the same tax rate, property tax rate all over the Metro area?

John Hamilton: Possibly.

Councilmember Adams: Yeah, can we effect a change where we would have the same tax rate all over the Metro area?

John Hamilton: You're talking about in this Plan of Reorganization?

Councilmember Adams: Yes.

John Hamilton: I would think the answer to that would be yes. Is it possible? I believe yes.

Councilmember Adams: The reason I'm asking is it is in conjunction with getting rid of the sewer kicker for the people outside of the city. If you take away something, you've got to give something back. I would think there are some people that are paying more property taxes than others.

Becky Kasha: I would, I believe I understand your point, but I would point out that because existing debt has to be carried forward by the entities that incurred the debt, that, for that reason, the rates can't be exactly the same, and that there are services provided in some parts of the Combined Government that wouldn't be provided in others. It wouldn't be fair to ask people to pay for services they don't receive. So, that's why we did the urban services district and the general services district. I mean, as a concept, I wouldn't necessarily disagree, but I think there's just, those two factors have to be taken into consideration.

President Winnecke: Who else?

Becky Kasha: If you have issues, Mr. Hafer did a considerable amount of work on the sewer issue, if you have some specific issues.

Commissioner Abell: I have questions on the sewer.

Becky Kasha: Okay.

Commissioner Abell: I could be reading this wrong, but in reading this it talks about the general services district, and, right now, I think, the Town of Darmstadt owns their sewer and they bill their residents. Is that correct?

Ed Hafer: That's correct.

Commissioner Abell: But, the City of Evansville sends the residents of Darmstadt a water bill?

Ed Hafer: That's correct.

Commissioner Abell: Okay. It says the general services district, that the general services district includes all real property within that boundary, including the property within the Town of Darmstadt. So, does that mean that they're going to be billed for their sewer by the Town of Darmstadt, but then we're also going to bill them for a portion of the sewer on top of that?

Ed Hafer: Sewers don't have anything to do with service districts. Service districts are relative to taxes. Sewers are paid for by fees.

Commissioner Abell: So, they will continue with their sewer exactly like it is, and this won't affect it in any way, even though it talks about the Town of Darmstadt?

Ed Hafer: That's correct.

Commissioner Abell: Okay, because they had questions about that.

Ed Hafer: Okay.

President Winnecke: Any questions relative to the make up of the general and urban services district, districts?

Councilmember Adams: (Inaudible. Microphone not on.) The gradual change that you wanted in part to go to those districts I thought was very fair, and I thought your definitions of the service districts were excellent.

President Winnecke: On section 7.4.1, page 10, talking about the manner in which the general service district could be expanded. Excuse me, yes, the manner in which the urban services district could be expanded, what would be the harm, in the committee's opinion, by deleting section two of that, which allows the city administration, the Metro, the Combined Government's administration, or Council, to start the process versus just having a petition by a majority of the residents in the area? Yeah, that's essentially an annexation sort of question.

Ed Hafer: What was the first sentence of your question?

President Winnecke: What would be the harm or difficulty by removing section two of that clause, which allows the city to basically expand the urban services district versus just having a majority of those residents asking to be expanded into the district?

Ed Hafer: I don't think there's any harm in it. It was really there to sort of a retroactive if an area is receiving all of the services, then the Common Council or the Mayor can say you need to be part of the urban district. You're already receiving them, you're paying the taxes for them, it's, you know, it's a, in a sense kind of a non-event at that point.

President Winnecke: Okay.

Ed Hafer: It is really to be sort of the opposite of annexation where, you know, the city goes out and says we're going to annex this and we're going to provide it. In this case, if the city has provided all of the services from an urban services district into the general services district, outside the urban services district, got that? Then it would just be automatic. So, I don't think there's any harm at all in, at that point it's strictly a matter of titling.

President Winnecke: Right.

Mike Schopmeyer: I would debate that.

Ed Hafer: Alright.

Mike Schopmeyer: You knew I would. City annexation power you pointed to, but let's take a case in point, I-164 corridor. We don't have sewers all up and down that. We've taken them to Warrick County, up above Darmstadt, and you have a desire, you as a Council, or the Mayor, to take that up there, and when you do you're going to go right past these areas that need to be served. I think a good case study of this is what, I believe the Commissioners just dealt with with the Barrett Law for the neighborhood that wanted the sewers. What did we end up doing in the end? We didn't end up having the petition take effect, but we ended, didn't we end up with the government, in effect, the executive or legislative branch taking the sewers up there? So, what happens is that having been, representing a lot of neighborhoods in petitions, that that majority vote is very difficult to come by sometimes. Yet, you still have a public need to get those services there. Primarily, I doubt if it will be trash collection. If it's trash collection I would agree with Ed. Just leave it to number one, but there are a lot of other services that become important. For example, if industry goes along that interstate, a good portion of it, the south side's our county, you have to have certain fire protection for industry to go in there. They may require it to be city fire versus a volunteer fire department that serves. So, I would, as an attorney, and I would respect my colleagues opinion, I'm not sure I would, as a government attorney, want you to take away that ability to do that, because there's times in which, unforeseen, that you or the Mayor may need that. It happens all the time. I just used your example. I mean, at the end of the day, I watched it on t.v. hours after hours after hours that the Barrett failed. So, you're leaving yourself to Barrett only for police, fire, sewer, water, which are critical services. The rest of it, trash collection, the others are less important. I forget what the other, trash collection, bus service, street lights, well, those could be left to (a), but I think police, fire, sewer, water, I'm not sure I would take that power away from those four. That's just my advice.

President Winnecke: Any other questions in section seven? Section eight, appointed agencies of the combined government?

Commissioner Abell: Commissioner Winnecke?

President Winnecke: Yes, ma'am?

Commissioner Abell: 8.3, I would just like to reiterate that it says that with regard to any board, commission, agency, authority created under the effective date of the Combined Government, a majority of all appointments thereto shall belong to the Mayor of the combined government. I think that's the statement that many of us have had objection to. It still gives the majority of the power to the Mayor, and not to the Common Council.

President Winnecke: Anything else in eight? Dan?

Councilmember McGinn: Just a question, do we have, does this body, City Council, do we have the power to remove a Mayoral appointment to a board? Or is that a department head that we have the power to remove? Does anyone know off hand? John?

John Hamilton: Remove an appointment?

Councilmember McGinn: Yeah.

John Hamilton: Or a department head?

Councilmember McGinn: Well, either a department head or a—

President Watts: We could zero out his salary, but I don't we can (Inaudible).

Councilmember McGinn: Okay.

President Watts: Our option would be to set their salary at zero dollars.

John Hamilton: I don't think you can remove an appointment any more than he could remove someone that the Council had the power to appoint.

Councilmember McGinn: That's what I'm asking.

John Hamilton: Usually it's the appointing authority that can remove.

Councilmember McGinn: Okay.

Councilmember Adams: Could you have a resolution of no confidence? I guess you could have a resolution for anything.

John Hamilton: I mean, it's not binding.

Councilmember Adams: Right. Yep.

President Winnecke: Okay, section nine, consolidation of city and county departments?

Commissioner Abell: I have a comment on nine also.

President Winnecke: Okay.

Commissioner Abell: And this is just something that I would like for the Council to consider. If this does in fact become our form of government, we've been dealing with on the county level the request for bus service of the Highway 41 north corridor to the businesses that employ people up there. If we're going to have a consolidated form of government, I would like to see us at least take a look at our bus routes, so that if we can in fact get people to jobs that now cannot get there because they don't have transportation it does need to be something we need to look at.

President Watts: I would echo that city-wide. I think as things start to disperse, if this passes, it's the perfect time to say, hey, what's working and what's not? Let's revamp the routes that aren't getting used, and the routes that do need more access, I think it's the perfect time to do it.

President Winnecke: Can we talk about, in this section, Department of Transportation Services is discussed whereas the City Engineer, the County Engineer, the County Garage Superintendent all fall into the auspices of the Division of Transportation Services. Law enforcement is in this section. Surely there's going to be some questions or discussion about law enforcement.

President Watts: Do I read this correctly? Is there going to be a City Engineer and a County Engineer under one Transportation Department?

President Winnecke: Yes.

President Watts: It would be two—

President Winnecke: Correct, there would be two engineers.

President Watts: I'm a little confused by that, I guess.

President Winnecke: I'm just saying that's what it says. I'm just saying what it says.

Commissioner Melcher: I had a question on that too. I marked a bunch of them, but this is one. It should just be one engineer, I would think. Then, I also don't think it ought to be under Transportation. I think the engineer ought to answer to the Mayor. I think that ought to be separate. Working on both sides of the aisle now, I know it has to be separate. I would say the same thing with the garages. If we combine the highway, if we're combining the highway and the city garage together, that person should answer to the Mayor.

Councilman John: Correct me if I'm wrong, what this is basically saying is those departments that now exist as City Engineer, County Engineer, County Garage, will be combined into the Department of Transportation.

Commissioner Melcher: Yeah, and that—

Councilman John: It doesn't say they're going to be separate. They're all going to become one.

Commissioner Melcher: And, that's what I assumed too.

President Winnecke: I didn't really read that.

President Watts: That's what I misread.

Commissioner Melcher: But, I don't think they ought to be under the Department of Transportation Services. That's my opinion, and we could discuss that.

President Winnecke: Where did you think it ought to go?

Commissioner Melcher: I think it ought to just be a department head and be straight under the Mayor.

Ed Hafer: A Department of Engineering?

Commissioner Melcher: Yeah, Department of Engineering, Department of the Highway Garages, city and highway garage. They should be answered straight. They shouldn't have to go through, there shouldn't be another body in between them. They ought to be able to, you know, we're the, Councilmembers, I know County Council doesn't, but we get calls all the time about snow and everything. I don't want to go through two or three different people. I would rather be able to go to one, or two, but not three or four.

Ed Hafer: Isn't this the way it currently is structured in the city?

Commissioner Melcher: It is in the city, but not in the county.

Ed Hafer: Yeah.

Commissioner Melcher: And the county is working great. I was on the city for a long time, this part works better the way the county does it. In my opinion it does.

President Winnecke: Law enforcement? Silence fell in the room. I don't believe this for a second. I know Reverend Brooks has something he would like to say about it. He's already warming up.

Councilmember Adams: I've really thought long and hard about this, and I think that if this section of the Police and Sheriff merger is in this, it will destroy this issue. I think we should not, at this point, put the Sheriff and the Police Department together. I think both individuals have indicated initially that they would like to be left alone. I think there are good reasons for that. I think, at this juncture, again, I would think this should not be a part of the merger document.

Barbara Harris: Good evening. Barbara Harris. One of the major reasons why we started thinking about this was the fact that we were trying to in some way help keep the costs down. Some of the things that are in the plan aren't necessarily going to save money. We could probably save money here by having one person at the top rather than two. By state statute we have a Sheriff, and the Sheriff has the ability to do not only patrol outside the city, but, obviously, he could still do that inside the city. Go ahead.

Councilmember Adams: I'm all in favor of keeping the Constitutionality of the Sheriff's Department. I just have never seen a smaller group of maybe a hundred and whatever it is, a hundred and, I'm not real sure of the number, let's say 110, take over basically a group of 360, unless the smaller group had venture capital. I think right now, honestly, it's sort of a, something that's gone astray in terms of a beauty pageant between the two individuals, very good people who are doing their job—

Barbara Harris: That was not our intent at all.

Councilmember Adams: Well, I think the relationship between the Police and the Fireman are about the worst that it's been in about 20 years right now, and all I'm trying to do is take it off the burner and just leave it the way it is and let three to five years go by and have the Metro Council look at it and so forth and so on. There are lots of places who do not have the thing. I've talked to somebody who was in Indianapolis, and they're still fighting it out up there.

Barbara Harris: I would comment on the phraseology about a smaller unit taking over a larger unit. That's not what would be doing here. You wouldn't take those members of the Sheriff's Department and say, okay, now you have to take care of all of the city too. It would be a consolidation of all of the policeman in the city and the Sheriff's deputies in the non-city area into one unit. Those people, those policemen in the city would very, very likely keep the same jobs, the same routine. Have you read the plan, our vision of the combined?

Councilmember Adams: Yes, ma'am, I have, three times, and I think you'd better talk to some of the police in the city, because they—

Barbara Harris: Well, that's not what, we—

Councilmember Adams: They totally disagree with you.

Barbara Harris: Okay, but do you see where we were coming from is what I'm asking?

Councilmember Adams: Yes, ma'am, I do.

Barbara Harris: Where we're coming from is we're trying to save money—

Councilmember Adams: But, I just think right now the people in the city are petrified, for example, that they are going to lose their CPO's. Whether it's true or not, I don't know.

Barbara Harris: Not true.

Councilmember Adams: Well, you don't know that.

Barbara Harris: That's not the plan.

Councilmember Adams: You don't know that.

Barbara Harris: It was never the plan to take anything away from the city structure.

Councilmember Adams: You don't know that.

Adrian Brooks: Without getting into that debate, you, both bodies, have an opportunity to create a progressive model. That model could remain the same, or you could look at some other models that we tossed around with a Police Commissioner set up. We also tossed around a Public Safety Commissioner set up, so that the two law enforcement bodies would remain separate. So, those were models that were tossed around. So, since you have the final say so, if the plan was submitted, some of us developed heartburn over, you obviously have heartburn over it—

Councilmember Adams: Yeah.

Adrian Brooks: —so, what we're saying is, if you don't agree, then here's an opportunity, I think, for us to use your creative genius', your creative minds, to come up with something that you think will be more palatable to the people you represent. We would embrace that. Thank you.

Councilmember Adams: Thank you.

President Winnecke: Any other questions?

President Watts: Did we hear from any other places that had combined law enforcement? I mean, I don't—

Adrian Brooks: We looked at case studies from combined law enforcement. We also looked at those who remained separate. There were pros and cons in both instances. The statistical data that you looked at, in both instances could support leaving them alone, it could support combining them. Who, it was hard to tell, we were in the midst of recovering from a recession, so there were some communities that were harder hit and you saw spikes in criminal activity. So, it was hard to know if the combined law enforcement was a part of the problem, or if it was simply the economy. So, I mean, the timing of our assessments has to be considered as well.

President Watts: Yeah, and I asked, correct me if I'm wrong, I believe Indianapolis, when they did this, the Sheriff originally–

Adrian Brooks: Right.

President Watts: –took over as proposed in here?

Adrian Brooks: Yes, sir.

President Watts: And, didn't, did they go back and amend that now?

Adrian Brooks: I think that there was a reversal, yes, sir. I also want to point out that, I mean, you know, we looked at the plans that were presented by both our able Chief and our able Sheriff. The plan that the Chief actually submitted pointed out a savings of about four million that he saw in potential merging of the systems with, you know, going forward. So, I would encourage you to look at those two plans, and perhaps come up with a creative model that our community in totality can embrace.

President Watts: I'm in no doubt questioning, I see our, I don't know if Brad's here or not, but I see our Sheriff.

Adrian Brooks: I think the Chief is here.

President Watts: Okay, I apologize to you.

Adrian Brooks: Yeah, they're both back there. That's how well they get along. I mean, you know, they're both back there together now. They both have been two gentlemen in this process. I want to commend them for that.

President Watts: I certainly don't claim to know more than a tenth of what those guys bring to the table, but what we have are two separate departments now, when it comes to public safety, I've never, ever had a complaint that says the Sheriff or the Police Department's not done their job, and it seems so simple to me. That's why I'm a little confused by this one. Again, I've not spent the time that you guys have on it, but kind of where I come from, if it ain't broke, don't fix it. It seems that both of those departments absolutely are world class. My fear is that if you've got two great players and you mix them up, it may not work out the way that we want it to.

Adrian Brooks: We present, we've always said that we have two outstanding law enforcement agencies in the Evansville Police Department and in our County Sheriff's Department. Nobody disagrees with that at all. I think there is an opportunity for you to allay the fears of the constituency with your creativity.

President Watts: Thank you, sir.

President Winnecke: Anything else on section nine? Hearing none, we'll move on to section ten, the transition? I think it, maybe it would be helpful for the combined bodies to hear just sort of an explanation, sort of the Reader's Digest version of what the transition committee will do, when its clock will start, when its work is done, etcetera.

Becky Kasha: The statute that we're working under provides for the transition board, or what we've called it, I'm trying to find it, a transition board. The transition board basically steps in and tries to get the new government settled in before they would take office. So, that they can hit the ground running, if you will. So, we put together this transition board, two members of City Council, two from County Council, the Mayor, one of the County Commissioners, and someone else selected by the County Commissioners, and someone else selected by the Mayor, a member of the Police Department, the Sheriff, two members of the reorganization committee, one selected by the Mayor and one selected by the County Commissioners, and then if there were other people that the board felt was appropriate to add that by majority vote they could add people to that committee. If you go down to section 10.2, by statute, these are the duties that the transition board would have. This would go into effect 60 days after the plan is voted by, voted in by the referendum, by the voters in a referendum. So, the specific duties of the transition board would be to establish the boundaries of the districts of the Common Council, as we talked about before, so, we would be looking at whatever the most current data would be at the time to make those districts conform to state statute, which requires that all districts have essentially equal populations, contiguous, reasonably compact. So, for example, you couldn't have a district that, you know, was a mile all the way around the border of the county, or something silly like that. So, within the limits imposed by the State Constitution and the state statutes, they would put together the boundaries of the districts, they would adopt tax levies, tax rates, and the budget for the first year of the operation of the Combined Government. So, that's what the transition board does.

President Winnecke: Really, there weren't, am I misunderstanding, is their work really over a two year period, Becky?

Becky Kasha: Let me see here.

President Winnecke: I guess, that's kind of my confusion.

Councilmember Adams: It doesn't form until the referendum passes, obviously.

Becky Kasha: Yes, it would—

President Winnecke: '13 and '14.

Councilmember Adams: Yeah.

Becky Kasha: Right, we envision them, this starting 60 days after a referendum would pass, and then their work would conclude then when the new office, elected officers were sworn in.

Commissioner Melcher: So, basically, it takes effect the second or third, or whatever that date is in January 2013 and goes to the end of December 2014?

Becky Kasha: Right, that's the way we envisioned it.

Commissioner Melcher: Okay.

Becky Kasha: And, certainly, the transition board—

President Watts: I would just throw out there that, and I apologize for missing this, and correct me, with the adopting of tax levies, I have a little bit of a problem with appointments by members.

Becky Kasha: By what?

President Watts: Appointments of someone that's not an elected official. Like the City Council appointing two City Council members, that's great, but an appointment by the Mayor, or an appointment by the County Commissioners that's not an elected official, who's going to set tax levies and tax rates concerns me a little. What was, was there a number, or was there something you were trying to get to with the transition? I mean, are we trying to get expertise in all of these different areas?

Becky Kasha: No, I mean, we examined a variety of models, and, frankly, I don't, this is one of those things I think there could be very many right answers to what this could be.

President Watts: Okay.

President Winnecke: This could be—

President Watts: And, Mike, because this is where you're talking about this answers the question I asked a while ago?

Mike Schopmeyer: Exactly.

Becky Kasha: Right.

President Watts: Okay.

Mike Schopmeyer: That's the one you asked earlier, and it's provided for under 1.5-4-7, they call it joint board, we elected to call it transition board. And, besides the budget, which is the issue you eluded to, that's the big one—

President Watts: Yeah.

Mike Schopmeyer: —which, you know, would you want them to work on the '13 budget? You may not. You may say '13, well, that's for '14, or '13 you're doing '14's, you may say, well, let's just leave it the way it is now. But, certainly for the '14 come '15, I would think you would want to have this board.

President Watts: Have that in place.

Mike Schopmeyer: This is also sort of as a sweep up, even though this thing seems voluminous, it's 40 pages, realize that section 36 of the Code is, you know, real thin paper this thick. So, this also exists to sweep up for those issues that we may not have contemplated, like, you know, you talked about the appointment of the boards, issues like that. Those kind of issues that, we can't contemplate everything. If you go ahead with law enforcement, that's why you see the law enforcement officials

here, and then we included the executive branch, because they're going to tender a budget, I mean, the budget still starts with them. So, that was the thought that it gave a two year period, this is something that's all together new. It gives you time, in two years, for a statutory fix.

President Watts: Then, all those would have to come back to the bodies to be approved, any statutory changes?

Mike Schopmeyer: Well, you know, you're a creature of the State of Indiana, so some of these might–

President Watts: Okay.

Mike Schopmeyer: –you know, you don't have great Home Rule power in Indiana. You may need to go to the General Assembly. This committee gives you a two year period, well, Mr. Avery is here, it would be used to serve to go to them and say, hey, we need this fixed. For example, the board appointments, that would be an example where you could possibly work through those changes. Realize, this is going to be the first government in Indiana, in the 92 counties like this, I mean, you're crafting your own, we have been given the power by the General Assembly to craft our own. That's amazing. I mean, that's really pretty fascinating. So, that's why this is in here, because there's going to be a lot of loose ends you need to work through. John and I were talking today, we had a question on how do we do this? This is different. So, that's why it exists.

Becky Kasha: I would point out that the only budget or tax levies that this group would work on would be the one for the first year of the Combined Government. They may start working on it well in advance of that. There are probably several ways to put this together. It could be that the transition board of the non-elected people can't vote on financial issues, something like that. I think there are ways to address those fears, because people had mentioned that to me in talking too, that it wasn't appropriate to have non-elected people making those kind of decisions. I think that's a valid concern.

President Winnecke: Steve?

Commissioner Melcher: I think we could discuss this later, because aren't you going to ask kind of a committee from each side to work on some of these problems to come back?

President Winnecke: Yes.

Commissioner Melcher: Okay, because I believe and as, kind of Marsha said it earlier, when we're voting on this plan, I think everybody ought to understand where everybody's going to be coming from. Not a transition committee to do it a year after they voted yes or no. Or, yes, it would have been in this case. So, I think we need to know exactly if it's going to be 11, 15 or what's it's going to be and where they're coming from.

Becky Kasha: Well, I don't think that the transition, I see your point, but I don't think, the transition committee couldn't decide to have a different number of districts, but they will be the ones who adopt the districts. You know, does the line go here, or does the line go there? You know, the boundaries of the districts, not the number of

the districts. It's, that kind of authority is not in the hands of the transition committee, but, by statute, the statute that we're working under, that's one of the duties that are assigned to this transition committee is to put together the boundaries.

Commissioner Melcher: But, that's after the election. I mean, that's after they vote for it.

Becky Kasha: Right, but, I can't help that. I mean, that's the way the statute is, and, to your point, using the more, the most current population data we have.

Commissioner Melcher: No, we, from the beginning we always knew we were going to have to use the new census.

Becky Kasha: Right.

Commissioner Melcher: I think Bill Jeffers did a great job just giving you what you requested, because all he was trying to do was hit a stage to start with. That was an easy stage to start with. City Council represents 21,600 now, it's one of the best in the state as far as being equal. So, I think that was the stage to start with. So, I think that was a good deal, but I do think it comes down to, when you start doing these districts, we probably need to know where they're going to be at. The transition board then maybe should just be some kind of wording, whatever is voted on, if the vote is yes, then they have to accept what the drawing has already been. Then, once the new Council gets there, they've got the powers to change it. It don't have to be every ten years.

Becky Kasha: I don't know how often that is. I would have to defer to your expertise on that.

Commissioner Melcher: Yeah, they could change it. They will change it as time goes on. So, we just need a model or something, I think, with all of the current information. I think that's something we can start working on right away.

President Winnecke: Other questions regarding the transition section of the plan? Hearing none, we'll move on to the amendment section. Any questions here? Dan?

Councilmember Adams: I'm sorry to, I've wondered, 11.2.1, membership and appointments, the plan review commission, and I just couldn't figure out why the Circuit Court Judge had three appointments to the plan review commission.

Becky Kasha: I'm straining my memory here. My recollection was that it seemed to us that that was, the well respected people who maybe didn't have a dog in the hunt. Certainly, again, this is one of those, there's lots of ways this could be accomplished, I believe. We, threw out, what we thought was our best effort, and, certainly, there are other ways to come about this. But, I will say, we initially had thought about having this, any changes in this go back to a referendum vote, but our legal counsel informed us that you cannot have things go to a referendum vote unless it's provided for in state statute. So, that wasn't an option for us. That is something a lot of people have asked us to do, and we agreed it made sense if that's the mechanism that started it, that's the mechanism that ought to be employed to change it, but that, oddly enough, is not an option. That's not to say that the legislature may not change that in coming, well, weeks, months, years, but for the moment that's not an option as far as we've been made to understand.

Councilmember Adams: I guess, I would comment that the Circuit Judge three appointments might not have a dog in the hunt, but it also might end up like Russian roulette in that you might get three people that were opinionated, you just didn't know their opinions until the time.

Becky Kasha: That may well be.

President Winnecke: Anything else under section 11? Section 12, just, not just, but a list of recommendations by the reorganization committee. Any questions or comments regarding the recommendations?

Commissioner Abell: I have a question on 12.7. It's recommended that the Combined Government employ Certified Professional Engineers. In the Engineering Department, or for some other purpose? I don't, what are we going to do with these people?

Becky Kasha: You're right that could have been stated better. It should have said when we are hiring engineers, that they should be certified.

Commissioner Abell: Oh, okay.

Becky Kasha: Instead of lawyers, how about that?

Commissioner Abell: (Inaudible. Microphone not on.)

Becky Kasha: No, you know, when you write things sometimes you know what you mean, and then when other people read it, it's not as clear, so I appreciate the comments.

President Winnecke: I think, maybe we're at the point of wrapping up here, since it's the next to last, it is the last page. The efficiency study recommendation I think is interesting, talk a little bit about the feelings on suggesting that, and how encompassing the committee expects that might be.

Becky Kasha: This was an idea that we got from some of the other cities we talked to, and, Ed in particular, had explored this with some of the other—

Ed Hafer: I think it probably started with Lexington, which has an efficiency study done every, I don't know, 15 years or something like that where they come in and look at, you know, how government is functioning, how the community has changed and government needs to change with it. I would equate it to the efficiency study that was done a few years back by MGT, a company out of I forget where for the EVSC, where they looked at staffing and departments and salaries, and things they were doing in-house versus out of house and vice versa, and, you know, supposedly saved, you know, huge amounts of money for the School Corporation. You know, it is not, I think the committee, from the very beginning said, you know, we're only going down to a certain level. It's not up to us to dissect, you know, the Area Plan Commission's methods and procedures and how they operate and what their fee structure is and these sorts of things. That's just an example, across the board, but we did believe that that is something that should be done by the new government once they take office.

President Winnecke: Okay, thank you.

Commissioner Abell: Mr. Winnecke, I would—

President Winnecke: Yes?

Commissioner Abell: — if anyone is interested, there is a publication from the American Society for Public Administration. It has a website of arp.sagepub.com, and they did a study eight years after Louisville, Kentucky had their combined government, and they have published a report on it. It might be interesting reading. It's an efficiency survey of some sort of Louisville, Kentucky.

President Winnecke: Could you repeat the website?

Commissioner Abell: It's arp.sagepub.com.

President Winnecke: Thank you.

Ed Hafer: That's good, and I just point out if you go to the Lexington-Fayette County government website, a copy of their latest efficiency study, which, I think, is only two years old is on there.

Commissioner Abell: (Inaudible. Microphone not on.) copies for everyone.

President Winnecke: Thank you, Bruce.

Bruce Ungenthiem: It cost you \$25, so I saved you all a bunch of money.

President Winnecke: Any other comments from the Commissioners or the Councilmembers before we open it up to comments from the floor?

President Watts: I would just echo that after seeing the work that you've done and discussing, I'm even more impressed with the task that you took on, because there's nothing easy about what you did. So, thank you all very, very much again. Regardless of anything that's amended or what, I hope you know that we and your community certainly appreciate what you've done. So, thank you.

President Winnecke: Anyone else before we open it up to the floor?

Public Comment

President Winnecke: I would remind everyone that on April, I mean, on March 30th at 5:30 in this room we will have an official public hearing for anyone who would like to come and express comments, suggestions or overall opinions. So, having said that, Bill Jeffers looks like he's standing up first, so.

Bill Jeffers: I want to go home first and drink some of that delicious water. I'm thirsty. Just echoing Mr. Watts' comments, I attended many of the meetings of the committee and watched it evolve, listened to all of the discussions, and it was, at times, grueling for them, and they did do a monumental job. Whether you agree with it or don't agree with it, the credit belongs to the people that did the work. I'm sure that now you will amend it, either to make it better, or take it in the direction you want it to go. I'm going to reserve all my comments on a lot of things until the public meeting, because that's where they belong, March 30th. But, I do believe that this

plan that's in front of you tonight has a lot of defects, some of them are serious and some of them are very minor. I just want to go through here, real quickly, and point out some minor ones, save the serious ones for later. Some things I think might have been skipped over. Before I do that, I would like to say that Ms. Kasha and the committee described adequately and accurately what took place with the districting map. Their description was adequate and it was accurate. I may have sent an e-mail to Ms. Abell, I don't recall the content, but that e-mail is a public document and anyone that wants to look at it can look at it and take the content, you know, for what it is. But, I don't believe I said quite what was reflected here tonight, and my comments were made in the newspaper earlier this month and I'll stand by them. Okay, on page three, under 1.3, boundaries of the Combined Government, usually the state wants a meets and bounds description, not a simple map. On page four, under 2.7, executive officers, the Mayor appoints all of these executive officers, and, excuse me, the text, the verbiage here is—

President Watts: Where are you again, Bill? I'm sorry.

Bill Jeffers: Page four, section 2.7, executive officers.

President Watts: Okay, thanks.

Bill Jeffers: Are excluded from civil service. Now, I don't know about the City Council, I haven't worked for the city since 1981, but the city, the County Council, and I've worked for the county since 1981, has a personnel policy that we all must follow. Mr. Ziemer is familiar with it, I assume being excluded from the civil service that that phraseology might indicate that the people the Mayor appoints as executive officers here don't have to punch a time clock, don't have to not drive their cars to another county, whatever. I think that's a fault in the text. I think they should be held to the same personnel policy as anyone else that works for the county. Page five, section three, section 3.1.2, authority to establish fees. Certain fees for certain services are set by the state statute. I don't care what this enabling statute says, the state's not going to allow you change that. For example, the Recorder's recording fee, Corner Perpetuation Fund, \$5.00 per deed, those things are set by the state, should be recognized as such. Section, or, excuse me, page six, oh, I just had a little note here. I would like to point out, during the discussion of the at large members all being from the same neighborhood, Ms. Abell, Dr. Adams and Curt John, how close do you all live together?

Councilmember John: Dan Adams about a block, and, Marsha, what are you two or three blocks from me?

Commissioner Abell: About two, and Mr. Tornatta recently moved (Inaudible. Microphone not on.)

Councilmember John: I know a couple, three years ago Marsha, I mean, Angela Koehler-Walden lived about two blocks from where we live.

Bill Jeffers: Right, but you three are basically at large, a County Commissioner and two at large City Councilmembers live within a block or two of each other currently. All three of you are popular enough to be re-elected at large. Just a point of interest there. The reason that I brought that up is because some guys from Darmstadt said, you know, we could take over the whole county. You know, we could have a Mayor, and, we could elect a Mayor and three Council at large and one district person all

from Darmstadt. Yeah, that could happen. Just, I'm just pointing that out, out of interest. I'm going to skip that one, because that's not minor. Okay, page nine, section 7.4, it was said up here at the podium tonight that if all the services were extended to one of our neighborhoods out in the unincorporated county, which would be the general service district, if all of the services were extended to us, we should be in the, brought into the urban service district. I'm not arguing with that, but this plan does not say all, it does not use the word all services. There is no qualification or quantification in this plan as to which services, how many of them would have to be extended before you were eligible for annexation. I call it annexation, because as Commissioner Winnecke pointed out, section 7.4.1 (2) is an annexation, or enables annexation. It's just another word. Page 12, under the composition of the transition board, and also page 13, same topic, it doesn't say who appoints the attorney for the transition board. The legal counsel for the transition board. It doesn't say who appoints the professional consultants for the board. It says of the board's choosing. I've never heard of such a thing as the Mayor or the County Commissioners not selecting through a professional process, professional consultants or hiring an attorney. So, I don't think you want to hand that power over to a transition board, even though there are members of your body on that board. Page 15, section 10.8.3, there is no drainage code in the county, or, excuse me, in the city. The county has had a drainage code since 1994. I don't believe the city has ever adopted a drainage code or a policy for storm water control. So, that might, you might want to adjust the language in here so that when you have a consolidated government, if you have a consolidated municipality there is a drainage code, county-wide, that is the same.

Becky Kasha: Is that something that could be added?

President Winnecke: Deleted.

Bill Jeffers: I just have a note out here to the side. I'm getting blurry vision here. I don't know what it really says, but I know that the city does not have a drainage code, and if you want to combine governments you should have a code that applies to the entire county.

President Winnecke: Oh, I see where you are.

Bill Jeffers: Or the entire municipality. That's all the little, minor glitches that I noticed that you all passed over, and I thought that I would bring those to your attention if it was okay.

President Winnecke: Thanks, Bill. Just kind of start lining up if you would like.

Bruce Blackford: Hello, my name is Bruce Blackford. I'm with Vanderburgh County Farm Bureau. The Evansville-Vanderburgh County Reorganization Committee tonight presented you with a plan for reorganization. Vanderburgh County Farm Bureau urges you to reject this plan. Vanderburgh County Farm Bureau has participated in many of the information and discussion meetings that were part of the committee's process. Unfortunately, the Plan of Reorganization continues to have several provisions that cause us to recommend rejection of the plan. For example, the adoption of the proceeds, or process of the plan favors city residents versus non-city residents. As proposed, the plan requires only a simple majority of all Vanderburgh County citizens. To be fair it should require at least two thirds majority, or at least 50 percent of the city and non-city residents in a separate election. The

plan does not contain adequate structure to provide that the transition board or Common Council abides by the plan if adopted. Instead it allows the new Common Council to change the plans' provisions at any time with a simple majority vote. Cost savings to the citizens of Vanderburgh County will be minimal at best, according to the studies that have been completed. Because the proposed plan does not provide an appropriate resident approval, a defined plan of implementation, nor a clear, significant cost savings, Vanderburgh County cannot support this plan and we suggest or recommend that you reject it. Thank you.

President Winnecke: Thanks, Bruce.

Bruce Ungenthiem: It's been quite a long evening. Not nearly as long as the committee has spent on this plan. I want to thank them for their time and their service on that. It's very commendable that they did that. Thank you very much. You brought forth a plan that was very close to what you were instructed to do. You were told to bring back a plan with a very strong Mayoral position and you did. You were instructed to lay out eight districts such that the city wards would remain essentially the same, and essentially control the consolidated Council, which it will do. I especially want to thank Mr. Bittner, Ms. Harris and Reverend Brooks for their efforts on the committee, and their no vote on the proposal. This is indication that this proposal before you is not a unanimous vote. History has shown us that a democratic form of government is the hardest type of government to set up and maintain, and, yet, to my knowledge no one on the committee reports any experience in training on the subject. The question would be why were there no faculty members from the local high schools, local colleges who have training in government on the committee to give some guidance on this effort. To the Council and the Commissioners, I think all of you are aware this evening that there are several weaknesses in this plan. You've had your chances to ask questions and try to get clarification on that, but one of the things that has not been brought up, and Marsha did that earlier, is that there was no look at what has happened in some of these, I shouldn't say there's no look, there's been nothing represented here that indicates what actually happens when you do something like this. Does this actually work? I took an opportunity to take a look at the results of the Louisville consolidation, since the Louisville consolidation and Mayor Abramson has been quoted several times in this thing, and found the report that you guys have in front of you now. It was published in the American Review of Public Administration, it was written by Dr. Savitch, Dr. Vogel and Mr. Lee, or Mr. Yi, three gentleman who work at the University of Louisville in the political science and government affairs department. In fact, Mr. Vogel is the chair of that department. I'm not going to read the whole thing to you, because, quite frankly, I had to read it about three times to figure out what it said in some places. The academia sometimes tend to run on and give footnotes and it gets a little cumbersome to read. But, let me read you a conclusion on the summary, that summarizes on page 18:

“Comparing the data on Louisville's pre and post merge economy tells us that for the period under consideration—

That would be the four years before consolidation and the four years after consolidation.

“—the “break out” thesis did not work. A radical change in government was not met by new, economic energy. Nor did a “shake up” appear to bring about any short term bump or long term changes of slope or real

shift in postmerger averages. Since the onset of the merger, we cannot discern any unusual boost in per capita income, employment, numbers of business establishments and the like.”

Basically, what they are saying is all of the rhetoric that was put out by the political people in Louisville and the elite business people in Louisville that spent over a million dollars in advertising to advertise this, simply is not true. It didn't work. Now, the study does not even include the years 2008 and 2009, and they point that out that it did not include the years 2008 and 2009 when the economy downturned and the postmerger actually got worse. Now, is there an alternative? Yes, the study indicates that on page 22, three cities, Portland, Charlotte and Denver chose to keep their local government form and form a collaborative between those governments that were more flexible as the needs and the community grew. Kind of sounds like we have now, except the collaboration might be a little off. We'll need to work on that, but they have been successful, and they did grow. Okay, so, what I would ask you to do is consider the plan that's in front of you and consider who put this plan together. Who were the people in the background pushing it? What kind of unbiased information do you have on the plan and whether it works? Is it in the best interest of the voters of Vanderburgh County? One final note, think back to when you were in high school listening to your government teacher, and ask yourself what would he or she recommend in this particular instance. I know the answer my government teacher would have told me. His name is actually on a plaque down here in the entrance. My government teacher was the late David Koehler, and I think, Lloyd, yours probably was too. He's a former member of the City Council, and I think he would look at me with those big, baby blue eyes and ask is this a good representative government for the voters? Ask yourself that question. Thank you.

Mike Sandefur: Yes, Mike Sandefur, a Vanderburgh County resident. First of all I want to thank the County Council and the Commissioners here, you've been given some lemon and you're trying to make some lemonade. We appreciate that. It's not going to be an easy process. I guess, this, to some extent, I guess, the humor in this reminds me of a Greek tragedy. It's, I don't see anything good coming from it. I guess I would start by asking, is there anyone on this Council who would approve that the U.S. government abolishes its Constitution and sets up a new form of government on a simple majority vote? Would you give up your national sovereignty on a simple, majority vote? Well, we have a long standing government right here that has worked for a long time, yet we're proposing to abolish it on a simple, majority vote. We need some type of higher level to do that. I think we need a two thirds vote to abolish a long standing government. I don't think you abolish any successful, long standing government on a simple majority. You know, I will say probably the best thing I heard tonight came from Mr. or Commissioner, or Councilman Watts there, when he said if it's not broke, don't fix it. Okay? That is where we're at. If it's not broke, don't fix it. I also heard Mr. Schopmeyer state that, you know, this is a great opportunity, it's fascinating that we're doing this, we're the first in the state. You know, I would also call that a guinea pig. Quite honestly, do you want to put all of the residents of this county and this city, do you want to call them a guinea pig and say we're going to go forward? I think we have to think very carefully about doing that. A few other quick observations, partisan, non-partisan participation and so forth, I don't recall the exact quote, but it came from George Washington, which he said a dual political structure or political parties could greatly undermine the Republic. I think when we look at how the partisanship that has went on, right now we're 14 trillion dollars in the hole. How did we get there? I think it had a lot to do with partisan politics. I think you, if we do move forward with this, we have an

opportunity to reset that model back, and as our founding father defined it, and try to do away with the partisanship. The at large, you know, with due respect to the at large members here, I don't see a purpose for those. I think that they can be divided into either regions or by population and be fully, absolutely represented by those folks in there. I think that will give us a higher level of representation. I think a few more numbers may be appropriate. I think the at large folks should roll into some type of process which would give the direct voters of that area a voice in what they say. Lastly, I'm going to talk about, briefly, what Commissioner Abell brought up and Bruce brought up on this, that document, "Beyond the Rhetoric: Lessons from Louisville's Consolidation", I urge you to read that, take a few minutes. It takes, like Bruce said, it takes a lot longer than a few minutes to read it, but, I think you'll only come to one conclusion, that it didn't work in Louisville. As a matter of fact, one of the things they talk about is the inner city. Right now the inner city is represented by the City Council, but with the mergers of a larger body and a larger area, such as the county, what happens is, and it's quite simple, follow the dollars. The dollars goes into the suburbs, the dollars goes into the development outside of the city, and in just about every, single example, the inner city has suffered substantially and lost representation substantially. So, I would ask you to consider that as well. Thank you very much.

President Winnecke: Anyone else? Seeing none, and hearing no other comments, again, our next joint meeting, March 30th, 5:30 p.m. in this chamber. We appreciate everyone's time and participation. I guess, we jointly stand adjourned.

(The meeting was adjourned at 8:50 p.m.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MARCH 22, 2011**

The Vanderburgh County Board of Commissioners met in session this 22nd day of March, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: I would like to call to order the March 22nd meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

Economic Development Coalition Update

President Winnecke: Okay, first on the agenda tonight is a report from the Economic Development of Southwest Indiana, Greg Wathen and Debbie Bennett-Steersman.

Greg Wathen: Thank you, Mr. President, Commissioners. Thank you for allowing us to be here. As we try to do on an annual basis is come around to give you an overview of what's happening in the economic development world, as well as community development, and how we're supporting the community itself. Obviously, you probably heard some good news today for Evansville and Vanderburgh County, and that's the location of SS&C Technologies new facility that will start in Innovation Pointe, and at some point in time they will be incubated, hatched out of Innovation Pointe into a much larger space, but, up to 500 white collar positions. A very significant item for us, because it really gets us in the IT technology side of business and expands it and helps us to really diversify. I'm going to spend a few moments just talking about what's happening within the economy, what we're seeing in terms of activity, and, then, Debbie Bennett-Steersman, who's our Vice President of Community Development will give you a brief overview of what's happening in the community development side. That's really the grants procurement side of what we do to help the communities expand in their capacity. Then, if you have any questions for us, we would be more than happy to answer those. I'm happy to say, now we just have 19 active projects as of today. We did have 20, but because we landed SS&C, it's always nice that as we're whittling down that list, it's not because

we've lost out on a project, it's because someone has chosen us. Out of those 19, nine are considering Vanderburgh County for locations. I would be remiss in saying as well that out of those 19 projects that currently we're working on, every one we're competing with some other community somewhere else. That is probably much different than what we've seen in the past where maybe 60 percent or so of those projects we might be competing, it's 100 percent now. We're finding that the competition level is growing and it's becoming more and more challenging for us, as communities, to put together the kinds of competitive packages that we need to, but, we're holding our own, in particular with SS&C, it was a great partnership between GAGE, as well as with the Indiana Economic Development Corporation in trying to attract that project. But, all of the projects that we're seeing are competitive. The majority of the projects that we're looking at right now, with the exception, because of Vanderburgh County, are probably manufacturing. We're seeing some logistics. The office intensive are primarily looking either at Vanderburgh County or Warrick County because of just the amount of inventory that you would have for that kind of project, but, primarily we're seeing manufacturing. Out of these projects they represent a little more than potentially two billion dollars of investment, and more than 3,000 new positions. Now, whether or not we can get all of those, it would probably be a difficult task, but we think we're positioned well to at least attract in a percentage of those. In particular, one of those projects is considered to be one of the largest, in terms of investment, in size, now considering Indiana. We're the only site left in Indiana, Southwest Indiana. I can't really say specifically where that is, but we feel good about the prospects. We feel certainly good about the economic activity that's occurring within the marketplace, maybe if there's something we don't feel good about is the level of competition that's just risen exponentially. Unfortunately, that's where we find ourselves. As you well know, and maybe just as sort of a refresher course, we have 65 board members that comprise the Coalition; 21 executive committee members, and it's equally distributed among all four of the county's that we represent. Those are the four Indiana counties of the Evansville, Indiana-Henderson, Kentucky Metropolitan Area. So, that would be Vanderburgh, Posey, Gibson and Warrick. Out of those, we have great representatives here from Vanderburgh County, including Commissioner Winnecke who sits on our board now, as well as on our executive committee. I'm going to turn over the dais to Debbie Bennett-Stearsman to talk a little bit about what's happening with regard to community development, then we'll be able to answer any questions you might have.

Debbie Bennett-Stearsman: Good evening. Thank you for having us here this evening. The Community Development staff is a bit different from the Economic Development staff, although we support the staff. We do the planning and the development and the grant writing, and then the grant administration for community development projects in the four counties, such as; fire stations, fire trucks, senior centers, daycares, water/sewer/storm water, about any community service project, whether it be for the cities, the towns, the counties. It may be for some of the parks associations, or for a non-profit association. We are a staff of four. We began in 2006 with one staff person, myself. We have grown, Jeff Pruitt is now on our staff. Jeff does nothing now but labor standards. All of our projects are subject to Davis-Bacon wage job federal regulations. Jeff is solely responsible for seeing that every project we have that's construction, or non-construction, complies with all the Davis-Bacon rules. Wylie Zeigler joined our staff this past year, and Wylie helps me in the development and writing and the planning for the communities. Then Megan Hollander recently joined our staff as our administrative assistant and will be taking over all of the financial management for us. You should have in your packet a list of projects for Vanderburgh County that we've worked on since 2006 that have been funded. The figures you'll see are grant funds only, not total project. I need to call to

your attention, the fifth one down talks about downtown revitalization and it says Vanderburgh County. That is actually the Town of Darmstadt. They are undergoing planning right now that we're about to complete. As you can see from your list, to date there's \$7,775,370.50 in grant funding for Vanderburgh County. The total grant funding that our division has done since 2006 for all entities is just a little over \$55 million. Our Community Development staff is also a member of the State of Indiana Association of Planning Commissions. We meet on a monthly basis with state officials to network, and also with the state agencies to find any potential funding for the communities. Our community staff also serves on the state advisory board to the Lieutenant Governor, Becky Skillman, and OCRA for policies and procedures. We helped author two of the chapters for the recent grantee implementation manual that was issued by the state this last month. Our staff is also involved in the first grant certification program that was put into law in February of 2011. Upcoming projects for the county that we have listed currently is; the Darmstadt planning grant, which they're looking at going into downtown revitalization construction. Once the planning grant is completed, and we're also working, you know, I was before you prior on the Bohannon Estates sewer project, which has been pushed back into the second round of this year. We are willing to meet with you, if you would like for us at any time to review what other projects you have. We do see John Stoll occasionally, and ask him about any projects that he may have, and we're open and available at any time to come over and talk with you as well, as we do all of our other communities, to see if there are any grant funding possibilities. Greg?

Greg Wathen: Thank you. Debbie and the staff just do a super job. I think most people when they think of the Coalition they primarily think of us as purely an economic development arm, but we're probably the only organization like us in the State of Indiana where we're a hybrid organization where we've blended community and economic development. As you can see by some of the results, it's been successful, and, hopefully, we're going to continue down that vein. So, we would be more than happy to answer any questions that you might have in this regard.

President Winnecke: Great. I would start, just, is there a way to characterize, sort of, the level of interest in these 19 active projects? Do you see that things are starting to look rosier in terms of companies wanting to make investments?

Greg Wathen: Commissioner, we think so. It's kind of interesting. I've been doing this since 1986, and I don't think I've ever seen a climate that we currently are finding ourselves in. Companies, what we've seen, at least in the U.S., they're saying they're sitting on about two trillion dollars worth of cash. So, it's not always a question of financing, though sometimes it is, it's more a question of do companies feel comfortable making the decision that the economy has made the requisite turn in order for them to make that investment? That's probably the most difficult question to answer. For us, I would say out of those 19 projects, probably serious consideration on at least half of those as being a finalist. What's happened in economic development, with the advent of the internet, is by the time we have conversations with companies, either those that we're trying to solicit, or maybe have contacted us through one of our various partners, is that we have probably made some type of level of, through a filtering process, some cut. So, they are considering us at this point in time. We've already made some initial cut, and we're probably under serious consideration at that point. That said, we have a couple of projects that we're working on that, one in particular, that every quarter it's as if, well, we're going to move it to the next quarter and make the decision, we're going to move it to the next quarter and make the decision. So, we're just sort of in a waiting mode. The large project we're working on, and some of these are publicly traded

companies, so it's very difficult to talk about them, they'll need to go in front of their boards for final approvals. So, sometimes it's a waiting game to see if their board feels comfortable enough that we're going to make that decision moving forward. I wish I could give you a clearer idea, but some we feel more comfortable with, and even then, you just don't know until they sign on the dotted line.

President Winnecke: Steve, Marsha? Okay, thanks for your time.

Greg Wathen: Thanks again for allowing us to be here.

President Winnecke: Keep up the good work. Thank you.

American Red Cross: Denim for Disaster Relief

President Winnecke: Next on the agenda, the American Red Cross. Greg Waite is here to talk about Denim for Disaster Relief.

Greg Waite: Well, I'm here tonight just to ask for your approval for Vanderburgh County employees to take part in a community-wide fundraiser that we will be hosting on April the 1st. We've had a lot of employees and companies come to us asking how they can get involved and take part. One of the things we're finding is that locally, not only do we see what's happening in Japan, but we're currently seeing a lot of local disasters. Just this month alone, we've seen not only two tornado responses, one in Dubois and one in Gibson County, but also the 18 unit apartment fire in Warrick County, and then nightly, over the past 11 days, we've seen fires that are taking homes and displacing folks. So, this is an opportunity for the community to come together and wear jeans, donate five dollars, and help to put a little bit of funding and hope back into the lives of these people. Because every night the Red Cross is out there, and it's our volunteers that are delivering this service. So, we're trying to get as many companies as possible to get involved in this. We have commitments so far from Old National, from some of the branches of Fifth Third, we have Casino Aztar and a number of other companies that are starting to come on board. We've had a number of county employees that showed interest, so that's why we're here tonight is to ask for your approval for county employees to take part on that day, if their supervisor would allow them based on what their normal attire is. Even if they can't do jeans, we have some that are amending it to, we have a sticker that they can wear that day, whatever we can do to amend it so they can still take part and still help us to raise critical funds for our community.

President Winnecke: As long as they give the five dollars you don't care if they wear jeans or not?

Greg Waite: Yes. There's some that are going to wear NCAA jerseys.

President Winnecke: Right.

Greg Waite: So, it's fine, whatever they want to wear.

President Winnecke: I guess, this might be a question, what's the mechanism by which we collect the money?

Greg Waite: We have, in each entity we're going to have a point person who will collect it. They will be given that many stickers based on, you know, sort of like a log sheet so we can keep track of and have some accountability for it.

President Winnecke: Okay, any questions? I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: I would just ask that you make sure that—

President Winnecke: Microphone.

Commissioner Abell: —(Inaudible. Microphone not on.)

Greg Waite: Absolutely.

President Winnecke: Don't forget your mic.

Commissioner Abell: Some of the courts don't like for the employees to wear jeans, they are going into the courtroom.

Greg Waite: Absolutely.

Commissioner Abell: Okay.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thanks, Greg. Good luck to you.

Greg Waite: Thank you.

2011 Centre Capital Improvement Projects List
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President Winnecke: Next we have the Centre, Dave Rector. It is right behind the Red Cross thing.

Commissioner Melcher: We had this e-mailed to us too.

Dave Rector: Good evening, Dave Rector, Building Authority. You have before you what we're proposing for 2011 for the CIP for the Centre. Darren Stearns and Todd Denk are here from SMG also, if you have any questions. We realize that we have a limited amount of money now that we've been doing these projects versus years in the past. But, the ones we've identified that we really think we need to take a look at trying to accomplish and do this year. I'm open to any questions.

President Winnecke: You might, just for the folks who are watching at home and just for the record, you might just kind of run through the list. It's not very long.

Dave Rector: Sure.

President Winnecke: But, if you would run through what the items are, and the estimated cost.

Dave Rector: The first one you may not be familiar with, but it's a facility life cycle software that I put into place for that building, and I would love to do for all buildings, but it gives us all the components of everything in the Centre, that at any given time if you ask me I could tell you what it may cost to replace something in the Centre based on its expected life cycle ten years from now, five years from now, or 20 years from now. This is just the annual software cost for that. It's \$400. The other thing is our annual landscaping with the planters out in front, along the sides of the building and getting the sprinklers turned back on and shut down, that's \$6,000. Annual maintenance painting, we're just, we go through the building and just from wear and tear and all the many people in there, we need to do painting, and that's ten. We had an inspection, I won't go into great detail, I'll explain if you would like, but four state fire inspectors came down last fall to do an A&E inspection. That normally is pretty routine. This one was not so routine, and they identified about 20 items they wanted done. Ben Miller and I, the Building Commissioner, were able to argue those down to three items, and to complete those it's \$4,500, and we really need to do that to comply with the state inspection. The tile repair you see for \$1,000 is the ceramic inserts, as you go throughout in front of the auditorium where it crosses, as cars and people walk across there it has chipped the tile away. The big hit, the \$115,000, is resealing all of the building's outside brick. It sounds strange, but several years ago, we were just experiencing tons of problems with water coming in that building, leaks, leaks, leaks. What we finally ended up doing was we brought a truck out with a fire hose on it and we just saturated that building, and the water was actually infiltrating through the brick, penetrating through the brick into the building, then down through the walls and the ceiling. It's been five or six years since we did that, and we're starting to see leaks again. I recommend that it's time to reseal the brick, just based on starting to see the leaks again just this year. Repair drywall, it's repairing the drywall from the leaks that we've experienced here in the last few months. That was \$3,000. Harry needs some pipe and drape carts. These are carts that he uses to, if you go in the exhibit hall, sometimes you'll see all the black pipes and drapes set up to separate for vendors. These are carts to haul those around on. As you know, as you go into the Centre, you've got the three story entry there, well, we don't have a means of trying to dust that upper ledges, and if you're up on the fourth tier and look down now you can really see a layer of dust starting to form. So, we want to get a contractor in there to dust and clean those. We have a steam pressure valve that needs repaired at \$1,500. The garbage disposal in the kitchen is down and broken right now, and they're having to throw away garbage instead of sending it through the garbage disposal, at \$4,000. Again, then, Harry has a compressor out in one of the concession stands in the exhibit hall at \$2,000. So, we have total of just under \$151,000 for this year.

President Winnecke: David, could you go through just briefly the three remaining items that the state fire inspector feels we need to repair?

Dave Rector: It's sprinkler heads in the two vestibules going into the exhibit hall area. It's a sprinkler head up in a maintenance room that is above duct work instead of below. I mean, these conditions have existed for years, they've never been cited, they were not cited in the original construction. They've been cited now. The other thing is a back corridor, we have pipes penetrating through the walls that there is air space between the pipes that they are saying needs to be now fire stopped. Again, those have been there since 1999 when we occupied the building, never been written up, but they've identified them now.

President Winnecke: On the resealing, are there any warranty, probably like a day out of warranty or something probably, right?

Dave Rector: It's not a warranty issue per se that they give us. Any contractual thing like that you have a year warranty with the contractor, but after that, no. But, just by history, it seems to have lasted about five years. We're in the sixth year and we're seeing the leaks back. We chased that down by keeping thinking, we kept thinking it was roof leaks, roof leaks, and that wasn't doing it. Then, I know it sounds strange, but the water is actually penetrating through the brick into the building.

President Winnecke: Okay. Any other questions for David? Hearing none, I would consider a motion to approve the Centre's capital improvement request list for 2011 at \$150,900. Funding source, of course, is the Food and Beverage Tax money.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Dave Rector: Thanks, Commissioners.

President Winnecke: Thanks, David.

**Permission to Award Bid: VC11-01-01:
Evergreen Acres Phase II: Holly Berry Reconstruction**

President Winnecke: Okay, next we have John Stoll. Is John here? Oh, yeah, there's John, permission to award the bid for VC11-01-01. This is the Evergreen Acres phase two, the Holly Berry reconstruction to JBI Construction for \$178,588.70.

John Stoll: You are correct. It's recommended that it be awarded to JBI. They were the low bidder on the project. One thing that Ted Ziemer asked me to state for the record was there were some discrepancies on the bids that were read into the record last time. The problem was that there were two pages to the bid proposals, and on some pages Ted got the grand total, others he just got the first page total. So, he asked that I just state that for the record, as far as what the numbers were. So, just to clarify things for the contractors who did submit the bids.

President Winnecke: And, JBI is the low, overall low bidder?

John Stoll: Yes. He read that bid into the record correctly. Do you want me to go ahead and just read all of the corrections?

President Winnecke: Sure, just to correct the record. That's good.

John Stoll: Okay, Koberstein Contracting's bid as read into the record was \$144,927, but the actual bid was \$181,527. Deig Brothers bid as read into the record was \$214,333, the actual bid amount was \$232,158.90. JBI's bid was the same as previously stated. Ragle Incorporated submitted a bid of \$197,986.50. That was their correct bid total. M Bowling Incorporated, they submitted a bid, the bid as read into the record was \$174,256.90. The correct bid was \$211,381.90. Then, J.H. Rudolph was also read into the record at \$343,995, that was their correct bid amount. So, long story short, JBI's bid was read correctly and they were the actual low bidder on the project. So, it's requested it be awarded to them.

President Winnecke: Okay. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Questions, excuse me, there's a motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Permission to Advertise Notice of Public Hearing:
Petition to Vacate a Drainage Easement at 2419 Wheaton Drive**

President Winnecke: Next, also with John, permission to advertise notice of public hearing. This is a petition to vacate a drainage easement at 2419 Wheaton Drive.

Madelyn Grayson: That's actually ours, the Auditor's. The petition was filed in the Auditor's office, and this is just requesting permission to advertise the notice of the public hearing for April 12th.

President Winnecke: April 12th, okay. I would entertain a motion to--

Commissioner Melcher: So moved.

President Winnecke: A motion--

Commissioner Abell: Oh, I'm sorry, second.

President Winnecke: That's fine, and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Permission to Advertise Notice to Bidders: VC52-2011:
Reassessment Services for 2012**

President Winnecke: Next, permission to advertise bid for VC52-2011, reassessment services for 2012. County Assessor, Bill Fluty.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Bill, do you want to come up and just give us a.... you thought, you got up, got the motion. Just a quick overview of what this is.

Bill Fluty: Bill Fluty, Vanderburgh County Assessor. Yes, this is just a, we're going out to bids, with your permission, and, hopefully, they'll be back in here, I think, the 12th and then awarded the 26th of April. Just asking for different services to help us with reassessment.

President Winnecke: Okay. There's a motion and a second. Any questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thanks, Bill.

Bill Fluty: Thank you.

**Sale of County Owned Property:
Quit Claim Deed for 12501 Apache Pass
Quit Claim Deed: 2023 S. Fares Avenue
Notice to Abutting Property Owners: 510 Bellemeade**

President Winnecke: Next, Commissioners sale of county owned property. A quit claim deed for 12501 Apache Pass, 2023 S. Fares to Eddie Weimer for \$1,150, and also a notice to abutting owners of 510 Bellemeade. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Approval of Use of the Old Courthouse Superior Courtroom for Filming

President Winnecke: Next, approval to use the Old Courthouse Superior Courtroom for filming. Louie Iaccarino III has expressed interest in filming in the Old Courthouse Superior Courtroom. He would require the use of the Old Courtroom, along with an additional second floor room for one full day. Mr. Iaccarino has provided a certificate of liability insurance, which protects the county from any liability to anyone or property as a result of damage occurring during the filming. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Kunkel Group Lease of Coliseum Parking Spaces

President Winnecke: Next we have a discussion of the Kunkel Group lease request of the Coliseum parking spaces. There is an e-mail from Mr. Ziemer dated March 17th, and I know Commissioner Melcher, I think, has some additional information on that.

Commissioner Melcher: Yes, I talked with Chuck that is part of the Kunkel Group today, and, I guess, what we found out, just today, it's not going to be equipment and storage it's just going to be cars for employees that are going to be coming in and out. So, it's 20 parking spots. I would like to table this until two weeks from now. I told him that we would probably be doing that, or not our next meeting on the 29th, but the first one we have in April so we could get, find out a little bit more about it, since it just switched today to just cars only.

President Winnecke: I'm fine with tabling it.

Commissioner Abell: I'm fine.

President Winnecke: Okay. Do we, we don't need to vote to table it, right? Okay, it's tabled. Thank you, Steve.

Health Department: Telework Documents: Marjorie Logan (Deferred)
Health Department: Revised Radon Gas Grant Agreement
Health Department: Ad Agreement with South Central Media
Health Department: Amendment to Childhood Lead Poisoning Grant
Burdette Park: Lease Agreement with David Austill
Burdette Park: Agreements & Addenda: All Blown Up Inflatable Rentals
Commissioners: Xerox Lease Agreement
Engagement Letter with Harding and Shymanski: 2010 Centre Review
Sheriff: Aramark Operating Agreement: Amendment No. 4
Sheriff: Professional Services Agreement: Dr. Randall Stoltz
Sheriff: Reimbursement Agreement: Marathon/Half Marathon
EMA: Sub Grant Agreement: \$399,999.99
EMA: Sub Grant Agreement: \$75,500
Auditor: KRONOS Software Maintenance Agreement
Treasurer: Southern Business Machines Maintenance Agreement
Assessor: Software Licensing Agreement: Data Pit Stop
Purdue Co-Op Extension: Xerox Lease Agreement

President Winnecke: Next, under the Health Department, the first item we're going to, the telework agreement we will postpone at least a week. Next we have a revised grant agreement EDS# A70-1-068048, this is in the amount of \$5,000 to aid the Health Department in increasing its program to detect radon gas in residences. It runs from January 25th of this year through the end of this year. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? I see Gary Heck from the Health Department here if anyone has any questions. Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have an advertising agreement with South Central Media for radio spots for the purpose of encouraging support of the Evansville Earth

Day event. Total cost, \$2,500. The Health Department has a grant to cover this cost. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have an amendment to the childhood lead poison prevention grant. This amendment increases the grant amount available to the Health Department by \$50,000, for a grand total of \$100,869. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Gary, fine job.

Gary Heck: Thank you.

President Winnecke: Thank you. Burdette Park, we have the annual lease agreement with David Austill for parking spaces. The lease would run from January of this year, it runs through this calendar year, at a cost of \$400. Steve Craig is in the audience if we have questions of Steve, otherwise, I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, we have rental agreements with All Blown Up Inflatable Rentals LLC. This is in the amount of \$5,000 to aid the Health Department in its awareness...is that right? This is a little cut and paste error. I can tell already. Steve, why don't you come up and clarify this.

Gary Heck: We'll gladly accept that.

President Winnecke: Good answer.

Steve Craig: Well, I don't know if you would want it or not, it's for only \$456.25.

President Winnecke: Oh, that's way too little for the Health Department.

Steve Craig: Yeah, they don't start higher than that.

President Winnecke: It's a big operation over there. What's the right amount? I'm sorry, \$456?

Steve Craig: \$456.25.

President Winnecke: I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? And, the inflatables are for?

Steve Craig: They are for the daycamp—

President Winnecke: Okay.

Steve Craig: —they have special events days, and we've not used this. They have different things from puppet shows and entertainment, DJ's come in, and this year they're going with a little bit different thing with the baseball throw and a super slide. Just different things for the kids to do while they're there. There is an addendum to it, which I think is also on here.

President Winnecke: Okay.

Steve Craig: That is for \$493.75. That's for a different date, that's for July 14th.

President Winnecke: Okay, we'll vote on the agreement first. Roll call vote. Oh, wasn't there a motion. I apologize. I would consider a motion to approve for \$456 for All Blown Up Inflatables.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Now there's a motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: And, on the addendum, this will modify the agreement to limit our liability, for \$493. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Steve.

Steve Craig: Thank you.

Kathryn Schymik: May I? There are two separate inflatable agreements for different dollar amounts on different days.

President Winnecke: Right.

Kathryn Schymik: Did you....okay.

President Winnecke: One was the original agreement for \$456, and the second was the addendum, right?

Steve Craig: No.

President Winnecke: For \$493?

Steve Craig: The first one was for June 16th, and then for July 14th, which was, the addendum was for another date, and that's two different contracts.

Kathryn Schymik: There's an addendum to each contract. The addendum is just addressing the indemnification language that was provided that Ted wanted to amend. So, there are two separate contracts, two different days each having a different dollar amount, and there is an addendum to each contract.

President Winnecke: Okay, so, so far we've approved one contract and one addendum? Okay, at this time I would consider a motion to approve the second contract and the second addendum for the dates specified.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Yes. Thank you. It is very, very warm in this room. Oh, I'm sorry, go ahead, Commissioner.

Commissioner Abell: Steve, has Mr. Stewart contacted you to work on his taking over the lease for the ballparks?

Steve Craig: We had had contact, I think last fall and this winter, but since his contact with you, he has not gotten back with me.

Commissioner Abell: I suspect he needs, isn't this like baseball season coming up?

Steve Craig: Which, if you're going to make a move, this is the time to make the move.

Commissioner Abell: Do you want to contact him? Or, do you think, do you want the Commissioners to do that? How do you want that handled?

Steve Craig: I can contact him. I don't know, you know, if you've gotten anything worked out with him or what. He's not, you know, I was waiting for him to get back with me to tell him, you know, what had came out of the conversation.

Commissioner Abell: He indicated that he would be willing to take over the contract for the same conditions that the previous person had. If you want to contact him and bring that to us, I think that would be in order.

Steve Craig: I will do that.

Commissioner Abell: Okay, thank you.

Steve Craig: You're welcome.

President Winnecke: Thanks, Steve.

Steve Craig: Thank you all, and it is warm in here.

President Winnecke: It is warm in here. We've got that right.

Commissioner Abell: Where's Mr. Rector?

President Winnecke: But, it's going to be cold tomorrow, so, that's what everyone in this building is hoping for.

Commissioner Melcher: He left to get cool.

President Winnecke: Okay, next, we have the Xerox lease agreement. The minimum monthly charge on this, under the proposed lease, is \$226.22, with an estimated cost, based on the current volume of \$310.70 compared to the current cost pursuant

to the lease with the Lang copier of \$323.05. So, this is at a little bit of a savings actually. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, we have an engagement letter with Harding Shymanski and Company to review the 2010 Centre financials. This is per our contract with SMG. This is for an expense not to exceed \$5,000. I'll consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, under the Sheriff's Department, an amendment to number four, amendment number four to Aramark operating agreement, food services. This serves to extend the term of the operating agreement from January 16, 2011 to January 16, 2012. It increases the per meal price from \$1.22, a little over a dollar twenty two cents per meal to \$1.25. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Also, from the Sheriff's Department, professional services agreement with Dr. Randall Stoltz. This agreement is to provide services as the medical director of the detention center. This is a two year agreement as a cost of \$52,000 per year. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: I have a question, I don't see the Sheriff here, but I'm assuming these things are in his budget?

President Winnecke: It is.

Commissioner Abell: Okay.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, for the Evansville Marathon/Half Marathon, it's our security agreement with that organization. This is for reimbursement of the Sheriff's Department for providing security for this event. It is identical to last year's agreement. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: Which one of the runs is this?

President Winnecke: This is the second year of this run, and this is out in the northern part of the county. This is the one we received an e-mail on—

Commissioner Abell: That's what I was wondering.

President Winnecke: —over the weekend, or earlier this week. To that point, and I do not remember the gentleman's name who sent the e-mail raising issues about access to the residences, but I have asked Kristin in the Commissioners office to arrange a meeting with the race organizers and some of those neighbors so we can get their issues worked out.

Commissioner Abell: Okay.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, the EMA, hello, sub-grant agreement EDS #C44P-1-224A for \$399,999.99.

Adam Groupe: They couldn't have given us a darn penny, could they?

President Winnecke: I know, for a period of three years. This sub agreement is for equipment to enhance the operation of the emergency operation center and to support the capability of the public safety providers in the 12 county district ten area.

Adam Groupe: Yes, that is a district grant. That actually goes to all 12 counties in district ten.

President Winnecke: It's divided between those?

Adam Groupe: Yes.

President Winnecke: Right. Any other questions? I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Also for the EMA, sub-grant agreement EDS #C44P1-222A, for \$75,500 for a period of three years. This sub grant is for expenses of doing a full scale deployment, planning activities and table top exercises.

Adam Groupe: That is also a district wide grant for training and exercises.

President Winnecke: Questions or discussion? I'll consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Now, questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Adam Groupe: Thank you.

President Winnecke: Thanks. Have a good evening. County Auditor, oh, Joe, we haven't heard from you in a while. The KRONOS software maintenance agreement. The minimum monthly charge under the proposed lease is \$226.....stand by. Those numbers are incorrect. Do you have the right numbers? Okay, the attached renewal will cover the period from May 25th of this year to May 24, 2012 at a cost of \$11,620.74, which will be reduced by a credit that we have of \$478.93, for a total of \$11,141.81. The quote approved in 2010 was for \$12,600.58. So, this is at a slight savings to the county. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: The County Treasurer. I saw him back there. A maintenance agreement with Southern Business Machines to provide software and equipment maintenance to the Treasurer for the tax bill folder/insert machine. The original agreement to the equipment software was approved on January 19th and contemplated this service agreement. At the time of the original agreement the service agreement was locked in at the price of \$5,995. Rick?

Rick Davis: That sounds like an old Earl Scheib commercial.

President Winnecke: It kind of does, doesn't it?

Commissioner Melcher: I didn't think you was that young.

President Winnecke: Or that old.

Commissioner Abell: That old.

President Winnecke: Any—

Rick Davis: I just wanted to use this as a public service announcement time frame to let people know that your property tax bills are online. If you go to vanderburghtreasurer.org you can search for your property by address or by party name. So, if you want to know how much your property tax bill is this year, you can

go online and check that. We should have them in the mail within the next week or two. So, we might actually have notice to the public more than 30 days in advance in their mailboxes, which is a really big accomplishment.

President Winnecke: Right.

Rick Davis: And, that's not just due to my office, that's due to the Auditors' office and the Assessor's office as well. A very good effort by all three offices.

President Winnecke: Great, any questions of the Treasurer? I would consider a motion to approve the maintenance agreement.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Rick Davis: Thank you for your time.

President Winnecke: Thanks, Rick. Po-op....it is really, really hot in here. Purdue Co-Op Xerox lease agreement. The new lease cost of \$239.82 monthly for a term of 60 months. Oh, I did? I'll come back to it. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: I just wanted the Assessor to sit in this really hot room a little longer. Next, under County Assessor, we have a software licensing agreement with Data Pit Stop. The cost is \$4,000. The Assessor advises that the funds to support this have been appropriated by the County Council. Any questions of our friend the Assessor? Hearing none, I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Okay, department head reports, John or Steve? Whoever wants to come first.

Burdette Park

Steve Craig: Steve Craig, Manager of Burdette. This pertains to what Marsha asked a while ago. I happened to have the lease for the baseball field and that, and it is a five year lease. Are we interested in this time in entering it into a five year contract? Or is he, are we looking at doing it a year to see if they—

Commissioner Abell: Well, I don't know about my fellow Commissioners, I don't really know this gentleman, although I did meet him and I think he's sincere about what he wants to do, but we might want to do just a year to see how he does, and if it works out well, maybe we could do a five year the next time?

Steve Craig: That would be my thought.

Commissioner Abell: Okay.

President Winnecke: I'm fine with that.

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

President Winnecke: Thanks, Steve.

Steve Craig: Okay.

County Engineer

President Winnecke: John?

John Stoll: I've got two items that pertain to the Mann Road culvert project. The first is a change order for an increase of \$2,192.53. That was primarily due to the addition of a retaining wall in one corner of the culvert. We had some increases and decreases on a number of items throughout the contract, but that was the main reason for the increase. So, I would request your approval on the change order.

President Winnecke: I would entertain a motion.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second on the change order. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, the other item is a three day time extension request from the contractor. The original completion date was March 13th, but he is requesting three additional days to extend it to March 16th, and the reason was due to rain he wasn't able to get the project paved. The reason for the request is just to make sure that he's not going to be assessed any liquidated damages.

President Winnecke: Is this reasonable by your, from your perspective?

John Stoll: Yes.

President Winnecke: I would consider a motion to approve the extension.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

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

President Winnecke: Thanks, John. Gary or Doc? Okay. No board appointments.

New Business/Old Business

President Winnecke: Any new business to come before us? Any old business?
Madam Commissioner?

Commissioner Abell: I don't know if this is when you want to hear this. I did speak with Mr. Duckworth this afternoon regarding the road hearing that we all went to and we didn't have a very good turn out. He said they would extend until March 29th requests for road repairs from people. They will be starting their pothole blitz about that time.

President Winnecke: Good reminder.

Public Comment

President Winnecke: Any public comment? Hearing none.

Consent Items

President Winnecke: I would consider a motion to approve the consent agenda.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Madelyn, would you provide us with a dramatic reading?

Madelyn Grayson: Sure. The consent items for the March 22nd meeting are as follows; approval of the March 1, 2011 Commission meeting minutes, and the March 14th special Commissioners meeting minutes; employment changes for the Commissioners approval, there are two for the County Highway, five for the Health

Department, and one for the Co-Op Extension; the County Clerk has a waiver of Centre fees/not overtime for poll worker training April 27th through the 30th, 2011; the County Engineer has pay request number 124 for TIF projects in the amount of \$88,615.45; the County Treasurer and the County Clerk have the February 2011 monthly reports; Green River Estates III Homeowners Association neighborhood association registration; the Assessor has a request to surplus various office equipment and a donation of archives to USI; the Evansville ARC report of activities for February 2011; the Commissioners have an appropriation response letter to CAJE; Weights and Measures monthly report from February 16 through March 15, 2011; and department head reports from the County Engineer and Burdette Park.

President Winnecke: Well read.

Madelyn Grayson: Thank you.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Any other business to come before the Commissioners?
Hearing none, I would consider a motion to adjourn.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: We stand adjourned.

(The meeting was adjourned at 5:48 p.m.)

CONSENT ITEMS

Commissioners:

Approval of the March 1, 2011 Commission Meeting Minutes.

Approval of the March 14, 2011 Special Commission Meeting Minutes.

County Clerk: Waiver of Centre Fee/Not OT for Poll Worker Training: 4/27-4/30/11.

Green River Estates III Homeowners Association Neighborhood Assn. Registration.

Evansville ARC: Report of Activities for February 2011.

Commissioners Appropriation Response Letter to CAJE.

Employment Changes:

Health Department (5)

County Highway (2)

Co-Op Ext (1)

Sheriff (2)

VCCC (2)

Circuit Court (2)

County Assessor (4)

County Clerk (3)

Auditor (2)

Prosecutor (3)

Superior Court (1)

County Engineer: Pay Request No. 124: Green River-Burkhardt TIF Projects.

County Treasurer: February 2011 Monthly Report.

County Clerk: February 2011 Monthly Report.

County Assessor: Surplus Request & Donation of Archives to USI: Various items.

Department Head Reports:

County Engineer

Burdette Park

Those in Attendance:

Lloyd Winnecke

Marsha Abell

Stephen Melcher

Joe Gries

Kathryn Schymik

Marissa Nichoalds

Madelyn Grayson

Debbie Bennett-Stearsman

Greg Wathen

Greg Waite

John Stoll

Dave Rector

Bill Fluty

Gary Heck

Steve Craig

Rick Davis

Adam Groupe

Others Unidentified

Members of Media

VANDEBURGH COUNTY BOARD OF COMMISSIONERS

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
MARCH 29, 2011**

The Vanderburgh County Board of Commissioners met in session this 29th day of March, 2011 at 5:02 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the March 29th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here. Just for the record, Commissioner Abell is out of the city on a family emergency. She will be back in the city tomorrow.

Pledge of Allegiance

President Winnecke: Would you please stand and join me in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

Chief Information Officer: Public Wireless Access Policy

President Winnecke: Okay, we'll begin with our action items. Matt Arvay, Chief Information Officer, has an item to discuss, public wireless access policy. Good evening, Matt.

Matt Arvay: Good evening. Matt Arvay, Computer Services. What you have in front of you is a public wireless access policy. Over the past several years we've had more and more business leaders come with the need to have wireless throughout government facilities. So, we took the first step and got, we looked at wireless, put in systems for government workers and government approved equipment and vendors who were working for the city and the county. Well, as we continued to look at the security aspects in an ITAC sub-committee, we came back that we feel that we can secure wireless securely for the public and allow the business leaders who see it as a business advantage, at their facility, to embark and allow the public to access the internet through our current systems. What this policy is, as Ted described in his e-mail, is basically a disclaimer that anybody that would access the internet from the public would have to accept the terms and conditions, basically, and would be allowed to use the internet under the policy.

President Winnecke: Just for clarification, in terms of, we're not adding, are we adding expense?

Matt Arvay: The infrastructure, the back end, no, we wouldn't be, but each individual facility, that department head and/or elected official would have to determine does

it make business sense to add more access points and put some money to put a cloud within their facility. So, each individual facility would have to make that business decision.

President Winnecke: So, that would come through your office into each respective Council at budget time?

Matt Arvay: Yes, and they would have to secure those funds.

President Winnecke: Any questions? So, you're looking for approval tonight?

Matt Arvay: Yes.

President Winnecke: I would consider a motion to approve the wireless policy that's been presented.

Commissioner Melcher: So moved.

President Winnecke: Second. A motion and a second, questions or discussion? Just for clarification, this was on our agenda last week, so we have had a couple of weeks to review this, or a week or so to review. Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

Matt Arvay: Thanks.

President Winnecke: Thanks, Matt.

Permission to Advertise: County Owned Properties Public Auction
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President Winnecke: Next, permission to advertise county owned properties for public auction. There were 69 properties that were successfully bid on at auction, however, the bidder defaulted on the 20 percent deposit. Therefore, a second auction is required by Sohn and Associates on May 10th to auction those additional properties. This is permission to advertise. I would consider a motion.

Commissioner Melcher: So moved.

President Winnecke: Second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

Health Dept: Lieberman Technologies: Grease Trap Update Proposal

President Winnecke: Next, contracts, agreements and leases. The Health Department, Lieberman Technologies and the Vanderburgh County Health Department grease trap update proposal. This agreement will update the current system to capture additional data from facilities it inspects. The services required under the agreement are expected to be completed within 45 business days of the signing of the agreement. The cost of the agreement is \$798, for which the Health Department has grant money available. Gary?

Gary Heck: Gary Heck, Vanderburgh County Health Department. This particular one allows us to work with the city. They've asked us to help them with the grease trap data collection, because it will work with the agreement that they have under consent decree with the sewers. This allows us to assist the city in gathering that data and making sure that there's, we can track manifest on when the grease traps are cleaned. It also allows us data collection then to go into a file that allows them to stay within compliance with the judge's orders. So, it's in the city and the county's best interest to have this particular cooperation. We're pleased to be able to assist. We would request your all's permission to allow us to do so.

President Winnecke: Okay, I would entertain a motion.

Commissioner Melcher: So moved.

President Winnecke: Second. A motion and a second. Questions or discussion, Steve? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

Gary Heck: Thank you.

President Winnecke: Thanks, Gary.

Gary Heck: Just as an aside, we also have already secured grant funds for the wireless policy. So, the Health Department would be looking to potentially expand and have that available in the future at the Health Department. So, we would be one site who have already secured those wireless points.

President Winnecke: Great. Thank you.

Gary Heck: Thanks.

County Engineer

President Winnecke: Next, department head reports. John? First is, you have a change order request for phase two of University Parkway in the amount of \$49,718.46. \$42,687.50 of the increase is due to rock excavation. The rock was not identified by the initial soil borings that were done for the project. INDOT specifications call for paying an increased cost for the excavation. The remaining \$7,030.96 is to cover cement stabilization of the soil.

John Stoll: Of those costs, Vanderburgh County would be responsible for 20 percent. So, we'll ultimately end up paying just shy of \$10,000 on that change order. The bottom line was, neither condition was anticipated from the original design, and in order to build the project they had to do both, the rock excavation and the cement stabilization in the poor soil conditions.

President Winnecke: I would consider a motion to approve.

Commissioner Melcher: I move to adopt.

President Winnecke: Second. A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

John Stoll: The second item is just a request to increase the Countrymark relocation cost on phase three of University Parkway from \$1,640 to \$1,689.75. According to INDOT we don't have to have any formal approval of an amended agreement if the change is ten percent or less. So, I'm just asking for your approval to increase it by the \$49.75, and then we'll submit it for payment.

Commissioner Melcher: I make a motion for approval.

President Winnecke: Second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

John Stoll: Thanks.

President Winnecke: John, do you want to do the concrete repair recommendations?

John Stoll: Okay, based on complaints and requests that we compile in my office, and inspections that were done from inspectors in my office, the recommendation for concrete repairs for the contractual portion of the street work for this year we are recommending completing Greenbriar Hills Subdivision, Copperfield Subdivision, and there should be enough left to do some work on some cul-de-sacs in Oak Ridge Subdivision. The work in Greenbriar has been started, it was started last year; the work in Copperfield was started either last year or the year before. So, this would allow us to finish those two subdivisions and be entirely out of there for upcoming years, and then the remainder, there's a couple of cul-de-sac areas in Oak Ridge that we think we could cover the costs on, given the funding levels that we have this year. So, that would be the recommendations for the concrete repairs for this year. Then, the other 14 subdivisions will be carried forward to next year and then compared to whatever requests we get from residents next year.

President Winnecke: Okay, what I would like to do is take this under advisement and approve it at our first meeting in April. Will that give you appropriate time to –

John Stoll: Sure.

President Winnecke: –get everything lined up from this evening?

John Stoll: Yeah, we've made a request for wage scales and things like that. So, we aren't ready to do a contract just yet, but once you give final approval, then we can move ahead.

President Winnecke: Okay. I would entertain a motion to take under advisement.

Commissioner Melcher: So moved.

President Winnecke: Second. Any questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

President Winnecke: Anything else, John?

John Stoll: That's it.

President Winnecke: Okay.

John Stoll: Thanks.

President Winnecke: Any other department head reports?

New Business: 2011 Road Paving List

President Winnecke: Mike Duckworth, the Superintendent of County Highways could not be here tonight. They have presented a 2011 paving list recommendation of almost 14 miles, basically all over the county. The longest stretch, it looks like, about a mile, a couple of mile and half, four mile and a half, and several shorter. Again, all together just under 14 miles. I would also entertain a motion to take this under advisement until our April, our first meeting in April, at which time I would finalize. I encourage anyone watching at home or reading about this in the paper to contact the County Commissioners office if they would like to add a site to the list. This would be on our website tomorrow. So, you can go out and check it out.

Commissioner Melcher: So moved.

President Winnecke: Second. A motion and a second to take this under advisement. Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

Old Business

President Winnecke: Any old business to come before us? Kathryn, do you have anything from the County Attorney's office?

Public Comment

President Winnecke: Any public comment?

Consent Items

President Winnecke: At this time I would entertain a motion to approve the consent agenda.

Commissioner Melcher: So moved.

President Winnecke: Second. Madelyn?

Madelyn Grayson: The consent items for the March 29th meeting are as follows; approval of the March 22, 2011 Commission meeting minutes; approval of the March 14, 2011 joint County Commission-City Council meeting minutes; employment changes for the Commissioners approval, there are four for Burdette Park and one for the Health Department; Burdette Park has a yearly comparison from 2010 to 2011 through February 28th; the County Treasurer year-to-date investments through

February 28, 2011; there's surplus requests from the County Assessor for various office equipment and from the Building Authority for 56 floor mounted chairs for courtroom 102; and department head reports from Burdette Park, the County Engineer and the Ozone Officer.

President Winnecke: Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

President Winnecke: At this time I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

(The meeting was adjourned at 5:14 p.m.)

CONSENT ITEMS

Commissioners:

Approval of the March 22, 2011 Commission Meeting Minutes.

Approval of the March 14, 2011 Joint County Commission-City Council Minutes.

Employment Changes:

Burdette Park (4)

Health Dept (1)

County Clerk (2)

Superior Court (4)

Sheriff (1)

Burdette Park: Yearly Comparison from 2010-2011 through February 28, 2011.

Treasurer: Year-to-Date Investments through February 28, 2011.

Surplus Requests:

County Assessor: Various Office Equipment.

Building Authority: 56 Floor Mounted Chairs from Courtroom 102.

Department Head Reports:

Burdette Park

County Engineer

Ozone Officer

Those in Attendance:

Lloyd Winnecke

Stephen Melcher

Joe Gries

Kathryn Schymik

Marissa Nichoalds

Madelyn Grayson

Matt Arvay

Gary Heck

John Stoll

Others Unidentified

Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**JOINT MEETING
COUNTY COMMISSIONERS-CITY COUNCIL
MARCH 30, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville met in joint session this 30th day of March, 2011 at 5:30 p.m. in room 301 of the Civic Center Complex with Commission President, Lloyd Winnecke, and City Council President, B.J. Watts, presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order this joint meeting of the Vanderburgh County Board of Commissioners and the Evansville City Council for the purposes of a public hearing on the reorganization committee.

Pledge of Allegiance

President Winnecke: First, I would like to invite a couple of our Scouts who happen to be here to join us in the Pledge of Allegiance, please.

(The Pledge of Allegiance was given.)

President Winnecke: Thank you.

Outline of Process for Reorganization Plan & Public Hearing Agenda

President Winnecke: Just a couple of housekeeping items, then we'll get right to the public hearing. First of all, each body has to, this is the second reading of the reorganization plan that's been proposed by the reorganization committee. There will be no vote tonight. Just so everyone understands that. This is a public hearing to get input on, get everyone's opinion. If you decide to speak, I do have slips of paper, I will call these out, we will get to everyone who wants to speak. If you haven't gotten me one, that's fine. Everyone will get a chance to speak. We do have complimentary water right outside, it's still cool, so feel free to help yourself, compliments of this body, the Commissioners, actually.

**Second Reading of City Council Resolution C-2011-7:
Incorporating and Considering a Plan of Reorganization**

**Second Reading of County Commissioners Resolution CO.R-03-11-003:
Incorporating and Considering a Plan of Reorganization**

President Winnecke: B.J., would you like to start with your bit of business?

President Watts: Yes, the, we will hear the second reading of City Council resolution number C-2011-7, incorporating the reorganization plan by the City Council.

President Winnecke: And, then the County Commissioners are hearing the second reading on CO.R-03-11-003. I believe that's the extent of the legalities that we need to get to tonight. Having said that, we'll begin with the public comments.

John Hamilton: (Inaudible. Microphone not on.)

President Winnecke: Oh, okay.

President Watts: Yeah, we should take attendance.

Councilmember Adams: Would there be any purpose to read the preamble of this merger document? We didn't do it last time.

President Winnecke: We can if you would like.

Councilmember Adams: I think I would.

President Winnecke: Okay.

Councilmember Adams: For the sake of completeness.

Attendance Roll Call

President Winnecke: We'll do attendance first, then we'll get to that.

Councilmember Adams: Excuse me, I didn't mean to—

President Winnecke: That's alright.

Lynn Buhr: Commissioner Abell?

Commissioner Abell: Here.

Lynn Buhr: Commissioner Melcher?

Commissioner Melcher: Here.

Lynn Buhr: Commissioner Winnecke?

President Winnecke: Here.

Lynn Buhr: Councilwoman Bredhold?

Councilmember Bredhold: Here.

Lynn Buhr: Councilwoman Mosby?

Councilmember Mosby: Here.

Lynn Buhr: Councilman McGinn is absent. Councilwoman Robinson?

Councilmember Robinson: Here.

Lynn Buhr: Councilman Friend?

Councilmember Friend: Here.

Lynn Buhr: Councilman John? Councilman Walker?

Councilmember Walker: Here.

Lynn Buhr: Councilman Watts?

President Watts: Here.

Lynn Buhr: Councilman Adams?

Councilmember Adams: I'm here.

Lynn Buhr: That's it.

(Commissioners all present. City Councilmen McGinn and John absent.)

Reading of Preamble of City Council and County Commission Resolution

President Winnecke: Okay, at Councilman Adams' request I will read the preamble to this. It's not very long. This is again part of the reorganization plan that's been presented to each of our bodies. It reads:

"The citizens of the City of Evansville and Vanderburgh County hereby embrace the concept of a unified and reorganized city and county government, and have formulated this plan with the following goals in mind; the combined government is designed to and must endeavor to operate with efficiency, simplicity, and clarity; foster and embrace creative, forward thinking solutions to problems facing this community; ensure accountable, transparent, responsive and ethical government; encourage community and stakeholder participation in the civic decision making process; elect, appoint and employ professional, ethical and qualified leadership; distribute the cost of the combined government in a fair and equitable manner; and preserve our unique balance of rural and urban lifestyles. To these ends, it is the will of the public to move forward with a pride in our history and a renewed sense of community for the betterment of our fellow citizens."

That's the preamble.

Councilmember Adams: Thank you very much.

President Winnecke: You're welcome.

Public Hearing on City-County Reorganization Plan
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President Winnecke: Okay, we'll begin, the first name I have is D. J. Thompson.

Commissioner Abell: Mr. Winnecke, did you want to remind them that there's some seats available out here?

President Winnecke: Oh, yeah, if you would like, there are some seats in this side conference room also. As a reminder, if you would, when you come to the microphone, state your name and spell it, please, if you don't mind.

D.J. Thompson: D.J., common spelling, Thompson, T-h-o-m-p-s-o-n. I'm President of the Evansville Fraternal Order of Police. Our organization consists of approximately 600 active and retired members of law enforcement here within Vanderburgh County. Our membership includes officers from the Evansville Police Department, Vanderburgh County Sheriff's Office, we have State Police officers, we have Gaming Commission, we have several officers from, or, I guess, you would call them agents from several different Federal agencies. I know you're going to hear a lot of comments tonight, and I know you're going to hear a lot of the same stuff. So, I really appreciate being the first one to be able to talk, that way I'm not copying anyone. Okay, the proposal from the reorganization committee that has been presented to you has several problems that I believe will make it hard for the citizens of our community support. Among them are the decreased representation of our minority population, a lack of any savings from taxpayers which will result from the consolidation of city-county government. I believe, the exchange at the last meeting was not only will county residents see their property taxes increase, but, I believe they also determined that there will be an increase in the city property taxes. Another problem, which I see in it is the checks and balances of having both a city and a county government, that will fail to exist. That came into play recently with the, whether you agree with it or not, the Roberts Stadium ballfields that were going up. I think that was a productive conversation that went on with that and the decision that was made there, which would not have been made with only one form of government. One issue, of course, that I'm going to talk about that really concerns the people I represent is the consolidation or the merger of local law enforcement. When this process first began, both Sheriff Williams and Chief Hill told the law enforcement sub-committee that all was well with law enforcement. As this was occurring, the FOP put together a committee of three deputies and three City Police officers to study what effect consolidating two or more law enforcement departments would have on a community. After much research, the committee offered an eight page report on their findings. Invariably, the communities that merged law enforcement saw an increase in the taxpayers to the financial cost of law enforcement, they saw cultural clashes related to forcing separate departments into one merged department, and they had low morale among the officers. Scott Newman, who addressed the committee, the reorganization committee, several months ago, was the former Public Safety Director in Indianapolis when the Marion County Sheriff's Office and the Indianapolis Police Department merged. His, one of the things he said was that, or pointed out was that low morale of the police officers gives our bad guys a high morale. That's how he explained the increase in crime rates that are also associated with consolidating two different law enforcement agencies. Locally, the difficulties in merging the Vanderburgh County Sheriff's Office and the Evansville Police Department would come from almost every factor associated with operating the departments, factors that the reorganization committee failed to take into account. The two departments are more different than alike. For starters, the Police Department serves an urban area, while the Sheriff's Department serves a mainly rural area, and, of course, they take care of the Constitutional duties that are required by the Sheriff's Office. The departments operate under different contracts, different pension, different ranks, and different longevity scales, along with different pay scales. To bring the officers of the same rank and the same longevity up to the same pay would just, in and of itself would cost several thousand dollars. Then we get into the equipment aspect of merging, someone has to pay for new uniforms, new badges, new raincoats, and new paint schemes for the patrol cars. I heard it suggested that the officers wear their separate uniforms and drive their separate patrol cars until those need replaced. The problem with this is that it will continue to ingrain in the minds of the law enforcement officers that there is still one

group that would be looked down upon as losers during this merger. That brings us back to the low morale problem in merging law enforcement. I believe the reorganization committee has several well meaning members, but as a whole they failed to do their homework on many issues, including law enforcement. As I stated earlier, both the Sheriff and the Chief were in agreement that law enforcement is working well within Vanderburgh County. I was present when a sub-committee member made a statement to the effect that the committee wasn't formed to keep things the same. I take issue with that. I believe that change for the better is good, but change for the sake of change is irresponsible, and in this case it would be counterproductive. Through the FOP I've had the pleasure and the ability to be able to travel to many different places and meet many police officers from other departments around the nation. Well, for that matter, from other countries even. I've learned through these travels that we do really have two excellent police, or, sorry, two excellent law enforcement departments within Vanderburgh County. If you don't believe me, ask the citizens what, about the officers or the deputies that protect and serve them. The county residents will tell you how much they appreciate their Sheriff's Office, and the deputies that protect them, while the city residents will tell you how much they appreciate the city officers that keep their streets safe. At the beginning of my speech, I'm almost finished, I told of several problems with the proposal. I do have a solution to the law enforcement section of the proposal. The solution would be to remove law enforcement totally from the proposal, and in the new charter include language that the departments will stay separate, while at the same time maintaining their current patrol areas and duties. Thank you.

Commissioner Melcher: I've got a question.

D.J. Thompson: Yes?

Commissioner Melcher: D.J., can I get a copy of that report of your committee?

D.J. Thompson: Yes, you can.

Commissioner Melcher: Thank you.

D.J. Thompson: I will send it to you. Brian Brown did it with our department. I will send it....if anyone else wants one, or I can send—

President Watts: Can you just get one to the Clerk's Office and she will take care of it?

D.J. Thompson: The Clerk's? Okay, I will do that.

Councilmember Adams: Mr. Thompson?

D.J. Thompson: Yes.

Councilmember Adams: Thank you for sending me that report, by the way. Could you elaborate, I don't mean to put you on the spot here, elaborate on the statement that you made that the crime rate goes up in other, has gone up in other places when consolidation has occurred? What do you think the mechanism behind that might be?

D.J. Thompson: As Scott Newman, who was the Public Safety Director in Indianapolis said, and he was up there when they merged both departments, the morale, just the officers not being happy with what's going on, they didn't do their job as well, might be. I don't know how they associate it, but he said their crime rate in Indianapolis did go up. The research in the paper that I will send out will show that that does not happen in every community. They might have it be static and stay the same, but ones that do have a change they generally have a change with more crime.

Councilmember Adams: Just one other point, when you say, when you're talking about lowered morale with a merger, are you talking both about the police, the police in the city as well as the sheriff? Both departments?

D.J. Thompson: Well, it would depend on how the merger goes.

Councilmember Adams: I see.

D.J. Thompson: It would depend on who takes over who. Just speaking on that, currently, I've been a police officer for 21 years. In that 21 years we've had, the city side and the county side, of course, but, speaking from the city officers side, we've had very good relations with the Sheriff's Department. We back each other up, we work hand in hand with each other. This reconsolidation commission, or reorganization committee has probably done the worst thing for law enforcement. It's probably taken us back 20 years, as far as, I don't know, the attitude of the policemen toward each other. Now it's gotten to, not everyone, I mean, we have a lot of officers that don't feel that way, but, I think you get a lot of them that are concerned who's going to be in charge. This is something I know the Chief and the Sheriff they didn't plan to spend this much time on. You know, it's just, it's not good. It's just not good how—

Councilmember Adams: Would you care to comment on a system in which a Public Safety Czar, over both departments, might be considered?

D.J. Thompson: I think that was suggested in the sub-committee, and was ruled out pretty fast.

Councilmember Adams: For?

D.J. Thompson: To have a—

Councilmember Adams: Yeah, for what reason? I'm sorry to put you on the spot, I just—

D.J. Thompson: I don't know what reason it was. I know they had, and actually in my other notes, I took notes during that one, but they came, I think they, well, there were four sub-committee members, I think all four of them had a different idea on how law enforcement should go. I think what it gets down to is, nothing against them, I know they gave their best, but, it would like me telling you how to do heart surgery. I've never done heart surgery. I've never stayed at a Holiday Inn Express to say I know how, but, you know, it's the same way as saying, you know, them having an idea of you watch CSI so you know how to solve a crime.

Councilmember Adams: Yeah.

D.J. Thompson: It's not that easy. It is a profession.

Councilmember Adams: Well, I would listen if you gave me some instruction on how to do heart surgery, but I wouldn't take you very seriously. Thank you.

D.J. Thompson: Any other questions?

President Winnecke: Thanks, D.J.

D.J. Thompson: Thank you.

President Winnecke: Bill Jeffers?

Bill Jeffers: Good evening. Bill Jeffers, J-e-f-f-e-r-s, 2641 Malibu Drive. I want to say that we all, I'm sure we all appreciate the County Commissioners and the City Council having this public hearing and giving ample opportunity for everyone to say their piece. I would like to say that I'm not opposed to consolidated local government, so, the first minute or so I will concentrate on the type of local government, the consolidation of local government I would have liked to have seen. There are already several consolidated departments in city and county government that work very well together. There are other unconsolidated departments that work well together without being consolidated, and possibly would work more efficiently under consolidation. So, the concept I'm not opposed to. As a matter of fact, from the very beginning, other people and I suggested merger from the county perspective rather than from the city side. In other words, retain the three Commissioners, and the three Commissioners would retain their legislative and executive powers, and appoint a professional municipal manager. Why would this form be better than the strong Mayor form of government that the plan recommends? Because it affords more diversity, you have three people from different backgrounds. Look at the County Commissioners today, you have a banker, with a strong development background, you have a lady who has worked for a coal mining company in, I believe, mineral acquisition, and is now a real estate agent, coming from that perspective, and you have a man who has a community oriented background and has worked with organizations that help disadvantaged people. So, you have the opportunity for more diversity when you have the three County Commissioners than when you have one Mayor who most likely is going to be from a legal or professional background and he's full time. In other words a professional politician. So, such as myself, I mean, I'm going to be fair about it. But, it gives you opportunity for various professional backgrounds to work together as a three-headed office with professional backgrounds and skills that are varied. Also, it's a part time executive legislator body. It's not a full time position like a Mayor. A part time legislative concept was conceived by the founders of this country. They never conceived of a system where there would be professional politicians who ran the country like they do in the U.S. Senate. They would just come from the country, they would come from their community, go up to Washington, D.C., serve a couple of terms and that was it. Okay? Go off to Texas and fight in the Alamo. But, that is the form of government that our founders conceived, and it's the form of government that worked well for a very long time. Under this form of government that I would be able to support, a merged government with the Commissioners as the legislative and executive body, appointing a professional municipal manager, the Common Council would simply serve a budgetary function. They would have appointing powers and they would participate directly on boards like the Area Plan Commission, but, basically, their powers would be the same as the current County Council, just

budgetary powers. They would also be part time politicians, as conceived by the founders. Now, there was a lot of talk and suggestions at your last meeting a couple of weeks ago about the power of the Mayor, versus the power of the Common Council. If a plan such as I am suggesting had been followed, with the County Commissioners and a municipal manager model, there wouldn't have been any discussion about strong Mayor versus County Council's role or influence two weeks ago. Term limits, especially for any elected official who handles money or wields a lot of power. This is going to come up, you might as well be thinking about it, that's the reason why the Constitutional offices, at least seven of the nine have term limits, is because those people, like the Sheriff, either wields a lot of power, or those people like the Clerk or the Treasurer, handle a lot of money. The only two that don't have term limits are the County Surveyor and the County Assessor, and I don't know why that is. I think two or three terms is plenty for anybody, in one office. Then, if they can't do without that person, they can hire me for Chief Deputy or as a consultant. But, I don't think you can rationalize not having, or I don't think you can rationalize having term limits for the Sheriff, and not having term limits for a Mayor. I don't think you can rationalize having term limits for a County Recorder, and not having term limits for a County Assessor, but this plan leaves it the way it is, and you will not have term limits for the Mayor or the County Assessor. Non-partisan, I brought that up, other people have brought it up. At the local level, I truly don't see the need for partisan elections. If Mr. Winnecke wants to go on being a Republican, that's fine. If I want to go on being a Democrat, that's fine. We could argue day and night over national issues, social issues at the national level, but I think we see eye to eye at the local level, and I think that's true of all of you. The statutes tell us what our jobs are, and that's the jobs were supposed to perform, and if we don't we should be impeached. But, I don't see any reason why there should be parties at the local level. I think it just divides from our true purpose and the intent that the State Constitution has, and the state statutes. I think it puts labels on us, like when you go in the mall and you see these kids walking down the mall with all of these different name brands on the outside of their clothing, it detracts from the purpose of the clothing. I think labels pasted on people day after, you know, well, you get the point. I wanted to bring up that the census block data is now available. That was an issue we spoke about over the past few weeks, and I had said that until the census block data becomes available you can't redraw the precincts or the districts. Up until now it's just been census tract data which showed the huge migration of people out into the county that necessitates the redrawing of the district maps that are a part of this plan. Well, now that census block data is online, GIS Department has that online, and I would like to say, the Commissioners really need to redraw the precincts. There are precincts where homes have been torn down, people have moved, and there's just a handful of people left in those precincts. There's precincts, like my own, where there's thousands of people who have moved into the new subdivisions in Center Township, and the precincts are unwieldy in size out there. So, the last time those precincts were drawn, I believe was 2002, preparatory to the district, County Council district elections. Precincts are always drawn by the County Commissioners. You shouldn't wait until after this plan takes effect, if it does take effect, for a transition team to do your job as County Commissioners. The City Council needs to redraw their voting districts, whether or not this plan passes, or this plan won't even take effect until 2014, if it passes in 2012. The City Council, after the County Commissioners redraw the precincts, the City Council always has redrawn their precincts. You shouldn't pass that duty along to a transition team under this plan. County Commissioners, again, they would be drawing the County Council and County Commissioner districts. The County Commissioner districts, the school districts, for their board are based on County Commissioner districts. So, they all

need to be redrawn. This needs to be done now regardless of the plan, or regardless of the referendum. It definitely needs to be done before the referendum so that the map that goes to referendum represents what the people are going to get, not a pig in a poke. Okay, my real focus tonight, I wanted to focus on annexation versus expansion of the urban services district under this plan. There's two ways for Evansville to expand, there's two ways for Evansville to quickly increase population. One is by annexation, the way they do it now, and one is by consolidation under this plan, where you just simply expand the urban services district willy nilly. With annexation, state statutes guarantee due process. This merger plan bypasses due process and puts the burden of proof on the citizens whether the government's really ready to expand the urban services district. Under state statute annexation, the annexing municipality has to prove it's ready to take in new territory and provide services. The municipality must produce a fiscal plan showing how all municipal services, not just a few, but all municipal services regularly enjoyed by city residents, will be extended out into those living in the territory to be annexed within one year of annexation. However, under this plan of merger, all the municipality has to do is say it has extended some, but not all of the services into the territory to be annexed. I'm basing that straight on the words that come out of the plan. It does not say all of the services have to be extended. So, as I pointed out in an article I wrote, you could extend your bus route up to Ameriqua and annex everything between the airport and Cambridge Golf Course based on extension of one service, the way I read the plan. Under this plan of merger all the municipality has to do is say it has extended some, but not all of the services in the territory to be annexed, and this plan does not even address all the services that the city residents enjoy compared to all of the services that we in the unincorporated county get by on. For example, legal drain assessments, this plan doesn't mention legal drain assessments in detail, yet when the city annexes, like they did in 2008 when you annexed that huge chunk of the eastside, you're now paying that assessment, \$22.50, per acre that the farmers or the commercial property owners were paying to the county Drainage Board, now that's paid by the city. The financial plan, if there was one, would take that into account. Drainage improvements in easements outside of public road right-of-way, in the county that's done by private property owner. If a drainage easement runs across your property and there's a pipe or a ditch in that easement, you have to take care of that, you the private property owner. In the city, if it's in the easement, the city takes care of it if there's a problem. That's not taken into account and that can get very expensive. Recycling is not mentioned. Street lighting, in the plan it says those of us out in the county will pay for street lighting on a fee for service basis. It doesn't say that that goes away when you expand the urban services district. It appears that we would still pay for that, although people in the city don't. Sidewalks, Area Plan Commission requires all new subdivisions in the city to have sidewalks. That's not a requirement in the county. In the unconsolidated area the Commissioners can waive the requirement for sidewalks. The plan kind of leaves that alone, so, you could have urban service district expansion and they would not have sidewalks. Basically, in that regard I'm just trying to point out that the plan doesn't cover it all. The plan does not address outstanding bonds and indebtedness of the township fire department. The annexation statutes do. The annexation statutes specifically say what you have to do when you annex to take care of the outstanding bonds and indebtedness of the township with regard to fire service. The plan does not limit the urban expansion district to urbanized areas only. Under consolidation you can only annex heavily populated areas, or areas of heavy commercial or industrial development. Under this plan, you can just, as I have said, simply say that you've extended some services out there, and even if it's an underpopulated area, you can annex it. This plan does not provide proper legal

notification of citizens who's property will be taken into the urban district and who's taxes will be raised. Under annexation statutes, the municipality has to prepare written notices and mail them to every property owner by certified mail. I'm not sure exactly how this plan proposes to notify people that they're getting ready to have their taxes hiked. Long story short, the existing annexation statutes require the municipality to prove its ready and capable to take on additional responsibilities, and provide specific services into the territory that's going to be annexed, naming the source of funding and the agencies that will provide those services. This plan does not do that. I think the Crowe Horwath study should have done that. I believe the legislatures, the legislators intended for this plan of merger to include an economic impact study to address such things, because I believe the legislators were aware that consolidation of local government is just fast tracking annexation. I think that when a municipality fast tracks annexation the same standards should apply as when a municipality annexes by the existing statutes. Otherwise the burden of proof is, whether the municipality is ready to expand is placed on the citizens rather than on the government, and I don't believe that's right. I don't think the people should ever be put in a defensive position by the government. I think the government has to prove itself to the people. Thank you for your time.

President Winnecke: Thanks, Bill.

(Applause)

President Winnecke: Les Shively?

Les Shively: Thank you members of the Board of Commissioners and City Council. I want to thank, first of all, the League. The League took the initiative last year to move this forward, and also thank the hard working committee that put together this proposal. A lot of hard work, a lot of time, a lot of effort, but I think there is some, two major problems with the plan, in all due respect. Officer Thompson hit the main one right on the head. Over 50 years ago this community, through a legislative act, initiated the first merit system for law enforcement, local law enforcement officials. We've set the standard for local law enforcement. We've set that standard ever since that law went into effect, with both our Police Department and our Sheriff Department. They work with one court system, one Prosecutor's Office. We don't need to change it. The Sheriff's Department and the Police Department work very well together, and I would urge, if this moves forward, you seriously consider the comments by Officer Thompson and modify that part of the plan to allow these two very strong law enforcement agencies to....as I say, work with one court system and one Prosecutor very effectively. Leave it intact. They're doing a great job, and we set the standard for the state. Why change it? The Council districts, here's where I'm going to agree with my good friend, Bill Jeffers, on one item, then I'm going to disagree with him on another item. I think that we should have 15 districts, no at large, and those districts ought to be based upon the latest census data we can get. For those of you who didn't get an opportunity to read Mr. Jeffers' article in the Courier two weeks ago, an excellent piece, and I commend it to your reading, because he has an excellent suggestion of how we create these districts and how we use the census data. But, I think that's the way to be more inclusive so people that are outside the corporate limits now feel a part of this new metro system. The more districts that are smaller and that are based upon current data, I think will result in a more representative Council. On fiscal concerns, this is sort of message I would like to deliver to the proponents. I see a lot of folks out here that I know are opposed to a consolidated government, and one of the arguments they've made is a good

one. Why should we pay higher taxes arbitrarily just because we have a new metro system? That's a question that has to be answered. Quite frankly, I don't think the fiscal consultants really answered that question. You can't just take the county budget and the city budget, add them together and divide them by the number of properties and say that's a sophisticated fiscal plan. This statute allows this to occur, allows also and provides to encourage creativity. I would urge the proponents, again, if they go back out, if this gets on the ballot and we have this great public discussion on the future of local government in this community, we're going to have to do more than just arithmetic. We're going to have to show how we're going to save some costs, it's more than just combining two budgets. How is it all going to work? Because, simply increasing taxes arbitrarily is not acceptable, but is avoidable with the right formula and the right consultants with the right task. I think it can be accomplished. The best way, however, to reduce taxes for every taxpayer is to increase the tax base. The more properties paying taxes, the less taxes individual property owners have to pay. I'm convinced consolidated government is going to take us along that direction. Back in 2006, and I think Commissioner Winnecke was with me on that trip, there was, a study was done in 2005 urging this community to move toward consolidated government. The statute we have now was not in place. We were trying to get a statute for, to allow us to implement it here locally, a special statute, if you will. Mr. Winnecke and I appeared with some other folks before a House committee on government reform, and before we started talking to them, one of the first things they said was, is it true about Vanderburgh County that you have one school system? We looked at each other, we took it for granted, doesn't everyone have one school system? The answer is no. Again, another area where we have been the leaders, 50-60 years ago we did away with the township school system, had a consolidated school system, which we have today, which has served this community very, very well. Again, another area where we were on the leadership, in terms of consolidating government for a better product, reducing costs, and we need to be the leaders once again. In closing, I want to refute a couple of things that Mr. Jeffers said about annexation. I've been fighting annexation cases since 1984. Annexation is everything but due process. In order to fight annexation, you have to have 65 percent of the property owners in the area, or the owners of 75 percent of the assessed valuation. Mr. Jeffers talked about this certified mail notice, before the Court of Appeals this evening is a case out of this community for the City of Evansville, no disrespect, Mr. Hamilton, kept changing their maps, and quite frankly, not everyone affected got certified mail notice, and the trial court said, that's okay. We don't think that was okay. Annexation is a hostile takeover. One of the things that's been in the annexation law for years is the fact that people that are in the newly annexed area start paying taxes before they get the services. The city has three years to provide capital services, yet the tax increase goes in immediately. Annexation is nothing more than a hostile takeover, and it's anything but fair, and, at the end of the day, if you annex everything that's left in Vanderburgh County, you're still going to have county government, city government and township government, all these layers here, and the services may get to the people. I strongly urge this joint body to send this proposal forward with the modifications that I've suggested, and let's have the public discussion begin, because this is really the future of this community in so many ways. We're all looking forward to the day where I-69 is finally open, finally completed to Indianapolis, but I'm going to tell you, this community will not fully be able to embrace that opportunity if we don't go the way of other communities that have consolidated their governments, made themselves more nimble to take advantage of economic opportunities. So, I urge you to send this matter forward with

the appropriate modifications, and, again, let the discussion begin. Thank you very much.

President Winnecke: Joanne Alexandrovich?

Joanne Alexandrovich: Thank you for hearing my testimony today. My name is Joanne Alexandrovich, A-l-e-x-a-n-d-r-o-v-i-c-h. I live on Motz Road in the county. In the interest of saving time, this is the shortened version of my planned testimony. I present to you the longer version in writing, and I ask you to take the time to read it. Here are my main concerns about the proposed reorganization plan. It neither directly addresses nor shows how efficiencies are created or restrictions to government business eliminated. That is the purpose of the Indiana Government Modernization Act. Based on available information, the proposal appears to benefit city residents at the expense of county residents. County objections to the plan by referendum are all but sure to fail because city voters outnumber county voters by approximately 1.6 to one. Should this plan be passed, rural resident objections to new business are also likely to be ignored, because, at best, their interest would still be in the minority five to six. Unifying city and county code is left up to a transition board should the merger be voted on and approved. I believe unified code must be presented as part of the plan for referendum vote. There are not guarantees that debts for any new projects will be paid by the taxing units of those that benefit from them. Too much power and control over the proposed government structure is given to the Mayor. I prefer a multi-member commission over a single Mayor. Think about it, a single Mayor can't be in three places at one time, but a three member Commission could. I really do think that three heads are better than one. Each person, each Commissioner brings his or her strengths to the table, and like Bill Jeffers said, that's diversity and strength. I also believe that the Combined Vanderburgh-Evansville City, Evansville Government should be based on some form of Council Manager model. Nearly half of all municipalities greater than 2,500 people in the U.S. have a form of Council Manager government. According to the consolidation committee meeting minutes this form of government may not have been considered, because a City Manager has no political base, perhaps making it harder for this manager to get things done if Council approval is required. That's the whole point. A manager with the appropriate degree and resume and no political base would focus on efficient, non-partisan running of day to day city business, undistracted by political battles. The politics, development, visioning, legislating and other activities could be the focus of elected officials. I oppose the idea of deciding later on how law enforcement is to be combined, especially if the sole purpose is to rally votes for merger approval. It should be up to the constituents to approve radical changes in law enforcement, rather than a committee or Council. Also, in order to avoid the case of an entirely freshman body of elected officials, elections should be staggered. Although if you have a City Manager there may not be as much of a loss of business knowledge. Also, it's not clear that this plan will result in any lowered government expenditures, and possibly make things more expensive. In conclusion, to me, combined government by its very definition suggests a sharing of government power and responsibility. That sharing is not evident in this current proposal. In fact, the more I consider the proposal, the more and more it began to look to me like Evansville would simply be erasing any vestige of Vanderburgh County from the map. Please send this proposal back for an overhaul, or throw it away completely and not allow it to move forward to public referendum. Thank you for your attention.

(Applause)

President Winnecke: Thank you. Bernice Tirmenstein?

(Applause)

Bernice Tirmenstein: Bernice Tirmenstein, Tirmenstein is spelled T-i-r-m-e-n-s-t-e-i-n. I'm used to spelling that. I have read and studied the City of Evansville-Vanderburgh County, Indiana Plan of Reorganization many times. The more I read it, the more questions arise that are not answered. A model that was used was Louisville, Kentucky, bringing economic development was it's principle purpose. The business community spent one million dollars supporting the merger referendum with the hope, the hope that Louisville could compete in a bigger league with the idea that a large city could attract business. Too, I read the article, Beyond the Rhetoric: Lessons from Louisville Consolidation, published by the American Review of Public Administration, 2010, and originally put online in March of 2009. Here's a quote from it that is worth noting. "Two years ago, after the merger, the question was asked of residents, would you say that overall the merger has made you better off or worse off?" Of the respondents, 13 percent reported they were better off; 9.4 percent reported they were worse off; 8.6 percent indicated they did not know; and 69.1 percent reported they were about the same. This research was done by the University of Louisville, the Department of Sociology in 2004. The article further stated that rarely, if ever, is a plan reversed. Most scholars would acknowledge that the ability of local government to affect larger economic forces is quite limited. Politicians who want consolidation also know voters are mindful of their pocketbooks. Once a campaign is underway, politicians are bound to inflate promises of economic development. In short, we need to be attentive to any possible mismatch between claim and reality. I feel becoming educated on any issue is the key. I think we've had people speak tonight that are giving us some thoughts on education, helping us to be educated. Many people say to me that they felt the Mayor has too much power as they read the plan, and wanting to know more to substantiate their claim. I did some research on my own, and on exhibit D, page 22 of the plan, I counted 59 appointed boards, commissions and authorities in the new, Combined Government plan. Then, I counted the number of people serving on these boards, commissions and authorities that are appointed by the Mayor, not elected, that number of people was 181. So, you see, the Mayor does have power. I say no to the power of the Mayor and the politicians, and yes to the power of the people. The more I try to get a feel for the full impact of the merger, I came to the conclusion this is much like Nancy Pelosi saying in regard to the Healthcare Bill, you have to pass it in order to know what's in it. My opinion is reject the plan. Thank you.

(Applause)

President Winnecke: Jennie Downey?

Jenny Downey: Jennie Downey, J-e-n-n-i-e, D-o-w-n-e-y. I live at 508 Cross Valley Circle. I'm looking at things on this proposal from a little different perspective. I am disabled, I'm on the Disability Advisory Board, and the problem that I'm seeing is the Mayoral appointments and accountability. Right now, and people that know me know I'm big on access and transportation. Right now, if you have to go to the Board of Public Works to get something done related to the bus or a street, and they're going to send you to another department, which is going to send you to another department, and if they're not doing their job, half of you guys on the Council don't know what's going on anyway. The communication and accountability and the transparency that the preamble states is not going to be in effect. You all are going

to catch the brunt on these boards if stuff's not getting done, and you should have that power to have some say in what's going on. If you help appoint a board member and they screw up, okay, then, you're butts are on the line, but, if you don't, if only the Mayor is the only one that has to account for it, you all are still going to get blamed. That's not right. We have no way to impeach people that aren't doing the job right. That definitely needs to be taken care of. Term limits, absolutely. I know they were talking that the Mayor that's only happened one time gone more than a couple of terms, but even for the Council, like Ms. Abell said, she's sitting here, but you don't want somebody here that's been there forever. You know, it holds too much power, too much political, not quite sure what the word is, that long term thing. You have a lot of power and you kind of run things from the side. That needs to be limited so, you know, new ideas can come in, fresh faces can come in, creativity can come in. My other problem is, there does need to be more than 11 spaces. I don't believe that they need to be, they need to be maybe 15, so you still have to have seven, or eight to seven to make it, something pass, but they need to be districts separate, no at, you know, the at large members. That way everybody is equally, the inner-city and the county areas are all going to be covered. The other issue that I noticed now is that currently where you have annexed areas, and there again it goes into the communication, you've taken over areas that are not compliant with the law. Burkhardt Road and all of that area should be under ADA compliance when it comes to the roads, the sidewalks, the wheelchair accessible ramps, and they're not. We have empty buildings on the north side, everything is moving east, and the west side and the north side are getting left out. We need more of a say. There again, you guys have the power, will have the power to work together. You do now, for the most part, anyway, but we've got to do something to work together. We've got to not get the cart before the horse. If you combine all of this area, there's all kinds of other little issues that are going to fall into place that aren't accounted for in this plan. If it actually costs you a lot more money than this is actually estimating. In (Inaudible) I ask you all to reject it, let them go back to the drawing board, start over again, and see if we can't find something that will work for everybody, and not leave the Mayor being in charge of everything and you guys stuck catching the brunt of the issues if something goes wrong.

President Winnecke: Thanks, Jennie. Roberta Heiman?

Roberta Heiman: Roberta Heiman. It's H-e-i-m-a-n. I'm President of the League of Women Voters of Southwestern Indiana. A year ago we began the process that we're here about today by circulating the petition. I have copies of our statement that I will give to each of you, and I won't read them. I would only add to the written comments that for every study that you read that consolidation does not work, there will be at least another study saying that it does work. There's no consensus, and one reason is that there's no single consolidation plan. Each one is different. Each community is different in the approach. So, you know, I'm not going to stand here and cite, well, this study says it works, because Evansville is not like Louisville. Evansville is not like Indianapolis. One of the reasons we're not like them is because we're already largely consolidated. We've consolidated our schools, we've consolidated our courts, we've consolidated like 14 or 15 city-county departments already. What we have not consolidated is our leadership. We have, how long, this is such an unusual event for the city and county elected officials to be meeting together, to consider something together. You know, how often do you not do that? For you to not do that is the norm, and we contend that it makes no sense for a city government and county government to exist down the hall from each other and act like you're serving different communities. You're serving the same community, and

we would urge that we start acting like one community to move forward and have a single agenda to serve the citizens of this community well. Thank you.

President Winnecke: Thanks, Roberta.

(Applause)

President Winnecke: Eric Gries?

Eric Gries: My name is Eric Gries. G-r-i-e-s. I want to thank the County Commissioners and the City Council for hearing our concerns about this consolidation issue. I've been in the trash business for about 20 years, and I've worked hard to grow and expand this business. My business picks up residential trash for the resident outside the Evansville city limits. We offer a complete selection of pick up services, such as curbside pick up, driveway service, and heavy trash pick up on a weekly, bi-weekly or monthly schedule. In other words, we offer a variety of trash pick up services, tailored to each customer's needs or requests. Many of our county residents live too far off the road, which would prohibit them from hauling their trash to the road. That's why we offer driveway service, if requested. We have competition from other haulers in the county. So, we strive to offer a great pick up service at competitive rates. In other words, the customer has a choice. If this consolidation issue goes through, my business, and the other competitive haulers in the county will be affected. Should the urban services district be expanded into the county, and a single trash hauling contractor be issued an exclusive contract, all the efforts and equipment that I've invested in will be impacted. That's what really has me concerned here. My livelihood and that of my employees and their families are in jeopardy. I've spoken with numerous of my customers and friends in the county, and most of them are concerned and are against consolidation. We feel we're being drawn into a situation that we are totally against, and we see very few positive benefits for the citizens outside the present city limits. As an example, the annexation that just occurred in Knight Township will impact my business. Effective April 1st they will be offered the city trash pick up service. The customers that I have in that area will no longer have a choice, unless they want to pay twice. That erodes my customer base and adversely affects my business. I fear the same thing will happen here if this consolidation will go through, and the city trash pick up service is expanded into the county. I ask you to keep this in mind as you look to modify the existing proposal, which is before you and was written by the consolidation committee. Many times, many times our intentions are honorable and good, but the results are not. On behalf of me, my employees, customers, and friends, and family, I ask that you vote against consolidation. My name again is Eric Gries. Thank you.

President Winnecke: Thanks, Eric.

(Applause)

President Winnecke: Bruce Ungenthiem?

Bruce Ungenthiem: My name is Bruce Ungentheim. I'm not sure how to spell my—

President Winnecke: If you don't, we don't.

Bruce Ungenthiem: U-n-g-e-t-h-i-e-m. Phonically correct. I've talked a lot about the issues of the plan, and I don't want to belabor that point. What I wanted to do tonight

was take a look at the past, the present and the future, and what the future might hold. There have been three proposals for consolidated government in Vanderburgh County in the last many years. The first one in 1974 was a plan called VandiGov. I'll call it VandiGov 1, proposed by the administration of the late Mayor Russell Lloyd, and was defeated in a county-wide referendum by a three to one margin. In 1990, VandiGov 2 showed up, and a plan was drafted by a 35 member citizen committee, and that plan got tabled by then Mayor Frank McDonald II, and the County Commissioners because the support from the community just wasn't there. In 2006 VandiGov 3 came about, and it was a consolidated plan drafted by a 17 member citizen committee, and that was blocked by the state legislature, which refused to allow the referendum vote on the proposal, because they didn't think it would pass. So, here we are today in the present with VandiGov 4, largely the same plan, and I'm glad Dr. Adams asked that the preamble be read, because I'm going to go through the preamble and just see how much of the preamble this plan actually delivers on. Consolidation will operate efficiently, simplistically, and with clarity. Well, efficiency is usually measured by savings of time or money. This plan will generate neither a savings of time, nor a savings of money. In fact, data from Louisville and Indy suggest that the combined cost of government, after consolidation, actually goes up, not down. Simpler, I'll give you that, it's definitely simpler, but most monarchies are.

(Applause)

Bruce Ungenthiem: Democracy is not supposed to be simple. Democracy is supposed to be complex and fair to everyone. Clarity, I think the only clarity that will be in this new form of government is for the elites in power, because the rest of the people will be in the dark as to what these 59 different committees are doing behind closed doors. Point two, foster and embrace creativity, and forward thinking solutions. I've been in business for 33 years and just recently retired, and one of the things I know for sure is fewer people of like minds making decisions do not breed creativity. When we wanted creativity, we actually went through brainstorming sessions and we brought people in from all walks of the committee, or all walks of the company to try to brainstorm on new ideas. This simply makes that decision making process a smaller group of people. Forward thinking solutions does not depend on organizational structure, but depends on who is in that structure. Encourage accountability, transparency, responsibility, and ethical government. Accountability? Really? What part of this plan has any accountability to it at all? We don't know what it's going to say, we don't know how much time it's going to take, we don't know a lot of things. This plan doesn't say anything about that. If any of you think that a government with this much power in the Mayor's office will be more accountable, I really have to disagree with you there. Transparency, with 59 appointed boards working behind closed doors, do you really think there will be transparency in this form of government? Responsibility and ethical government, how can a government run by an autocratic Mayor possibly be responsible or ethical? I would ask you to think about Chicago. Encourage community and stakeholder participation in the civic decision making process. Well, with less representation for the citizens, how do you suppose the community will participate more? Just a thought. With all of the appointed committees who can hold private meetings and make decisions without public input, how do you suppose the community will be more involved in the decision making process? I don't think that will happen. Elect, appoint and employ professional, ethical and qualified leadership. How does this change in structure do that? What does it ensure if an unethical person is elected Mayor of the community? We'll be in deep trouble, because there's

no checks and balances to keep that person from doing whatever he chooses to do. Preserve our unique balance of rural and urban lifestyle. Well, this change will do neither. Data from Louisville suggests that increasing amounts of money are required to extend services into the rural community, which they don't want, by the way, at the expense of the urban community, which will be deprived of those services. Both areas will lose their lifestyle, and everyone will pay more. In both Indy and Louisville, the people who want to maintain the rural lifestyle, simply move out of the county to the adjacent counties, and the loss of revenue becomes devastating to the consolidated community. The fact is this plan will not deliver the results proported by the elites who derived it, and is very difficult, if not impossible to retract it once it is in place. My business experience, having been through multiple management structural changes, indicates there's no perfect structural organization, the reality is the best organizations are those that stick with a common structure, work around its weaknesses, and hire the best qualified people they can to work within that structure. Now, for the future, if this plan does pass and goes to the voting people and passes, I think you can expect the following; first, each of you running for re-election, and I think that's most of you here this year, will have to answer to the people for your decision. Your opponent will make this a campaign issue. As a public service to them, We the People will make the facts readily available to whoever requests it. Second, you condemn the community to months and months of battle and propaganda from the elites to try to put lipstick on this pig going to the vote. Not to mention the cost of the battle will surely be funded by the Chamber of Commerce, which should be spending its time and money on more important things like bringing jobs to the community.

(Applause)

Bruce Ungenthiem: Third, should the elite prevail and it passes the voters, you commit the community to two years of triple government with a transition team at a tremendous cost to the taxpayer. Finally, after the consolidation and election there's no turning back. If someone of questionable character gets elected into Mayor, or his or her party control both the Mayor and the Common Council, the checkbook is wide open. There is no checks and balances. If there's a split between the Mayor and the Council, we'll have gridlock and nothing will get done. We may even have some people move to Urbana, I don't know. For these reasons, please do not lead us across this burning bridge without the possibility of returning to a form of government that is now working. If you want to do the job your constituents elected you to do, you will reject this plan quickly so that you and the rest of the community can spend their time and their money solving more important matters of the community. Thank you.

President Winnecke: Thanks, Bruce,

(Applause)

Councilmember Bredhold: Commissioner Winnecke? May I?

President Winnecke: Sure.

Councilmember Bredhold: Thank you. I just, I would like to clear something up, I think. I think there might be some misunderstandings about exhibit D of the plan, which lists the 59 appointed boards, commissions, etcetera. Those boards are all in existence now, they have appointed members of our community who are

appointed by the Mayor, the Commissioners, the City Council, various entities, and under this plan they continue to be appointed by various entities, not just the Mayor. They are, as Mizell pointed out in his editorial in the Courier a couple of weeks ago, members of our community getting involved in government. Just because they're appointed that doesn't necessarily mean that they are beholden or puppets of whoever appointed them. There are appointed members of Council that are evidence of that fact, I think. Also, I have a question for John Hamilton. How many of these 59 appointed boards meet privately? Most of these meetings are public, aren't they?

John Hamilton: Reading through them, it looks like all of them would be subject to Open Door requirements.

Councilmember Bredhold: Okay. They must have their doors open for anyone to come attend?

John Hamilton: Right.

Councilmember Bredhold: Thank you.

President Winnecke: Matt Meadors?

Matt Meadors: Good evening. My name is Matt Meadors, M-a-t-t, M-e-a-d-o-r-s. I am the President and CEO of the Chamber of Commerce of Southwest Indiana. President Winnecke, President Watts, Commissioners, Councilmembers, let me begin by expressing my thanks to you for conducting this evening's public forum on city-county unification. Also, I would like to thank the League of Women Voters of Southwestern Indiana, and the reorganization committee, our fellow citizens, for all of their work in getting us to where we are this evening. The Chamber's program of work is driven by six key areas of strategic focus, and together these key areas of strategic focus and resulting program of work have a common denominator, which is the creation of economic prosperity. Virtually everything we do is designed to strengthen our region's economic development competitive position. Virtually everything we do is designed to grow the regional business community, create desirable good paying jobs for our fellow citizens, improve our quality of life and generate ample revenues to pay for necessary public services. It's not a secret that the Chamber of Commerce of Southwest Indiana supports the unification of the City of Evansville and Vanderburgh County into one Metro form of government. Our support is based on a belief that the formation of a Metro form of government will strongly complement the work that the Chamber and other mission similar organizations, our partners, undertake in order to create economic prosperity. We have no hidden agenda. We simply want our businesses, institutions and fellow citizens to do well. We have done our due diligence, we have visited and investigated high performing communities with a Metro form of government, including; Nashville, Louisville and Lexington. We've met with individuals involved in government unification efforts in those communities, as well as past and present elected officials and business leaders. We learned many important lessons, but perhaps the most powerful lesson of all is the fact that the vast majority of the leaders in these communities believe that their Metro form of government has strengthened their ability to compete for investments, jobs and talent, and led to greater economic growth and prosperity for their citizens. From the Chamber's perspective, this is a compelling argument for moving forward with the unification of the City of Evansville and Vanderburgh County into one Metro form of government.

The resulting unified vision and leadership will serve us well, and further enhance our ability to vigorously compete for investments, jobs and talent on the global stage. We respectfully encourage you to move the reorganization plan forward. Thank you.

President Winnecke: Thanks, Matt.

(Applause)

President Winnecke: Carole Davis?

Carole Davis: Carole Davis, C-a-r-o-l-e, D-a-v-i-s. It seems the enthusiasm we have for sports at our state universities far outweigh our recognition of their academics. Why is it that we don't utilize the various fields of studies from our great universities for researching? What could the money of \$100,000 plus given to the reorganization committee have meant to the universities in their fields of studies? I thought it was quite arrogant that the appointed citizens consolidation committee took their show to both U of E and to USI, we used their buildings, we didn't use their brain. We need to have unbiased facts, figures, pay, perks and pensions on consolidation of offices reported in as much detail by the media as was devoted to the men's Final Four. If the public is given the knowledge, instead of scare tactics, they can make informed decisions. I have a child advocacy organization and I'm quite perplexed that the union of the Fraternal Order of Police accepts under qualified child welfare workers to do the investigation and decision making of child abuse crimes. The State Child Welfare workers even investigate their own crimes against children. Does the Fraternal Order of Police not feel they have adequate skills to investigate crimes against children? The most innocent and vulnerable citizens among us have the least qualified protection. In my opinion, we need to consolidate law enforcement and have an elected official that will campaign to protect the rights of children and not be pandering to politics and collective bargaining. Thank you.

(Applause)

President Winnecke: Thanks, Carole. Charleen Williamson?

Charleen Williamson: Hi, I'm Charleen Williamson, C-h-a-r-l-e-e-n, Williamson, W-i-l-l-i-a-m-s-o-n. This is, go ahead.

Chris Cooke: Chris Cooke, C-h-r-i-s, C-o-o-k-e. I'm President of United Neighborhoods of Evansville, and Charleen is President Elect. I'll let Charleen present.

Charleen Williamson: Thank you all for listening to us and all of these guests that are here tonight. It is the official view of United Neighborhoods of Evansville that the proposed City of Evansville-Vanderburgh County, Indiana Plan of Reorganization as its currently written is a plan in which our organization, which is United Neighborhoods of Evansville, does not support. Currently, United Neighborhoods of Evansville represents roughly 40 neighborhood associations within both the City of Evansville and parts of Vanderburgh County. We feel there will be additional support for the proposed City of Evansville-Vanderburgh County, Indiana Plan of Reorganization proposal from the neighborhood associations within our membership if the following proposed amendments are made. Our concerns with the current proposal center on the following points; we feel the proposed Common Council should be elected on staggered terms. For example, half of the Councilmembers and

the Mayor should be elected within one election cycle, while the rest of the Councilmembers would be on another. This ensures that there is never a chance for a 100 percent turnover, and will help to alleviate all potential confusion from the possibility of having an entirely new Council all at one time. Our second point, we feel there should be term limits on the Common Council, as well as on the Mayor. Our third point, we feel the Common Council should be larger, with no at large members. This will provide more representation to all residents at a neighborhood level. Our fourth point, we feel law enforcement by both the City Police Department and the County Sheriff's Office should be left as it is today. This letter was approved by United Neighborhoods of Evansville Board on February 16, 2011, and United Neighborhoods of Evansville's general membership on February 24, 2011. Thank you.

President Winnecke: Thanks, Charleen. Chris, did you want to talk?

Chris Cooke: I just—

(Applause)

Chris Cooke: —Charleen's going to be President of the organization in 2012, my term will end at the end of the year, so that's why I felt it appropriate for Charleen to read it into the record, because when this potentially reaches a conclusion, she'll actually be representing the organization and not me. So, thank you for your time this evening.

Charleen Williamson: Thank you.

President Winnecke: Thanks, Chris. Thanks, Charleen.

(Applause)

President Winnecke: Mike Sandefur?

Michael Sandefur: Michael Sandefur. Michael, and then S-a-n-d-e-f-u-r. First of all, thank you for having a public hearing here tonight. I guess, have you ever been in a situation where you wondered how did we get into this mess? So, I think, what I'm going to do is I'm going to back up and kind of take a look at where we were and how we got here. First of all, I'm going to talk about the enabling legislation. You know, I know it's in a file somewhere, but I think it would better be on a cardboard spool somewhere. First of all, it literally empowers a handful of busy bodies to go out and get a super minority of signatures, and suddenly we embark, the governing bodies embark on a process of reorganization. Now, think about it here, we have a 200 year old form of government that has made Evansville among the most successful in the nation. Yes, we're not an Atlanta, or perhaps a New York, Chicago, L.A., and I say, thank God for that. I like Evansville the way it is. How many of you would agree we should casually discard our Federal government, Federal form of government on a simple majority vote, and then empower a dozen or so folks to go out and re-establish our Federal form of government? Is there anybody on this Board that would raise their hand and say that's something they would support? Anybody? That's a very refreshing number of hands there, because, then, who among you would agree we should casually discard our highly successful form of government with a simple majority and then appoint a dozen or so folks to lay out a new government? If you wouldn't do it for the Federal government, if you wouldn't abolish

our Federal government, then don't abolish our local government. Since most of you supported the action of not abolishing our Federal government in the same manner we're proposing to abolish our local government, then I can only draw two conclusions to that. One is you've studied and you've looked at the facts, looked at the statistics, and based on sound knowledge have changed your mind and no longer support this. The second conclusion is, that you're not willing to face up to your constituents right now and tell them, and let them know that this is simply bad business. The only good news about the legislation is, is that it gives you choices. You have the choice to reject it. You have the choice to send it back, and you have the choice to send it forward as a referendum. As far as sending it back, frankly I don't care how much lipstick you put on that pig, it's still going to be a pig. Let's talk about choices, now, I can appreciate how some folks are nervous about this, about not sending it to a referendum, but as an example of poor choices, we have a political pyorrhea in our community. His name is Jonathan Weinzapfel. He earned this distinction by making poor choices. Choices such as trying to steal our homestead tax credits, and then ramming through an arena that nobody wanted. Had he and some other elected officials used good judgement and simply went to ball games, grocery stores and social events and talked with folks, you would have come to a conclusion very quickly that nobody wanted the arena. That stealing tax credits and building arenas was a bad idea, then you would come back here, said no, and that business would have been over, and we would have been about \$200 billion richer in this community, \$200 million richer. You have those same choices on the annexation plan. When I was about 12 I figured there were two types of mistakes in the world, the mistakes that I made, and the mistakes that everybody else made. I also learned it was a lot easier and less painful to learn from somebody else's mistakes. You have the education and benefit of seeing what happened to Mayor Weinzapfel for not listening to the people. You have the opportunity to educate yourself on all of the other failed mergers as well. Make no mistake about it, each of you that move forward with this program will earn the same political designation as Jonathan Weinzapfel. Instead of stealing our tax credits and ramming through arenas, you will be recognized as stealing our government and ramming mass annexation. Please kill this nonsense. Please learn from the mistakes of others. If you elect to make your own mistakes, be assured the majority of the folks behind me will be more than happy to provide you the same education that we did Jonathan Weinzapfel. Thank you.

(Applause)

President Winnecke: Mike Mahan?

Mike Mahan: My name is Mike Mahan. Last name is M-a-h-a-n, and I just have a couple of simple questions about communication. As you know, as was mentioned previously, the redevelopment committee held two formal meetings, one at University of Evansville and USI. My question is, what results came from all of the comments that the people shared at those meetings? I asked one member of the committee this evening, in this room, what was the results of that, and she said, she referred to the Chairman. She didn't know what Becky did with those comments. Have any of you, and I would suggest that you, since they were paid for with \$3,000 of public funds, see the results of those comments that were made in a formal setting. Thank you so much for listening, and I'm going to submit these to, the documents of those meetings.

Councilmember Adams: Sir, I have a question for you.

President Winnecke: Thanks, Mike.

Mike Mahan: Go ahead, please.

Councilmember Adams: I happened to attend, I didn't get to the U of E one, but I did go to the USI meeting, and about two thirds of the people were members of a Poli Sci course out there. So, I wasn't sure whether they were voters or not, and they did break up into small meetings. You're right, I never got the report of what the findings were.

Mike Mahan: I can tell you, because—

Councilmember Adams: Kathy Kleinsdorf, I believe, was the gal that put it together, who was the facilitator for that.

Mike Mahan: In the first session that I attended, the facilitators were going to be cheerleaders for the program, until we convinced them that we were here as in their program from the facilitator, to discuss concerns. There were approximately 83 concerns expressed in the group that I was in. There was approximately 53 concerns in the group that I was in in the USI.

Councilmember Adams: Well, the point that I'm trying to make is—

Mike Mahan: Yeah.

Councilmember Adams: — I thought at least two thirds of the people were students and probably didn't have a vested, certainly weren't taxpayers, and certainly I didn't think have much of a vested interest.

Mike Mahan: Well, yes, and no, because I have attended many of these meetings since the beginning, and I knew a lot of the people in attendance, and I do agree with you that there were Political Science students there.

Councilmember Adams: Were you there at USI?

Mike Mahan: I was at both of them.

Councilmember Adams: Yeah, so you know, you probably saw the same thing.

Mike Mahan: I know who sat on the side of the room I sat on who they represent, and I saw where the students sat, and other people representing other entities.

Councilmember Adams: Actually, I just sat where there was an open seat.

Mike Mahan: Yeah, so, you were correct, there was a group of, but there were less students there at the University of Evansville. In fact, there was about three in the group that we were in that were students.

Councilmember Adams: The point that I'm trying to make was that the majority of attendants, I thought, were students.

Mike Mahan: Well, since they took attendance, and people, you know, put their names down and everything, you could check simply with a phone book. That's the only answer I could give you.

Councilmember Adams: Well, I could descend pretty easily what a student is and what someone your and my age is.

Mike Mahan: I happen to have a son who's 30 and he's a student. So, you never know.

Councilmember Adams: Yeah.

Mike Mahan: But, one thing—

Councilmember Adams: I didn't see any 30 year old students there.

Mike Mahan: —let me ask you, bring up one point that you made, and then I'm going to sit down. You haven't taken attendance of who's here tonight. So, you don't know who all these people are. I would think you would want to take attendance so you could make a follow up if you would have any questions concerning who's really concerned about, you know, the consolidation. Thank you.

Councilmember Adams: Thank you, sir.

President Winnecke: Thanks, Mike. Manfred, is it Stahl?

Manfred Stahl: M-a-n-f-r-e-d, S-t-a-h-l.

President Winnecke: Thank you, sir.

Manfred Stahl: There's been quite a few speakers before me that did a good job of covering some of the points that I was going to speak on, so, I won't redo some of those. But, we've been kind of told by supporters of this consolidation that if we go with this plan that it will enhance development in the county. Well, I think they're right, but the county, it's probably gonna be more enhanced is similar to what happened in Indianapolis. The county's that going to be, to have their development enhanced will be Henderson, Warrick, Gibson and Posey.

(Applause)

Manfred Stahl: I understand the purpose of becoming one, rather than two like we are right now, but some of that is to garner grants from state and federal, and some of it is to garner assistance on different projects, but we have to also realize that a lot of that funding is being cut back. So, I'm not too sure of this extra expense that we're going to have to switch over to a different type of government. It's going to come out in the end as being a win-win. At the present time we're doing well with the County Commissioners and the City Council, they seem to be able to handle problems. Nothing works perfect, but at least it works well, and it has for many years, and it's had good checks and balances. So, I would hate to see that gone, and then if we do consolidate into one, we kind of lose that identity and that infringement, or I can't think of the right word, of what we have as an individual community or neighborhood within this county. Also, with the at large candidates that can be put on this Council, this new Council, we kind of lose that even more. I kind of think that

maybe we're going to be throwing the baby out with the wash water if we're going to change when we have something that works well. Thank you.

President Winnecke: Thank you, sir.

(Applause)

President Winnecke: Frank Coleman?

Frank Coleman: I just want to thank each one of the Councilmembers and Commissioners this evening for, again, letting us be here. For the lady who spoke about having some of the university workers, I am a senior at the University of Evansville, and for the past three and a half months I've been studying this issue at length until my eyes bleed at midnight. It's an issue that should not be taken lightly. To reference Mr. Shively and Mr. Thompson, I agree that the law enforcement part of this proposal should be removed. It's working, that part is working right now. I say we continue to leave it as it is. With the stresses that the law enforcement and the low morale that Mr. Thompson had also talked about, this would eliminate a lot of their stress, so they can get back to doing their jobs at full capacity. I'm all for that. The, some of the findings that we did, is we also compared, independently, studies from IUPUI, Butler, and also the University of Louisville that consolidation while it is a fairly newer idea, even though it was proposed back in the 70's to Evansville, I think just recently has come to its height of information accessibility. I believe, as a proud homeowner and Vanderburgh County resident that I think it's our number one priority as residents to inform ourselves, and then make an informed decision that way. I think that putting all speculation and emotional comments and trying to wield in voters to take a side, I am going to remain objective on this issue and just simply inform the voters on what our findings are. If you would go to the Vanderburgh government website, vanderburghgov.org, you will find two very lengthy lists. These lists are of all of the different offices in county and city government, and you will find that most of these are duplicated on that website. I encourage each resident to see that, and go on there and just see how many different offices are in the county. Overall, consolidation in the cities that it is working in, and, again, we are not to compare our city to say Indianapolis, we are a very unique community, and I believe that we need to be created as such. Job growth, long term, is going to occur. Job growth, long term with the less bureaucratic red tape that many, if you're a, small business owners that are trying to expand your business, I'm sorry, it's very, very difficult to acquire all of these permits and go back and forth. My heart hurts and bleeds for you, but I would like to say that with this consolidated form of government that would help alleviate a lot of those stresses of the small business owners, which is a large part of where our Vanderburgh County residents work in. This will help create more businesses. You know, our country was formed on ideologies and ideas, and I think I see a lot of people out there with a lot of good ideas on how to bring new businesses to our area, and I encourage you, if you are considering creating a business that you would look very deeply into these documents that the joint commission has given us. The plan for consolidation can create jobs, long run or long term job growth is what we seek. We don't seek small spurt, temporary jobs. I think a lot of us have families, a lot of us want to be able to work, and even though we've all taken a pretty hard hit with maybe pensions or 401K's, that with this consolidation method it allows for more long term careers to be developed. Again, through small business owners creating new ideas and inventing new ways of being able to employ Vanderburgh County residents. Again, on term limits, I would say on term limits that what we have found overall, I am a Political Science major, so, I try

to remain as objective on these issues as I can, term limits, we are voters, we decide the term limits when we elect someone into office. You know, if we don't like the job that one of the Councilmen or the Mayor is doing, then we vote them out of there. That's how we do it. That's how the American way is, okay? I just want to again reinforce, this is a very lengthy document, if you're not able to read there are assistant programs for hearing impaired and visually impaired and other disabilities that are offered by the county, and also by USI and several of our higher learning centers. I very strongly urge that each citizen here really read into it, and if you have questions about it, ask. That's the only way that we can ever learn anything. So, thank you very much for your time this evening.

President Winnecke: Thanks, Frank.

Councilmember Adams: Sir?

Frank Coleman: Yes, sir?

Councilmember Adams: I would ask you to define for me what you and your studies have found with long term? Because certainly the study from the University of Louisville had a four year window before and after the consolidation and did not show economic growth.

Frank Coleman: Correct.

Councilmember Adams: If I read those graphs correctly.

Frank Coleman: Right. The University of Louisville, for all who are here, it did not show increased, immediate increased growth, however, in that study, there was a projected job growth of 20 years that was projected, and, again, I don't now who are forecasters—

Councilmember Adams: And what the assumptions were.

Frank Coleman: Yeah, but for a 20 year plan it said that it was supposed to, it is to increase job growth by about a rate of about 11.3 percent, okay? Does that answer your question, sir?

Councilmember Adams: No, it doesn't answer my question.

Frank Coleman: Okay, the a—

Councilmember Adams: The question that I asked was, you suggested that there were studies from—

Frank Coleman: IUPUI and Butler.

Councilmember Adams: —thank you, and what was their window in terms of the study? Because the Louisville four year actual data did not show economic growth. Now, maybe, I can project, assume, whatever you want, you know that and I know that, and it can go up, down or sideways, and, certainly, for the last two years it would have gone down, but it's transient. Tell me, what other studies showed the kind of economic development that we all want, there's no question about that, what was their window, the other studies?

Frank Coleman: IUPUI's window was six years, and Butler's was five. IUPUI's strictly looked at the development of Indianapolis and consolidation. Butler actually looked at Nashville. The varying states, and that really plays the largest part in consolidation, is the different states. Indianapolis is continuing at a very, very marginal rate right now to grow, with a couple of new plants that have come back, but, overall, again, I think that Evansville is a very unique city, and I think that we should observe other cities within the state to look at for our model.

Councilmember Adams: Can you send me the studies from Butler and IUPUI?

Frank Coleman: Yes, sir.

Councilmember Adams: Thank you. I appreciate it. I'll give you my card after.

President Winnecke: Thanks, Frank.

(Applause)

President Winnecke: Just a little housekeeping item. I'm reminded that there is still plenty of water in the back, just outside the door. Those folks would be happy to pass it around if you want any. I have just a few more of these. If there are others out there, pass them forward, and, again, everyone will get a chance to speak. Just walk them up and give them to someone on the end to pass them forward. Next, is Bruce Blackford.

Bruce Blackford: Bruce Blackford, B-l-a-c-k-f-o-r-d. I'm the President of Vanderburgh County Farm Bureau. We have roughly 4,600 members in Vanderburgh County. I'm glad to see some young people involved in speaking to us tonight. I don't agree with several of the things he said, but I'm glad to see him out here. Also, I'm glad I'm on this side of the desk and not that side. You guys have got a hard choice to make, and one of the things that I would like to talk to you about, we've heard a lot of good issues tonight, but one of the things that I would like to talk to you goes all the way back to the beginning. The committees of voting having two separate votes. We're talking about merging two different entities, the county, the rural areas, non-city, and merging the city together, and, but we're only having one vote, so the majority rules. We're not having two separate votes. I would like to look at Boone County. They have just went through a merger where they did have separate votes to keep everybody involved, and to keep them engaged so they did not feel disenfranchised from the process. When you look at Vanderburgh County and what we have done, we put a reorganization committee together that only had three people on it, I believe, that was from outside the city limits. So, from the beginning the rural areas, or the county areas have had a disadvantage in putting this plan together. Basically, we get the feeling our vote's not going to count, because the city is going, it's two to one to the rural areas. When you look at our voting, and then our taxes are probably going to go higher with the proposals and the different studies that have been submitted. This is going to cause a problem in the rural areas, and I think we need to look at rejecting this plan and starting all over, or just forgetting about it.

(Applause)

Bruce Blackford: I think the lack of having two separate votes, and no safeguards in a mechanical way of amending this proposal, once you guys pass it and it is voted

on, there is no way to change....well, it isn't an easy way to change it, the very transition board can say we like this part, we don't like that, we're going to do this. So, what I voted yes on, or I voted no on may be a completely different proposal when it's all said and done. I think we need a lot more detail in how the service districts are going to work. We've heard a lot about annexation, and we need to have a written plan of how it's going to impact us so that every individual can be informed on making a decision on how it's going to impact every, single person. We have seen that the studies show very little cost savings. The city and the county already is working well together in a lot of different areas. We've already merged our school systems, we have got our court systems and our library systems already work together. So, we're already ahead of the game in a lot of areas. There's some areas that we can work together in to form more government that works together to save money. Ms. Heiman said that, you know, we largely, we're already largely kind of have consolidated, all we need to do is consolidate the government. I think our founding fathers chose three forms of government just so we did not have that problem. I mean, that's basically having, you know, we've heard the kind scenario and everything else, but by having different forms of government, a County Council, Commissioners, City Council and a Mayor, we look at having a slowness and a process that takes time to work out things. That's good for us, as the one person mentioned was the baseball games that we have had, or the baseball fields at Roberts Stadium. You know, if it would have been one Council, it could have went through very quickly and very little public input in on this. Mr. Shively mentioned the fact that by increasing the size of the county or the city we will be able to have more tax revenues coming in, which would be less for everybody. I don't know anywhere in Vanderburgh County that they're not being taxed. I would like to know, because, if you're, everyone's being taxed, so if you bring more people in, they're still paying taxes, it's still going to be divided out or you're taking from the right pocket and putting it in the left. So, my conclusion is that with the proposal that we have, and with the lack of control on a mechanism to amend this plan, or the lack of the county to have much input into it, and the higher taxes that we're looking at, and only two people on the Common Council board from the rural area, our voice will be almost non-existent in this future possibility of a new plan. Thank you.

President Winnecke: Thanks, Bruce.

(Applause)

President Winnecke: Ron Adler?

Ron Adler: My name is Ron Adler. It's R-o-n, A-d-l-e-r. Just as a very rural Vanderburgh County resident, just reading through it, through the proposal, I just feel just a lot of, I don't want to say gray areas, but a lot of left out things. Maybe I don't read through them right, but it seems like you read the proposal, the extreme rural areas, and, I guess, I don't know if there's a difference between the city limits and outer, but I feel like, if it's consolidated, I feel the, how does Vanderburgh County, I mean, I realize everything's Vanderburgh County, but the rural, or out of city area, and I'm talking like maybe your Ag policies, I mean, nothing's really mentioned a lot. If you, if things were to be consolidated, you know, I did read some things about adopting a lot of the city policies and ordinances, and I don't know if a lot of that works, say 15 miles or 20 miles to the very north of Vanderburgh County, if you will. You know, maybe I feel like we're going to get left out on being represented a little bit out there. You know, maybe we feel like that now, being that far out sometimes, but I do seem to think, I feel a little more connected with a three, say a three

Commissioner Board. If I have a concern, or just your average rural, your rural people, you know, I just think it's, you feel more connected with your Commissioners, because you get to read about them, you know a few of them, once in a while one of them is actually from our neighborhood, compared to more, I mean, I'm looking at it from a county-city. You know, our Mayor, I'm not that connected with, because that's more a city thing, and, I guess, my thoughts are, if I'm still out here and we have a Mayor running everything, I feel a little left out. Another thing, you know, as far as considering this proposal and reading over it and being familiar, I think a lot of our neighboring counties, and maybe a lot of people in our, in the whole State of Indiana, and maybe some neighboring states, are going to watch what goes on here. So, I think it's important that this proposal is thought through, and, you know, Vanderburgh County, I've always been proud of the, maybe not every little issue, but they've done a lot of good things, and, you know, they've been here 150 plus years. I feel like maybe you're, to consolidate you're throwing 150 years of county government that I've been proud of, I wasn't here a 150 years ago, but while I was a voting member, I guess, I just feel that the county needs an individually or an identity, and maybe we feel we're going to lose that a little bit or something, you know. So, I just, there's just, I had a chance to, you know, read over this, and thank you for having a public hearing where I can, you know, say what I want to say. But, you know, it just seemed like a lot of the townships, your wards, your, it seems like that's going to go away a little bit, and, I mean, right that's how we do, we are able to, you know, communicate to our higher government. So, you know, I just, I hope, I just, I feel a little apprehensive, I guess, to do away with what we've had, what Vanderburgh County's had, and I'm including the city on Vanderburgh County also, But, you know, I just feel like you're throwing it away and going to start with a new baby, and, you know, to me that's a little bit scary. I hope everyone considers that when you, you know, decide or vote or talk over this proposal. Thank you.

President Winnecke: Thanks, Ron.

(Applause)

President Winnecke: J.D. Strouth?

J.D. Strouth: My name is J.D. Strouth. That's spelled, J-D-, S-t-r-o-u-t-h. I come before you as a resident of the City of Evansville. I'll limit my comments to my primary concern with the consolidation proposal we have. That is in the interest that it be fairly adopted. I understand currently that there is no separate voter rejection threshold of the City of Evansville and of the area outside of the city. Without that separate voter rejection threshold, it would allow for what would be considered a hostile takeover by the city of the area outside the city. Most entities that I know of that talk about mergers, they merge by consent of the parties to be merged. This would not be the case necessarily in this current proposal. I understand from the committee that the voter rejection threshold is outside the bounds of the committee, that they had no ability to insert that into the proposal, is my understanding. So, my suggestion to you would be, is that you reconsider the ordinance itself, either rewrite it or revise it to insert separate voter rejection thresholds so that it must be adopted by majority vote of those inside the city as well as those outside the city. Thank you.

(Applause)

President Winnecke: Thanks, J.D. Jeff Day?

Jeff Day: My name is Jeff Day. I would hope that I don't need to spell my last name, but it's D-a-y. On the way in here this evening I had someone who I don't believe I've ever met in my life ask me if I was for this consolidation or against it. I told him I was against it. He then assumed that I lived outside the city. I don't. I live inside the city, in Mr. Friend's ward, just north of Central High School. I mean, yes, just north of Central High School. When I look at all of you folks up here, I see a problem. I only see two Republicans. The rest of you are Democrats. Now, me, I just want to point out, that the people that as a rule that are against this consolidation see it that it's more government in the hands of fewer people. You cannot hope to win as a Republican and support more government in fewer hands. It's that simple. This is a bad plan because it puts more control in the hands of fewer people. Thank you.

(Applause)

President Winnecke: Thanks, Jeff. Jayne Buthod?

Jayne Buthod: Good evening. My name is Jayne Buthod. J-a-y-n-e. Last name is B-u-t-h-o-d. I had several pages of things to say, several of them have already been uttered by other people. So, I'm going to skip ahead to just a few things. As a Vanderburgh County resident, and I mean rural now, city, center city for over 30 years, one of the constituencies I have not heard referenced during our discussion today is what will happen to the center city. All of the statistical research that I've done, and it has been extensive, a lot of reference material tonight on the Louisville study, which was objective, indicates that suburban power increased, the money followed the suburban power as it moved outside of the city. That happened in Nashville, it happened in Ft. Lauderdale, it happened in Indianapolis and Jacksonville. So, there's a lot of history showing what happens there. You decrease the representation in the center city by dilution, you send the money and the power and the information out to the suburbs. What happens to the center of our community? I spent a lot of years working with United Neighborhoods and social work and community development, that population is going to have fewer voices, and more silent voices. That concerns me deeply, because a lot of our energy and our money is about keeping the center of our community strong. So, that does alarm me. The other part of the Louisville experience that we keep referring to is because we used the Louisville experience as a rah-rah, it was the center, it was the billboard, the cheering squad for why this is a good thing. Granted, the person who's doing a lot of that sharing is a political candidate for higher office now, he has a vested interest in making sure that there's no buyer's remorse about the merger in Louisville. But, if you look at the statistics about what happened to the economics, there, again, it's a four year study before and a four year study afterwards, but there is no statistics that back up economic development. The entire concept of shaking things up by having, excuse my voice I'm losing it today, of having a merger or a consolidation was about the idea of basically psychological change. We hope that things will get better, we think we're going to have economic development, but what we're going to do is, one of the quotes is we're going to "It's a city of pride about itself, that we're now big enough so that we can start thinking about ourselves as big." It's all conceptual, it's all marketing, it's slick. We have in Vanderburgh and Evansville and everybody has said it here, we're unique. We have succeeded in doing joint activity on any number of occasions. We can do that now. We've already, if we don't do that, it's simply a failure of will. We have no problem with our sense of history about making those merged activities a part of our government. Excuse me just a second, one of the things that I found intriguing about the Louisville study is this idea of marketing, they decided to call themselves the 16th largest city after this.

You saw that, Dan, didn't you? According to the Census Bureau, they were really only the 27th? But, if you repackage yourself it doesn't matter what the truth is about. So, and no reflection on all of the people in this community that want economic development to come here, they're doing what they know to do, and merged or not merged, it isn't going to make any difference, because the amount of abatement money that you have as tax incentive is going to be the deciding factor. So, if you hold a big enough carrot, you're going to have people come from surrounding counties or surrounding states to locate. If it's a problem with the city and the county arguing about who gets the political credit for bringing in a new business, get over it. I basically think the whole thing about the merger, at this point, it's artificial. I didn't go into my studies with a preformed opinion. I really expected that merging made sense, it sounds really solid, but when you look at the statistics, you look at, I've studied three onerous books of nothing but charts and graphs, and several other studies, and there isn't anything to back it up. If we want to feel good about ourselves, let's just decide to do it. Let's stop spending, we've spent \$100,000 now, and we spent what, \$3,000 at USI and \$3,000 at U of E, you guys had a really big conference at the 4-H Center for the county, right, for the rural people? But, no money was spent for that, right?

Unidentified: We didn't have any to spend.

Jayne Buthod: Okay, you could see why people would be a little frustrated, if they feel like the money is already going towards promoting it in the city, but when you get the rural people, we don't really want to talk to them enough to actually pay the bill to have them show up. Even though, as far as I understand, there's 98, or \$95,000 of the \$103,000 or \$108,000 spent, so, there's still some money. So, that's another issue for you guys to decide. But, I just, we're messing around with things that work for various dubious benefit, and that's my concern. So, thank you for your time.

(Applause)

President Winnecke: Thanks, Jayne. Jim Memmer?

Jim Memmer: Jim Memmer. That's M-e-m-m-e-r. There's a lot of issues with the whole city-county merger recommendations that I am opposed to or have problems with, but the single biggest factor that I'm concerned with is the fact of the simple majority vote, up or down, for the whole concept. When I brought this up at previous meetings, it was basically laughed off by a couple of the council or the committee members that were all county residents. Well, I understand that we are county residents, but we also are a little different in population as far as what we expect and what we have. As a county resident, I don't call Animal Control when I have, you know, skunks or racoons, you know, I deal with it. We've got gravel roads, we don't have trash pick up unless we arrange it. So, it's a little different mind set. It feels like we're being taken over. It feels like a hostile, it does feel hostile, actually. I'm okay with it if we could just take it to a vote, however it comes together, if it's fairly represented. Several people have mentioned this, about the idea of having the rural residents vote it up or down, and the city residents vote it up or down. To me that has a lot of merit. That is, I understand that's what defeated it in the past, so there is a lot of opposition to putting this forward. The other thing that, it was my understanding that the committee was to do a study, not really promote this idea, at least that's what I was told in the presentation. However, as the slides come up, there it says, Evansville unite. Now, to me, that's not an objective representation. There's obviously people that have, you know, an agenda, they've got a dog in the

fight. I understand that. We all do, but at this point, my biggest single concern is that county residents, and I mean rural county residents, have a voice. For that, I would like to see it have two separate populations, both have to vote in favor. Thank you.

President Winnecke: Thanks, Jim.

(Applause)

President Winnecke: Taylor Payne?

Taylor Payne: Good evening. My name is Taylor Payne. I know many of you well. Thank you guys for being here to, as the evening wears on to hear a story from an old, not quite totally worn out ex-politician. You know, I'm not here to comment relative to the particulars of the plan. I've read it in the paper, and tried to follow, as best I could, but I would comment on a couple of points. The one point about the rejection threshold, the last gentleman spoke well on that issue, I thought. I don't agree with those comments, and the thing that I would say simply on that, I think about that in two ways, one is there's three Commissioners here tonight, and they all were elected by a county-wide vote. So, that vote wasn't the rural residents, and then those that aren't rural residents. It was county-wide. Then, secondly, the funding of the county, again, is a county-wide process. There isn't any funding of the rural county and a funding of the non-rural county. So, it would seem that appropriate and fair to take that concept to any referendum as well. The second thing that I would comment on is, there's been a, you know, comments about, yes, this is a good idea, or, no, it's not a good idea, and some folks, I think, have really tried to insert into the dialogue it's a mistake to let this go forward to a vote by the people. I don't know when anything is a mistake to let that go forward and be voted on by the people. So, I encourage you, whatever plan formed there is, let this go forward, and let the people make the appropriate decision. Thank you very much.

(Applause)

President Winnecke: Thanks, Taylor. Emmons Patzer?

Emmons Patzer: My name is Emmons Patzer. That's E-m-m-o-n-s, P-a-t-z-e-r. I live in Mt. Pleasant, which is outside the city limits. First of all, I would just like to thank everybody, not only on the committees, but the members of the audience speaking, this has been a very forthright community discussion. I'm proud to be a resident of this community, be it city or county in its definition, now or in the future. So, I would like just to thank everybody, that I'm pleased the way that it's being put forward. I do want to comment on a few clarifications. First of all, I think Bill Jeffers may be the professional manager that we want, if we choose that form of government. He did an excellent job of explaining some of the details that need to be worked out. I think that's where I would suggest that this group think, think very carefully. I would also like to comment, just for a second, on the Chamber's points. One of the Chamber's points is they think that this is going to be the greatest thing since sliced bread to bring economic development to the community. I will tell you that in the past five years I have been involved in the launch of over 25 new products, new brands or new companies. All of which have been successful, barring one product that's a little iffy. Whether this body is consolidated or not consolidated would make absolutely no difference to whether I would locate those companies or brands here. So, economic development as a reason for consolidation, I'm not really sure. You better ask some business people that actually start new businesses,

because I think that's being pushed and it's not necessarily real. I would also like to point out one clarification with regard to the appointments. If you look at point 8.3, a majority of all appointments shall belong to the Mayor, and if you also look at point 8.4, the appointments report to the Mayor, all boards and commissions and authority departments currently reporting to the Mayor or to the County Commissioners. I would also point out that 8.5 that they all get dismissed and immediately get re-appointed by a strong Mayor. Now, that may or may not be your intent, but that's pretty questionable. The other thing that I would like to point out is, the fundamental goals that Dr. Adams had read out, there's several of them that stand out for me; efficiency, simplicity and clarity, to encourage community participation and fair and equitable distribution of costs. You've already heard a lot of communication about the Beyond the Rhetoric: Lessons from the Louisville Consolidation. I tried to send out, about a week ago, to as many of you as possible, a meta-analysis done by the University of Tennessee. I don't know if any of you received that? I have a copy here that I can leave afterwards. That report was done in 2007 by the Municipal Technical Advisory Service Institute of Public Service for the University of Tennessee, and it was titled, The Pros and Cons of Consolidation. I'm going to read just a couple of them to you, but I really encourage you to read all of them, because I don't want you to take my comments selectively biasing what I'm going to say. Look at all of them. With respect to the pros, one of the pros that they list is efficiency. However, they state there is a perception that a consolidated government will be more efficient, services delivered at less cost than will be separate city and county governments. However, this may only be a perception. A number of studies have been done in this regard, and the results are mixed. In other words, efficiency of consolidated government has not been demonstrated or verified empirically. Okay, just so you have the facts on the table, this is from a meta-analysis looking at about 75 consolidations. The reason that that becomes important and what the message that I have for you, is when I work on a business, I distinguish between what I call a whim and a wish. The difference between a whim and a wish is clarity of path. I'm not saying you can't get efficiency, but if you don't have clarity of path, you're not going to get that efficiency. Now, I also noted that I'm currently a resident of the county, not the city, and, so, I want to make a point on pro that's listed with regard to expanded services. New and expanded services will likely be provided to areas not previously served. This is because a fundamental goal of consolidation is to introduce a greater degree of service provision to a larger area. In effect, the level of service experienced by a city will be expanded to the county in order to give the county, bring the county up to previous city levels. It should be noted that this may be a negative aspect for city residents, because many of their resources may be funneled to provide services to county residents. So, that point is simply this, you're hearing a lot from the people in the county, I'm from the county, now, it's been nice to hear some of the people in the city speak also with regard to the mechanism that you found, but the key point is there may be a reallocation of services that is unintended, meaning that there will be a spend that will take monies from the city residents and bring them out to the county residents to equalize services. If you don't do that, you're going to run into problems from the county residents. If you do do that, and you maintain service levels within the city, then forget the efficiency question, because you're going to have to spend more money. I'm going to pull up three cons, or two cons from the study. Number three, level of service/reduction of service considerations. As mentioned earlier, a large governing body with a number of members elected from the county, or a general services district, will decide what services would be provided and at what level. Thus, city residents who are accustomed to and demand a given level of service may be unable to guarantee their service level demands are met. So, just so that the County Councilmembers

understand, the allocation does not necessarily (Inaudible) in your benefit either. The most telling piece, and I want to reflect back on the goals, the fundamental goals that were put forward; efficiency, simplicity, clarity, encourage community participation, and fair and equitable distribution of costs. If you try to wrap up those three things into one end measure, what would it be? I would say it would have to do with citizen satisfaction. So, point four in the cons, citizen satisfaction with services, research has been conducted to determine if citizens in consolidated jurisdictions are more satisfied with services than citizens in similar, non-consolidated jurisdictions. The results of these tests are mixed. Most show that for certain services citizens are equally satisfied, but for many more services they are more satisfied in non-consolidated jurisdictions. So, if your intent is to deliver the benefits that you set as goals, read this study. It's a meta-analysis looking at 75 similar situations. Roberta noted that you can take any study and you can make any interpretations of it etcetera, etcetera. That's why I'm telling you to turn to a meta-analysis that looks across multiple studies. I'm also suggesting that I have experience in reviewing such studies, I have carried out over 10,000 primary research studies in my career. So, I've reviewed this, I believe it's a fair representation. You look at it and draw your own conclusions. But, the key message that I have is the point of clarity of path. The difference between a whim and a wish is clarity of path. You've heard a number of inputs today, and I'm going to give you a couple of my own. One of them is not going to be popular with the FOP or with Mr. Shively, and that's the debate on the Sheriff and Police consolidation. What I would ask you to do is to turn to the facts, because if you pull down the county budget and the city budget from the county website, the combined website, and you look at expenditures, roughly 25 percent of the total expenditure of the county budget is on the Sheriff's Department. More telling than that, is that if you take out and look at it as a percent of discretionary spending, if you look at it with the context where certain monies are put against the Commissioners, certain against the Council, those are basically things like insurance, property, debt obligations, if you take a look at the Sheriff's Department in the context of discretionary spending, it's almost 40 percent of the county budget. You can look at similar numbers with respect to each of the city budgets as well. The other thing that I would ask you to do, when I talk about the whim versus wish point, is start going into detail. I mean the detail in the budgets is just an example. I want detail on ordinances. If you pass, if you're going to pass something, if you're going to ask the public to engage in this process don't leave big, gaping, open holes. Make it clear, make it a pathway that everybody believes is going to add to the success of the community, and you'll get the community's support. It's as simple as that. Any business that I launch, lives and dies by appealing to people who want it. So, my key point in terms of messages are, it sort of speaks to the last presenter, do you bring it to the public for a vote or don't you? The question isn't whether you bring it to a vote, the question is what you bring to the vote. You have an obligation as leaders of this community to bring something of substance of a tangible nature and mean it. If you bring that to the population to vote, that's perfectly fair. I agree with the last speaker that the public should vote, but the public doesn't engage in this process to the depths of study and the depths of investigation that people who bring their leadership skills to it. You have that obligation to this community before you bring it to a vote. Thank you.

President Winnecke: Thanks, Emmons.

(Applause)

Councilmember Adams: I can't agree with you more from what you just said. I would really appreciate it if you would electronically send to Lynn Buhr that meta-analysis. There are some minor problems with meta-analysis, at least in medicine.

Emmons Patzer: Uh-huh.

Councilmember Adams: But, it is an excellent way of taking a huge look at a great number of selections from different policies and so forth. So, could you give her your e-mail address, or so that we all can get an electronic copy of that meta-analysis, because I think that's a very strong statement. Thank you very much, sir.

President Winnecke: Russell Lloyd?

Russ Lloyd: Thank you, Commissioners and Councilmembers. I'm not going to read this whole thing, but I'll just hit on the highlights. I would also like to thank the committee for their time and effort in doing this plan. I thought they put in a lot of work, and it's certainly an impressive work product. I would like to thank our citizens who are taking the time out to come and voice their opinions. If you would move forward with this, hopefully there will be some amendments, and that's something that you have to diligently look at. I went through and just highlighted some areas. If you would look on page one, and what I wanted to point out, I'm just an individual County Councilmember, former Mayor, so, this is not seven members of the Council. They all have their own opinions, so, this is just my opinion. Article one, under partisan elections, I would be in favor of partisan elections. Under Indiana law we do have partisan elections for local government. One of the things you can think about, political parties do recruit, assist candidates, new candidates especially that you wouldn't necessarily get in a non-partisan election. In non-partisan elections, a lot of times we see name i.d. is maybe more of a factor, but, I think, the political parties certainly assist individuals looking to run for office, and there's a network, local, state, national that the political parties provide. Article two, executive branch, under executive officers, I think there was, at your last meeting there was talk about the possibility of the Common Council approving the Mayoral appointments. I would not be in favor of that. I think, I know from serving as Mayor, it can be difficult to recruit people for city and county government in the managerial positions. A lot of times the pay is not such, as opposed to the private sector, and then if you told this individual, well, we've got a good looking job for you, but you've got to go in front of Council and answer questions, that would make it more difficult. So, secondly, the Mayor would not have any kind of veto over Council appointments, so, why should the Council have a veto over Mayoral appointments? That could lead to a rancorous relationship between the executive and the legislative branches. Hopefully, our government employee policy would take care of if people needed to be disciplined or removed. Next, page two, article three, legislative branch, number of members. I know you have discussed adding members, instead of the 11 that was presented. I don't think that's a bad thing. I think more representation might be a good thing for the community, but I would support having some at large members. I think, if you have a Mayor or executive that's at large, county-wide, that you also need some Councilmembers at large, county-wide, where they're not just thinking about a representing a district of people, but they would be looking at the whole governmental body. Adding districts wouldn't be a problem, but I think you need some at large as well. Then, I didn't put it on here, but, obviously, I hope the districts would be redrawn, and Mr. Jeffers could be a big help using the new census data. We really need to do that, try to even it out a little bit. Article nine, consolidation of city and county departments under law enforcement. A very contentious issue, but

I agree that they should be combined. I don't care if it's under the Sheriff or under the Police Chief, although there's a case to be made for the Sheriff, but I think that you're going to, as the gentleman that just spoke pointed out, there's a lot of cost in law enforcement, both in the city and the county. They're a huge chunk of our budgets, and I think there could be some synergies if you do have a combined law enforcement. If you don't combine law enforcement, then I think one of the rationales in the study was whether you would continue the two tiered rates for the sewer out in the county. One of the rationales for eliminating that was the combination of law enforcement, because the city residents are paying for City Police and County Sheriff, the county residents are only paying for Sheriff. So, I mean, that was one of the arguments on the two tiered rates, that it costs more to take those pipes out to the county. On the Sheriff's Merit Board, which is item 9.42, somehow we have the Sheriff and deputies having five members on that board, and four for the Mayor and the Council. I think that should be reversed. I think the civilians should have control of that maybe five to four. Then, finally, on the appointed boards, commissions and authorities, it may not be your role, but, I think, at some point, some of those boards really need to be looked at whether they could be eliminated, combined. Fifty nine boards, that sounds like a lot, that's a lot of people doing a lot of the public's work. I know that the committee was studied just to keep all of the boards and move forward, so, I just made a couple of recommendations; item 12, Commission on Social Status of African American Males, I recommend the numbers be reduced. I think it had 15 members, maybe too many. The Public Library Board of Directors, for some reason they only recommended one Mayoral and one Common Council appointment, I would suggest two. I know right now County Council has two, County Commissioners have two. The Safety Board, I would recommend add two board appointments by the Council. Public Works Board, I would recommend adding two appointments by the Council, so that you would have three Mayor, two Council. Then the Water and Sewer Utility, I would recommend, right now it's five by the Mayor, I would recommend three Mayor and two Council, so, that, I know, the Councilmembers get questions about the utilities quite a bit. So, you would have some input there. The only other point that I would like to make, some of this is, these boards, part of it they are set up by state law, and what could be done, if the plan would move forward, set legislation to enable the boards to be set up so that you would have that taken to the legislature where they could correct these, like technical things. So, that's all I have.

President Winnecke: Thanks, Russ.

Russ Lloyd: Thank you.

(Applause)

President Winnecke: Wendy? Russ?

Councilmember Bredhold: As long as we're back on the boards for a moment, actually, Councilman Lloyd, you actually don't have to come back for this.

Russ Lloyd: Thank you.

Councilmember Bredhold: I'm really glad that Mr. Patzer brought up 8.4, because now I understand where people are getting the idea that all of the appointments are made by the Mayor. The title of that paragraph is all appointments report to the Mayor, but what it says is that all of those appointments that currently report to the

Mayor or to the County Commissioners, being the other executive body, will report to the Mayor of the Combined Government following the effective date. So, that is a misleading topic, and I understand why there were some people who thought that that was the case. Thank you.

President Winnecke: Cynthia Maasberg?

Cynthia Maasberg: I am Cynthia Maasberg. It's C-y-n-t-h-i-a, Maasberg is M-a-a-s-b-e-r-g. This evening I address you as a director of the Vanderburgh County Farm Bureau, Incorporated. My comments tonight are not new to the process of reorganization, but rather they're being presented to you tonight as background of Farm Bureau's involvement with the City-County Reorganization Committee since May of 2010. Just as a little background, our organization, at the state level, provides professional staff to assist counties on issues affecting rural needs and their communities. That professional staff consists of financial and tax specialists, legal affairs team, state government relations experts, a public relations team, along with other staff that shares years of specialized experiences. I share that with you as background, and to inform you that many of those state professionals have monitored and provided feedback on the reorganization plan. In fact, many of them have traveled from Indianapolis, and they have attended both the reorganization committee meetings, as well as the sub-committee meetings. Many of your local Farm Bureau members have been in attendance at the majority of both the committee and the sub-committee meetings. So, we are very aware of what is taking place. During the entire reorganization process, Farm Bureau has been in attendance, as I said, in both the reorganization committee meetings and the, more importantly in some respects, the sub-committees, because that, in many cases, are where actual decisions were put together and then brought forward. Tonight I distributed to each of you two documents which were presented previously to the reorganization committee. Since the majority of you, and I say that because I was in attendance at many of the meetings, that many of you were not there. I do not recognize your faces. I ask you that you carefully review these documents, along with a letter that was presented to you at the March 14th joint City Council and County committee meeting. The first document in your folder is a letter that Farm Bureau initially presented to the reorganization committee, and it was dated May 6, 2010. So, you can see that we've been involved a long time, almost from the beginning of that committee. It presents the concerns adopted by Farm Bureau at our policy resolution meeting. The second document given to you this evening is a summary of a public information meeting that was hosted by Farm Bureau on December the 7th. Since, and I believe I'm correct when I say none of you were in attendance at that public meeting, I would like to provide some background about the meeting. Farm Bureau was approached by a member of the reorganization committee and asked to host an informational meeting. We agreed, and the meeting took place at the Vanderburgh County 4-H Center with over 180 concerned citizens. That number of attendees far exceeded the, and I want to say less than 25 people who were present at the two sessions that were organized by the reorganization committee, and which, as a sidelight, they paid \$3,000 to present. Farm Bureau did ask the committee to be reimbursed for our expenses, and they refused. Farm Bureau felt it was important to the county residents to have a public information meeting outside the city, and away from the two universities that the reorganization committee planned. So, we proceeded and we absorbed all of the costs. We feel the public's response of over 180 people versus 25 at the reorganization committee meetings should be an indication that there are a lot of concerned, non-city and the suburban residents. Since only six of the reorganization committee members

actually attended the Farm Bureau public input session, we recorded all of the public comments, and we provided a comment card to the audience for those who were not able to present verbally that night. After the meeting, all questions, comments, concerns were summarized, and you have been given that summary tonight, organized by section and article of the plan. The same summary was presented to the reorganization committee, however, it was not addressed in any public committee meeting, nor was anything changed from public input that was collected at the meeting. Farm Bureau hopes you will take a more interested approach to the public's questions, comments, concerns by reading our seven page summary, and strongly considering those items. As stated at your joint committee meeting two weeks ago, Farm Bureau recommends that the plan be rejected, for there are too many problems for you to fix. Thank you.

(Applause)

President Winnecke: Brenda Bergwitz?

Brenda Bergwitz: Brenda Bergwitz, B-e-r-g-w-i-t-z. I hadn't planned on talking or anything, so it won't be very long. But, first of all, I want to thank each and every one of you for letting us come, but the main reason I want to thank you is you didn't put a time limit when we first started. We are very grateful and very appreciative of that, because the comments that the people did have was going to be longer than three minutes. Again, thank you. As you can see by my t-shirt, you know, I am against it, I live in Vanderburgh County. We lived in Evansville 15 years, then we moved out in St. Joe, we've been out there 35, but, there again, I am against it. I just think that still things need to be done. I lost my train of thought for a second, but, anyway, just thank you all very much. Thanks, there was something else that was important, but I'm getting tired, like we all are. We should have brought a sack lunch, Missy.

President Winnecke: Thanks, Brenda. I don't have any more slips, but if there are other folks who would like to speak, if you would just sort of.

Brenda Bergwitz: Oh, wait a minute, I know what it was. It was important. No, it is important. You know, I'm not running for an office or any of that kind of stuff, but just in the last three years, I, as a citizen, have gotten involved and coming to your meetings, as you know. I'm getting educated, and I, a few months ago, in fact, it was when I was in California, Curt John made a comment to the Courier that We the People were coming to the meetings so we could be on t.v. Well, I didn't even know, except for when like the t.v. people were actually here in person, that it was on that Channel 9 or whatever you call it, okay? But, so, if we are on Channel 9, I hope so, what I want, now, what I'm saying is, I want to challenge the people of Evansville and Vanderburgh County to start coming to these meetings where the City Council, County Council, Commissioners or whatever, if you don't start coming to these meetings how are you going to know what is going on? We vote the people in and we hold each and every one of you accountable, but if we don't get involved and come to the meetings and see what is going on, then it is our own fault if we're in the situation that we're in. So, I challenge each and every person in the county.

President Winnecke: Thanks, Brenda.

(Applause)

Pam Locker: My name is Pam Locker, it's L-o-c-k-e-r . I wasn't planning to speak either, but listening to all of this passion tonight, and all of these arguments, pro and con, I can see rational arguments from both sides. You know, it's obvious that a lot of people have thought about all of these issues, but, to me, I guess I don't understand how a county area of less than 200,000, what are we 180,000 people, can't function with one level of government? I just don't get it. We're not Manhattan, we're not Louisville, we're not Indianapolis, but it seems to me that we should all be able to get along and function as one government. I don't understand, I do understand, but don't understand the concern about more taxes. You'll pay for what you receive. There will be service districts. I personally believe, and maybe I'm wrong, but there seems to be a lot of evidence in favor of the fact that we would be able to present ourselves better as one community, if we had one government structure. I've heard people testify about having to go to different county and city officials in order to do anything, if they come into this community. It seems like to me that that's a valid argument. You know, no one can say whether taxes are going to go a little bit higher, but, you know, I pay taxes....I'm sorry, but, I pay taxes, if I have to pay ten dollars, and I pay taxes that support people that live in the county outside of Evansville, and I live in Evansville. But, you know, some of those taxes are benefitting the people who live outside of the city limits. If my taxes go up ten dollars a year, is that really going to harm me that much? Maybe I won't go to one movie. I mean, I don't, I think that there hasn't been any strong evidence or statistics presented as to how high those taxes would go up. And, I guess, basically, that's all I have to say. I think that the people of Vanderburgh County deserve a right to bring this to a vote.

President Winnecke: Thanks, Pam.

Mike Wilson: Good evening. My name is Mike Wilson. M-i-k-e, W-i-l-s-o-n. I have property in the city, a little out in the county, a lot in the city. So, you know, I think, if you was to take away that pot of gold that's out in the county, I don't think too many people would be in favor of this. But, there's a huge tax base out in the county that is not being serviced, you know, it just, to me, I don't understand at all why that has not been spoken to. I don't think the county residents at all are in favor of this. In fact, I'm going to stick my neck out on the line here, and I would like to see a show of people that are in favor, anybody that's in favor? Those opposed? I think that's the way it would go if it was voted on two votes and not a common vote. The, there was a commercial a few years ago, some hamburger chain had out and it said, where's the beef? Where's the beef? What I want to know is where's the savings? You know, and, if we're saving, you know, are we really, is this called government downsizing? I would be in favor of that, but I don't think that's where it's going to go. I think what we're going to have is somebody that's going to be able to sink their teeth into a lot of beef that's sitting out in the county. That's all I have.

President Winnecke: Thank you, sir.

(Applause)

Mike Wilson: Yes, sir, Mr. Adams?

Councilmember Adams: You knew, my friend, that I would have a question for you.

Mike Wilson: Yes, sir.

Councilmember Adams: It's a tantalizing question. What would happen if the city dwellers didn't pay their county taxes?

Mike Wilson: Well, I would imagine the Treasurer would come after them.

Councilmember Adams: But, I think the county would be in big trouble, without the city dwellers paying county taxes. We're all county dwellers. I think that's the important point. If we took away the money that the city dwellers contribute to the county, I think the county might be in big trouble. Just a thought.

Mike Wilson: That's an interesting point.

Councilmember Adams: Yeah, you and I will talk about it later.

Mike Wilson: Okay.

Councilmember Adams: Yeah.

Mike Wilson: Anybody else?

President Winnecke: Who else? Let's get the folks who haven't spoken.

Steve Schaefer: President Winnecke, President Watts, members of the Commission and City Council, Steve Schaefer. I work for the Chamber of Commerce of Southwest Indiana. I also live outside the city limits. I wasn't intending to speak tonight, but I've been working on this issue for a long time, and I may need security after the meeting, because I was one of the ones that wrote the actual state statute that we're operating under. So, it was a very complex statute. It was interesting because the Farm Bureau was right there, supported the statute, the process that we're working under. So, it was a diverse group that wanted this statute that communities were able to work under to reform local government. You know, just a couple of points. The two listening sessions that were held at the universities, Dr. Adams, you were right, it was interesting, because a lot of the public didn't show up. It was mainly college students. It was interesting sitting in some of those rooms with some of these individuals, because these were college kids, you know, most were studying Poli Sci, that didn't have a dog in the fight. You know, I'm with the Chamber of Commerce, I support consolidation, no bones about it, but listening to some of the college students comment on the plan and the concept of city-county consolidated government, it was interesting. There were statements such as, it would be much simpler, there would be more accountability, there would be clarity in government. These were from individuals that weren't bogged down in the politics of the community on either side of the issue. They weren't outside the city limits, they weren't, you know, they didn't have a dog in the game. So, I thought it was very interesting, and, hopefully, those comments from those listening sessions will be able to be shared with all of you as well. You know, there's one thing that I do want to point out, in terms of representation, the plan that's before you that has the 11 member Council, you know, sure you can increase that. I think it's right, as Mr. Jeffers has said, to redo the maps, and those should stay put, you know, after the referendum is approved, but when you look at the current representation that we have, if you're a county resident and we're all county residents, the Commissioners, I think you represent about 58,000? Is that about right? 50,000-58,000 residents per district. In this plan, and you serve the function of an executive and a legislative function for county government. Under this plan there would be 11 members, eight

districts, each of those districts would represent 20,000, around 20,000-21,000 individuals. So, representation on the legislative level gets much better. It's much better for all county residents, more accountability. If you look at the County Council that controls fiscal matters, I believe each district that they have is about 40,000-43,000 residents. So, there's no argument, this plan you would have better representation. There are less people living in the districts that are represented. I'll have to point out, in our current form of county government, our County Commissioners, the three of you, do any of you live outside of the city limits? No? In our County Council, only one County Councilman lives outside the city limits. So, duh, with consolidation the Council districts that are laid out, two representatives on that Council will be outside the city limits. They will have the ability for an additional three at large to come from anywhere in the county, potentially living outside the city limits. Also, the opportunity for the Mayor, the chief executive, to live outside the city limits. So, there is no debate, no matter which way you cut it, representation gets better with this plan of reorganization. You know, Evansville and Vanderburgh County, the first time this was brought up in our community was 1959, a long time before probably a lot of us were born and ever heard of the concept, but this issue has been debated, discussed, it's been on referendum one time, and that was a simple majority vote, county-wide, county-wide referendums that's the way it's done, gaming, EVSC, strategic plan, township assessors, it's all been done county-wide, simple majority. So, you know, the idea that we should follow the federal system, the way that you change the U.S. Constitution should be applied here, simply does not apply, because local government is governed by State statute and the Indiana Constitution. To change the Indiana Constitution it takes a majority of the legislature and two consecutive sessions, a majority of those sessions to be then put on the ballot and then the public has the ability to vote on it. Guess what, it only takes a simple majority for that to be ratified for the Constitution. So, those are just a few points. We shared a letter with you on several other issues, partisan elections, the county-wide threshold and so forth, the representation. So, I'm open to any questions, if there are any. I know it's getting late. So, I simply appreciate your time.

Commissioner Melcher: This is not a question, but since you wrote it and now everybody knows who wrote it—

Steve Schaefer: Well, one of the individuals.

Commissioner Melcher: —why don't you go on and explain more about, just so everybody understands how it works, about the signatures, how many it took to get the committee started, and how many signatures are required to go and have the vote no matter what we do? So, why don't you explain all of that so that everybody understands what could really happen.

Steve Schaefer: Okay, well, the way it started, you know, this process can start two ways, the legislative bodies that want to reorganize can do it themselves, or it can be citizen led, and that's the way this process was done. Five percent of the voters in the last, in the previous Secretary of State's race, five percent of those voters sign a petition, they start the process. That petition, all it does was sent a petition to the City Council and the County Commissioners. They had a decision to make, proceed or not proceed, you know. So, there was another made by elected officials to proceed with this process. So, the process has taken place, you know, a year has gone by, the study has been proposed, accepted, and now the legislative bodies, once again, have the opportunity to make changes, as has been said many times, you can modify it, send it forward, you can do nothing. There is a mechanism, and

legal counsel would probably have to help me with this, but, I believe, if nothing is done there is a mechanism for a petition of citizens, of residents, to, I think it's five or ten percent.

John Hamilton: Ten percent.

Commissioner Melcher: Ten percent.

Steve Schaefer: Ten percent, to put it on the ballot.

Commissioner Melcher: And, that could have happened in the beginning too.

Steve Schaefer: I don't think so. No, because that's—

Commissioner Melcher: Because that's the way I understood it.

Steve Schaefer: No, to force it on the ballot it would have to be, the two legislative bodies would have to do nothing.

Commissioner Melcher: Okay, so, if that's correct, the citizens brought it to us by what it is.

Steve Schaefer: Yes.

Commissioner Melcher: Then, all they need now is to get another five percent more to get it on the ballot, no matter what we do.

Steve Schaefer: Yeah.

Commissioner Melcher: That's what I wanted to get on the record.

Steve Schaefer: Commissioner Melcher, you brought up a good point, you know, when the petition process was going forward, I think the League came forward at one of the meetings, and I think you asked the question, you know, how many of these signatures are from residents outside the city limits.

Commissioner Melcher: No, I requested it, but if it didn't come with outside, that I wouldn't support anything.

Steve Schaefer: Well, my point was that they reported back that there was a good majority, or there wasn't a majority, but there was a good split in 50-50 in terms of residents inside the city limits and residents outside the city limits that signed the petition. And, there's copies of that if anybody wants to see it.

President Winnecke: Thanks, Steve.

Steve Schaefer: It was verified by Susie Kirk, the County Clerk. So, it's public record.

President Winnecke: Thanks, Steve.

Steve Schaefer: Appreciate it. Thank you.

(Applause)

President Winnecke: Bill?

Bill Kramer: Hello, my name is Bill Kramer. That's B-i-l-l, K-r-a-m-e-r. I just want to ask everyone to consider thoroughly what we say and what we contribute to these meetings. A gentleman shared that he, you know, talked about the where's the beef commercial, and he wants to know where the savings are. That's a good point. I remember that commercial. I think it was 25 years ago. One thing, and I don't know if this was Lloyd Wright or Ronald Reagan, because I have to quote Reagan a lot, they were building a building and they were digging with a steam shovel and they bring it up, let's say it was New York City, it might have been Chicago, and the guy looks and says, that steam shovel is going to put a thousand men with a shovel out of a job. The guy says, or 10,000 people with a teaspoon, it depends on how you look at things. Okay? We have to keep this in perspective. When I was a kid, we went to high school, we drove by where Eastland Mall is, it was a corn field. It's not a corn field. Things are changing whether we like it or not. Now there's a lot about consolidation that scares me. There's a lot I don't want. I agree with Frank Coleman, the law enforcement, that's something that I would be very hesitant, we've got some great members of law enforcement here in our community, and I strongly think we need to consider their opinions first and foremost, and we have a lot to consider. I'm not providing all the answers, I'm asking everyone to think and let's be cautious about these matters, but we also have to consider that 25 years from now, what are we going to be doing? Are we going to let consolidation happen by accident? Or, are we going to guide it? You know, I've seen the signs, if it ain't broke, don't fix it. I like to use that slogan myself, but I also, I own 23 vehicles, I change the brakes before the metal grinds. I change the struts before the tires are worn down, okay. We do have to be proactive in the decisions that we make and how we guide this community. Every single one of us that's in this room, okay, and, again, I'm not trying to sell the idea of consolidation, because it scares me, okay. I like to be cautious. I don't want to be rash about this, but how many of us live in the county, when we're in Louisville or we're in, you know, Miami on vacation, and people say where are you from, and you say Evansville, Indiana. Pretty much every one of us. I've traveled quite a lot, and everyone that I know that lives in our county, if they're traveling on vacation they tell their friends that they're from Evansville, or they get letters postmarked, it goes to Evansville, Indiana, even if they live in the county. Okay, we do consider ourselves to be one in the same. The difference is, yeah, we can have different rules on burning our trash or something, okay. As time goes by, the lines, the distinctions between the two are blurring, and I'm not saying we should erase those lines, I'm saying we need to be calculated in how we deal with those lines. I say if somebody that lives in the county wants to have a goat, let them have a goat. I say if the Sheriff's Department wants to be the one that deals with the goat, and the EPD doesn't want to have to, okay, I say that's let's find a way to direct the ship so that we can still accommodate and work with the course as it's going with what's working, but let's also be proactive to consider what's going to happen, what's coming up next and what issues we're going to destroy ourselves or we're going to bring more disaster if we don't take care of them now, and, you know, change the brake pads now before the metal starts grinding.

President Winnecke: Thanks, Bill.

Bill Kramer: Thank you. Dan, any questions?

Councilmember Adams: No.

Bill Kramer: Okay.

Councilmember Adams: I'll let you go this time, Bill.

Charlene Braker: Yes, my name is Charlene Braker, 1700 East Blackford. Of course, I didn't mean to speak either, but a couple of things were mentioned tonight, one about Evansville being a unique community. I think we all agree with that, but, then later on someone said, a group of young people, college students, they didn't have any dog in the fight. Well, I mean, I don't know that I want them making all the decisions for my unique community. I mean, they can have some input, but I don't want anybody making major decisions who doesn't have a dog in this fight in this unique community. You know, I really don't care, I mean, most people maybe not feel like, I don't care where somebody lives that represents me. I really don't. I don't even care how many people are on the Council, how many people are on the Commissioners, I don't. I don't care if, I would like to have 15, but, you know, that's the decisions that other people need to make. What I'm concerned about is are they honest? If they're dishonest, what do I do about it? Does my vote count? Where do I come in? Because we've been through this, we've been through the arena, nobody wanted it, but it still went through, that's exactly how most of these people feel back here. It doesn't matter what we think. We want to know that we're important. You guys don't give enough information in here that we know we're important. We don't know how to control. If something happens that's out of our control, what do we do about it. We don't know, we don't see the checkpoints, we feel like we're being used, and I live in the city. I'm not talking about the money, I'm just talking about we've been through so many things in this community, and we feel like we're not heard. We're scared, because we know there's going to be more money. We've had this major arena, now everybody here knows there's no parking. Somehow or other there's going to be parking ten years down the road, and at some point there's going to be parking for this arena, because we've got to make it work. We will make it work. Now, where are we going to get the money for this parking. We know it's coming down the track. That's what most of us are feeling like. It's our money, it's our pocketbooks, we don't know where it's going and we don't know if we trust you guys. Because we don't know what kind of input we have. If we knew that we were important enough, that all of the things would be brought before us and we knew, we could trust, we would feel a lot better with consolidation, because eventually it's going to happen. We know that, we're not stupid. I mean, we can't live in a major city and not grow sooner or later, but we don't feel safe. We don't feel like we know where our money is going, or we're going to have a vote. I don't know how to remedy that. All I know is that feeling of insecurity, transparency. It's called transparency. How do you get it? I don't know, but, you know, we don't need to go through this again. We don't need to tear up this community again. We need to do things with a group that we know our vote counts and our money will be used effectively. I think that's the main thing that we want to know that our money is going to be used effectively. I don't even think that it's that we disagree with consolidation, just tell us how it's going to be done. Tell us truthfully where our money is going to be spent. How it's going to be spent. Thank you.

President Winnecke: Thanks, Charlene.

(Applause)

President Winnecke: Brent and then....go ahead.

Brent Grafton: Brent Grafton, G-r-a-f-t-o-n. After the proceeds of this evening, I'm about ready to let John have this job. I really appreciate you guys being here, and taking the input from the public. I would encourage, when you go out in your company and you're going to do a project, the President picks out a team, the team, the President's the one who picks the team. The team puts together the plan. Well, in our case, our Mayor has picked out a team, the team has put together a plan, and now you have it before you. I would encourage that over the next few months, as you've begun this evening, that with, I recognize a lot of skill here, politically, a lot of you people have done a very good job of representing our community for a very long time. You now have an opportunity to give us everything you've got, because it's that important. We're not just talking about the residents of Evansville, we're talking about the residents of Vanderburgh County, we're talking about the million people that come here for all kinds of things that surround our community. So, I would encourage you to take this thing apart, and the thing that actually goes back to the public look very different than the thing that you've seen presented tonight. Thank you.

President Winnecke: Thanks, Brent.

(Applause)

Frankie Niedhammer: Good evening. I'm Frankie Niedhammer. I'm F-r-a-n-k-i-e, N-i-e-d-h-a-m-m-e-r. I'm President of the Vanderburgh County Taxpayers Association. I'll get a little closer. I wasn't planning to say a whole lot tonight, but in listening to the people talking about the city and county, I live in the county and have since I was six years old. The, my home I've lived in 50 years. My neighbors, or several of them are City Policemen. I don't know how long it takes them to get from where they live to a site if they're called in, but I would make a bet it's 30 minutes. So, maybe they want city to come out so it's a little more convenient. There were comments about the city taxpayers paying county taxes. They do for the Sheriff, but we don't have a city jail as such. The Sheriff manages the jail and staffs it and takes care of all the prisoners. So, that's a big expense for the city prisoners and the county. That's one of the things. I learned today that those subdivisions out behind me, down the road where Steve Schaefer lives and others, are not considered the same neighborhood as I am, even though there's two lots here and all this is subdivision. Very different category, and they're all new people, and they move in and out, in and out, and in and out. So, they're not really county people. I grew up with the farmers, and we had cows in the backyard, which was about six or seven acres, and it's a different environment entirely. In some of the cities that we have been hearing about, like Lexington and Nashville, they have had different reasons for deciding to push consolidation. In one case they had annexed so many small parcels around the city that they actually had small areas that weren't annexed, kind of enclosed, by areas who were, but they didn't have any of the benefits. So, it was easy, because they had grown out so far that there wasn't much county left. It's not like Vanderburgh where we are really divided, where there is a lot of rural, empty, open areas that aren't going to be developed for a long time. The corridors along 57, 41, Green River, I-164, there will be development there, but most of it isn't. The benefits aren't going to be coming here just because we consolidate. We're not going to get new businesses coming here and say, wow, Evansville and Vanderburgh County consolidated, we want to move there. We've already consolidated the Assessor's office, the Treasurer, the Assessor and the Auditor work hand in hand so that there's not a big problem dealing with them. There's no reason the other parts of government can't do that without consolidation and changing the way our

government is run. There's too much power, this has been said many times, in too few hands under this program. It really needs to be shaken apart. I don't think it can be fixed. I don't think it was put together securely. It's got too many nuts and bolts that are loose, too many panels that are shaky, that you can't tighten it up enough to make a cohesive plan out of it. It might have to go back to the workshop for about another ten years. It would be, one thing is for certain, Evansville can only grow west and north. There's nowhere to go east, except up along the Warrick County line. So, you're going north, it's going to happen in time, but just to gobble up the outer part, and, my personal opinion is, one of the primary motives is because it broadens the bonding base. There would be more tax dollars available to pay off bonds. Whether it is something like happened in Indianapolis where they built the arena, they couldn't pay for it, and now we are paying to the CIB in Indianapolis to help pay for their arena. We pay state taxes to pay for it. I'll never set foot in it. I resent it. I don't like paying for things in the city that I'm not going to use, but the fact that we owe so much money already in Vanderburgh County. What are we about \$800 million, we're reaching the billion dollar mark, and we still have to do the combined sewers, which the people in the county didn't have anything to do with. You're going to have to borrow money, and there we're going to be with everybody's going to get stuck with it, and it's going to be, the only way you can borrow it and keep up the rating is by having more people that are paying taxes that are going to make the payments, that will guarantee they can be paid. That's why people want to loan money to counties and cities, because they know it's backed up with tax dollars, but you can only squeeze so much out of a beet, then it's just going to dry up on you. Thank you.

President Winnecke: Thanks, Frankie.

(Applause)

Janet James: My name is Janet James. I'm President of AARP. I'm President of Poplar Grove Neighborhood Association. I'm parish nurse, something else, and I've forgot what it is. I have those senior moments too. Usually I bring notes, when they were talking earlier, when this first started, I was gung ho for it, because, boy, if we're going to save money, I'm ready. Then I got to talking around and I got to thinking, I went to a meeting with the Police Department and the Sheriff all in the same night and they gave their opinions on things. The more I thought about it, I got to thinking back in my history, you're all probably too young to remember Leslie Irvin, and I know Dan wouldn't because he wasn't from Evansville, but the Junior Sheriff Patrol found his car across the road from my parent. My dad worked second shift, a brother a stepmother and three sisters were at home. He was their next victim. If they hadn't got the Sheriff, my family would be wiped out. With our city patrol officers in the city, they're all over creation, they're helping people everywhere they can. They're also apprehending a lot of criminals. They are good with the neighborhoods, they give us meetings, they come and talk to you, and they know if there's problems in that neighborhood they take care of it. They're there for us. I don't want to see them broken into two groups, leave them with the heads that they've got. If we don't like the Mayor appointing those heads, then make it a law that we vote for who we want. The Sheriff Department did, and that's how I didn't get elected on the last voting thing. Four of my children wanted to vote for Robert Goedde, and my neighbors did too, and it's a precinct. Well, the Republican won the precinct, anyhow, I didn't get my vote because my kids were voting for the opposite party, but the thing was, when they said, mom, we want Robert Goedde, we don't want this Sheriff. I said you're over 21, you work for a living, the American Constitution says vote for who you want. Next time I'm going to keep my mouth shut,

but that's rare. The other thing is, the more I've listened to this, and that article in the paper that explained every bit of that, I read that thing ten times, took notes, and everything, and I usually try to never miss a meeting with the County Council or City Council unless I'm sick or in Indianapolis for some stupid reason, but I had a hard time understanding all of that in the paper. I yelled and rewrote it, went downstairs and copied it on the printer and everything else what this thing was supposed to mean. Tonight, I'm truly against it. I truly am. Any questions?

(Applause)

President Winnecke: Anyone else? Chief?

Brad Hill: I'll be very brief. I figure this is a public comment, so, I'm government, so, I should wait for the public to be finished. As has been said here, we're pretty fortunate in this community to have two outstanding law enforcement agencies, both brown and blue. I'm certainly in favor of progress, and in favor of change when I can see that's it's going to be of value, but in this case, I really don't see the value that's going to come from an overhaul of law enforcement. We're pretty fortunate to have a very good crime rate here in this community. As I said, I don't feel like we need an overhaul. I think Sheriff Williams and I would both agree that we both need to look at our departments and see how can we improve it, and we do that. We should always do that, be looking at how we can improve. We've combined things, between us, combined our computer systems, combined our joint task force for narcotics. So, we've done some of that where it made sense, but, as I said, I don't think this makes sense to combine us and to tinker with something that's working pretty well. I think what we've got here, this plan, basically matches, I think, Mr. Watts, you mentioned that it looks like the Indianapolis plan, and it is the first Indianapolis plan. When they combined law enforcement, they combined it under the Sheriff. As I've talked to many people that are in law enforcement up there, the word that's most often used is disaster for that. It was very difficult, and ultimately it has been changed now where the Chief is over all law enforcement. But, as you look at the, all over the country, you generally have a Sheriff's Department and a Police Department. Even with the predominant ones that have been combined under consolidation, you still have a Police Department, and you still have a Sheriff's Department. I think this is one of the things that could kill the consolidation is the current plan that's in place for law enforcement. Thank you very much.

President Winnecke: Thanks, Chief.

(Applause)

Eric Williams: It's his fault, because I was going to stay in my seat. Do what? I was going to stay in my seat. First and foremost, thank you for, all of you, for being here tonight and sitting through this and listening and taking serious consideration to what I think is an opportunity for our community. I appreciate the hard work of the committee that was put together, and I think they were put together with probably a lack of guidance sometimes, and I think they came together very well, and they did do lots of research. They did talk to lots of people. I've attended lots of meetings. I think there are a few points that I just wanted to make. Number one, I get quoted all of the time as saying all is well, leave us alone. That is what Chief Hill and I said in the first meeting, and we were told that we were to find a plan to consolidate law enforcement. We do have two stellar law enforcement agencies in this community and we're very fortunate, because we do work together. Even though it was

portrayed that the morale is down because of this issue, I don't believe that. There have been some incidents, but for the most part the people are doing their jobs the way they're supposed to and the way they would be expected to do. But, all is well, is not consolidating, it's not looking for opportunities to do things better. Just as Chief Hill said, we have consolidated some things. I look at this as an opportunity to move that forward in an even greater direction, because we found that that did make sense to consolidate certain things. We just didn't do it all the way. This is an opportunity to go all the way and consolidate the entire thing. This isn't about Sheriff Eric Williams. The day this would take effect on the current timeline would be the day after my last day in office, and I am term limited. So, I can't run again. I would never leave this agency, but I do think this agency is the right answer for our community. I think it might be problematic. It is a very emotional issue, which tells me that it is very important to the people how their law enforcement is delivered to them, because they are used to having very quality people, very quality services. Because of that emotionalism, or that desire to have strong law enforcement, it's one of those issues that has to be part of a....we've talked about leaving the law enforcement piece out of this. I think Mr. Thompson, D.J. Thompson, from the FOP kind of hit on this, leaving it out is different than leaving it alone. Leaving it out means we don't address it and we leave it to the Indianapolis model. The Indianapolis model was done by the legislature and not by the local citizens. This is an opportunity for the local citizens to weigh in and do this. Leaving it alone means we put into the charter that law enforcement will continue as it is today, and we would leave it alone. We don't leave it up to future Councils, or strong Mayors, or strong Sheriff's, or weak people to make those decisions. It is what it is, and that is the way it will remain. That's a lot different than leaving it out. That is leaving it alone as it is today. That is what Chief Hill and Sheriff Williams said that first meeting, to leave it alone. However, leaving it alone doesn't offer any opportunities to do some real contemplation of finding efficiencies and streamlining an agency. I heard earlier tonight saying about well we've been leaders in lots of areas, I don't know why we should stop being leaders. This is another opportunity for us to set the model for the rest of the state and to move forward and lead, and that is by creating one single law enforcement agency that services this entire community. We're not talking about a takeover, we're not talking about a merger, we're talking about a consolidation, taking the best practices of two great agencies and making a new agency that would be the envy of the rest of the state and would serve this community very well. There are great people in both agencies. I believe that, and I think the people in both of those agencies are very capable of doing that. The reason though that I bring up the leave it alone thing, I think there are other issues, if we are prepared, and I heard numbers thrown out about the size of the budget and the comparative of what law enforcement takes up of that, if we're willing to sit here and talk about consolidating things that, by my account, aren't broken, I don't believe city government is broken by any stretch of the imagination, nor do I think county government is broken by any stretch of the imagination, but I think this is an opportunity for us to rethink how we're doing it, do a little preventative maintenance. I tried to think of an analogy earlier, before the meeting, for somebody on how I viewed what we're doing, and this may be good, it may be bad, I'm not sure. I look at this opportunity as we're a family, we've got two sedans that have served us very well, we've driven around a lot in them, but we've had a couple more kids, and the whole family can't ride in one sedan anymore. So, we trade in both of our old sedans, which are servicing us well, and we get a new minivan or something else that's a little more efficient, a little better gas mileage, but the whole family can go together in it. We didn't say the others were bad, but we needed something different to get us into the future and to provide what we wanted to do, where we wanted to be. I think that's pretty close to

how I look at this. But, if we're willing to do that with our leadership, with our Councils, our Commissions, I can't imagine we would look at a plan that wouldn't include the two biggest budget items in both of those. It would seem to be, it wouldn't make much sense. One of the reasons that both of these agencies work very well right now is because we go to different funding bodies. I answer to the County Council and the County Commission, the City Police Department answers to the City Council and the Mayor. If we were to combine everything else but the two law enforcement agencies, that would leave a county elected Sheriff with the Police Department or a law enforcement agency going to the same funding body as the City Police Department. We've already recognized that there are current disparities and there are current differences. I think that would create a situation of turmoil. The Police Department would have to run it's budget through the Mayor. In this plan, the County Sheriff, as an elected officeholder, representative of the people, has the authority and the ability to go straight to that Council for its budget needs and its funding. I think that is paramount to a lot of issues that would force the Council to step in and try to rectify those things, and it would be at the hands of a Council that is dealing with that as a problem as opposed to this is putting together a plan. I think that brings us problems. I did say leave it alone, and I still think we have two excellent agencies, and if leave it alone is the choice and that is in the charter, I think we can live with that, but I think we're missing an opportunity to do something great and show leadership in our part of the state, and show the rest of the state how we do business in Southern Indiana and Evansville-Vanderburgh County. As a lifelong county resident, part of that time being inside the city limits, I think this is good for both bodies. With that, I would answer any questions, but I think this is a great opportunity.

Councilmember Bredhold: Sheriff, you made an interesting argument in your plan that you presented that, tell me if I misunderstood this, no matter how much work we ask you to do, you're paid the same because your pay is determined by the state. You don't only have this Constitutional role, but also the state determines your salary.

Eric Williams: As of January 1 my salary was set by statute.

Councilmember Bredhold: Okay, is the exact number set, or do they give you a range?

Eric Williams: It's a percentage of the County Prosecutor. So, if the County Prosecutor's Association can manage a raise out of the state, then my salary would go up with that, but mine is fixed on the Prosecutor, who is fixed on the Judge.

Councilmember Bredhold: Okay.

Eric Williams: So, it's actually up to the Judges group to get themselves a raise through the state, then the Prosecutor gets a raise, then I get a raise.

Councilmember Bredhold: It's interesting how it all works, really, when you get into it.

Commissioner Abell: You're not in (Inaudible. Microphone not on.)

Councilmember Bredhold: Right, so, this Common Council that's created will have no say over how much you're paid?

Eric Williams: Correct.

Councilmember Bredhold: And we'll determine how much work you do?

Eric Williams: I guess, that's accurate. My work is set forth in the Constitution and the statutes, however, please know that I was not in favor of that legislation, because I think it's ridiculous that a local officeholder who works for local residents and is paid by local dollars doesn't have to negotiate his salary with the local elected officeholders, but that's not how it worked out.

Councilmember Bredhold: Okay, I've heard some people say that if the Police were to take over this consolidated law enforcement, that you might be reduced to being a glorified jailer. You would be paid the same as if you would be were you to be running a consolidated law enforcement agency.

Eric Williams: Based on the statute, that's accurate.

Councilmember Bredhold: Okay, thank you.

President Winnecke: Thank you, Sheriff.

Eric Williams: Thank you. Have a good evening.

President Winnecke: You too.

(Applause)

President Winnecke: Are there other folks who haven't spoken who would like to get up to speak?

Mike Reininga: I really shouldn't be up here. If my speech teacher in high school had given me the grade that I deserved, I would still be taking classes and working on my diploma. My name is Mike Reininga, R-e-i-n-i-n-g-a. I live out in the county just north of Darmstadt. I can pretty much echo most of what's been said against consolidation. Oh, by the way, I have no association with law enforcement. It's just, I agree with what the Sheriff says. It's a pretty looking shirt, and the price was right. I had some dealings with consolidation when I worked for CSX, I got moved to Jacksonville, Florida, of course, Jacksonville's consolidated. The first piece of advice that I got when I moved there was live outside Duval County, because it's consolidated. Your taxes are high, and it will be cheaper. So, we moved to Clay County. I think, if it happens here, that's the same advice that many new residents will be getting, based on the taxes. The consultant that the committee hired, basically spelled that out. I realize it's not set in stone, but it's maybe something to go by, they said, a \$42 decrease for city residents in property tax, an \$84 increase for county residents. Now, what do the county residents get for that \$84? Absolutely nothing. Why are the city residents getting a cut? When you look at things like this, you kind of have to go beyond the rhetoric, and not even get into the details of the situation. You want to ask why is this person promoting this? Why is this person saying this? What's their rationale? Why is the Chamber so in favor of this when they can't produce anything but vague studies that say this should happen if you do this, but where is the facts? If the stumbling blocks for a company to come in here and do business are so huge with the present form of government, tell me, can anyone of you tell me what one of the stumbling blocks is? That somebody that has enough

sense to run a business can't figure out how to deal with our complex form of government? Why do we have to change the whole dang thing because some guy that owns a business is too stupid to figure it out? It's that simple. So, if the guy is that stupid running the business, do we want his business here or not? Why is the League of Voters, who's pushing their buttons? Why do they all of a sudden decide that we need to do this? I mean, we have, I read a number of articles that Roberta Heiman was quoted as saying she had absolutely no difficulty getting signatures, that she could count on two hands the number of people that said no. Yet, it took the entire League of Women Voters 90 days to get 2,700 signatures. If she had seen 30 people a day, 32 people a day, she would have had it all done by herself in 90 days. I mean, what I'm getting at is there's not a groundswell of public support behind this consolidation. If you think there is, you're kidding yourself. The next step you go to is the manner in which the voting is being done. You gentlemen played a role in deciding that there should not be a rejection threshold in the vote. It took all of five to seven minutes of discussion, in one meeting, with no advance warning. I venture to guess that 99 percent of the people in the county had no idea what that even was. It is the only form of, city-county is the only form of merger, under Indiana code, that does not require threshold rejection to be enacted. Everything else it's required. This is the only one it's optional. The rationale was, well, we're elected by all of the voters in the county, so, everything should be equal. Well, if we are all equal, why are we even here? If we're all equal, what's there to merge? There's no difference. So, that rationale does not hold true. You can walk out through the entire county, you can draw a line on the ground, city, county. There is a difference. They are different entities, and it doesn't matter who elects you gentlemen. That's irrelevant. It's who, how to do this in a fair manner, because the lifestyle, the pocketbooks of the people in the county are most likely to be impacted negatively by this. The impacts are going to be different on each group, and each group should have an equal say so, and equal is not one vote, one person. Equal is this group and this group, majority rules. Either side can take it down. There is no merger in the business, where I heard mention of hostile takeovers, well a hostile takeover is still the stockholders of each company have to vote, the majority of each company have to vote in the majority. A hostile takeover is simply where the other side slips in and buys up a bunch of shares so they can get the majority. That is a major issue to me. I think it's extremely important, because without rejection threshold the voting is rigged. The conclusion, the decision, it's a foregone conclusion what's going to happen. It's a two to one, the county rural voters are outnumbered two to one. They've already been promised a tax cut, then to entice some more people the county residents on sewers are promised a reduction in their sewer rates. Well, if that reduction is on the table and can be done, why isn't it already done. What does consolidation have to do with that? It's being used as a carrot. If they can afford to do it after consolidation, they can afford to do it right now. So, that should....when people start throwing carrots out, then you better look at what it is they're trying to sell you and make sure you know what's going on. You mentioned taxes, I've been paying taxes for, you know, thirty something years, paid school taxes, never had a kid in school. I pay for stuff that I never use. I seldom go to a library. If you want, if the city people want to quit paying county taxes, fine, we'll cut loose all of the inmates from the county jail and let them go, you know. Simple enough. That's no problem. I think we would make it just fine. We'll just charge for the inmates. I think I covered the main points. I'm going to start, I'm at the point where I'm going to start rambling here, but the threshold rejection thing is major, and I think the County Commissioners that were, one of which doesn't even think this is important enough to show his face, did a disservice to the people in this community by giving no more than five or six minutes of discussion to the topic and not holding

off a vote on that topic until the next meeting to give the public a chance to understand it, know what it is and comment on it. It's like the, this is the outcome that we wanted to get, and, by God, we're going to get it, because we're going to do it right now.

President Winnecke: Mike, just to clarify—

Mike Reininga: Yes?

President Winnecke: —the three County Commissioners are here tonight.

Mike Reininga: Where?

President Winnecke: Steve Melcher, myself and Marsha.

Mike Reininga: She was not in on the vote though. Marsha is innocent. Troy is who I'm talking about.

President Winnecke: I'm sorry, I didn't understand you.

Mike Reininga: I realize that Marsha is here. I'm not referring to her.

President Winnecke: Okay, I apologize.

Mike Reininga: Yeah, that's okay. Troy, in fact, is the one who made the big deal about, well, we're all elected by all of the voters. Well, that is true, but, again, if there's no difference then why do you want to merge, because you are already merged. That's all I have.

President Winnecke: Thank you, Mike.

(Applause)

President Winnecke: Anybody else? We've been here three and a half hours. Eldon?

Unidentified: Gas is going up to \$3.72 tomorrow. I just got a gas—

President Winnecke: More good news. Thank you very much. Eldon?

Eldon Maasberg: My name is Eldon Maasberg. I'm also President of Big Creek Ditch Association. The thing that I've been wondering, how can you justify making Union Township part of the city when just the other week it was under water? Armstrong Township, along the creek, my dad bought a farm on Baseline Road in '59, at that time it used to go out once in three years. Lately, since Darmstadt and 41's been building up, it goes out three times a year. Now, you're wanting to make that city? How can you put city on top of water? That's my comment.

(Applause)

President Winnecke: Anyone else? John, what, first, let me thank everyone for their patience and their great civility. By my count tonight we had 41 folks come and make comments. Thank you very much. I appreciate it. I think it's important, based on the

input we had, not only from tonight, but from our previous meeting with the reorganization committee that these two bodies not adjourn this meeting, but continue this meeting, and I would propose that we continue it until June 30th. I would also propose that between now and then, these combined bodies have a series of workshops, in this room, where people can come in and watch, we go through, we, much like a legislative conference committee, where we work through and see what modifications these bodies would like to make, and then we would continue the public hearing, hopefully on June 30th, to keep the process moving. So, having said that, I would entertain a motion–

John Hamilton: It needs to be a specific date, time and place, because it's a public hearing.

President Watts: John, do we need to do separate motions?

John Hamilton: Yes, same motion voted on by each body.

President Watts: I will make the motion to continue this until June 30th at 5:30 in these chambers.

President Winnecke: How about in the Centre?

Unidentified: Thank you.

President Winnecke: Okay?

President Watts: Fine with me.

President Winnecke: Assuming it's, we'll make sure it's available.

President Watts: We better make sure it's available.

Councilmember Bredhold: Would that prevent it from being televised?

President Watts: That would prevent it from being on t.v. I think the people watching t.v. probably....um, John, can we, we can't set it and change it?

John Hamilton: (Inaudible. Microphone not on.)

President Winnecke: Okay, in that case, let's do it here then. I apologize.

Unidentified: (Inaudible) speakers on (Inaudible).

President Winnecke: Yes, and I apologize. We thought they were earlier. I apologize that they were not.

President Watts: They did go down and check with the Building Commissioner. I think they were on, they were broke. That's what they told us, they weren't working. So, I don't know, but we did ask them to turn them on. So, I will make a motion to continue this until June 30th, 5:30 in this chambers.

Councilmember Friend: Second.

President Watts: Second by Councilman Friend. All those in favor signify by saying aye.

Councilmember Bredhold: Aye.

Councilmember Mosby: Aye.

Councilmember Robinson: Aye.

Councilmember Walker: Aye.

Councilmember Friend: Aye.

Councilmember Adams: Aye.

President Watts: Aye. Opposed?

(Motion approved 7-0. Councilmembers McGinn and John absent.)

President Winnecke: And, from the Commissioners, I would entertain a motion at this time to continue this joint meeting until June 30th at 5:30 in these chambers.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

Commissioner Abell: Aye.

Commissioner Melcher: Aye.

President Winnecke: Aye.

(Motion approved 3-0)

President Winnecke: Okay. In the meantime, I will get with President Watts to schedule appropriate times. These will be open meetings for everyone to come in and listen to as to how we can get these workshops scheduled.

Commissioner Abell: Mr. Winnecke? Excuse me, could I make a suggestion that if anyone of us who are going to participate in these has a scheduled meeting like every Wednesday night, let one of the two of you know that, so we'll know not to do that.

President Winnecke: We'll try to make it on a regular, the same night.

Commissioner Abell: Yeah.

President Winnecke: Bruce, we are ready to adjourn.

Unidentified: How will you let the public know of the meetings between now and the 30th?

President Winnecke: We'll announce them in our meetings, and we'll send out press releases. Right, this meeting is now continued.

(The meeting was recessed at 9:07 p.m.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded by Lynn Buhr. Transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
APRIL 12, 2011**

The Vanderburgh County Board of Commissioners met in session this 12th day of April, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the April 12th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

Introduction of Teen Advisory Council Job Shadows

President Winnecke: Before we get to our action items I would like to have our students introduce themselves. We have a couple of students from Youth Resources here. Just push the red button and pull the microphone down.

Sara Weinzapfel: Hi, I'm Sara Weinzapfel. I go to Reitz.

Ryan Schultheis: I'm Ryan Schultheis. I'm a senior at Memorial.

President Winnecke: Okay. Welcome.

Permission to Open Bids: VC-52-2011: 2012 Reassessment Services

President Winnecke: First is permission, I'll entertain a motion to open bids for VC-52-2011, the 2012 reassessment services.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Other questions or discussion?
Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: So, we'll open those.

Grow Southwest Indiana Workforce Update
--

President Winnecke: The first action item, Grow Southwest Indiana Workforce update.

Jim Heck: Good evening, it's nice of you to let me come and talk to you again this year. We try to come here at least once a year, sometimes twice a year to give you an update about what we're doing with the Work One offices in this nine county region. My name is Jim Heck, this is Lindsey Byers, and Lindsey has some material that she is going to give to you. I want to talk to you about a couple of things. First is, the last time that I was here we talked about whether we were going to remain as a regional workforce board, or we were going to become our own workforce investment board. We held that meeting, and all of the local elected officials agreed that we should stay as a regional workforce board. So, we took that action on, and let the State know that we wish to remain a regional workforce board. We sent that notice in, and we joined three other regions as the remaining regional workforce boards, there are 12 regions in the State, there will be four that remain regional workforce boards, and then the other eight will become their own workforce investment boards. Cheryl Musgrave is here and will be talking to you about the results of that as we go forward. I just want to bring you up to date on a couple of other things, by law, each year we have a local elected officials meeting where we talk to local elected officials about the things that are going on in our region, talk about a plan that we have put together. Our next one is May 12th, you'll be getting an invitation, but I wanted to make sure you had a save the date for that, May 12th, it's at 8:00 a.m. Central Time at the Wilder Center in Oakland City. That's pretty much the center of our region, so, we try to do it there. All of you are welcome, we provide breakfast, we also provide clients and businesses that come in and talk about some of the services that they receive through our offices. The other thing that we'll be doing at that region, or at that meeting is going over our plan that we have to turn in to the State on what services we're going to provide for this region, and Lindsey has provided Commissioner Winnecke with a copy of that, it's in a draft status. It has to be approved, and we go through a public comment period and give the elected officials an opportunity to comment on it. We would like for you guys to look that over. If you have any comments that you would like to have included in that,

or any changes that you see that you would like us to make, we will discuss this at the May 12th meeting. You can send those to us anytime before then, but we want to make sure that you have your, any input that you have, get it to us as soon as you can so that we can include it in that plan. We will turn that into the State on April 29th, then we have that 30 day window where we take in public comment and comments from the elected officials. So, by that time we hope to have whatever comments you have into us. I wanted to also let you know that because we stayed as a regional workforce board, we become then a part of a workforce investment board with the other three regions that remain a workforce investment board, and those are the Columbus Region, the Bloomington Region, and then the donut counties around Indianapolis. So, those, along with us, those are the four regions that remained a regional workforce board, but we then form a workforce investment board of our own. That's where Cheryl comes in, she's the Executive Director of that new Workforce Investment Board, and she wants to talk to you about your role in that. Thanks, Cheryl.

Cheryl Musgrave: Commissioners, good evening.

President Winnecke: Welcome.

Cheryl Musgrave: It's a pleasure to be here. As Jim said, I'm here representing the new Workforce Investment Board. This board only has 47 members, and I'm here to ask for your help in filling that board. It begins its role on July 1st, and it's hoped that the members would be seated by then. I've been visiting all of the Commissioners in the area, and the letters to local elected officials and Commissioners have gone out. Mr. Winnecke, did you get your letter some time ago, asking for your participation in nominating members for this board? We're looking for the largest industries in the area, representatives of the largest industries, or representatives of those industries that are growing the fastest. That is because those industries place the greatest demands on workforce, and therefore on the needs for workforce training. So, if you could get some nominations to me, and I've given you my business card, before the end of April. I'm looking for a couple of nominations, and if you have more questions, please feel free to e-mail me and let me know. I think that's all I have. Did I mention to you that the Governor will make appointments from the pool of nominees that we receive from all interested parties.

Commissioner Abell: Ms. Musgrave, I have a question.

Cheryl Musgrave: Yes?

Commissioner Abell: What information do you need about the nominees? Do you want us to give information about their position with the company, or anything that would help you, or do you just want their name and phone number and you're going to call them?

Cheryl Musgrave: No, it would be best if you sent the resume, their resume, and a cover letter either from the individual, from you as the nominator, from their employer, describing why that person would be an asset to the board.

Commissioner Abell: And, when we contact these people, what sort of duties should we tell them and how often are they going to meet and those type things?

Cheryl Musgrave: If you'll e-mail me, I will send you documents that I've drawn up that helps describe the roles and responsibilities and the various seats that are on

the board and we can correspond back and forth about the other details as they arise.

President Winnecke: Steve? Okay, thanks, Cheryl. Nice seeing you.

Cheryl Musgrave: You too.

President Winnecke: Thanks, Jim.

Permission to Advertise: 2011 Primary Election Polling Places

President Winnecke: Next, permission to advertise the 2011 primary polling places. We are required to advertise in the local newspaper. We need to determine whether or not to also advertise in the Our Times publication at a cost of \$500. I would entertain a motion to add Our Times to that advertising docket.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Sale of County Owned Property: 510 Bellemeade
to New Hope Baptist Church**

President Winnecke: Next, sale of county owned property at 510 Bellemeade to New Hope Baptist Church. This property was offered for bid to abutting property owners. The sole bidder was New Hope Baptist Church. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Corrective Quit Claim Deed: 1401 Park Street

President Winnecke: Next, a quit claim deed for 1401 Park Street. The county inadvertently took title to this property last May, via the 2009 tax sale. This property was the subject of a bankruptcy proceeding. At that time we vacated the order granting the county title and now we must execute a corrective quit claim deed to clear any title issues.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Public Hearing and First Reading of Vacation Ordinance CO.V-04-11-001: Petition to Vacate a Drainage Easement at 2419 Wheaton Drive
--

President Winnecke: Next we have vacation of a drainage easement at 2419 Wheaton Drive. The petitioner, is the petitioner here to speak? Would you like to come up and....good evening, could you state your name for the record please?

Aaron Muller: I'm Aaron Muller.

Gina Muller: And Gina Muller.

President Winnecke: And, you're here to vacate—

Gina Muller: 2419 Wheaton Drive.

President Winnecke: Would you like to present....we're looking at it on the map here. Would you like to give us a little explanation as to—

Aaron Muller: In 2007 we got an encroachment agreement and installed an in-ground pool, which extends into the easement. Actually, in 2008 we meant to file this vacancy petition, and got busy and just didn't get around to it. So, we're here now.

President Winnecke: Okay. Any questions of the Mullers? Is there public comment? Right, yes, you may, just come up and state your name. You can sit down for now, sure.

Jason Bailey: I'm Jason Bailey.

President Winnecke: I'm sorry?

Jason Bailey: Jason Bailey. I live at 2424 Curran Drive, directly behind their property. I just had a question on if that easement is vacated on that drainage, that what negative effects that could have on my property, as far as, you know, if drainage is needed who would be responsible for that? Would it be me, because I'm pretty much the sole property line behind that. I just needed some questions answered.

President Winnecke: I think we have a call in to the County Surveyor. Yeah, we anticipated his attendance.

Brenda Jeffers: I'll see if I can find him.

President Winnecke: Okay, we'll get that answered for you.

Jason Bailey: Okay. That's the only question that I have.

President Winnecke: Okay.

Commissioner Abell: Mr. President, I think it's a good question, because that area floods. I sold a house on Wheaton Avenue and I know that that area floods.

President Winnecke: Mr. Jeffers?

Bill Jeffers: Good evening.

President Winnecke: Good evening. We've had the request to vacate the drainage easement, Mr. Bailey has asked a question as to who would be responsible for drainage issues, if, in fact, this is approved.

Bill Jeffers: I believe Mr. Bailey lives in this home, with his wife, the co-owner, I guess, and Mr. Aaron, or Aaron and Regina Muller live here, and the easement to be vacated is along this south line of the Mullers. Originally, when section three, which is this tier of homes to the north, if we expanded out you would see that there is homes on both sides of the street. This tier is section three, and this is section four. If you look at it, section three was being developed later, or section four, excuse

me, when section three was developed first, they platted an easement here in case it were needed to capture storm water coming off the hill up in McCutchanville. It comes more or less diagonally from the northwest, flows diagonally to the southeast in a natural pattern, thus they thought, well, if they stopped development of Windemere Farms at this line, they would place a ditch in that easement and carry the water due east under Stonewick and into an old farm roadway, that if we expanded out you would see there was an old farm roadway that runs all the way down to 57. However, and when they did this, they went ahead and exercised the option, the developer exercised the option on section four, and he, his excavating contractor had started a swale right about here in what is now Jason Bailey's property, back yard, to capture the water that comes down off of section three, and the swale then runs over here to this property line, runs south between Connie Skinner and Jason Bailey and enters a pipe right here. The pipe carries the water underneath Curran Drive and then into the old natural watercourse that runs down here. It's an improved watercourse now. So, it's following the natural pattern, but this was typical of the way they developed these ten acre strips of ground, one by one, they just would cast the water into the next vacant ground where the option hadn't been exercised yet, and, then as they exercised the option they would pick it up and convey it in an orderly fashion through an improved drainage system. So, to answer Mr. Bailey's question, the swale grading, the yard grading in his back yard, as it exists today, currently is handling all of the drainage off of Aaron and Regina Muller's back yard. It is currently picking it up, carrying it eastward across the back yard of Bailey, then southward between Bailey and Skinner and into a pipe. I don't anticipate there would be any additional drainage, so long as Mr. Muller, when he back washes his filter and drains his pool and such things as that, as long as he pumps that out to the street system, I don't see that there would be any additional water other than what naturally flows across the ground during rainfall, and, of course, auxiliary irrigation, you know, their yard irrigation systems. I don't know if that answers the question. Lots of words there to sort out.

President Winnecke: Mr. Bailey, does that—

Jason Bailey: Yeah, I mean—

President Winnecke: Would you come to the microphone, just to make sure we get it on the record, please.

Jason Bailey: I mean, that's currently what happens. My question was if somebody requested, which would, you know, could possibly only be me or Aaron or maybe the Claymier's, you know, any of us right there in that area that could request additional drainage, who would be responsible for it? I mean—

Bill Jeffers: I think possibly, I might, I don't want to put words in Mr. Bailey's mouth, but I think what might possibly happen, he has yard grading in his back yard, as I explained, it picks up all of that water and carries it between his and his neighbors home. Because it's open drainage, there are probably times during the year when his back yard remains wet for several days after the rainfall, and possibly he loses a little, a couple of days use of his back yard for his children, or it's hard to mow the grass. So, if he were to place a pipe in that swale and install yard drains to pick up that flow, he would, if that pipe system occupied land greater than one lot, in other words if he just did it all on his own lot and took it out to the street system, he would have to obtain the permission of the County Engineer to connect to the street system, and it wouldn't be a public easement. No problem. But, if he and say Connie Skinner decided to go together and pipe that swale between their homes,

then you're serving two or more lots, it's a mutual drain and it would have to go into an easement. There would have to be an easement platted for a pipe that serves two or more properties. As long as it only serves one property it's yard grading, if it serves two or more properties, and it's a pipe, it has to be in an easement. I think that might be the question he's driving at.

Jason Bailey: That would answer the question if I was the one, I mean, I'm fine with the way the water flows now. It works for me. Yes, there's times in the year where, and it's always been that way even before the pool was installed or the waiver was put in, but my only concern is is there going to be another easement assessed to where, you know, it could have property value issues for me? Later on down the road if I sell, or, you know, if somebody else requested drainage that's going to serve multiple properties, then we've got....because I'm fine with it, so if I'm going to put in my own drainage, I know that that's my responsibility financially, but if somebody else in that area decides, yeah, we need it too and we've got to come through your property in order to make that happen, now we've got a dual, we've got multiple properties involved—

President Winnecke: But, if I understood Mr. Jeffers correctly, you would have to be in agreement with that. Correct?

Bill Jeffers: I believe we're getting into a legal question at this point, but, if Mr. Bailey and Ms. Skinner wished to have a joint project, if they agreed upon it and placed a pipe, it would require an easement.

Ted C. Ziemer, Jr.: Why would they do that?

Bill Jeffers: I do not know. If it's working fine, I do not...I think now what Mr. Bailey is asking if someone else up here, anywhere, said, okay, I want to force you to have a drainage system through your property, a pipe, I don't know why they would do that. I've never had any complaints up here other than the fact that when it rains hard a lot of water runs across those yards, but that should be anticipated. I think maybe his question is, if someone other than Jason Bailey, Connie Skinner on who's property the drainage currently exists, if someone other than those two requested a more sophisticated drainage system, would the county come back and force Mr. Bailey, Ms. Skinner, or subsequent property owners of those two properties, force them to install it and thereby impact their property with a drainage easement and drainage structures. I think that might be the question. Would you, as County Attorney, or would a subsequent County Attorney set up a situation where the county would force Mr. Bailey, Ms. Skinner, or subsequent owners of those two properties to install a drainage system to serve other people? I've never seen it happen.

Ted C. Ziemer, Jr.: I can't conceive of that situation, Mr. Jeffers. However, the issue here is the drainage easement that exists, and isn't that flat ground practically? There isn't a ditch there, is there?

Bill Jeffers: No, there never was a ditch there. There was only the plan that there might be a ditch there if this were the last tier of development, and the option on the rest of the ground were never exercised, and it remained farm ground, then there would have to be a curtain drain, an intercepting drain here to keep that residential water from flowing on to someone else's property. That was the only reason for that easement. What I've discussed with Mr. Muller a couple of years ago—

Ted C. Ziemer, Jr.: Excuse me, I'm sorry, I don't mean to interrupt, you know that, but you say that was the only reason for it. Now, given what has happened, does that reason still exist?

Bill Jeffers: No, sir.

Ted C. Ziemer, Jr.: So—

Bill Jeffers: And, that's why I advised Mr. Muller that, if it were me, and I were paying taxes on that easement, and the easement had no purpose, and he had a use for his ground, to more fully utilize his ground with a swimming pool or a deck or whatever, to seek an encroachment agreement. Which he did, and he obtained an encroachment agreement.

Ted C. Ziemer, Jr.: Right.

Bill Jeffers: Since then he has indemnified the county with an also insured policy—

Ted C. Ziemer, Jr.: Right.

Bill Jeffers: —to indemnify us against any loss or damage on account of him occupying the easement with a swimming pool. Then, if I were he, and I was paying what I might consider an unnecessary insurance policy premium, now he's seeking a vacation.

Ted C. Ziemer, Jr.: Right, and, generally the issue for any vacation of a drainage easement is, is there a need for the drainage easement?

Bill Jeffers: Not on Mr. Muller's property, no, sir, because it's a flat piece of property that drains off, and the drainage facilities now are on Bailey and Skinner, as placed there by the excavation contractor, who also was a partner with the developer of section four.

Ted C. Ziemer, Jr.: Though, Mr. Jeffers, in total fairness, and we want to be totally fair, when you're asking to vacate a drainage easement, you give notice to all the abutting land owners, and one of the abutting land owners is Mr. Bailey—

Bill Jeffers: Correct.

Ted C. Ziemer, Jr.: —so, the issue is not solely whether elimination of the drainage easement would affect Mr. Muller's property. It's whether it would affect any of the properties that also get noticed. I think that's the, whatever your opinion on that is, as the County Drainage Officer, is what the Commissioners will be looking for in this case.

Bill Jeffers: Relative to the type of storms you may have in the future, which could be stronger than those we've had in the past, or not, but relative to that statement, I don't believe the impact upon Mr. Jason Bailey's property will be any greater in the future than it has been in the past. He's seen the kind of water that comes there, and unless we have a greater storm in the future, it won't be any different than it has been in the past. We had a pretty good storm yesterday.

President Winnecke: Commissioner Abell, did you have a question?

Commissioner Abell: My only, my concern is if someone else above there puts in a swimming pool or in some other way paves, like for instance, 2411 Wheaton Drive, would that cause even more water to go down on Mr. Bailey, and would this easement have nothing to do with whether or not that did that?

Bill Jeffers: Anytime you add more hard surface, whether it's a swimming pool or a swimming pool deck, it will cause a greater amount of surplus water to flow downhill, yes, and that water will arrive on Mr. Bailey's property, yes.

Commissioner Abell: But, whether we vacate this easement or not won't change that?

Bill Jeffers: Whether you vacate it or not.

Commissioner Abell: Okay.

Bill Jeffers: Because there's no ditch in that easement to intercept it. The ditch is on Mr., the swale is on Mr. Bailey's property, not on Mr. Muller's.

President Winnecke: Any other questions or public comment? Anyone else? Mr. Bailey?

Jason Bailey: I still don't think we've answered the question of if multiple people say they want drainage, and it's got to come through there, who's going to be responsible for it? That's never, that still hasn't been answered.

President Winnecke: If, I thought it had, that if—

Jason Bailey: No, if multiple, if, let's just for example, if the Claymier's and Aaron G. Muller and the Elsperman's say, we've got all of this water coming through here, and we need to put a drainage in, and it's coming through there, and it's got to come through my property, am I responsible for that?

President Winnecke: Wouldn't he have to agree to—

Jason Bailey: I mean, if I've got the ultimate hand of being able to say, yea you can do that, or no, you can't, then I'm fine, but I don't think that's the case.

Ted C. Ziemer, Jr.: Well, no one can come through your property without your permission, and you're not required to provide drainage for anybody. The question is, there is a drainage easement to the north of your property—

Jason Bailey: Correct.

Ted C. Ziemer, Jr.: —and to the south of the Muller property, which doesn't do anything now, because it's flat, as I understand it. Is that correct? So, everybody in the neighborhood could want drainage, but there is no drainage provided in the drainage easement, because there's nothing there. So, they can't require you to do anything.

Jason Bailey: Okay. That's fine. Thank you.

President Winnecke: Thanks for coming out. Any other questions or comments? This hearing done, I would entertain a motion to approve the vacation ordinance

CO.V-04-11-001, and this will be on first, this is a first reading. We have to go through this a second time.

Commissioner Abell: So moved.

Commissioner Melcher: I'll second it.

President Winnecke: A motion and a second. Questions or further discussion? Mr. Jeffers, are you, anything else that you would like to add? Okay, thank you. Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I'm going to vote tonight just to send it on, but I'm going to have to study this more before the second and final reading. So, tonight I will vote yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: The second and final reading will be on our meeting at the 26th of this month. Thank you.

**Purdue Co-Op Extension: Corrected Amendment No. 3
County Assessor: Xerox Lease Agreement
Health Dept: Lieberman Technologies FLIP Update Agreement**

President Winnecke: Next, under contracts, agreements and leases, Purdue Extension, corrected amendment number three. Additional funds were appropriated by the County Council for contractual services. This corrected amendment reflects the change. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: What's this for?

President Winnecke: This is, let me look back here. I looked at it the other day.

Commissioner Melcher: It's about three hundred dollars.

President Winnecke: This is like a three hundred dollar amendment to, let me look at this here. It has the total amount, it does not have the amended amount. It has

the total amended amount, but not the difference. I apologize. This has been approved by the County Council, the additional.

Madelyn Grayson: I have that amount, if you need that.

President Winnecke: Do you?

Madelyn Grayson: The County Council approved that on February 2, 2011, and it was for \$361.

Commissioner Melcher: I was close.

Commissioner Abell: My question is, is it to contractual services for a copier, contractual services—

Madelyn Grayson: For Purdue.

Commissioner Abell: For Purdue themselves? Okay.

Ted C. Ziemer, Jr.: It's for the operation of the extension center.

President Winnecke: Did I get a second on that?

Commissioner Abell: I'll second.

President Winnecke: A motion and a second. Questions or further discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, the County Assessor, Xerox lease agreement for three copiers. The three copiers will replace an excess of six copiers that are currently existing in the Assessor's office, and are to be leased under a master pricing agreement between Xerox and the city and county that was entered into July of 2010. The lease periods for each of the new Xerox copiers are for 60 months, and this is for a less amount than, a smaller amount than what we've been paying now, which is always good. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, Health Department, Lieberman Technologies agreement for software updates for applications on food permits. The cost of the update is \$3,640, which will be paid at the end of the update, which is estimated to take approximately 45 business days. The Health Department has grants secured to cover this cost. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

<p>County Attorney: Reading of Bids for VC-52-2011: 2012 Reassessment Services</p>

President Winnecke: Next, department head reports. Mr. Stoll?

Ted C. Ziemer, Jr.: Excuse me, President Winnecke, I have these bids.

President Winnecke: Oh, sure. Let's do that first.

Ted C. Ziemer, Jr.: Okay, thank you. This is for the 2012 reassessment services. We have a bid from Nexus, N-e-x-u-s, for \$434,000. Then there are various components to that bid. In addition there is an addendum to the bid, which the bidder has completed. The second bidder is Aaron Kendall of Vanderburgh County. His bid is \$115,000. There are, just on reviewing the bid in a cursory fashion here this evening, I noticed that various provisions of the bid document have been crossed out, but that will be reviewed more carefully later, I assume. Then there was an addendum that was partially completed. Then there's a bid by Tyler Technologies, and its bid is for \$598,800, and an addendum was completed for that bid.

President Winnecke: At this time I would entertain a motion to take those bids under advisement.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: Mr. Ziemer, could you tell me what city the other two, other than Aaron Kendall are out of?

Ted C. Ziemer, Jr.: Sure. Just one second. The Nexus Group is from Zionsville, Indiana, and Tyler Technologies is Dayton, Ohio.

Commissioner Abell: Thank you.

Ted C. Ziemer, Jr.: You're very welcome.

President Winnecke: Did I get a second? Okay, thanks, sorry I can't keep track of that. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Mr. Ziemer, anything else for us tonight?

County Engineer

President Winnecke: Okay, John Stoll?

John Stoll: The first item I have is a request to have a notice to bidders authorized for the concrete repair contract. This would cover concrete street repairs in Copperfield Subdivision, Greenbriar Hills Subdivision and Oak Ridge Subdivision. These were the three subdivisions that we recommended whenever we discussed this at a previous meeting.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Anything you would like to add, John?

John Stoll: Just that would cover the advertising as well, getting it in the Courier.

President Winnecke: Okay. Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: The second item I have is that I would like to request approval to file a travel request with County Council for me to attend the County Engineer's annual meeting in Indianapolis on June 1st and 2nd.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: The next item, I had previously indicated that we were going to open bids on an erosion repair project on University Parkway, but after a couple of my staff members met with the contractors yesterday, we decided that we needed to rewrite the scope of work in order to hopefully save some money. So, we'll, hopefully, bring that back for the meeting on the 26th.

President Winnecke: Okay, thank you.

John Stoll: Then, the final item that I have is a sidewalk waiver request for Interstate Crossing Subdivision. This is the proposed commercial subdivision located at the Highway 41 and I-64 interchange. It's the old Busler's site. They've requested a sidewalk waiver because it is a commercial site, they anticipate their customers all arriving by car, interstate travelers and the fact that there aren't any residential subdivisions immediately adjacent to this site. So, that was their justification, so, I would recommend approval of the sidewalk waiver.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

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

President Winnecke: John, two quick questions before you leave. I've had several requests over the last several days about the status of the Green River Road project. Are they out? I know they're out—

John Stoll: They are—

President Winnecke: —I've seen them.

John Stoll: –they’re anticipating paving the week of the 25th. In talking to the inspector, he expected the project to be finished by the end of the first full week of May or the start of the second full week of May. They’ll be putting the final inch of asphalt surface down, they’ve got some milling work that they’ll be doing in the Lynch Road intersection. Once all of the milling and paving is done, then they’ll do the striping, and we’ll wind it up here in the next few weeks.

President Winnecke: So, that would, the second full week of May would be including final striping?

John Stoll: Correct.

President Winnecke: Okay, that’s good news.

John Stoll: Unless the weather turns on us and messes up that schedule, we should be able to hit that.

President Winnecke: I’ve been delayed several times on the First Avenue Bridge of late, how, what’s the status of it?

John Stoll: They finished the asphalt paving on the south approach today. Now that just leaves the striping, and I don’t have an exact date for striping as of yet, but that’s the only remaining item and that project will be totally finished.

President Winnecke: Good. Any other questions of John? Thanks, John.

John Stoll: Sure.

County Highway

President Winnecke: Mike Duckworth, do you have anything?

Mike Duckworth: Good evening, President Winnecke, Commissioners, members of the organization and ladies and gentlemen. I’m here tonight to, I guess, kind of refresh your memory in regards to the road hearing that we had a few weeks back where we offered for folks to come in and to share their problems with their county roadways. It was sparsely attended. Since the advertising and since the information has gone out on that, we have received other complaints, but since that time period, as customary, we have established a 2011 paving list. I’ve submitted that for your inspection, and, as I understand it, this week we have it on our website, and I believe it’s been put on your website for folks to take a look at. It includes 12 sections of county roadway, a total of 10.18 miles. It’s down a little bit this year due to our budgetary constraints and also the cost of oil and asphalt. So, that’s kind of where we are right now, in regards to paving. We are now completing the pothole blitz and we have done extensive work throughout the county on smaller areas. From this point on we will, although we’re only doing ten miles, we will do some small sections that are causing motorists some problems out there in bits and pieces to keep our costs down and to also handle some of the problems that we’re dealing with.

President Winnecke: Let me add just a little color to everyone, Mike and I have had several discussions over the last week, along with County Auditor, Joe Gries, and members of the County Council. This is a budget concern, we anticipate not inserting some COIT money into Mr. Duckworth’s budget in 2012. What we’re asking

him to do is to encumber a bit of that money, about \$140,000 of that money, into 2012 to accommodate anticipated expenses for salt in 2012, and to keep a little dry powder, another \$140,000 or so, for any anticipated storm clean ups that we may have this spring. That would leave approximately \$740,000 to do the paving list. That's why it's down from the original list of—

Mike Duckworth: It's actually just a little bit less than that, because when we did an early year transfer to cover our costs of road salt, the Council did not replace all that we transferred.

President Winnecke: Right.

Mike Duckworth: So, I think it's about \$680,000, and this 10.18 section of roadway, plus another account that has \$75,000 in it that we do deep patches and we do potholes, crack seals, those kinds of equipment with, that will take care of that. So, it will get us up pretty close to being able to take care of this.

President Winnecke: No, I understand, and the point I was merely trying to make is we're trying to look at funds that we have this year to see how we can stretch them into 2012.

Mike Duckworth: Exactly.

President Winnecke: That's the point. So, since this is a revised list of the paving list, I suggest that we leave it out there on our websites for another couple of weeks for people to review and comment on, then we would take final action on it at our April 26th meeting.

Mike Duckworth: Just one other thing, and that is that you're aware of the flooding issues that we had, and, you know, as the river raises and falls, we just got Old Henderson Road cleared of most of the debris, all the way back, just about as far as you can drive, and our crews have worked extensively on that area, as well as South Weinbach and Waterworks Road. The river is getting back up, so we've got approximately 12 or 13 more streets, more roadways closed now. So, that will mean we'll have to go back out and redo our work, but there's no way to anticipate if that's going to happen or not. So, between snow, flooding and then we'll start our mowing here pretty soon too, it keeps us busy. So, just wanted to let you know that we do have some roadways that are closed out there, in those low lying areas, and as soon as the water recedes we'll be back on those.

President Winnecke: Thanks, Mike. Any other questions? Thanks, we appreciate it.

Mike Duckworth: Thank you, uh-huh.

Board Appointments

President Winnecke: We have no board appointments.

New Business/Old Business

President Winnecke: No new business, we just took care of the revised paving list.

Public Comment

President Winnecke: Any public comment on any issue?

Casey Williams: Good evening.

President Winnecke: Good evening.

Casey Williams: My name is Casey Williams. I'm the Public Relations Coordinator for Smokefree Communities. I wanted to come and do a couple of things tonight. One would be to thank you all again for having the fortitude to pass the smoking ordinance that protected workers in the county. Secondly, I would like to just give you an update, as far as what we are doing to help this process, this transition that's going to be happening this summer. To bring you up to speed, it was originally eight bars, taverns, which I'm sure you know, since the legislation passed, the Order of the Eagles has been annexed into the city April 1st, so that brings us down to seven. As you know, last week the Dutch Korner burned down, which we found out now is due to cigarettes. So, that brings us to six....I'm seeing some smiles, I mean.

President Winnecke: Smiles of irony, no other reason.

Casey Williams: Okay. So, that takes us down to six bars that we're working with now. This week we mailed a letter to these bars, pretty much informing them of the change coming, and, basically, offered our services, as we would like to help these bars as much as we can for what, you know, what's going to be a big change. We've also been, I'm going to deliver these implementation packets, which I would like to give to you. In these packets are kind of handbooks to the bar owners as far as how to go about this transition. Throughout this process we plan on meeting with all of these bar owners to, you know, help them with any questions they have. We're also going to be offering them smoking cessation for the employees, for their patrons. We're also going to be providing them with promotions, as far as when the change actually does come. We're going to be trying to organize some events as to, to take this as an opportunity for a positive change, which we believe it will be. We are also going to be conducting an air monitoring study where we'll be surveying the air of these bars before the implementation, and after to see the changes in the air quality, and we will be back providing you with that information. The State, as you know, the HB1018 bill died in the State legislature. Unfortunately, the State kind of backed away from this issue again this year, and, hopefully, we can get something going in the City Council as legislation similar to what you passed. So, basically, I just wanted to let you know what we're doing and that we are trying to take this every step of the way with these bars and offer what we can do to help them, because our organization has been with other towns and people with ITPC, one of our lead agencies, has helped this process in Bloomington and several other cities. So, once again, thank you for passing this, and we are definitely here for you guys and here for these bars. So, thank you.

President Winnecke: Thanks, Casey. Any questions?

Commissioner Melcher: Yes.

President Winnecke: Steve?

Commissioner Melcher: I guess, I've got two.

Casey Williams: Okay.

Commissioner Melcher: Have you contacted, or are you going to contact Funkhouser Post No. 8, the American Legion Post?

Casey Williams: We have not.

Commissioner Melcher: You said bars, and that's not a bar.

Casey Williams: Okay, yeah, I'm sorry, private clubs, bars. Bars is a general term, but you are correct, it's a private club.

Commissioner Melcher: Then, as far as the State, it's my understanding that even the local group, and I understand you guys even said that you didn't want the ordinance passed.

Casey Williams: Right, well, when I said the State kind of backed out—

Commissioner Melcher: They backed out because—

Casey Williams: Well—

Commissioner Melcher: —because the groups went to them and said we don't you passing a partial.

Casey Williams: —that's true. We had a good bill, months ago the bill was then amended to exclude bars, basically not changing what was actually happening. They made the bill much, much weaker to include bars, restaurants, things like that. At that point, our organization said, we don't want a bill to pass unless it is really going to change. The bill, currently 1018, the bill, the way the bill was, we weren't satisfied with, because it really didn't change anything. So, kind of in a round about way, you're kind of correct, because we supported the original bill, but the way it was weakened and amended we weren't in favor of that.

Commissioner Melcher: Because what I read it was just the casinos, taverns and fraternal, it wasn't restaurants, restaurants were still banned.

Casey Williams: Restaurants, you're correct, but bars—

Commissioner Melcher: So, the health issue we would have been able, if they did pass it, would have been able to at least save a lot of people in these restaurants and a lot of these other places. Especially the three counties around us would have been on the same, almost the same level as us. At least it would have given all of the businesses a fighting chance, but we're back to unequal again because of the groups telling the State not to pass it.

Casey Williams: Well—

Commissioner Melcher: I just didn't understand that.

Casey Williams: Yeah, as I said, when, if a State bill was passed that really didn't change much, we feel that people may become apathetic about the issue, and they will think that more people are protected than really are. So, we want a stronger bill than what 1018 ended up becoming. I'm not—

Commissioner Melcher: So, you wouldn't be against, and I'm just throwing this out, you wouldn't be against the City Council if they just threw theirs out then, because theirs is kind of similar to the State.

Casey Williams: Well—

Commissioner Melcher: I mean, either you're for health or you're not.

Casey Williams: Right, well, what we proposed last spring with the City Council, you know, our organization would like to see no exemptions at all, but the way the bill was was the casino was exempted and that didn't, obviously, didn't pass. So, like I said, our organization, Smokefree Communities, would love to see an across the board, no exemptions, every worker is protected. But, obviously, none of us are on the City Council, so we have to work with what the Council proposes, and, you know, that's what we want. If we're going to get that is another question.

Commissioner Melcher: No, I understand, but it's always about health—

Casey Williams: Right.

Commissioner Melcher: —and, you know, somebody's health over here, if you could save this over here, that's worth saving if that's what it's about.

Casey Williams: Right, well, like I said, we would push for a completely comprehensive ordinance.

Commissioner Melcher: Okay.

Casey Williams: It's not that we said we don't want this bill to pass, but it wasn't a good bill, and the fact that it died didn't break our hearts, because, basically, that bill would have changed, would be very insignificant changes as far as the workers that would be protected.

Commissioner Melcher: Cause the rumblings I hear is next year is an election year and it would be tough for you to even get started next year then.

Casey Williams: Right.

Commissioner Melcher: So, you would be another year away, and there's a lot of people that would be working—

Casey Williams: Right.

Commissioner Melcher: —that could have been healthy, or at least partially.

Casey Williams: Right, we totally agree, I mean, we wish it could have passed in the City Council, we wish it could have passed in the State, but these bills get up there then they become so watered down and weakened so much because of amendments that the bill doesn't really end up changing much.

Commissioner Melcher: Okay, thank you.

Casey Williams: Thank you.

President Winnecke: Thanks, Casey. Any other public comment on any issue? Down, Bill. Hearing none.

Consent Items

President Winnecke: I would entertain a motion to approve the consent agenda items with one item removed for separate consideration, that would be the Cooperative Purchasing Organization contract cancellation.

Commissioner Melcher: I'll make the motion to do what you said, accept everything except for the Cooperative.

Commissioner Abell: Second.

President Winnecke: A motion and a second questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Madelyn, would you do a dramatic reading for us?

Madelyn Grayson: The consent items for the April 12th meeting are as follows; approval of the March 29, 2011 Commission meeting minutes, the March 30, 2011 joint County Commissioners-City Council meeting minutes; employment changes for the Commissioners approval, there are ten for Burdette Park, two for the County Highway, and one for Veterans Services; the County Engineer has pay request number 125 in the amount of \$28,368.65 for TIF projects; the County Auditor has the March 2011 A/P vouchers; the Commissioners have a waiver of Old Courthouse rental fees for Historic Preservation banquet on May 9th, and a request for the use of space and waiver of fees in Old Courthouse for Workers Compensation hearings; and there are department head reports from the County Engineer and Burdette Park.

President Winnecke: Thank you. At this time I would entertain a motion to approve the Cooperative Purchasing Organization contract cancellation.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Actually, I'll just offer a point, I'm going to vote against this. I'm not really, I'm not really pleased with how this contract has been, is being eliminated. I'm not sure that it's

been handled in the most, in the spirit in which the Cooperative Purchasing Organization was formed. So, that's why I've asked for this to be pulled out, and that's why I'm going to vote, not vote for it. So, roll call vote please.

Ted C. Ziemer, Jr.: Excuse me, I'm sorry, may I just make a comment?

President Winnecke: Oh, absolutely.

Ted C. Ziemer, Jr.: From a legal perspective—

President Winnecke: Right.

Ted C. Ziemer, Jr.: —and it does not address concerns about the way things were handled, but from a legal perspective, the contract was entered into in September of 2009. It's a three year contract, and it provides that it can be extended for year to year, for one year after that, automatically. There is a provision in the contract which says that the, and I'm quoting, the CPO, that's the Purchasing Organization, reserves the right to terminate this agreement with a 30 day calendar notification period. And, our interpretation of that, as your legal counsel, is that the CPO has the right to terminate this agreement on giving 30 days advanced notice to the, to EcoQuip. That notice was given by the Purchasing Organization in time for that 30 day period to elapse to allow a termination on April 30, 2011. So, without more, it will terminate on April 30, 2011. The CPO, the Collective Purchasing Organization, has three members, one is the Evansville School Corporation, the second one is the City of Evansville, and the third one is the County Commissioners. Actually, all the Commissioners were doing by the action in the consent items today was acknowledging that the CPO had given notice to terminate the agreement on April the 30th, and nothing more. If the Commissioners wish to take any kind of action with regard to this termination, I think then between now and April the 30th there needs to be a discussion between the Commissioners and the City and the Evansville School Corporation relative to the issue of termination, and then perhaps, President Winnecke, if you wish, the manner in which the proposed termination was handled. So, from a legal perspective, it's our opinion that the CPO has the right to terminate this agreement, and that it exercised that right correctly. We, of course, offer no opinion as to the manner in which that was done.

President Winnecke: And, I would, I acknowledge the legality of it all. I've had discussions with representatives of the School Corporation and with EcoQuip, and when I said the spirit of the CPO I didn't think was being followed, that's because, in my opinion, a competitor of this company, I think, has poisoned the well against this company. So, that's why I make the comments that I did. That's, I'm not sure I'm going to change the mind of the School Corporation based on my discussion, or the City based on that conversation either.

Ted C. Ziemer, Jr.: And, just one other point, President Winnecke, I am advised by Debbie Spalding that they advertised for bids for this service, and EcoQuip was invited to come to the, you know, to submit a bid. So, I don't know what transpired there, but I do know that that occurred.

President Winnecke: Any other discussion or questions? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Are we voting, I'm not sure what we're voting on.

President Winnecke: Oh, I'm sorry. If you vote in the affirmative you're voting, you're acknowledging the termination as, right.

Commissioner Abell: I vote yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: No.

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

President Winnecke: Any other business to come before the Commissioners? I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Melcher: Second.

President Winnecke: Drainage Board will begin shortly.

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

CONSENT ITEMS:

Commissioners:

Approval of the March 29, 2011 Commission Meeting Minutes.

Approval of the March 30, 2011 Joint Commission-City Council Meeting Minutes.

CPO: Letter of Cancellation of Contract with EcoQuip: Multi-purpose Cleaner.

Waiver of OCH Rental Fees: Historic Preservation Society Banquet: 5/9/11.

Waiver of OCH Rental Fees: Workers Compensation Hearings: Various Dates.

Employment Changes:

Veterans Services (1)	County Highway (2)	Burdette Park (10)
County Clerk (1)	Prosecutor (1)	Superior Court (1)
Sheriff (7)	County Assessor (1)	Circuit Court (1)

County Auditor: Approval of March 2011 A/P Vouchers.

County Engineer: Pay Request No. 125: Green River-Burkhardt TIF Projects.

Department Head Reports: County Engineer Burdette Park

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Jim Heck	Cheryl Musgrave
Aaron Muller	Gina Muller	Jason Bailey
Bill Jeffers	Brenda Jeffers	John Stoll
Mike Duckworth	Casey Williams	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
APRIL 26, 2011**

The Vanderburgh County Board of Commissioners met in session this 26th day of April, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the April 26th meeting of the Vanderburgh County Board of Commissioners. We will begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

**Permission to Open Quotes for VC11-04-01:
University Parkway Erosion Repairs**

President Winnecke: At this time I would entertain a motion to open quotes for VC11-04-01. This is University Parkway erosion repairs.

Commissioner Melcher: So moved.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

Commissioner Abell: Second. Whatever.

President Winnecke: We have a motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Mr. Ziemer, you may open the quotes.

EMA & County Highway Flooding Updates

President Winnecke: Before we get to the rest of the action items that are on the agenda, I would like to go a little out of order and call up Sherman Greer and Mike Duckworth. Mr. Greer heads the Emergency Management Agency, Mr. Duckworth is the Superintendent of County Highways to talk a little bit about the flood situation. The county and the city have worked cooperatively over the last several days to help residents, and I would like Mike and Sherman to kind of update everyone on our efforts and what folks at home and in the audience should know about the flooding.

Mike Duckworth: Well, I would just start out by saying that I've provided each of you with a list of the county roads that are now closed. It adds up to 47 of our county roads. I think that there are three additional city streets that have been closed as well, for a total of 50 roads in our community that have water across them. Those have all been posted. Now whether or not the signs stay there or not is up to some members of the community. We have been missing quite a few signs, and so we try to continue to check back on those, to put up additional signs, or to see if the water has receded. Of course, this situation has, the flooding has been piggybacked on some straight line winds that came through last week, which had, I think, about 14,000 residents without power in this community. Our crews were out with Vectren crews and many other agencies responding to that emergency as well. About 80 percent of those trees were in lines, so Vectren did a great job in getting private contractors in here and getting the electric issues handled. So, on that regard we're in pretty good shape, I think, as a community. As far as the roadways are concerned, I think Sherman can allude to a briefing that we had today from the National Weather Service, as well as from other agencies in regards to, including the Levee Authority of the fact that the crest may not exceed until it gets to about 46 and a half to 48 feet. Forty eight feet causes many more problems for this community. So, we are in kind of a proactive approach, understanding where that's going to take place now, getting sandbags ready, our agency has gone to Indianapolis to get the bags, they've gone to, along with the city, we've taken trucks to the INDOT location in Vincennes to actually get filled bags back here to, I believe our staging area right now is Olivet Church on Oak Hill and St. George. We will probably, with the help of local EFD, the Fire Department and volunteer fire have other staging areas, strategically located throughout the community so that folks that need sandbags can have access to the sand and to the bags. I know, Commissioner Winnecke, you want to say something about other community partners, right now, Mulzer Stone has just really come through with donating sand to residents and to the agencies that need to fill these bags. Hamrick's Towing is going to make a trip for us to get sandbags up in Vincennes. So, we've had a lot of community support. We've got a lot of agencies out there working, and the status as far as whether or not this works into a State of Emergency, I'll let Sherman discuss that.

President Winnecke: Thanks.

Sherman Greer: What he said. I think he covered it all, to tell you the truth, except for we do have one state road that is closed down, and that's Morgan Avenue. I think, I don't know if they got signage out there yet or not, from the state on that.

Commissioner Abell: Where on Morgan?

Sherman Greer: It's from Boeke until Theater Drive. You know, that, where you go down below, by there where the water is coming across there right now. We have got a lot of volunteers, after 5:00 this evening we'll have a lot more volunteers. People yesterday went home, changed their clothes, came out and volunteered their help to help these people that are getting water up and around their homes. Most of it's over on the east side there, off of Oak Hill to Elmridge. Also for, off of Green River Road back up in that way, around Heckel Road and everything. Same places that we fought, did our flood fighting in 2007 and other years and everything. So, it's, we've got Voight Road back in there, there's a lot of water back in those areas there. I think one of our concerns was, one of the gentlemen that lives back there is on dialysis and wanted to get him out of there, get him so that he can make it to his dialysis appointments and things like that. But, the McCutchanville Fire Department is doing a fantastic job, (Inaudible) in command, commanding that situation, utilizing the resources that they have, and other resources that we can call in to help out. The Indiana Department of Homeland Security, met with the Executive Director today out at Tri-State Aero, they are going to start doing 24 hour operations up at Vincennes, to where that we've got the Guard up there and we'll have people from the Department of Corrections that will be coming up there in the day time, they don't like to take them out at night, in the day time and everything to be able to help fill sandbags. So, tomorrow, we'll have the County Highway Department and the Board of Public Works to send up more trucks to pick up more sandbags so that we can get ahead of this thing as much as possible. Now, today's weather report from Paducah, it doesn't look pretty for tonight and everything. With the sun being out right now, it's nice that we see the sunshine, but that's not a good thing when you have an atmosphere like we've got right now with clouds and cold air and hot air mixing and everything else. So, it's going to be exciting tonight to see exactly what happens. We're hoping everything stays south of us, but yesterday, you know, we had that tornado warning and it came through Warrick County and hit Lynnville. So, we don't know exactly what's going to happen tonight. So, we've just got to go ahead with the people and the volunteers that we've got out there now, we're having the Civil Air Patrol that's going to be out there, we've got Boy Scouts that's going to be out there, we've got a lot, some other church groups that are going to be out there to help us out this evening. So, we're going to get as much done as we possibly can this evening.

President Winnecke: Sherman, two quick questions come to mind. First, I think it's probably a good idea to remind folks about the dangers of water over roadways, and the perils of driving on a closed road.

Sherman Greer: Most definitely. I think over at the Virginia Street viaduct, the Evansville Fire Department had to do a rescue over there already. Anybody that has any moving water across any road, I don't care if it's six inches of water whatever, it's not advisable to drive through that. Just go back to the old adage, turn around, don't drown. That's what we need people to do. If you can turn around, go back the other way that you came, don't try to go through that water. So, that's very important.

President Winnecke: The other thing, I think, people might be asking, or wondering, what kind of parameters are there, if any, in terms of the number of sandbags one can get at the Olivet Church?

Sherman Greer: As long as we've got sandbags, it's like we had, we gave out 60,000 sandbags yesterday, ourselves and everything with people coming in and getting them for their homes. Not too much for businesses and everything, but more or less

for their homes. We will give out sandbags until we have no more sandbags, just as we did, this morning we were without sandbags for a short period of time, but we had some out in the community, the Levee Authority gave us some, we got some from the County Highway Department. I think we got about 10,000 from you guys. So, we had those out there and people were still working.

President Winnecke: To clarify, we received 75,000 additional empty sandbags from the State today.

Sherman Greer: Yes, we did.

President Winnecke: Then, how many sandbags do we anticipate being full from our junket up to Vincennes.

Sherman Greer: We're looking at 30,000 sandbags from up there.

President Winnecke: Okay.

Sherman Greer: So, we'll use all of those, as it's going right now. The way the water is, you know, the way the water is coming in and everything, it's always going to take the weakest path, you know, and it's just going to spread out as we go along. So, we're out as far as Millersburg Road and everything on the northeast side. It's just spreading out. So, we've got a lot of flood fighting to do right now.

President Winnecke: If there is a, if residents have concerns, they may call the EMA office?

Sherman Greer: You can call the EMA office, I will answer the phone, after midnight, as I did last night. I was up at Moto Mart giving out sandbags last night. I'm not going to tell you how I was dressed, but I was there, you know. So, yeah, we'll have the phones patched to, I'll have the phones going to my phone. So, call at any time, especially if you think you need them. Especially after the storms we get tonight. I don't advise people to do flood fighting at night. It's not, unless you've got a lot of lighting and everything to do that, it's just not, it's just dangerous to do that.

President Winnecke: Right.

Sherman Greer: That's the reason we quit about 9:00-10:00, by the time we get wrapped up and out of there, about 9:00 or 10:00.

President Winnecke: Okay.

Mike Duckworth: Yeah, I did have an additional comment. We also want to look at where we go after the water recedes and we have not only debris from the wind storm, but debris from the flooding. We're looking at developing a method of the Highway Department picking up debris from the curbside from residents. That still has to be massaged a little bit, and we hope to put a release out in regards to how we will do that, the dimensions of the debris that we'll pick up, and those kinds of things. We want to get through and get this flooding back away before we start talking about it. We've had a lot of calls about people, from people asking us whether or not, you know, we were going to pick up tree limbs and that kind of thing. We're not in that recovery mode yet, but we will be as we get out of this flooding situation. So, I wanted folks to know that, to be cognizant of the fact that we understand that they've got a lot of stuff in their yards that they want to get rid of, and we're going to

help with doing that. Then, I guess, the other thing is, tonight we have on the agenda the paving list, and I would ask, if we could, to go ahead and consider that, possibly with the caveat of we don't know what exactly this flooding is going to leave us behind, and we don't know that we're going to qualify for FEMA or any kind of assistance. So, you know, I would say, my recommendation would be for us to go ahead and to approve the list, and if we have to make any changes then, because of damage or those kinds of things, I'll come back and present those to you.

President Winnecke: Thanks.

Sherman Greer: Flooding is one of those disasters that you can't really do anything about, as far as damage assessment until after the water recedes.

President Winnecke: Right.

Sherman Greer: So, it's going to, once that happens, then Mike and them will be doing their assessment, we'll be doing our assessment. FEMA, for the, for a declaration or something like that, you have to have at least 25 homes that are damaged, and it has to be major damage. We've got about 35 homes that are damaged, but we don't have any major damage, but still yet we want to gather all of that information, man hours that were spent, equipment that was used and everything else, because if the State of Indiana goes for a Presidential Declaration, we have to come up with a certain amount of money to be able to get that. So, every nickel, every dime that we get is very important that we record.

President Winnecke: Any other questions for Mike or Sherman?

Commissioner Abell: I have questions, but I don't know whichever one of you want to answer these. If people need housing, if they have to leave their homes and they need housing, where should they contact?

Sherman Greer: The American Red Cross is going to be setting up shelters. The Pleasant Ridge trailer court was asked for volunteer evacuations last night. Some of the people evacuated, some did not. Vectren cut the power off back there because the water is getting up so high that it would cause a lot of problems and everything, and we don't want anyone to get electrocuted out there. So, there is a good possibility that people will be looking for shelters, and the American Red Cross, on Stockwell, will be open for shelter.

Commissioner Abell: Okay, my other question has to do with Vectren turning off the power. Is there some website, some notification that Vectren will be putting up so people will know that the power is actually being cut off, rather than they think it's just gone off and they're waiting to call to get it back on?

Sherman Greer: No, we don't have an answer for that right now. We're still working on that to try and get the—

Commissioner Abell: That would be a good suggestion for Vectren to do that.

Sherman Greer: Yeah. We're working on a mechanism for that to happen, so that people will know.

Commissioner Abell: Okay, the other question that was handed to me to ask you, if someone wants to volunteer, what number should they call, how should they go about doing that?

Sherman Greer: Well, what they should do is to go out to Olivet Church. That's where we're taking all of our volunteers, and rostering all of our volunteers. Because, believe it or not, by rostering those volunteers, that counts for us for a Presidential Declaration and everything. So, we would have to have them go out there to be rostered. If they're going to a neighbors house or something like that to help out, go ahead and do that, you know, but if you want to help us out and everything, go out to Olivet Church. That's where the incident command is, and then they can assign them to go out to the areas that we know that need the assistance.

Commissioner Abell: Can you, for the viewing audience, tell us where Olivet Church is?

Sherman Greer: It's on Oak Hill, just north of St. George.

Commissioner Abell: Okay. I guess, it stands to reason, to those of us who deal with this day in and day out to advise the public that once the water has gone down, not to drive on the road until it has been opened, because that can be very slick and dangerous too.

Sherman Greer: Most definitely.

Mike Duckworth: Yeah, I would say, you know, just because the water is down, and we have a lot of low lying areas that people that live in those areas, Old Henderson Road, the South Weinbach, South Green River Road area, they pretty well know the program, because they live through it, because as soon as we get a little bit of a crest, you know, it happens, but we're talking about areas that people aren't really used to at this point, and, you know, having those flood waters. So, as soon as it recedes we will have equipment out to clear it, we will pull the signs, once they see the signs have been pulled, then they can make their way through. But, be under the understanding that we have had a lot of vandalism on our side, on our signs, so, they might start into an area that doesn't have a sign, and, you know, we ask them to reduce their speed around some of these areas. You can see the markings on the road, because as the water recedes you can see the mud lines. So, just be careful out there because there's a lot of areas that are going to go down quick, and there's some that it will take a while. So, just use caution.

Commissioner Abell: Okay, and the other question, I just have a question for Mr. Greer, what, I am not familiar with where all of these roads are, but some of these are pretty major roads. For instance, Millersburg between Oak Hill and Green River, that's a pretty long span—

Sherman Greer: Yes, it is.

Commissioner Abell: —how do those people that live on there get in and out of their homes?

Sherman Greer: Well, that's a good question. I don't know how they're getting in and out right now. Some of them have to go back roads to be able to come in from the back of their places, and then park their cars, and then come in through their back yards.

Commissioner Abell: Oh.

Sherman Greer: We were given one place out on Green River, north Green River Road that we had to, we were going to send some sand in there, and we had to take a gravel road to get to another road to be able to get to their house and everything. So, you know, they have to be, they have to adapt and think about what it is they're going to do that is best for them and is safe for them.

Commissioner Abell: Okay, thank you.

President Winnecke: Steve?

Commissioner Melcher: Yeah, Millersburg Road is one of the roads we've been talked about in the future that we have to raise. I mean, that's already being looked at, I guess, now. I also talked with Mike earlier, he's going to check, but we've got a couple of machines or things that were homemade out at the Garage to help fill sandbags. They was made about a year ago or two years ago. So, they should be working to help also.

Sherman Greer: And that was out of the back of a truck—

Commissioner Melcher: Right.

Sherman Greer: — that was doing that.

Commissioner Melcher: That's faster than doing it by hand.

Sherman Greer: Yeah, and we have sandbag machines that the National Guard sent down, and we have one at the National Guard here, but Posey County is in, Newburgh, or not Newburgh, but New Harmony is in dire straits right now. It doesn't take too much to get into that little town, and it could be very, very bad if it did. So, they shipped it over to Posey County to help out there, but the machines up at Vincennes are the same thing, and we're getting the bags and everything. It's just costing us to get backwards and forwards.

Commissioner Melcher: Yeah, I heard today it was New Harmony and Griffin.

Sherman Greer: Yes, and up at Gibson County at the power plant up there.

Commissioner Melcher: And the bridge on Morgan, the State when they rebuilt it, they built it two feet lower than what the original build was. I don't know if they were trying to save money or what, but that's what it's cost us.

President Winnecke: Anything else? One other thing, two other things actually related to this, for Sherman, as we've discussed a couple of times today, in terms of counting for some of the expenses that we'll encounter, we have \$187,083 in a Cash Card Account 2862, is the correct number.

Sherman Greer: Okay.

President Winnecke: It's an EMA disaster relief, are there any grant stipulations that you're aware of relating to that amount?

Sherman Greer: None. None, that was money from the 2005 tornado—

President Winnecke: Okay.

Sherman Greer: –that we put back, and I think Commissioner Musgrave and them put it back especially for something like this. In case we do get into a situation to where that we don't know whether or not we're going to get a Presidential Declaration, we can spend those funds. If we do get a Presidential Declaration, we'll roll it back over into that.

President Winnecke: Great. Okay. In that case, I believe you probably need authorization–

Sherman Greer: Most definitely.

President Winnecke: –from us–

Sherman Greer: Yes.

President Winnecke: –to spend–

Sherman Greer: I would like to have that money.

President Winnecke: –that money related to this event.

Sherman Greer: Right.

President Winnecke: So, at this point I would entertain a motion to authorize the Director of the Emergency Management Agency to have access to the \$187,083 in Cash Card 2862 for purposes of the flooding situation into which we are experiencing.

Commissioner Abell: So moved.

Commissioner Melcher: I'll second that, and as long as you keep e-mailing us so we know what's happening.

Sherman Greer: We will. We'll keep you up on, and if there's any type of contracts that we have to go into and everything, Mr. Ziemer we'll be getting in touch with you before anything is signed. I'm not signing anything unless, in fact, I'm pretty sure that you guys should sign it myself.

President Winnecke: Yeah, we sign the contracts. There's a motion and a second. Other questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: My last item, first, thank both of you gentlemen. I know that you are putting in long hours, but to reiterate, thanks to Mulzer's for their kind contributions of sand, to the McCutchanville Fire Department for heading up the operation, the American Red Cross, the Sheriff's Department I know is playing a valuable role, as is the Evansville Police Department and the Evansville Fire Department. So, thank you to all of those folks.

Sherman Greer: Yes. Some of that is moving into the city now.

President Winnecke: Right.

Sherman Greer: So, we're going to be planning with them and seeing how we can coordinate.

President Winnecke: Thank you, gentlemen.

Sherman Greer: Thank you, sir.

<p>Reading of Quotes for VC11-04-01: University Parkway Erosion Repairs</p>
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Ted C. Ziemer, Jr.: President Winnecke?

President Winnecke: Yes?

Ted C. Ziemer, Jr.: If we could maybe do these bids?

President Winnecke: Absolutely.

Ted C. Ziemer, Jr.: I have two bids for the University Parkway erosion repair. One from JBI Construction for \$33,715, and one from Koberstein Construction for \$66,505. If it's the decision of the Commissioners to take these under review, Mr. Stoll believes he can review these while this meeting is progressing and perhaps make a recommendation before the conclusion of the meeting.

President Winnecke: Okay. I would entertain a motion to take these under advisement.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: That's a big difference. That's a big difference, \$33,000–

Ted C. Ziemer, Jr.: Yeah.

Commissioner Melcher: It was double.

Ted C. Ziemer, Jr.: Who knows.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

MBE/WBE Utilization Board Update

President Winnecke: Okay, now to the agenda. I appreciate everyone's patience. Maura? We have an update from the MBE/WBE Utilization Board.

Maura Robinson: Hi, thank you for giving us the opportunity to come here and just talk a little bit about the MBE/WBE Utilization Board. With me are several board members, and what we have decided to do this year is to come around to talk to the different boards about the MBE/WBE participation that the city and the county have agreed to embrace. Our concern is that the spending with MBE's and with WBE's is not increasing. However, the arena is going to make a little bit of a dent on that. But, we also want to be able to make all of you aware that the intention of this ordinance is that from now on and always when there is a bid for any contract around this area that minority, women and minority owned businesses are part of one of the bids. I have some information, I have the ordinance, I don't know if you got a copy of it. Would you like to have a copy?

President Winnecke: Sure. Thank you.

Commissioner Melcher: Thank you.

Maura Robinson: The ordinance for the county was passed on February of last year. The one for the city was passed the May before in 2009. This ordinance mimic each other. Also, as you can see with the ordinance we have EVSC as part of that group, understanding the importance of MBE and WBE participation. We would like to be able to bring to you and showcase, from time to time, women owned business and minority businesses, just to give you a flavor of the quality of companies that we have in our area. Part of the amendment of that ordinance that is in front of you was because the previous ordinance only was capturing residents of the City of Evansville. So, when we re-wrote the amendment for this ordinance, we included a great component, and the component was that the MBE or the WBE could joint venture with a regional MBE and WBE company. This was just to give the minority local MBE's and WBE's the opportunity to bid on bigger projects, and, consequently, probably down the road become a majority contractor for the city or for the county. We would really appreciate your support, also the ability that you have as a Board to push, as a Council, to push this so that this ordinance is not just a policy or a law that just sits on the shelf. We desperately need the participation. I'll give you an

example of myself. Until last year I was doing 97 percent of my business outside Evansville, which is part of having your company and growth that takes into consideration, but there are so many people brought into this area with the same qualifications, or probably not as experienced as I am, when in fact I could have been providing that services. That's the case of a lot of the MBE's and WBE's in this area. I understand you're never a prophet in your own land, but as a taxpayer I think there's enough to share the wealth for everybody that lives and works and pays taxes in this Vanderburgh County and the City of Evansville. Do you have any questions for me?

Commissioner Abell: I have one, have you thought about exploring the possibility of getting with the State and learning how to walk someone through that system of becoming a minority or businesswoman owned business? Because I know it's treacherous—

Maura Robinson: Sure.

Commissioner Abell: —territory for people that do not know what they are doing.

Maura Robinson: Excellent question. One of the things that we have done throughout the years, and this board has been in existence probably for the last eight years, is to pair with the city, to pair with the State to be part of that certification process, because that's what makes you an MBE/WBE is going through that process. One of the things that I'm really happy to share with you, that the process used to take sometimes between 12 to 14 months. It's down to about a three month process. So, we have really, really changed that, going through the certification process. However, I just want to make sure to clarify this, that the certification process is just a credential. It doesn't mean that you're automatically going to get those State contracts. You have to go through the process as any business, and they have to compare prices, because the city, the county and the State are also businesses. But, one of the things that is really important going through that process is for people that want to have a business, at least to have the understanding what is the process. So, yes, we do work with the city, I mean, with the State. I keep on saying the city, the State, to make sure that those individuals that want to be certified understand and are able to go through the process. Thank you for the question. Any other questions?

President Winnecke: Maura, thank you.

Maura Robinson: Thank you for allowing us to be here.

President Winnecke: Thanks for your efforts. We appreciate it.

Maura Robinson: Bye bye.

President Winnecke: Thanks.

<p>County Assessor: Permission to Award Contract for VC52-2011: 2012 Reassessment Services</p>

President Winnecke: Next on our agenda, the Assessor permission to award contract VC52-2011 for the 2012 reassessment services. The Assessor has elected to go with land valuation for order and trending services, and therefore recommends

that the bid be awarded to the Nexus Group for their low bid of \$67,500. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: Then, excuse me, you then have before you the form of contract, which the Assessor proposes to have the Commissioners enter into with Nexus for this purpose, which we have reviewed and find satisfactory for execution from a legal perspective. So, a motion to approve the contract.

President Winnecke: Motion to approve the contract?

Ted C. Ziemer, Jr.: Yes.

President Winnecke: Okay. I would consider a motion.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Second and Final Reading of Vacation Ordinance CO.V-04-11-001:
Petition to Vacate a Drainage Easement at 2419 Wheaton Drive**

President Winnecke: Next we have the second and final reading of the vacation ordinance CO.V-04-11-001, a petition to vacate the drainage easement at 2419 Wheaton Drive. First I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: There's a motion and a second. Is there discussion? Is there additional public comment?

Commissioner Melcher: Did we get back anything from the Surveyor? Because I tried to get a hold of him today, but he was out of town.

President Winnecke: I did not see –

Commissioner Melcher: If you remember the e-mail, it said, in fact, he wasn't at that time ready to make the recommendation. I really believe we should have a recommendation from him one way or the other.

Ted C. Ziemer, Jr.: If I may comment on that. I met with the Surveyor, pardon me, I met with the Surveyor about this, and really, I think, I guess there's two elements to this. I have a lengthy statement that he sent to me, indicating the, I'll say the pros and cons relative to the various properties in this subdivision, insofar as vacation of this drainage easement is concerned. He really is not making a recommendation one way or the other to the Commissioners. He does say that the platted easement on the Muller property is useless for drainage purposes, as there are no common facilities in Stonewick Drive to which a ditch or pipe can connect, even if it was desired to have one installed. Consequently, if Mr. Muller's easement ever were re-activated for use with pipes or ditches, that would necessitate also placing a ditch and pipes in the two properties to the east of Muller's property, and then on to Stonewick Drive, and the county would have to dig up Stonewick and invest several hundreds of thousands of dollars in to such a system. It's not likely that that will occur, but that's a possibility. After meeting with him, I advised him that I would report to the Commissioners that from my study of this, and the law, I am satisfied that Vanderburgh County will never be in a position to incur liability should it determine to vacate this drainage utility easement. So, it's before the Commissioners.

President Winnecke: Other questions or discussion? We have a motion and a second to approve the vacation. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: No.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

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

EMA: Amendment No. 1 to Sub-Grant Agreement
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President Winnecke: Sherman, I apologize, I told you that I would get you out of here. I forgot you had something later on the agenda. I'll move you up here right now, because I know you are busy. We'll jump ahead to contracts, EMA, amendment number one to the 2007 Homeland Security grant program, sub-grant EDS # C449-0-107A. This serves to allow payment for purchases made from Dell and covered under certain indicated invoices which purchases were made prior to the effective date of the sub-grant agreement.

Sherman Greer: Yes.

President Winnecke: Surely you can make it a little more understandable than that.

Sherman Greer: Well, that's, they got ahead of themselves and everything, and they went ahead and got the equipment and put it in. Then, it was before the grant was signed and everything. So, what we did is we had to make an amendment to that grant. It's already been paid.

President Winnecke: Questions for Mr. Greer? I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Sherman Greer: Thank you.

President Winnecke: Thanks. Sorry to keep you waiting.

Sherman Greer: That's okay.

Discussion of Issue with Morgan Avenue Property Sold at Auction

President Winnecke: Next, discussion of the issue with Morgan Avenue property which was sold at auction. The purchaser is requesting to be let out of the sales agreement. You have a letter from his attorney. Mr. Ziemer, you may want to chime in here and offer—

Ted C. Ziemer, Jr.: Yes, just a comment that the real estate we're talking about is a strip about 20 feet wide, which is totally surrounded by property owned by others. It should never have been included in the sale. We don't know why it was. It was, it's the recommendation of the County Attorney's office that the \$2,100 paid for this property be returned to the purchaser. The deed for the property has not been recorded. If you approve this, it won't be recorded, and everybody is back where they should have been.

President Winnecke: I would consider a motion to—

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: The motion, I assume, is to remove—

Commissioner Melcher: Yes.

President Winnecke: —to allow the purchaser out? I assume that's what the second is? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**First Reading of Ordinance CO.04-11-04:
Amending Ch. 2.40: Regarding Health Dept Fee Schedules**

President Winnecke: Next, we have first reading of CO.04-11-04, to amend VC ordinance 2.4 regarding Health Department and its fee schedule. This is an annual change in the Health Department fee ordinance to keep pace with ordinary and customary increases in the cost of providing the various services and health procedures to the public. I spent some time talking with Gary Heck from the Health Department, these, most of these are in the neighborhood of five percent increases,

and they are, in fact, in line with the expenses that the county incurs to provide these. Is that not right, Gary?

Gary Heck: That's correct, sir. Gary Heck, Vanderburgh County Health Department.

President Winnecke: There's a lengthy list of fee increases, many of which are related to the Dental Clinic. There are couple of new, Gary, you might hit the highlights of the new fees.

Gary Heck: I think there's a new fee for one of our specialty clinics, the sexually transmitted disease, a \$15 exam fee, and there's an export health certificate for one of the manufacturing companies here locally that exports their products abroad. Most of the foreign countries where the products are going to be imported into, require that the Local Health Officer in the jurisdiction where the manufacturing of the product takes place, issues a health certificate that says this product would be safe for consumption in the United States as well, and some other language such as that. In the past there hadn't been a charge for those types of export health certificates. This will allow a ten dollar per health certificate fee to be collected for that one as well. I think there's some clarification language, you might even consider them technical corrections in some of the early language just to make sure that some of the, where there have been some changes in some of the regulations that the Health Department changes, just to make sure that our language and the fee ordinance is consistent with the other groups that we interact with. I think that's it. It's been reviewed by the County Attorney, and it's my understanding that it's, from a legal perspective, it's approvable if the County Commissioners so wish.

President Winnecke: This is, this would be first reading, so it would require a second reading before it would be approved finally. Any questions of Gary? Marsha?

Commissioner Abell: Mr. Heck, I think I've had this question before, and I want to raise it again.

Gary Heck: Yes, Ma'am?

Commissioner Abell: These fees, these are standard fees whether you live in Vanderburgh County, Warrick County, Henderson County, or wherever you happen to come to the Dental Clinic?

Gary Heck: Yes, Ma'am. The only difference would be, and this fee didn't change, if you're a Vanderburgh County resident, there's a ten dollar administration fee that's applied across the board. If you live anywhere other than Vanderburgh County there's a \$20 fee, ten dollars of that is an administration cost and the other ten dollars is applied towards the cost of your services. It's very similar to in-state and out-of-state tuition costs that are charged by State universities. The County Attorney's office researched this for us and found it to be consistent with the way those State universities charge for those types of services.

Commissioner Abell: It may be consistent with that, but this is supplemented by the Vanderburgh County taxpayers, and I think that it is really an unfair tax on the citizens of Vanderburgh County to be paying for dental expenses—

Gary Heck: No.

Commissioner Abell: We are supplementing the Dental Clinic.

Gary Heck: I'm not saying that you're not, I'm just saying that the charges that are charged are the same regardless, with the exception that if you live somewhere other than Vanderburgh County, you do pay an additional fee.

Commissioner Abell: I thought you said we didn't, they didn't except for a ten—

Gary Heck: Not on each individual services. There's an additional fee for being seen at the Health Department, or at the Vanderburgh County Community Dental Clinic.

Commissioner Abell: Every time that they come in and are seen?

Gary Heck: Every time that they come in there's that extra ten dollar fee that's charged. Yes, Ma'am.

Commissioner Abell: Well, okay, I'll let it go, but I really do feel very strongly about this. I just think it's, there's so many people that are moving out of Vanderburgh County because they want to save a few dollars living in one of the adjoining counties, and we can only continue to support things so long, then we have no tax dollars left to support those things, because people that live outside of our county are enjoying those things, but we that live in the county are having to pay for them. I just have a real issue with that.

Gary Heck: I understand. Traditionally, and if you look, or historically I should say, about 87 percent of all of our patients seen at the Community Dental Clinic are Vanderburgh County residents. So, there is about a 13 percent of the patients that we see live somewhere other than Vanderburgh County. This extra fee is an attempt to help pay for whatever those costs would be to see someone who doesn't live here. Your point is well taken though that Vanderburgh County has been very gracious about offering the service to take care of residents that live in Vanderburgh County as well. We originally had to include folks from other places because of the support from the community hospitals, because their service base covered three states and 30 counties. We haven't, and our answer when the hospitals withdrew their funding was to charge that extra amount to those folks that live somewhere other than here. That's when that fee went into effect. So, I mean, I certainly understand your point. I don't know how else to try to gather money from those other sources, other than the way we're doing it right now.

President Winnecke: Mr. Ziemer, to, and I don't know if you'll know this off the top of your head, to that point, would it be feasible to add a five or ten dollar, I don't know what the right number is, surcharge to each individual fee in addition to the ten dollar administrative fee?

Ted C. Ziemer, Jr.: It can be done. Legally it can be done. I don't know, those fees, you know there are some fees that are, I don't know, what's the smallest fee on that list?

President Winnecke: \$29.

Ted C. Ziemer, Jr.: \$29?

President Winnecke: \$17, here's one.

Ted C. Ziemer, Jr.: Okay, then another one might be \$100. I don't know if it would make sense to have a five dollar surcharge on a \$29 bill, as opposed, together with a \$100 bill.

President Winnecke: Right.

Ted C. Ziemer, Jr.: But, you might have some percentage of increase on every service if you don't live in Vanderburgh County, and that's certainly something that could be done.

Commissioner Abell: I would certainly like to see your board address it, because I, as a person who is elected by the people in Vanderburgh County and I represent the people of Vanderburgh County, I do not represent the people from Posey County, Henderson County or Warrick County.

Gary Heck: I understand, and I'll be certain to take your message back along with the answer that the County Attorney just provided to have that study recommended and come back to you sometime in the near future with that modification, if the Board of Health gives me that authority.

President Winnecke: That would be great. Thank you, Gary. Any other questions of Gary?

Commissioner Melcher: Yes, Gary, while you're up here, do you remember how much the Dental Clinic rent is? The rent for the Dental Clinic.

Gary Heck: Right off the top of my head, I'm going to say it's in the neighborhood of \$1,300 a month at this point in time. I anticipate that we'll be getting a letter sometime in the next year. It usually goes up every two years, so it will probably go up next February, based on whatever the cost of living, or the Consumer Price Index that's published in October from the September rate. That's generally where it comes from.

Commissioner Melcher: So, right now it's right around \$1,300?

Gary Heck: About \$1,300 is what I remember, off the top of my head. I hope that that's correct.

Commissioner Melcher: Okay.

President Winnecke: Any other questions or discussion? I would entertain a motion to approve as presented, on first reading.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Before I vote I have a question. It won't be final until we vote next time though correct?

Ted C. Ziemer, Jr.: That is correct.

Commissioner Melcher: That is correct.

Commissioner Abell: I'll vote yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Gary.

Gary Heck: Thank you.

**Burdette Park: Use Agreement with USI for PAC for Lifeguard Training
Veterans Services: Xerox Lease Agreement
Sheriff: Commissary Agreement with Canteen Services, Inc.
Surveyor: American Structurepoint Supplemental Agreement No. 2**

President Winnecke: Next, Burdette Park, agreement with the University of Southern Indiana for the use of the PAC pool for lifeguard training. This is an annual agreement and identical to last year's. Anyone have any questions? Mr. Craig is here and can come forward if we needed him. In that case, I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, we have from Veterans Services, a Xerox lease agreement for a copier/fax/scanner machine for the Veterans Services. This is for 60 months beginning March 21 of this year. The minimum monthly lease payment is \$74.18 per month, and I understand this is a budgeted line item. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Trying to get them into the 21st century. I vote yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, under the Sheriff's Department, a commissary delivery services agreement with Canteen. This is for the provision of canteen services at the County Corrections Center. Currently Canteen Services, Incorporated is providing these services under a month to month contract. This contract is for three years and provides for automatic three year renewals, subject to the right of either party to give notice not to renew in writing at least 90 days prior to the end of any three year term. No funds are due from the county for the services provided under the contract. In fact, Canteen will pay the county 28 percent commission on net sales of product under the contract. What's not to like about that? I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, the County Surveyor, supplemental agreement number two to the agreement with American Structurepoint for consulting engineering services in connection with Hirsch Ditch. We discussed this at our last meeting. This supplemental agreement covers additional services to be provided by Structurepoint relative to providing select topographic survey, review and amending the existing DNR modeling for Hirsch and Crawford ditches. The cost of the additional work will be \$47,000, thereby increasing the not to exceed cost under the main agreement from \$77,200 to \$124,200. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

County Engineer

President Winnecke: Department head reports. John?

John Stoll: The first item I have is a request for your authorization to sign off on the Corps of Engineers permit and the IDEM permit for the Millersburg Road project. This is the project that Commissioner Melcher was talking about a while ago as far as widening and elevating Millersburg. This will alleviate the road closures we're dealing with right now, where the bridge that exists on Millersburg at Furlick Creek just west of Christian Fellowship Church. But, I need your signatures on the two permit applications, and we can proceed with hopefully getting the permits and maybe be at the point that we can bid the project in the fall.

President Winnecke: I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: The other item that I have is that I would like to request approval to award the University Parkway erosion repair contract to JBI Construction for the amount of \$33,715. All of their paperwork was in order, and I looked at the unit prices as questioned by Commissioner Abell, and it looks like Koberstein was higher on every single item in the contract. I'm not sure what the basis for that is, but they're based out of Princeton rather than Evansville, so that might be part of the issue. But, everything in JBI's bid was in order, so I would request approval to go ahead and award that.

President Winnecke: I would consider a motion to approve, as recommended.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Madelyn Grayson: John, do they have, is there a document for them to sign this evening?

John Stoll: Yes.

Madelyn Grayson: Okay.

John Stoll: I did, I just want to point out too, that even though we only received two price quotes, we notified five contractors. So, we did comply with notifying a minimum of three contractors to solicit price quotes.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

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

President Winnecke: Thanks, John. Steve, did you have anything?

Burdette Park

Steve Craig: Steve Craig, Manager of Burdette Park. We've been working with the people from the St. Jude Children's Research, and the Give Hope Run, benefit run that was going to be at Burdette this weekend, we still intend on having it, but because of the flooding of the roads, they were wanting to change the route, not very much, but when they came out of the park they had intended on running east toward Dove Chapel, making a loop down there and coming back to the park. If the river continues as it is, that road will be under water by then, and they were requesting to come out of the park and actually run west on Nurrenbern toward the monastery and USI's property, getting to the bottom of the hill and turning around and returning back to the park. Their actual time on the road is less than it was if they would have used the other route. They had talked to the Sheriffs who were going to work that run for them and made them aware of it, which I understand they didn't have a problem with that. Like I said, instead of going left and going east, you're going to go right and go west. It's about the same run. So, we're going to kind of make a few changes to make it work, but I think they will still be able to get the run off this Saturday, if it's okay with the Commissioners to change the course a little bit.

President Winnecke: Steve, where the, are there additional neighbors that need to be notified as a result of the route change?

Steve Craig: There, well, there's one. I will go over and talk to Ms. Gostley. But, yes, there's actually less people the way they are going than there is the other way, but I will get a hold of Mrs. Gostley and let her know.

President Winnecke: Thank you. Any other questions of Steve? I would entertain a motion to change the route as recommended.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

Steve Craig: Thank you.

President Winnecke: Thanks, Steve.

Steve Craig: I may be borrowing some sandbags from Sherman on mine.

President Winnecke: I would go get them now, buddy.

County Attorney

President Winnecke: Yeah, I'm going to get Doc. Doc or Gary, did you have anything else from the Health Department?

Gary Heck: Anything else to add? No, sir.

Ted C. Ziemer, Jr.: Excuse me, I have one other contract.

President Winnecke: Sure.

Ted C. Ziemer, Jr.: I'm sorry this came late, currently Evansville and Vanderburgh County receive what are called point to point services to the Civic Center and to the airport under a month to month contract with AT&T for a cost of \$570 a month. Under the proposed three year contract for identical services the charge will be \$160 a month. So, it's a substantial savings. The contract is for 36 months, but it contains an appropriate clause for failure of appropriation in the event that the County Council should determine at any time during the 36 months not to appropriate funds for this contract, then the city and the county have the right to terminate that contract for failure of appropriation. We find the contract satisfactory for execution from a legal perspective. Mr. Staples is here from Computer Services should there be any questions.

President Winnecke: I'll just ask, what are point to point services? I'm sure it's something we need. I would just like to know.

Ted C. Ziemer, Jr.: I would have told you if I knew.

John Staples: Yeah, we had this discussion this morning. John Staples, Computer Services. The point to point is the communication line that the Joint Task Force located at the airport communicates back to the Civic Center for e-mail, telephone service, network services, things like that.

President Winnecke: Hence the term point to point.

John Staples: That's the point to point. Our point to their point, yes.

President Winnecke: Any questions of John? I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Thanks for hanging around.

John Staples: Thank you.

President Winnecke: Appreciate it.

Old Business

President Winnecke: Next we have the 2011 paving list, which was mentioned earlier in our discussion on the flooding situation. It is, as has been mentioned in this, before this body on numerous other meetings, the mileage is down considerably

from the amount of roads we've been able to pave in the past. We're proposing paving a little over ten miles of roads, that is based upon the amount of budget that is available to us for this. As Mr. Duckworth has requested, and I think it's wise that we pass this, with the understanding that he may be back at a later time to revise it. This has been, we've discussed this at numerous meetings, it's been posted on our website, and we've had numerous opportunities for public comment. I would entertain a motion to approve the list as presented.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: There's a motion and a second. Any questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Public Comment

President Winnecke: Public comment? I believe we have some folks here to...just state your name for the record, and address, right, Madelyn?

Jim McCutchan: Hi, my name is Jim McCutchan. I am the chairman of the advisory board in Scott Township. Our trustee is out of town, so I am the Township Trustee today and tomorrow and maybe the next day, I don't know. I want to thank you for the opportunity to come tonight and vent some frustrations we have, and these frustrations are certainly not with you. We are having an ongoing run in with INDOT as far as closing the little chute road next to the Busler's on Highway 41. Do you got that in your mind where we're talking about?

President Winnecke: Yeah.

Jim McCutchan: We were to meet with them, oh, a month or so ago, and they didn't show up to the meeting. They have scheduled a meeting, as of today, for us to come up to Vincennes tomorrow, at something like 6:00 in the morning, or some terrible time with the hour's difference and driving time. But, anyway, we're here to vent our frustrations and to state our case to you and hope that we can enlist your support in some sort of letter or something to the INDOT people concerning this little chute. I guess, the main question we have is, we don't really know what we're fighting, because they've never given us a reason. They just say we're going to close the chute, it's our road, we'll do with it what we want to do, and that's it. You know,

we have no recourse, no chance to talk to them at all. My first question would be, why are they doing it? You know, if they can give us a good reason, then I'll say fine, that's okay. But, they certainly are not closing it for convenience, because we have several people who live in that area that use that little chute to get out on Highway 41. If they have to go around, they go a pretty good mileage around, and if they go to Inglefield Road, it is pretty narrow, and with Koester Brothers bringing equipment out, it's pretty dangerous sometimes at the intersection of 41 and Inglefield. If they go the other way to Boonville-New Harmony, as you know that's sprouting up now to becoming quite a business corner, and it's a long wait for the light. So, a lot of the people who have lived out there for years, and I think that chute has probably been there since they put Highway 41 in, use that little chute to either go north or south from their house or their residence, or business, and they know the risk, and if you'll look at the records I think you'll see that the number of accidents there are almost nil compared to the ones at the light at Boonville-New Harmony and at Inglefield, because people take these light, people drive too fast, they rear end each other when they try to stop, some of the truckers go through the light and never stop. So, that's, convenience is not a thing. Safety, obviously is not a thing, as I just explained, you know, there are more accidents there than anywhere else. Conformity, well, you would think maybe they would like to be conforming all of the things to it, but if you'll go with me now and close your eyes and go up to Highway, Interstate 64 and come just a little bit south, you come to Stoll's Restaurant. If you're heading south on 41 and you want to go to Stoll's Restaurant, and you see it and turn where the cut out is, you're a dead duck, because you can't get in that way. If you come down a little bit farther, you get down to Stacer Station Road, and there again, there's a median cross, but if you make a left turn coming south and go across that median, you'll go about ten feet out into a cornfield, and it's paved out into that cornfield, but you'll certainly have to back up and turn around and go the other way. If you come down a little bit farther, you come to the INDOT garage, same thing, you know, you're cutting across Highway 41, and you can imagine them coming out with all of the snowplows and things of this sort. So, this is not conformity. Mr. Duckworth is gone, I believe, he's heard this story before, but I closed my speech last time when we met, informally, and I would like to close it again this evening and thank you for your time and effort, but can you imagine that if they would close the cut across Highway 41 at the INDOT garage and let them use Boyle Lane down to Baseline Road. They would have a stoplight to get out on the highway. That makes about as much sense as what they're trying to do to us. So, we solicit your support. Thank you for your time.

President Winnecke: Jim, I did have a question.

Jim McCutchan: Okay.

President Winnecke: As I understand, INDOT wants to close the cross over in the median and the little road adjacent to the Old Busler property, is that right?

Jim McCutchan: I believe so.

President Winnecke: And, is your opposition for both, or just the road next to the Busler property?

Jim McCutchan: Well, I think there's opposition to both, because we have two gentlemen back here, I think, are going to talk after while, but one lives right there at the corner. There are some businesses there. There is a veterinarians shop, and there is a Travel Smart—

President Winnecke: Right.

Jim McCutchan: –place. I don't know what they are doing out on the Busler property now, but they are doing a bunch of drilling and so forth. A contractor was out there, I can't think of the name of the trailer that was there. So, they're getting ready to do something, I think, possibly on the Busler property. So, I think they're wanting to close both of them. I can see they want to limit that access as much as they can, but they're not being consistent, if you go up the road and see the others.

President Winnecke: And, lastly, with whom have you been dealing at INDOT?

Jim McCutchan: We have never had an opportunity to sit down and talk to INDOT. They were to come to our meeting a month or so ago when we talked to Mr. Duckworth about the future of Peck Road, because with the new high school out there Peck Road is a little bit on the narrow side and something needs to be done.

President Winnecke: You're being kind.

Jim McCutchan: We had been told that they were considering making Peck Road one way north. We went there to talk about that, because, obviously, with the fire department and ambulance service, you know, they can't have one way north. When you're sitting in your house and looking out the back window and see the fire station, and then they have to go three miles around to come back up north. You know, it doesn't make sense. So, he assured us that he would take that case and it probably would not be a one way either way. So, we're in good shape there, but INDOT didn't show up for that meeting, and I think they were a little hesitant to even have us up there tomorrow, or Friday. Is it Friday or Saturday, Bob?

Bob Crow: Friday.

Jim McCutchan: Friday, okay.

Bob Crow: Friday, our time, at 9:00.

President Winnecke: Okay, any other questions of Mr. McCutchan before we ask other folks up?

Commissioner Abell: Is it your desire for us to provide a letter? Is someone from your organization going Friday morning?

Jim McCutchan: Bob is.

Commissioner Abell: Mr. Crow is? Because—

Jim McCutchan: Steve, are you going? Don't know? Okay.

Commissioner Abell: Is it your desire that we provide a letter of support? Is that what you're asking us for?

Jim McCutchan: That is what we're asking, yes.

Commissioner Abell: Okay.

Jim McCutchan: I know that's a lot to ask, because your dog's not in this fight, but we're trying to get him in there.

President Winnecke: I think we could write a letter. Anyone else from the public that would like to comment on this issue? As he's walking up I will offer just a little color commentary, that when this issue was first brought to our attention, I don't know, two or three months ago by the County Engineer, this has really been driven by INDOT. We had no notification of it until Mr. Stoll notified us, who had been notified through INDOT. So, we have not been consulted. I know Mr. Stoll has not either, so, go ahead, sir.

Bob Crow: Well, to start off INDOT–

President Winnecke: State your name for the record please.

Bob Crow: Oh, Bob Crow. INDOT contacted me and they wasn't wanting to contact anybody else. They just said, they wanted to know if it was okay, because I have property on both sides of that road. So, what they told me they was going to do was take the concrete out between the two highways. So, if you came from Scott School down the Old State Road you couldn't turn and come towards Evansville. That was going to be a no-no there, and you would have to go to Inglefield or Boonville-New Harmony. Then they told me that they, I've talked to them five or six times, and I never have gotten anything, you know, out of them. They promised they would be at the meeting, which they told me to form, and I got everybody together, and then they didn't show up. They called me the night before and told me that they wouldn't be there, but, of course, we went ahead and had the meeting, because I couldn't cancel all of the people. But, as far as Rex is concerned, Inglefield, and like Mr. McCutchan said, Inglefield and Baseline and Boonville-New Harmony have a lot more, have wrecks when they don't have any there at this particular intersection. There's no light there either. There's more traffic that goes down that hill and comes across the highway of a morning than there is at Inglefield Road or Baseline Road, and they've got lights at both of those. I don't think they need a light at that particular road, they just need to leave it alone, leave it open. Their excuse was that 16 year old kids could not negotiate that. I have quite a few kids myself and they negotiated it. That's been there, that road has been there for 66 years. I know of one instance where a guy was killed on a motorcycle there, but a drunk run into him. So, that's the only wreck that I can remember they had there.

President Winnecke: One question, the other question that just occurred to me, and I don't know if anyone knows the answer, John may, have they proposed a specific date by which each of these would be closed?

Bob Crow: Steve probably knows more about that now.

Steve Jackson: We don't know of a certain date yet.

President Winnecke: Okay.

Steve Jackson: We do know of a contractor–

President Winnecke: Do you want to come up to the microphone please? Just state your name for the record please.

Steve Jackson: Steve Jackson. I live out in that area. I even grew up out there, as a teenager, and used that off ramp, and like the rest of them didn't have any accidents there either. But, to get to your question on date of taking the median out, the only thing that we have heard that one of the big general contractors of the School Corporation was asked to leave his equipment there, to go ahead and take that out immediately before he moved his equipment elsewhere, and he has already been told to go ahead and do this. So, I don't know if that means it could have been done by now if the weather would have permitted, or if it's yet this spring, or what it is, but, you know, the School Corp, the new school surrounds our farm on three sides. So, I'm right in the middle and can see everything that's going on, and really there's no equipment left there right now. It's just a couple of pieces of equipment, but the rest of their equipment is gone.

President Winnecke: John, did you have something to add to that?

John Stoll: I just wanted to add that I thought it was supposed to be added to be part of the INDOT permit associated with all of their construction that was done for the new school out on 41. They had to add a new right turn lane into the school, and I thought that median cross over removal was part of that permit. It had been added on after the fact, but I would have to confirm that to be sure, but that was the last that I was told on that situation. They didn't have any time tables.

President Winnecke: Okay, but, certainly disappointing to me on a couple of fronts, one, INDOT is driving this without consulting this organization or the County Engineer, and I find it even more appalling that they would ask you to come to Vincennes for a meeting—

Bob Crow: Yeah, we've tried to get them down here.

President Winnecke: —after they wouldn't come to a meeting here. I have no problem with this body sending a letter in support of your position. I am, I can't go with you Monday or Friday, if I was free, I would, but, at a minimum, we could send a letter of support.

Bob Crow: Can we get an injunction against them for that?

President Winnecke: We don't have the authority to issue injunctions.

Bob Crow: We don't?

President Winnecke: No, this body does not.

Bob Crow: Okay.

President Winnecke: So, that's what I would....go ahead.

Bob Crow: Pardon me, farmers use, like Steve's a farmer and Mr. Farny back there, and they use that to take big equipment across it. They can't take this big equipment up Inglefield Road because it's too narrow.

Steve Jackson: Correct, and I also have a business up Old State Road next to the church, and I have approximately a hundred and some semis come into our property each year. Most, well, 99 plus, 99.9 percent of them come from I-64 and then south, and most all of the larger semis, they do come down and use that little turn off,

because if anybody is familiar with Inglefield Road where it comes on to Old State, it's like, and they can't see out of their mirrors or turn their trucks sharp enough to see if anybody's coming from the south on Old State. So, they go down and turn on that because it's a lot safer they said. So, it's going to be an inconvenience and not as safe for just that one situation.

President Winnecke: I agree.

Bob Crow: Even people that live on Inglefield Road, and we've got a neighbor here that lives there, when he first moved out there he said he almost got run over by a semi, and he'll not use Inglefield Road. He goes back around the church and comes down and comes across the highway, that is where the stoplight is at.

President Winnecke: Do you want to come forward please, and state your name.

Commissioner Abell: While he's coming up, I just, you know, common sense tells me that it's going to be safer to use it now with that new school there than it was before, because people are going to be so aware of that school, they're going to start slowing down a lot faster. You know, I'm much more aware of driving through a school zone at a \$1,000 fine, than I am anywhere else in town. So, I think that if you've gone this long when it's been safe, I don't think it's going to get more dangerous. If anything, I think it might get safer.

Steve Jackson: Well, we feel so too, and the other comment that we've always had, why go to all of the expense of tearing everything out when you don't even know if you need to. I mean, we need to get the school in place and the traffic, and if they see it's an issue, you can always put up, you know, the temporary concrete barricades—

President Winnecke: It could be closed later, right.

Steve Jackson: —and then be closed later, but, it's like having the cart before the horse.

President Winnecke: Right.

Steve Jackson: It's going to cost somebody, which the taxpayers will have to pay for that.

Eugene Farny: Eugene Farny, don't, I live on Baseline, and I cross Baseline every day, 41 every day. Don't ever drive up there thinking that either way they're going to stop for that red light. Because I've had a half a dozen times I wouldn't be here if I wouldn't have stopped and let them go. It would be the same up there, that's a highway, when you drive across this intersection where they're talking about taking out, you expect them to keep going. You're not going to, accidents haven't happened there. It happens on them red lights, when the semis don't even anticipate that there is even a light there.

President Winnecke: I would entertain a motion, I appreciate it, I would entertain a motion to, in fact, to draft a letter from this body in opposition to INDOT's plans and to support this, and to establish a meeting at the earliest possible convenience in Evansville with, or at a location that's convenient for you. We can do it up in that area, so, I would consider a motion to send a letter in that regard.

Commissioner Melcher: I would be glad to make that motion. We need to get the MPO involved too. So, I'll make a motion.

Commissioner Abell: I'll second it.

President Winnecke: I would add, John, I know this, we usually don't ask you to write letters, but since you are sort of technically aware of what's going on, I would ask that you draft the letter right away so we can sign it and then get it to these gentlemen before their meeting on Friday. Mr. McCutchan, did you want to offer anything else?

Jim McCutchan: You were looking for a place to meet up there, I will volunteer Centenary Church.

President Winnecke: Okay, great. Thank you. John, if you would include that in your letter. Okay, we have a motion and a second on the letter from the Board of Commissioners. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Gentlemen, thank you, Mr. Crow, Mr. Jackson, Mr. Farny, Mr. McCutchan. Nice to see you again.

Jim McCutchan: Thank you.

Commissioner Melcher: Thank you.

President Winnecke: Thank you all. We'll try to help as much as we can. At this point I would entertain a motion to, oh, any other public comments? I'm sorry, Bill. I saw you there.

Bill McKeon: Thank you, Commissioner. Welcome Commissioner Marsha, if I may say that. You are a refreshing face, I'll say that. I appeared here before you several months ago, and I'm respectfully, I'm not getting my words out tonight, respectfully asking that you consider again an ordinance within the county, the EPA noise ordinance that the county does not have, the city does not have. There is an ordinance for noise, it's in the city, and it's for the boom boxes, and that's about it. Summer is coming, windows will be open, and people will be outside, and the noise emanating from certain airplanes, or aircraft is deafening. Like I say, I just respectfully ask that you consider an ordinance limiting the noise within the county. Any questions?

President Winnecke: Specifically, I'm pretty sure I know the answer to this, specifically your concern is the sound, noise relating to aircraft?

Bill McKeon: Aircraft, right.

President Winnecke: And not boom boxes.

Bill McKeon: Right, and I have to state Commissioner Lloyd that we're not talking about every aircraft that flies in and out of the airport. It's just certain ones. Really, lately I've taken notice it's, a lot is coming from the private jets, those little, tiny

business jets. Now, whether who owns them, and I don't know, but they certainly, when they take off, boy, they can roar. But, again, I'm going to say in all due respects that if you have, let's say 20 aircraft coming in during the day, there might be one, there might be two, that's it. It's not every plane. Of course, as I mentioned earlier, months ago, Europe does have a rule that you must have mufflers on certain aircraft so that it cuts the noise down. So, and, again, it's the older airplanes that are making this noise. Again, I just wish you would consider it.

President Winnecke: Any questions of Mr. McKeon?

Commissioner Abell: Where did you say someone has an ordinance that we could look at?

Bill McKeon: I'm sorry, Ma'am?

Commissioner Abell: Did you say Newark has, Newark, N.J., is that—

President Winnecke: No, Europe.

Commissioner Abell: Oh, Europe.

Bill McKeon: No, no, Europe, over in Europe.

Commissioner Abell: Oh, across the pond, okay.

Bill McKeon: Across the big ocean, yeah.

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: I'll be glad to go over there and study that if the Commissioners wish.

Commissioner Melcher: I don't know if you could get the travel approved by the County Council.

Commissioner Abell: Only if you sit in the seat behind me.

Bill McKeon: In all honesty, I wouldn't take an aircraft over to Europe anymore either. You don't know what's going to happen. But, no, it's, I can sit out on my back deck and watch t.v. and eat a meal, and all of a sudden here comes a plane, and you shut the t.v. off for awhile, or I could be on the phone outside talking, and, again, I'll have to ask the party, whoever I'm listening to, just a minute, until the plane leaves. Even after it bypasses my abode, it might be another two or three minutes and the engine, I don't know, and, again, it's not, this is, I have to clarify myself by saying I'm not objecting to the regional airport board, or the director out there. I think it's the pilots, you know, and, again, where are they from, who knows? But, sometimes they just gun that engine, and I don't know if it's a necessity or not, but they're certainly not considerate of the people within my area.

Commissioner Abell: That was going to be one of my questions, as you know, I'm new on this Board, have you, you say you've approached this before, have you talked to the air board about this?

Bill McKeon: Oh, yes.

Commissioner Abell: Oh, you have?

Bill McKeon: Yes.

Commissioner Abell: And what was their response?

Bill McKeon: Well, we have a new manager out there, I've only met with him once, and I have to say this, I know you're a welcoming site to this Board, but your counterpart right there, Lloyd, Commissioner Lloyd, was grateful, gracious enough to set up meetings with the people in the area, and the manager and the board out there which we appreciated very, very much, and they are cooperative, I'll say that. So, it's not, like I said, it's not directed at them, it's something that the EPA does have a national standards and all, but they leave it up to the individual community to set the ordinance of what a decibel reading should be. 70 is the recognized one, and, of course, if you'll have a school close by, 55 is that, and you do have a school close. So, it's something to consider. Noise is a factor, just like, you know, polluting the waters or whatever else may be. It's a health issue. Like I said, you know, for someone who's lived a few years around here, I think I'm, maybe one gentleman over there might be older than I, no disrespect to you, Counselor, but, I think I'm older than all of you here, and I've gone through a few cancer operations and the pacemaker and everything else. So, you know, the few years I have left, I would like to enjoy them. That's all I'm asking. I know, Commissioner Winnecke there has really been an asset to us, and I must say too, Melcher, you've been of great assistance. I appreciate it. I know you're a welcoming new face to this Commission—

Commissioner Melcher: That's three.

Bill McKeon: —and just listening to you challenge some of these people, I know you're going to do a great job for everybody.

Ted C. Ziemer, Jr.: I was going to try to be helpful until your remarks.

Bill McKeon: Well—

Commissioner Abell: Well, sir, I would tell you that I live on Stringtown Road and I have a deck, and I also have the planes that come over and I do understand what you're talking about. They are rather loud.

Bill McKeon: Well, I appreciate that, and, like I said, I'm just asking you to consider it. That's all.

President Winnecke: I think maybe the best direction is to ask our County Attorney to research, one, what parameters we have, and, maybe come back with a recommendation. Maybe you can research the European ordinance online. Bill, thanks for coming out tonight.

Bill McKeon: Thank you, and if you need any help from the senior citizens let us know.

Ted C. Ziemer, Jr.: I won't.

Bill McKeon: But, thank you very, very much. I appreciate your time.

President Winnecke: Thanks, Bill.

Bill McKeon: Thank you.

President Winnecke: Any other public comment?

Commissioner Melcher: If Jeffers was here, he would be up saying the same thing.

President Winnecke: Eldon?

Eldon Maasberg: My name is Eldon Maasberg. I was just wanting to see where you guys, where we stand on this consolidation deal? Thank you.

President Winnecke: Where we stand. We announced last week that we're going to have a series of public workshops, beginning May 5th.

Eldon Maasberg: You've got dates on that now?

President Winnecke: They should be on our website, every Thursday beginning May 5th through the middle of June, or through June 9th. They will be right here in this very room, Eldon, 5:30.

Eldon Maasberg: 5:30?

President Winnecke: 5:30, we're going to set up a conference table right here, and the Commissioners and the City Council are going to sit around it and we're going to walk through the proposal as is, and make modifications as people see fit. Then reconvene the public hearing June 30th.

Eldon Maasberg: Well, oh, June, I was thinking there was supposed to have been the, the 30 days was—

President Winnecke: No, we didn't adjourn the meeting, we continued the meeting, so, it's continued until June 30th.

Eldon Maasberg: Okay. That's where, I was thinking you had to have something done by this Thursday.

President Winnecke: No.

Eldon Maasberg: Okay, thank you.

President Winnecke: You're welcome, Eldon. Any other public comment?

Introduction of Teen Advisory Council Job Shadows
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President Winnecke: I am reminded twice, and I'm glad. I failed to recognize our Youth Resources students in the beginning. If you would turn your microphones on, oh, yeah, get up there. You missed all of this t.v. air time. Just turn the microphone on, state your name and the school that you represent.

Nathan Wire: Nathan Wire, Bosse High School.

Sarah Weinzapfel: I'm Sara Weinzapfel, and I go to Reitz.

Ryan Schultheis: Ryan Schultheis, Memorial.

President Winnecke: Great. We have some other students, would you like to state your names?

Andi Miller: I'm Andi Miller from North.

Lacey Claymier: Lacey Claymier from North.

Kourtney Caldwell: Kourtney Caldwell from North.

President Winnecke: Okay, thank you everyone for being here. Any other public comment?

Ted C. Ziemer, Jr.: I would just like to comment that Ryan Schultheis is the second cousin of the executive director of Memorial High School, though he assures me that has nothing to do with the grades that he gets. So, we're glad to hear that.

President Winnecke: Worth noting.

Consent Items

President Winnecke: We'll move on to the consent agenda. I would consider a motion to approve as presented.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Madelyn, would you do your magic?

Madelyn Grayson: Sure. The consent items for the April 26th meeting are as follows; approval of the April 12, 2011 Commission meeting minutes; the employment changes for the Commissioners approval, there are four for Burdette Park and one for the Health Department; the County Council has a request for Burdette passes for full time county employees; Center Township has a revised 2011 standards; the County Engineer has pay request number 126 for TIF projects in the amount of \$68,224.61; the Evansville-Vanderburgh County Building Authority has pay requisition number 94 to be paid from the jail construction fund; the Commissioners have an appropriation request for facility improvement for the jail project; Hillcrest Washington Youth Home has the first quarter 2011 fees; the Historic Preservation Society has a date change for use of the Old Courthouse Ballroom; the Commissioners have a J.E. Shekell proposal for Old Courthouse chiller repairs and Midwest Roofing and Sheet Metal proposal for Old Courthouse roof leak; the Assessor has a request to surplus various office equipment; the County Clerk and the County Treasurer have March 2011 monthly reports; and the County Treasurer also has the year-to-date report through March 31, 2011; the Town of Darmstadt has a resolution concerning the Evansville-Vanderburgh County Plan of Reorganization; the Legal Aid Society has the 2010 annual report, the March 2011 statistics, and the first quarter 2011 budget; the Evansville ARC has the March 2011 report of activities, the IBAP Gatekeeper has a March 31, 2011 report; and Weights and Measures monthly report from March 16-April 15, 2011; and department head reports from Burdette Park, the Ozone Officer and the County Engineer.

President Winnecke: Well read. All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed.

(Motion approved 3-0)

President Winnecke: Thank you. The consent agenda passes. Any other business to come before the Board of Commissioners?

Commissioner Melcher: I just have one. I would like to put on the agenda for the next meeting, just some discussion about the threshold rejection resolution.

President Winnecke: Okay, we'll do it. I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We are adjourned.

(The meeting was adjourned at 6:26 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the April 12, 2011 Commission Meeting Minutes.
Center Township Trustee: Revised 2011 Poor Relief Standards.
EVCBA: Jail Pay Requisition Number 94.
County Council Appropriation Request: Facility Improvement: Jail Project.
Hillcrest Washington Youth Home: First Quarter 2011 Fees.
Historic Preservation Society: Date Change for use of Old Courthouse Ballroom.
J.E. Shekell Old Courthouse Chiller Repair Proposal.
Midwest Roofing & Sheet Metal: Old Courthouse Roof Leak Proposal.
Darmstadt Resolution: Evansville-Vanderburgh County Plan of Reorganization.
Evansville ARC: March 2011 Report of Activities.
IBAP Gatekeeper: March 31, 2011 Report.

Employment Changes:

Health Department (1)	Burdette Park (4)	Prosecutor (1)
County Clerk (4)	Circuit Court (1)	Superior Court (1)
Sheriff Office (1)		

County Council: Request for Burdette Passes for Full Time County Employees.

County Engineer: Pay Request No. 126: Green River-Burkhardt TIF Projects.

County Assessor: Surplus Request Letter: Various Office Equipment.

County Clerk: March 2011 Monthly Report.

County Treasurer:

March 2011 Monthly Report.
Year-to-Date Report through March 31, 2011.

Legal Aid Society:

2010 Annual Report.
March 2011 Statistics.
First Quarter 2011 Budget.

Weights and Measures: Monthly Report: March 16-April 15, 2011.

Department Head Reports:

Burdette Park	Ozone Officer	County Engineer
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Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Sherman Greer	Mike Duckworth
Maura Robinson	Gary Heck	John Staples
John Stoll	Steve Craig	Jim McCutchan
Bob Crow	Steve Jackson	Eugene Farny
Bill McKeon	Eldon Maasberg	Nathan Wire
Sara Weinzapfel	Ryan Schultheis	Andi Miller
Lacey Claymier	Kourtney Caldwell	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**JOINT WORKSHOP
COUNTY COMMISSIONERS-CITY COUNCIL
MAY 5, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville met in a joint workshop format on this 5th day of May, 2011 at 5:40 p.m. in room 301 of the Civic Center Complex for the purpose of addressing potential modifications to the Evansville-Vanderburgh County Plan of Reorganization.

Call to Order

President Winnecke: Okay, we'll go ahead and get started. This is a little different setting and format. We thought this might be a little more conducive for the workshop that we hope that we intend to, the manner in which we needed to work through. The idea is for the Commissioners and the Council to go through the Reorganization Plan and have open discussion between us, because each body has to pass the identical plan in order for it to go to a referendum. So, we thought we would go, start with section one and go and meet for 60 to 90 minutes and kick around ideas and take notes about what the thoughts are of this, of these bodies. At one of our subsequent workshops, I would think we could insert the modifications that we're discussing during the course of these meetings, and, of course, then we would reconvene our public hearing on June 30th, as we've previously advertised. We do have microphones on the table, I understand that they are up as high as they can go. We are being televised, so, to the Commissioners and Council, please be sensitive to the paper shuffling on the table, and try to speak as loudly as we can so folks in the audience can hear as much as possible. I think, President Watts is at a school commitment tonight, so he could not be here, and Councilwoman Robinson told me that she could not be here tonight as well.

**Discussion of Article One: General Provisions
Evansville-Vanderburgh County Plan of Reorganization**

President Winnecke: So, having said that, I guess we'll just start with section one.

Councilmember Adams: Do we have a quorum?

President Winnecke: They said we didn't need one for this.

Councilmember Friend: The Clerk is going to call the roll.

President Winnecke: Okay, yeah great.

Councilmember McGinn: We have a quorum.

Councilmember Friend: We have six, we just need five.

President Winnecke: Okay, section one, the general provisions. Is there anybody that would like to start the discussion on that section?

Commissioner Abell: Well, I have a note here, under 1.2 where it says, in the parentheses, as defined in section one point something, I had written over it, was that a typographical error that somebody had picked up the night of....I don't know why I wrote over that.

President Winnecke: In 1.2?

Councilmember McGinn: 1.7.

Commissioner Melcher: 1.7.

Councilmember McGinn: I think that was the correction that we all got.

Commissioner Abell: That's was 1.7? Oh, okay.

Councilmember McGinn: We're either all wrong, or we're all correct.

President Winnecke: Article one, this is the General Provisions section.

Councilmember McGinn: Yeah, I mean, I'll bring it up again for discussion if we want to talk about it, is 1.5, the partisan elections. We have an opportunity to eliminate some of the bickering that goes on with various aspects of government that are there for political consideration. Again, I think, I would like to consider either, it's a non-partisan election or there is at least, you know, a provision where straight tickets in a local election can't be voted so that we have, whether it's smaller, it really makes no difference, but we will have a better informed electorate. You know, there's still, at the State level and the National level, you know, to people who get in the business of politics, the advertising and that type of thing, the apparatus, their effect are still viable for the majority of the elections in the State. We're starting fresh on this, I mean, why not consider something different where the electorate is at least better informed, at least have to turn the pages, if it's not a straight ticket situation. Again, I mean, I believe that is should be, you know, a non-partisan situation. I know there are arguments for and against, but if we're going to consider something new, I would like to try something new, something different. You know, I've done lots of reading, and I understand the arguments for and against. I know that they are there, but when I have met, and enough people have talked with me one on one, and we're talking about numbers of Council and where the districts should be and that type of thing, there are people that are reading maps and they are looking at statistics. You know, people, well, just like with the redistricting that's going on at the State level and the National level, people are trying to jockey lines around to put people of their party and their party and this type of thing, which is to sustain, their primary reason seems to be sustain something other than good government. I think if we can eliminate that, then we go back to the primary purpose for government, and, again, I don't know whether anybody's philosophy is different than mine, I mean, I believe government is to provide basic services to people. I mean, I'm the historian. I love history, and I know our government, and we started out by taking all of the power from the King of England, and then slowly giving it back to our government. The power belongs to the people. I believe in that premise. I don't believe it belongs to political parties, and I don't believe it should belong to political parties. I'm not being naive, I'm not being idealistic. I think I'm being practical in this situation, if we want the government to work. So, that's my two cents worth on article 1.5.

Councilmember Adams: Well, I think you brought up two issues here. I think you brought up the partisan issue, and then, I guess, what you're saying is it might—

Councilmember McGinn: Then let's try to take a, you know, another bite at it with—

Councilmember Adams: I think you're advocating an open primary, ie, where you would be able to vote both parties.

Councilmember McGinn: Sure.

Councilmember Adams: If you like history, and the history of American, certainly when there was a need for a new party, it came.

Councilmember McGinn: Yeah.

Councilmember Adams: There's nothing that says parties can't come forth under the Constitution. Certainly the Republican Party had its own initiation in 1854.

Councilmember McGinn: Yeah, I would think, honestly, I think if we're looking at this, that's a different thought, I think. I think, first of all non-partisan, everybody runs as an independent.

Councilmember Adams: Uh-huh.

Councilmember McGinn: You know, and still, you know, the groups and the alliances will form and they exist. You know, that would be, I think, a good situation. If that situation does not work, if it doesn't, you know, if it's not passed or if it's not, if it's not passed then let's slowly eliminate it to that you can't vote a straight party ticket. But, then, third, a third tier, I think that a third option would be, at least a primary would be open. Why have to declare locally at the primary? But, I think that would be my least desirable of the three. I think the other two would, well, I think almost a straight party would probably, two and three in an open primary, probably would have to be combined. They would be combined.

Councilmember Friend: Well, then, what would happen? I mean, you could literally have five, six, seven people in the same office—

Councilmember McGinn: Sure.

Councilmember Friend: —then what would happen if not one got (Inaudible), the majority of the votes, you would have to go back in for another runoff. It would be a very expensive proposition, wouldn't it?

Councilmember McGinn: I would ask a question, sure, it is. Well, I don't know what very expensive is. I mean, I know the cities that have non-partisan, I mean, Chicago does this. It's been non-partisan for 30 plus years now, and they periodically have a runoff. I mean, you know, you could have a threshold of you know numbers that you need or numbers that you need in the primary, and maybe you can narrow up to two. I mean, we're free to do whatever we want. If we want to eliminate a runoff in the general election, then you can limit it by you have to get "x" percentage of the votes in the primary. You know, I mean, we're free to do whatever we want. We can eliminate the expense of a second general election if we (Inaudible) the primary part of it. I think that would work.

Councilmember Adams: I mean, if you continue to have partisan and you have an open primary, then it would be the top people from both parties that would go on to the general. You wouldn't eliminate an election. I think primaries are good. You get lots of people coming up and bubbling up and different things and so forth like that.

Councilmember McGinn: Yeah, well, (Inaudible) would say that if it is a totally non-partisan, then yeah you might not have a majority or a plurality and have to do a

general among the top three vote getters. But, I mean, why not eliminate that at the primary level. We want primary non-partisan, and the top vote getters, the top three vote getters, or top two vote getters, or whatever, however we want to do it. You know, or, well again, that–

Councilmember Adams: Again, how does –

Councilmember McGinn: – (Inaudible) confuse the system–

Councilmember Adams: – one vote getter (Inaudible) why even have a general election? They would just have the election in the primary.

Councilmember McGinn: Yeah, I guess, I opened my mouth before my brain engaged. You're correct, you're absolutely correct on that.

Councilmember Adams: Yeah, right.

Councilmember Mosby: Yeah, but you're looking at what was it 13 percent voter turnout for this primary?

Councilmember Adams: 10.6.

Councilmember Mosby: (Inaudible) second, so.

Councilmember McGinn: Yeah, 9.82.

Councilmember Adams: Well, that might put a burr on the people's saddle.

Councilmember McGinn: But, that again, I mean, you know, historically, the primary elections have a ten, you know, ten percent to 15 percent of what happens in the general. So, yeah, I mean, even an open primary–

Councilmember Adams: You don't want to lock down (Inaudible).

Councilmember McGinn: No, I'm just throwing it out there. I mean, obviously–

President Winnecke: That's the whole purpose, yes.

Commissioner Abell: I'm not even sure you can legally do it. Can you? I remember one time there was some discussion that we couldn't change a straight party vote without the General Assembly–

Ted C. Ziemer, Jr.: John and I have talked about this, and we would want to research Indiana law before, as you see, the way it reads now is that the elections shall be partisan, except if contrary to the election laws of the State of Indiana. The most that I think you could safely do tonight, if you wanted to, would be to say shall be, in non-partisan elections, except if contrary to the election law of the State of Indiana. We can give you a firm opinion on that at the next meeting of this group, if you wish, but right now I would not be prepared to say that Indiana law would allow us to do what you're suggesting.

Councilmember Bredhold: Would it allow us to eliminate the straight party vote?

Ted C. Ziemer, Jr.: That's what we would have to check.

John Hamilton: (Inaudible) the same issue. It might be helpful, if the two bodies are able to, if you decide you have a consensus on one versus the other—

Ted C. Ziemer, Jr.: Then we could look that up and see whether we can do that.

John Hamilton: If it's a moot point—

President Winnecke: Oh, no, no.

Councilmember Bredhold: I did look up some studies, and I confirmed what was suggested by the consolidation committee, that it does seem to, according to these academics that I was able to find, does seem to depress minority vote, for whatever reason. So, I was a little less gung ho when that was what I was finding again and again and again and again about experimenting with that, but I don't have any objection to eliminating a straight party vote so that people have to think about who they are voting for a little bit more.

Councilmember McGinn: Well, Wendy, I agree with some of those studies too, and I feel like you, I can't figure out why it seems to disenfranchise that group, but, I mean, the numbers seem to show that it does, but, again, I don't know why. But, again, a smaller electorate that is better informed, I think will lead to better government, at least theoretically. You know, I mean, over a period of time alliances will form, you know, it might be five, six, eight different groups, I mean, more voices. You know, I think pretty much everybody at this table when someone says this is what "x" party believes in, and this makes you an "x" party member on either side of things, everybody is going to look at that and go, well, you know, some of this I'm okay with. You know, it's difficult to be—

Councilmember Bredhold: And I tend to think that on the local level that those party affiliations don't mean much, but if you're in favor of consolidation in general, you might be giving some people a reason to vote against it if they're strong supporters of one party or another and don't want to see them eliminated.

Councilmember McGinn: You know, that's an (Inaudible) thing, you know, should we start (Inaudible) why we need consolidation rather than the plan, assuming it's going to happen?

President Winnecke: Well, eventually we've got to vote on the plan.

Councilmember McGinn: Yeah, I know.

President Winnecke: So, I think that's why we need to start with the plan.

Councilman John: Well, we only think about it as a blanket comment. I would like to see dollars and cents, the savings the plan is going to do. Now, it can be dollars and savings from the private enterprise, how they deal with government, less interference with government, better commerce, those numbers, which are, get a little abstract in nature, but from the standpoint of what's it going to save, what's the estimates that this process is going to save our community?

Councilmember McGinn: Could I jump in again? Again, I mean, I don't want to monopolize this, but—

Councilmember Walker: I'm going to put a timer on you.

Councilmember McGinn: Yeah, I know, I mean, I've looked at this one a lot, I really have. You know, I've agonized over parts of this thing. This may sound, let me read something to you, this is not true, dateline Evansville, Indiana, May 5, 2051, Evansville, Indiana a once thriving city of 147,000, now down to less than 80,000, 14 percent of whom are unemployed lost its remaining major employer when XYZ Corporation just announced that it will move its corporate headquarters to Knoxville, Tennessee. Evansville's population started declining in the 1990's when large numbers of people started moving just over the city limit line to the county. Taxes were lower, and county residents, most of whom worked within the corporate limits of the city and utilized city services, found that they could enjoy the benefits without having to pay. As the population of the city declined so did the revenues, and the city was unable to provide basic services. As the quality of life in the city declined, tax revenues decreased, basic services deteriorated to such an extent that businesses began to move to other cities. I say that because, you've heard the cliché a hundred times before that the city is the heartbeat of the county, and it is. Again, an arbitrary line between city and county, it should be urban and rural we should be talking about, but we're all in this together, and if the city declines and people start pulling out, Aztar starts pulling out and if the hotels decide that they're going to go to Warrick County or they're going to go to Henderson, Kentucky, then the majority of the people who live in Vanderburgh County, and that includes city residents and county residents are going to lose their jobs, their property values are going to decline, we're going to end up like Cleveland and Detroit were ten years ago with a major problem, with a hollow inner city, and we're going to look back and we're going to say, man, why didn't we start on this earlier? You know, we need to pool our resources to maintain the entire area.

Councilmember Friend: You hit on one thing though, there has been a migration to Warrick County. There's been migrations over to Posey County because Posey, the regulations they've got in Posey are not as stringent as here in Vanderburgh County.

Councilmember McGinn: But, don't you think those people rely upon—

Councilmember Friend: Oh, absolutely.

Councilmember McGinn: —Evansville, Indiana to maintain their standards of living? They work in Evansville.

Councilmember Friend: My point is, I guess we can't consolidate counties.

Councilmember McGinn: We can't, but we can at least when we can, at the county we can, you know, be proactive and not look back 40 years and say, my God, why didn't we do something in 2011?

Councilman John: Are we straying a little bit from 1.5?

President Winnecke: Yeah, let's go back to, just to try and stay within the framework—

Councilmember Adams: (Inaudible) to Donald Trump isn't why we're here.

Councilmember Mosby: No crystal balls.

President Winnecke: Partisan elections, would anyone else like to weigh in on partisan? Curt, Don, do you guys have anything?

Councilmember John: Well, I mean, I don't think it's broken right now. You know, maybe there's a better way. I don't think that it's been proven anywhere, and I would be reluctant to tie that issue in with this issue. I think they are totally separate. Maybe it's to be addressed at a different time, but I don't think it necessarily has to be addressed here.

Councilmember McGinn: The partisan?

Councilman John: The partisan part, yeah.

Councilmember McGinn: Oh, I'm throwing it out, I mean, I don't expect we're going to vote on anything today, just throwing it out there.

President Winnecke: Anybody else before we move on? Anything else in section one that jumped out at people from the comments?

Commissioner Abell: I do have a question, Mr. Winnecke. The resolution that we got from the Town of Darmstadt, does that change anything?

President Winnecke: I think it's a point of discussion, certainly. I'm not sure, in my mind we need to go through what's been presented to us first. I think we should address it.

Commissioner Abell: Well, I was just reading where it talks about who's involved and who's not involved, and I didn't know if that changed any of that part of it.

President Winnecke: Sure, we can discuss that now if you would like.

Commissioner Abell: Do our legal people have any...the resolution from the Town of Darmstadt, does that change—

John Hamilton: Wasn't it just a resolution opposing it?

Commissioner Abell: Does it change anything? Does it encumber us to do anything different?

Ted C. Ziemer, Jr.: I don't think it does. Initially, the Town of Darmstadt said that they did not want to be part of the reorganization effort. So, the only two bodies involved are the City of Evansville and Vanderburgh County. True, they are in Vanderburgh County, but as a governmental entity, they're not part of this. They will be bound, as county residents, to everything that county residents are involved in, except to the extent that being a political, a separate political entity gives them some difference, but if that's not provided for by law, they will be covered by this reorganization, since they are in Vanderburgh County.

Councilman John: I would say, on one other issue, the first election, and I've heard it discussed that it would be on even years, is that correct? As opposed to in odd years, an election by itself as it is today? I would kind of be opposed to that, because there's so much influence, and you can tell from various Presidential elections, and Gubernatorial elections, Senatorial elections, that it has influence here even though it has no bearing on the candidates that are running locally for a city office. I would hate to see that influence have an effect on us.

Commissioner Abell: You're saying that it should stay as an election on its own?

Councilman John: I believe so. That's my thoughts on it.

Commissioner Abell: Well, I agree with you, because as we talk about the Council that we're going to set up, we have to be mindful that we won't be able to cross over certain lines and have a precinct vote. I mean, you can't have, you can't go into a poll to vote and have the State Reps or the Senators or whatever on the ballot, and then have a Representative for the Common Council that isn't in that same area that you're voting. So, you would have a really mixed up ballot. It wouldn't work if you have other things on there, except that we would end up redrawing our lines after they get—

Councilman John: Yeah.

Commissioner Abell: —entirely finished, and then we might not have the lines and the representation that we intended to have when we started out with this program. I think if we stay separate of that, where our election is the only one that is on the ballot, it won't make any difference where it is, because you're just going to be voting for the people that you're within and you won't have any other offices. So, I agree with you that would really make it difficult, and really mess it up some.

Councilmember McGinn: So, the even years, it would never be with a State election or a National election?

Councilmember Bredhold: Which means that we wouldn't have a vote in 2012?

Councilman John: Not a city vote.

Councilmember Adams: That's different. That's a referendum.

Councilman John: It would not be a city vote. It would be—

Councilmember Friend: That's a referendum vote.

Commissioner Abell: Yeah, the referendum would be '12, and, I guess, the—

President Winnecke: The election would be '14.

Councilmember Bredhold: Which is an even year.

Councilman John: No, it would be '15.

President Winnecke: The way it's—

Councilman John: The city election.

President Winnecke: – this–

Councilman John: Yeah, on that.

President Winnecke: –it would be ‘14, but we could change that too.

Councilmember Friend: Would it be a ‘15 election, or ‘13?

Councilman John: It would be, probably ‘15.

Commissioner Abell: You wouldn’t have time to get it ready by ‘13.

Councilman John: Yeah.

Councilmember Friend: That’s right (Inaudible) ‘13 or ‘15 (Inaudible).

Commissioner Abell: Have faith.

Councilman John: Which is scheduled for the next election anyway.

Councilmember Bredhold: Curt, I agree with you there. That makes a lot of sense.

Commissioner Melcher: The only thing that I’ve heard and read in the State, I think Indiana says the Towns is compromised on this with the State is that they want to move them anyways to save the money of the cost of the election throughout the whole State. They want them, they have agreed to put them on the off year of the President. So, that would mean they don’t want Cities and Towns to decide they don’t want it on the President, because you’ve got the President, the Governor, and your Mayor is going to be lost. So, they said that they would settle for the other, so you might see the State somewhere down the road say it’s going to be on that year anyway. That’s, and I understand that they’re talking right now, you know, I mean, it’s not the number one target, but it’s going to be.

Councilmember Adams: Well, then you could make it on the time that it’s not the State.

Commissioner Melcher: No, I know, I just–

Councilmember Adams: You could just adjust to it so that it would be the odd or even depending on which would be most representative–

Commissioner Melcher: I just threw that out so we know.

Councilmember Adams: I mean, our decision is not concrete, but I think your point is well taken.

Commissioner Abell: Because, you know, you and I are so close to each other–

Councilmember Adams: Right now?

Commissioner Abell: Yeah, location wise, our homes.

Councilmember Adams: Yeah, okay.

Commissioner Abell: But, we actually are divided because the line is down the middle of the street on which I live. That would cause us a big problem if we, you know, right now we've got it all set out, we're going to have to redo it when they redo the districts to make sure that everybody stays in their own area. But, if we're going to increase the number of Councilmen and make it a bigger area, I think you're going to have a bigger problem, because it becomes a huge problem. I did the last one, I was Clerk of the Court, it's a mess, (Inaudible) to do.

President Winnecke: Any other discussion on section one? Okay, let's move on to executive two, or Executive Branch, section two.

Ted C. Ziemer, Jr.: Excuse me, Mr. Winnecke, just a question. I really can't tell whether your counsel are being asked to research an issue or not. Are we, I mean—

President Winnecke: I was making some notes. I was going to ask at the end, but we can ask it now. I would say, we would probably, if I'm hearing everybody, we would like as much research as possible on partisan options, I would say.

Ted C. Ziemer, Jr.: Okay.

President Winnecke: Just so we can bring it back and have the information.

Ted C. Ziemer, Jr.: Okay, the reason I ask the question was if it was the sense of the group that they want to continue having it partisan, then there's no point in our researching that issue, but if, otherwise we'll do it.

Councilmember Bredhold: I'm interested in at least in the concept of eliminating the straight ticket vote.

Ted C. Ziemer, Jr.: So, whether we could provide in this plan that there would be no straight ticket vote for any candidates.

Councilmember Bredhold: I think that's worth investigating.

Ted C. Ziemer, Jr.: Certainly we can do that.

Councilmember McGinn: What about what Councilman Adams suggested of an open primary as part of that.

Councilmember Friend: What do you mean by open primary?

Councilmember McGinn: You don't have to declare a party when you go in. I mean, this is totally separate than a non-partisan election, but you don't have to ask for a Republican ballot or a Democratic ballot.

Councilman John: You get to vote in both primaries?

Councilmember McGinn: Well, you still, the city, you know, there's only a number that you can vote for, you can only vote for one and they are lumped together, and two, I mean, I think that's just a matter of paperwork.

Councilmember Friend: Well, like for example in the Council positions, how would you vote in the primary, then what would go to the general election? That's what I'm trying to understand.

Councilmember McGinn: Well, I think we're presupposing that it's still going to be some type of a partisan election. I mean, that's what he's based on.

Councilmember Friend: Yeah, sure.

Councilmember McGinn: But, in the primary, you just go in and you vote.

Councilman John: So, if you have six at large candidates, three Democrats and three Republicans, because they would be listed.

Councilmember McGinn: Yeah.

Councilman John: You would go in and vote for two Republicans and one Democrat?

Councilmember McGinn: If you wanted to, or you could vote for three Democrats, or three Republicans. I mean, you know, just do whatever you want.

Ted C. Ziemer, Jr.: So, it would still be partisan in that the party would, there would be people from each party involved?

Councilmember McGinn: I think his, that proposal, in the primary, sure, I think it would have to be. It wouldn't be—

Councilmember Bredhold: So, then would the top vote getters go on to the general. Or would it be the top vote getters in each party?

Councilmember Adams: Well, I think, certainly, if it's partisan you would have to have three Democrats and three Republicans come out, whoever the three top vote getters were on each party would come out.

Councilmember McGinn: Then, it's the same situation on a contested Ward race. The top Republican vote getter versus the top Democrat vote getter.

Councilmember Bredhold: That sounds kind of muddy. So, you would get to vote on Democrat and Republican?

Councilmember McGinn: It's actually either. You know, if there are four people running for Ward 13 City Council, three Democrats and one Republican, you vote for two.

Councilmember Bredhold: Two total?

Councilmember McGinn: Two total, the top Republican versus the top Democrat vote getter in the general election.

Commissioner Abell: Well, that has a few little problems. Let me see, I think I'm going to vote for the person least likely to beat—

Councilmember Bredhold: Absolutely.

Commissioner Abell: –me.

Councilmember Adams: People do that anyhow.

Commissioner Abell: I'm going to vote for that Democrat that I think will not be able to beat me. It has its issues, but one thing for sure, if you're going to go, if you're going to do that in a primary, you can't do it in a year when you've got any other race, because the State Reps are not going to go for it, and the President is not going to go for it, and the Governor is not going to go for it. They're going to run partisan.

Councilmember McGinn: They've all told me that.

Commissioner Abell: Yeah, sorry. It would have to be on the ballot all our own. It certainly couldn't be on a ballot–

Commissioner Melcher: And both parties are not going to go for it.

President Winnecke: Are you clear, unclear? I think, generally, we would like to know what options are related to open versus closed primaries.

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

<p>Discussion of Article Two: Executive Branch Evansville-Vanderburgh County Plan of Reorganization</p>

President Winnecke: Okay, section two, this is the Executive Branch discussion. There was a lot of discussion on term limits. We heard that a lot in several corners.

Commissioner Abell: I'm in favor of term limits.

Councilmember McGinn: I am too.

Commissioner Abell: I don't like non term limits.

Councilmember Adams: I think I'm hearing from the people that they also are in favor, people that talk to me.

Councilmember Friend: Two terms are good enough for me. That sounds pretty good, two terms.

Councilmember Adams: Three terms. Three times four. There's an aphorism in MBA school that you run out of ideas after a decade.

Commissioner Abell: Or 10:00 p.m.

Councilmember Adams: Well, I was trying to make it not quite so draconian.

Councilmember Friend: In the last 50 years have we ever had anybody go beyond three terms?

Commissioner Abell: Well, the thing is, I think, more importantly than whether they go on or don't go on, is whether or not you can recruit people to run against them. Because, as we all know, name recognition is an important thing, you get ingrained, and you're out here looking for somebody to run against a Mayor, and they say, I'm not running against him, he's been there, everybody knows him. You know, he's, they have that issue with the judges. It's hard to find somebody to run against a sitting judge. I just think as long as you have no term limits, every year the guy is in there, or the gal, which we've never had yet, but, less and less opportunity for somebody else to run against them.

Councilmember McGinn: (Inaudible) is wonderfully popular and everybody wants he or she to be in there again, you lay out four years, and if they're still hot, they run again.

Councilmember Friend: Marsha, we talked about this the other day. A city our size really requires a professional to operate it. It really does. We pay our Mayor a salary, he makes, a city this size, I've done some research on this, and a private industry this size, a guy would make \$680,000 a year. Now, that's private, that's industry.

President Winnecke: In California too.

Councilmember Friend: Trust me, I've got some clients that make that kind of money that runs this size business. To me, you know, I like the idea of really what Bill Jeffers brought up, where it's reversed. Either the Commissioners and appointing a City Manager, and a City Manager would be the CEO of the city. Then he could have a V.P., I'm going to use it like a corporation, a V.P. of Marketing, a V.P. of Operations, and then when these things come back in, they come back in to the Commissioners and they'll just have to, you're going to break deals, because they're going to have to come back on a regular basis and report back to you on a quarterly basis, a monthly basis, or however that is, how well the city is running. Now, one step further, somebody said well why do you even have or need the Commissioners? Why don't we have a parliamentary form of this deal, where the majority of the Metropolitan Council would select that Manager, and you do away with the Commissioners altogether. You would have 15 elected officials, and it would be a parliamentary form.

Councilmember Bredhold: The Council selects the Executive?

Councilmember Friend: Yes.

Councilmember Adams: Like a Prime Minister is what he's saying.

Councilmember Friend: Prime Minister, yes.

President Winnecke: So, I guess, I'm a little confused.

Councilmember Friend: What's that.

Councilmember Adams: I don't hear people wanting to give up their ability to elect their Mayor, but I think we started talking about term limits.

Councilmember Friend: Well, (Inaudible) about term limits, but I don't care whether it's two or four—

Councilmember Adams: But, if you want to talk about what you're saying—

Councilmember Friend: —it has the same parameters.

Councilmember Adams: — that's a huge change—

Councilmember Friend: Yes.

Councilmember Adams: — we might as well move to Canada if you're going to do that. That's a huge change (Inaudible) consolidation.

Councilmember Bredhold: I said, love it or leave it. I was just kidding.

Councilmember Friend: No, but I'm just saying the term limits that would be encompassed in that, if that was the case.

Councilmember Adams: Well, how do you feel about term limits?

Councilmember Friend: Oh, I don't have a problem with having a limit of three terms.

Councilmember Adams: I don't care if it's two or three. I'm just saying I think the concept—

Councilmember Friend: Yeah, I would vote for that.

Councilmember Mosby: Yeah, I think we need to have term limits. I really do.

Councilmember Adams: Obviously, if you're going to have term limits for the Mayor, you need it for the Metro Council also. What's good for the goose—

Commissioner Abell: I think you should.

Councilmember Friend: Yeah, sure.

Councilmember Bredhold: Just to introduce a different point of view into the term limits, and this is coming from someone who will no longer be sitting on the City Council or anywhere else after the end of the year, as a voter, my concern is that it seems to me we have a dearth of leaders who are willing to step forward and run. It's already difficult to find people to run. If you have some great people, I mean, as Dan said, of course, maybe after four years they could run again, but, I think it's just something to take into consideration, but, unfortunately it seems that there aren't a whole lot of people who are willing to serve or put themselves out there. You would be eliminating their ability to continue to do that.

Councilmember McGinn: If there aren't term limits you're saying?

Councilmember Bredhold: If there are term limits.

Councilmember McGinn: If there are.

Councilmember Bredhold: I don't feel strongly about that, it's just, I think something to consider. I'm thinking of that from a voters perspective.

Commissioner Abell: I was just thinking it would do just the opposite. Without, with term limits, you've got an open seat, you would have more people that would realize that they didn't have to fight a name, they didn't have to fight somebody who, I mean, you know, somebody who's an incumbent that's already got a war chest built up to run on, and a new guy just can hardly raise enough money to buy yard signs. I think that if we had term limits, then the new people could start out on an even field. You know, nobody with higher name recognition or a bigger bank balance. I don't know if that's true, but—

Councilmember McGinn: I would like to hope it is.

Commissioner Abell: I would just like to, I would like to see some more people get involved in the process. I get, I read where people say they wish there would be some new people come out. So do we. I wish they would step up to the plate, but I don't see them doing it.

Councilmember Bredhold: Maybe you're right. Maybe it would be the opposite.

President Winnecke: It seems like there might be some consensus on term limits, three for the Mayor. Curt?

Councilman John: I'm just one vote. I'm not a big fan of term limits. I mean, if you've got a person in there that's doing an extremely good job, but I understand your concern that they can build a war chest, but I've seen incumbents go down. I saw one in Indianapolis not long ago go down that had probably a huge war chest, but the voters decided that they were going to have somebody else. And, that's my stance on it.

Councilmember Walker: I thought the Mayor had term limits now.

Councilman John: No.

Commissioner Melcher: No. If we go term limits, I'm not voting for term limits neither. I think the people ought to have the right to vote for who they like. It ought to be two then. That's the same way with everybody else in this building. They get two. So, I would rather stay consistent so everybody won't say, well, does he have two or does he have three?

President Winnecke: Like the County Constitutional offices?

Commissioner Melcher: Yeah. We'll just keep it all two, just two terms. If that's what the body wants. I think they have the right to decide who's going to be here and who's not.

Councilmember McGinn: Again, we're talking about Mayor here. If someone is a wonderful Mayor that people want, or the same with a Councilperson, I mean, the Mayor situation, that city Mayor, after the term limits expire could run for the Council district in which he or she resides and still stay in the government, and still have that same influence.

Councilmember Adams: Like John Adams, went from the President to Congressman.

Councilmember McGinn: And farmer.

Commissioner Abell: Do you want to vote on it?

President Winnecke: I think, my feeling is we're just kind of taking notes—

Commissioner Abell: Okay.

President Winnecke: —and then at a later meeting we'll kind of go back—

Commissioner Abell: Okay.

President Winnecke: —and, I'm sure everybody will have some additional thoughts after the discussion. So, I hate to bog us down. Anything else in section two relating to the Executive Branch? It outlines the compensation, the appointments of the Mayoral staff, Deputy Mayor, PIO, legal counsel.

Councilmember Adams: (Inaudible) do me a favor or increasing the Mayoral payroll, by virtue of the fact that the responsibility (Inaudible).

Councilman John: It does in here. It takes Mayor and adds the Commissioners salary to it.

Councilmember Adams: The question I was asking here, was whether you wanted to go more of—

Councilmember Friend: Well, it's like anything, the reason why some people don't run for certain offices, let's face it, they've got their career. Now, I know, a lot of times it's a duty to the community, I get that, but that does come into play. Some, the voters know that when you start talking about the salaries, when you start throwing \$150,000, \$175,000 out, that's a lot of money to the average person on the street. It really, truly is, they think, man, that's plenty.

Councilmember McGinn: Yeah, but I was a department head under two Mayors, and they spend a lot of time, it's a thankless job most of the time.

Councilmember Friend: Well, sure it is.

Councilmember McGinn: It's a hard job most of the time, and I personally believe that the Mayor of a city this size, Republican, Democrat or WIG, is completely, totally underpaid at today's salary level. I've always thought that.

Commissioner Abell: I have some wording issues—

President Winnecke: Sure.

Commissioner Abell: —2.7.4.

President Winnecke: On which one?

Commissioner Abell: 2.7.4.

President Winnecke: Legal counsel.

Commissioner Abell: Legal counsel for the Combined Government. Combined Government meaning the Mayor and the Council?

President Winnecke: No, for the combined, for the new entity.

Councilmember Friend: It provides for counsel for the City Council later.

Commissioner Abell: Yeah, I know it does later, but I worry about it doing it here first. That concerns me, because I don't want the legal counsel appointed by the Mayor to manage the legal affairs of the Council. I just want to make sure that that is separate.

President Winnecke: Yeah, I think it's clear.

Councilmember Friend: It comes under Legislative Branch, doesn't it?

Commissioner Abell: It comes up on 3.11, I believe. I just am pointing it out there, because I just want to make sure we don't have that happen. I think that would be bad policy for a Mayor to appoint an attorney that would handle the legal affairs of the Council.

John Hamilton: It is right now, but it's written in here. I think it's written just the way you're wanting it to be. The legislative body can employ legal counsel of their own choosing.

Commissioner Abell: On the 3.11?

John Hamilton: Yes.

Commissioner Abell: Yes.

Councilmember McGinn: Well, it says may instead of shall.

Commissioner Abell: Oh, it's going to say shall. I've already made a big deal out of that may, shall thing.

John Hamilton: Well, I guess they could choose not to.

Councilman John: They could accept it. You know, for a number of years the corporation counsel used to be City Council also, under Toby Shaw and a number of those. Then there was a unique situation in Evansville where the Council became of a different political party than the Mayor, at that point in time it was decided that pursuant statute that the Council would hire their own attorney, and it's been like that ever since. But, the Council could turn down and say, alright, we want David Jones to be our attorney, if he's got time, or somebody from his office. This just allows you, so, if you don't want to, and it says shall, you have to.

Councilmember McGinn: Well—

Councilman John: Just pay him a dollar, but–

Councilmember Bredhold: But, they should have to.

Councilmember McGinn: That puts a lawyer in a conflict situation.

Commissioner Abell: I think so too.

Councilman John: Sure it does.

Councilmember McGinn: I mean, a significant conflict situation.

President Winnecke: He's just saying that it gives the Council the option to do it or not do it, and they may decide during a fiscal emergency that they don't want to spend that kind of money.

Commissioner Abell: Well, they–

President Winnecke: I mean, I would think that you would always want, I would think that a Council would always want their independent attorney, but there could be situations where you wouldn't want to, I mean, for fiscal reasons.

Councilmember McGinn: Yeah, well, I'm (Inaudible) and, I mean, you can't have divided loyalties as the lawyer.

President Winnecke: 2.74 then, John and Ted, you're comfortable with....and, then, we can change the "may" and the "shall" in the legislative section, if that pleases everyone.

Commissioner Abell: Okay.

President Winnecke: The, there's, we had a lot of input on 2.8.

Commissioner Abell: Yeah.

President Winnecke: Mayor appointments shall not require advice or consent of the Common Council.

Commissioner Abell: If they're policy making or financial appointments, I don't think the Mayor should have, I don't like that. I don't even like on some of them that we've got right now, if you want to know the truth about it. I think, if you run and you're sitting on this body, you should, we should have somebody elected on all of those boards that have fiscal...the Redevelopment Commission being a prime example, that spend money, without any approval from an elected body, and there's not an elected person on that board. I think that is so totally wrong.

John Hamilton: You would have to change State law for that to happen, though.

Commissioner Abell: I know for that one it would, but I'm talking about for these that we're setting up right now. I think we should be mindful of the ones that have a lot of power, and affect tax dollars that, I would hate to think that we have a board that can spend taxpayer money and a taxpayer called me and I say, well, I'm sorry, I don't have anything to do with that because that's in a board that's spending it. It's

your money, it's a board spending it and I have no control, as the person that you elected to watch your money.

Councilman John: But, if it's a board that Council creates, they get to, in many instances, set the qualifications and can require a Councilman to be a member.

Commissioner Abell: And, I think that's what we should do.

Councilman John: And, we can, they're just saying the Mayoral appointments on these boards aren't going to be subject to Council approval, you know, and they probably shouldn't.

Commissioner Abell: But, a lot of those boards have Mayoral control. The Mayor appoints more members than anybody else.

Councilman John: Well, somebody is going to have control, either the Mayor or the Council—

Commissioner Abell: I would like for it to be the people that the people elected.

Councilmember McGinn: Make the contracts subject to Council approval.

Councilmember Adams: Didn't we go around this bush last time? Didn't we end up saying that perhaps, if it was legal, and I don't know whether it is, that all of those committees that actually do spend money have to have them come to the Metro Council to have their expenditures or disbursements ratified by the Council? Wasn't that the way we got around—

Councilman John: Right.

Councilmember Adams: —because, remember, you and I, wanted perhaps for you guys to be on the (Inaudible), on the Redevelopment, and there was a conflict of double jeopardy or double voting or something like that. But, is it legal for, let's say for the Redevelopment Commission, when they give two million dollars extra payment, that has to be ratified by the Metro Council? Is that legal?

John Hamilton: I think that's established by State law, and I'm not sure it would be.

Councilmember Adams: That's another research thing for you.

Councilmember McGinn: But, what I think right now though, like Curt said, the State law would have to be changed—

John Hamilton: Right.

Councilmember Adams: Wait a minute, time out, didn't the legislature say that we could do it anyway we wanted?

John Hamilton: Well, if it's not contrary to certain State laws. I mean, I'm not sure you can do anything—

Councilmember Adams: You can't have it both ways.

John Hamilton: Well, this is a new statute, I mean—

Councilmember Adams: I know.

John Hamilton: It's just like the election law, I'm not sure we can do everything—

Commissioner Abell: Well, I think it's a good time to be able to point out bad law. I think that's bad law.

John Hamilton: The Redevelopment statute?

Commissioner Abell: I think it's bad law anytime there's an appointed body that can spend these people's money, and I can't do anything about it.

John Hamilton: I think there was even a law introduced this year at the Indiana legislature to change the Redevelopment statute and make a lot more of it subject to approval by the local Common Council and I think it died, or failed, or was voted down.

Ted C. Ziemer, Jr.: It did.

Councilmember Adams: It went to Illinois.

Councilmember Friend: It was enacted over in Urbana.

Commissioner Abell: I just think we've got an opportunity to do something.

Councilmember Adams: Is it possible for us to have this in this, put this into the thing, and that act as a stimulus for the State law, to challenge it legally, or have them get off their butts and change it up in....see what I'm saying here, we're supposed to be able to create a body new, anyway we want to, why not, if everybody agrees, why not do it and then put the burden on them?

Councilmember Bredhold: Why not expect a little more accountability from the people that we appoint to those boards and have them come and report to us on what they're doing?

Councilmember Adams: That doesn't stop them from spending the money. We're talking about millions of dollars here.

Commissioner Melcher: They will spend the money, because I went between Christmas and New Year's when nobody was there when they made a vote. I said, this doesn't pass the smell test, they didn't care, they voted for it.

Councilman John: Yeah, Redevelopment, other than the Redevelopment, what boards are we talking about that—

Commissioner Melcher: Redevelopment is the only one—

Councilman John: —don't go through Council approval for their budget?

Councilmember Adams: Convention Bureau.

Councilmember McGinn: Oh, for their budget.

President Winnecke: The County Council approves the CVB budget.

Councilmember McGinn: But, the budget, you know, it's a lump sum. There's still the allocations of the money in that lump sum that's not—

Councilman John: We do line item allocations.

Councilmember Adams: But, that's a one shot in the year thing, and what she and I are talking about is different. I mean, they're spending millions of bucks of taxpayer money, or how it's done, and there's no accountability on it. I mean, they really can do anything they want.

Councilmember Friend: Well, I know the ERC, bring their minutes, very similar, they even talk about dollars and cents. I've been through those minutes.

Councilmember Adams: I have too.

Councilmember Friend: You can't find any money. Occasionally, rarely, I will see a dollar amount. So, I don't know. I would have to be there.

Commissioner Abell: Well, we talk about accountability, and I think that is a big lack of accountability—

Councilmember Adams: I agree with you.

Commissioner Abell: —you know, if I haven't got the time to go to some of these, to sit on some of these boards and monitor them, I shouldn't run. I'm, that's not the—

Councilmember Adams: But, even if you go and sit there—

Commissioner Abell: Yeah, if you don't have any power.

Councilmember Adams: — you haven't changed... yeah, if you can't change it.

Commissioner Abell: If you have no power—

Councilmember McGinn: Like you said.

Commissioner Melcher: I know, I mean, I tried.

President Winnecke: Why don't, as a point of research, and to continue the discussion, why don't we have the legal staff check out, especially related to the Redevelopment, what options there are in relation to what we're trying to do here.

Ted C. Ziemer, Jr.: Yes, we can certainly do that, but, are you only talking about the Redevelopment Commission? For example, the Mayor appoints the members of the—

President Winnecke: No, that just the first one—

Ted C. Ziemer, Jr.: –Board of Public Works. The Mayor appoints the members of the Parks Board, are you talking about those? I mean–

President Winnecke: We haven't gotten to those.

Councilmember Adams: But, we do go–

Ted C. Ziemer, Jr.: Well, I just want, this would say–

Councilmember McGinn: (Inaudible) switch money from project to project and line item. They're here just like every other department we have control over. I mean, I was on the Parks Board for forever, I mean, we still had to go through the City Controller, the Parks Board, you know, the paperwork from there, approval at that level even before it gets to the Parks Board, at least that's the practice that I was under.

Ted C. Ziemer, Jr.: No, we understand, Councilman, how it works today, and what I'm asking is what do you, I mean, if you're only talking about the Redevelopment Commission, then we understand that and we'll research that and we can give you an answer. If you're talking about every board that exists in the city and will exist in the Metro Council, or under the Metro form of government, then let us know that.

Councilmember McGinn: Every board that spends money. I mean–

Councilmember Adams: Well, the Parks Board doesn't spend money.

Councilman John: No, the Works Board does, the Safety–

Councilmember McGinn: Works, Parks–

Councilman John: –Sewer and Water, Parks, Levee, and we see all of their budgets, I mean, we don't micro manage them and we don't go through, you know, you've got so much in Office Supplies, what are you buying with it? We do have some large contractual service accounts, but as you recall, every year at our budget, they break that down dollar for dollar of what that is spent for. The same with every major project. So, even though they do go through those boards, I don't think it's anything secret or money that's being spent that we're totally unaware of, with the exception of maybe the Redevelopment Commission. I've never had a good handle on that.

Councilmember McGinn: If it's all the boards that spend money, I mean, for those that there's no controversy it would be as simple as prior to them voting on it we at least have, there's a list and the contract, a simple form, you know, the reason for it, the amount for it, the vendor, the number of, was it bid, and what were all the bids, was it not bid? You know, a simple form on everything that they want to spend money on, where we have at least a concrete thing to look at so that we can oversee it, but I agree with everybody who's said, I mean, we should have oversight. I've had calls from people that, you know, they find out about something and they happen to (Inaudible) and honestly (Inaudible) go to.

Councilman John: I don't disagree with you, but we have a little more oversight than some people think.

Councilmember Adams: Certainly I would want you to look at the Convention Bureau and what the Metro Council's ability to ratify their expenditures too. Because I was a little taken aback when I was told that it's our money, we don't want to spend it downtown. I'm sorry, that line just stuck in my craw, because it's not their money, it's their money.

Ted C. Ziemer, Jr.: I guess, another thing to be remembered, I mean, I hear talking about elected officials making some of these financial decisions, we remember, I think, that the Mayor under this Metro form of government is also going to be elected, and I'm not clear to the extent your talking about whether there should be a Mayor or not.

Councilmember Adams: There should be a Mayor, but another thing that I'm hearing, I'm sure everybody else is hearing, that they think the Metro Mayor is too powerful. This would be a counter balance to that.

Ted C. Ziemer, Jr.: That's a question that, that's maybe a basic philosophical thing to be decided, how powerful shall the Mayor be under this form of government.

John Hamilton: The other issue that we've rehashed before is the division and separation of powers, you know, the Executive normally has the power to make contracts, or his boards do, and the Legislative bodies normally don't approve contracts. We're going to get into all of these various State statutes, but we'll look at it and tell you—

Councilmember Adams: As Dan well knows, we end up on a stick, after being (Inaudible) responsible when the bids are perhaps not quite as open as they should be.

Councilmember McGinn: Or it's a non-bidder contract, no RFP. You know it's a good deal.

Councilmember Bredhold: I don't think it's a surprise that the legislative bodies of the city-county want to ensure that they have more power in creating this than the executive, but I personally don't have any issue with allowing the Mayor to make his own appointments, and us making our own appointments without either approving each other's appointments to these boards. I think we shouldn't make the role of the Mayor so unappetizing that nobody wants to run for it because he or she won't have the ability to, you know, act on his or her own.

Councilmember Adams: I don't think I agree with you on the appointments, because it's just a concept of expenditure of large amounts of money—

Councilmember Bredhold: And I'm not talking about that issue, I'm just actually just talking about—

President Winnecke: The appointments.

Councilmember Bredhold: —2.8.

Councilmember Adams: Sure, okay.

President Winnecke: Steve, do you have to leave?

Commissioner Melcher: Yeah, for you that don't know, there's a Veterans Council meeting of Vanderburgh County tonight. It starts at 6:30, and I'm the (Inaudible) and I've got to start it. So, I've got to go.

President Winnecke: Thanks, Steve.

Councilmember McGinn: Don't let them do anything (Inaudible).

Commissioner Melcher: No, don't worry. Thank you.

Commissioner Abell: Well, I think the one thing about this, and then I'll drop this subject, because I know everybody doesn't want to hear me talk about it anymore. We've all talked around it, and the one thing we haven't said, and we all know it's true, is that when you look at those appointments and you've got five appointments to a particular board and you say, well, now the Mayor's got one, the City Council's got two and the County Commissioners, the County Council's got two, now the City Council that's Democrat, so they're going to appoint two, and then the County Council is Republican so they've got their two, now if we want to get anything through the Mayor's got that appointment that's going to make that, and it becomes a game. You know—

Councilmember McGinn: We're back to non-partisan.

Commissioner Abell: — that it becomes a game when you start deciding who you're going to appoint to these boards, who will listen to us and who will want them to do this and that, and I just think that the best thing to do is to make sure that those boards are not that easy to do this and that and that they have some elected people on there, and we represent the people that we're—

Councilman John: So, non-partisan elected people on there?

Commissioner Abell: Non-partisan—

Councilman John: Because you're going to have Democrats and Republicans, you're making it a Democrat or Republican decision, instead of a good business decision.

Commissioner Abell: There never is a non-partisan board—

Councilman John: That's right.

Commissioner Abell: —appointment. That's right. That's why the Metro Council needs to have a lot of input in that.

Councilmember Bredhold: Maybe we should look at the appointments and the way that they're designated in this plan for the boards that you're particularly concerned about and see if there's anyway to try and, you know, form those boards to make that difficult.

Commissioner Abell: We can do that.

President Winnecke: I agree with what you're saying conceptually. I think the thing we need to keep in mind is, as a member of the Metro Council, right now in this plan

they're proposed to be part time Councilmembers. So, if we're suggesting that every board or a number of key boards or whatever has to have a Metro Councilmember on there, you're going to require—

Commissioner Abell: Full time.

Councilman John: It's going to be a full time deal.

Councilmember Mosby: Because, I mean, I'll be honest with you, by the time I go to all of the neighborhood meetings and things that I do and try to work 40 or 50 hours on my other job, you know, it's going to be really hard for me to be able to sit on so many appointed boards, because then I'll be neglecting my neighbors.

Commissioner Abell: Well, let me just use one real small one here—

Councilmember McGinn: (Inaudible) contract approval solves those problems.

Commissioner Abell: —number 47, the Pigeon Creek Greenway Passage Advisory Board, the Mayor has seven appointments and the Council has six, who do you think is going to be controlling what's going to happen on the Greenway Passage?

Councilman John: Why would you say that, where no one would have control?

Commissioner Abell: Well, if somebody is going to have control it should be the Council, that's the largest group of people that are elected by the, that's diverse. The Mayor, I don't care whether he's a Republican or a Democrat, it's not going to be diverse. He's going to be one or the other, but your Council is going to have a diverse group on it and you can have more input from a diverse group than you can from a party of one. Now, that's enough about it, but that's how I feel about it.

Councilman John: We're just wanting the Executive Branch to now become the Legislative Branch.

Councilmember Bredhold: Council has never asked me a word about it.

Councilmember Adams: (Inaudible) Parks Board come either quarterly or semi-annually and give us a report on what they're doing, how they're spending their budget and hold them accountable that way to the Metro Council.

Councilmember Friend: I know, I think the Controller gives us a book on an every month basis.

Councilmember Adams: Do you know how to read that thing? You're a better man than I am. Jenny told me today that she finally has gotten new software so that we can understand that budget.

Councilmember Friend: I understand, but the numbers are there, you just have to find out how to get them. I mean they've got (Inaudible) the budget.

Councilmember Adams: The mountain should come to Mohammed.

Councilmember Friend: Well, what we should get is an executive summary given to us.

Councilmember Adams: Yeah.

President Winnecke: Okay, we've got a couple of issues on the table.

Councilmember Adams: At least.

President Winnecke: 2.8, it says Mayoral appointments shall not require advice or consent by Common Council. That's one, should a Mayor come to a Metro Council and seek their approval for his or her appointments to a board?

Councilmember Bredhold: I say no. If you want to change like the number of appointees that's one thing.

Commissioner Abell: Back here in the table?

Councilmember Bredhold: Yes, but I would rather not—

Councilmember McGinn: (Inaudible) that does not keep the Executive-Legislative and Judicial branches of government separated if we can....we need that separation of powers for the true balance. I think that the veto, or the, it's the money that we're concerned about. I mean, the Executive sets policy, we're concerned about the money.

Councilman John: And legislation, finances and legislation, that's what Council should be about. Not the Executive Branch, and if you start micro managing every board saying that the Council should control it, then why do you need a Mayor?

Councilmember McGinn: I agree. That's why—

Councilman John: He's elected to make those decisions.

Councilmember McGinn: Financial oversight, veto power, or approval of the money that is spent is fiscal, it still allows the Executive Branch to operate independently and we become the check and the balance. I mean, why not when a contract is signed that costs a dime by any one of these boards, we have, we can look at it. 99 percent of them, you understand, we're, man, that's good.

Councilman John: Not that it would have happened, but what would have happened under Russell as the Executive Branch if he had to come in front of a Democrat Council for every single appointment?

Councilmember McGinn: I agree.

Councilman John: I mean, that's just not fair to the Mayor.

Councilmember McGinn: I agree with you, and that is not the role of the Legislative Fiscal Branch of government. That's the separation of powers.

Councilman John: Even though we would have approved everything, just so everybody knows that.

Councilmember Friend: Unanimously.

Councilman John: Yes, unanimously.

President Winnecke: Okay, so 2.8, it sounds like—

Commissioner Abell: (Inaudible) with the back (Inaudible).

Councilmember Bredhold: Yeah. I would like to comment on something that Mr. Winnecke and Councilman Mosby both sort of commented around, and it's not a very popular opinion, but I think it's worth considering, perhaps not now, but at some point is a full time Council. You know, Missy says she's working 40-50 hours a week at her day job, she can't get to these meetings during the day, she probably still goes to a lot during the day, during her work day, because I know that I try to do that too. It's part of the reason that I'm not running. It's because I don't feel that I'm able to dedicate the amount of time that I want to to the job frankly. I can't leave my work every day, but I could, given all of the meetings that there are, I could leave every day. I think that is an issue, and perhaps one benefit of that is that you have a Council that's more on top of these things, frankly, who is keeping a closer eye on the money that these boards are spending, etcetera.

Councilmember Mosby: You're right, if, I mean, this really is a full time job. To do what you need to do, it's a full time job.

Commissioner Abell: It's not a part time job.

Councilmember Bredhold: I just thought I would throw that in there. I doubt it will be dealt with.

Commissioner Abell: I agree with you.

Councilmember Adams: Well, we can. I mean, do we want to put that on hold and come back to it?

Councilmember Bredhold: I'm not sure. I've gotten a sense from talking to people that there's not a whole lot of interest in it.

Councilmember Adams: Because it will cost them more money.

Commissioner Abell: Or somebody might have to give up a good job to take a job that would only last four years and then they're out back (Inaudible).

Councilmember Bredhold: But, there are full time Councilman, the Indianapolis Council is full time. I don't know the details of it.

President Winnecke: Okay, let's try to hammer through one more section tonight.

Councilman John: Like 3.11, or like four?

President Winnecke: No, article three.

Councilmember Bredhold: I think we're moving along.

Councilmember Mosby: I'm going to apologize. I am going to have to leave at 7:00.

President Winnecke: Okay.

Councilman John: I've got nowhere to go.

Commissioner Abell: Me either.

**Discussion of Article Three: Legislative/Fiscal Branch
Evansville-Vanderburgh County Plan of Reorganization**

President Winnecke: This has to do with the Legislative and Fiscal Branch . From my notes that I made, please speak up, I think 3.3 might be the place to start, and certainly the one that I've heard the most about, the number of representatives.

Commissioner Abell: I will tell you what Mr. Melcher told me before he left, was that he is in favor of having no members at large.

Councilmember McGinn: I am too. I am in favor of 13, I'll go with 15 or 13 (Inaudible) districts, no at large. I think that would be a great cross section of this community. I think that may eliminate some of the issues too, if there were more Councils, more Councilmembers, then you can stay maybe part time, because there would be people to go to the various things, you know. And, the at large is one of those things that, you know, you guys live a hundred yards apart. Do you live real close too, Curt? Somebody, there's like three people that would be in one district.

Commissioner Abell: Curt--

Councilman Friend: The Fifth Ward's got three representatives.

Councilman John: The three of us live close together, and Angela Walden lives two blocks from us.

Councilmember McGinn: Yeah, so it is, to one Councilmatic district, is certainly over weighted with at large.

Councilmember Adams: No, I just think it indicates a concentrated intellect, but that's beside the point.

President Winnecke: Of course you would think that.

Councilmember Adams: Honestly, I will suggest to you that one of the reasons I ran at large was that if there was a problem and some terrible catastrophe down in your (Inaudible), if I was representing the Fifth and I went down to help you, what's Adams doing here from the Fifth then? I get calls from all over the city, and one of the things that Russ Lloyd, Jr. said in his analysis was that the at large people are sort of mini Mayors. They have the ability to look at problems in the large, as opposed to little factions fighting against each other. I really enjoy being an at large, if you don't want at large, that's fine, I mean, that's not going to affect me whatsoever, but I think it makes for a stronger Council.

Councilmember McGinn: I think there's an argument for it.

Councilmember Adams: I think it gives a back up, someone's sick, someone's away on vacation, I've covered before when Connie was away next week and so forth like that. I think at large sort of gives you an ecumenical view of the city and large (Inaudible) things like the arena and so forth, you can sort of have, you're not quite as focused in.

Councilmember McGinn: Yeah, I have seen in my two years on Council, I can say about all of these Councilmembers, they care and have concerns about the entire city, in addition to their Wards. I don't think that that aspect of representing people would be eliminated—

Councilmember Adams: Well, I think they're tied to their people pretty tightly. I mean—

Councilmember McGinn: Well, that's—

Councilmember Adams: — for obvious reasons.

Councilmember McGinn: Sure.

Councilman John: I think in many instances I may be their second call, if for some reason they can't get a hold of their Ward Councilman, and they say, well, Curt, I know you represent everybody, can you help me with this matter. Mine's either on vacation or too busy at work and I haven't been able to get a hold of them. So, we are like their back up Councilmember. I think they serve a purpose.

Councilmember Mosby: I agree. I think they do us well. I mean, there's times if I have to go out of town on business, or out of town on vacation, I'll let my neighborhood presidents know, hey, I'm not going to be here, if there is an emergency you can call my cell phone, but we've also got Council at Large that can actually help you with those issues.

Councilmember McGinn: That's a different perspective, you get more calls from Wards than I do, obviously, about issues and problems.

Councilmember Mosby: Oh, yeah. A lot

Councilmember McGinn: Okay, I appreciate that point of view.

Councilmember Mosby: It's nice to have another fall back.

Councilmember McGinn: I'll keep an open mind on that.

Councilmember Bredhold: Is the rationale for eliminating them to have more Councilpeople to represent more areas, and to break it up into smaller areas? Is that the idea?

Councilmember McGinn: The people that have called me are interested in smaller areas and more Councilpeople so that—

Councilmember Bredhold: Smaller districts.

Councilmember Adams: That's two different issues.

Councilmember Bredhold: But, that's—

Councilmember Adams: I think you can have more representation (Inaudible)--

Councilmember McGinn: Then an at large on top of that.

Councilmember Adams: – districts being from nine to 13, you know, and then still have the 12 (Inaudible).

Councilmember Bredhold: I was assuming that what he was thinking was you'll even have more representation without having to grow the Council out of all proportion. I assume that's, is that the rationale behind eliminating at large?

Councilmember McGinn: Well, it—

Councilmember Bredhold: Just have smaller districts and not get the Council too big?

Councilmember McGinn: Well, part of it, but part of it was, yeah, part of it is the size, but, again, part of it is the concentration in one particular area to the collected other. But, I mean, I know the at large, I know, I guess I should probably have considered what you actually do more than something theoretical. Yeah, I'm open, I'll stay open.

Councilman John: We do six times as much as you guys, election year.

Councilmember McGinn: But, I do want more Councilmatic districts, but, I guess, let me think about at large. I was thinking eliminate them and make more districts, but we can do both, can't we?

President Winnecke: We could go to 15 and have 12 districts.

Commissioner Abell: That's what I would like to do. I would like to go to 15.

Councilmember McGinn: I would too.

Commissioner Abell: Because we are pulling together such a diverse group here. You know, I mean, it isn't like we all are pretty similar, because, you know, the flooding shows that we're not. You know, the problems are inherent to the area, not necessarily to the population—

Councilmember Bredhold: Absolutely.

Commissioner Abell: —because of the way that our areas sit out. So, I would like to see, that's what I would like to see is go to 15 districts.

President Winnecke: 15—

Councilmember McGinn: 15 Council?

Commissioner Abell: 15, yeah, you got it, you know what I mean.

Councilmember Adams: 12 districts—

Commissioner Abell: 12 districts, you got it.

Councilmember McGinn: But, still keep some at large?

Commissioner Abell: Yeah.

Councilmember Adams: I think that's a workable number.

Commissioner Abell: Yeah, 15 people ought to be able to get along.

Councilmember McGinn: I've seen times when three can't get along.

Commissioner Abell: I'm married to one (Inaudible).

Councilmember Adams: That's why I'm not. Nobody can get along with me.

President Winnecke: Okay, elsewhere in article three, I think, well—

Commissioner Abell: Term limits of Councilmen.

President Winnecke: —term limits.

Councilmember McGinn: Did we say two or three, or are we still thinking about it?

President Winnecke: Well, the last thing Commissioner Melcher said was, in the interest of fairness and continuity with the Constitutional offices, if we're going to consider term limits, make everyone two. So, I don't know how everyone feels about that.

Councilmember McGinn: We're supposed to simplify government, that certainly is a step towards simplifying government.

Commissioner Abell: Well, in 3.6, I would like to have staggered terms, because—

Councilmember McGinn: Oh, my gosh, yes.

Commissioner Abell: —I've sat on boards that didn't have staggered terms before, and you really need some continuity that somebody's still there that was there last year.

Councilmember McGinn: Somebody that knows where the bathroom is.

President Winnecke: Certainly with term limits you would have new people.

Councilmember Bredhold: Term limits, yeah, term limits you would have to.

Commissioner Abell: You would have to.

Councilmember Bredhold: Otherwise, it would be a whole new Council.

Councilmember Adams: So, the first election, somebody would be there for two years? The others would be elected for four. If you're going to stagger them, you have to stagger them.

President Winnecke: Right.

Councilmember Bredhold: Two years isn't much.

President Winnecke: So, maybe—

Councilmember Adams: Talk to Congressman.

President Winnecke: — our legal counsel could research how we could start.

Councilman John: You could do six years.

Councilmember Adams: Yeah, four and six.

Commissioner Abell: You could do four and six. Then it would be four from then on.

Councilmember Adams: Of course, then who do you stagger?

President Winnecke: Yeah.

Councilmember McGinn: Just a lottery.

Commissioner Abell: Well, you could stagger your even number Wards or your odd number Wards.

Councilmember McGinn: If it's four and six, as opposed to two and four, nobody's going to be upset if it's a lottery. You know, I mean, the most you're ever going to have anyhow is four now, the people who get shorted two would be upset. But, if they have two extra, odds are that it's not going to bother anybody.

Councilmember Adams: So, it's either eight or ten years for term limits.

Councilmember McGinn: One time, yeah.

Councilmember Adams: Yeah, one time.

Councilmember McGinn: Four and six.

Councilman John: And then, well, I mean, explain to me what you're meaning by four and six.

Councilmember Bredhold: Yeah, I think I'm lost.

Councilmember McGinn: If they're going to be staggered, as we had said earlier, I think that you said then the very first person has to have two years, you know, you cut their term.

Councilman John: So, you're going to have two elections? You're going to have an election every odd year? That's the only way you're going to stagger them.

Councilmember McGinn: Yeah.

Councilmember Bredhold: That's true.

Councilman John: So, you're going to add an election instead of—

Commissioner Abell: Oh.

Councilman John: —combining one.

Councilmember McGinn: Yeah, you are.

Councilmember Bredhold: That would be adding.

Commissioner Abell: Huh.

Councilmember McGinn: Well, surely there's a way you figure out where—

Commissioner Abell: Well, (Inaudible).

Councilmember McGinn: —well, yeah, but a four year term, you're right, they're even years.

Commissioner Abell: And, if you're term limited, everybody goes at one time.

Councilmember Bredhold: Everybody goes at one time.

Commissioner Abell: That would be really bad.

Councilmember McGinn: That would be horrible.

Commissioner Abell: That couldn't work. No, that won't work.

Councilmember Bredhold: Not at all.

Councilmember Adams: Then staggered is more important than term limits?

Commissioner Abell: I think staggered is more important. I'm in favor of limits, but I still think staggering is really important, just for the pure maintenance of keeping the thing going. Especially if you have things started, like a grant or something, and then everybody's gone and nobody remembers what anybody did, and you have to start all over again.

Councilmember McGinn: Staggered is more important.

Commissioner Abell: So, the Mayor would be term limited, but we wouldn't.

Councilmember Adams: I like that.

Councilman John: You could take half, part of your seats, on the first election can only serve one term, the others can serve two, and then, on the second election those people would be running for two, then you'll have, not guaranteeing that anybody is going to get re-elected, but you'll have at least half of them that they're ending their first term, and the others are going into their second. If that makes any sense.

Councilmember Adams: Yeah, it does.

Commissioner Abell: Yeah, that would work.

Councilman John: Good for you.

Commissioner Abell: Would you write that down?

Councilman John: I'll get with the attorneys.

Commissioner Abell: I thought you are one.

Councilman John: Not anymore. Don't accuse me of that. Oh, sorry, no offense.

President Winnecke: Okay, and 3.11, legal counsel, we talked about that, that word the Common Council shall employ legal counsel. Any other topics for discussion in article three?

Ted C. Ziemer, Jr.: I'm sorry, I didn't understand what you just said.

Councilmember Adams: 3.11.

President Winnecke: 3.11.

Ted C. Ziemer, Jr.: Yeah, 3.11, what—

President Winnecke: Shall.

Ted C. Ziemer, Jr.: Just change it to shall?

President Winnecke: Yes.

Ted C. Ziemer, Jr.: I mean, there was discussion, I heard that some people—

President Winnecke: I think they want shall.

Councilman John: So, you're going to require them to whether they want one or not?

Commissioner Abell: They can hire the same guy if they want to.

Councilmember McGinn: Yeah, I think—

Councilmember Bredhold: Yeah, there isn't anything that says it's not the same—

Commissioner Abell: Yeah, it could be the same guy.

Councilmember Bredhold: —person.

Commissioner Abell: If they want him, they can have him. We could do article four, Mr. Winnecke.

President Winnecke: Yeah, article four is—

Councilman John: Let me think about that awhile.

Councilmember Bredhold: Wait a minute—

Councilman John: I think we'll just leave four.

Councilmember Bredhold: What you would be requiring if it was the same person, what you would be requiring is that they pay them twice, is that, they both employ? Well, the Mayor, if they decide to hire the Mayor of the city, the Consolidated Government's counsel—

John Hamilton: They could read like you're required to employ legal counsel, whether you want to or not, I mean, I don't know what you're gaining as a Council by doing that, but you have the power to say that.

Councilmember Bredhold: Has there ever been a time when we didn't need you, John?

John Hamilton: Well, no, but, may allows you to do it—

Commissioner Abell: If you hired just one for the Mayor, and he's required to do all of the Mayor's stuff and also come to the Council, you're going to have to pay him this much money, or if you hire one for the Council and one for the Mayor, you pay the Mayor's this much money and the Council's this.... I mean, it's the same amount of money, it's whether you divide it up among two lawyers or one guy gets it all. I just like the idea of the Council having somebody separate than the Mayor.

Councilmember Bredhold: So, do you want to distinguish that it's not the same person?

Commissioner Abell: No, if the Council wants to hire the same person, that's their business.

Councilmember Bredhold: Okay.

Commissioner Abell: But, I think they shall have an attorney, because if he knows that they're the ones that hired him and they're the ones that can fire him, he's going to be a little more responsive to them, than if he knows that he was hired by the Mayor and he doesn't really care what the Council thinks, they can't fire him anyway.

John Hamilton: Just so you know, I think it's semantics, but the law right now on the Evansville City Council says that the Council may employ their own separate legal counsel. So, that gives them the right to do it, and at some point they exercise that right. There may be years when they do not choose to exercise that right. So, I don't know what you're gaining by saying shall, you're actually losing some flexibility it looks like to me.

Councilmember Adams: (Inaudible) coming up, John (Inaudible), I don't believe I ever had the awareness that if you piss me off, that we have, as a collective right, not, to have somebody new. I mean, I think this body, the Metro Council should hire its own lawyer. It could easily be you. The bottom line is I think that gives them an entity, and I think that's one of the things—

John Hamilton: What I'm saying is, you have the power to do that whether it says may or shall.

Councilmember Adams: Well, then you shouldn't care whether it's may or shall. If it doesn't make any difference.

John Hamilton: Shall is mandating you to do it, and maybe you don't want to.

Councilmember Adams: But, if you want to do exactly the same thing, you don't have to, it doesn't tell you who you can't hire, it's just we will have a Metro Council would have to sit down and actively think who do we want to have, be our legal counsel. I think that's important.

John Hamilton: I was just explaining it.

<p>Discussion of Article Four: Judiciary Evansville-Vanderburgh County Plan of Reorganization</p>

President Winnecke: Okay, article four, the Judiciary. That does not change. So, I would say we're officially through that.

Ted C. Ziemer, Jr.: Well, the Judiciary is requesting that it be changed.

President Winnecke: (Inaudible) language in?

Ted C. Ziemer, Jr.: The...you see what it says now, 4.1?

President Winnecke: Right.

Ted C. Ziemer, Jr.: The Courts would like to change that to say that the Combined Government has no Judicial Branch, Vanderburgh Circuit Court and the Vanderburgh Superior Court are agencies of the State of Indiana, and that the Combined Government shall provide facilities and financial support to those courts in the manner required of counties under Indiana law. An alternate to that could be, that the Vanderburgh Circuit and Superior Courts shall remain agencies of the State of Indiana, and retain all of their current duties and obligations—

Councilmember McGinn: And powers, do they want powers in there?

Ted C. Ziemer, Jr.: No.

Becky Kasha: That could be added.

Ted C. Ziemer, Jr.: That could be added.

Becky Kasha: We're just making sure—

Ted C. Ziemer, Jr.: Let me suggest that, the courts have a different view of this, perhaps we can provide to this group the various alternatives, and then you can discuss it, but the courts are not wanting to leave it exactly as it is.

Councilman John: That's fine.

President Winnecke: Okay, we'll pick up there.

Public Comment

President Winnecke: Since this is a public hearing, and a number of people came to visit and listen and watch. First, we hope that you appreciated sort of the style, it's very different, we just thought this would be a good, transparent way to watch how we're considering this. If anyone would like to come and make comments, you are welcome to do so, on what we talked about. Bill? Why don't you come on up.

Bill Jeffers: I can do it from here.

Alberta Matlock: No, Bill, we need to get you on tape.

John Hamilton: We need you on the mic.

Bill Jeffers: You're recording this?

Alberta Matlock: Yes, we're recording, Mr. Surveyor.

Councilmember McGinn: You've been here before, you know how it works.

Bill Jeffers: Good evening. Bill Jeffers, 2641 Malibu Drive. Section two, and I don't have a copy, but I think it's 2.8, Mayoral appointments. I don't have my notes, I think I might have mentioned it once before, but, Mayoral appointments shall, no, that's not 2.8, let's see--

President Winnecke: Yeah, 2.8.

Councilmember Adams: The Mayoral appointments shall not--

Bill Jeffers: Okay, it's 2.7, the last sentence, the Executive Officers serve at the pleasure of the Mayor and are excluded from civil service. Does that mean that the Board of Public Works Director, the Deputy Mayor, or any of the other four, I believe, that the Mayor appoints under that chapter, do not abide by the personnel policy set by the Council?

Councilman John: My interpretation of that is they are an employee at will and can be replaced as opposed to being a civil servant and irreplaceable.

Bill Jeffers: Well, civil servants aren't irreplaceable, they abide by a personnel policy.

Councilman John: Well, I understand they do that, but they can't be replaced because of political purposes, whereas department heads now, I'm sure whoever wins this fall will make some changes in January--

Bill Jeffers: Correct.

Councilman John: --with some department heads.

Bill Jeffers: I understand that, but, I'll give you an example--

Councilman John: Maybe the wording is wrong and (Inaudible)--

Bill Jeffers: –this probably never will happen again, but let's say somebody wanted to drive a county car to Gibson County courthouse and take , oh, a U.S. Senator up there for, and he happened to be the Board of Public Works Chairman, I mean, Superintendent. Only the Mayor could fire him, or does the personnel policy apply to not taking a county vehicle outside the bounds of the county without Board approval?

Councilman John: I would assume that all department heads are subject to city personnel policies, like all other city employees.

Bill Jeffers: But, it doesn't say that, it says they're exempt from civil service.

Councilman John: I don't know if that's–

Bill Jeffers: I guess, that's my question.

Councilman John: Yeah, I guess, they would have to answer that one.

Bill Jeffers: Thank you.

President Winnecke: That's a good question. We'll clarify that.

Bill Jeffers: I noticed your copy was circled.

Councilman John: I've got a lot of notes in there.

President Winnecke: Other questions or comments? J.D.?

J.D. Strouth: My name is J.D. Strouth. I've got two issues, I guess, the first one, on the discussion of at large Councilmembers, I know currently it's three at large, and it seems like the discussion has been maintain three or eliminate the at large Council positions. I would like for you to think of a third option, that would be to still maintain at large Councilmembers, but maybe decrease the number from three to one or two, that way it would sort of be the best of both worlds in a way that you would still have some at large representation of being able to represent, you know, Ward members when they are gone on vacation or unavailable, but maybe not dedicating three spots for that purpose.

Councilmember Adams: If there are two at large, then you would have to make the districts an odd number too–

J.D. Strouth: Correct.

Councilmember Adams: – so that you (Inaudible).

J.D. Strouth: And there shouldn't be a problem with that. If you had, 13 districts, or 11 districts.

Councilmember Adams: In a sense though, we're increasing the districts from nine to 13, or nine to, excuse me–

President Winnecke: Nine to 12.

Councilmember Bredhold: Yeah.

Councilmember Adams: In a sense you would increase the burden of the area for the at large people. Right now we have this much space for three and then we're going to this much space for three.

J.D. Strouth: Well, an at large would still represent the whole.

President Winnecke: We were talking about the districts.

Commissioner Abell: Because right now they just do the city, under this they are going to do everything, all of Vanderburgh County.

J.D. Strouth: Right.

Commissioner Abell: It's pretty encompassing.

J.D. Strouth: But, that's also assuming that each at large Councilman would get one third the calls. If you had three, which is not necessarily reality of how it would play out.

Councilmember Adams: Well, after I get 20, I –

Councilman John: Is that in a year or in a term?

J.D. Strouth: Anyway, I just wanted to present that one thing to maybe consider decreasing it possibly to two, then that way that would allow the districts to maybe increase by one to have more, you know, smaller districts even, if you did that and still maintain your odd number of total number of Councilmembers. The second issue is more of a question of clarification in my mind, how did you all net out on the issue of staggered terms and even and odd, or even or odd numbered years of when the election was going to be? Did you all net out that there would be an election every year, all four years, that it would be staggered terms and the elections would be on odd numbered years? Is that how it was netted out?

Commissioner Abell: I don't think we–

Councilman John: I don't believe so.

Councilmember Bredhold: Curt made it–

Commissioner Abell: Curt is going to put something in writing.

Councilman John: I'm happy to. They are talking about limiting terms to two, four year terms, and if they make the first election where half the seats are, let's say there's 15, seven of the seats can only serve one term, and eight of them two, then it means the second election some of them will be running for their second term, the other seven will be running for their first term, because they couldn't run for re-election. That's one option to look at.

Councilmember Adams: But, it takes care of both the staggered and (Inaudible)--

Councilman John: Yeah, we'll stagger the two maximum term limits to where they're not all falling on the same year.

J.D. Strouth: Okay, but when we say staggered terms, we're talking about every two years there would be—

Councilman John: No, every four years there's an election—

J.D. Strouth: It would be every four years? Okay.

Councilman John: — the first election, the seven that are elected for the one term limits, they don't get to run at the end of four years.

J.D. Strouth: Okay.

Councilman John: The other eight would be able to run for four years, but at the end of that eight years, they couldn't run, but the group that was elected after the first four years would be able to run again. So, you've got half of them running, and their terms expire, the other half have another option to run for another four years.

J.D. Strouth: Okay, so, let's say ten years from now, because I know short term you're talking about how to get it on track, ten years from now then, every one would run.

Councilmember Adams: Yeah, but some people can't run.

J.D. Strouth: Except some people would be term limited, but, I mean, I'm saying—

Councilman John: All of them would run the same year.

J.D. Strouth: Otherwise every seat would come up for election every four years then.

Councilman John: Yes.

J.D. Strouth: Okay, so, what's unresolved is whether that would be even numbered years or odd numbered years, is that correct?

Councilmember Adams: That seems to have bearing as to what larger elections, State and Federal elections may influence that.

J.D. Strouth: So, you all will assign that later then?

Councilman John: No decision has been made yet.

J.D. Strouth: Alright, thank you.

Councilman John: I think some of us have voiced our opinion, but there's never been a vote on it.

J.D. Strouth: Sure. Okay, thank you.

President Winnecke: Anyone else, before we wrap up? Bill, you're coming back?

Bill Jeffers: How you doing? Good evening. How you doing, John? Bill Jeffers, 2641 Malibu Drive. On the three at large, okay, currently the three Commissioners each have a district, and those districts coincide with the school districts. The school districts will still have to exist, even if Commissioners go away. So, you might want to think about that.

Councilman John: Have them live in that district, but run—

Bill Jeffers: Run at large, right.

Councilman John: —city wide.

Bill Jeffers: So, you know—

Councilman John: That's an option.

Bill Jeffers: —you have to, then the only place where you would have everybody from the same neighborhood is where those three districts came to a point. I mean, you know, that's a remote possibility, but you wouldn't have three people from Darmstadt, or three people from Knight Township. You would, you know, each person would have to come from a district, but run at large.

President Winnecke: Anyone else before we wrap up? Okay, we'll stand adjourned.

Ted C. Ziemer, Jr.: Excuse me, question only. For our work, when you start meeting next week, you're going to start, I think, in article four—

President Winnecke: Right.

Ted C. Ziemer, Jr.: — and I know that we need to get the language for you, for each of you that the judges are proposing so you can look at that, and we'll do that. The other issues that we, are you going to go back and, I mean, do you want us to have our work for you by next week?

President Winnecke: Not for next week, just the judicial issue.

Ted C. Ziemer, Jr.: The judicial issue—

President Winnecke: We'll circle back and get everything else at the end.

Ted C. Ziemer, Jr.: Okay. Good, thank you.

(The meeting was adjourned at approximately 7:30 p.m.)

Those in Attendance:

Lloyd Winnecke
John Friend
Dan McGinn
Don Walker
Alberta Matlock
J.D. Strouth

Marsha Abell
Curt John
Wendy Bredhold
Ted C. Ziemer, Jr.
Becky Kasha
Others Unidentified

Stephen Melcher
Dan Adams
Missy Mosby
John Hamilton
Bill Jeffers
Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded by Alberta Matlock. Transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MAY 10, 2011**

The Vanderburgh County Board of Commissioners met in session this 10th day of May, 2011 at 5:02 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call the May 10, 2011 Vanderburgh County Board of Commissioners meeting to order. We'll begin with attendance roll call, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join me in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

**Permission to Open Bid for VC11-05-01:
Concrete Repair of Various Roads**

President Winnecke: At this time I would entertain a motion to open bids for VC11-05-01, concrete repair for various roads.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Okay.

EMA & County Highway: Flooding Update

President Winnecke: Before we get to our action items, what I would like to do is ask Sherman Greer, the head of our Emergency Management Agency, and Mike Duckworth from the County Highway Department to come up and give an update on where we stand with flooding at this time.

Mike Duckworth: President Winnecke, Commissioners, Mike Duckworth, County Highway Superintendent. My part of this, I would just tell you that we've—

President Winnecke: Is your mic on?

Mike Duckworth: I believe it is.

President Winnecke: Okay.

Mike Duckworth: We've been working in several phases of our recovery from all these different weather events. First of all, as you all know, we've had straight line winds that have come through the community, and caused a great deal of tree damage and trees down and those kinds of things, which resulted in a lot of power outages. We got through that and we had the torrential rains and now the flooding. As the waters are receding, tonight I can tell you that all northeast, northwestern county roads are now open. We do have quite a bit of work left from mud and silt and a great deal of creek smell, if you will, that has been, you know, brought into these neighborhoods. So, that's kind of where we're working now. We have 25 roadways on the Old Henderson Road area in the bottoms, Waterworks Road area, South Weinbach, South Green River Road, those areas are still pretty well under water, and as the water recedes we anticipate quite a bit of damage and work to those areas. In addition, we are starting our assessment of our bridges, and the areas around those bridges. Not only do we have a great deal of mud, but we've got, you know, weeds now that are growing. So, I would just report to you that we've got a lot of work ahead of us. We know that county residents have a great deal of debris, and with the Commissioners permission, we would ask to allow our staff time, on our regular hours, Monday through Thursday, from 6:30 a.m. to 4:30 p.m. to be available to pick up tree branches and debris and those kinds of things from these neighbors. We'll put crews together to respond to their calls. If the residents would call, county residents, those that live outside the city limits, would call 435-5777, we'll take a work order, we will put those according to their location and try to be as efficient as we can with utilizing our gas and our vehicles. So, that's kind of our plan right now. As water recedes in the Old Henderson Road and lower bottom areas, we're going to be scraping and collecting mud and silt off the road and trying to work with Sherman and some of the volunteer fire departments to spray these roads down, but we still have a lot of work ahead of us.

President Winnecke: Mike, would you describe for folks in the audience and the folks watching at home the parameters for roadside pick up?

Mike Duckworth: Well, what we would like to see is, and, of course, no couches, no wet carpets and those kinds of things. You know, the weight of those on our vehicles as we take them to the dump is going to be pretty expensive. So, we don't really have money budgeted for that, but limbs, I'm going to say six, anything six foot long or shorter. If it's a small tree and they can get it out to the curb, we have equipment that will pick it up and mulch it or chop it up with our chain saws and we'll

get rid of it for them, but, that's kind of the overall parameters. If it's something too big that we can't get, we'll try to get back to them, but we're not going to go into people's backyards and off the right of way and those kinds of things, at this time.

President Winnecke: And, again, would you, 435-5777–

Mike Duckworth: That's right.

President Winnecke: –Marissa, would you see that that gets on our website, and let's put out a news release to folks so they, to the public so they know that that service is available. Any questions of Mike?

Commissioner Abell: Mr. Duckworth, I know we have an area where you're going to be taking the tree limbs and things. If someone has a truckload of those, you don't want them to bring them out?

Mike Duckworth: No, we have secured a couple of places that we really don't want to advertise, because we're transporting that to an area in the river bottoms where we have a burn permit that we've gone through IDEM and we'll be, actually that permit is good for year, we'll be burning there in a controlled burn. So, if we tell them where we're doing that, we'll end up with the couches and the trampolines and all of that stuff as well, and we're not in a position to handle that just yet.

Commissioner Abell: But, of course, I think we should make note for everyone, those couches and everything can be picked up at the heavy trash pick up day.

Mike Duckworth: Yes, that's right, that's right.

Commissioner Abell: Or, does the county participate in that? No.

Mike Duckworth: Well, if they have a friend in the city, I guess, it could be picked up then.

President Winnecke: Sherman? I know one of the things that people will be worried about in the coming days, if they're not already, is the disposal of sandbags. Can you review up what people need to know about that?

Sherman Greer: Well, first of all, since the sandbags have been put on their property, it's their responsibility to get rid of the sandbags. We've had some calls already that people want us to come out and pick them up, and we just don't do that. The Indiana Department of Environmental Management has some guidelines on what it is that you can and cannot do with the sandbags. These sandbags have safety and regulation guidelines for citizens to use for disposal of sandbags. You want to use caution, you know, that you don't slip and fall when you're working with these sandbags, because you can get contaminated from them. All of these sandbags, once they've met, and that river water has hit them and everything, I mean, there's a lot of things in that river coming down from wherever it's picked it up and everything, coming down the river. So, you should wear gloves and boots and protect yourself and your feet. You should also, if you're going to use, or if you're going to use sand or sand from, to plant your flowers, for blocking pavement, pavement blocking and sidewalks and things like that, you should use clean sand for those. Don't use the sand for mortar or anything like that. You don't want to use this sand because it's contaminated. Never, ever use this sand for sandboxes for children to play in, because it's very much contaminated at this time. Never dispose

of the sand in a wetland or flood plain or any sensitive area like that. The best thing to do is to get a hold of the Indiana Department of Environmental Management, or, to get a list of solid waste disposal sites would be the best thing to do to get rid of the sand. They have a website, it's www.idem.IN.gov/5047. You need to get in touch, look that up on the website, and they'll give you that information. So, and I've got some of these handouts for anybody in the audience that wants to take one of these with you, I will put them in back back here.

President Winnecke: Marissa, that's probably another website, another piece of information we could put on our website.

Sherman Greer: Other than that, the only thing we're doing right now, we're into this, as Mike said, the phase of doing our assessments and debris clean up. As you know, I think all three of you have been in on one of these disasters or not that we've had before and everything. If we're going to contract with someone, those contracts have to have all of the i's dotted and the t's crossed. If FEMA's coming in here, if we get a Presidential declaration out of that, those things have to be all above board or whatever. So, if you need any, if we need any assistance on that, get with Adam, get with myself and Adam and we'll give you some of the guidelines that they require for those contracts. Other than that, so far, the invoices that I've received are very minimal, I know, for the port-a-johns that we had out there and the solid, I mean, Allied Waste, and a couple of other ones that I've gotten so far that's not amounted to that much. Most of the things, the thing that I cannot mention enough is the thanks to Mr. Mulzer, Mulzer Sand and Gravel, they gave away tons and tons of salt, of sand to everybody up and down the Ohio River. So, we really appreciate that, and a lot of the trucking companies that hauled the sand for us in the State of Indiana, INDOT that hauled the sand for us in. We still have about 8,000 sandbags sitting out at the Whirlpool parking lot, and we're going to work on getting those inside by the end of this week, we hope. We may have to, I need a couple forklifts is what I need, and some flat beds. I'm going to get with Mike on that and see what we can come up with on that.

President Winnecke: Sherman, where do we stand on, just, we're under still a State of Emergency, which helps us determine the level of damage the community has endured. Do you see the need to extend that another seven days?

Sherman Greer: I think we should, because we are into the recovery phase. I've already had the Mayor's office to sign it. I'm glad you brought that up, I've got, I need your three signatures tonight before I leave here so that I can file that tomorrow, and that will give us seven more days. Twenty one days is the maximum that you're on, that locks us in.

President Winnecke: Then, do you anticipate us being able to come up with a final damage threshold within that last seven day period?

Sherman Greer: Not really, not really.

President Winnecke: So, what happens after that?

Sherman Greer: Well, we still, we'll work on it and give them a preliminary number. That preliminary number will stand until we get the, if we get the declaration and they send the Feds in here at that time, from FEMA, then we start sharpening our pencil and coming up with an exact number, a close number and everything.

President Winnecke: Okay.

Sherman Greer: But, we want everything reported.

President Winnecke: Right.

Sherman Greer: If anyone is going to discredit it or throw it out and everything, let it be the Feds.

President Winnecke: Right.

Sherman Greer: We'll report it, and we're not going to be embarrassed if they say you can't claim that. Nothing beats a trial but a failure, you know.

President Winnecke: Mike?

Mike Duckworth: I was going to add to that the fact that we're still under water in a lot of areas. In this last flood episode we had situations where the speed of the water actually peeled part of the pavement from its base. I don't know if we're going to run into those kinds of things or not, but that could be a very expensive situation. So, in echoing what Sherman said, we need as much time to do this assessment, we're going to have to be working with John Stoll's office to do assessment of any damages to our bridges and those kinds of things so that we have as much accurate information to provide to FEMA so that we can meet that threshold and get reimbursed for the overtime and for the use of our equipment and all of those things as well.

Sherman Greer: That all depends upon whether or not we get a declaration out of this. I mean, you look at what's happened in Alabama, you look at what's happening on the Mississippi River right now, I wonder where we fall within that pecking order as of right now. But, still yet, if we don't get the numbers, we're not going to get anything. So, we need to get the numbers together and have all of the department heads, city and county both, counting all of their man hours, all of their equipment use, type of equipment used and everything else, that's what builds the numbers.

President Winnecke: Any other questions of Mike or Sherman?

Madelyn Grayson: Sherman, do you have the State of Emergency paperwork with you for them to sign tonight?

Sherman Greer: Yes, it's down in my truck. I'll bring it up here and they can sign it after. Okay?

President Winnecke: Okay, thank you, Sherman. Thanks, Mike.

Sherman Greer: Anything else?

Elmridge Drive Residents: Flooding Issue

President Winnecke: I know there are some folks here from the Elmridge Drive area that expressed a desire to speak at our Drainage Board, which typically follows, well, it does follow the Commissioners meeting. I thought, so you don't have to stay around till 6:00 or 6:30, that we would go ahead and fold you into this discussion

now. So, I don't know, I know the....you guys got here first, so you can, and we'll just come up in an orderly fashion after that. Just state your name and address, and we'll get everyone heard during this portion, so you can move on.

Kevin Wilson: Yeah, my name is Kevin Wilson. I live at 3736 Elmridge Drive, along with my wife, Julie.

Joe Sims: I'm Joe Sims. I live at 3636 Elmridge Drive.

President Winnecke: Go ahead.

Kevin Wilson: Okay, the first thing I want to know is about FEMA. Now, he said we're still waiting to see if we get money from them. Now, will I be able to get reimbursed for the money that I had to spend for sandbagging and pumps and various things that I had to buy?

President Winnecke: Sherman? Sherman, excuse me, he's asking a question that I think we need your technical advice on.

Kevin Wilson: I was talking about FEMA, with all the pumps that I had to rent and buy, and gas I had to spend, and drainage pipes.

President Winnecke: How do private residents—

Sherman Greer: Private residents, you can turn that in, and you could recoup it off of a small business administrative loan. I don't think, I really, honest to God don't think you're going to get it.

Kevin Wilson: You don't think I'll get any?

Sherman Greer: Any of it, no.

Kevin Wilson: That's nice.

President Winnecke: But, is it appropriate for residents to accumulate that data and submit it to you?

Sherman Greer: It's always, just like I said, if anyone is going to turn, let them turn it down, or let them tell you what it is, what else it is that you need with that to make that fit within the Robert T. Stafford Act where that you would be able to get some reimbursement from it. These things change year after year after year. So, you know, turn it in when you meet with them, and say, you know, this is what I spent on gas, this is what I spent on pumps and all of this.

Kevin Wilson: I have all of the receipts. So, who do I meet with though?

Sherman Greer: You will, when, if we get a Presidential declaration out of this—

Kevin Wilson: Right.

Sherman Greer: — they will set up—

Kevin Wilson: We're waiting on them?

Sherman Greer: Yes. They will set up a place to where everyone can come to them.

Kevin Wilson: Okay.

Sherman Greer: What they've done in the past is done that at my office, to where you can sit there and you can talk to them face to face—

Kevin Wilson: Okay.

Sherman Greer: —about what it is that you've got. Okay?

Kevin Wilson: Okay.

Sherman Greer: Alright.

Kevin Wilson: Okay, then the second thing that I have, as far as the sandbags. Now, I've got 3,000 sandbags at my house. Now, you're saying that we're responsible for getting rid of it ourselves. Now, they're not going to have the County Highway Department come out and pick up sandbags? Or, do I have to spend money to have like Allied Waste bring me out an open top dumpster that I can throw them in? I mean, how do I get rid of them? I've got a few people that want some. They've taken like 600 bags, so that still leaves me 2,400 bags.

President Winnecke: Well, historically the....Mike, did you want to chime in there?

Mike Duckworth: I would just say to that, I understand that a lot of these folks have a lot of bags. For them to incur the cost of dumping fees is not any different than the county incurring that. What I'm looking to do, is once the water recedes in the bottoms area is look for erosion to the bank and to get the approval from IDEM as to maybe we might be able to use some of those, you know, for erosion control. Because there are some areas that we were looking at, well, in my previous tenure in this position, that was getting pretty close to the road, and we need to do some erosion control. That would be a perfect place for this, but I don't have, I don't have the clearance from IDEM to do that, or Corps of Engineers to do that just yet, and that will come along with the assessment of damages. So, we're probably a week or so away from me knowing whether or not our department can handle that phase of it. I just don't have an answer for you today.

President Winnecke: Sherman?

Sherman Greer: The sand itself can be dumped someplace, but it has to be covered by clean soil, okay. So, they can do that, and use that that way and then put soil over the top of it, it would be okay.

Mike Duckworth: Again, I just have to see the situation.

Sherman Greer: But, we will have to get, as he said, we'll have to get with IDEM on that to make sure that we keep ourselves out of trouble.

Kevin Wilson: So, my solution is nothing yet then? Can Allied take them away and then dump them in the dump or not?

Mike Duckworth: Allied can take them, but they will charge you for that.

Kevin Wilson: I understand that, but, I mean, if I called them and said bring me an open top dumpster, I can get rid of them and they'll haul it and then charge me whatever it costs?

Mike Duckworth: There may be an environmental fee to that, because of—

Kevin Wilson: Oh, I'm sure there will be.

Mike Duckworth: —(Inaudible) and all that kind of stuff, but, yeah, Allied or (Inaudible) or any of those companies could do that for you.

Kevin Wilson: Okay. Alright.

President Winnecke: Mike, what are the possibilities, if any, of incorporating sandbags into the, sort of, the debris pick up?

Mike Duckworth: Well, of course, they're heavy and they charge you by weight.

President Winnecke: Right.

Mike Duckworth: So, it's going to be an exhaustive cost. I can get with Todd Chamberlain with Allied and see if they'll give us a special rate for that. I just haven't gotten to that point yet. I would be more than happy to do that. I was on Elmridge today, I was on Voight today, I was on, and there's quite a bit of sandbags. I mean, you know, we were putting them out there to stop the water—

President Winnecke: Right.

Mike Duckworth: —and now that the water is down, I don't think it's unreasonable for these folks to ask for us to help. It's just figuring out what the cost is going to be. You know, if it's something that we can do on county time, where it doesn't cost us overtime, if it doesn't affect, you know, a big dumping fee or something like that, I have absolutely no problem, we'll make time to help these folks, but when you start incurring costs then we have to look at our budgetary constraints.

President Winnecke: Why don't you get with Allied and figure out what kind of charge, diminished charge we could, hopefully, --

Mike Duckworth: Okay.

President Winnecke: —negotiate on behalf of the county, whereby we could assist county residents in helping dispose of some of these bags.

Mike Duckworth: I would be glad to. I would be glad to.

President Winnecke: Then report back to us at your....we'll need a report before the next meeting, so, I would say via e-mail.

Mike Duckworth: I'm going to be out on Elmridge on a regular basis, and I'll be in telephone contact with you, and if it's something that seems feasible and we can work it out, then I'll be out and tell those folks that we'll send crews out to pick them up.

President Winnecke: Good.

Mike Duckworth: Okay?

President Winnecke: Okay, thanks.

Kevin Wilson: Okay, and the last thing that I have here is some photographs of, I've got mine numbered and yours numbered also. I have a question, I just would like an answer from somebody. Now, picture one, at the end of Elmridge, you turn on to Congress and then you turn left on Rosebud, you go down to Kenmore and take a right, then you come to this utility road that's at the end of the cul-de-sac, and that's the picture of it. The water is probably about a foot and a half lower than what it actually got up to on this picture, but you'll see. Okay, then the next picture it shows you where the water got, the water line is, where the debris is and all of that. Which, like I say, it was about a foot over the road, maybe a foot and a half. Then, the next picture, number three, this is on the Elmridge Subdivision side of that utility road. As you see it's full of water. Then, picture four, which is the road to the, I guess, it's the sewer pump house or something. I'm not for sure what it is, but it didn't get wet at all. Do you understand what I'm saying now? That road takes you right to that pump house, but it got wet not one time. Then, the next picture, picture number five, that shows you where the water line was, just above the bottom of the fence you can see right there it was probably a foot, foot and a half from getting in that door on that house, that pump house. Then, picture number six, that is the creek side of that utility road. That's where our rain water and everything washes down to the creek, through that area right there. There's a little lake there, that's no big thing there. Then, picture seven is the subdivision at the end of Kenmore, which, as you can see, where the utility road comes over, it's already been leveed up, it's high. They're sitting on high ground there, which you can see the water was pretty much four or five foot from even getting close to the top of that hill. It's like that all the way around that neighborhood. Then, the next picture shows the water with that levee that made for those houses in that subdivision right there. Like I said, you can see the dark brown line there where the water got up to, so, it's receded, like I said, a foot, foot and a half. And, picture nine, now this is from Lynch Road looking at that pump house, and the next picture is the same thing, still Lynch Road looking at the pump house. The next one is the same. Then, the last picture shows how high the water got actually compared to that neighborhood there. Now, my question is, when I'm standing on Lynch Road and I'm looking at that pump house, why can they not dam that up right there? All that is is a big gully, that's why our neighborhood floods. That's the reason right there. They can't dam that up from that pump house over to Lynch Road and put a pump on our side, the neighborhood side, which would be for storm water, rain, whatever, and pump that over the levee to where it would run down to the creek? Granted, you would have to raise the utility road or put a barrier up in front of it, around that, but, my question is why can't you fix that? Because it really shouldn't be much but dirt and a little concrete, and that's it, and a pump. It would solve our whole problem. Unless the river got up to like 50, 51 feet—

President Winnecke: Right.

Kevin Wilson: If it does that, then everybody in the neighborhood is going to be flooded.

President Winnecke: Right. Who owns the, who has the right-of-way to the utility road?

Kevin Wilson: I have no idea. All I do, I see trucks come out there every now and then, they're checking something, that's all I ever see.

Joe Sims: I would say, Lloyd, wouldn't the county have that?

President Winnecke: John, do you know off the top of your head?

John Stoll: I'll go check.

President Winnecke: Okay. We'll get an answer to that. I assume, but, I don't know. To answer your question, I don't know, off the top of my head. The Surveyor and the Engineer have each been out to this area in the last—

Kevin Wilson: Right.

President Winnecke: —several days, and they're comparing information from this flood situation to the last, and, I think, when the water recedes...we've asked them for a recommendation on what, how we can proceed to go forward.

Kevin Wilson: In 2008, I've lived in my house since 1990, so, I've been there 21 years. In '97 it flooded, but it just got up to inside my garage, on my floor about five foot, which is the first time I even knew anything about it flooding back there. So, it went down pretty quick, but 2008 and this year have almost been identical as far as water height, because it got up to my front door. So, I mean, we've got to find a problem—

President Winnecke: Right.

Kevin Wilson: —or fix the problem somehow, because I can't, I'm getting older not younger. The sandbagging is killing me. So, thank God for my friends and family that came by and our neighbors and everybody else, or I would have flooded.

President Winnecke: Well, we've had this very lengthy discussions with the County Surveyor's office and the Engineer's office and once the water recedes—

Kevin Wilson: Right.

President Winnecke: —completely, you know, we're working on it, and that's all I can say tonight.

Kevin Wilson: I know. Oh, I know nothing's going to be done tonight.

President Winnecke: Suffice it to say—

Kevin Wilson: I mean, I understand that.

President Winnecke: — we hear you.

Kevin Wilson: Like I said, if you just dam that gully up, the water will not back up into ElmrIDGE.

President Winnecke: The other thing that is important to know for everyone, our County Attorney and our, the county's lobbyist is working on a federal grant too, that would allow us to clear out Pigeon Creek, some of the blockages in that—

Kevin Wilson: Right, yeah, Marsha, I talked to Marsha, she said, she told that to me.

President Winnecke: –we are hopeful, but, you know, obviously, there are no guarantees, but we think that would help.

Kevin Wilson: Oh, it would help, I'm sure.

President Winnecke: A lot, because we need to clear out Pigeon Creek.

Kevin Wilson: Because you can see trees down in the creek–

President Winnecke: Right.

Kevin Wilson: –and you know that they're just grabbing stuff, over time.

Joe Sims: I would just like to say, and, we've been there for about 18 years, Lloyd, so, I would like to thank Sherm for his input and help, also Mr. Duckworth and Marsha Abell being out there helping us, and, also Eric, Sheriff Williams. If it wasn't for the people from the halfway house coming out and helping, it would have been a long ordeal for all of that day. So, we appreciate that, but we also, personally for me, being around for 30 plus years, and knowing of everyone here, I would hope that at some point that we can look as one in this community, because I want to be able to vote for the Mayor. So, I hope that , the next Mayor that comes along, gets that taken care of, hopefully.

President Winnecke: Sherman?

Sherman Greer: I've got another point also, we're in the process of having our mitigation, our new mitigation plan done, and I've encouraged these gentleman to come to our mitigation meetings, those open meetings that we have for that. We can look at that and then be able to maybe get a mitigation grant to help us along with the other grants that we're getting. This is a problem. This is a big problem here. This is one that we've come face to face with. So, we need to be able to have them to come to those mitigation meetings that we have when they're publicized. We're starting up in June again, and once those meetings start to happen, you know, we need people to come and say, okay, on the northeast side I had this, and on the southeast side I had that.

President Winnecke: How can you best communicate the dates and times of those meetings?

Sherman Greer: We are, it will be in the newspaper, it will be on television, it will be publicized very well.

President Winnecke: It might be helpful for those residents to give Sherman e-mail–

Sherman Greer: Oh, I know these people.

President Winnecke: Okay.

Sherman Greer: His son lives across the street from me.

President Winnecke: Anyone that you don't know, maybe get their e-mail information–

Sherman Greer: Right.

President Winnecke: –so you could–

Sherman Greer: Right.

President Winnecke: That would be helpful for them.

Sherman Greer: But, when we have that, we need the input from the public and everything–

President Winnecke: Right.

Sherman Greer: – that’s what gets these things, these mitigation grants.

President Winnecke: Right.

Sherman Greer: We’re working on another grant, that’s fine, but the mitigation grants, there’s a lot of money out there for that.

President Winnecke: Great. Thank you. Sure, Kevin?

Kevin Wilson: Well, where I work, luckily I had vacation time, which we were maybe going to the lake and to go see her sister which is in Florida, but, I had to cancel those two weeks for this. I had to sit there for two weeks, because you had to pump water out that oozed in under my bags and stuff, because that’s the way it was.

President Winnecke: Right.

Kevin Wilson: So, I just want you all to know that it’s a pain. Like I said before, I’m not getting younger. I can’t do this every year, because it’s nerve racking, I mean, it really is. I had no sleep for basically almost four days, before my wife had some friends she works with, they came over and watched our pump so we could go to bed and get some sleep. So, thank God for friends.

President Winnecke: Absolutely. Thank you. Who else from the ElmrIDGE area, or anyone else would like to get up to speak to the flooding? Don’t be shy. It’s okay. Just state your name for the record, if you would please.

Allen Kincheloe: Allen and Donna Kincheloe at 3802 ElmrIDGE Drive. We have pictures also, I know Kevin probably got some of them of our house. We’re right across the ditch from him. It’s not a, you know, coming down here it’s not a blame game. We just want to try to–

President Winnecke: No, we need to try and fix it.

Allen Kincheloe: Yeah.

President Winnecke: I understand that.

Allen Kincheloe: Try and fix it, and then, like he said, it’s just tiresome doing it, and we did it three years ago, and don’t know what you can do, but we appreciate anything. Kevin had a good idea about damming that up over there. I don’t know if that’s possible, but we appreciate any help you can give us. I know my wife’s got to have something to say.

Donna Kincheloe: All I know is that I've been a nurse for 30 years, and we've had friends and our neighborhood is a marvelous neighborhood, Sherman Greer and what the community has already done for us, we are very, very grateful, but, again, the saddest thing is we are aging, and we can't continue to ask our dear friends and our church members and our kids to come and try to save our home. I really don't want to move. If moving is something I'm going to have to do, I know that our property value is no longer what it should be. I also know that we are fortunate that we don't have a mortgage, so we aren't required to have flood insurance. We asked about flood insurance, \$2,000 to \$5,000 a year to have a flood insurance policy because the back side of our house and the front part of our house is zoned A, which means the flow from the back and the front, and it's from an overflow of water which no one can ever, you can't stop water. It's going to take the path of least resistance, but it is costly. In 2008, Allen and I went to Colonial, was it Colonial or Combs? Well, whoever, and we had a flower bed built up with great big boulders and impervious kind of fabric to prevent this again. \$3,000 we spent on our own to try to keep the water from our house, and all of our landscape is gone. So, yes, it is costly and it's sad and it's scary. Not that the water is ever going to get in our house, it doesn't even matter, we ache for the people that it does. Our neighbors across the street have a terrible problem, and have a new set of neighbors that had gone to Florida and come back and never new, they had just purchased the home and never knew, and that's an issue, you know, that they have to face that their realtor didn't divulge truth. That's a sad thing, but we just want to know that if you can, and we know money is tight for everyone, it's tight for us, and if you can do something for us, if you need me to write a grant, I will be happy to do that. I just graduated Sunday, Nurse Educator, Masters Degree, and I love to write, we will help and that's the thing, I guess you need to know most about the people of Elmrige, there isn't a family that wouldn't do what we can to help each other. We will help you be successful in saving our neighborhood and our homes. We're workers.

President Winnecke: Right.

Donna Kincheloe: We'll be out there.

Madelyn Grayson: Can you state your name for the record, Ma'am?

Donna Kincheloe: I surely will. My name is Donna Kincheloe. I would be happy to help you in any way.

Allen Kincheloe: The Taylor's across from us, they sit the lowest in the ditch, and they didn't get to be here tonight because they had a vacation planned and they couldn't get their reservations cancelled, it was going to cost them a few thousand dollars to cancel. So, that's where they're at, but they probably needed to take it.

President Winnecke: Right, appreciate it.

Donna Kincheloe: Yeah, they needed it, but we are good people, and we do love our community, and we do love what you've already done for us. Don't ever think, and I love Sherman Greer and Kim, and Joey.

Commissioner Abell: If you, Mr, Winnecke—

President Winnecke: Sure.

Commissioner Abell: – one of the things, I've been sort of working with some people on this grant, and one of the things that would certainly help us a great deal, there is some grant money that they are sitting on in Indianapolis.

Donna Kincheloe: Okay.

Commissioner Abell: And, we have State Representatives and we have State Senators, and they're elected people that represent you also, as do the three of us, and we could certainly use some assistance in writing letters to those people–

Donna Kincheloe: Yes.

Commissioner Abell: –explaining to them that we are in dire straits down here and actually need some help. Lieutenant Governor, Becky Skillman, is in charge of the Commerce Department, she actually heads up sort of some of the granting division. It would be well put for you to send her a letter also. Any support like that that we can get–

Donna Kincheloe: Exactly.

Commissioner Abell: –just helps reinforce to them why we've got a lobbyist that's sitting in their offices asking them to help us with these grants. So, anything like that would be a big assistance.

Donna Kincheloe: Marsha, if you can get to us a list of the addresses of the people and who to contact, we will definitely do that.

Commissioner Abell: We can do that. Marissa, could you, I tell you, we could even put that up on our website, I suppose.

Commissioner Melcher: Yeah, that's what I was just asking.

Donna Kincheloe: That would be great.

Commissioner Melcher: I think we could put them on the website and then everybody could see it.

Donna Kincheloe: That will be wonderful, because we can. We can write, and it would be a wonderful thing to be able to help you help us.

President Winnecke: Right.

Allen Kincheloe: Thank you for your time.

Donna Kincheloe: Thank you.

President Winnecke: Thanks for coming out tonight. Anyone else? Okay, thanks for coming out.

**Second/Final Reading of Ordinance CO.04-11-004
Amending Ch. 2.40: Health Department Fees**

President Winnecke: We'll move on to the rest of the business of the Commissioners. We'll move to the action items. I would entertain a motion for the second and final reading of CO.04-11-004. This is to amend the Health Department fee schedule. This is, as you'll recall, an annual change in the Health Department fee ordinance to keep pace with the ordinary and customary increases in the cost of providing services and health procedures to the public.

Commissioner Melcher: I'll make the motion.

Commissioner Abell: I'll second.

President Winnecke: There's a motion and a second. Questions or discussion? Mrs. Abell?

Commissioner Abell: Yes, I have a question. Mr. Heck, if you would like to come to the microphone.

Gary Heck: Gary Heck, Vanderburgh County Health Department.

Commissioner Abell: I brought up last meeting, and I will bring up again this meeting, and I will continue to bring it up, the possibility of having a fee schedule for Vanderburgh County residents, and a separate fee schedule for non-Vanderburgh County residents.

Gary Heck: Yes, I had a conversation—

Commissioner Abell: Since Vanderburgh County residents pay taxes and they are already paying part of the Health Department's expenses.

Gary Heck: I understand, and we had a conversation with the County Attorney, and it's an agenda item on the next Board of Health meeting, which will be the second Thursday in June. We meet at 7:30 at the Health Department, 7:30 a.m.

Commissioner Abell: So, if we approve this, we can amend it?

Gary Heck: Oh, we can, you can amend fee ordinance, or ordinances at any time.

Commissioner Abell: Oh, I knew we could, I'm just asking you if you will entertain listening to us?

Gary Heck: Oh, no, you, I come hear often asking you to change our fee ordinances, and I will certainly do so again.

President Winnecke: Any other discussion or questions? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Winnecke: Thanks, Gary.

**Sheriff: 2011 VCC Grant Agreement
Whole Truth Ministries OCH Lease Agreement
Burdette Park: All Blown Up Inflatables Contract & Addendum
Burdette Park: Youth Baseball Contract with Charles Stuart**

President Winnecke: Next, under contracts, agreements and leases, first, with the Sheriff's Department, this is grant agreement EDES#D25-12-058. This is the annual Community Corrections grant. The annual grant from the Indiana Department of Corrections to the county for the benefit of the Sheriff's Department. The grant is \$1,265,129, and the grant conditions are identical to those for last year. The term of the grant runs from July 1, 2011 to June 30, 2012. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, from our office the lease of additional Old Courthouse space to Whole Truth Ministries, Incorporated. This is to lease additional office space in suites 103 and 104 for \$575 per month for use as a photography studio. The term of the new lease would be the same as the original three years, running from May 2011 to April 30, 2014, with two options to renew for additional three year terms. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, under Burdette Park, a rental agreement with All Blown Up Inflatables. This agreement is for DJ services on July 21, 2011. Additionally, we have an addendum to this contract amending section 11 of the contract to limit the county's liability under the indemnity provision. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Finally, under Burdette Park, Youth Baseball contract with Charles H. Stuart, Jr. This is a new lease and is substantially the same, has the same terms and conditions as the prior lease that we had with River City Baseball. Is for a term of one year for rental of \$1,000. Mr. Stuart will be responsible, under the terms, for scheduling, maintenance, security and utilities. He will control concession sales, advertising and admissions. The county will be responsible for trash disposal in connection with the lease properties. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion. Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Health Department

President Winnecke: Next, department head reports. Dr. Nicholson?

Ray Nicholson: I'm Dr. Ray Nicholson, the Health Department, with the Health Department. I would like to tell you about a lead poisoning awareness children's health fair this weekend. It's on Saturday, May the 14th, this weekend, from 10:00 a.m. to 2:00 p.m. at the C.K. Newsome Center. This is mostly about lead. It's a very important topic. We have cases of lead poisoning come up all the time in the Health Department. Any house that was built before 1978 is a possibility to be contaminated with lead. However, there are other many sources, there's no more lead gasoline, but there is a lot of ceramics that has lead on it, there's a lot of houses that have lead that seal pipes with lead, and there's just a lot of lead around. Especially in toys also, and in some cosmetics. So, it's not necessarily just an old house. The point I want to make is that lead cannot be detected by a physician. If you have a child six years or under, they are very subject to lead poisoning, and there's no way you can tell just looking at them. A parent can't tell, the doctor can't tell, no clinic can tell. They have to be tested. If they are full of lead, they are at great risk to grow up very handicapped in that they lose a lot of intellect. Children that should be A and B students are suddenly D and F students, and that's the only symptom that they have. There's no, it like really handicaps them through the rest of their life, not to be able to graduate from high school or to get a job or anything like that. So, we're urging anyone, all people with children six or under to come out, join the fair, we will test them on the spot for lead poisoning and we'll go from there. If they have any toys that you suspect might have lead, you can test the toys. They have to have one flat surface for us to do that. So, it's free, and it will be sort of, kind of a party. There will be snacks and the grand prize is a new bike for people. Do you have any questions?

President Winnecke: This Saturday at the Newsome Center?

Ray Nicholson: Yeah, 10:00 to 2:00.

President Winnecke: Okay, great. Any questions? Thanks, Doctor.

Ray Nicholson: Thank you.

President Winnecke: Appreciate it.

County Engineer

President Winnecke: John?

John Stoll: The first item I have is to request approval to go to County Council to transfer \$50,000 from the Mann Road Culvert Account to the Fickas Road Culvert Account. The Mann Road project is finished and there was some surplus funds that we had in that account, and the money would be used to address the settlement issues on the approaches to the Fickas Road culvert project.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, next I have the cover sheet for the Baseline and 41 intersection project. It needs your signatures. It basically, the project itself covers the turn lanes that the county will be adding at Baseline and 41 as a part of the needed improvements for the new high school. So, hopefully, in the next couple of meetings I can bring a notice to bidders, but for the time being I just need your signatures on the cover sheet.

President Winnecke: I would entertain, so, we have to approve...what are we doing here?

John Stoll: I just need your signatures.

President Winnecke: Okay, just the signatures. Okay, great. Anything else?

John Stoll: And, the last item I've got a road acceptance form for the University Parkway project. This covers the section from Upper Mt. Vernon to Marx that was just opened. It's just a formality. It gives us a paper trail to submit to INDOT for our annual road mileage submittals at the end of 2011.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: A quick update on that driveway back to the sewer pump station. It looks like there are two properties that are affected by, there must be an easement across for this driveway for the pump station. At the far south end it's actually the Lynch Road right-of-way owned by the County Commissioners. So, two parcels affected right now, depending on the limits of it fill could be placed out there to elevate it. It may affect additional parcels, but as it stands right now it's just an easement on two properties.

President Winnecke: Okay, thank you.

Commissioner Abell: John, could I ask you a question?

John Stoll: Sure.

Commissioner Abell: And, I know you haven't looked at that, and I'm not going to try...I'm just trying to get a little information for myself. If we were to do something to that, would we just be pushing the water off somewhere else? Or would that really help?

John Stoll: That would be a question that probably would take a lot of work to determine the answer to, because I'm not exactly sure where the floodway limits are for Pigeon Creek. If it's in the floodway you would definitely be getting DNR construction in floodway permits, which would require an extensive amount of hydraulic modeling to make sure that it didn't push water off on someone else.

Commissioner Abell: Okay.

John Stoll: If it's preventing it from flowing back into the Elmridge neighborhood, it will go somewhere else, it's just a matter of where that somewhere would be. So, it would definitely have to be looked at in great detail to figure out, make sure that it's not just transferring the problem from one place to another.

Commissioner Abell: Okay, thank you.

President Winnecke: John, here's a softball for ya, Green River Road.

John Stoll: I forgot about that one. As it stands now, they are telling me that the project should be done by Friday, the 20th. So, hopefully, we don't get another, inundated by rain again and mess up the schedules, but that's what they're telling me right now. They're paving, they were paving at Lynch Road today. Everything looks like it will be a go for the 20th.

President Winnecke: The last time we scheduled a ribbon cutting it started--

Commissioner Melcher: That started it.

President Winnecke: -- a deluge. So, maybe we'll want to be careful about scheduling a ribbon cutting, but keep us posted so that we can possibly--

John Stoll: Sure.

President Winnecke: --schedule something.

John Stoll: I'll check with the inspectors again tomorrow and make sure it's still on that schedule.

President Winnecke: Thanks, John.

Commissioner Melcher: And the weather forecasts.

John Stoll: Pardon?

Commissioner Melcher: And the weather forecasts.

John Stoll: Yeah, really. Thanks.

President Winnecke: Thanks.

Burdette Park

President Winnecke: Steve?

Steve Craig: Steve Craig, Manager of Burdette Park. Our damage at Burdette, we're just finding out what it is. Water got off the road today. We've had extensive erosion along the banks of our main lake. Had about a foot of water in our utility barn, our pole barn that we use for our workshop. Our back pavilion had eight inches of water on it, it was within six inches of coming in the main office. We had a bunch of sandbags ready to do it, but the forecast came up a little bit short. The whole front of the park, the landscaping and that is just totally gone, so, we'll start all over. I've been in contact with Mike Duckworth and the Perry Township Fire Department and

we're going to start hosing some of the roads and the lots down. There's probably a couple three inches of mud. It took so long for the water to get out that it's really leaving a heavy mud cover. We're going to start working on that probably Thursday to get the roads and the parking lots clear. Other than that we're still trying to do the stuff you would normally do to get the park ready.

President Winnecke: Steve, tell us, I know you could use a few more lifeguards for the upcoming season. Where do you stand on hiring?

Steve Craig: Most of our positions in the park we've got them filled up, but lifeguarding we are short this year. We could use probably ten to 15 more kids to apply. We'll give them all plenty of time to work and that, but anybody that's got their lifesaving, come on out, fill an application in, we're still looking for lifeguards.

President Winnecke: Great. Thanks. Any questions of Steve? Great.

Steve Craig: Thank you very much.

President Winnecke: Thanks, Steve.

Board Appointments

President Winnecke: Board appointments, we do need to make a board appointment to the Coalition to End Homelessness. It needs to be a County Commissioner.

Commissioner Abell: Oh, gee.

Commissioner Melcher: Where do we look?

President Winnecke: I'm not looking at the County Attorney. Commissioner Melcher, is that something, you've served on that before, haven't you?

Commissioner Melcher: Well, sure. Who hasn't. Is there somebody who hasn't?

President Winnecke: It's a very important—

Commissioner Melcher: Right.

Commissioner Melcher: The last time I agreed to something like this I ended up having to stick around until 7:00 at night and do some phone conference, hour long (Inaudible).

Commissioner Melcher: Well, if that's our appointment, I'll do it.

President Winnecke: Okay, that would be great. They meet monthly.

Commissioner Melcher: Tomorrow, right?

President Winnecke: No. Marissa has, or Kristin, actually Kristin has the information. I appreciate that.

Commissioner Abell: Mr. Melcher, I'll take the next one.

President Winnecke: In all seriousness, Luzada Hayes and that group do a fabulous job on behalf of our community.

New Business

President Winnecke: Under new business, the Great American Clean Up is sort of on-going. I think it would be nice if our office coordinated with Keep Evansville Beautiful and had a monthly hour long clean up effort, where we would actually take an hour as Commissioners and we would get some volunteers to the office to go out and clean up an hour, pick up trash for an hour. I think it would be a great way to help participate in the Great American Clean Up.

Commissioner Abell: (Inaudible).

President Winnecke: We could do it as early as this Saturday, if we think we can get volunteers. If we can't get volunteers we can put it off a Saturday. That's no big deal. I think KEB would be appreciative of any of our efforts. Do we want to wait till the 21st maybe, just to give us time to get additional—

Commissioner Melcher: Does it have to be a Saturday? What about a Sunday afternoon or something?

President Winnecke: I just thought maybe Scouts or, you know, people who might be looking for service hours it might be easier to get them on a Saturday morning for 30 minutes, 60 minutes, whatever.

Commissioner Melcher: Okay.

Commissioner Abell: I can do it this Saturday if we've got time (Inaudible).

President Winnecke: Steve, what's your—

Commissioner Melcher: My Saturdays are pretty much booked up. My Sundays are all open. I already know that, that's why I said...just plan it and we'll see what happens.

President Winnecke: Okay. Marissa, let's see if we can start it this Saturday. Ann Ennis at Keep Evansville Beautiful, I'm sure has locations that she probably feels need to be policed, and we can get some volunteers.

Commissioner Abell: I think it would be a nice gesture to have all of our department heads help us on the first Saturday that we do this.

President Winnecke: That would be nice.

Commissioner Abell: Department heads. Did they leave?

President Winnecke: They became very quiet.

Commissioner Melcher: They slid under the chair.

Reading of Bids for VC11-05-01: Concrete Repair of Various Roads

President Winnecke: Before we move on to old business, I was reminded that we need to talk about the bids that we opened for the concrete repair.

Kathryn Schymik: Two bids were received. The first was from JBI Construction in the amount of \$223,100. The second was from Rivertown Construction, \$235,415.

President Winnecke: At this time I would make a motion to take those under advisement.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Old Business

President Winnecke: Okay, old business. Commissioner Melcher asked that we put an item on there regarding the rejection threshold.

Commissioner Melcher: Yes, and I didn't know Ted wasn't going to be here. Are you current on that? Okay, that's good.

Kathryn Schymik: Well, wait let's hear your question first.

Commissioner Melcher: Basically we've been getting e-mails and everything back, and I would like to see us vote on a threshold rejection resolution. I just thought we would do it, I wanted to do it different than the way it happened last time. In January 2010 we had a little bit of discussion and then all of a sudden the resolution showed up and we voted on it. I would like to talk about it first and give the public time to talk about it also if they would like. I don't think it says anything that we can't do it. It can't say that we can. I think that's what we have attorneys for, and I kind of wanted to hear from Ted, his explanation about it, but I do think we need to...and I don't know where the vote is going to go, because I haven't had this discussion with any of them, but I would like to see us do that. I know we've got plenty of time. I think we've got until January 11th or something. I think we've got another, this phase is

another year, and I think Ted sent an e-mail saying that it's going to put us back, if we had to start all over, that's what him and Hamilton recommended. I don't think that would be a problem because we've already got the committee in place, and I think we could move that part of it quicker and we could continue with our workshops. I don't think the committee is going to come back with a different one. So, I don't see where that would even slow it down hardly at all. I know we're trying to push for the 30th of June, so that's the reason why. I understand, Commissioner Winnecke, you're not going to be here at the next meeting?

President Winnecke: Correct.

Commissioner Melcher: So, I thought, well, I would like to see us have the threshold rejection resolution at maybe our first meeting in June that we could vote on or discuss it a little bit more, there might be some people in the public that want to talk about it too. I'm wanting to do any of that.

President Winnecke: Yeah, I would just tell you that based on my interpretation of the e-mail from the County Attorney that if either of the legislative bodies votes to change that element of the plan, then the entire process starts over. So, we would not be in a position, we would have no plan from which to make modifications during the workshop process. I, as I envisioned the workshop process, we're going to be, we've had one meeting so far, very candid and lively discussions about what modifications could be made. We'll circle all the way through the plan, then come back and make modifications that were discussed during the workshops, and then we can reconvene the public hearing June 30th, and we can move on from there. But, I think if we follow the track of changing the rejection threshold element of the plan, we really run the risk of this not being able to go to a referendum in November of '12.

Commissioner Melcher: Well, I didn't, I guess I didn't read it that way. I mean, they can read it anyway they want to read it, but I just thought that that's something that we need to really look at. I think the State has this wrong. Looking back on it, I think since we're the guinea pigs, we're the first ones trying to do this in the State, that that rejection or a simple majority should come from the committee. We maybe should of had a resolution to start the process, and we shouldn't of did that right off the bat. But, that's the way the State law said we had to do it. I think the State really needs to look at this before some other communities down the road get involved in this problem. I think what ought to happen is once they get a committee, they committee needs to come back with their plan, and they say if it's going to be a threshold or whatever. Then the two bodies, the City Council and the Commissioners could decide to take their recommendation or not. I think that would have been the fairest way of doing it. You would have had a lot of public hearings on it. A lot of people would have known up front. But, we kind of did it right away, the very first meeting of the year, and my plan was the very first meeting of the year was to hear it that night, if you remember, and come back the second, two weeks later at our next meeting and pass the resolution, because we didn't even have a resolution with us that night and then all of a sudden one showed up. I voted for it, because I said I know how to count and I want the people to have the right to vote on it. I don't know why, if we would pass another one, how that would stop the whole process, because if the City Council doesn't pass it, it's not going anywhere anyway. Or, if it gets voted down from us, it's not going anywhere. So, that was, that's what I would like to see happen.

Kathryn Schymik: Ted and I have researched this issue and looked at it. I agree, it's partly maybe a fault on the part of the legislature and just the way that this is drafted,

but, unfortunately, the enabling statutes do require that the first step in the process is that the legislative body has to adopt a resolution that sets forth whether or not it's going to be a threshold vote. When you, as you work through the statute and the process for reorganization, it doesn't contemplate any ability to go back and amend the original resolution that started the process. It doesn't say that you can't, but given the importance of this issue and not wanting to open it up for any attack, you know, at a future date or down the road, it's our interpretation that that means that that resolution is the first step. If you're going to change that resolution then you have to make a final decision on the current status of the resolution, on the current plan, conclude that process and start all over. So, until you get back to the point where we are today, by walking through the process again under a new resolution, you wouldn't have any recommendation or proposal from the committee to continue to act on. Now, to your point that the committee may propose the same plan, that's true, but you would have to wait until you got back to that point of adopting a resolution, holding the required public hearings, having the committee set forth a plan to then pick up from the point we are now. So, it certainly is going to cause, I think, a delay, you know, there's not another safe interpretation of the statute that wouldn't potentially open it up to some attack down the road, and that's what we want to avoid, given the importance of this issue.

Commissioner Melcher: But, everything is always...anybody could open (Tape Flip) you know, Darmstadt could do it, even though they refused to be part of it. Somebody could file a lawsuit against it. I'm going to look into it more, but I really, I'm not going to support it without the threshold resolution. So, I'll just say that up front, everybody knows that. I'm not changing my mind. I think the State had it wrong when they did it. I don't know if it's time to get the State to see what they could do about changing it for the future for anybody else, or give us a special deal where we could change ours without starting this thing over.

Public Comment

President Winnecke: Okay, next, public comment. Any comment from the public on any issue.

Consent Items

President Winnecke: At this time, I would consider a motion to approve the consent agenda.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: There's a motion and a second. Questions or discussion? Madelyn, will do that thing you do so well.

Madelyn Grayson: Sure. The consent items for the May 10th meeting are as follows; approval of the April 26, 2011 Commission meeting minutes; employment changes, there are five for Burdette Park¹; the Auditor has the April 2011 A/P vouchers and a drainage obstruction lien release; Voters Registration has a request to surplus two

¹This should be six.

typewriters; the Engineer has pay request number 127 for \$285,520.96 for TIF projects; the Commissioners have a letter to INDOT regarding traffic signal at U.S. 41 and Ruffian Lane; the Public Defender has a request for reimbursement to the Indiana Public Defender Commission; Burdette Park yearly comparison through April 11, 2011; Legal Aid Society non-city/county/United Way funds report of March 31, 2011; the American Medical Response 2010 third quarter report of income and expenses reimbursement in the amount of \$2,260; and there are department head reports from the County Engineer and Burdette Park.

President Winnecke: Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Any other business to come before the Commissioners? I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We are adjourned.

(The meeting was adjourned at 6:05 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the April 26, 2011 Commission Meeting Minutes.
Letter to INDOT: Traffic Signal at U.S. 41 and Ruffian Lane.
AMR Third Quarter 2010 Report of Income and Expenses & Reimbursement.

Employment Changes:

Burdette Park (6)	Prosecutor (1)	Superior Court (1)
Circuit Court (2)		

Auditor:

April 2011 A/P Vouchers.
Drainage Obstruction Lien Release: Phillips.

Surplus Requests: Voters Registration: 2 typewriters.

County Engineer: Pay Request No. 127: Green River-Burkhardt TIF Projects.

Public Defender: Request for Reimbursement: IN Public Defender Comm.

Burdette Park: Yearly Comparison through April 11, 2011.

Legal Aid Society: Non-City/County/United Way Funds Report: 3/31/2011.

Department Head Reports:	County Engineer	Burdette Park
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Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Kathryn Schymik	Marissa Nichoalds
Madelyn Grayson	Sherman Greer	Mike Duckworth
Kevin Wilson	Joe Sims	Allen Kincheloe
Donna Kincheloe	Ray Nicholson	John Stoll
Steve Craig	Others Unidentified	Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**JOINT WORKSHOP
COUNTY COMMISSIONERS-CITY COUNCIL
MAY 12, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville met in a joint workshop format on this 12th day of May, 2011 at 5:30 p.m. in room 301 of the Civic Center Complex for the purpose of addressing potential modifications to the Evansville-Vanderburgh County Plan of Reorganization.

Call to Order

President Winnecke: We'll pick up where we left off last week at our workshop. We stopped with article four, and just to kind of re-clarify sort of the ground rules, this is intended to be an open handed discussion between members of the Commissioners, the Commission and the City Council. We'll go through, get through article seven tonight. I would like to get done in the neighborhood of 6:30-6:45, if possible. Anyone who would like to speak, any member from the public who is here that would like to speak, may do so at the conclusion of the, of our workshop area. So, having said that, we'll, if it's okay, we'll proceed. Oh, and the sound.

Discussion of Tax Rates & Bonding Capacities

Councilmember Adams: Can I throw in something here? Because, one of the things that sort of bothers me in this whole thing is that we don't have a good handle as to exactly what change is going to happen (Inaudible), excuse me, what exactly is going to happen in terms of changes of property taxes to the two different entities. Whether it's going to be just, and, I think for anybody to vote for this thing, pragmatically, they are going to have to know how much they're going to increase, or how much it's going to decrease. Is there a process by which we can find that out while we're deliberating over the week, and that be a part of our final report? Because, otherwise, I don't think people are going to vote for it.

Councilmember Friend: Well, the other side too, as you will probably remember, the bonding capacities, we've got two entities with bonding capacities—

Councilmember Adams: \$44 million.

Councilmember Friend: —yes, and, how is that going to affect it? How is that going to affect the underwriting of the bonds in the future? There's a lot of financial information. I agree with you on that.

Councilmember Adams: I mean, is there some way—

Councilman John: I would suggest that you contact the Controller and the Auditor, and have them get together, collaborate, come to their best estimates of what it's going to be, since they're the ones that basically submit and prepare the budgets and determine the rates.

Councilmember Friend: Agreed. Can you do that?

President Winnecke: I can do that. I will do that. I will reach out to both of them.

Discussion of Transition Committee

Councilmember Adams: The other issue, I'm not going to be here next week. I don't know whether we're going to get to the reorganization committee, but I sure would like to have a guarantee that whatever the votes on, the reorganization committee can't change. Maybe that's not even in the language, but, I think the public has to know that this is what I'm voting on—

President Winnecke: My sense—

Councilmember Adams: – (Inaudible) or not—

President Winnecke: – and maybe John and Kathryn could correct me—

John Hamilton: Do you mean the Transition Committee?

Councilmember Adams: Transition, excuse me, I'm sorry.

President Winnecke: I think we can determine that in this plan.

Councilmember Adams: Okay, good.

President Winnecke: So, I think that when we get to the Transition element—

Councilmember Adams: I just didn't know if I was going to be here or not.

President Winnecke: Oh, okay. I agree with that. I'm 100 percent in agreement with you tonight.

Discussion of Audio Quality in Room 301

President Winnecke: We did hear several of you mention last week about the amplification in the room. We've gone back to the drawing board, we have new microphones, hopefully, it will be better this week. If not, I guess, next time we'll go back up there, but, we're just trying....let's see what you think about this time.

Discussion of Article Four: Judiciary

President Winnecke: Article four talks about the judiciary. As the attorneys said last week, there are two, there is one suggested paragraph set forth by the judges, and another sort of compromise, which reads pretty much the same, to me. You know, it's six of one, half a dozen of the other. I think they say the same, basically, that the courts remains agencies and a function of the State government, and that local government is still required to provide the financial resources for them to operate.

Commissioner Abell: Mr. Winnecke, I would like to ask that we put this article four (Inaudible), maybe until the next meeting. I am reading the note at the bottom from Judge Heldt. I have some serious issues with this. The verbiage says, the people who work for the Courts, I realize this is not part of the system, but it's like an historical note. It says, the people who work for the Courts are not county employees and are not governed by the County personnel policies. It says, since

we've had issues with the County Commission and the Council about this over the years. We have had issues with the Courts having been a person that worked over there for eight years, I can tell you that there were issues, but if we allow them to take on the stand that they absolutely are not county employees, I think they are going to have to come up with a handbook all of their own that's going to have to have some major issues in it. They're in our computer service. They're part of our IT. They sign on, and they have to be, there has to be some mechanism that this county has control over their usage of IT. You have to sign a document stating that you understand the limitations of your use of our IT system. It's extremely important in some of the more sensitive areas. An employee that has access to the Courts can remove, with the proper access, can remove someone's court record, release people from prison by doing the right entry in the computer system. This county can't be held responsible, being sued for something like that if these people are not, if they're going to have a statement here that says they're not county employees and they're not bound by our policies. If they're not bound by our policies, then I would think that the Courts are going to have to come up with their own handbook of what their policies are. What hours these people work, the fact that they don't discriminate. What if they fire somebody and we get a discrimination case filed against us because we don't have any control over them, because they don't have to follow our policies, so we have to defend them when they don't follow our policies? I think this is, you know, in having read this, I would like to be able to spend some time checking with courts in other counties, how they're dealing with this thing. I don't think this is a standard way that people view this. I think they view the people in the Courts as county employees. I don't think they're viewed, I think the Court Reporters and the Baliffs and every one of those other people are all considered county employees.

Councilmember Friend: (Inaudible) Indianapolis (Inaudible). Indy?

Commissioner Abell: I don't know, but I'll be happy to take that on. I can't take it on tonight, but if you'll put this aside for a couple of weeks, I'll certainly find out.

Councilmember Adams: Let me ask you also, in addition, I've sort of got this thing that, and I have no experience with the Courts and you guys do, do they provide you with a yearly budget and do you have to approve it or not? I mean, do you have a chance to challenge it?

President Winnecke: Oh, yes.

Commissioner Abell: The Council does approve the Courts budget.

Councilmember Adams: So, you don't necessarily rubber stamp what they come to you with a budget?

President Winnecke: The, what happens is—

Councilmember Adams: So, that says that they're saying in this thing, you know, you provide the bread, we brought our own (Inaudible).

President Winnecke: The Chief Judge of the Superior Court annually presents a proposed budget to the Common Council, to the County Council, as does the Circuit Court Judge. They're separate budgets. The County Council, they have final authority. There are a couple, there a few elements that are dictated by the State, but, by and large, it's like every other county office in terms of how the budget

process works.

Councilmember Adams: So, there, you can trim it?

President Winnecke: Yes, absolutely.

Councilmember Adams: Okay.

President Winnecke: Yeah.

Councilmember Adams: I don't want to get that (Inaudible).

Commissioner Abell: Well, and there are a lot of issues, when you say someone does not have to follow our policies, our written county handbook that says this is the way you handle termination, this is the way you handle disciplining people, if that's saying to me, and that's what I read in here that the judges don't want to have to abide by that, they should not have the freedom to violate what actually is a law, our county handbook is written based on the ability to hire and fire people. I think that they're county employees in that they benefit from our days off that we close this building, that they benefit from county health insurance, they benefit from county PERF, so, I think that's pretty ambiguous. That's like we want both sides of the bread. You know, you've got to decide where you're going to eat. I don't like that at all. I would like to spend a couple of weeks—

Councilmember Robinson: If they're not county employees, who are they?

Commissioner Abell: I think they want to say that they're State employees, but the county is going to pay for them.

President Winnecke: The judges are State employees.

Councilmember Robinson: The judges are State, aren't they?

President Winnecke: Yeah, they're actually compensated by the State.

Councilmember Adams: Steve, you have some experience with this, what do you think?

Commissioner Melcher: Are you talking to me?

Councilmember Adams: You have experience with this, what do you think?

Commissioner Melcher: Well, I brought it up already, that's why I was calling some people, I think they should be county employees, because they're not State. Who handles it all? I had this discussion, and I was trying to figure out why this is the case. So, I don't know. I agree with Marsha on this. I just think that if they're not theirs, then why are we, what handbook do they follow? I understand, and I'm being told that they follow both books, they follow the county and the State. The State's got a handbook (Inaudible). They're following both. That's what I'm being told.

John Hamilton: May I comment?

President Winnecke: Absolutely.

John Hamilton: Just so you know, the discussion I've had with both Kathryn and Ted, you've got three things here. Three different versions. The first version says, the Vanderburgh Circuit Court and the Vanderburgh Superior Court shall become a function of the Combined Government. The second version is what was submitted, I think, by Judge Heldt, it says, the Combined Government has no judicial branch. The compromise version, which I think Rebecca Kasha and myself and Ted have looked at it and approved, the intent is to preserve the status quo, whatever the status quo is. The bottom thing is just an e-mail from the judge. It's not language that would go into the Plan. So, I think, the third version, the intent of it, at least, was to put language in there that did not give either one more powers than they have under this, and to preserve the status quo, which, basically is that, you know, they'll retain whatever their current powers and obligations are, and that the Combined Government shall provide whatever Indiana law pertaining to counties says they shall provide. You can still have your dispute over, you know, the county employee issue, but, I think that's the intent of this compromise version. Part of the complication is, on court systems, is the State has laws that says you shall have a Bailiff, or you shall have a Court Reporter, but they don't fund it. So, they're mandating that you have to have those positions for each judge, but then the county has to fund it, so, then you're back to your question, which is an excellent issue.

President Winnecke: So, maybe, Marsha, if you want to take on the....research that and get back to us. Maybe it's as simple as clarifying and inserting a sentence or two in one of these paragraphs clarifying the issue of personnel policy.

Commissioner Abell: Yeah, I don't mind the article four the way it's written, you know—

President Winnecke: Right.

Commissioner Abell: – it's going to go in there.

President Winnecke: Just additional clarification.

Commissioner Abell: It's just that I think there needs to be an understanding that, that's not the way it is. Unless they want....you can't have it both ways.

President Winnecke: Right.

<p>Discussion of Article Five: Elected Offices Other than Mayor and Common Council</p>

President Winnecke: Okay, section five deals with offices other, elected other than the Mayor and the Common Council. 5.1 talks about the nine elected offices, commonly referred to as the Constitutional offices, all are required, the Assessor is not required under the Constitution, but under this proposal it would remain its own office. All those offices would retain their duties. The office of the City Clerk would be eliminated under the Plan, and under 5.3 it outlines which existing offices take the duties of that office. Any other, any discussion? It seems pretty straight forward. The term limit issue is outlined in the Constitution, so, those offices are term limited. We talked a little bit about that last week.

Councilman John: Some of them are, I don't think the Prosecutor is.

President Winnecke: Right.

Councilman John: The Coroner isn't.

President Winnecke: Those two are not. Nor is the Surveyor.

Commissioner Abell: Or the Assessor.

President Winnecke: Okay.

Discussion of Article Six: Financial Planning & the Budget Process

President Winnecke: Okay, article six, financial planning and the budget process. The position of the Controller is eliminated, replaced by a Director of Budget and Finance, appointed by the Mayor, serves at the pleasure of the Mayor, and essentially is the Chief Financial Officer of the Combined Government.

Commissioner Abell: I do have a question. If we're going to get rid of the City Controller, who becomes Mayor if the Mayor dies?

President Winnecke: I think it is—

Commissioner Abell: Doesn't the ordinance say that the City Controller does?

President Winnecke: It is outlined, succession plans, I can't remember what section it's in.

Commissioner Abell: Oh, back here further?

President Winnecke: Yeah.

Commissioner Abell: Okay.

Councilmember Mosby: Yeah, it is outlined.

Commissioner Abell: I don't plan on the Mayor dying, but you never know.

President Winnecke: I certainly hope not. The preparation of the budget is outlined. Any questions there?

Councilmember Adams: (Inaudible) about this, you reminded me that there was the power within the budget already to take money away from a certain (Inaudible). Is it still in the Combined Plan that we can do that?

Councilman John: That's in State statute.

Councilmember Adams: Okay. We don't have to worry about putting it into the merger.

Councilman John: The Council has the authority, other than (Inaudible) it's obligated, I mean, there's already (Inaudible) contract (Inaudible).

John Hamilton: I think 6.3.4 addresses it (Inaudible). Near the end it says if eight members of the Common Council agree, and I think that was eight out of 11, the way this is reading. The Common Council may increase a line item in or at a line item (Inaudible). You're asking about decreasing?

Councilmember Adams: Well, I just want to make sure we had, that there was (Inaudible) that somehow because we didn't put it in the plan we were limiting it.

John Hamilton: I mean, if you change the members of the Plan, you may want to change it, if you want a super majority (Inaudible).

Councilmember Adams: Oh, I don't mind the regular majority, I just want to be sure that we have the flexibility to add and subtract (Inaudible).

Councilmember Robinson: Now we can, we can't add now, but with this proposal we can add.

Councilmember Adams: Yeah, but can we subtract?

Councilmember Robinson: Yeah, we can subtract.

Commissioner Melcher: If you have a super majority you can add. It doesn't take a super majority to take away though. It just takes a simple majority to take away. Does the Council still have control, I guess, that's State though, over Public Safety?

Councilman John: Yes.

Commissioner Melcher: Even with this?

Councilman John: I'm pretty sure.

John Hamilton: (Inaudible) I think it needs to be addressed in here.

Commissioner Melcher: Yeah, because right now it is. The Council controls Public Safety.

President Winnecke: So, what needs to be addressed, Steve?

Commissioner Melcher: Public Safety. Police and Fire. That's where the City Council has the final control, except in—

Councilman John: They did change where we no longer (Inaudible) their salaries, like we used to.

Commissioner Melcher: Okay.

John Hamilton: I think it was two years ago, was it two years ago when that was (Inaudible)? Yeah, so—

Commissioner Melcher: That was after I had left then.

Councilman John: Yeah. That used to be that we had the authority to set the salaries whatever we wanted to. Now, that's no longer (Inaudible).

Commissioner Melcher: What about the block grant money? Is that, that used to be Council controlled. Is that still controlled in here?

Councilman John: Oh, I don't know.

Commissioner Melcher: I didn't see it.

Councilmember Robinson: I didn't see it in here.

Commissioner Melcher: I didn't see it in there neither.

Councilmember Robinson: Unless it was—

Commissioner Abell: Maybe as a Combined Government we don't get block grants.

Commissioner Melcher: Well, you're not going to get as much. You're not going to get as much, because when we, if it combines they're going to take the salaries of the county and put it with the city and it will give us a smaller portion. So, if we, if it does consolidate, we'll get less government money in block grants, because it will raise our minimum salary. That's what happened to METS, when we actually grew and became a bigger MPO here, we lost about, the city lost about a million dollars because we were bigger. It's like being a big fish in a lake and we're thrown into the ocean. Now, we're the same size fish but we get less money because they think we can operate.

President Winnecke: But, Steve, isn't there a population component?

Commissioner Melcher: Yeah, there's a population, but there's a total, but once you get to higher salaries, that's what it comes down to. That's how they figure it now. It's the population of Evansville, and that's how HUD does the minimum requirements. They know what the poverty rate is, and that's what they take. When you throw the county in there, with their numbers, there's going to be a decrease somehow. So, there will be less money, because it's going to shrink, the dollars are going to shrink.

Councilmember Friend: Per capita.

Commissioner Melcher: Per capita, right.

Councilmember Friend: Per capita income.

Commissioner Abell: But, the county people (Inaudible) by ourselves.

Commissioner Melcher: (Inaudible).

Commissioner Abell: I think there's (Inaudible).

Commissioner Melcher: That's reality.

Commissioner Abell: Yeah, that's a fair statement.

Councilmember Robinson: Well, what are we going to do about the (Inaudible) that we find (Inaudible)?

Commissioner Melcher: They'll, like everything else, you know, we're getting less and less (Inaudible) money anyway, and that's going to happen too.

President Winnecke: Any other discussion on section six, article six, rather?

Commissioner Abell: I guess we'll deal with the eight if we deal with the—

President Winnecke: The number of—

Commissioner Melcher: Yeah, that's—

President Winnecke: —Council seats.

Commissioner Melcher: — I think their idea there was a super majority. That way, no matter what their politics were, you had to have a super majority.

Discussion of Article Seven: Tax Rates and Service Districts

President Winnecke: Okay, article seven gets to the question that Dr. Adams raised at the beginning of the session, tax rates and service districts. Budgets and tax rates for the Combined Government shall be established by the Common Council in accordance with the budget process. Any increases or decreases phased in over a three year period, beginning with the first year of the operation of the Combined Government. Rates correspond with the service districts, that would be the General Service District that's proposed and the Urban Service District. It calls for the equalization of sewer rates over a three year period, beginning with the first year of the operation of the Combined Government. It gets into the description of the two service districts, the General Service District, which is generally speaking the county as we know it today. There are maps in the back of that section.

Councilmember Adams: (Inaudible).

President Winnecke: That's what I'm assuming, I'm just kind of trying to help the discussion along. Feel free to jump in with any comments or questions.

Councilmember Adams: I have to agree with that concept.

Commissioner Abell: Well, we don't have any figures to put to it.

Councilmember Mosby: Yeah, it's kind of hard.

Commissioner Abell: We're just doing a theory at this point.

Commissioner Melcher: But, the sewer rates are higher in the county. What is it, 20 percent?

Councilmember John: 30 percent.

Commissioner Melcher: 30? Yeah, 30 percent, so, does that mean it's going to come down? I guess, they could do ten percent each year.

Councilman John: There again, it would be nice to know those numbers, because

people in the city (Inaudible) paying more.

Councilmember Mosby: Absolutely.

Councilmember John: (Inaudible) property tax (Inaudible) goes up (Inaudible) percent, how much is coming out of my (Inaudible)?

Commissioner Abell: Yeah, what's the net increase or decrease, sure.

Councilmember John: You know, not (Inaudible) think about it, we may have to do what the EPA, under that consent decree (Inaudible) sign up on, this is going to be a—

Councilmember Adams: But, everybody will probably.

Councilmember John: Oh, yes, yes.

President Winnecke: I think, in my personal opinion, one of the issues that I would like to chat about is section 7.4.1, and that discusses the manner in which a new geographic area could be brought from the General Services District, could be brought into the Urban Service District. It provides two mechanisms for that to happen. One is a petition by a majority of the residents of that area to the government to ask to be brought in to that area, and, or I mean, rather, or, excuse me, or, a request by the government to bring that geographic area in. My personal, I would like to see that piece of it struck. I'm fine with having the residents petition the government to come in, but I would oppose the second element allowing the government to essentially go out and bring them in.

Councilmember Adams: So, that would eliminate the concept of annexation (Inaudible)?

President Winnecke: It would.

Commissioner Melcher: So, what we're saying, I was going to bring up annexation, but since you said it, that means the city won't be able to annex after this, even though that's a State law?

President Winnecke: It means that if a neighborhood that's in the General, in my mind, if a neighborhood in a General Service District wants to become part of the Urban Service District, it can petition the government to do so.

Commissioner Melcher: I understand.

President Winnecke: But, the government can't go out and say, we're pulling you in.

Commissioner Melcher: Okay, so that means it won't be, the future Mayor won't be able to go out and annex anymore of the county?

President Winnecke: That's correct.

Councilmember Friend: That could have a strain.

Commissioner Melcher: Well, I'm just asking, because I don't want to say that in

here and then all of a sudden some attorney somewhere down the road says, well, they can't be stronger than the State and the Mayor does have that power.

Councilman John: Does that also mean they won't be able to extend the services that aren't currently being provided there, since they aren't going to be in the—

President Winnecke: (Inaudible) District.

Councilman John: Okay, you're going to have your Urban Service District and some of them are going to be designated as such because of the services they receive, others won't be paying as much because they don't have those services. What those are, I'm going to specify, they may be street lights, sidewalks, some other, so they can't bring other areas in to that district, does that mean you also will not supply those services like sidewalks and street lights?

President Winnecke: Well, I think the theory is that you only pay for the services that you receive.

Councilman John: What if you start receiving those services?

President Winnecke: Theoretically you shouldn't start receiving them until the neighbors petition, until citizens petition to be brought in.

Commissioner Melcher: Well, we've just go to make sure the annexation stops, because this will (Inaudible), I mean, if the Mayor down the road wants to annex. Isn't that right, John?

John Hamilton: Yeah, and you could also do some other things in here, like say a request by both the Mayor and Common Council of the Combined Government if you're concerned about it being just one.

Councilmember Adams: I'm a little concerned about gaming the system. You know, you can call the system all the things (Inaudible), except maybe one that maybe doesn't allow them to become an Urban District (Inaudible) like that (Inaudible). I would think there ought to be some way that, I mean, elected officials—

John Hamilton: I'm saying you're really limiting their power right here.

Councilman John: Yeah.

Councilmember Adams: I mean, I understand having the Mayor having that power all by himself, but maybe we could have a super majority here. Which would make it more difficult to have it, but it wouldn't allow somebody to sit out there and get the services but not pay because they didn't maybe (Inaudible) lights or something like that, a sidewalk.

Councilman Friend: It could have an extreme impact on the growth of the county and the city in years to come. You wouldn't go out and expand outward to make life better, possibly. (Inaudible) from Massachusetts, you can't even tell one county to the next county, they all run together over years.

Councilmember Adams: The cities and towns all touch.

Councilmember Friend: They all touch each other.

Commissioner Abell: What if somebody petitions to become part of the Urban and we don't want them?

President Winnecke: I hadn't thought about that.

Councilman John: The cost of the services you mean?

Commissioner Abell: Yeah, I mean, what if they're just some little bitty area out here, and we're just really not interested in—

Councilmember Adams: I would like (Inaudible) combine sorts of (Inaudible).

President Winnecke: So, you could still petition, the citizens could still petition, or the government with the Mayor and a super majority of the Council—

Commissioner Melcher: Yeah, I like the super majority.

Councilmember Mosby: I do as well.

President Winnecke: Okay.

Commissioner Abell: So, you would take out either, and it would be a request by the Mayor and the Common Council, is that what you're saying? On number two?

President Winnecke: Yeah, I think it would be a request by the Mayor and a super majority of the Common Council.

Commissioner Abell: Okay.

President Winnecke: What else in section seven? Do you want to go into article eight?

Councilmember Friend: Sure.

<p>Discussion of Article Eight: Appointed Agencies of the Combined Government</p>
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President Winnecke: Okay, this deals with appointed agencies of the Combined Government.

Commissioner Abell: Any part of our (Inaudible)?

President Winnecke: I would say wherever you would like to start.

Commissioner Abell: 8.3.

President Winnecke: 8.3, okay.

Commissioner Abell: With regard to any board, commission, agency, and authority created—

President Winnecke: Could you lean into the microphone?

Commissioner Abell: Oh, I'm sorry. It says, with regard to any board, commission, agency and authority created after the effective date by the Combined Government, a majority of all appointments thereto shall belong to the Mayor of the Common Government. All appointments thereto shall belong to the Mayor, the majority of all appointment, that means the majority on all...and I looked at the chart, and the majority of all of the appointments are with the Mayor. I would just like to strike that whole sentence.

President Winnecke: What do you propose?

Commissioner Abell: Well, I just don't think there's any reason to say that the majority of all appointments thereto shall belong to the Mayor of the Common, of the Combined Government. I just think that the appointments shall be as set forth in that exhibit D chart, and we'll work on that when we get to it, and that will be part of this document.

Kathryn Schymik: Marsha, the, exhibit D is for any board, commission or agency that's in existence prior to the date of the Combined Government. Then 8.3 addresses any board or commission that is created after the date. So, any existing boards and commissions will continue with the appointments and make ups as currently set forth, and then, so, there's a difference. So, it's drawing a distinction between any new boards that come into existence after Combined Government goes into effect.

Councilmember Adams: Marsha, aren't you, in listening to you, are you looking for some balance in terms of that? So perhaps (Inaudible) Combined Government (Inaudible) the Council and the Mayor would work out the new (Inaudible).

Commissioner Abell: I just, whether it be here on a chart before or after, I just am not in favor of the Mayor having total control of all of the boards and commissions. That's what this plan does, because I've been working on that chart at home, and, for instance, the Sewer and Water Department, which is a very, very important board, it spends a lot of money, it sets a lot of rates, does a lot of work toward our citizenry, has five appointments, and they're all Mayoral appointments. That's way too much power for anybody to have. Way too much power. That's just not fair to the citizens of this community.

Councilmember Adams: The (Inaudible) point though is, outside of the existing commissions or committees they would have to do something to talk about future ones if something (Inaudible).

Commissioner Abell: Well, I wouldn't care if they set up one that decorates the Civic Center, I don't want any, the majority of all of those appointments to be with any one particular individual. I want it to be with the—

Councilmember Adams: (Inaudible).

Commissioner Abell: —this large Council that is more diverse than one person.

Councilmember Adams: I understand what you're saying.

Kathryn Schymik: Right, I mean, I think that you all can decide who makes the appointments and how many appointments are to be made. I just wanted to point out that any existing, you know, the Water and Sewer Utility Board, those type that are already in existence would continue with the appointments, you know, as it currently is. If that needs to be changed, that may be so. I'm just pointing out that 8.3 is just setting forth how appointments will be made for any new entities, or, you know, commissions that are created.

Councilmember Adams: What phraseology would you use to create balance? Because that's, I think, what you're looking for.

Kathryn Schymik: Right.

Commissioner Abell: Yeah, I want, like I said, I don't care what new board—

Kathryn Schymik: Right.

Commissioner Abell: —and there will be a new board, because we create boards all the time.

Kathryn Schymik: Sure.

Commissioner Abell: If there's a new board created, you know, it could be a board that is, has no power, means nothing and we really might not care that the majority of the appointments belong to the Mayor, but it could be something really, really important, like setting tax rates or some silly thing that we would not want the majority of all of the appointments to belong to the Mayor, we would want this Council that's going to represent all of the people to be, to have more voice than one person.

Councilmember Adams: How do you say that legally?

Commissioner Abell: (Inaudible) majority.

President Winnecke: Well, I think you first have to decide, sort of philosophically, you know, how many do you say that there are, that the 57—

Commissioner Abell: Boards.

President Winnecke: —boards, 59 boards, existing boards, you know, philosophically are we saying half, you know, the Council should have the majority of appointments, and the Mayor should have the majority of the other half. I mean, I think we have to figure out philosophically what we would want first before we can ask them to determine the (Inaudible).

Commissioner Abell: I guess, philosophically I thought they did that in 1776. This is a representative form of government and it's not a dictatorship, and I don't like the Mayor having so much control that one person has that much power. You know, I just don't like any comment of the majority of all appointments belonging to the Mayor. I just think that's—

President Winnecke: So, in none of the 59, as an example, you would favor the Council having the majority in all of them?

Commissioner Abell: I would favor the Common Council having the majority of appointments to all of the boards. Yes, I would.

Councilman John: Many of these boards are set by the State and (Inaudible) who makes the appointments.

Commissioner Abell: Some of them are.

Councilman John: When you're talking about the Redevelopment Commission, when you talk about, I would say probably more than half of them, you know, were established by an act of State legislation to make it a local board. That State legislation dictates here, and that's, you guys may want to look into this and show us which ones are set by the State and everybody gets copied so that we know that if those (Inaudible) these are the ones we can change.

Councilmember Adams: If it's a new board—

Councilman John: Well, if it's under the State though, if it's a State statute that establishes it, we've got to follow whatever it says.

Commissioner Abell: I think a new board is equally as important, you know, if the citizens of Vanderburgh County vote for a Mayor, and they vote for a Mayor who is very environmentally correct, and there's a new board that's now going to cover an environmental issue, it's going to be important who's going to have the appointments on that board.

Councilman John: But, also remember any money that's spent, first of all, would have to be approved by the Council. Second of all, any legislation that was adopted would have to be approved by Council. So, it's not like they're going to be able to create their own budgets, spend their own money and create their own laws. (Inaudible) Council. You know, you're electing a Mayor, he's going to be the Chief Executive, and you're going to expect him to run the day to day operations of the city. I don't think you should try to tie his hands necessarily (Inaudible), somebody else is going to be in charge of your boards, we want you to do, as best you can, with what we're letting you have, and, I'm not running for it, so. You kind of have to put a little trust in who's in that office. You do have some control, you have controls over legislation and you have control over the money. That's the purpose of the Council.

President Winnecke: I think Curt's got a good idea. If the attorneys could get with us and figure out which of the 59 boards, the makeups are dictated by State statute and then we can grapple with that.

Councilmember Adams: But, still, that particular phrase, I think we need to come back to it and decide—

Commissioner Abell: I've circled it...I'm going to.

President Winnecke: She ain't gonna forget it. Okay, what else in section eight?

Councilmember Adams: (Inaudible) question (Inaudible) what (Inaudible) in section 8.4? Does that mean (Inaudible) only report to the Mayor and not also report to the Metro Council.

President Winnecke: I did not read—

Councilmember Adams: Am I reading that wrong?

President Winnecke: – it that way. I read it that the County Commission appointments roll out to be Mayoral appointments. Who else? Okay, I promised the Police Chief and the Sheriff, I didn't think we were going to get to law enforcement, so—

Councilmember Mosby: I know I have people that want to come to that.

President Winnecke: –in deference to them, I think we should stop.

Councilmember Adams: No, I think we should keep going.

President Winnecke: Okay, well, you can tell them, but I think we should stop for the night. I think, unless, we could go to the transition. Do you want to go to the transition?

Commissioner Abell: What time did you want to—

President Winnecke: 6:30 ish, 6:45.

Commissioner Abell: You might see if anybody here, if we're going to have several comments, you might want to quit.

Councilmember Mosby: The transition, that's a large (Inaudible). It seems very long.

President Winnecke: Yeah, it is long.

Public Comment

President Winnecke: Anyone from the audience that would like to make any comments?

Emmons Patzer: Do you want for me to do it here?

President Winnecke: No, I would like for you to come to the microphone and state your name and your address.

Emmons Patzer: Sure. My name is Emmons Patzer, 510 West Mt. Pleasant Road, Evansville, Indiana. That is in the county, outside the city limits. I will have five comments specific to things you guys were just talking about. The first one, on the pro forma tax rates, first of all, the concept of having that done is a good idea. But, let's peel back the onion a little bit, because if you look carefully at some of the future articles, you actually have more than two districts. So, when you're talking about doing pro formas, you're going to have to run those pro formas on multiple alignments. The example I'll use is you have retrospective obligations to the old boundaries for things like pension funds, right? So, that's going to, in fact, mean that instead of having two districts to run pro formas on, to figure out tax rates, you're going to have two plus whatever additional ones are listed, there's at least two more, possibly three, depending on how you interpret it, and there could be an interaction

between those, meaning you don't have mutually exclusive relationships to your geographic boundaries. They could overlay on top of one another, creating multiple district relationships to run your pro formas on. Having done the alignments for 4,000 sales people for Bristol Myers Pharmaceutical, I know that that's a bit challenging. So, I would give you one piece of advice with that, first, what I would suggest is go to the budget people that you are talking about here, and ask them about your current technical capacity to handle multiple alignments, because you could be facing a big dollar item to do nothing but implement this tax structure on all of these alignments. I can tell you that I have spent literally multiple million dollars building systems to handle alignments structures on your pro formas like this, and, in fact, I've already taken and merged a pro forma for the city and the county based on the budgets that you have published, and you can use that from a line item standpoint to make adjustments, but there's no way that you can, in essence, take that down to any level of alignment. The second thing that I would suggest is that when you ask them to make those kinds of runs on a pro forma, you probably also need to be relatively specific with them on some time tables, because there's a number of things that have roll in provisions. I mean, if you think, for example, when you have bonding, right, you have bond obligations that are stuck in old geographic alignments, those bond portfolios are going to roll, right? So, I mean, at some point you're going to refresh those bonds, and the minute that you refresh those bonds, that obligation now falls into a new alignment structure. So, somehow when you give them the request to run an estimate of the tax implications, you have to give them a transition to say is that going to be a one year horizon, is it going to be a 20 year horizon, I mean, give me some sort of ball park. Make sense?

Councilmember Adams: What would you recommend?

Emmons Patzer: In terms of the time horizon on them? Well, I mean, most bonds, I would recommend relatively long. I mean, look at the bond portfolio, its, so, I would tend to run them long, but on the other hand, if you look at the size of the bonds, the bond costs, carrying costs right now, the low interest rates, the first question I would ask is what the capability of your current technical system is and the cost of running that system, because if you could roll them short term now and don't have the complexity of building a new architecture and save a couple million dollars, it may be a wash in the interest rate. So, that's the kind of thing that I would ask up front.

Councilman John: Well, Doc, (Inaudible) because the interest rates are so low, they have less chance of what you call a call options. If they were sitting at a high, they would be (Inaudible).

Emmons Patzer: This is just a comment of something that I heard that I liked, and that was for people to vote on this to have a clear bracketing of the Transition Committee's authority. I think that's perfect. A comment on the relationship to the judiciary. I have a little bit of a concern with the commentary that going to preserve the status quo is an effective language. Because, quite frankly, the whole process of consolidation itself is a change. It is not status quo. So, using that language, status quo, is meaningless. In fact, reporting to a strong Mayor versus a County Council or Commission, I would ask the question of what liabilities are there being created by a Mayor who gets in a nasty relationship with the judiciary in terms of a budget relationship and has no arbitration, no review process by a Council that's overseeing it. I mean, somebody's going to have to break through that relationship, because you can already see it in the language that you received from the judge. You know it's going to happen. The question is how are you going to deal with it.

Deal with it now. Set it up that way. I agree with Ms. Abell with respect to the question of majority of appointments belongs to the Mayor. Without oversight that's a disaster. I'm going to walk carefully on this comment. I have a relationship in the private world with a publicly appointed enterprise that has a board, that board may have an oversight from you guys in terms of financial, right, that they can't create financial obligations, but they can create interesting relationships with private enterprises that lead to less than favorable political imagery. I can't say it is political graffiti, but it gets down in a direction that at least it raises a public image question along that line. I would strongly say let the Mayor appoint whoever they want, but at least in a sub set of those that are pretty strong public things, not planting flowers, but there's got to be some sort of a conformation process or something like that by a Council.

Councilman John: Oversight.

Emmons Patzer: Yeah, exactly. I am still disturbed by point 8.5. In the public hearing portion of this I was told that it was my misinterpretation, it still may be, but I'm still concerned with it, because I still read it that 8.5 says all current appointments, in fact expire. If that's the case, all board appointments become new, and therefore all fall under the 8.3 point. Finally, just one comment, there was a question by somebody, and Mr. Winnecke answered it, I read it this way. Cool, the thing I would make very pointed is if somebody asks a question and somebody read it one way and somebody else read it the other way, you have a document that the public is going to read in more than one way, and courts are going to read in more than one way. You're setting yourself up for a problem. Solve it so which way you mean is explicitly clear. Thank you.

President Winnecke: Thanks.

Alberta Matlock: Sir, could I have your full name please?

Emmons Patzer: It's Emmons Patzer.

Alberta Matlock: Will you spell that for me?

Emmons Patzer: P-a-t-z-e-r.

Alberta Matlock: Thank you.

President Winnecke: Any other audience members that would like to speak tonight?

Roberta Heiman: Roberta Heiman. I apologize, this really didn't come up tonight, but it's my only chance that I'm going to have to address this issue. The proposal as it exists gives, I think, too brief attention to the Parks Board, and I would ask that, it's one of the most, our parks determine, to a large extent, the quality of life in this community. They're a large measure of it, and they're in serious need of more attention than this proposal gives to this four member board. I wonder if the board is big enough, I wonder, I don't know, but there's not a lot of attention paid to it in the plan. I would ask that that be given more attention.

Councilmember Adams: What are you talking about attention? Do you want somebody to (Inaudible) expertise in agriculture? Or landscape architecture? What more attention other than numbers would you be (Inaudible)?

Roberta Heiman: Oh, I don't know, where, like the biggest park that we're, new park that's being created now is the Pigeon Creek Greenway. There's no greenway representative on the board, or that kind of thing. I don't know if, I'm not sure. I think, is this all Mayoral? I think there's a county appointment to the board, isn't there?

Councilmember Adams: (Inaudible) large, more vibrant board (Inaudible).

Roberta Heiman: You know, well, what I'm saying is, you know, we have a board now and the parks are falling apart. This plan doesn't really pay much attention to that. This is an opportunity for some help. That's just my request. Thank you.

President Winnecke: Anyone else? Okay, hearing none, we'll pick up at the same time next week and we'll start with section nine.

(The workshop ended at 6:30 p.m.)

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
John Friend	H. Dan Adams	Curt John
Connie Robinson	Missy Mosby	John Hamilton
Kathryn Schymik	Alberta Matlock	Emmons Patzer
Roberta Heiman	Others Unidentified	Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded by Alberta Matlock. Transcribed by Madelyn Grayson.)

**JOINT WORKSHOP
COUNTY COMMISSIONERS-CITY COUNCIL
MAY 19, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville met in a joint workshop format on this 19th day of May, 2011 at 5:30 p.m. in room 301 of the Civic Center Complex for the purpose of addressing potential modifications to the Evansville-Vanderburgh County Plan of Reorganization.

Call to Order

President Winnecke: Okay, I would like to call to, reconvene our workshop of the Vanderburgh County Board of Commissioners and the Common Council of the City of Evansville. We tried working around the table twice, and we understand that we had audio issues, so we've moved back to our more typical positions. We have left the attorneys out there, so they may be difficult for us to hear, if we need their opinions, but they are away from us.

Pledge of Allegiance

President Winnecke: It was pointed out by a couple of people that we have not started the last two meetings with the Pledge. So, why don't we stand and take the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Update on Effect on Property Taxes Relating to Reorganization Plan

President Winnecke: At the beginning of the last meeting we had some discussion about the effect on property taxes relating to this plan. I did have a discussion with the County Auditor, who made a, I think, probably a pretty prudent suggestion, and that is for us to go ahead and for our two bodies to make all of the changes we think we're going to make, which I suspect will have an influence on which services might be assigned to which taxing districts, in which case....but in the meantime, and then he and the Auditor can get together after that and kind of give a better breakdown once we have a better idea of how this plan is going to be modified. In the meantime, he and the Auditor can do some pre-work, the Controller can do some pre-work on double checking assessed values, both in the city and the county, but once we have a modified plan they can get to work on the information that Dr. Adams requested.

Councilmember Adams: How will that information...it sounds logical to do exactly that, but how, would that be published in the newspaper?

President Winnecke: Well, I guess, we could probably just ask them to present it to this body at one of the workshops.

Councilmember Adams: Okay, great.

President Winnecke: That would be my suggestion.

Councilmember Adams: Okay.

Discussion of Article Nine: Consolidation of City & County Departments

President Winnecke: I think we left off at article eight last week. So, unless anyone has any objections, we'll continue with article nine. My suspicion is that 9.1, 9.2 and 9.3 may not generate much question or concern. Any questions or comments on those three? That brings us to 9.4, law enforcement. Missy?

Councilmember Mosby: I've been going to my neighborhood meetings and talking to a lot of different people regarding this, and the consensus in my Ward, with who I've spoken with, is they really do not want this combined. They do not want the Sheriff's Department and the Police Department combined. I actually did ride alongs with the Sheriff's Department and Police Department, and they both do wonderful jobs, and, you know, really people just don't want this consolidated.

Councilmember Robinson: That's also the consensus of the constituents that I represent. They do not want it combined.

Councilmember Friend: I have, likewise, my Ward, excuse me, likewise, my Ward, I'm getting the same responses.

President Winnecke: Anybody else?

Councilman John: In conversations earlier this evening with our Sheriff, he had a suggestion, or, at least, I know your stance is you would like to see them combined, and, but there's alternatives that we discussed. Would you like to come forward and touch on that for us? Because it makes sense to me, and let me preface by saying that this is an issue that could either make or break the entire request to consolidate government. As long as it's in here, I think that the plan could be in jeopardy. So, with that, I'll turn it over to the Sheriff.

Eric Williams: Sure, is it on, Alberta?

Alberta Matlock: Yes.

Eric Williams: Okay, I think it's important to preface this by saying that, you know, we can go through the history, we've read all of this. When the process began, Chief Hill and I both came in there and said, we have two wonderful law enforcement agencies, we both do a great job, we both serve our communities to the best of our ability. Things are pretty well, leave them alone. That was not the mission of the group. The group said, no, we want you to bring us a vision for consolidated government, and that includes consolidated law enforcement. Chief Hill and I both brought forth our respective plans. They differed substantially, obviously, but the plan that was chosen by the committee to endorse was the one that would consolidate all of law enforcement under the Sheriff's Office. I don't mean to speak for the committee, because they had their reasons for making that decision, but I can imagine a lot of them have to do with the fact that it's an elected office, it's not going to go away, and the opportunities for long term cost containment and savings were greatest under that version. All that said, we still to this day have two great law enforcement agencies with wonderful people doing a good service for this community. I personally think consolidated government is the direction that our community needs to move. I struggle with the logic of deciding that we were going to consolidate our executives, our fiscal body, all of our parks, our transportation, all

of those people into one, but we're going to leave out the two biggest components of both units of government. But, if that's the will of the people, it's the will of the people. I don't want to see consolidation sidetracked solely for that one reason. If the people are satisfied with the services they are receiving, and that seems to be the message you are hearing, then we should come up with a plan to fix that, but not leave it so that we're faced with the same emotional decision all the time. My suggestion to Councilman John was that we talk about leaving law enforcement out of this. I don't want to see law enforcement left out, what I want to see is exactly what Chief Hill and I said from the very beginning, and that is leave us alone. Let us continue to do what we're doing. So, my suggestion is that if we are going to pull the law enforcement component, as far as the consolidation, out of the plan, then it should be put into the referendum that the law enforcement agencies will continue to exist as they are today, and not subject to the wills of Councils down the road or Mayors or whoever, that the decision to consolidate them in the future, to make substantive changes to their jurisdictions, boundaries, and those kinds of things occur through referendum again in the future. It seems to me that that is the will of the people, that we really want to leave these alone and we don't want to have the willy nilly changing, you know, I could use the Marion County situation. That's exactly what's happened up there. They've had strong Councils that have gone back and forth and changed it to the INPD, to the Sheriff's Office, back to the, it's gone back and forth. So, my suggestion would be, that if we're going to seriously consider pulling that piece of the pie, or that piece of this Plan out of this and what would be the referendum, that we don't leave it out, we specify that we're going to leave it alone. I don't even think, it's not a totally bad idea, as we discussed, that you put a time line in the referendum, that this will be considered at a future referendum in "x" number of years, to force the continuing study of the idea and the concept.

President Winnecke: Sheriff, does it make sense, assuming we go down this path of leaving it alone, does it make sense to add language to the Plan that clarifies immediately any jurisdictional, are the jurisdictional lines exactly—

Eric Williams: Well—

President Winnecke: —the way you and the Chief might like them?

Eric Williams: No.

President Winnecke: Does that make sense?

Eric Williams: No, I think, Commissioner Abell, we've talked about this at length in the past, that if we are going to travel the leave it alone, and put that in there, that before we did that, now might be the time for us to shore up some boundary discrepancies and some issues that both the Police Department face because of some oddities out there and some unclear jurisdictions, and for my office to do some of that also. Because there are some islands out there that are difficult to police for an agency that's not policing the surrounding areas. So, if we were going to do that, I would say that this would be a great time to shore up and straighten up those jurisdictions and set those jurisdictions between the two agencies until the next referendum, or this would come up again, but not to leave it subject to the equivalent of what's today's version of annexation.

Councilman John: I tend to agree with what he's saying, that you leave it alone, but you come up with a deadline, there will be a referendum within "x" number of years

after you've put together a comprehensive plan, rather than just say we're going to combine them and here we go, and that we define what the Sheriff's responsibilities are going to be until that referendum, and what the Police Department's are going to be. I tend to support that idea.

President Winnecke: Dan?

Councilmember Adams: I guess, the only tweak, I guess, I would suggest, and I don't even know if it's any good, I would like to echo what all of you have said, from what I'm hearing. I wonder if the Urban Districts should not be policed by the Police and the Non-Urban Districts would be policed by the Sheriff. At least that would give us some flexibility over the next five years for the next referendum.

Councilman John: I think that makes a lot of sense if they're contiguous, as opposed to the north end is going to be this and you've got someone on the southeast side, and that's the way they are right now. So, yeah, if you, I think we could better define them, but, yeah, similar to what you are saying.

Councilmember Adams: Because there's got to be some sort of progression, or perhaps not, but I think we ought to have that flexibility within that...and, I agree with you, in terms of that contiguousness would be more efficient in terms of that. Certainly, I would think that Chief Hill and our fine Sheriff should be able to give us some direction on that.

President Watts: Sheriff, how would you go about breaking it out? Is that something you and Chief Hill would sit down—

Eric Williams: You know, we have not sat down and discussed this at length. So, I can't even begin to speak for Chief Hill and his beliefs on this concept. We've talked about it in the past through the course of other meetings. Basically, I would make what are geographically easy to follow lines between the two agencies and establish those lines regardless of what happens in the future. You know, we've talked about, you know, we've heard lots of people say we want to leave it alone and leave it alone, well, leave it alone means exactly that. We leave it alone and this will continue, which is what the Marion County Sheriff's Office did a long time ago when they did their Unigov operation, that whatever the lines were that day, regardless of what happened elsewhere that was the Sheriff's jurisdiction for patrol purposes, investigation and 911 response, and what was originally inside the city limits was that for the IPD. That takes away what I think causes a lot of this fear right now is never knowing what the future holds and it can be willy nilly, at the drop of a hat something changes. We do have two fine law enforcement agencies, we want to continue to have those. We would basically say that the Evansville Police Department will be responsible for policing what's currently the core of our community, or the center city and what is known as Evansville today, and the Sheriff's Office will continue to patrol everything else. The idea that urban services makes a big difference, I'm not sure in an overall unified government, because we're all going to be unifying these tax services and doing some things like that, because there are lots of places in the county that resemble much more like the city did a few years ago, and we've very successfully policed those and provide services. I don't see any reason to do anything other than establish what would make good geographical boundaries so that it's easy for both of our agencies to provide the services, so that they make sense, as opposed to what we have today which just happens to be wherever the last annexation line got drawn.

Councilmember Adams: Well, I obviously disagree.

Eric Williams: That's fine. We disagree a lot. So, that's pretty normal.

Councilmember Adams: I respect your trying to come and simplify that, because I think we all feel that this particular issue could be a killer of the whole process. I still would like, and obviously we can vote on it, to tweak it so that the interim of time, if there is an Urban District that's getting all of the services, and therefore is paying for them, should perhaps we should consider having the Police do that area. I agree, if it's not contiguous and it's out there it makes, it's not efficient at all, but I would like to build in a little bit of flexibility, rather than this is the wall, this is the way we're going to do it, because it may not come for ten years. We may not have a referendum until ten years.

Eric Williams: And that may not be a problem, and I think by saying what you're saying, you're giving some indication that because you're in the Urban Services District that services provided by the Police Department are somehow better than what the Sheriff's Office is providing.

Councilmember Adams: Yes.

Eric Williams: And, you're saying that?

Councilmember Adams: No, but if you want me to say it I will.

Eric Williams: Alright.

Councilmember Adams: I'm just—

Eric Williams: Then, we absolutely disagree with one another.

Councilmember Adams: Yeah, I know that. I mean, if you want me to say it I'll say it, but the bottom line is here, I don't have, the bottom line is here, I want a little flexibility so, because I think you're asking for something that is current for—

Eric Williams: Well—

Councilmember Adams: —let me finish, 2011 that is too rigid for perhaps 2016 or 2017.

Eric Williams: What I'm doing is coming up here, responding to what you have said and what the group has said they are hearing from their constituents, which I don't hear that necessarily the same way. Now, maybe people tell me what I want to hear, I don't know, but, you know, I hear a lot of people saying that we're ready for the transition and we think putting it under the elected office of Sheriff as a whole is a great idea and let's go ahead with it. If we're going to consolidate the rest of government, let's do it all. Let's get it over with, and five years from now nobody will remember what we did today.

Councilmember Adams: Well, that's not true in Indy, is it?

Eric Williams: No, because that's different because they've constantly been going back and forth and tweaking it.

President Winnecke: I wonder—

Councilmember Adams: My only point, and I don't want to waste a lot of time, my only point is that I think we need a little bit of flexibility in this Plan so that we're not locked in to 2011 boundaries in terms of efficiencies.

President Winnecke: I just wonder if, Chief, did you have anything that you wanted to add on this specifically?

Brad Hill: Absolutely.

Councilman John: I was going to ask.

Brad Hill: Well, I think, as most of you know, I couldn't be any more against the current Plan, in its current form. So, what, the Sheriff and I have talked, several months ago about this idea of not just leaving out law enforcement from the Plan, and then we revisit this every few years and the turmoil erupts again in both of our departments. I would like to have something in place to say that's not going to happen, you know, for some time. That would be my preference. I think, if you look at Indianapolis, Eric said it's gone back and forth, it's actually, it started off with the Sheriff in charge and now the Chief is in charge there, they switched when the new Mayor came in, and it could change again. That's the way it is now. I would prefer that as it's been presented today, that we do leave it alone, but we do put some parameters in there that it will not be constantly revisited. I am not opposed to the idea of looking at the borders and see if there is some tweaking that we need to do on those borders, but, I think, currently the way it is, where the Police Department takes care of the jurisdiction of what is currently the city, I am perfectly happy to continue with that plan, but if there is some straightening out of some of the boundaries and the borders, I would be certainly willing to look at that. The Sheriff and I have not looked at the map and said, hey, let's do this, let's do that, but we can do that. We can sit down, and I think we can come to agreement on some things like that, some minor adjustments.

President Watts: Chief?

President Winnecke: Oh, go ahead. I apologize.

President Watts: Something like this, I mean, I think you're hearing a consensus here that we don't want to leave it out, we want to leave it alone, as you both said.

Brad Hill: Right.

President Watts: I don't think that anyone up here is as qualified as the two of you to set those boundaries and set those time lines. How long, hypothetically, does something like this take? I mean—

Brad Hill: I would need somewhere around 20 years, I think, to get that done. For us to look at the boundaries, we can make that a priority.

President Watts: I mean, this is obviously something that is pretty important to this Plan. I don't know, I know you are both busy, but if it's something you can get together and visit—

Brad Hill: I'm sure we can look it over.

President Watts: –I think it would be very, very helpful to us.

Brad Hill: And, I don't see large changes to the way it exists now, but, as Eric said, there's certain things that are kind of islands that we go to patrol and it would make sense. There's certain things that it would make sense to go ahead and make some changes to, and I would not be opposed to that.

President Watts: Thank you.

President Winnecke: So, I think the consensus....go ahead, Wendy.

Councilmember Bredhold: Yeah, I'm not sure you have a consensus. I mean, I agree that the political will probably isn't here to tackle this in this election year, but, I think that this would be a good time to address it because we are doing it now. I would like to put something in there saying that it will be addressed in the near future, if it's something that we can't touch right now. But, I have a question for Councilman Adams, and that's that if you're not willing to draw any sort of parameters based on 2011 right now, how do we draw districts? We don't know what the population is going to be in 2016 either?

Councilmember Adams: Well, I don't–

Councilmember Bredhold: Or where they're going to be?

Councilmember Adams: I don't have a problem with drawing an agreed boundary that you and the Sheriff are going to make. I just, down the road, it may be five years, it may be ten years before there is a full service Urban District that comes into the city. It may or may not, all I want is the flexibility, and you may disagree with me, that if there is a contiguous area of the combined area that is going to become Urban District, full service, then I happen to think that the Police should serve that. I don't know whether you and the Sheriff agree on that. I think, and it would be sort of an (Inaudible. Mic not on.) that would allow us, for people in the future, before they actually decide to do that, it may be one year it may be five years before they get a referendum, but the bottom line is that during that period of time you would have flexibility that if you have new areas that came into the Urban District, that would be covered by the Police. We can start with any boundary that we want today, but that boundary is not going to stay rigid.

Brad Hill: Well, and that would not be a problem for me. Again, not to speak for the Sheriff, I would think he would see that in a different light than I do, for us to expand our boundaries at some point, because of the changes in the demographics or whatever. I wouldn't necessarily be against that. What I would want to do, to respectfully disagree with you, is I don't want this issue to keep coming back up. Because you have no idea of the turmoil that just discussing it has caused for my department, and I'm sure in Eric's department as well. We have a good relationship, but this is a contentious issue, and a very emotional issue. It means a whole lot to my officers and his deputies to think of a total overhaul of what we've known for all of my 30 year career, just because it seems to be a popular thing. In my opinion, this is a much better way to go, at this point, and I think it truly is the will of the majority of the people is to leave law enforcement alone. I think it is a killer for consolidation to leave it in, in its current form. So, I would agree with the Sheriff on

the fact that we agree on some borders and we put some language in there to leave law enforcement alone for, in my opinion, a good length of time, even though I will be gone and Eric will no longer be Sheriff.

Councilmember Bredhold: I want to make sure I understand what we disagree about. You disagree with the idea of putting something in the Plan that says we revisit consolidated law enforcement—

Brad Hill: In a few years, is what you said.

Councilmember Bredhold: —in five years another referendum, or whatever the case may be?

Brad Hill: I would want to put it off further than that to be honest with you, because it is just re-stirring the pot, so to speak, and it's been, as I said, it's been a very contentious issue right now, and I don't think law enforcement is the issue in consolidation. I don't think that is the thing that needs to be fixed, in my opinion. I think it's working very well. The reasons for consolidation seem to steer more towards getting businesses that come into your community, make that easier. Law enforcement is not your stumbling block on that.

Councilmember Adams: But, I would add, I think at our last session we talked about the fact that the Mayor and a super majority, we haven't voted on it yet, would have to be in favor of having a new Urban District to come into the city. So, it's not like this is something that's going to happen like that, but if it does happen during two, five, ten, whenever we decide would be the referendum, I think we ought to be able to address it. That's the only point I'm trying to make.

Brad Hill: I understand.

Councilmember Friend: Chief, I didn't see any dollars and cents on, if we did combine them, what we would save. I haven't seen any hard numbers.

Brad Hill: We did research with many different jurisdictions that went through consolidation of law enforcement. Generally, you're going to see a lot more expense up front for combining the departments with the matching equipments and uniforms and cars and all of that. There are some up-front costs that are usually pretty expensive. You're not seeing a lot of savings. The only time that you're going to see savings, and it's what my plan was, the only time you're going to see savings generally is if you cut personnel. That's where you see savings, but if you're not going to cut personnel, from what our research, you don't really see a lot of savings in combining law enforcement. But, you do see a lot of morale issues when you try to combine law enforcement, huge morale issues, which is a major subject that I deal with on a regular basis to try to make sure that morale is being addressed.

Councilmember Bredhold: If you don't, I think one thing that it might address is confusion sometimes on the part of citizens about who to call in what situation. I personally have been in a situation, before I was ever involved in politics, where I called the Police Department and they referred me to the Sheriff's Department, and they referred me back to the Police Department, which I think is part of the confusion that we see in our unconsolidated government presently. There's ordinances for people who live in the county and who live in the city are separate, and, you know,

just a sort of consistency that people can come to rely on knowing what's what and who's who.

Brad Hill: Well, I would say that, I'm sorry, I would say that there's not confusion when you have an emergency, because you call 911, and wherever you are calling from they send the appropriate unit. We don't step on each other's toes on that, you know, we know our jurisdictional boundaries where we go. You know, it's the same issue if you're going to have the State Police address something. There are boundaries. There are boundaries everywhere you go. There's jurisdictional boundaries, and we have them now, and we abide by those. However we do cross those boundaries to assist each other, when necessary, or when we're close to a, if the City Police is close to a run that's just outside the city limits in the county, we go. If it's an emergency, we're going to go, and it's the same way with his people. We know that. We back each other up and we know we're going to. That's what makes us effective, but, as I said, I don't think it is necessary to overhaul law enforcement to make us more effective. I think we're very effective now.

Councilmember Bredhold: I think, at some point in the future, if consolidation is to pass and people stop thinking of themselves as living in the city or the county, and just think of themselves as citizens of the Evansville Metropolitan Area, they might see a little bit more wisdom in perhaps doing this. There might, they'll be over initial issues with the consolidation plan, and I like that recommendation that it's something we visit at this point, because it's obviously not going anywhere now.

Brad Hill: Well, and I will say, as I've said before, on the overall majority of jurisdictions that have gone through consolidation of law enforcement, they still maintain two departments. They have a Sheriff's Department and a Police Department. There are very few that combine under the Sheriff. Those that do combine, normally the Police Chief is over law enforcement, and the Sheriff keeps his traditional Constitutional duties, responsibilities, but they normally continue to have two, separate law enforcement agencies in that community.

President Winnecke: The two notes I made, sort of coming into this meeting, kind of thinking, assuming where the direction might go tonight, one, I think, and it probably makes sense to ask the Chief and the Sheriff to sit down and come back to this body with a recommendation on clarifying the jurisdictional islands and making sure everyone...cleaning that up.

Brad Hill: Sure.

President Winnecke: But, the other issue that I kind of saw, I mean, we've touched on it, and certainly I do not want to go where Marion County and Indianapolis has gone. I think that does spell trouble, but to Wendy's point, I mean, I think there ought to be a mechanism by which, in the future, if future Councils, Administrations, just citizens want to re-examine the issue, there ought to be a mechanism by which they could do that, which could be spelled out in article 11, which we have obviously not gotten to, just general amendments to the Plan. So, you know, however that ends up could be the resolution on how, in the future, any potential consideration is given to merging those departments.

Brad Hill: I guess, one of my fears, and I'm sorry to keep talking up here, but, one of my fears, and I may be wrong on this, but it seems like Louisville, they voted on consolidation that did not include law enforcement, and then shortly after they

consolidated, they consolidated law enforcement. So, that's something that I would not want to see here is, we pull law enforcement out of the Plan today, and then right after we are consolidated, law enforcement is brought back into the issue and it's consolidated immediately after the consolidation of the other governmental agencies.

President Winnecke: Well, in section 11 there's, again, and it's just in the Plan that's presented, there are two mechanisms by which any amendment to the Plan, not just law enforcement, law enforcement is not spelled out in there, but there is a legislative manner and a citizen petition manner that drives it to a plan review. It's a pretty lengthy process, I believe. So, you know, I agree, I wouldn't want to get through it and all of a sudden we start a law enforcement issue.

Brad Hill: Right.

President Winnecke: I mean, I don't think that makes much sense, personally, but, I do believe there ought to be some way, in the future, that could be addressed, if people wanted to.

Brad Hill: Right, I understand.

Commissioner Abell: Chief, how many patrol officers do you have 24/7 that actually are driving our streets?

Brad Hill: Well, we have a total of 288 sworn, authorized sworn officers for the Evansville Police Department.

Commissioner Abell: That's administrative and patrol officers?

Brad Hill: That's everybody. So, patrol we have, approximately 120 (Inaudible) patrol officers split up over the three shifts.

Commissioner Abell: About 120 of those, and how many total? I'm sorry, you said it, but I—

Brad Hill: 288 is our total authorized, sworn.

Commissioner Abell: 288? And, Sheriff Williams, the same for you?

Eric Williams: (Inaudible) are dramatically different.

Commissioner Abell: Oh, I'm sure your numbers are different. I'm saying the same question is for you.

Eric Williams: Oh, okay. We have 108 full force merit deputies. My total workforce is roughly 250, counting civilian jail employees. At any given time we've got about 60 personnel assigned to patrol services.

Commissioner Abell: Okay, and this is for either one of you to respond to. If this were to be, whether it's consolidated or not, what is the implications on the retirement funding for your patrol officers? Is that a huge issue?

Eric Williams: I guess, I'm not clear on the question.

Commissioner Abell: If we were to consolidate the two departments, does that cause a problem with funding of your retirement?

Eric Williams: I think it is a perceived roadblock. I think that both of our agencies have multiple versions of our pensions in place right now, based on when you were hired and whatever. So, you know, it's always been my vision that if we were to consolidate, the pension you were under at the time we were consolidated, is the pension you stay under, and new hires that come on would fall under whatever pension is in place for the agency that's in charge of the consolidation. They're both basically funded in the similar fashion. The Police Department currently is in a PERF pension, and the Sheriff's Office is in a privately held pension, but their pension, and I just, I don't think those were insurmountable issues.

Commissioner Abell: Okay, do you know, has anyone attempted to put any pencil to paper to figure out, if we were to consolidate? I mean, I have heard, everyone has said, or not everyone, but I have heard people say there would be no financial savings. I find that difficult to believe, because I know that anytime any offices within this building are put together there are needs for fewer receptionists, fewer secretaries, fewer computers, all those things, and, to me, those are as much a savings as the up-front cost of buying new uniforms, new cars and that type thing, I think. So, has anyone sat down and really tried to put this together?

Eric Williams: I am sure that both of us have put rough numbers together kind of looking at it conceptually. I would say that the things that you just mentioned were all attached to people. Computers, you need less people, less computers if you have less people that are working. So, you know, really, the savings, if there were going to be any, and my plan really never called for any up-front savings. What I looked for was long term cost containment and being able to stymie the growth of law enforcement, be able to address the needs of a growing community under consolidated government for a longer period of time without having to grow. My plan also called for the savings to occur because we were going to phase things in. A lot of the arguments that you've heard have to do, and they're real, you know, a lot of agencies make the decision, the moment you consolidate you repaint all of the cars so that they all look alike, you buy new uniforms so they all look alike, you do things like that. I personally don't believe that that is the hugest of issues, and I think you can do that over time. In many respects we've kind of started down that path. A small example, the most expensive piece of my uniform and his uniform is the leather. All this gear right here. That's the most expensive piece of it. We always had brown, they had black. When I became Sheriff I switched ours to black. So, we're already to go, you know, that was, it just made a lot more sense. I think you're going to see a transition in my fleet over the next few years. There are a lot of financial savings to be made, and I've been making this argument with the State Sheriff's Association for the last, since I've been Sheriff, that the brown and tan cars, while they're cool and they're historic, they're more expensive to operate. A white car is cheaper. My fleet, starting next year is going to be white. You know, so, a lot of that stuff could already be in place between now and when we get there, some of those other costs. But, the plan that I've put forth, the savings was going to be from a reduction in the command staff. I mean, obviously, Chief Hill makes a good salary and I make a good salary, under a combined agency we don't need two CEO's. I didn't displace personnel, what I wanted to do was lean up the TO's, and we don't have specific numbers, because, you know, my plan called for having the quality, smart people of the Police Department and the quality, smart people of the Sheriff's Office, once the word go was given, that we sit down and we figure out how to make this thing work,

and we do it as a team, and we come up with a plan that makes sense. But, ultimately, the plan would mean, you don't need as many Chiefs and Sheriffs and Captains and Lieutenants, that you could lean that down, and you would lose the rank, the costs of those ranks, but it seemed, contrary to what I was hearing from the people is that we want people showing up when we dial 911. We want the people on the streets. So, we were going to deploy the personnel in lower numbers at the bottom of the totem pole and put them, the people that are actually out there doing the work make sure that those numbers stayed in full force. So, yes, I believe, beyond a shadow of a doubt there will be savings gained. I can't give you an exact number right now, but they wouldn't be great. I mean, they wouldn't be substantial by any stretch of the imagination. I think there are other efficiencies that can be gained, because we both operate personnel units, we both operate training units, we both operate, you know, those kinds of units that we could put those together and do some things more efficiently. But, I do want to make sure that the public and the committee knows that the idea that we are duplicating each other's services is not that accurate. There may be a little overlap here and there on a few things, but they do what they do very well in the areas they do it, and we do what we do very well in the areas we do it. We work with each other and we help one another when we want to do it, when we need to do it, but otherwise we stay out of each other's business. Because of that attitude, it's why I've always believed that the people of both agencies could accomplish this and build, take two great agencies and make the agency that the rest of this State was envious of. That folks is how you do law enforcement in a community. That was what my vision was.

Commissioner Abell: Well, I do agree, because I do think that two good agencies could form one really, super great agency that we could be able to fund better equipment and better services for. I do understand your position, Chief, on how disruptive it is to your staff, and I am very sympathetic to that, however, I have to say having been an officeholder myself, it happens every four years in the building here with everybody who works for somebody. You know, we went through it every time the Clerk changed for a whole year before that people are out looking for better jobs, trying to get into the judges offices, losing your good people, keeping people who were just worried that they weren't going to keep their jobs. That's just part of working in the political system, whether we like it or not, makes no difference, that's the way it is. If your boss is going to change, there's a good chance you are going to either have to quit or you're going to get fired if you're not the kind of employee that that person is going to want. So, if that turmoil is hard to deal with, and I understand that it is, we also have to realize that change is always hard to deal with, but we're going to have to look at how this community can continue to operate with the kind of money that we have now that is dwindling as we sit here. If you watch the National news, you know that that isn't just unique to Vanderburgh County. So, I'm looking at, if consolidation can't have a price tag to it, then I'm almost what are we doing here? But, I think it has to have a price tag hooked to it, and I think this is a department that has a price tag hooked to it. Thank you.

Eric Williams: If I could just add one thing, because I concur with what you said, but just before somebody says it, officeholders, you know, we're elected, it's a political process, but the Police Department is just as political as the Sheriff's Office, whether they want to admit it or not, they work for an appointed department head of a political entity and he changes every four years. We're going to have a change here in a few months. So, that's what happens. So, that is, works the same way in both agencies, and I just wanted to say that before somebody says that, well, see that's why the Sheriff's Office, they're political and we're not.

President Winnecke: Dan?

Councilmember Adams: Is it worth us considering a five year hiatus cooling off period of this subject?

Commissioner Abell: I think it's great to have five years of working on what this could look like.

Councilmember Adams: Yeah.

Commissioner Abell: Instead of trying to put it together in two months.

Councilmember Adams: If voted in, what the consolidated government would look like too, without this monkey on their back. Just an idea.

Brad Hill: Could I say one more thing?

President Winnecke: Chief, did you want to put a period at the end of this sentence?

Brad Hill: I think if you look at the Evansville Police Department and my tenure as Chief, I am not afraid of change, and I welcome change. But, when I don't see the benefit for the change, then I'm not just going to jump into it because it's change. We've done a lot of research with the other agencies, and I don't see the benefit. So, I don't think it's, don't characterize me as not wanting change because of the turmoil it would cause. I'm used to turmoil in this position, and we've done a lot of things on the Police Department, and, I might add, some of Eric's points about reducing rank, we've done that since I've been Chief on the Police Department. We're 80 percent worker bees and 20 percent supervisors and above. So, the majority of our people are the people that are going to respond to runs. So, we're trying to do the best we can, and I think when you talk about people being envious of agencies, I think there are a lot of people in this State that are envious of the Evansville Police Department and the job that we do here. I'm very proud of it, and don't want to, I don't want to overhaul it when things are working well. That's my position.

President Winnecke: Why don't we ask, if it's alright, I think this is a consensus to ask that the Sheriff and the Chief get together, in short order, and bring back to this combined body recommendations on jurisdictional issues that we can include in a modified Plan. In terms of, you know, sort of the longer term picture of potential change, why don't we address that in amendment 11. It's possible we could add a special amendment just for, just a law enforcement component in the amendment section and get to that. Okay, any, I think our discussion makes 9.41 and 9.42 moot. That would be the statement about not reducing the force and the change in the merit, of the Merit Board. 9.5 on fire protection, the suburban fire is a function of township government, so, that's not affected by that, by this. 9.6 designated the Burdette Park and the Mesker Park Zoo directors as department heads of the Combined Government and appointed by the Mayor. Any questions there?

Councilmember Bredhold: I have a quick one. That wouldn't supercede any plans that the Zoo has in terms of a public-private partnership? Or even, who knows if their intention is to eventually take that private. Would it?

President Winnecke: I don't know the answer to that.

Ted C. Ziemer, Jr.: You could not, I mean, the Zoo can't, on its own, or the Advisory Board to the Zoo can't decide that it's going to be private. It would have to be an action of government, since it belongs to the city. The city would have to, or the new Metro Government would have to concur in any such change. So, certainly, this would not preclude that, but it would not make it any easier either.

President Winnecke: Any other discussions on section, article nine?

Commissioner Melcher: I do.

President Winnecke: Steve?

Commissioner Melcher: I wanted to get through the law enforcement before I brought this up, back to 9.2, about the City Engineer and County Engineer. Are we looking at combining both into one?

President Winnecke: They would each, under the Plan they would become employees under the Department of Transportation Services.

Commissioner Melcher: Well, that was my question. I really, and I spoke in front of the committee back early on this, working with the City Engineer wearing one hat, and the County Engineer under another, I really think this department ought to be a separate department of its own, and it ought to answer to the Mayor. It just seems that it works better that way. You don't have two people you have to talk to, there's just one. That one can get more done, and that person should be answering to the Mayor, and it not be under the Department of Transportation.

President Winnecke: So, creating a Department of Engineering—

Commissioner Melcher: That's right.

President Winnecke: —as a department?

Commissioner Melcher: Make that an engineer, they have to work with the MPO anyway, which works with the Federal government and everybody else in our community, and also with the Mayor. I think that works, and I think that would be the best thing we could do with that department.

President Winnecke: Okay. Any other discussion along that point?

Discussion of Article Ten: Transition
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President Winnecke: Okay, article ten has to do with the Transition Board. It outlines the general functions of the Transition Board, the composition, and, I think, a lot of people may have some heartburn with this section in general. I thought I would throw something out to maybe either alleviate the heartburn or make it worse, I don't know. Clearly, there needs to be someone who oversees or an organization that oversees the transition from the separate governments to one. I think maybe it makes sense instead of having a Transition Board as outlined in here, the Transition Board be the Combined fiscal bodies of the two governments, the County Council and the City Council and those bodies make the decisions of transitioning from one government to another. There you really, I mean, the people who are elected are accountable.

It's not a group of appointees, which we've heard mentioned several times in the last several weeks. So, I throw that out there. Not everyone at once.

Commissioner Abell: It would be all of the City Council and all of the County Council?

President Winnecke: Because, in here they have functions, you know, some of these are pretty benign, you know, just describing the assets of the Combined Government, but when it comes to like employee classifications and what not, it is those two bodies that determine that. It's those two bodies that, you know, in 10.2.1, in this Plan, talks about adopting tax levy's, tax rates and budgets.

Councilman John: If you do that, you better provide for a tie breaker, because you're talking 16 members.

President Winnecke: Good point.

Councilman John: Which, I assume Marsha would be in favor of the Mayor being that, from her previous comments.

Councilmember Adams: I think, one of the false impressions that, I like your idea, I think it makes sense, one of the false impressions that I'm hearing from people is that somehow the Transition Board could alter what people have voted on in (Inaudible), but I don't, having read this, I don't see that there.

President Winnecke: Right.

Councilmember Adams: So, I don't know whether it's necessary to add it, or just understand that once the referendum was voted on, that would be the structure of the merged government without change by the transition people.

President Winnecke: Yeah, I just see that as the housekeeping mechanism by which we transition from point A to point B.

Councilmember Adams: Yeah, from point A to point B.

Councilmember Bredhold: I'm interested if anyone who was part of the Reorganization Committee wants to, has an opinion about why they decided to include the Mayor. I assume you included the Sheriff and a member of the former Police Department because of the fact that you were consolidating government in this Plan, but is there something that we're overlooking. I'm looking at you, Steve Schaefer.

Steve Schaefer: I wasn't on the committee.

Councilmember Bredhold: Oh.

President Winnecke: John Bittner was.

Councilmember Bredhold: But, you were at all of the meetings.

John Bittner: I'm John Bittner, retired farmer, semi-retired, planting corn before I came in. If it rains tonight and I'm here at this meeting, I'm going to be unhappy.

There wasn't a whole lot discussed about the Transition Team. That was put together by the Chair and, I would think Steve was involved in that. Steve did a good job of representing, I think, the Chamber of Commerce's point of view. I was, probably should explain why I voted against that Plan and what a concern I have. Only one Plan was considered, and that was no surprise to anyone. The 2005 plan that the fella from South Dakota, Dr. Phil Fisher wrote, called for a strong Mayor, Common Council, and I think that's one of the things that concerned me that that's the only thing, the only type of government we considered, of governance. I think this community, while I should thank all of you for the work your doing, that little bit of taste of how many meetings you come to and all the support and criticism you can get, it was kind of interesting, so, thank you for what you're doing. Your also a very progressive community, we're probably, with the joint agreements, we're probably the most consolidated of any city in the State of Indiana. So, I don't see a lot of opposition to combining government, very little opposition. I see some people saying they're against consolidation, but if you ask them if you had the County Commissioners, and I don't know if you would ever want to elect the President of the County Commissioners as the Mayor, but that could happen, wouldn't that be an easy way to transition? Do you want to lose the checks and balances that are in county government? One of the examples of that, and I keep hearing about Indianapolis and their screw up with the Police Department, there was a Sheriff that was a little stinker. He took a lot of money for himself, and the State legislature decided, hey, we're just going to take care of that, we'll set his salary at less than the Prosecuting Attorney. Done. That's a checks and balances, example of one that's built in. There were questions that I've seen come up here about term limits, the power of the Mayor, you know, if you see what's going on in the Middle East maybe we should run over there and tell them don't get into this democracy thing, it's too cumbersome. They've got central powers. Transparency, I think that was one of the things that really affected the, probably this last primary election, closed door meetings, that, the one especially that was going to deny us our homestead credit. Representation, we have at large mentioned in this Plan, the fella, Abramson, from Louisville, said they had strictly districts, that way everybody knew who their representative was, and by combining the city and county. That's a pretty good deal. I think he had a good point there. In fact, I've got a CD, I spent \$25 on that from Channel 9 just to review his talk for the second time. He's very good at what he does. The cost of the transition, have any of you thought what it costs to do this change? Especially, you know, we've shot, I didn't get a report of it, you did, I think, for the legal advice. I think we shot most of \$100,000, and what really was aggravating to me is that Cynthia Maasberg and Bruce Blackburn who is President of Vanderburgh County Farm Bureau had somebody at almost all of these meetings, almost every sub-committee meeting, now we didn't keep any minutes of those meetings, but they were there to listen, and I'm known out in that area and I told them listen to it and be positive and try to, you know, what can we work out on this? Normally, the area I come from is anti-consolidation, you know that. The County Attorney came out one time and met with the Farm Bureau and Andy Goebel from, we had another matter, but, anyway, he walks into Hornville Tavern and he said where's that meeting on consolidation and something else, and they said that's in the back room, and one of the guys on the bar said, you know, if you're for consolidation you just keep your butt going out the back door. So, I'm from that kind of area. But, I think this is a windfall for the law firms. When you look at 880 pages, single typed of city ordinances, one of which is to exclude apiaries at a time when bees are dying from mites, it makes this community look stupid. But, would you, all these, will a transition team go through those laws? You know, we had inserted into one of our reports, it was a surprise to all of us, that in five years the city ordinances

would flow over the county. Now, that makes no sense at all when you have to mow your crops to nine inches. You know, some of this is real silly. So, I voted against it mainly because I think we moved too fast. I know the enabling legislation that I remember being at a meeting with Representative Buck in Indianapolis and the Chamber was trying to put a different one where it was exclusive for, three cities, I think because of population, and this one was really designed that tax districts, school districts, counties, townships, combinations could have home rule. I just think it takes time to do that. I believe I could sell combining this government under the County Commission. In 1995 that is what that study found, and it disappeared real quick, because that wasn't what that was supposed to find, but, I think if you had the President of the County Commission as Mayor, there would always be two other people there to review the direction they were going, or the deal that was going down and so forth. I think we should also look, by the way, you'll save a couple hundred thousand in 1995 by not having a city election. That's \$200,000 right there, with that \$200,000 you could probably put a full time County Commissioner, one, and you could also hire a City Manager. Now, you say, wait a minute, we've got a Mayor he should be the head, I'm saying why do you have a Superintendent of Schools? Couldn't we just take a banker or a small business person or one of you elected officials and make you School Superintendent? Or do you think our present School Superintendent has a little better insight than the rest of you might have? Because of his training, you know? Even an old farm boy might be able to figure chemical rates a little better than some of you. So, I think you should take a look at that. That's where I'm coming from, and since you asked me about that Transition Team, standing here feeling a little stupid, but you realize that there's probably, that committee was set up, great people, no question about it, and they had the community's interest at heart, but 75 percent of them, there was actually 13 members, including Jim Harris, that's not mentioned in the report. That's the guy from New Jersey that worked for the School Corporation and so forth. But, they all had the interest of the community at heart, but they also had the single Mayor, Common Council, that was a shoe in. There was no question about that. You might read in that Plan also, this is loosely construed. Well, what does that mean? Doc, if I tell you that I'm going to take you to dinner, are you thinking Haub's Steak House, nice, leisurely meeting this evening?

Councilmember Adams: You're paying, right?

John Bittner: See, yeah, well, but I was thinking maybe a fast food place. Loosely construed, and so many things can be changed after this, and you say, well, you've still got the County Treasurer, you've got the County Auditor, you've got the Sheriff, but the Mayor sets the budget, and if he has a strong Budget Director why would we need a Treasurer, why would we need an Auditor? And, couldn't he just diminish the funding for those? When it comes to you, the Common Council, it will be your job to take away from say the Sheriff to give it to the Treasurer, the Treasurer to give it to the Auditor. It will be your job to do that. I think that will be very cumbersome. So, suddenly you're, this becomes a little different, don't you think? Don't know. These are the questions I have. It was a pleasure to be on that committee. I really appreciate what you're doing, because it's not easy. Tonight you're talking about the Sheriff and the Police, I would hope that deal is about like Mater Dei and Reitz. Mater Dei is the power house in wrestling, you know that. They have been from their feeder leagues and so forth, but Reitz High School is also coming on strong, and boy they're fierce rivals. But, let one of them advance to the State, Reitz or Mater Dei, and they'll be wrestling on the same mat rooting for each other. The same way with the football team. We've got a good community. You're a progressive community,

you've already combined more than any other city in the State. This is no big deal. What you need to do is talk to your people.

President Winnecke: Thanks, John.

Councilmember Robinson: John, let me ask you a question.

John Bittner: Yes?

Councilmember Robinson: Why didn't the committee ask for more time?

John Bittner: I think we were on a schedule. We were on a schedule, that was part of the enabling that—

President Winnecke: The State statute dictated a year's time to do it.

Councilmember Robinson: Oh, it just seems like the committee still needed more time to work through all of this.

John Bittner: Kokomo set up a committee to work through what we're working through, and then they were going to take it one step further and do the petition drive. I think that made a lot more sense. Do you see a crisis in this county?

President Winnecke: Actually, this process was started by a petition drive.

John Bittner: Yeah, but you could have also done a study prior to that petition drive. That would have been a lot more meaningful, I believe. I, the first, I'm taking a lot of your time, aren't I? The first, 1972, Vandigov, that was thought of as a power grab. Bill Jeffers mentioned about maybe looking at county government rather than city government as the model. I think, Steve Melcher there might have said something about that, but that wasn't to be discussed. So, just one man's point of view. Thank you for what you're doing.

President Winnecke: Thanks, John. Any other discussion on article ten relating to the transition?

Discussion of Article Eleven: Amendments

President Winnecke: Article eleven, the amendments. This is the means by which future changes could be made to the government. As I read it, essentially there are two ways, one by legislative action and one by citizen petition. I would point out that on the citizen petition, that might be something that we would consider changing. The Plan calls for at least 20 percent of the registered voters of the Combined Government who voted in the most recent Gubernatorial election. To start this process only five percent of those who participated in the previous Secretary of State's race had to sign a petition to start the process. So, that might be something that, 20 percent seems pretty stout to me, as a way for a citizen group to get a change going.

President Watts: I would agree with that.

Commissioner Abell: You mean you want to lower the percentage?

President Winnecke: Right.

President Watts: What do you think, cut it in half?

President Winnecke: Or make it the same as, you know, the process—

President Watts: The original State statute, five percent?

President Winnecke: Yeah, it could be the same. This is the section that we could add a specific element to law enforcement if we so choose, about amending the Plan.

President Watts: Does 11.1.2, would that not address that?

President Winnecke: It could, that's just one of the ways by which a Plan Review Commission could begin. I guess, theoretically, we could add a clause that says that's the only way a review of law enforcement changes could be made, a citizen petition.

Councilmember Bredhold: Well, that—

Commissioner Abell: Well, I think if we're going to do anything with law enforcement on an amended area here, if you just say we can do this in the future and you put no date on anything, you have an abstract out there that's never going to have anybody work on it until the week before somebody says they want it. I think, if we're going to say we want to revisit the possibility of consolidated law enforcement, we need to put a date on it. We want to revisit it by, whether you want to make it a year, or a certain number of years from enacting this, I mean, I don't have anything, I haven't thought about anything in particular, but I do think you have to put a time line on it. You can't just have it floating around out there that it may happen sometime.

Councilmember Bredhold: Councilman Adams suggested five years.

President Winnecke: Sheriff, did you want to say something?

Eric Williams: I was just going to throw out the idea that you put the date of ten years out there, and there's a lot of logic in my mind behind ten years. It's not an eternity, obviously, theoretically, half of both of our agencies will have turned over in ten years out of a 20 year career, so half of the people that are there at that time will have been hired with the knowledge that in ten years this is going to move forward. Ten years is a lot of time for us to make sure that we've built all of the bridges that we need to do, and to prepare for that. However, we could find ourselves ten years from now that the revisit is that the will of the people likes how things are going, they want to leave it as is for another ten years. But, I think to do anything less than that you're going to find yourself, because this has been going on now for a couple of years and it's, if we're going to set a time line I would suggest that it be ten years from now and put it in there that ten years from now it's going to be revisited, that at least gives everybody a lot of time to prep up for it.

Councilmember Adams: Well, I guess, if you're going to go ten years then my concept of Urban Districts coming over to the Police jurisdiction makes sense?

Eric Williams: Again, we just disagree with each other.

Councilmember Adams: I think ten years is way out there, but, at least if we want to stimulate in a low grade, non-confrontive way the possibility. Now, if we want to go ten, fine, I think five is more (Inaudible), in terms of making people look at each other and (Inaudible) something, yet not be under the gun that in one year you've got to (Inaudible).

Councilmember Mosby: I would like to add, you know, we've got Sheriff Williams who is our Sheriff, and we've got Chief Hill, who is the Chief of the Police Department, this is their expertise and they're saying the longer the better. In ten years, I really think this is not my expertise, it's theirs, and I would like to agree with what they're saying.

Councilmember Adams: (Inaudible. Microphone not on.)

President Watts: Chief, would you concur with ten years?

Brad Hill: Yeah, I would be fine with ten years.

President Winnecke: That's half of what he wanted.

President Watts: I know you asked for 20 earlier when I asked you, but—

Brad Hill: That's a good compromise.

Commissioner Abell: For clarification, are you talking about ten years that the Plan will be revisited, or ten years it will be put to a ballot? What are you looking at?

President Winnecke: Good question.

Brad Hill: My idea is in ten years it can be looked at again, not necessarily put on a ballot. It would be something that would be re-examined. As Eric said, it may be a decision by the people that they're not interested in it anyway, things are working fine.

Councilmember Bredhold: I have a question for the Sheriff about (tape flip). Sheriff, on the one hand you're willing to attempt this now, and on the other you're saying that you think we shouldn't attempt it for ten more years if we don't do it now because of turmoil?

Eric Williams: Yeah, give me the green light and we'll do it now.

Councilmember Bredhold: Uh-huh.

Eric Williams: I have no fear or qualms that we couldn't accomplish this and make it work, and make it work very well. We have that kind of personality and those kinds of people in both of these agencies. So, don't for a minute think I don't think we can't do this now and make it work. That said, based on all the logic and the reasons that we're talking about pulling it out, the morale issues, the turmoil, the problem, people like it the way it is, let's give ourselves the amount of time that we need that we can turn over a substantial part of our workforce so that they have the knowledge that this is for, this is coming. To answer your question, I think that it would be ten years, and it's on the ballot in ten years. But, the people at that time in ten years might decide that things are going so well we don't want to rock the boat and let's leave it

alone another ten years, or make some other changes, but force it to be at the will of the people. Let the people vote on that and make that decision in ten years, but that gives us ten years to know that it's coming, and a lot of good can happen in ten years working to get ready for that, if we think it's inevitable. You know, will it continue to cause turmoil? Probably, but, you know, I like to think that everybody that works at the Sheriff's Office and everybody that works at the Police Department took those jobs because they wanted to serve the people, and that they will continue to do that and we'll work through those dynamics as it comes along.

Councilman John: I have a question for the attorneys. If they put it on the ballot in ten years as a referendum, can it be a three prong referendum? We want to keep it as it is, we want it combined under the Sheriff, we want it combined under the Chief of Police? Can they have that option? Or is it one option, yes or no?

John Hamilton: I've never seen it other than one option yes or no. You submit a question on the ballot. That's a question of first impression. The way this is written it reads that the Metro Council, by a super majority, can at any time adopt a resolution to change it. I'm not sure, for clarification, are you considering saying that we don't want the Metro Council to have the power to change this area for at least ten years?

Councilman John: I think that's the consensus of everybody.

President Watts: I think that's what—

Councilman John: Yeah, that this will remain in effect for a minimum of ten years. It's at the end of that ten years, do you have a referendum? If you do, what can the referendum specify?

John Hamilton: Well, as it's written, I'm not sure it puts everything to a referendum.

Councilman John: No, that's what we would include. That's what our amendment to, the way to amend things—

John Hamilton: Following this statute—

Councilman John: — we've got to go.

John Hamilton: — I think the form of the question would be a question. You know, yes or no, in one question.

President Watts: So, John, do you think you have to amend 11.1.1 as well—

John Hamilton: Yes.

President Watts: —when we amend this one.

John Hamilton: Yes.

President Watts: Okay.

Commissioner Abell: Well, how about, this is as a date. 2012 this is going to be voted on as a consolidation effort, eight years later would be 2020, which would be

another election time, that's ten years from now, but it's only eight years from the time that you vote on it, but it puts it in a regular election cycle that everyone would be expecting. I meant, 2020, obviously, 2012 is next year. 2012, the first amendment goes on, then 2020 could be the referendum regarding law enforcement.

President Watts: I like it.

Ted C. Ziemer, Jr.: You'll need, of course, and we can provide that for you, substantial revision of this with respect to law enforcement, because it won't just be a matter of providing for having it on the ballot. How will you arrive at, for example, the question to put on the ballot? Who's going to study that? When shall they begin studying it? Is there some kind of time limit you want to establish there? So, it can be done, we just need to figure out what you want and we'll say that.

Councilman John: That was the purpose of my question, because is the referendum going to say shall it be combined under the Sheriff? Or, is it going to say shall it be combined under the Chief of Police? That's, we're going to have to decide who's going to make that decision on the question.

Ted C. Ziemer, Jr.: Councilman John, I think, more likely the Metro Council would have a Plan for Reorganization that they would propose, and the question would be, shall that Plan go into effect, yes or no? I think that's—

President Winnecke: So, John and Ted can work on cleaning up that language of section 11, article 11 for us then. Other questions on article 11?

Councilmember Bredhold: Are we talking about eliminating 11.1.1 altogether, or just in the case of this particular—

Ted C. Ziemer, Jr.: Our understanding is, so far, that just with regard to law enforcement.

Councilmember Bredhold: Okay.

President Winnecke: Any other discussion items on article 11?

Overview of Continuation of Review/Modification Process

President Winnecke: Hearing none, we've plowed through all 11 articles. Article 12 has non-binding recommendations. What I thought we would do at this point is conclude. I'm trying to get out by 7:00 every evening, I know there may be someone in the audience who might want to offer comment. I'm thinking next week at this workshop, we go back to the beginning and start to insert some of the changes that we discussed over the last three weeks, and we'll see how far it gets, how far we get in that evening.

Councilmember Adams: We're going to vote next week on insertions?

President Winnecke: No, I don't know if we need to....he asked if we would be voting. I don't know if we need to, because each body has to vote—

President Watts: We'll vote separately.

President Winnecke: –separately on an identical Plan. So, I guess, I don't know technically what we need to do.

Ted C. Ziemer, Jr.: I think, you're all here, and if you each have a quorum on any particular issue that you discuss, you can discuss it, and, hopefully, reach consensus, and then vote, take a vote of the City Council and vote of the County Commissioners, and if that passes, that's a change to be made. If it doesn't pass, then you have more discussion to do, because if you don't agree on identical propositions, nothing's going to happen.

President Winnecke: Then, the idea is, on June 30th, when we reconvene the public hearing, we would present the changes that we've made. So, that what we'd be voting on would not necessarily be binding, because we're not, we're in a workshop, we're not...am I right?

Ted C. Ziemer, Jr.: Yes, you are, but it would probably, I mean, what would happen, I mean, throughout this process you're hearing comments from the public, as you go along, you may hear other comments after you finally agree on what the provisions should finally be in the Plan, but whether you would be inclined to change again, I think it's unlikely. I think what you vote on, not that it can't happen, but, I would think it would be unlikely, but you can.

Councilmember Adams: You mean, when we vote it's a simple majority as to whether we're in favor of that (Inaudible)--

Ted C. Ziemer, Jr.: It is, just your regular voting procedure.

Councilmember Adams: Okay.

Ted C. Ziemer, Jr.: Yes, yes.

Councilman John: I would request that you guys check and make sure that proper legal notification on all of this has been provided so that if we do take a vote, they're valid votes and they can't be contested.

Ted C. Ziemer, Jr.: Yeah, we are satisfied. What you're doing here, as Commissioners Winnecke correctly says, is this is a workshop, and you are going to be, I mean, sometime you have to decide what the City Council wants and what the County Commissioners want and whether or not you're in agreement. If you're not in agreement, then you've got to discuss that further until you can get in agreement, hopefully. The continued public hearing will, in fact, be the final vote by each body on this Plan. That was advertised, as required by law, and at the meeting it was continued until June, I believe--

President Winnecke: 30th.

Ted C. Ziemer, Jr.: – June the 30th. So, on June 30th, if you're finished, you would have the continued public hearing that was properly advertised, and you would take a final vote on the Plan.

John Hamilton: Well, they can--

Ted C. Ziemer, Jr.: They can.

John Hamilton: They actually have 30 days after the conclusion of the public hearing—

Ted C. Ziemer, Jr.: Right.

John Hamilton: —to each take your action on the Plan. So, you could make amendments back and forth between then, you could go back and revisit the language, but you are required to take action within 30 days after the conclusion of that public hearing.

President Winnecke: The reality is, one of the elements that I think most of us want in the final Plan is an updated map of districts. We've, that will take some time, so, if we, theoretically, if we decide at one of the next meetings that we want 15 Councilmembers instead of 11, we would then have to direct the County Surveyor to draw the maps, and we would have to approve those in a separate meeting.

President Watts: But, John, it's 30 days from when we conclude the public hearing—

John Hamilton: Right.

President Watts: So, we wouldn't have to conclude that hearing on June 30th, necessarily, would we?

John Hamilton: Correct.

Ted C. Ziemer, Jr.: Mr. Hamilton is absolutely correct about that. It's just that that becomes, once you adjourn the public hearing, you have 30 days, and if you haven't come to agreement yet, during that 30 day period the City Council comes up with a revised Plan, the County Commissioners come up with a revised Plan, they change them with each other. It will get very cumbersome, I think, which is why you are having the workshops. So, but you have, you can change it at any time you want to, but presumably you're going to come to a consensus on the changes in the course of these workshops and your votes at these workshops.

Councilman John: Now, our official votes won't come at these workshops, they will come at our regularly scheduled meetings?

Ted C. Ziemer, Jr.: That's correct, but, and this is just my perception of this. You're going to discuss, for example, how many members should be on the Metro Council. If it's felt that it should be 15 and the City Council votes and a majority of you think 15, and the County Commissioners vote and a majority of them think 15, then you've come to agreement on that point, and you can move on to the next thing. That's unlikely, I think, to change again. You're in agreement on that aspect of it. You may change it, but I think it's unlikely. Otherwise, these proceedings are not accomplishing a whole lot.

Commissioner Abell: I have a couple questions of the...have you had an opportunity to look to see which one of the boards are State mandated and which are by local ordinance?

John Hamilton: We began that process, we haven't completed it.

Commissioner Abell: Okay.

John Hamilton: I would say, the majority are local ordinance, but there's still a significant number that are State mandated.

Commissioner Abell: Okay, and my other question is, and I don't see that addressed in here, who's going to write how this is going to appear on the ballot and what is it going to say on the ballot? Is it just going to say, yes or no do you want consolidated government? Or, I mean, it obviously can't, you can't put this on a ballot, so, is it going to hit the highlights?

Ted C. Ziemer, Jr.: It will be the proposal as finally approved by the City Council and the County Commissioners in identical form, and that will be defined. Is that proposal agreed to by both, yes or no. That's what would be on the ballot, as I understand it.

John Hamilton: Actually, the statute says shall and you name Evansville and Vanderburgh County reorganize as a single political subdivision? I believe that's the form of the question, but then the Plan is published and adopted, and it's up to the voter to—

Commissioner Abell: To educate themselves.

John Hamilton: —read it.

Commissioner Abell: Okay, that's what I wanted to know. Thank you.

President Winnecke: Any other discussion before we open it up to any public comment?

Public Comment

President Winnecke: Anyone from the public that would like to offer comment before we adjourn for the evening? Just state your name and address for the record please.

Donald Day: My name is Donald Day at 2601 Skyline Drive. I would like a little history. I tried to listen to last week's meeting and couldn't hear it on t.v., but I try to stay on top, but I would like to go back a little bit with the history of this. Back in 2008 or so, the Courier and Press did the editorial on consolidating the government or combining the government to save money. I have not heard anything in any of these meetings that is going to save money. Everything is going to be more expensive, and you're not saving any money. That's the idea of combining the government was to cut costs. You're not going to cut costs anywhere. You're replacing the whole wheel, and we don't have a broken wheel. We've got some loose spokes. We just have to have more people oversight. Washington D.C.'s oversight, we need more oversight. Back with our annexation, there's an expense from the Port Authority for \$50,000 to discuss and study the Port on Dixie Flyer Drive to make it into a Port. \$50,000 for a study. I could have gave you five dollars, you could have went down there in your car, just this last week and see that there's no way you can put a Port Authority, or a Port in that area down there that floods at 33 feet. We went to 46.9 this last time. Anybody with common sense would know that. Whoever, I don't know who's jurisdiction the Port Authority is under, City Council or

the County, I don't know, but they did that study. So, why, there's \$50,000 you could have saved right there. What about the \$14,000 Christmas party. Whatever department that was under, I don't know, but if you get the magnifying glass out and look into your government, you'll save your money someplace like that. This consolidation of combined government is nothing but a backdoor annexation is all it is. It's just simpler for the Mayor to sign off, I'm going to take this district and add it to the city. Your taxes are going to go up, you're paying a service charge for more of the same that you've got right now. That's all this is. With the history of the League of Women's Voters that brought this up, they had to present 2,800 signatures? I guarantee you, if it was in the law where we could have went out and got signatures against this, I could have doubled it or tripled it against annexation or combining the government. Nobody has ever come to us and asked us what was our numbers on our last annexation on the west side. We had 1,100 parcels that were being annexed into the city. The city mailed out 800, a little over 800 certified letters, at five dollars a piece, at \$4,000 twice. So, they spent \$8,000 in just mail alone to annex us, or try to annex us. We had 75 percent of the people against the annexation, is what we had when the Mayor stopped it. We had two percent refusal out of those 1,100 parcels, primarily because of the fact that the people either worked or relatives to a politician. Two percent out of the seven, 70 percent, what we had. We were still going after more. I guarantee you I could have got the same signatures on a petition against this combining government, because you're not doing what is supposed to be done. You're supposed to save money. The wheel's not broken. You've heard that from other people, that it's not broken. So, why are we here? We already know, I appreciate the Sheriff's Department, I like to call the Sheriff and have them come out to my house and take a report. When I lived in the city, I had to go down to a sub-station and give it to the sub-station people, they wouldn't come to my house. I want the Sheriff to come out to my house. That's all I've got to say about law enforcement. You can do the same thing, but my question is, also, you're talking about law enforcement being combined, what are you going to do with the City-County Garage? What's going to happen there? Am I going to lose my snow removal? You've heard this story before. I get pre-treated streets. I live on a hill, without the county coming out and pre-treating the hill, during the ice storm we would never have gotten off the hill. If I become a service district inside the city limits, I shouldn't say that, in whatever your area you call it, urban renewal or whatever, I'm not up on this, but anyway, am I going to be on a snow route to get my street salted and snow removed. Law enforcement is just one step. The City-County Garage, the Fire Department, you already said everything is going to stay, because that's under the Trustee. Well, you get into the government of one Mayor and how many people, 15, 13, 11?

Ted C. Ziemer, Jr.: We don't know yet.

Donald Day: We don't know yet, well, whoever the Council is, they're going to change it with a signing off. That's all they're going to do. The other thing is, and I haven't followed that much on Jeffries, Jeffers, I'm sorry. Sorry, Bill. My district, the way it's written right now goes from the bottom of Dam 48 in the tip of Union Township all the way up to Armstrong. That's one district. Well, you've got a pretty good size area there that, you know, you don't even know how many people live there. I do have to give you all credit for doing this during an election year. I mean, that's really remarkable. Any other politician would never attempt this during an election year. But, that's where, that's some of the questions I've got. But, like I said, the idea of the paper coming out and trying to brainwash the people into convincing them that we need to combine government to save money. You're not

going to do it. You look at Indianapolis, Lexington, Nashville, Pittsburgh, some of the other towns they've got, did they save any money? No. They just turned the whole government upside down and went into another thing. Now, our present Mayor has said, well, if consolidation don't go through, we're going to have to annex. Come on, we're waiting for you. If you want to annex us, come on give us your best shot, because I've got a better legal shot of fighting annexation under the present law than I do under consolidated government. The only thing the Mayor and the Council has to do is say, okay, this area is now in the city, and the people don't have any voice in the matter at all. So, I thank you.

President Winnecke: Thanks, Donald.

Bruce Blackford: Hi, my name is Bruce Blackford. I live in Vanderburgh County in the rural area. You know, when you guys started out, the people that I've talked to want the Sheriff and city separate. Same over here, you know, I didn't see a single person say, well, I've talked to the people in the county and asked them what they want. You know, I talked up here a month ago, and said that the county's being left out. We have the City Council and the County Commissioners making the decisions for everybody in the county and nobody is representing the people in the county. You can say, but the County Commissioners represent everybody in the county. The County Council's not here, so, you know, nobody is still asking what the city, or what the people in the county want. We talk about cost savings and we don't, you're not producing any numbers yet for us to say this is a good idea. I mean, people in the county will vote for a consolidated government if they feel like they're being represented, and there's going to be money saved. I mean, I read this week in The City-County Observer that Evansville is one of the more expensive cities on the money that they spend per capita in the State of Indiana compared to other cities. Maybe we need to look at cutting the amount of money you guys are spending. That would solve a lot of the financial problems you guys are wanting to put on to the county people. I heard the Sheriff and Police Departments talk about the morale of the officers and being in a merger and stuff. I mean, I've been in several mergers, I've changed three companies and stayed in the same chair. They didn't give me ten years to decide if I wanted to stay there or not, you know. Private business goes through it, you hear about layoffs all of the time, there is no discussion of, well, you've got ten years to decide if you want to stay there. So, giving a ten year grace period on a Police Department merger seems ridiculous, when we're doing it, and like you said, the political will, if we're going to do it, let's do it now. Let's merge the Sheriff and the Police on the manner that you and the public sees fit in doing. You know, the Sheriff said he has 60 officers on the streets, and the Mayor, and the city has 120. So, by my math that was, the Sheriff is over 50 percent of his officers are on the street, versus the city which looks more like 40 percent of their officers are actually patrolling on the street. The other thing I have, if you do ten years, if you go with a strong Mayor and Common Council, you guys will be determining the Sheriff's budget. I mean, in ten years you can make his budget to almost non-existent where a vote in ten years they will say, well, why would I want the Sheriff he has three officers and himself, he can't patrol or manage the entire county. So, you know, we look at the merger, we see you guys talking about it. I know, Mr. Melcher came out and said he will not vote for a merger unless it's two separate elections. I know that you said that you believe in one election, and I believe you've came out the same way. The city people, it doesn't really matter, you guys are all going to vote for the merger because you think that's the best way to increase your tax capital for the county. You know, like the gentleman before me said, the wheel is not broken, maybe we just need to look at getting some restraint on our spending and on where

we are spending our money. I mean, we are running through a \$14 trillion deficit in the government of the country, and we cannot afford this kind of spending anymore, and merging to get higher tax rates and better bond issues, that's not where we need to be going. We need to be looking at reducing the cost of government and shrinking the size of government. If you can't consolidate to reduce costs and reduce personnel to make the government more efficient, then why are we looking at just reorganizing the government. Thank you.

President Winnecke: Thanks, Bruce. Anyone else?

Bruce Ungenthiem: Bruce Ungenthiem, 2037 Fleener Road. I was interested to listen to what both the Sheriff and the Chief had to say this evening, and wrote down a couple of notes. Part of what they both said was why don't we just leave it alone? It's working. Why don't we just leave the law enforcement as it is, include it into the consolidation, but leave it as it? I would take that a step further. Why don't we just leave the government alone? We're spending a lot of time, a lot of effort, a lot of your folks time and effort and we're not going to solve any problems. We're not going to save any money. If you take the Police and Sheriff's Department out of the equation, what is it we're consolidating? You know, Chief Hill said that the only way you're going to save any money is to cut personnel, but I see nothing in this Plan to cut any personnel. So, we're not going to save any money, we're not going to cut any personnel, why are we doing this? I think that's something that each of you needs to ask yourself. Why am I spending all of this time doing this, if this has no benefit whatsoever? You talked about putting in an amendment into the Plan that says, okay, we'll take a look at law enforcement ten years down the road, or eight years down the road, or whatever that number of years is. But, the way I read this Plan, if we are unlucky enough to go through with this, as soon as the Police, as soon as the new Mayor is set in place and the new Council is set in place, if they both happen to think that we should put law enforcement under the Chief of Police, they simply have to run that amendment through, get a 2/3 majority of the Council to approve it and it's done. It's done. They don't have to wait. You can't dictate a future government's actions by putting an amendment in. They'll simply just change it when they want to. So, I don't think you can do that. Chief Hill actually said he does not see the benefit in merging the governments. I would, or merging the two law enforcement agencies, I would go one step further, I don't see any benefit in merging the governments whatsoever. One comment on article 11, in there it indicates that in order to change legislative action, in order for the legislature to change this form of government once it is enacted, it requires eight out of the 11 Councilmembers, or a 2/3 majority, a super majority, to make a change to a government that it only took 51 percent of the people who voted for the Governor in the last election to establish. Does that seem strange? It would seem strange that a simple majority could set up a government, but it takes 2/3 majority to change it once it's there. When the Constitution of the United States was put in place, all 13 states had to ratify the Constitution of the United States before it went into place. We're doing this with 51 percent of the people who are going to vote in 2012. Just out of curiosity, how many people voted in the last primary? Less than ten percent. Okay, so, you get an election where less than ten percent of the people show up, and you get a 51 percent majority of less than ten percent of the people who showed up, you're going to change the government of Vanderburgh County with five percent of the people who vote. Does that make sense? I don't think so. So, think about what you're doing here, because I think what you're trying to do is to become more efficient, but this is not more efficient. No matter which way you define efficiency, and you can choose which way you want to define efficiency, this does none of that. One

comment to Congressman Bredhold, you made a comment, and this will be my last comment, you made a comment about we're all one, big happy community, and we all need to do.....well, I tell you what, I'm a fifth generation Vanderburgh County rural resident. I am that by choice. I could have moved into the city. I chose not to. There are a lot of people who live in the rural community who do not see themselves as residents of the City of Evansville and don't want to be. So, think about that as you're going through this. We're not all one, big happy community, we're actually two diverse communities sitting next to one another, with different needs and different wants and different requirements. Thank you.

President Winnecke: Thanks, Bruce. Anyone else?

Bret Fitzsimmons: My name is Bret Fitzsimmons. I'm an Evansville Police Officer. I wanted to take exception to one of the things that Sheriff Williams said regarding the political nature of the Police Department and the Sheriff's Department. In the Police Department there are two political appointments, that's the Chief and the Assistant Chief. Of course, those are made by the Mayor. That's out of 288 officers according to Chief Hill. In the Sheriff's Department out of about 108 sworn officers, the Sheriff can appoint four political positions, and the Sheriff, of course, is a political electee who doesn't have to have any kind of law enforcement experience to be elected Sheriff. So, I think when you're talking about law enforcement, I don't think it's fair or accurate to say that the Evansville Police Department is just as political as the Vanderburgh County Sheriff's Department. I would hope that you would take that into consideration when you are talking about law enforcement and how to go in a consolidated government. Thank you.

President Winnecke: Thanks, Bret.

Mike Mahan: My name is Mike Mahan. I live at 1140 East Gum Street, Evansville, Indiana. I have a follow up question from one of the last meetings that I attended. Did you find out what the results of the two meetings that the committee held, the one at USI and the one at University of Evansville from the public input? Dr. Adams made a comment when I was here at the meeting on that and several of you hadn't seen the results of that. Have you now received the results of the public comments? If not, why not? Three thousand dollars of taxpayer money went into that. Thank you.

President Winnecke: Thanks, Mike.

Mike Mahan: Do you have a question?

President Winnecke: I said, thank you, Mike.

Councilmember Adams: I would suggest to you though, the USI meeting, sir, two thirds of the, were kids there from USI Poli Sci—

Mike Mahan: If you remember we disagreed about that last time.

Councilmember Adams: Only, I thought it was a skewed result.

President Winnecke: Any other comments or questions from the public? Okay, hearing none, thank you for your time. We'll convene here next week at the same time.

(The meeting ended at 7:15 p.m.)

Those in Attendance:

Lloyd Winnekce	Marsha Abell	Stephen Melcher
B.J. Watts	John Friend	Curt John
Connie Robinson	Missy Mosby	Wendy Bredhold
H. Dan Adams	Ted C. Ziemer, Jr.	John Hamilton
Donald Day	Bruce Blackford	Bruce Ungenthiem
Bret Fitzsimmons	Mike Mahan	Alberta Matlock
Steve Schaefer	Others Unidentified	Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded by Alberta Matlock. Transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
MAY 24, 2011**

The Vanderburgh County Board of Commissioners met in session this 24th day of May, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with Vice President Marsha Abell presiding.

Call to Order

Commissioner Abell: I would like to call to order the May 24, 2011 meeting of the Vanderburgh County Commissioners. Obviously, I'm not Mr. Winnecke, he is out of town tonight, and I will be trying to run this meeting. Could we have attendance roll call please?

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: Vice President Abell?

President Winnecke: Here.

Pledge of Allegiance

Commissioner Abell: Mr. Melcher, would you lead us in the Pledge of Allegiance?

Commissioner Melcher: Why sure.

(The Pledge of Allegiance was given.)

Commissioner Abell: Thank you, Mr. Melcher.

**Cooperative Purchasing Organization:
Permission to Award CPO-025-2011: Cleaning Products**

Commissioner Abell: Under action items, Cooperative Purchasing Organization, do you want to come forward, Mr. Raisor and explain this to us?

Mike Raisor: Good evening, Commissioners. I have three items to bring forward to you tonight, all janitorial cleaning supplies of one form or the other. For window cleaner, there were five products that were bid, and we bid these on a price per gallon. We would ask that you award the bid to Pro-Tex All of Evansville with their aptly named glass cleaner. For disinfectant, there were seven items bid. This was bid at price per use per gallon, and you'll notice there's quite a disparity among prices there. We bid this as a ready to dispense item, and some of the vendors bid it at a ready to use, which is an already mixed product. When price per use per gallon was figured, the GS Neutral product from American Sanitary at eleven cents per use per gallon, out of Evansville, we would ask that you award the bid to them for disinfectant. Finally, for general purpose cleaner, you see there were a multitude of bids, sometimes multiples from the same company, we looked at that for the average price per use that a custodian would need, and we ask that that be awarded to HP Products out of Indianapolis for their product , Hydrox.

Commissioner Melcher: I don't have any questions. Do we need a motion? I'll make a motion that we approve what was presented.

Commissioner Abell: I'll second. I think we're both in favor.

(Motion approved 2-0)

Commissioner Abell: I don't think there's any need for it.

Mike Raisor: Thank you very much.

Commissioner Abell: Unless Mr. Ziemer thinks we need to do that. Is someone here to...is Mr.--

Ted C. Ziemer, Jr.: I mean, the record will show, Madelyn, that both Commissioners voted in favor, correct?

Commissioner Abell: Okay. Mr. Lloyd are you here for the BKD? Do you want to come forward?

Gary Heck: I think there is a commercial fuel.

Ted C. Ziemer, Jr.: Yeah, there's a second item.

Commissioner Abell: Oh, I'm sorry. Yes.

<p>City-County Purchasing Department: Permission to Extend Contract APA-025-2010: Commercial Fuel</p>
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Commissioner Abell: Permission to extend the....Debbie, do you want to come forward? Sorry, I just skipped right over it.

Debbie Spalding: No problem. Good afternoon, I'm Debbie Spalding with the City-County Purchasing Department, and with me is Bryan Smith with Heritage Petroleum. Heritage is our current supplier of commercial fuel. They have three stations that we take various vehicles to when we need to fuel, including the Sheriff. We are here today to ask you to extend the contract that was awarded in December 2009 for the year 2010. We sent an extension to your attorney and he has approved it, the document.

Ted C. Ziemer, Jr.: Yeah, just a comment, when the bids were taken in 2009, there was a provision in the bids that all responders understood that the county would reserve the option to extend the term of the contract for 2010 for up to 24 months, which would take it through 2012, subject to the right of the county and the Board of Works to fix a date on which they would establish a price certain that would be then the price throughout the remaining term of the contract. The city and the county have indicated a wish to do that. The Board of Works has already approved extending the contract through 2012, and, I think, you're going to explain this to us a bit more.

Bryan Smith: I would be happy to answer any questions.

Ted C. Ziemer, Jr.: Any questions, yeah, but, I think, my statement was correct, did you understand it?

Bryan Smith: Yes.

Ted C. Ziemer, Jr.: Right.

Debbie Spalding: We had asked Bryan to give us a price, what the market is today, and then possibly what a fixed, if we were to set the price today, what the price would be for June through December and then all of 2012 if we fixed a price for our unleaded fuel. So, do you have those?

Bryan Smith: I do, the June through December 2011 price, as of the close today, would have been \$3.39, that's for the 87 octane unleaded. The January through December 2012 would be \$3.36. The current day's price is \$3.332. It's one of the few times that you will see that the market is backward dated, cheaper going forward, the farther out it's usually (Inaudible) going up as you go forward.

Ted C. Ziemer, Jr.: What we have the option to do is to delay setting a price now, pay market price, and what did you say that was currently?

Bryan Smith: \$3.332.

Ted C. Ziemer, Jr.: \$3.332, pay the market price, waiting to see if gas prices go down. If they do, I guess, working with you we could wait, right now, your extension price is slightly higher than...is that right?

Bryan Smith: It is slightly higher. The nearby months, the June, July and August on the Nymex, everything comes back to the Nymex, are actually pretty inflated. So, if barring that nothing unstable happens in our world today, which I can't predict, I would think that in two or three months the prices should be a little cheaper yet.

Ted C. Ziemer, Jr.: And, in the meantime, the risk is, Commissioners, that right now the market price is slightly less than the fixed price would be, so, we would want to take the market price. However, next month the fixed price could go up a dollar, and if it did it would have been more to our benefit to fix it this month.

Bryan Smith: First and foremost, I would just like to say, this should really be looked at as a budget tool. If you're looking at it from a speculative position that you're going to try to pick the bottom of the market or out guess this market in today's world, that's just not likely. So, if you're happy with that number and if you're happy with that total spend that represents for this agency going forward, then that's what it's designed to do.

Ted C. Ziemer, Jr.: Tell me what the price is, the fixed price, what would that be, \$3.39, is that what you said?

Bryan Smith: For the rest of 2011, \$3.39, and for all of 2012, \$3.36.

Ted C. Ziemer, Jr.: Yeah, and so, if we fixed it today, those would be the prices, even if gas went up to five dollars, we would still be at those prices. So, and, how did we do that in 2009? Did we take advice from the supplier before fixing it?

Bryan Smith: If you'll remember, in 2008 is when the market really plummeted.

Ted C. Ziemer, Jr.: Right.

Bryan Smith: Crude fell 98 bucks or something like that in a matter of 75-80 days. So, we presented pricing then that looked very attractive for 2010. A little different circumstance today, but very similar.

Debbie Spalding: Right, in 2010 our fixed price that we had set for February through December was \$2.61. So, no matter where the market went we're paying \$2.61 for the certain amount of fuel that we had said guaranteed that we would be buying. The year before that, in 2009 our fixed rate was \$1.719. So, we were able to see quite a bit of savings that year by fixing the price, but, as Bryan said, you can never tell, I guess.

Bryan Smith: Yeah, the savings is really reflected on taking the higher numbers out of the equation. Again, the market may move lower and you look back and think, well, I could have done this. Well, it's always easier to look back and make those predictions than it is to look forward. In today's world it's a very unpredictable commodity.

Ted C. Ziemer, Jr.: But, your recommendation, just given what you've seen, is that it might be expected to go lower in the next two or three months, but you don't know that.

Bryan Smith: Don't know, I think if I was going to put this position on, I would look at the fourth quarter of 2011 and the 12 months of 2012.

Commissioner Abell: So, we don't have to do it for the...this contract doesn't have to be for all of '11 and all of '12 right now?

Ted C. Ziemer, Jr.: No, it is, excuse me, the contract would, the extension would go into effect, it's just that we would defer fixing the price—

Commissioner Abell: That's what I meant.

Ted C. Ziemer, Jr.: —but the contract, the extension would take place. Currently, we would be purchasing at market, which is \$3.32, right?

Bryan Smith: \$3.332.

Ted C. Ziemer, Jr.: Yeah, \$3.33, at such time as the Commissioners wish, now, next month, or the beginning of the third quarter of this year the prices are such that you want to fix it then, you may do that.

Commissioner Melcher: So, tonight our vote would be on?

Ted C. Ziemer, Jr.: Really on extending the contract and not, if I understand this, not fixing the price today.

Bryan Smith: Correct. At the time the contract was awarded for us to be the supplier, I tried to explain that by limiting yourself to select that week long window to pick your price for the...and that's based totally on what the market is, to pick the price going forward for a period of time, is very limiting. Since we are right here, and this is what Heritage Petroleum does, we're a fuel manager that manages large contracts in eight different states today. So, having us right here as a resource, we said, if you'll

award the contract, we can offer better timing, or better market opportunities to make this decision rather than just taking that one week period when there's no telling what's going on in our world. I continue to send updated pricing to Debra, Mike Risor, the fellas over at METS, keeping them abreast of what's going on in the market. Then when they feel comfortable with the number, then we can lock it in. They don't have to lock the number in tonight.

Debbie Spalding: The county's biggest user on this contract would be the Sheriff with all of their vehicles. Do you know how many gallons, approximately, per month they buy?

Bryan Smith: About 8,000.

Commissioner Abell: So, Debbie, you would be following this and you would calendar ahead and made sure we do get something in stone within the next three or four months or so?

Debbie Spalding: Yes, the Board of Public Works when they awarded it gave the Cooperative Purchasing Organization the ability to set the price when it is...along with the Police and the Sheriff, when it was amicable to do so. So, I don't know if it's this Commission's desire to allow that as well. The problem is when we don't have meeting dates that are the same day, the market changes hourly. So, we would have, we couldn't have both the same price on both days. We wouldn't have both the Board of Public Works and the County Commissioners awarding on the same day.

Commissioner Abell: I'm okay with letting it go. What about you, Steve?

Commissioner Melcher: I'm not sure about letting them pick the time, the day. I think if that's going to be voted on, we should pick that time. So, I'll make motion a that we extend the contract to '12 at the non-fixed rate. Is that right?

Ted C. Ziemer, Jr.: Yes.

Commissioner Melcher: At the non-fixed rate, and whenever you have it, you come back to us when you think it's low enough for us to go on a fixed rate.

Debbie Spalding: Okay.

Commissioner Melcher: So, that's the motion.

Commissioner Abell: I'll second that. Any further discussion?

Ted C. Ziemer, Jr.: Just before, Madelyn, I think I heard Commissioner Melcher say '12, it's an extension through December 31, 2012. Right, okay.

Commissioner Abell: All in favor, aye?

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Okay.

(Motion approved 3-0)

Debbie Spalding: Thank you.

Commissioner Melcher: I have one question.

Bryan Smith: Yes, sir.

Commissioner Melcher: Maybe you could tell us, nobody else can. Gas goes up thirty cents and drops down three cents, is there a reason?

Bryan Smith: There's a—

Commissioner Melcher: I mean, nobody understands this one.

Bryan Smith: There really isn't a reason. The retail market, I'm not a retailer, and I don't really follow that market. The retail market is very competitive in Evansville and Henderson. It's one of the most competitive in the nation. Industry publications put the retail margins in this area as one of the lowest in the nation. So, there's a couple of different variables that affect it, but Kentucky not having sales tax, they get quite a bit of a price advantage in Kentucky, but it always comes back to, for lack of a better term Twinkies. They want to get you in the store to buy the Twinkies. So, whatever they have to do to get the customer on the lot, they move the price up to restore trying to get margin, and they all fight, that's why it comes back down, because they are all trying to fight for market share to get them back in.

Commissioner Melcher: I don't know about us being the lowest. It seems like Indy's been lower than us, and I know I left here and went to Paris, Tennessee and it was \$3.99 and I got there and it was \$3.65.

Bryan Smith: Lowest margin.

Commissioner Melcher: Okay, lowest margin.

Bryan Smith: Profit, not the lowest price at the pump. The lowest profit.

Commissioner Melcher: That's it. I didn't think, nobody knows that answer.

Bryan Smith: No, I wish I did know. You would have to call me from some place a lot nicer than this. Thank you.

Commissioner Abell: Thank you.

BKD Proposal for Burdette Park Operations Study
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Commissioner Abell: Next, under contracts and agreements, Superior Court detention agreement.

Commissioner Melcher: You skipped—

Commissioner Abell: I skipped BKD. Sorry. Well, I called you up here once, Mr. Lloyd and you didn't come up. So, I'm sorry, Russ.

Russ Lloyd: Thank you, Commissioners. Russ Lloyd, Vanderburgh County Council. I have with me Tim Deisher, representing BKD, LLP. First of all, congratulations on the Green River Road, great project for the county.

Commissioner Abell: Thank you.

Russ Lloyd: I'll give you a little background and then he can explain the specifics of the study. This actually, we had had discussions about this back in 2010 when I was the President of the Council, bringing in someone to look at some of the county departments on an efficiency study basis, and BKD does have a staff, out of their Indianapolis office that actually does this in governmental situations. 2010 came and went, didn't, wasn't able to do that, but, anyway, this year we actually brought in Mr. Hanselman, who, I know, I think met with some of the Commissioners as well, from BKD, and he talked about work they had done in some other counties and cities in Indiana. The Council was impressed with Mr. Hanselman, and after some conversations, including conversations with you, we thought Burdette Park might be a good opportunity for the efficiency expert to look. The Council approved bringing BKD in on a 7-0 vote on May 6th. The, obviously, subject to your approval of the contract. Councilman Raben said, since this would be Burdette Park, efficiencies there would be beneficial to tourism in Vanderburgh County. So, he thought it would be good if we asked the Evansville Convention and Visitors Bureau to assist in the funding. Council President Kiefer and I met with the Convention and Visitors Bureau, three of their board members last week, and they were agreeable to funding up to \$10,000 on the contract, with the provision that they would like to see some kind of tourism related work done. Our feeling was, one of the things that the contract would do would be profitability analysis by activity. So, you would look at the chalets, you would look at the BMX, you would look at the water park where the county would see which one of these maybe is more profitable for the county, more profitable or doesn't lose as much money, or generates revenue. So, we thought that that did have a tourism related mission. So, the Convention Bureau, it has to go before their board, but they seem to be okay with that concept. To kind of describe the study, I've got Mr. Deisher here. So, I'll turn it over to him.

Tim Deisher: Tim Deisher, partner in the BKD office in Evansville. As Councilman Lloyd said, Herb has a background in efficiency studies, engineering background, and has done projects such as the Indianapolis Airport and various other facilities. The process would be that he would talk to key individuals with Burdette Park and any others that would be appropriate to sort of set a goal for the efficiency study process. He would come down and meet individually with each individual employee at Burdette Park and learn the facility, each of the facilities, look at the processes, listen to the staff as to what the processes currently are, and in conclusion recommend way of the processes being done differently. He would be looking at internal controls of each of the facilities. He would look at profitability by facility to give the county information, as well as Burdette Park good information in management decisions as, on a go forward basis.

Commissioner Abell: (Inaudible. Microphone not on.)

Commissioner Melcher: No, not really. I just, you're just going to be looking at everybody's job descriptions and stuff like that too?

Tim Deisher: We're really going to look at processes. Part of that is processes are done by people, and job descriptions and what people do and the way things are

done at each of the facilities in the goal of improving that efficiency, as well as internal controls and other aspects of Burdette Park.

Commissioner Melcher: Okay.

Ted C. Ziemer, Jr.: Just to remind the Commissioners that \$7,000 of the cost of this project will be paid from appropriated funds, funds that are now appropriated by Council. The other \$10,000 is contemplated to be paid by the Convention and Visitors Bureau, and while there's been an indication that they'll do that, I don't think that has passed their board. So, I think your motion needs to, if you wish to approve this, to approve it conditionally upon the CVB finding that they will pay the \$10,000.

Commissioner Melcher: Okay, I'll make the motion to approve the contract as long as the CVB pays the \$10,000, and the County Council is going to pay the balance.

Commissioner Abell: I'll second. All in favor aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye.

(Motion approved 2-0)

Tim Deisher: Thank you.

Commissioner Abell: Provided this goes through, how long before we will get some results? Do you know?

Tim Deisher: Council had a discussion on that as to timing and whether to come in before the busy season, or after, and I think somewhat the feeling was when it's operational—

Commissioner Abell: Oh, yeah.

Tim Deisher: – and just see the live processes.

Commissioner Abell: Okay, thank you.

Russ Lloyd: I mean, just as an example of all of the processes. You have a lot of cash flowing through during the busy season, so they would look at whether the controls are sufficient on the cash coming through. So, I would think that would be of benefit certainly to the county.

Commissioner Abell: Thank you.

Russ Lloyd: Thank you.

**Superior Court: Juvenile Detention Agreement: MRDC
Health Dept: Breastfeeding Peer Counselor Agreement: Anya Thomas
County Assessor: Amended Nexus 2012 Reassessment Agreement**

Commissioner Abell: Now we're ready for contracts. The Superior Court detention agreement, an agreement with Muncie Reception Detention Center for children placed in the center by the Vanderburgh Superior Court, Juvenile Division. This replaces a prior arrangement under which such detentions were at Sugarcreek Detention Center near Muncie. Under the prior arrangement the cost of detention was \$149 per detainee per day, not including transportation. Under this agreement, the cost per detainee will be \$89 per night, including the cost of transportation. The agreement is for one year beginning May 6, 2011.

Commissioner Melcher: Move for approval.

Commissioner Abell: I'll second. Mr. Ziemer, do you know is this the juveniles that we aren't capable of handling here at the center that we have set up?

Ted C. Ziemer, Jr.: Yes, I think really actually it's when our center here is full and they still need a place to put these young children, so then they send them to Muncie.

Commissioner Abell: Okay. All in favor.

Commissioner Melcher: Aye.

Commissioner Abell: Aye.

(Motion approved 2-0)

Commissioner Abell: Health Department breastfeeding peer counselor contract with Anya Thomas. Is that correct?

Gary Heck: Gary Heck, Vanderburgh County Health Department. That's correct. This is an independent contractor agreement, and you're absolutely correct that's the individual. The County Attorney has reviewed this and it would still need to be approved by our board who would be meeting on June the 9th, but we do need the Commissioners approval as well.

Commissioner Abell: Okay.

Commissioner Melcher: Okay, I'll make a motion that we approve the contract as long as the Health Department Board approves it.

Commissioner Abell: You've looked at the contract, Mr. Ziemer?

Ted C. Ziemer, Jr.: Yes.

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: We've had similar contracts to this in the past.

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: So, yes, it's routine.

Commissioner Abell: I'll second that. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye.

(Motion approved 2-0)

Gary Heck: Thank you.

Commissioner Abell: Okay. County Assessor, 2012 reassessment contract. The Commissioners previously approved the 2012 reassessment services agreement. This is a revised agreement that contains changes in certain legal citations and indemnities that were requested by the Department of Local Government Finance.

Commissioner Melcher: I make a motion to accept.

Commissioner Abell: Second. Any comments? All in favor?

Commissioner Melcher: Aye.

Commissioner Abell: Aye.

(Motion approved 2-0)

County Engineer

Commissioner Abell: Department head reports. County Engineer's office, Pat, did you have something for us?

Patrick Seib: Yes, Ma'am. Good afternoon, Patrick Seib, Assistant County Engineer. The first item that I have is for change order number one on the Burdette-USI bike path. This will result in an increase of \$8,888.77, of which the county is responsible for 20 percent. The change order covers the cost of revisions to two concrete head walls, changing PVC conduit to steel conduit for the flashing light that will be installed at the Nurrenbern Road crossing, and adding an inlet that was shown on the plans, but omitted from the contract.

Commissioner Melcher: Motion to approve.

Commissioner Abell: Second. In favor?

Commissioner Melcher: Aye.

Commissioner Abell: Aye.

(Motion approved 2-0)

Patrick Seib: The second item that I have is to award contract number VC11-05-01, the concrete repair contract to JBI Construction, the low bidder, for \$223,110. This will cover work in Greenbriar Hills, Copperfield, and Oak Ridge Subdivisions.

Commissioner Melcher: Move to accept.

Commissioner Abell: Second. In favor?

Commissioner Melcher: Aye.

Commissioner Abell: Aye.

(Motion approved 2-0)

Patrick Seib: The next item I have deals with USI sidewalk construction plans. They're wanting to install sidewalk on the south side of Mahrenholz and up the west side of Schutte. As part of this, they are wanting to widen a little bit of Mahrenholz, which is going to require a little extra right-of-way dedication. We have yet to receive that, but that is in the mix, and we have gone through the plans, everything looks in order and recommend approval.

Commissioner Melcher: Now, is this something USI is doing also?

Patrick Seib: This is something that USI is constructing. They've just come to us to okay the plans.

Commissioner Melcher: Okay, so moved.

Commissioner Abell: Second. In favor?

Commissioner Melcher: Aye.

Commissioner Abell: Aye.

(Motion approved 2-0)

Patrick Seib: The next item I have is a right-of-way offer for the Baseline and 41 intersection project. It's a \$625 for Richard and Ruth Bengert. They are at the northeast corner of Boyle Lane and Baseline. This is the only right-of-way parcel that we'll need for this project that we'll be doing to accommodate the traffic to the new North High School.

Commissioner Melcher: Move to approve.

Commissioner Abell: Second.

Patrick Seib: And, the last item I have is a street plan approval request—

Commissioner Abell: In favor?

Commissioner Melcher: Aye.

Commissioner Abell: Aye.

(Motion approved 2-0)

Commissioner Abell: Okay, go ahead.

Patrick Seib: Apologies.

Commissioner Abell: That's okay.

Patrick Seib: A street plan approval request for Interstate Crossing Subdivision. That's the commercial site, it's the old Busler's site there at the southwest corner of 41 and 64. We have reviewed the plans and recommend approval.

Commissioner Melcher: So moved.

Commissioner Abell: Second. Is that, that project then is going forward at 41 and 64?

Patrick Seib: Yes.

Commissioner Abell: And, are they going to restore the traffic light, do you know?

Patrick Seib: I haven't heard that yet.

Commissioner Abell: Okay. Anything else? Did you move to approve it? All in favor?

Commissioner Melcher: Aye.

Commissioner Abell: Aye.

(Motion approved 2-0)

Patrick Seib: And, that's all that I have unless you have any other questions.

Commissioner Abell: I have a question, I don't know if you....is there any update on the mudslide out at USI?

Patrick Seib: I know that John's been....on University Parkway?

Commissioner Abell: Uh-huh.

Patrick Seib: I know that John's been working on that. I don't think he's got anything yet. I know a lot of that hinges on INDOT and what they're....what they look at as far as what's going to be capped for the federal funds on that. Whether it's by DES number, or if it's the project as a whole.

Commissioner Abell: Okay.

Patrick Seib: I think he had asked, or was going to ask Ted to look into that too. I'm not sure if John's contacted you about that.

Ted C. Ziemer, Jr.: I don't think so, but I will.

Patrick Seib: Fair enough.

Commissioner Abell: Find somebody to pay for it, Ted. Thank you.

Burdette Park

Commissioner Abell: We don't have any board appointments. Is there any new business? Oh, Steve, I'm sorry, come forward. You weren't on my list of cheat sheet notes. I apologize.

Steve Craig: Steve Craig, Manager of Burdette. I just wanted to, even though we're still cleaning up from the flood and that, that the park will be open. Everything in the park will be open this weekend for the Memorial Day weekend. The Aquatic Center opens Saturday for the summer. Next Tuesday our day camp will start and be running through the first week of August. Just wanted to invite everybody out and tell them that we will be ready, and the weather is supposed to be good. That's about it, but just wanted them to know that everything is ready.

Commissioner Abell: Do you got all the lifeguards you need?

Steve Craig: We could still use some more lifeguards and a couple more EMT's, if anybody is interested in a part time job for the summer, but we could use a few more of them.

Commissioner Abell: Okay, well, have a good summer.

Steve Craig: Well, thank you very much.

New Business

Commissioner Abell: Anything under new business?

Old Business

Commissioner Abell: Old business?

Public Comment

Commissioner Abell: Public comment? Mr. Jeffers?

Bill Jeffers: You know on a short meeting you weren't going to get by without a public comment.

Commissioner Abell: I just hadn't thought about you as the public.

Bill Jeffers: I thought Commissioner Melcher's question to the fella from the fuel company was very interesting, and I just wanted to make a comment on it. I watch CNBC every morning—

Commissioner Abell: Well, that's your problem.

Bill Jeffers: —before I come to work. I watch it every evening when I get home sometime, and solely to check silver, gold, oil, and wholesale gasoline. I noticed Monday a week ago, when oil dropped, gasoline, wholesale gasoline came down to \$2.91, and has been about \$2.91 to \$2.95 for the past eight or nine days. Okay?

Now, if you add federal tax and state tax and other little things; sales tax, fuel tax, whatever, and I just confirmed it with the fella before he left, the mark up for taxes is 62 cents a gallon. So, if you add 62 cents to the wholesale price, before profit margin, gasoline has been \$3.53 to \$3.57 for the last eight or nine days in the State of Indiana. Generally, I track this, just like the retailers do, I go home on Oak Hill Road, and I see what Moto is selling it for, I see what Casey's is, of course, you've got Thornton's at Morgan and Boeke, they set the price, and then Buehler's over there looks across the street and sees what Thornton's is doing and they drop their price. Then, now you've got the new Fast Track down there by Vogel School, they get their binoculars out and see what Thornton's and Buehler's is doing and they drop their price, and then Casey's runs out to the edge of the lot and looks down there and they drop their price. I've confirmed that with Casey's. That's where I buy my gas, and that's what they do. They all watch to see what Thornton's is doing down there. Just like that fella described, they are working on that margin. Now, generally, I've watched the wholesale price and added 62 cents and I noticed that retailers are generally just a few pennies or a nickel or so above that margin, or, you know, their margin is about three to eight cents. So, gas should have been selling all of this time for \$3.60, or \$3.59 to \$3.63 a gallon for the last eight days. Now, what's it been? The only place you can get that is in Tennessee, coming back from Austin, Arkansas, Missouri and Tennessee were all under that, at that or under. Getting back to Indiana it was \$3.99. Just in the last couple of days it went to \$3.83. So, they've been making four to eight nickels more than usual for the last ten days. I've posted this on my Facebook and other places, and I want to know, you know, over in Kentucky they've got a judge initiating an action for price fixing and price gouging. You cannot get anyone in the State of Indiana to respond to this. Now, what the heck is going on that they're making 40, 50 cents a gallon over what they normally do any other year?

Commissioner Abell: I had someone write me an e-mail about that, and wanted the County Commissioners to do something about it. That's not in our jurisdiction—

Bill Jeffers: Right.

Commissioner Abell: —but, I did tell him that it would be nice for him to write to the Secretary of State—

Bill Jeffers: Right.

Commissioner Abell: —and possibly he could get something done through that department.

Bill Jeffers: Well, I've wrote to the Secretary of State candidates, both of them, during the last election about price gouging, and one of them wouldn't respond, and the other one was busy trying to decide which precinct to vote in.

Commissioner Abell: You didn't happen to be the person who wrote me the e-mail are you?

Bill Jeffers: No, Ma'am. I wouldn't expect the County Commissioners to do anything about it, because I know you don't have any power to do that, but somebody in the State of Indiana should. But, I think you took a wise move today, because also on CNBC the Sheik of Arabi, or whatever his name is over there, the head of OPEC, he would like to see oil at \$70 to \$80 a barrel, because he says anything over that suppresses the use of oil and lowers OPEC's gross profits. Even when it goes over

a hundred they make less money than when it's at 70. But, there was another analyst on there this morning that thought it might go as high as \$140 or \$150 a barrel in 2012. So, make your wisest move in the third quarter.

Commissioner Abell: You need to watch a different t.v. station, Mr. Jeffers.

Bill Jeffers: I know, it just drives you nuts.

Commissioner Abell: Is there anyone else that would like to make some public comment?

Commissioner Melcher: I just would like to make one comment. Monday is Veteran's Day for all of our fallen veterans, and that's what it's about. It's really about honoring the people that gave their lives for our country. As Commander of the Veterans Council here in Vanderburgh County, for our t.v. audience, there are going to be a lot of posts out on Monday and some Sunday at all of our different cemeteries having ceremonies. So, if you're not doing anything, you might ride out by one and you might see one. It's very interesting how it goes on. Thank you.

Commissioner Abell: Thank you. Under public comment, I will make an announcement that Mr. Sherman Greer came in to see the County Commissioners before we had the meeting tonight to tell us that he had just heard from the National Weather Service that there's a possibility of extremely strong storms and tornados approaching Evansville around midnight tonight and through the morning tomorrow morning. So, you just might want to keep your weather radio on tonight as a precaution. It's supposed to be the same weather system that came through Joplin, Missouri. So, just to make sure that everybody stays as safe as possible. The siren at Plaza School is not working. So, if you live on the east side of town, you may want to make sure you have on a weather radio.

Consent Items

Commissioner Abell: Madelyn, the consent items.

Madelyn Grayson: The consent items for the May 24th meeting are as follows; approval of the prior minutes; there's the joint County Commissioners-City Council workshop minutes from May 5th and May 12th, the May 10, 2011 Commission meeting minutes; employment changes for the Commissioners approval, there's one for the Co-Op Extension, three for the Health Department, and three for Burdette Park, and one for the County Highway; the Commissioners have the Girls in Bloom request for waiver of Centre fees for February 24-25, 2012, and a report of the 2011 event; there's a letter to the Bloomington MPO regarding removal of I-69 project from their 2012-2015 transportation improvement plan; there's a Coliseum roof repair quote; Hamrick's Towing notification of service increase due to gas price increase; the County Highway Department annual operational report; the County Engineer has pay request number 128 in the amount of \$75,326.70 for TIF projects; the County Clerk has the April 2011 monthly report; Weights and Measures, April 16-May 15, 2011 monthly report; the Evansville ARC April 2011 report of activities, the IBAP Gatekeeper April 30, 2011 report; the Treasurer has the April 30, 2011 year-to-date report, and there is a department head report from the County Engineer.

Commissioner Melcher: I'll move to approve the consent agenda.

Commissioner Abell: Second. All in favor?

Commissioner Melcher: Aye.

Commissioner Abell: Aye.

(Motion approved 2-0)

Commissioner Abell: So moved. Any more business to come before the County Commissioners? I'll entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: We are adjourned.

(The meeting was adjourned at 5:39 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the 5/5 & 5/12/2011 Commissioner-County Council Workshop Minutes.

Approval of the May 10, 2011 Commission Meeting Minutes.

Waiver of Centre Fee: 2012 Girls in Bloom: 2/24-2/25/2012.

Letter to Bloomington MPO: Removal of I-69 from 2012-2015 TIP.

Coliseum Roof Repair Quote: U.S. Industries Group, Inc.

Hamrick's Towing: Notification of Service Increase Due to Gas Price Increase.

Evansville ARC April 2011 Report of Activities.

IBAP Gatekeeper April 30, 2011 Report.

Employment Changes:

Health Dept (3)

Burdette Park (3)

Co-Op Ext. (1)

County Highway (1)

County Clerk (3)

Sheriff (2)

Circuit Court (5)

Assessor (1)

County Highway: 2010 Annual Operational Report.

County Engineer: Pay Request No. 128: Green River-Burkhardt TIF Projects.

County Clerk: April 2011 Monthly Report.

Weights & Measures: April 16-May 15, 2011 Monthly Report.

County Treasurer: April 30, 2011 Year-to-Date Report.

Department Head Reports:

County Engineer

Those in Attendance:

Marsha Abell

Stephen Melcher

Brian Gerth

Ted C. Ziemer, Jr.

Kristin Comer

Madelyn Grayson

Mike Raisor

Debbie Spalding

Bryan Smith

Russ Lloyd, Jr.

Tim Deisher

Patrick Seib

Steve Craig

Bill Jeffers

Others Unidentified

Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**JOINT WORKSHOP
COUNTY COMMISSIONERS-CITY COUNCIL
MAY 26, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville met in a joint workshop format on this 26th day of May, 2011 at 5:35 p.m. in room 301 of the Civic Center Complex for the purpose of addressing potential modifications to the Evansville-Vanderburgh County Plan of Reorganization.

Opening of Meeting & Pledge of Allegiance

President Winnecke: I thought, we've been through the, oh, let's stand and offer our Pledge to the flag.

(The Pledge of Allegiance was given.)

Overview of Continuation of Review/Modification Process

President Winnecke: We've been through the proposed Reorganization Plan one time and offered comments, suggestions. I thought we would start back at the very beginning and start to make modifications. Many, obviously, are free to offer modifications that we discussed before, or if you have new ones, that's fine too. I believe the attorneys will help us make notes and they will go back and re-write the Plan as we progress. So, if there's no other questions or discussion about how we'll proceed...I also thought we would take, because each body has to pass identical plans in order for it to go to a referendum. It seems like, as we go through each point we probably ought to do a straw vote. Obviously, it's a non-binding vote, but a straw vote by each body, so we know that we have consensus, a majority consensus on each body. Does that make sense? If the attorneys need to keep us between the lines we can—

Unidentified: (Inaudible. Not at microphone.)

President Winnecke: Marsha is going to be here. She thought, she said she was going to be here.

Unidentified: (Inaudible. Not at microphone.)

President Winnecke: Oh, touche.

**Introduction: Issue of Amending Rejection Threshold to
Separate Votes for the City and the County**

President Winnecke: If we begin in the introduction, I think there's an issue that, I believe that Commissioner Melcher may want to address, and that's the voter threshold, voter approval. I believe he expressed a desire to have a separate vote in the city and the county. On the issue of just the voter threshold, the attorneys say that if we change the threshold, that the whole process would begin again, but we can certainly have discussion, if Commissioner Melcher would like on the issue of separate votes in the city and the county.

Commissioner Melcher: I do believe it ought to be a threshold resolution. I wasn't really thinking we was going to get to that tonight.

President Winnecke: We can come back to that.

Commissioner Melcher: I thought we were going to talk about that on June 30th, probably.

President Winnecke: We can certainly do that.

Commissioner Melcher: But, basically that's the way I believe it should go. Like I said at our Commissioners meeting, I think the law was written wrong the way it wrote on this issue. I don't think this issue should have been the first thing out of the box. I think it should have been an issue that was handed to the committee, and the committee should have recommended one way or the other how they thought, and then we could make that change or whatever, but the way it was set up it looks like it was set up that way so it couldn't get changed. But, even though it doesn't say we can't change it or we can change it, and I know the two attorneys are, I've always supported both of them, so, I agree probably with exactly what they're saying. I think we could vote for it and still get it done before the end of the year, and I think we have until January again to get the whole thing passed to make sure it gets on the ballot. So, I think we still have time, even if they say we have to start over, I don't think we have to start completely over. I think we have to hold all of the meetings again, and I'm willing to do that if it passes. If that would happen. But, it would have to pass the Commissioners first, because if it didn't pass us, there's no sense in the Council, the City Council voting on it.

President Winnecke: Right.

Commissioner Melcher: So, I'm willing on this one to wait until we have more of a body here, it should be a full body to vote on this one, I believe.

President Winnecke: Okay.

Councilmember McGinn: May I?

President Winnecke: Absolutely.

Councilmember McGinn: Thank you. Are we talking about a county vote and a city vote each?

Commissioner Melcher: Well, the threshold has got two or three different ways you can go. I'm just talking about the simple majority of the county outside the corporate limits and the city limits. It would be two separate vote, and it has to pass both.

Councilmember McGinn: Okay, so, but the county residents, or city residents who are residents of both they only get to vote once as a city person on the referendum?

Commissioner Melcher: Yes, exactly right

Councilmember McGinn: Okay.

President Winnecke: I'm fine with holding off, more discussion and the vote until later, until more people are here.

Introduction: Fiscal Impact Analysis

President Winnecke: I think in the introduction, the fiscal impact analysis, we talked about that last time, and, again, I think that's something as we complete the modifications we'll circle back with the Controller and the Auditor to get more detail on that, because, I think, to do so beforehand would probably be difficult.

Typographical Error in Article One: Section 1.2

President Winnecke: Going back in my notes, the first, there was a correction on Article One, 1.2, in the second parentheses, "upon the effective date as defined in section 1.8". That should say, that should read as defined in section 1.7. So, that will be changed. Again, I'm just going from my notes. So, if anyone has other things they would like to get to beforehand, jump in.

Article One: Section 1.5: Partisan Elections

President Winnecke: I think 1.5, Partisan Elections, was the first thing in my notes from our previous meeting that there was a good deal of discussion on. Maybe the attorneys would like to jump in here and offer their opinions on this.

Ted C. Ziemer, Jr.: Yes, we have looked at this, and it's our opinion, John's and mine, that we cannot make any provision in this Plan that violates State election laws. State election law currently provides for partisan elections, and for primaries. So, it's our opinion that we can't change that.

John Hamilton: I would add to that, I think State election law also provides for the ballot to have instructions, mandatory instructions for straight ticket voting. It sets out all of the procedures, and actually in the Home Rule statutes is a provision that prohibits political subdivisions from conducting an election without express statutory (Inaudible). So, I read that to mean, and I think Ted agrees that unless there is State legislation allowing us to do this, we could be prohibitively expressing. Just as we cannot conduct this referendum except for the fact that the State passed this law saying we could do (Inaudible).

President Winnecke: To clarify, in the counties, including this one, where the judiciary runs non-partisan, there's special legislation that provides for that?

John Hamilton: Correct.

Councilmember McGinn: Yeah, John, was kind enough to call me on that. I had done some preliminary research on it too, and I was thinking of an oddball theory that if it wasn't excluded, then you could do it. It made sense to me at the time, but I think wiser minds prevail. Yeah, I think the only way that this can be done is it has to be done at the State legislature, and that would be a , you know, several year delay in this type of thing. So, I think non-partisan or straight ticket is something ,or bi-partisan and straight tickets, unless we want to back track and go back to the State legislature and amend our enabling law, then we're stuck with them.

Article One: Section 1.6: Dates of First Election & Subsequent Elections

President Winnecke: Okay, moving on, again, from my notes from last time, section 1.6, setting out the dates of the first election. Again, John or Ted could jump in here. I think the State statute requires that the election, assuming it would, a referendum would pass in November of '12, the first election would be in November of 2014. The new government to start January of 2015. In that year, just as a side note, in 2014 several county officers, officeholders would still be up for election; the Auditor, Assessor, Prosecutor, Sheriff, State Reps, State Senator, and one of the three County Commissioners.

Commissioner Abell: (Inaudible. Microphone not on.)

President Winnecke: Would be the referendum, a referendum.

Commissioner Abell: (Inaudible. Microphone not on.)

President Winnecke: 2013 would be planning for the transition.

Commissioner Melcher: Would the County Commissioner run if it passes? I don't think the County Commissioner would run.

President Winnecke: It would—

Commissioner Melcher: Because if it passes in 2012, then 2014—

President Winnecke: Right, you're right, you're right on the one Commissioner—

Commissioner Melcher: Okay.

President Winnecke: -- but the others would though.

Commissioner Melcher: Right.

President Winnecke: Right, you're right. So, 2014 would be the election year.

Commissioner Melcher: And that would be the first year without a Commissioner running.

President Winnecke: And, the new government would start January of 2015.

Councilmember Friend: Lloyd, didn't we talk about this, having this on an odd, it's on, yes. Didn't we talk about this, having this on an odd year? We would be off the cycle with...did we do this or not do it?

Ted C. Ziemer, Jr.: I don't understand what you're saying.

Councilmember Friend: Well, what I'm saying is, what it is, the elections now in the city standpoint is in the odd years, it doesn't go along with Presidential races and Congressional races and that. We talked about having that on the odd, I thought on the odd year on the elections.

Ted C. Ziemer, Jr.: It's just that we're doing all of this under an enabling statute, and that statute spells out that the elections shall be held, just a second, will be at the next general election. The next general election would be 2014.

Councilmember Friend: Well, that answers that.

Ted C. Ziemer, Jr.: We don't have any, we just don't have any leeway. If this is on the ballot in 2012, the election must be in 2014.

President Winnecke: I think, the rest of 1.6, I believe, probably the one thing, there is a sentence in 1.6 that reads; "subsequent elections shall occur every four years thereafter". We had a fair amount of discussion regarding the possibility of staggering terms of Councilmembers, and that also comes up in 3.6 maybe, Term of Office. So, if the, when we get to 3.6, if there's a feeling that we do want to staggered terms, we would have to go back and change this language. Well, you do, right, I mean, you could do it a number of ways, but you would have, theoretically you would have almost half of the Council, depending on what number we arrive on, for either, it could run for four years, or two, or six. So, it's whatever the pleasure of, to keep them staggered if that's the....but, we would have to spell out specifically which areas would be up for which.

Councilmember McGinn: Sounds like a lottery to me, on which areas (Inaudible. Microphone not on.)

President Winnecke: I think the rest of Article One was pretty self explanatory, just sort of the mechanics and interpretation of the Plan.

Article Two: Section 2.4: Term Limits

President Winnecke: Section Two, 2.4, we did have a lot of discussion on term limits. There was discussion for having term limits for the Mayor, well, we talked about two and three for each. So, I don't know what, I don't remember that there was a consensus. So, we can start that discussion.

Councilmember McGinn: Historically, we've not had a three term Mayor, is that correct?

Unidentified: (Inaudible. Microphone not on.)

Councilmember McGinn: Oh, okay, there has only been one.

Unidentified: (Inaudible. Microphone not on.)

Councilmember McGinn: Okay, so there have been two. Alright. I've always been in favor of two terms, just like the Constitution provides for our Constitutional offices.

Commissioner Abell: I'm also in favor of two terms.

Councilmember Adams: I'm in favor of term limits, and I don't care whether it's two or three. There's an aphorism in business school that says you run out of ideas in a decade.

President Winnecke: Any other—

Councilmember McGinn: Again, there's, there would really be no prohibition to prevent a member of the Common Council of a Ward running at-large, is that correct? Or running for Mayor or a Mayor after two terms running for Council? I mean, it's just switching offices is what we're looking at. Two terms in the same office is what a limit would be.

Commissioner Melcher: We haven't got to the part where we're even going to have at-larges, or not at-larges.

Councilmember McGinn: Okay.

Commissioner Melcher: So, we haven't even gotten to that part yet.

Councilmember McGinn: Okay. I didn't know—

Commissioner Melcher: We could just have it all districts—

Councilmember McGinn: Yeah.

Commissioner Melcher: —that way we won't have to worry about three at-larges and the Mayor and one district all being elected from the precinct.

Councilmember McGinn: Someone brought up, well, when we get to that—

Commissioner Melcher: You know, and even though that hasn't happened, it could happen. If you make them all districts then you've got, they've got less people. So, it's—

Councilmember McGinn: Okay, but whatever happens with that provision though, there's nothing that would prevent a two term Councilmember from running for Mayor the next election, or a two term Mayor running for Common Council?

President Winnecke: I would agree with that.

Councilmember McGinn: Okay.

President Winnecke: I mean, that's my interpretation.

Councilmember McGinn: Okay, well, that's what I was—

Commissioner Melcher: Mine too.

Councilmember McGinn: -- thinking also.

President Winnecke: So, is this going to be our first straw vote of the night? Of two terms, do we need to say consecutive, or just two terms?

John Hamilton: You can do it either way.

Ted C. Ziemer, Jr.: Do you mean—

John Hamilton: By saying no more than two consecutive terms, and that would mean they could run after they were out of office.

President Winnecke: I mean, the Constitutional offices can do that, right?

Commissioner Abell: Clerk, Sheriff, those can do that now.

John Hamilton: You could limit it to two terms period. (Inaudible)

Councilmember McGinn: (Inaudible. Microphone not on.) I like two consecutive terms.

Commissioner Abell: But, I think I'm hearing three on this side of the (Inaudible).

Councilmember Mosby: I'm not in favor of a two term. I would be more apt to three. We actually have a term limit, it's called the voters getting out and vote.

Commissioner Melcher: That's my opinion.

Commissioner Abell: I agree with that. I've never been in favor, I've never been a big fan of term limits, but when I have read through this Plan and I see the amount of power that is being given to the Mayor, I'm quite concerned that if we had a Mayor that wasn't the kind of Mayor we particularly wanted and he continued to gain more power because as you're in office you gain more power strictly with the possibility, you know, you're awarding contracts, you're gathering in political friendships, if you will. I think, I'm concerned with the power that the Mayor is getting here over the Metro Council, that if you had an un, a non-term limited Mayor, I think we could be setting ourselves up for some big problems.

Councilmember Friend: Well, why don't we consider two terms for the Mayor--

Commissioner Abell: Well, obviously, (Inaudible)--

Councilmember Friend: --or three terms for the Mayor, and, I mean, we could, I mean, Congress they have unlimited, but the President has two terms. It's executive power that we're talking about here.

Commissioner Abell: Well, and when you think about the Senate and you think about the Metro Council, you've got a more diverse group and you've got more people voting on an issue and there's less likely to be the main one power. When you're talking about a Mayor and a President, you're talking about a main one power entity, and I think if you do that without any term limits, we, you know, I think we would be setting ourselves up for some problems.

President Watts: Playing the devil's advocate, what do you do if you get a guy in that's the greatest Mayor you've ever had, and he's doing, done great things through eight years, everybody is happy with him--

Commissioner Abell: Well, B.J., one thing I've learned through my whole life that I've worked and I've had a lot of jobs, and a lot of them in the private sector as well as the public, is that I'm not indispensable. There's another guy out there as good as me, and there's probably another guy out there even better than me, but if you

get somebody that's corrupt, it's harder to get rid of them than it is to find another good guy. That's my concern.

Councilmember Friend: Do we want to do two terms, three terms?

Commissioner Abell: I'll do three.

Councilmember Friend: Three terms?

President Watts: Three terms for the executive branch, and are there term limits on the legislative branch?

President Winnecke: Well, we haven't gotten there.

Councilmember Friend: We haven't gotten there yet.

President Winnecke: We can, let's start with the executive. We'll, okay, the Commissioners, we'll break the ice here. We'll take the first straw vote on three consecutive terms –

Commissioner Melcher: The only reason why I said two last time, if we're going to have term limits, that's what everybody else's county has, that's what the State has, that's what, it just unconfuses everything, but it don't matter to me if it's three or two. But, I'm just saying if you want to keep, it's going to be confusing enough for everybody in the beginning, and, I think Marsha is right, if there is going to be term limits it ought to be on the executive end. So, I would rather go two terms, that's my opinion, but I'm not going to vote against the three. So, if we're going to talk about it, I think two keeps us with all of the people, the Treasurer, the Records and that, plus, you know, I just think it works better. The Governor is only two terms. You could get a great Governor, you know. So, you just never know. So, that's, you guys decide, I mean, I don't care.

Commissioner Abell: Well, I'm happy with two, but I think I'm hearing the city is going to be more happy (Inaudible)--

Commissioner Melcher: Well, if we're leading the charge, we could make it and then--

Councilmember Adams: We've got two issues here, term limits versus how long are the term limits.

President Winnecke: Right.

Commissioner Melcher: Well--

President Winnecke: I think we're at term limits.

Commissioner Melcher: --you just make one motion to do it both. I'll make the motion that we do two terms, and we either vote that down and come back to three or whatever you--

President Winnecke: Do we need a motion and a second? Or, are we just--

John Hamilton: These are non-binding.

Commissioner Melcher: These are non-binding.

President Winnecke: Okay, so—

Commissioner Abell: I'll vote with you, Steve.

President Winnecke: Okay, we'll make it unanimous, three, nothing on two terms.

(Commissioners approved motion in straw vote 3-0).

Commissioner Melcher: Okay.

President Winnecke: And, we'll see what our friends on the city do. B.J., you can run your own vote here.

President Watts: The motion is for a two term limit on the Mayor's office, or on the executive branch, the Mayor's office.

Councilmember Robinson: Nay.

Councilmember Mosby: Nay.

President Watts: I would vote nay.

Councilmember McGinn: (Inaudible. Microphone not on.) If it comes down to that being a deal breaker (Inaudible. Microphone not on.). If someone is very good they could run for Council, be out for four, come back, be hired Chief of Staff, whatever, someone who is a super Mayor is not going to disappear into the woodwork. So, I'm in favor of two terms, but, again, if it's three I don't consider that any sort of a deal breaker. If that would prevent this thing from being completed and going to a referendum. But, I vote aye for two terms.

Councilmember Adams: I vote aye for two terms.

Councilmember Walker: I don't know what's wrong with no terms. The voters can vote them out anytime they want to. I will support anything they come up with here, but I would just as soon leave it like it is, there should be no term limits.

Councilmember Adams: But, we're not voting on that.

Councilmember Walker: If the voters choose to let a person run, then it should be the voters choice to vote them in or out.

Councilmember Adams: That may be true, but that's not what we're voting on. We're voting on—

Councilmember Walker: I understand what you're saying.

Councilmember Adams: Okay. So, what's your vote?

Councilmember Walker: I'll say yes, vote for a two term limit.

Councilmember Adams: Okay.

Councilmember Friend: I'm going to go nay with the two term limit.

President Watts: Do what, I'm sorry?

Councilmember Friend: Nay.

President Watts: I will say, just speaking strictly for me, I'm not in favor, I'm going to agree with Don. I'm not in favor of term limits. I think that we have a very educated constituency, and if they think Joe Smith is doing a good job and they want him to continue, and if he does things he shouldn't, then I have no doubts they would vote him out. But, I'm one vote.

(City Council denied motion in straw vote 3 ayes to 4 nays.)

President Watts: So, I don't know if you want to try a three term and see if it has merit?

President Winnecke: Sure. Why not?

Councilmember Robinson: How about no term limits?

President Watts: But, my vote would be for no term limits for the Mayor.

Councilmember Robinson: That's the motion I'm waiting for.

Councilmember Mosby: Same here.

President Watts: Do you have any problem with us doing that-

President Winnecke: No.

President Watts: -first?

President Winnecke: No, go ahead. Free form.

Councilmember Robinson: I make a motion that there are no term limits for the Mayor.

President Watts: I'll vote aye for that.

Councilmember Mosby: I'll vote aye as well.

Councilmember Robinson: Aye.

Councilmember McGinn: I vote no.

Councilmember Adams: No.

President Watts: No term limits for the Mayor is the vote now.

Councilmember Walker: No terms (Inaudible).

President Watts: It's four to two. John?

Councilmember Adams: Now you guys have to redo--

President Watts: (Inaudible) it doesn't really matter.

President Winnecke: As soon as John votes.

Councilmember Friend: I'm going to say nay.

President Watts: Five to two in favor of no term limits for the Mayor.

President Winnecke: Okay.

Commissioner Melcher: Alright, so we need to change ours?

Councilmember McGinn: Wait a minute, was that five-two in favor of no term limits?

Councilmember Robinson: It's four to three.

Councilmember McGinn: Yeah.

Councilmember Robinson: It's four to three.

President Watts: Five to two.

Councilmember McGinn: Just Dan and I?

President Watts: Just Dan and Dan.

Councilmember Adams: The Bobsy Twins.

President Watts: Oh, I'm sorry.

Councilmember Friend: I went nay with the--

President Watts: So, you want term limits?

Councilmember Friend: Yes.

President Watts: Okay, then four to three.

(City Council straw vote 4 ayes to 3 nays. Takes five ayes to pass.)

Councilmember Robinson: Today.

Commissioner Melcher: This is going to be a long night.

President Watts: And we have two members that aren't here. They would make a difference if you want to come back—

Commissioner Melcher: Since these are straw votes, that's not a quorum.

John Hamilton: And that's not a, yeah, that would (Inaudible) even if it were (Inaudible), because it takes five Councilman. You can still take other straw votes just to see—

President Watts: I mean, you have Wendy and Curt that are both not here.

Commissioner Abell: (Inaudible. Microphone not on.)

President Winnecke: Somebody (Inaudible).

President Watts: Curt gave me proxy (Inaudible).

Councilmember McGinn: (Inaudible) gave me proxy.

President Watts: So, I don't know if you would want to, obviously, this is going to be an issue, if you want to table it until we have, I apologize, we don't have all nine here—

President Winnecke: No, I think that's the—

President Watts: —but, I think that would be the responsible thing to do is—

Commissioner Melcher: We could bring it up at the next meeting, and we might, since they're straw votes—

President Watts: Do you want to highlight that one as something that we can come back to?

President Winnecke: Yeah.

Commissioner Melcher: —if it passes, then we'll have to vote on it then.

President Watts: At the next meeting, 2.4.

President Winnecke: That gets two stars.

President Watts: Two stars.

Councilmember Adams: Part of the reason that we discussed term limits (Inaudible. Microphone not on.) heard from people who talk to us here, they're afraid of this process and they were hoping that terms would give them a modicum of safety in terms of fears. Now, I just put that out there because that's where the terms limits have come from.

Councilmember Robinson: Then they can go to the polls and vote against (Inaudible).

Councilmember Adams: Yeah. I'm just telling you what these people out here—

President Watts: Everyone that I've talked to has said, every four years, you have a four year term limit with me. If you're doing a good job you get to keep doing it, and if you're not, then you don't.

Commissioner Melcher: I haven't heard anybody say anything about term limits. That hasn't even been on the radar with anybody that I've talked to.

Councilmember Adams: No, it's been out here, Steve.

Commissioner Melcher: I understand. I'm just saying, you know, I'm not in favor of term limits. I said that at the last meeting, but—

Councilmember Friend: Well, I mean, I grew up—

Commissioner Melcher: We'll vote on it the next time. Let's move on.

Councilmember Friend: —in a town that the Mayor was there for about 24 or 26 years. He just got the mechanisms—

Councilmember Adams: South Bend?

Councilmember Friend: Pardon me?

Councilmember Adams: South Bend?

Councilmember Friend: No, Terre Haute. Don't hold that against me now that it's out there.

President Winnecke: Okay, so, we'll circle back on 2.4, hopefully, to, the next meeting.

(Consensus was to revisit the term limit issue at the 6/2/11 workshop.)

Article Two: Section 2.7: Executive Officers

President Winnecke: My next note was on, oh, 2.7, at the end of that, we figure we can put the period at the end of Mayor, and delete the phrase, "and are excluded from civil service". After speaking with the head of the Reorganization Committee, they just wanted to make, they wanted to clarify that these appointments serve at the Mayor, and this sentence, I think, that clause is probably redundant.

Councilmember McGinn: Just that they can be fired?

President Winnecke: Right, right, by the Mayor. Right.

Unidentified: (Inaudible. Microphone not on.)

President Winnecke: I think it means the same thing.

President Watts: Do you want to take a vote on it?

Councilmember Adams: Well, I don't know. I think if (Inaudible) changes we all have to agree.

President Watts: Do we agree (Inaudible) Mayor in 2.7 (Inaudible) excluded from civil service?

Councilmember Friend: Aye.

Councilmember Mosby: Aye.

Councilmember Robinson: Aye.

Councilmember McGinn: Aye.

Councilmember Walker: Aye.

Councilmember Adams: Aye.

President Watts: Aye.

President Winnecke: Steve?

Commissioner Melcher: I'm aye.

President Winnecke: Marsha?

Commissioner Abell: Aye.

President Winnecke: Okay. Thank you, Dan.

(Straw vote is unanimous for both County Commissioners and City Council on change in language on 2.7.)

Article Two: Section 2.8: Mayoral Appointments

President Winnecke: Two point eight, Mayoral appointments. This took a lot of time in one or more of our last meetings. In section, starting on page 22, exhibit D, we have a list of 59 boards and/or appointments. According to the attorneys, 23 of the 59 are governed by State statute. The others by local ordinance. What I've asked them to do now is to come back and put together, on a grid, so we can easily identify the composition of each of those appointments, each of those boards and commissions so we can look at a grid and just say, okay, the Air Board, the Health Department Board has "x" number, now they have, now they are appointed this way under legislation that applies to consolidated government, they now have this many. So, I think this is another one we wait for them to come back with this grid so that it's more easily understood. But, we did ask them, and they did tell us that, or they told me that 23 of the 59 are governed by State statute, which means the balance we could, because they are by ordinance, we could change, theoretically, anyway we see fit.

Councilmember McGinn: Is this discussion on this, or are we waiting for a grid?

President Winnecke: We're waiting for the grid.

President Watts: Okay.

President Winnecke: I had that discussion with them today.

President Watts: Okay.

President Winnecke: So, I asked them to put that together for us.

Ted C. Ziemer, Jr.: We'll have that ready for next week.

Commissioner Abell: Speaking of the Airport Authority (Inaudible. Microphone not on.)

President Winnecke: Yeah, it's on, it's Evansville—

Commissioner Abell: Oh.

President Winnecke: —it's under E, I think.

President Watts: John, my understanding is those that are set by State statute, we are, and, Ted, I apologize, but, we're not allowed to change those?

John Hamilton: That is going to be our opinion. That is our opinion.

President Watts: Okay.

John Hamilton: We're going to identify which ones those are.

Councilmember Adams: Are we allowed to change the make up of who appoints what?

John Hamilton: Not on the ones that governed by State statute.

Commissioner Melcher: Not by the State.

President Watts: That was my question.

Councilmember McGinn: But, at the end we still vote on whether or not these boards, or the departments that these boards oversee receive funds, correct?

President Winnecke: Right, and some of, based, apparently there is specific legislation that pertains only to consolidated government. So, there will be boards or agencies or departments or authorities or whatever that will be created as a result of consolidated government. Does that make sense?

Councilmember McGinn: Yes.

President Watts: Are those bound by State statute as to how they are appointed as well? Do we know that? They are? They're not? Oh, okay.

President Winnecke: Okay, so more to come on that. That will be a bid action item next week also.

Commissioner Melcher: I have one question on the State statute, because I don't know this one. Those boards are they paid? Does it say in the statute that those boards are paid?

John Hamilton: Which board?

Commissioner Melcher: The ones that are covered under the State statute. That would be nice to know too.

President Winnecke: I don't know that any boards or appointments are paid.

Councilmember McGinn: Yeah, some city boards are.

Commissioner Melcher: There was boards that, under one Mayor, started adding pay. We had a Mayor that gave boards pay, where they didn't have pay before.

Councilmember McGinn: Yeah, there a lot of boards that pay around \$3,000, Parks Board, Safety Board, I know those for a fact, because they are in our budget.

President Watts: That's the highest two at three grand. I think there's some that are like \$600—

Councilmember McGinn: Yeah.

President Watts: – or (Inaudible).

Councilmember McGinn: Yeah, they're in our budget. They have board members salaries.

Commissioner Melcher: And before that, some of those didn't have any money at all.

President Watts: Is that one three too? Do you know how much that one is?

Councilmember Robinson: Three thousand.

President Watts: Three thousand?

Councilmember Robinson: (Inaudible. Microphone not on.)

Councilmember Friend: Levee Board is something like (Inaudible. Microphone not on.) a month.

Commissioner Abell: Well, I think it's a great time to revisit that, because I look at the Area Plan Commission, those people drive all over town looking at everything that's going to be rezoned or be before the Area Plan, and they don't get a dime.

At four dollars a gallon that's, you know, how much do you want them to donate to their community. You know, I think that they, if we're going to compensate somebody, I would think Area Plan Commission is one that should be compensated.

Unidentified: (Inaudible. Microphone not on.)

Commissioner Abell: Well, they ought to at least get paid for their gasoline to drive...we want to encourage them to go out and look at these places, so we should pay them to do that.

President Watts: That's a great...John and Ted....is that something you guys can come, is that something that you can add to the table as to which boards are paid and what the compensation is?

John Hamilton: (Inaudible. Not at microphone.)

President Watts: Can you add it on to that same table that you create for the—

Ted C. Ziemer, Jr.: Yes.

President Watts: —which are State statute and which aren't.

President Winnecke: Okay, anything else under article two? Okay, hearing none.

Article Three: Section 3.3: Number of Members & At Large Members

President Winnecke: Moving on to Article Three, the Legislative and Fiscal Branch. The first item that I had was 3.3, the size of the Common Council. My notes, I feel comfortable in saying there was a consensus of 15. I'm not sure there was a consensus on whether we had at-large or not at-large. I know we had discussion each way.

Commissioner Melcher: Well, I'm not in favor of 15. I've said that from the beginning. The one before this one started out with 11, and then they went to 13, then they went to 15 at the final, and that's the one the State didn't pass. I think if we have 11 and three of them are at-large, make all 11 districts. I think that comes in around 14,000 people, which is 6,000 less than what the City Council has now, which is already the lowest in the State. So, if you had 11 districts, that should pretty much cover this whole district, and everybody should be covered. There shouldn't be any problems at all, and don't have any at-large. Most people, when they do have a problem, I've not been an at-large so I can't say this, but they normally call the Ward, and just like last time when they talked about the Police, there was three Ward people that got up and said to keep it separate, because that's the ones they call usually is the Ward. I'm not saying the at-large's don't get them.

Councilmember Mosby: I feel we need at-larges. For instance, when I'm not in town and can't be available and I get phone calls, I lean on the at-large members so that they can help represent if I'm not available.

President Watts: I'm in favor of at large. I think you see, you know, our at-large members get to look at things in a little broader spectrum. I mean, because being honest, if I can get something on the west side, I don't care if the east side gets it or the north side gets it or the south side gets it, I want it for mine. But, I think that you, when you're at-large and you have that just voice talking to you that says this is, you know, we're looking at things in a city-wide basis, I think it helps.

Councilmember McGinn: I think from the first meeting I had initially expressed opposition to at-large, then I've talked to some more people. At the end of that meeting I don't think it was on the record, but the main concern seems to be that there could be three at-large, a Mayor and one Councilperson all from the same neighborhood, so there's over representation. Someone suggested, it might have been you, Marsha, that the at-large, if there are at-large, be in the three districts, they have to live in the districts as the School Board is set out. Aren't there three School Districts that pretty well geographically divide the county? That would eliminate that issue, you know, if, you know, super Ward One, super Ward Two, super Ward Three, or whatever you want to call it, but the School Board school districts are those three. So, then you could never have any more than three people from the same Ward, an at-large, a Mayor and one Councilperson, which is in a 13, or an 11, or a 15, you know, it's not close to a majority. That made a lot of sense. That kind of convinced me that if they are geographically distributed throughout the city then I have no problems whatsoever with at-large.

President Watts: Can you say that an at-large has to live in a....like, are you saying, like if we have 12 districts, you know, one at-large member from districts one, two, three and four; one at-large is from five, six, seven, eight, is that....I mean, I don't have any problem with that.

Councilmember McGinn: Yeah, just somehow.

Commissioner Abell: (Inaudible. Microphone not on.)

President Watts: Nine, ten, eleven, twelve. Yeah, you guys run county-wide, but you have a district.

Commissioner Abell: Right.

Councilmember McGinn: And you have to live in that district to run. That would prevent the overloading of one district.

President Watts: I apologize, I was sick, I missed this part, but the 15 members as a consensus, you're talking 12 districts, three at large, with one of those members living 1-4, 5-8 and 9-12?

Councilmember McGinn: Yeah, I mean, number-wise, I mean, 15, 13, as long as it's an odd number I'm pretty much okay.

President Winnecke: That seems to be reasonable.

Councilmember Mosby: I would agree with that.

Councilmember McGinn: Pardon?

Councilmember Mosby: I would agree with you on that.

Councilmember McGinn: Yeah, I mean, everyone's concern has been the same, overloading one small area of, you know, everybody from this area. This really does prevent that.

Commissioner Melcher: That's the reason why I brought up just districts, that way that wouldn't happen, because I didn't care one way or the other. At-large is fine with me.

Councilmember Friend: Well, you know, Dan, we have that now. Doc's in the Fifth, so is Curt, so we have three...pardon me?

Councilmember Adams: So are you?

Councilmember Friend: By George, I am, aren't I?

President Winnecke: But, then, so is Marsha.

Councilmember Friend: So is Marsha, my goodness.

President Watts: We're overloaded up here.

Councilmember McGinn: You and Curt could not run for the same seat.

Councilmember Friend: Yeah, I mean, I know. I'm (Inaudible) with that.

Councilmember Adams: I think what we were addressing was people's fear that they won't be represented. So, if we increase a number of the districts and regionalize the at-large, then we really meet that need of the average voter who is kind of worried about whether they're going to lose their representation, both in the county and in the inner-city I think are the two groups that I hear that are most threatened by that.

Commissioner Abell: I'm in favor of the 15, but I want to say, we are going to use 2010 census, correct?

President Winnecke: Right.

Commissioner Abell: And, Mr. Jeffers is going to work on getting us some maps, I guess?

Commissioner Melcher: Well, he can't do anything until we decide what we're going to do. As far as the districts, it's the Commissioner districts that the School Board runs under. It's the other way around.

Councilmember McGinn: Okay.

Commissioner Melcher: So, he would have to draw the Commissioner districts as it is, and that's where the school would vote. Isn't that right, Bill?

Bill Jeffers: Commissioner districts need to be redrawn—

Commissioner Melcher: Exactly.

Bill Jeffers: – (Inaudible) to balance–

Commissioner Melcher: And then the school will follow suit that way. So, now, just so I'm not confused, on the Commissioner districts–

Bill Jeffers: B.J.'s idea might be better for a merged municipality.

Commissioner Melcher: No, and I'm not against that. I'm just saying that I know we've got to draw it anyway. Now, are they just going to run in their district then, I mean, in those precincts only? Or are they going to run county-wide?

Councilmember Adams: I think B.J.'s idea concept is excellent, because what we're looking for is representation not only of the districts, but the at-large within that sub-segment of districts.

Commissioner Melcher: Oh, so it's not going to be at-large of the whole county?

Councilmember McGinn: Whatever, I think whatever's the easiest. If it's easier to have 12 wards–

President Watts: It's irrelevant to me if the whole city votes for them or just those four districts. I mean, if that's who you're going to answer to, it may make more sense to just run a 1,2 3,4, but I don't have a problem with it being county-wide if everybody else does.

Commissioner Melcher: But, if you want the at-large's to back you up that gives you three to back you up in your district if they run county-wide.

President Watts: That's very true.

Commissioner Melcher: So, they have more into it in other words. Like Missy said, they have more reason to help Missy if they're elected county-wide, the way I look at it.

Commissioner Abell: I don't know how the drawing would be based on the Wards or the Commissioner districts, but in my mind what would be a very good way to draw for an at-large would be if you could almost take a point at the center city of Evansville, downtown area at the river, and then fan out so that at-large people had some county people they represented, or some rural people that they represented, and they had some urban people that they represented, instead of just one person, instead of just representing just an urban district, because that's what our Wards are going to do. They are going to pretty much be urban wards or rural wards, but if we had the three at-large had a combination of both, then they get both sides of an issue, and that could really be some, that could really be a good turning point for the inner-city that worried about not having good representation and the county that's worried about not having good representation.

President Watts: Do you think that would be solved by having the entire county vote for at-large? They have to live in that district, but the entire county....that way you

answer to every single Ward, you have to live in 1,2,3 or 4, but everyone votes for those three?

Commissioner Abell: Well, you know, if I lived, see I live in what I consider to be the combination of both. I'm not really inner-city and I'm not really in the county, but if I lived right downtown and I had, and I was representing an area and I had part of Armstrong Township, then I couldn't just, when I voted or when I worked on an issue it would have to be with the thought in mind that whatever I do down here in my area that I live and I know real well is also going to affect somebody out here that's sitting on 80 acres farming. I think it gives that person a different perspective than it would if I was just sitting down here in my area and the only people I really was listening to would be my neighbors. But, that would take some map wiggling around, because—

Bill Jeffers: I think the Commissioner districts do that now. Like, Musgrave represented—

President Winnecke: Bill? Thank you.

Bill Jeffers: I think the Commissioners districts do what Commissioner Abell is referring to now. They're kind of split north and south, there's two districts and then there's a line running, I don't know, Diamond Avenue or somewhere, and the reason I think that is because Cheryl Musgrave lived in an historic district and she had the whole west side all the way out to the University.

Commissioner Abell: I like that plan.

Bill Jeffers: That's the school districts also.

President Watts: Bill, is that something you could put together as far as them living in that district, but running?

Bill Jeffers: I could put the map together and the lawyers can craft the language.

President Watts: Okay.

Councilmember Robinson: So, that would be for the three at-large seats then?

President Watts: Yes.

Councilmember Adams: So, what you're saying is, if we have different, separate districts that represent a whole host of different areas, and we would, you would have to have residency in one of those three, but as you're saying, it would be a county-wide vote.

President Winnecke: I like that.

President Watts: That would be my motion. I mean, that's my thought, but—

Councilmember Adams: Thus, if you had a problem on the north side, you could still go over to the west side and help out.

President Watts: Yeah.

President Winnecke: I like that.

Commissioner Melcher: Would—

Commissioner Abell: (Inaudible. Microphone not on.)

Commissioner Melcher: Which that's what you do anyway, Dan, cover it all.

Councilmember Adams: Yeah.

Commissioner Melcher: That's what you do anyway and Curt does anyway, I mean, the ones that are at-large, they cover the whole town. We, as Commissioners, cover the whole county.

Councilmember Adams: Right.

Commissioner Melcher: So, that will work.

President Winnecke: Okay, so—

Commissioner Melcher: The number is what we have to get.

President Winnecke: Do you guys want to go first?

President Watts: So, the motion, I'll start this, if I've misspoken correct me. There will be 12 Council districts, three at-large districts that, the kind of districts that will be voted upon by their district only, the three at-large districts will have to live in a super district made up of one third of the districts, Council districts, but the at-large seats will be voted on a county-wide basis. That's the motion. Councilmembers in favor signify by saying aye.

Councilmember Mosby: Aye.

Councilmember Robinson: Aye.

Councilmember Adams: Aye.

Councilmember Friend: Aye.

Councilmember McGinn: Aye.

President Watts: Opposed?

Councilmember Walker: What you're saying is going from 11 to 12?

President Watts: Going with 12 districts and three at-large, 15 total.

Commissioner Melcher: They're going from nine to 15. They need your vote.

President Watts: Any nays.

Councilmember Walker: Yes.

(City Council approved the motion in a straw vote of 7-0 .)

President Winnecke: Okay, Commissioners?

Commissioner Abell: Same as—

President Winnecke: Same.

Commissioner Melcher: Yes.

President Winnecke: Yes.

Commissioner Abell: Yes.

President Winnecke: Okay.

(County Commissioners approved the motion in a straw vote of 3-0.)

President Watts: Give me that number.

President Winnecke: What number?

President Watts: What number is that?

President Winnecke: That's 3.3.

President Watts: Okay, thank you. 15-12 and three, at-large is voted on county-wide.

Councilmember Walker: Okay, aye.

President Watts: Seven-oh, now. I apologize. I missed.

President Winnecke: Maybe it's prudent to ask the County Surveyor—

Commissioner Melcher: Bill?

President Watts: Bill?

Commissioner Melcher: Can you come back up? Go ahead.

Ted C. Ziemer, Jr.: I'm trying to be sure we understand this. So, there will be 15 total, three of them will be at-large. The three at-large will run county-wide, and must live in one of the three—

Commissioner Melcher: Three districts.

Ted C. Ziemer, Jr.: —districts, but that may not be 1,2,3,4,5,6,7,8,9,10,11,12.

President Watts: However that's broken up isn't really....it seemed easy to me, but how they break it up is, you know—

President Winnecke: Commissioner Abell's idea, I think, is maybe where we've kind of landed where these at-large representatives would have a broad cross-section of the entire community.

Ted C. Ziemer, Jr.: And, you can draw that.

Bill Jeffers: Yeah, I think once Bill gets the map done, he's going to rename everything, so, he'll be naming them that way. So, all of those numbers will fall—

President Watts: I think once that map's done it will be easier to break out—

Commissioner Melcher: Exactly.

President Watts: —and accomplish what they want to accomplish.

Ted C. Ziemer, Jr.: Thank you.

Bill Jeffers: I think the only catch would be, didn't Commissioners assign the County Clerk to do the mapping this year, for the Commissioners district, new print.

Commissioner Abell: I think it's the Commissioners decision, isn't it? We haven't assigned

Bill Jeffers: Right.

President Winnecke: We haven't done it yet.

Bill Jeffers: You haven't done it yet?

Commissioner Melcher: We haven't done that.

Bill Jeffers: I think she might be anticipating that.

Unidentified: She's done some work.

Bill Jeffers: Right, she's done some preliminary work. So, I'll follow her lead on how she breaks out the Commissioner districts.

Commissioner Abell: Well, you know, I was Clerk when we did it ten years ago—

Bill Jeffers: Right.

Commissioner Abell: —and, you did it and I didn't, so. The Commissioners did not want me to do it.

Bill Jeffers: You started it.

Commissioner Abell: Well, I know that.

Bill Jeffers: Yeah.

Commissioner Abell: I'm just saying it's the Commissioners call.

Bill Jeffers: It is.

Commissioner Abell: Because it was the Commissioners call then.

Bill Jeffers: It is, but I don't want to jump in front of Susie. In other words, if she's already started it, I'll just follow her lead on how those three would be broken up.

Commissioner Abell: Well, hopefully, we'll all work together on it.

Bill Jeffers: I can work with Susie.

Commissioner Abell: Well, can you work with me?

Bill Jeffers: Absolutely. We went boating together, didn't we?

Commissioner Melcher: We've got photos of that.

President Winnecke: So, Bill, just to clarify, we're asking, collectively we're asking you to start the process of mapping the twelve districts.

Bill Jeffers: Okay. No problem. Thank you.

President Winnecke: Thank you.

Commissioner Melcher: And, we're going to change all of the numbers, because before they tried to save numbers. Now would be a good time to clean the slate and have them in some kind of order so you don't have number 12 and number three, and number five.

Article Three: Section 3.6: Term of Office

President Winnecke: Okay, that's all the stuff I had on Article Three. Article Four may be the logical place to stop, because I know of at least one—

Commissioner Abell: I have something on Article Three.

Councilmember Adams: (Inaudible) term limits (Inaudible).

President Winnecke: Oh, I'm sorry. I overlooked that. I apologize.

Councilmember Adams: You did that on purpose.

President Winnecke: No, I didn't. I just totally forgot.

President Watts: Where are you?

President Winnecke: Three point three, or 3.6.

Commissioner Abell: Well, if we're going to stagger them, instead of two-four, I'm more in favor of four-six, because I think it's going to be two years of total turmoil getting this thing going. So, I would be more in favor of some of them running for

four years and some of them running for six, and then you can, after that first initial, then everybody runs for four years, because then you'll be off on the every two years.

President Winnecke: I agree with that.

Commissioner Melcher: What you could do, you could flip a coin and say, there's 12, the odd numbers is four and even numbers is the other. One way or the other, however you want to do it. You don't have to have a lottery.

Councilmember McGinn: Just draw it out (Inaudible).

John Hamilton: You only need to talk about that if you're going to have term limits.

President Winnecke: No, not the staggered terms.

John Hamilton: What's the reason for staggered terms if you're not going to have term limits?

President Winnecke: The reason that was expressed before, if I'm correct, was that there would be the possibility of a whole new Council coming in at one time with a steep learning curve, and that there would be some institutional knowledge already in place.

Councilmember Mosby: That was if we put term limits on it though, correct?

John Hamilton: That's what I would have thought. If you had two term limits, they would all have to be replaced in eight years. If you had no term limits, how likely would it be that all (Inaudible).

President Watts: Yeah, I can't fathom that. I mean, has there ever in the history of any—

John Hamilton: I'm just wanting to (Inaudible).

President Winnecke: No, it's a good point. We need to clarify it.

Commissioner Abell: So, what we need to decide is whether or not the Municipal Council is going to be term limited first. That's the first decision.

President Winnecke: Right.

Commissioner Abell: Well, again, I don't think it should be, because I go back to the Senate and the House of Representatives, and they're not.

Commissioner Melcher: So, I'll make the motion for the Commissioners that we have no term limits.

Commissioner Abell: I'll second that.

President Winnecke: Okay. Aye.

Commissioner Abell: Aye.

Commissioner Melcher: Aye.

(County Commissioners approved the motion in a straw vote of 3-0.)

President Watts: I would make a motion that the Council has no term limits.

Councilmember Mosby: Aye.

Councilmember Robinson: Aye.

President Winnecke: No term limits.

President Watts: Do you want term limits?

President Winnecke: Yeah, that's what he said.

President Watts: Dan?

Councilmember McGinn: Yeah, I want term limits, but, again, it's a struggle, we can talk, but I would like term limits.

Councilmember Adams: It's, I mean, two against seven.

President Watts: No, sure.

Councilmember Adams: I mean, what's different about that?

President Watts: Then—

Commissioner Melcher: So, that passed?

President Watts: That passed, 5-2.

(City Council approved the motion in a straw vote of 5-2. Councilman Friend and Councilman Walker's votes were not audible.)

President Winnecke: No term limits.

Alberta Matlock: Five to two?

President Winnecke: Yes.

Commissioner Melcher: No term limits.

Councilmember Friend: Then, do we need any modifications?

President Watts: Do we need to stagger then? I mean, I can't fathom.

Councilmember Friend: Do we need to stagger them?

Commissioner Melcher: No.

President Watts: Okay. Do you have anything else you want to do tonight?

Discussion of Article Four: Judicial Branch

President Winnecke: Marsha, did you, on the judiciary, Article Four, we had some suggestions, but were you going to get back...I can't remember.

Commissioner Abell: I have heard from Stephanie at the Indiana Board of Commissioners, and she indicated, I actually wrote her an e-mail about the e-mail notes that the judge had put on the judicial branch, and she indicated that this is a problem throughout the State with County Commissioners and the judicial branch, but that it has been held that the County Commissioners Association has always deemed those employees that work under the county judges as being county employees and not State employees. She is going to send me something official and I have not gotten that yet.

Article Three: Section 3.11: Legal Counsel to the Common Council

Councilmember Adams: I think we skipped over three dash 11–

Commissioner Melcher: Yeah.

Councilmember Adams: –where you have one word the Common Council shall employ legal counsel (Inaudible. Microphone not on.)

Commissioner Melcher: I've got that too.

President Winnecke: I did do that too, sorry. All in favor of, I think this is pretty benign, changing "may" to "shall".

All County Commissioners and all City Councilmembers voted aye in this straw vote.

Additional Discussion of Article Four: Judicial Branch Wording of Section 4.1

President Winnecke: So, do we need to wait before we pass this? Or, does that really apply–

Commissioner Abell: You know, it really doesn't apply. I really don't care, not that, I'm the only vote, but, I mean, I don't care how word the judicial branch. I just think that this is....now, if we have municipal, if this passes and we end up with a Municipal Council, the City Council has never had to deal with this issue, and, so, they don't know exactly what we're talking about, but this is an excellent time to set forth how we expect the people who work in the judicial branch of government to accept the county handbook, or at that time it will be the Combined Government

handbook, I suppose, which will probably be re-written, and abide by the same conditions that everyone who works for the municipal government abides by, and that they work the same hours that, not, maybe 8 to 5, but eight hours a day, like everybody else does, and that they get county health insurance and those type things. I don't think that they would want to give up the county benefits, you can't have it both ways. You can't get the county benefits and then also say, oh, but I'm not a county employee. If you want to be a county employee and get the county benefits, and we have a municipal government, we'll have a municipal handbook and they should have to sign the back page like everybody else that got the handbook and are going to abide by it. That's pretty much what the County Commissioners Association has said.

President Watts: Can you give me the example of what, because I have no idea, I didn't know there was—

Commissioner Abell: I know, the City people don't know there's a problem.

President Watts: We don't need to do it now, but—

President Winnecke: I agree, I think maybe we could pass the language, you're right, this is something, if—

President Watts: You have employees that have all the benefits of the county employee, without all the obligations of the county employee, I guess?

Ted C. Ziemer, Jr.: Different obligations.

President Watts: And, you have one, uniform—

Commissioner Abell: They think they should operate under a different handbook than what we have everyone else operate under, that's correct.

President Winnecke: Because the State are, operate the courts.

Commissioner Abell: The county pays their salary, the county pays their health insurance and their retirement benefits and everything. They get all that stuff, just like everybody else.

President Winnecke: For the purposes of Article Four, my personal preference is the compromise language that one of the attorneys proposed, which this is 4.1. It would be applicable to 4.1 and 4.2 which reads; "The Vanderburgh Circuit and Superior Court shall remain agencies of the State of Indiana, and retain all of their current powers, duties and obligations. The Combined Government shall provide facilities and financial support to these courts in accordance with Indiana law pertaining to counties."

Commissioner Abell: Well, the Dr. was asking me about, without addressing that issue, does...I really, I would hate to see us address that issue in this, in that there's a problem that you city people don't know about, and I'm just saying that when we do the Combined Government, and if this passes, then we have—

President Winnecke: The transition.

Commissioner Abell: – then we’re going to have, the Transition Team is going to have to address it.

Councilmember Adams: I guess, I wonder why saying this, why not address it now? I mean, if we’re educated, if you could educate us a little bit about. I mean, you don’t have to do it here. I’m just saying that if there’s a problem, I think we should address it here to give some leadership to the Metro Council. I mean, you almost give some blessing to the way it is now by having that read the way it is.

Commissioner Abell: You could add, if you wanted to run this by the judges, “The Combined Government shall provide facilities and financial support to these courts in accordance with Indiana law pertaining to counties, but staffing, judicial staff remain employees of the new, Combined Municipal Government.”

President Winnecke: Did you follow that, Ted?

Ted C. Ziemer, Jr.: I did. I don’t think the judges will accept that language.

President Watts: I would at least like to talk to you and to them before we–

President Winnecke: We can table this.

Commissioner Abell: Okay, let’s table it then.

President Watts: Can we (Inaudible), please.

Councilmember Adams: Well, does–

Commissioner Abell: But, who’s running this show?

Councilmember Adams: – do the judicial employees work 35 hours a week and get paid for 40?

Ted C. Ziemer, Jr.: I don’t know what they work. They do have a separate handbook. It is different than the handbook of the county employees.

President Winnecke: We can circle back.

Commissioner Abell: Let’s do. Let’s table it.

President Winnecke: That’s where we stopped after the first meeting. Councilman Watts has to go. I think others do. So, we’ll convene....same bat time....we’ll give people a chance to talk, if they would like, a week from tonight.

Public Comment

President Winnecke: Anyone from the audience that would like to come up and address the combined bodies. If you would, just state your name and address for the record please.

Joanne Alexandrovich: My name is Joanne Alexandrovich, 9334 Motz Road. I read in the paper that this group wondered why more of the public didn't show up to these meetings. While I couldn't make the first two, I did listen to the third over the internet. I think you're not getting more public attendance because it's our opinion, the public understanding, at least it's mine, that these meetings are for the two elected bodies to hash out their differences with the public asking for input at the end of the meeting. Basically, we're bystanders. That's it. I'm here today to reiterate things I said on March 30th that I think are critical issues that need to be restated, clarified, changed by these two bodies before a merge proposal is forwarded for referendum. In my written testimony that I submitted, I quote; "I oppose this idea of deciding later on how law enforcement is to be combined if the sole purpose is to rally votes for merger approval. It should be up to constituents who approve radical changes in law enforcement, rather than a committee or council." It looks like you're on the path of removing law enforcement merger from the current referendum. I have no doubt your constituents are telling you to keep them separate, but ideally is that what a merged government should consist of, two separate law enforcement agencies? I don't know. I don't think so. Is it right to ignore the elephant in the room just to muster votes? Kind of looks that way, what you're doing. In my opinion, it is a cop out by this committee to drop the issue of law enforcement, even if you put in some nebulous wording to address the issue later. Let me put it this way, if residents are to live under an Evansville-Vanderburgh Combined Government, or as it has been referred to as a Metropolitan Evansville, why wouldn't we expect to call the, and be protected by the Evansville-Vanderburgh Combined, or Metropolitan Evansville law enforcement? Makes sense to me. I guess it would be confusing if you did it anyway else. In my earlier written and oral testimony, I discussed my preference towards adopting a Council Manager form of government. I ask tonight, I think I've asked it before, has a merged government which includes a City Manager even been considered? If not, why not? If the answer is you prefer a strong Mayor model, I ask you why is a strong Mayor model preferred? What are the benefits and efficiencies? I don't know what the answers are to that. Maybe you guys do. I hope you do. I've worked for the Vanderburgh County Health Department for almost 13 years. I have a pretty good feel for how our government, both the city and the county, work. How we work together. How we work well. How we work not so well. Sometimes partisan politics can work to the community's advantage, but often I don't think it does. I believe quite strongly that it would be best for a non-partisan, experienced manager to oversee the day-to-day affairs of our urban interests. Such a person should be able to figure out how to get things to run more smoothly and efficiently and to advise the politicians as to where major reforms might be appropriate. It seems to me that often reform for reform's sake has overridden the considerations of efficiently and compassionately looking out for our community. If you asked your constituents, and perhaps also city and county employees, what, if they think it's a good thing when department heads are changed each time a new Mayor or Commission comes to office, I bet they would tell, if they have the courage to, they don't think it's a very good thing. It's party politics. We want people who are qualified by experience and training for the job they are expected to do. At least that's how I feel. I'm not saying our elected officials appoint totally unqualified people for the jobs they hold, nor are all department heads always chosen because of their political affiliation, rather I think that non-partisan appointments would attract more qualified applicants and candidates for department heads. I think a merger proposal is like, as it is now, is likely to bring in more politically appointed managers, not fewer, hence a lesser chance to build and nurture efficiencies. City-county employee loyalties, in my opinion, should really be for the good of the people first,

and to the elected officials second. As I testified in March, I believe a unified code must be presented as part of the plan for a referendum vote. There are many critical differences between the city and county codes. While I believe enforcement of both city and county codes would be easier and more efficient if they were identical. I also believe strongly that the merger of the code should be proposed prior to as part of a referendum vote. Why was this task not seriously addressed by the consolidation committee? I don't know. Merging codes, in my opinion, is a huge task. One that shouldn't be ignored now and expected to be resolved by a committee in short time afterwards. Here are a couple of examples. As a county employee my benefits and obligations of employment are dictated by the code. How will my benefits and obligations change if the two governments are merged? As a county resident, what won't I be able to do on my own property that I can do now? I think my concerns in this regard were addressed briefly last week by Mr. Bittner, a member of the reorganization committee who stated he was not in favor of the Plan the committee put forward. Mr. Bittner referred to bees, I'm going to add bees to my concerns about rural residents rights to raise, for instance, chickens, cows, horses, pigs and goats. The rural community of Vanderburgh County has very different needs compared to that of city residents. The structure outlined in the current Plan, ignoring discrepancies of district outlines, simply result in the expansion of current city Mayor, Council government to the county lines. I don't, excuse me, I think I speak for many rural residents when I say that is not what we want. I don't think we need to, for example, enforce city weed control ordinances pertaining to vegetated height in the hay fields out in the county, nor are livestock restrictions appropriate. There are many unanswered questions and concerns about how this merger might change the way of life which many people are accustomed. These are not concerns that should be left until later, when a metropolitan council, that includes a super majority of urban representatives will decide the issues. I really don't know if city people understand the rural way of life, let alone if they will look out for our best interests. Why have you not decided what to do with respect to consolidating city and county codes? In conclusion, these three issues, as yet unresolved, are very important to me. Nitpicking about the number of Councilpeople, district borders and how to pretend, excuse me, I mean parse that the merging of law enforcement will be addressed later, while perhaps might help to get more votes, will not make our government more efficient and responsive to the people. In March I asked you to either send this proposal back for an overhaul or throw it away completely. Now that I see the overhaul is not addressing so many important issues, I suggest you stop tweaking it now and start all over with a fresh slate and a new merger committee tasked with proposing a new plan. Perhaps instead you can all simply agree to disagree and conclude not to send this merger to referendum. If you all agree on that, how could anybody possibly hold you responsible at the next political race? If you don't agree, are you ready to defend this Plan? Thanks for listening. I hope you'll reflect on what I said.

President Winnecke: Thanks, Joanne.

Bill Jeffers: The, June 30th are you going to address the merger, or possible merger of law enforcement at that time? Is that, what chapter is that in?

President Winnecke: That's in chapter nine, I think.

Bill Jeffers: Well, whenever you get there you are going to discuss it, aren't you?

President Winnecke: Right.

Bill Jeffers: Okay.

President Winnecke: Yeah, it will, we'll make the modifications as we go, by section.

Bill Jeffers: Okay. I just wanted to point out, when I heard your attorney refer to Mayoral appointments, there are 23 out of 59 boards are governed by State statute and you can't change the composition of those boards or the method by which they're appointed. Did I hear that correctly?

Ted C. Ziemer, Jr.: Yes.

Bill Jeffers: Okay. So, I just wanted to point out an example, and I don't know if my example is typical of some others of the 23, but the Drainage Board is comprised of the three Commissioners and the statute says or five citizens appointed by the three Commissioners. So, the Commissioners go away, that means it would be five citizens appointed.

Ted C. Ziemer, Jr.: Or simply the Mayor.

Bill Jeffers: It think that might answer my question. My question was going to be, since the County Commissioners are an executive/legislative body, would the Council appoint those five people or would the Mayor appoint those five people? I'm not asking for an answer now, it just occurred to me, who appoints them? I don't know if that's going to be typical of some of the 23 other boards, but I certainly wouldn't think that if there's another board similar to what I'm talking about that the Mayor would be that board too, by himself. Or, would it go away? I just wanted to throw that out there.

President Winnecke: Thanks, Bill. Eldon?

Eldon Maasberg: I think I'll pass tonight.

President Winnecke: Okay. Mike?

Mike Mahan: I got my answer from last week.

President Winnecke: Okay.

Mike Mahan: That shows you listen to citizens.

Cynthia Maasberg: I'm Cynthia Maasberg. I'm here representing the Vanderburgh County Farm Bureau Board. We had provided earlier some of our points, and I hope you will all take those and look through them again, because seeing what is going on here tonight and in the past meetings, there's not agreement here. How do you expect the people in the county, I shouldn't say county when I'm referring to rural, and the city to feel comfortable with what's being presented. I hope you'll realize there's a lot more work that's needed. I hope that you'll just reject the Plan. Thank you.

President Winnecke: Any other comments to come before us? Hearing none, I would move that we continue until next week.

Councilmember Mosby: Second.

(The meeting ended at approximately 6:35 p.m.)

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
B.J. Watts	John Friend	Dan McGinn
Missy Mosby	Connie Robinson	H. Dan Adams
Don Walker	Ted C. Ziemer, Jr.	John Hamilton
Alberta Matlock	Joanne Alexandrovich	Bill Jeffers
Eldon Maasberg	Mike Mahan	Cynthia Maasberg
Others Unidentified	Members of Media	

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded by Alberta Matlock. Transcribed by Madelyn Grayson.)

**JOINT WORKSHOP
COUNTY COMMISSIONERS-CITY COUNCIL
JUNE 2, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville met in a joint workshop format on this 2nd day of June, 2011 at 5:35 p.m. in room 301 of the Civic Center Complex for the purpose of addressing potential modifications to the Evansville-Vanderburgh County Plan of Reorganization.

Opening of Meeting & Pledge of Allegiance

President Winnecke: Okay, we'll convene our next joint workshop of the County Commissioners and the City Council. Let's start by offering our Pledge.

(The Pledge of Allegiance was given.)

**Article Two: Section 2.8: Mayoral Appointments &
Board Appointments in General**

President Winnecke: Okay, from last week....I do, thank you. 2.8, dealing with Mayoral appointments, actually just, basically, board appointments in general. Our legal counsel has provided to us a spreadsheet that we requested, which defines each of the boards listed in exhibit D of the Plan. They have another column that describes whether it's authorized by State statute or ordinance, the current appointing authority, what the Reorganization Plan recommends in the body of the Plan, whether it's in compliance or not of the ordinance, and what they would recommend as be the appointment make up to make it compliant, and whether there's any compensation. So, I don't know what, there are 59 of these, I believe.

Councilmember Adams: (Inaudible. Microphone not on.)

President Winnecke: Okay, Dan, did you want to start alphabetically?

Councilmember Adams: (Inaudible. Microphone not on.)

President Winnecke: Yeah, I mean, it's good information.

Commissioner Abell: I do have a question. On the requirements for compliance, on the question, requirements for compliance with statute or ordinance. When the Reorganization Plan, for instance the first one has seven total, and it says requirements for compliance has eight, does that mean we have to add one to meet the requirement?

Ted C. Ziemer, Jr.: What it means is that, in our opinion, the Reorganization Plan was incorrect in stating that it was seven total, and, in fact, it should be eight total.

Commissioner Abell: So, we need to add one to make it correct?

Ted C. Ziemer, Jr.: In our opinion, yes.

John Hamilton: Well, wait a minute, that's an ordinance, I believe.

Ted C. Ziemer, Jr.: No, that's a statute. Oh, no, pardon me. That one isn't. I'm sorry. It's only the statutes—

Commissioner Abell: Well, I was just using that as an example because it was the first one.

Ted C. Ziemer, Jr.: You did, here, let me rephrase it. If the creating authority is an ordinance, the Metro Council will have the authority to adopt a new ordinance if it wants to—

Commissioner Abell: Right.

Ted C. Ziemer, Jr.: —and can make it anything it wants to make it. If the appointing authority is a State statute, then we have to comply with the statute as to the number of members. So, you mentioned number one, had that been a State statute instead of an ordinance, we would have to change seven to eight.

Commissioner Abell: Yeah, I was just using it because it was the first one up there.

Ted C. Ziemer, Jr.: Yeah, I'm sorry.

Commissioner Abell: I was just trying to understand if I had, understood that correctly.

John Hamilton: We put in there what would comply with an ordinance also, but you don't have to comply with an ordinance.

Ted C. Ziemer, Jr.: Exactly.

Commissioner Abell: Okay.

John Hamilton: Then, also, in conjunction with this, Ted and I have talked, the language in Article Three has a lot of language about authority to levy taxes, authority to establish fees, authority to incur new indebtedness, all of which has to come before the new Metro Council so that any....like 3.1.4 says any subordinate agencies to establish fees, incur new indebtedness, etcetera, requires approval by the new Metro Council. So, that may alleviate some of your concerns on some of these boards.

Commissioner Abell: Okay.

Commissioner Melcher: So, does that mean the Redevelopment Commission, what they do has to be approved by the Council?

John Hamilton: If they're doing one of these specified items. The way this is written, if they're going to establish fees, incur new indebtedness, or levy taxes, it requires approval (Inaudible).

Commissioner Melcher: And, they do that, so, okay.

Councilmember Adams: John, if I understand you correctly, all those on the list that said no, meant that there is not an accompanying or a back up statute or ordinance that says that the State says that has to, that particular committee or board has to be—

Ted C. Ziemer, Jr.: No, when it says no, it means that the appointments proposed by the Reorganization Plan are incorrect.

John Hamilton: Does not comply, is not consistent with the ordinance or statute.

Ted C. Ziemer, Jr.: Does not comply, exactly.

Councilmember Adams: Can we change that?

Ted C. Ziemer, Jr.: We can change it if it's an ordinance. We cannot change it if it's a statute.

Councilmember Adams: Should we study it for another week and then almost run through it like, does anybody have any questions on page one or two, or do you want to do it at all? If the Metro Council is going to have to go through the whole thing again, do you want to punt it?

President Winnecke: No, I don't think we should punt it. I'm not a punter.

Councilmember Adams: I use both feet actually.

President Winnecke: But, I mean, there is a lot of information here.

Councilmember Adams: Yeah.

President Winnecke: So, and I'm fine with putting it off till next week so we can digest it all. I mean, Steve raised a good question about the Redevelopment Authority and what they would be allowed—

Commissioner Melcher: Well, I've always wanted them to be just like Area Plan and vote, then afterwards coming to us for, we do the final action, or whoever the Metro Council is.

President Winnecke: Right.

Commissioner Melcher: Because we're the ones who are elected.

Commissioner Abell: Why don't you bring it up, because it (Inaudible) also.

Councilmember Adams: I think you're right.

Councilmember McGinn: One thing that I would like to bring up, it says on Redevelopment Commission that there's five members, and it says five total, three County Commissioners appointments and two County Council. Instead that should be two City, we have two appointments on the Redevelopment Commission, the City Council, and this says county. So, I think that just needs to be—

Commissioner Melcher: Well, there's two different Redevelopment Commissions.

Councilmember McGinn: Well, one's the Authority.

Councilmember Adams: One's the Commission and one's the Authority.

Ted C. Ziemer, Jr.: Yeah, just to complicate it just a little more, that, for example, 3.1.4 which would require the approval of the Council for levying taxes, establishing fees or incurring new indebtedness, that's what's stated in the Plan. Actually to require approval by the Common Council of the activity of the Redevelopment Commission would be contrary to the statute creating the Redevelopment Commission. If someone challenged the authority of the Metro Council to do that, they might lose. We don't know the answer. The statute gives the power to the Redevelopment Commission. This would give the Metro Council the authority to review the actions of the Redevelopment Commission. That is something not provided for in the statute that creates the Redevelopment Commission. So, a court could turn that around.

Councilmember Adams: Certainly, I'm hearing a lot of people saying this particular commission is putting out millions of dollars without any site review by elected officials. I'm hoping we can change that.

President Winnecke: So, just to make sure I understand your clarification, in the case of the Redevelopment Commission, and specifically to 3.1.4, it is not in compliance with the State statute?

Ted C. Ziemer, Jr.: The State statute gives authority to the Redevelopment Commission to do certain things regarding bonds and so forth. It doesn't require in the statute that that action be approved by the, currently it would be by the City Council. They act without getting the approval of the City Council. If we said that going forward we will have to get the approval of the City Council, and someone takes that to court, and a court says this is contrary to the statute and we don't want to get the approval of the City Council, we want to do it the way the statute reads, they might be successful in challenging that.

Commissioner Melcher: Right now, the Redevelopment Commission, anything over three million dollars has to be approved by the Council now.

John Hamilton: Correct.

Commissioner Melcher: That was changed a few years ago. So, I would think if we wanted it, we go ahead and do it, then we get the legislators to try to get rid of that three million, and make it everything.

Ted C. Ziemer, Jr.: Yeah, that would be the totally safe way to do it, right.

Commissioner Melcher: Right, but go ahead and move forward like we're doing.

President Winnecke: I guess, the flip side, I can't imagine there would be too many people that would challenge local government trying to be more, exercising more authority, or oversight.

Councilmember McGinn: Elected officials.

President Winnecke: Right, right. Okay, so is it the feeling that we move on, we study this grid. Just for those in the public or are watching at home, it's, oh it doesn't have a number of pages, but it's lengthy.

Commissioner Melcher: About twenty something.

Councilmember McGinn: And, I did, I was mistaken on that number 54 is the County Redevelopment Commission, our is listed, I think, number 18 as Evansville Economic Development. So, I apologize for that.

President Winnecke: Okay, so we'll move on. This is good information. I think it's a good format.

Article Four: Judicial Branch

President Winnecke: Okay, so I believe we left off last week at 3.3. That was the last thing that we asked Mr. Jeffers to start work on maps. I know by an e-mail I saw that he is seeking input from the State on how to do that. So, I know that work is underway. We might have quit after three point, I think we got through the entire third section. Yeah, and maybe that's where we left off. Did we, we didn't vote on that, did we, John?

John Hamilton: Vote on what?

President Winnecke: On the judiciary, Article Four?

John Hamilton: No.

Commissioner Melcher: No, we were going to do that tonight, I thought.

President Winnecke: But, Marsha, weren't you, you were chatting with the judges about that?

Commissioner Abell: Well, no, I didn't talk to them about this. I think any of that wording is fine. (Inaudible. Microphone not on.) There was an attorney at Barnes and Thornburg that was supposed to get a hold of me (Inaudible. Microphone not on.) about how (Inaudible. Microphone not on.) as far as (Inaudible. Microphone not on.). It's not (Inaudible. Microphone not on.).

Commissioner Melcher: (Inaudible. Microphone not on.)

Commissioner Abell: Yeah, I think, I don't know the dealing with the employees is gonna be impacted in this particular document, but since Judge Heldt did write it in his e-mail, I think it's something that, definitely if we go to a new form of government where people that now sit on the City Council haven't dealt with this before are going to have to be brought up to speed as to what this issue is. As soon as I get a notice from this Rick—

Ted C. Ziemer, Jr.: Rick Hall.

Commissioner Abell: —Rick Hall, yeah, I think that is his name, at Barnes and Thornburg, I will share that information with all of you.

Councilmember Adams: Great, thank you.

President Winnecke: So, do we want to vote on that, on section four, or wait till we get that input?

Commissioner Abell: I think we can vote on it without that input.

President Winnecke: Okay. I gave one of my copies to somebody last week.

Commissioner Abell: Of the judges?

President Winnecke: Yeah, Ted, do you have a copy? Okay, so the, what the courts suggested reads; "The Combined Government has no judicial branch. The Vanderburgh Circuit Court and the Vanderburgh Superior Court are agencies of the State of Indiana. The Combined Government shall provide facilities and financial support to those courts in the manner required of counties under Indiana law." The compromise language that legal counsel has provided reads; "The Vanderburgh Circuit and Superior Courts shall remain agencies of the State of Indiana and retain all of their current powers, duties and obligations. The Combined Government shall provide facilities and financial support to these courts in accordance with Indiana law pertaining to counties."

Councilman John: I would make a motion that we adopt the compromise language.

Councilmember Friend: Second.

Commissioner Abell: Does that start out saying, the Combined Government has no judicial branch?

President Winnecke: That was the first, that was theirs.

Commissioner Melcher: That was theirs.

Commissioner Abell: We took that off?

President Winnecke: Correct.

Commissioner Melcher: Right.

Commissioner Abell: It's kind of hard to say (Inaudible. Microphone not on.) judicial branch.

President Winnecke: Touche. The compromise language, for the compromise language, for their purposes. Do you want to take the Council, kind of a head count?

Alberta Matlock: Do you want me to do a roll call?

President Winnecke: Or just raise your hands, I guess.

Councilmember Adams: There's a reservation that we will address the duties of--

President Winnecke: Right.

Councilmember Adams: -- or (Inaudible. Microphone not on.).

Alberta Matlock: I have five City Councilpersons.

(By show of hands all five City Councilmembers present voted in the affirmative for the motion. Straw vote approved 5-0).

President Winnecke: Commissioners are all in agreement? Okay.

(By show of hands all three County Commissioners voted in the affirmative for the motion. Straw vote approved 3-0).

President Winnecke: So, we'll go to the compromise language on 4.1.

Article Five: Elected Offices other than Mayor or Common Council

President Winnecke: Okay, Article Five—

Ted C. Ziemer, Jr.: Maybe you could give that back to me.

President Winnecke: Sure.

Ted C. Ziemer, Jr.: Thank you.

President Winnecke: County offices retained, outlines that. I don't know that there is anything in there from our previous discussion that was, that raised questions. I think 5.3, from my previous notes was a point of discussion, office of the City Clerk.

Commissioner Melcher: Well, later when we get to the point about the Department of Transportation Services, I'm going to suggest that we eliminate them. So, I don't know how far that's going to go. I think, when we discussed it a little bit last time, I think it's great for the Engineer to go straight to the Mayor and the Council, and the same way with the Garage Supervisor, and the same way with METS. We don't even need that. It's just a layer that's on top of a layer.

Alberta Matlock: Are you talking about doing away with the City Clerk's office?

Commissioner Melcher: No, we're talking about the Department of Transportation Services.

President Winnecke: Transportation Services.

Commissioner Melcher: Which they're wanting to put the, to combine the Garage and the Engineer in, and probably METS too.

Alberta Matlock: (Inaudible. Microphone not on.)

Councilmember Adams: Well, one of the criticisms we keep hearing is that we're not saving any costs here.

Commissioner Melcher: Well, we would right here.

Councilmember Adams: What?

Commissioner Melcher: We would under this. I mean, getting rid of that, it just, it's worked out better for me as a Commissioner going straight to the Engineer all the

time and not having to go through another person first. Same way, I've got a better relationship with the Garage person than I did, you know, under the city. They're the one's that's always getting on t.v. and giving all of the status' of where we're at. I just think it works better for me, and I've served the Council and City. Now, it worked under the city, but sometimes you had that third person you always had to deal with sometimes. So, if I was the Mayor I wouldn't want to have that extra layer. If we're trying to save money, now would be the time to look at it.

President Winnecke: For the purposes of Article Five then, I think we need to find a home for, since it specifically deals with the office of the City Clerk and eliminating that office, we need to find a home for the responsibility for parking enforcement and meter administration.

Commissioner Abell: EPD, a great place for it. They carry the citations around with them anyway. They write them.

Councilmember McGinn: A quick clarification on the Department of Transportation Services. That's the Animal Control in addition to METS, I mean—

Commissioner Melcher: And, I understand, but all of them are department heads of the Mayor, and under the Council they should all address, they go to department head meetings, that's just eliminating one position in an office. I understand that.

Councilmember McGinn: Yeah, okay.

Councilman John: Yeah, according to the Plan, the Department of Transportation Services is the combination of the City Engineer, the County Engineer and County Highway Garage.

Commissioner Melcher: That's what it says, but there's others.

Councilman John: I'm just saying those are the three that are addressed in here.

Councilmember McGinn: I mean, it's the tree guy, Shawn's department, I don't, yeah, the arborist. City tree department, that's under Transportation and Services.

Commissioner Abell: Shawn Dickerson.

Councilmember McGinn: Well, there's about 15 of them, I think.

Commissioner Abell: Yeah, some of them don't make any sense.

Councilmember McGinn: Yeah.

Councilmember Adams: Steve, explain to me why we need a City and a County Engineer, if we're going to put the whole thing together?

Commissioner Melcher: We don't. I'm just saying, no, I think the Plan says it's called a City-County Engineer Department. It also says we need qualified engineers in there.

Councilmember Adams: Sure.

Commissioner Melcher: Right? So, I'm just calling it City-County, under the consolidation. We're going to need a City-County, it's going to be called the City-County Garage probably.

Councilmember Adams: Sure.

Commissioner Melcher: So, I don't believe we ought to combine, I don't think where they're at is probably good where they're at because they're spread out and they're not all in one spot. So, if you had some problems in one area, you still got it here. I always thought there ought to be like three or four locations where, on snow days they could get there quicker. You might go into a spot to grab their vehicle and go. So, I don't think we need to build a brand new joint garage. I do think we need to combine the Engineer's office. That would have to happen, but I don't think, you wouldn't want to with the Garage.

President Winnecke: But, to your question, I think, is do we need two engineer's in that department?

Councilmember Adams: Right.

Commissioner Melcher: No, you wouldn't. So, the Mayor, it's the Mayor's appointment, right? The Engineer would be.

President Winnecke: The City Engineer?

Commissioner Melcher: Yeah, so it would be whoever the Mayor picked.

Councilmember Adams: So, there would be some cost savings?

Commissioner Melcher: In a round about....yes.

Councilmember Adams: One salary versus two.

Commissioner Melcher: Exactly, but then they're going to always, like on the garages you're still going to have to have people like a foreman over that area, even though you're going to have one person over it. All of that's going to happen everywhere we go. So, all of that's going to happen.

Councilmember Adams: Sure. Okay, thank you.

President Winnecke: So, on 5.3.3, about parking enforcement and parking meter administration, do we want to put that under the auspices of the Evansville Police Department?

Commissioner Abell: Well, I think if there would be anywhere you would put it that would be the most likely, because, Alberta, don't the meter police, you have to swear them in to be able to write citations, and they....yeah, a police officer's already have.

Alberta Matlock: They already have the power.

Commissioner Abell: Yeah, they already have the citations.

Alberta Matlock: We buy the tickets in our office, and they come get them by the boxful—

Commissioner Abell: Yeah.

Alberta Matlock: —and take them to the Police Department.

Commissioner Abell: They're already doing it.

Councilman John: I would assume that the employees that you currently have that are trained in that would transfer maybe to and under the authority of the Police Department without being sworn officers that do all of the things that a normal Police officer would do, because their responsibility is going to be to ticket the cars.

Alberta Matlock: Yeah, we only have two meter police now. That's it.

Commissioner Abell: How many meters do we have?

Alberta Matlock: About 35.

Commissioner Abell: It's mostly time collecting, isn't it? (Inaudible. Microphone not on.)

Alberta Matlock: Yes, it sure is. It's three hours out there, but the thing is, it takes one meter police just to do the Civic Center, which is the front out here, and go back to the meters. They have to go over in the Post Office lot. So, by that time, that's hour parking, well, by the time they go to hit all of those places, one girl is tied up all day just going from the Civic Center to the back 40, to the meters, over to the, down the walkway and over to the Post Office. The other one, the other meter police hits the side streets downtown, down this way. We used to have four meter police when I was there, I mean, back then. Did they have more when you was?

Commissioner Abell: I've slept since then.

Alberta Matlock: I knew at one time—

Commissioner Abell: I think there may have been maybe at one point five—

Alberta Matlock: There were seven under Betty Lou Jarboe, she told me that. Then, after another Clerk come in, they kind of cut them down a little.

Commissioner Abell: I think we had one meter repair person, and four (Inaudible. Microphone not on.), but I think (Inaudible. Microphone not on.).

President Winnecke: Okay, is there a consensus? Everybody—

Councilmember Adams: You could consider outsourcing them like they did in Chicago. That's turned out to be a disaster.

Alberta Matlock: Let me tell you something. These meter police that we have, they get on it. They really do. They do their job.

Commissioner Melcher: Yes, they do.

Councilmember Adams: In Chicago they spend all the money.

Alberta Matlock: Well, we try to get all we can.

Councilmember Adams: In Chicago they spend all the money and there's none left.

Alberta Matlock: Well, Evansville is just going to spend all of the money that they get from the parking meters and for the parking police.

Councilmember Adams: That's different than (Inaudible. Microphone not on.).

President Winnecke: So, is there a consensus on 5.3.3 that we put that under the auspices of the Evansville Police Department, rather than the Department of Transportation Services? Everybody raise your hand if you are in favor of that. A consensus there? Okay, good.

(By show of hands all five City Councilmen present and all three County Commissioners voted in the affirmative for the motion.)

President Winnecke: Okay, I think everything else in Article Five, the term limits, 5.5 pertains to the Constitutional offices.

Article Six: Financial Planning and the Budget Process

President Winnecke: Article Six?

Commissioner Abell: Do you think there's any purpose in saying that the Director of Budget and Finance has to be an accountant? I only say that because they said that the Engineer's office should have Civil Engineer's, so, I'm thinking—

Councilmember Friend: Marsha, I'm glad you brought that up. We should probably specify some type of qualifications for that, honestly. I would think—

Councilmember Adams: (Inaudible. Microphone not on.)

Councilmember Friend: It would be great to have a CPA there.

Councilmember Adams: Do we need more than that?

Councilmember Friend: No, I think that would be fine. A CPA would be a great—

Alberta Matlock: That would be a good asset.

Councilmember Friend: Absolutely, yes.

Councilmember McGinn: Back in Article Two then, 2.7.1, talking about executive officers, which includes the Director of Budget and Finance, that might have to be changed, "shall have appropriate professional, educational qualifications and/or equivalent experience in a field". So, you know, if we want a CPA, we're going to have to tweak that language a little bit also.

John Hamilton: What section is that?

Councilmember McGinn: 2.7 it says the Mayor shall appoint a Director of Budget and Finance. Then, the qualifications, that's an executive officer, these qualifications, as they now stand, say you have to have a professional education, professional and educational qualifications or equivalent experience. So, if we want a degreed professional, we have to eliminate that or equivalent experience. I mean, if we want to. Though, I do have to say there have been exceptions when someone who has no clue, no qualifications to do something has actually done something.

Commissioner Abell: Zoo, great.

President Winnecke: That law school training came in handy.

Councilmember McGinn: Yeah, it did. Yeah, yeah.

Councilmember Friend: Let's face it, I mean, that position, is running the budgets, it's only about money at that point.

Commissioner Abell: (Inaudible. Microphone not on.) He knows more about it than I do.

Councilmember Friend: Well, with all of the, I mean talking about GASB's that are out there, that's the General Accounting Standards Board pronouncements that are coming on board, these are going to affect a lot of city and towns. You know, I talked about GASB 34, 45, they're going to be rolling out more and more each time. I think the person needs to have some type of a handle with that, and your Certified Public Accountant would more than likely have that. It would be a combination of that and governmental accounting. I mean, you can take some CPA's that have never worked in municipalities or government accounting may not know much about it. I don't work much in that. That's professional, but you may have some out there that do, it could be a combination.

Councilmember McGinn: Some certification along with the (Inaudible).

Councilmember Adams: Would you add to the CPA, perhaps, five years of post graduate experience so that you don't get somebody right out of school?

Councilmember Friend: Well, generally you have to have two years of experience to get certified in Indiana, for instance.

Councilmember Adams: Right. Is that enough for what you're talking about?

Councilmember Friend: Well, it generally should be. After two years you would get seasoned up, in my opinion.

Councilmember Adams: So, CPA is enough?

Councilmember Friend: Yeah, I think so.

Councilmember Adams: I agree. Okay.

Commissioner Melcher: Couldn't we just add to 2.7.1 that the Director of Budget and Finance must be a CPA? That way you don't worry about changing that, because there's other positions that you might want that or in.

Councilmember McGinn: I like that, I mean, I agree with John.

Commissioner Melcher: You might get somebody that has 20 years experience somewhere that moved here.

President Winnecke: Yeah, is everybody good on that? Raise your hand if you like that, we'll insert in 2.7.1 requiring that the Director of Budget and Finance to hold a CPA certification.

(By show of hands all five City Councilmen present and all three County Commissioners voted in the affirmative for the motion.)

President Winnecke: The only other thing, item that I believe that needs to be, in 6.3.4, would be the number of representatives, up to ten.

Commissioner Melcher: What number was that?

President Winnecke: 6.3.4. This has to do with increasing a budget line item by the Council. Increasing that number from eight to ten, because we increased the number of representatives from 11 to 15.

Commissioner Melcher: Yeah, I just wrote super in there, but we're going to put the number in? Okay.

President Winnecke: Is everybody good with that? Raise your hand if you're good with that. Okay.

(By show of hands all five City Councilmen present and all three County Commissioners voted in the affirmative for the motion.)

President Winnecke: Okay, 6.3.4 goes to ten.

Commissioner Abell: I have a question for John Hamilton. Is there some, is there a city ordinance or something in writing that requires the budget be prepared at a certain time?

John Hamilton: By State law.

Commissioner Abell: A State law, okay.

John Hamilton: I don't know what the practice is in terms of when the city—

Councilmember John: The Controller is normally given notice of a time schedule, must be adopted by this date—

Commissioner Abell: Okay.

Councilman John: —must be published, must be approved by City Council on such and such a date. It sets out when you do your actual budget, when you do your elected officials salaries, and when you do the other employee's salaries—

Commissioner Abell: And that will just—

Councilman John: – so, those are set by the State.

Commissioner Abell: –transfer?

Councilman John: Department of Local Finance. Pardon me?

Commissioner Abell: That will just transfer then to the new?

John Hamilton: Right.

Commissioner Abell: Okay.

Councilmember Adams: But, I must say, I've found it kind of frustrating that we get something like this ten minutes before the time we're supposed to vote on the budget. It would be nice that all of the information was in a week or two before we're supposed to vote on it.

Councilman John: But, I think, in the past, I don't know about last year, but I had required over a number of years that we had a minimum of one week in advance, or I put the budget session off.

Councilmember Adams: Well–

Councilman John: We need it at least a week to review it.

Councilmember Adams: –I agree with you, yeah. I mean–

Councilman John: We used to get it on a Friday and have to do it on Monday.

Councilmember Adams: – last October I got something on my desk ,and I'm saying I'm supposed to vote on this?

Ted C. Ziemer, Jr.: Excuse me, I just had another note there from an earlier discussion. Do you want to include a decrease as well? One of you mentioned that.

Councilmember Adams: I mentioned the fact that I didn't think the language allowed us to decrease, even though it's allowed now, and I wanted to be sure that we weren't giving up that right with the language of the merger.

John Hamilton: State law allows you to decrease it, but we can certainly clarify it so that there's no question that it's allowed. I assume, do you want that by just a simple majority?

Commissioner Melcher: Yes.

Councilmember Adams: Yeah.

John Hamilton: As State law provides?

Commissioner Melcher: Yes.

Ted C. Ziemer, Jr.: And, not require the ten?

Councilmember Adams: I didn't want some technicality getting rid of that for us.

John Hamilton: I think you would be allowed to, but we'll clarify it just so everybody is comfortable.

Councilmember Adams: Well, this is a big deal.

John Hamilton: I had made a note on there.

Councilmember Adams: I mean, this allows the Metro Council really to act as a legislative body. I mean, this is a really—

Commissioner Melcher: Well, the Council has always lowered or something. I mean, they've always had—

John Hamilton: The State law gives you that right now, to lower it.

Councilmember Adams: Humor me.

John Hamilton: Pardon me?

Councilmember Adams: Humor me.

John Hamilton: Okay.

Article Seven: Tax Rates and Service Districts

President Winnecke: Okay, Article Seven.

Councilmember Adams: Was there any discussion about equalizing the sewer rates?

Commissioner Melcher: 7.2.1.

Councilmember Adams: Over a three year period?

Commissioner Melcher: It says a three year period.

Councilmember Adams: Yeah.

Councilmember McGinn: Of course, you know that means all city residents can be raised (Inaudible. Microphone not on.) understands that also, because I've had talks on this thing about, gee, we're going to decrease the county's. I say, well, think about it folks, we've got a combined sewer problem, ours may be raised to equal the county's in the first phase of the sewers. So, let's don't act like this is a great deal for everyone. This is still a big, major problem.

Councilmember Adams: Well, water seeks it's own level.

Commissioner Melcher: And payday is on Friday.

President Winnecke: Any desire to change that? Service districts? My first note in this Article, it was 7.4.1. I'm trying to read my handwriting here.

Councilmember Adams: We talked about that (Inaudible. Microphone not on.)

President Winnecke: A super majority, so, two, point two in 7.4.1, or request, this would read; "a geographic area in the general services district may be converted to the urban services district or special services district upon either a petition to the Mayor or Common Council by a majority of the residents in such area, or a request–

Councilmember Adams: By the Mayor and the Common Council.

President Winnecke: By the Mayor and a super majority?

Councilmember Adams: Ten?

President Winnecke: Yes. Is that clear?

Councilmember Friend: 7.4.1?

President Winnecke: 7.4.1.

Councilmember Adams: So, you have to have the Mayor and two thirds of the Metro Council–

President Winnecke: So, an administration could not go in an unilaterally do this. It would have to have concurrence with ten members of the Common Council.

Councilmember McGinn: Which mirror (Inaudible. Microphone not on.)

President Winnecke: Right. Or, just, you know, residents could petition to do that. Do we want to take a vote on that? Everybody raise their hand if you... okay, we have a consensus there. Okay.

(By show of hands all five City Councilmen present and all three County Commissioners voted in the affirmative for the motion.)

Article Eight: Appointed Agencies of Combined Government

President Winnecke: Okay, Article Eight, appointed agencies of Combined Government. This really gets back to article D, in many cases, or exhibit D rather. So, we'll put that off until next week.

Councilmember McGinn: As part of next week's discussion, I know last week there was preliminary discussion on whether or not some of these boards should be paid. Is that on the table still to discuss that?

President Winnecke: Sure.

Councilmember McGinn: (Inaudible) pay.

President Winnecke: And, in the grid, it's noted whether they are compensated or not.

Councilmember McGinn: Okay.

President Winnecke: So, we can certainly include that in the discussion next week.

Councilmember McGinn: Okay.

Article Nine: Consolidation of City and County Departments

President Winnecke: Okay, Article Nine.

Commissioner Melcher: Okay, while I'm still here, I've got to leave at 6:30 for my Veterans Council meeting. I have to run, we talked about 9.2, this is where I talked about last week that we just eliminate that department and have all the ones that are under that department answer directly to the Mayor and the Council.

Commissioner Abell: Did we not look, do we know who all of those people are that are under that?

President Winnecke: How many boxes there are, FTE, yeah.

Commissioner Abell: I mean, I know like Animal Control, I never have understood why that's in the Department of Transportation Services, but, I don't know, some of them may be—

Commissioner Melcher: It just seems like there was a group that all got thrown under one deal.

Commissioner Abell: Some of them may be so specific that we could put a couple together without, I don't think we want to create too big of a group, if there's 30 or 40. I don't know how many there are.

Commissioner Melcher: Well, there's not that many.

Councilman John: I believe it's addressed in another section where it talks about the Mayor and boards that aren't specifically provided for in this, that if it's a service that's needed, he gets to create that department and appoint the department head. Are you looking for someone to oversee that, like is currently done? Okay.

Commissioner Abell: No, not necessarily, but, nor do I want to make it so cumbersome that the Mayor's got, spends the first two days of every week just answering questions from every department head.

Councilman John: I know Animal Control is under there, I think METS reports to Mr. Ziemer, street maintenance, the City Garage, the City Engineer.

Commissioner Melcher: The cemeteries.

Councilmember McGinn: The City Engineer is separate, and levee is separate.

Councilman John: Separate budgets, but they kind of work with Ed Ziemer.

Councilmember McGinn: Okay, yeah. Pat Keepes.

Councilmember Adams: Steve, I need your help on this. This, essentially 9.2 says that we're going to have a City and a County Engineer, should we change that to the Metro Engineer and get rid of a position under this thing or not?

Commissioner Melcher: Well, I assumed that's what it meant. The City—

Councilmember Adams: But, it doesn't, it says two separate people.

Councilman John: I think it's addressing the current departments. There's a City Engineer, there's a County Engineer—

Councilmember Adams: I gotcha.

Councilman John: —and there's a County Garage, and that's going to be combined and eliminated as county departments and put under as a city department.

Commissioner Melcher: That's the way I took it. So, I got it highlighted. I figured that same thing with the Garage.

Councilmember Adams: Is there any verbiage in here that says the two engineers are going to become one?

President Winnecke: No.

Councilmember Adams: I didn't pick it up.

Commissioner Melcher: No, but if you're going to have a combined, it's going to be one. I mean, it wouldn't be two. If we're combining them—

Councilmember Adams: I think if you don't say it—

Commissioner Melcher: Well, if we have to...I think this is for the attorneys to answer then. If we're combining these two, they don't need two people co-managers, you just need one. So, do we—

John Hamilton: (Inaudible. Microphone not on.)

Councilmember Adams: Please.

John Hamilton: I think—

Councilmember Adams: I mean, we've heard—

John Hamilton: — (Inaudible) to combine it into one.

Councilmember Adams: — yeah, we've heard criticism after criticism that we're not saving any money here. I think every position we get rid of we are saving money.

President Winnecke: So, Steve—

Commissioner Melcher: So, do you want that in a motion?

President Winnecke: Pardon me?

Commissioner Melcher: Do you want that made in a motion?

President Winnecke: No, I'm thinking through what the right next step is. I mean, I'm wondering if maybe, you know, to the point that I think several people are going, you know, how many people report up to this one position? You are going to have a span of control issue with so many people reporting up. I'm not saying eliminating is bad, but we need to think through—

Commissioner Melcher: Well, I think now that we've got a Deputy Mayor where we didn't have before, and everything, I think there would be so many under the Deputy Mayor, maybe some of these smaller ones. You know, that's kind of where I was heading. I figured, and then we've got the Mayor, so, I mean, we've added people and we've added more Councilmembers than what we started out too. So, I think the Mayor will give the Deputy Mayor so many of these and he'll take the bigger ones. I mean, I would if I was Mayor. I would want a handle on the Engineer and the County Garage and METS, and the Animal Control and the cemeteries and that I would give to the Deputy Mayor.

President Winnecke: Maybe the thing to do is look at an organizational chart, a new proposed organizational chart, so we can see the boxes, see what we....much like what the lawyers have done on the appointments. You know, where are there savings? It doesn't really make sense to eliminate a position.

Councilmember Adams: Well, if you go to the Ft. Wayne organizational chart, they actually have a police, fire and personal services and that's it, and everything else is under the personal services. I'm not saying you have to go that way—

President Winnecke: Right.

Councilmember Adams: —but, there is a way to streamline the org chart. I will throw in there, there's a 16 page budget summary in the Ft. Wayne thing that is awesome. The people of Ft. Wayne know exactly where the money is going, what's going up, what's going down.

President Winnecke: So, is there a consensus here on Transportation Services? Or a direction that you would like to go?

Ted C. Ziemer, Jr.: I've never been City Attorney, but currently the Transportation Department, as you know it, under Ed Ziemer, reports to the Board of Public Works. The City Engineer reports to the Board of Public Works. Cemeteries report to the Board of Public Works. So, that's your controlling entity, and then the Board of Public Works, by statute, the three members are appointed by the Mayor. So, that really creates your chain, as it exists today in the City of Evansville.

Councilman John: And, while I agree with you, I do think that Ed kind of oversees those departments, and then they bring the department heads to those boards to answer questions and ask for permission to do things. Similar to many of the department heads coming to the Council for money, but usually the leader of that group is here to address it.

President Winnecke: Steve, anything else on this?

Commissioner Melcher: No, I just think that it's prudent that we do that at this time, if we want a plan. So, I think we could do that. Or, if you're going to keep them, then eliminate the Deputy Mayor. I've never figured out what the Deputy Mayor's going to do yet. So, I was just trying to find ways to—

Alberta Matlock: It would be what Rose does.

Commissioner Abell: Well, you know, Steve, I didn't know what the Deputy Mayor was going to do either, but now that you bring this up about getting rid of this, I think it might be like the Lieutenant Governor is to the Governor. There's certain departments that actually do report to the Lieutenant Governor. So, maybe these are going to be like departments that will report to—

Commissioner Melcher: And, that's kind of what I thought. That's why, I've been going back and forth on this thing. I've got notes all over the place here.

Councilmember McGinn: I wonder, should we have a list of who all are department heads maybe? I mean, when you think about it, there's, we've only mentioned a few. At the combined meetings, when I was a department head, I mean, you would have, well, they were never there, but the cemetery, there's how many cemetery superintendents?

Commissioner Melcher: One.

Councilmember McGinn: Just one? Then, Human Relations, Levee—

Commissioner Melcher: I don't think Human Relations goes to the Board of Public Works.

Councilmember McGinn: They have their own board.

Commissioner Melcher: Right.

Councilmember McGinn: Yeah.

Councilmember Adams: It really would go a long way to have an org chart.

President Winnecke: I know the Reorganization Committee got org charts. I will get those and we'll present those next week. We probably won't be able to iron it out, but we'll present the current org charts from city and county government next week at that meeting.

Commissioner Melcher: And if we could get them ahead of time, that would give us time to look at them too before we get here.

President Winnecke: Okay. Got it.

Commissioner Melcher: With that, I have to leave to go to my Veterans Council meeting of Vanderburgh County.

President Winnecke: Okay. 9.4, law enforcement. Who wants to take the lead there? Missy?

Councilmember Mosby: I am opposed to the Combined Government with the Sheriff's Department and the Police Department. Also, we had requested some information from Sheriff Williams and Chief Hill. I was wondering, do we have that information yet?

President Winnecke: I have not received it. Have you guys received that? Specifically, we asked language to clarify and simplify jurisdictional concerns, and language to clarify the roles and duties of, just to clarify that the roles and duties of each department do not change, and any future reorganization would be subject to the final version of Article Eleven, if I'm reading my handwriting correctly.

Councilmember Mosby: Should we—

Councilmember Friend: Did we address if there's a, I hate to use the term annexation, spell out whether that will go with the urban, I mean Police Department, or is that going to stay, how is that going to be defined? We got into that.

President Winnecke: We did get into that.

Councilmember Adams: Yeah, we did.

President Winnecke: Did we clarify—

Councilmember Friend: What did we decide?

Councilmember Adams: I'm just saying the full service district, it comes into the city was paying for a full time service district—

Councilmember Friend: Right.

Councilmember Adams: —ought to be controlled by the Police and I think the (Inaudible) myself.

Councilmember Friend: Oh yeah, I agree with you.

Councilmember Adams: You may not agree with me.

President Winnecke: No, I do agree with that.

Councilmember Friend: I do agree with you.

Councilmember Adams: I think we agreed that we're going to put this off until 2018, and a lot of things can happen in that...and we may not even get to it in 2018, whoever that is. I'll probably be dead by then. But, the bottom line is that, I think, we need some elasticity in that thing, because (Inaudible. Microphone not on.).

Councilmember Mosby: Commissioner Winnecke?

President Winnecke: Yes, Ma'am.

Councilmember Mosby: I think we should hold off on this section until we can talk with Sheriff Williams and Chief Hill, because, you know, we did request some information. I know they're working on that for us.

President Winnecke: That's fine. That is fine. Is everybody good with that?

Ted C. Ziemer, Jr.: While you're pondering that. I think we had discussion last time about whether it should be 2018 or 2020, or whatever. I don't think any straw votes were taken. So, we don't really have any direction yet how to rewrite that aspect of this. So, I think that's another item to be discussed.

Councilmember Adams: (Inaudible) 2018?

Councilmember Friend: Well, what I found out is this, that is so near. We should have about a ten year period of time here. The reason why I say that is, in discussion with some law enforcement, we're trying to attract in some recruits into Evansville, they look at this as, that is, that's, it's becoming a problem whereby it's up in the air. I think you go a decade out, you might be able to avoid some of this. I think 2018 might be a little soon.

Councilmember Mosby: I agree with Councilman Friend. I did speak with also Police officers and the Sheriff deputies, along with Chief Hill and Sheriff Williams, and I really feel it needs to at least be ten years.

Commissioner Abell: I think we tried to hit in on—

Councilmember Friend: Well, if we're going to err, then we should err on 12 years, not eight.

Councilmember Adams: So, it would be 2020.

Councilmember Friend: Yeah, 2020. 20/20 —

Councilmember Adams: That's all the more reason. All the more reason that if you have a full service district—

President Winnecke: Well, Chief Hill said never. Twelve is closer to never than ten is.

Commissioner Abell: I'll get with Susie Kirk and see if I can get an election schedule.

Councilmember Friend: Sure.

President Winnecke: Okay, so that takes...oh, excuse me.

Councilmember Adams: So, everybody understands, I added the fire protection also with that. I don't want you to miss that.

President Winnecke: Right. Did you get that? Is everyone good with that?

Unidentified: Absolutely.

Ted C. Ziemer, Jr.: I don't follow what you're saying by fire.

President Winnecke: This is if a geographic area becomes, a new geographic area becomes part of the urban service district, then they would receive the services of the Evansville Police Department—

Ted C. Ziemer, Jr.: And the Fire Department?

President Winnecke: —and the Evansville Fire Department.

Councilmember Friend: But, are you sure, because taxes would be affected.

President Winnecke: Is that right, Dan?

Councilmember Adams: Yeah. (Inaudible. Microphone not on.) of 2020. That's going to show up awful quick.

Councilmember McGinn: If I might ask a point on this. A straw vote was taken on this? You know, I missed a couple of meetings. So, there's already been a straw vote on putting this off? Or there hasn't been?

Councilmember Adams: Missy, do you want to wait? I know (Inaudible. Microphone not on.).

President Winnecke: We did not take a straw vote.

Councilmember McGinn: Okay.

Councilmember Adams: Do you want a straw vote on this particular part of allowing full service districts to have Police and Fire?

Councilmember McGinn: No, I mean, just the delay.

Councilmember Mosby: I'll be honest. I would like to see some members from the Sheriff's Department and the Police Department so we could ask some different questions and make sure that we—

Councilmember Adams: I've done that, and they're very much in favor. So, I don't have a problem with it.

Councilmember Mosby: It's up to the rest of the Council.

President Winnecke: That's fine.

Article Ten: Transition

President Winnecke: Article Ten, the transition. We had a discussion at, on the composition, and, basically, let me re-read my notes here. We did get a lot of, I recall a lot of comments in the public hearing on the composition of the board, of the Transition Board, and the authority it would have, excuse me, versus the authority of elected officials.

Councilmember Friend: Well, Councilman, I mean, Commissioner Winnecke, the way we thought is, we had a tie breaker problem if we combined the county and the

city, the County Council and the City Council together, we would have an even number. So, we thought those two bodies would be the Transition Team, because they are elected officials. Obviously, we would have to come down to some way in which, we would have an even number, wouldn't we? So, we would have to deal with that if we're going to do that.

Councilmember Adams: (Inaudible. Microphone not on.)

President Winnecke: What did you say?

Councilmember Adams: I said, the way we're going, I'll quit.

Commissioner Abell: You were saying the City Council and the County Council?

Councilmember Friend: Yeah, we originally—

President Winnecke: Well, we talked about—

Councilmember Friend: — talked about combining them both.

Commissioner Abell: (Inaudible. Microphone not on.)

President Winnecke: We talked about those two bodies being the Transition—

Councilmember Adams: You know what, you could have somebody, like the House of Representatives. You could have any elected Commissioner make the difference.

Councilmember Friend: Sure, that would be one way.

Councilmember Adams: A County Commissioner elected by the County Commissioners to represent them, and therefore have an odd number.

Councilmember Friend: That would be a good idea.

President Winnecke: Or the President—

Councilmember Adams: The Vice President.

President Winnecke: —or you know, whomever, one of the officers of the Commissioners, President, Vice President.

Councilmember Adams: That would make it odd.

Councilmember Friend: Yeah.

Councilmember Adams: I have said that the Vice President of the United States (Inaudible. Microphone not on.).

Councilmember Friend: Amongst other things.

Councilmember Mosby: So close.

Councilmember Adams: So, do we need a motion in terms of having the Transition Board be the elected members?

President Winnecke: Be the, I think it would need to be the legislative bodies of city and county government.

Councilmember Adams: Right, with a representative from the Commissioners.

Councilman John: I would recommend that the Mayor be on there. I mean, it's going to be his administration that has to operate the city. So, he probably should have some input on the transition. That would give you your odd number.

Councilmember Adams: Maybe the county would feel more comfortable with a guy from the County Commissioners on there.

Councilman John: Just a suggestion.

Commissioner Abell: I don't really care, except that I do know from having been a County Councilman and now being a County Commissioner there's a lot of things I'm doing now that I didn't know about when I was a County Councilman. I'm not so sure that without a Commissioner and a Mayor on here, there may be some things that fall through the cracks that the two Councils don't know about.

Councilmember Adams: So, you're still (Inaudible. Microphone not on.).

Commissioner Abell: Well, I just, you know, don't want to leave anything out.

Councilmember Adams: (Inaudible. Microphone not on.).

Commissioner Abell: (Inaudible) the people I want.

Councilmember Adams: (Inaudible. Microphone not on.) an odd number.

Commissioner Abell: Maybe what we need to do is once it's done, have the Mayor look at it and the Commissioners look at it and make sure that nothing was left out.

President Winnecke: You're still going to have a—

Councilmember Adams: Can we (Inaudible. Microphone not on.) favor, can we have a straw vote on whether we have (Inaudible. Microphone not on.) elected officials?

President Winnecke: Sure.

Councilmember Adams: I make that motion.

President Winnecke: Okay, so the motion is that the two legislative bodies actually form, combined, serve as the Transition Board.

Councilmember Adams: (Inaudible. Microphone not on.)

Councilman John: The County Council and City Council?

President Winnecke: Actually, I guess, it would be the two fiscal bodies is probably the best.

Alberta Matlock: Who seconded?

Unidentified: (Inaudible. Microphone not on.) City Council (Inaudible. Microphone not on.).

President Winnecke: Yeah, okay, there you go. Yeah.

Alberta Matlock: Who seconded the motion?

President Winnecke: John.

Ted C. Ziemer, Jr.: But, no executive?

President Winnecke: Well, we're not there yet. I don't think. So, we're stuck on an even number.

Ted C. Ziemer, Jr.: I thought, pardon me if we're maybe not hearing right. I thought you were describing who would be the Transition Committee.

President Winnecke: We are.

Ted C. Ziemer, Jr.: If that is limited to the City Council and the County Council, it would not include the Mayor, for example. I don't know whether you want the Mayor involved in transition or not, but, or a County Commissioner for that matter.

Councilmember John: The reason I bring up the Mayor, is because whoever the next Mayor is going to be should have some input on the transition. The Commissioner will no longer be a Commissioner and won't be involved with the day-to-day operations. So, I mean, that's the logic behind that.

Councilmember Adams: (Inaudible. Microphone not on.) I agree with you. I think the Mayor ought to be on it. He's going to run it, I think we also need to have the County Commission represented somehow.

Councilmember McGinn: Just their knowledge, so the Transition Board doesn't overlook something.

Ted C. Ziemer, Jr.: Yeah, and there will, in fact, be County Commissioners during the transition years. So, certainly there will be a Commissioner available to serve on the Transition Team, if you wish.

President Winnecke: I wonder how often that will really come into play?

Councilmember Adams: And how much (Inaudible. Microphone not on.)

President Winnecke: Right.

Councilman John: What about serving in an advisory capacity without voting rights?

Commissioner Abell: That's a good option.

President Winnecke: Okay.

Councilmember Adams: The Mayor (Inaudible. Microphone not on.)

Commissioner Abell: At least that way (Inaudible. Microphone not on.).

President Winnecke: Okay, so, Dan, are you going to amend your straw poll–

Councilmember Adams: That the Mayor be an active and have the administrative or representative of the County Commissioners for advice. Does that make sense?

Councilmember Friend: Yeah. I'll second that.

President Winnecke: To serve with the two bodies? Okay, everybody good with that? Missy?

(By show of hands all five City Councilmen present and all three County Commissioners voted in the affirmative for the motion.)

Councilman John: I think, Mr., it might have been Bill Jeffers that brought this up, that he wanted to know who would have the authority to appoint the attorney or consultants during this time?

President Winnecke: I would say the leadership of the two bodies would be my guess. The City Council and the County Council.

Councilman John: So, whoever they put as Chairman of the Transition Team could select it? Okay.

President Winnecke: Anything else under Article Ten?

Commissioner Abell: I just have a question.

President Winnecke: Sure.

Commissioner Abell: On the effect of contracts, Mr. Ziemer might be able to answer this, where it says that all contracts between the county and a third party and the city and a third party shall remain in effect. What if they don't want them to remain in effect? Let me say, what if we have a Combined Government and the city has a contract, I'm not picking on them, but it's just an easy one for me to pick here, for towing with one company and the county has a contract for towing with another company, and they want to have one tow contract?

Ted C. Ziemer, Jr.: Well, the fact of the matter is we're going to be bound by the rules of contract, and we can't get out of, I mean, the city contract for towing is with somebody, and we can't break that contract just because we're changing the type of government we've got.

Commissioner Abell: But, there's no longer a city, who's the contract with? If there's no longer a city government–

Ted C. Ziemer, Jr.: That's really what the Transition Team will have to–

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: –deal with is how you’re going to handle two contracts like that, and either buy it out or something. Because, contract rights will continue to exist until the contracts expire. Good reason, if this is approved, when enacting future contracts to limit the terms of those contracts so that they won’t tend to run beyond the term of the transition year.

Councilmember McGinn: You could always put a notification date, 30 or 60 days by either party to terminate–

Ted C. Ziemer, Jr.: In the event of this, yes.

Councilmember Adams: Ted, do me a favor, walk me through, one more time, about how the indebtedness of the county, the indebtedness of the city come together? Will the city folks get rid of their city indebtedness, and the county get rid of their indebtedness, and then suddenly after the magic date there will be indebtedness for the Combined?

Ted C. Ziemer, Jr.: I don’t feel qualified to answer that question--

Councilmember Adams: Okay.

Ted C. Ziemer, Jr.: – at this point. I can tell you that indebtedness that’s owed by either the city or by the county will continue to be owed until those respective indebtedness’ are retired.

Councilmember Adams: And are paid by those people who originally incurred them?

Ted C. Ziemer, Jr.: That is what I understand is contemplated.

Councilmember Adams: So, the city debt will have to be paid off by the city people. The county debt will have to by the county, and then there will a new entity of debt coming from the Combined Government?

Ted C. Ziemer, Jr.: Yes, from the Combined entity.

Councilmember Adams: Thank you.

Councilmember McGinn: There again, we want that CPA to be the Director of Finance.

Councilmember Friend: Yes.

President Winnecke: The only other note that I had under Article Ten was under 10.7.1, and I just had an asterisk and a note that said “the fiscal body is to determine employee classifications”. This is to Commissioner Abell’s point discussed earlier about employees in the judiciary. I think that’s what made me write that down.

Councilmember Adams: Oh, there it is. Do you want to put including judiciary?

Commissioner Abell: Will we, I assume that someone, maybe the Transition Team will be writing a new Combined Government handbook?

President Winnecke: Well, there would have to be one, yeah. It could be a merger of the two existing, but, sure.

Councilmember Adams: We sort of have to wait until she gets some feedback from Mr. Hall as to whether or not you want to add–

President Winnecke: Right.

Councilmember Adams: –a dependent clause of including the judiciary employees.

President Winnecke: So, we would come back to that.

Councilmember Adams: Yeah.

President Winnecke: I had no other notes in Article Ten. What about anyone else?

Councilman John: Under 10.8.3, I had one that the city, at this point in time, has no drainage code, or policy. So, that's something that would probably have to be adopted. That was probably also Mr. Jeffers that brought that up.

John Hamilton: I had the same note. It was from Mr. Jeffers. 10.8.2, the city has no drainage code. I think the Engineer's office uses the county guidelines (Inaudible. Microphone not on.)

President Winnecke: So, we need to add in 10.8.2 that the city needs to develop a plan?

Councilman John: Yeah. (Inaudible. Microphone not on.)

President Winnecke: Okay.

Ted C. Ziemer, Jr.: State statute creates the drainage code for the county, and that's for the entire county, even the parts of the county that are in the city. It's just that it's administered by city people in the city, and by the County Drainage Board in the county.

John Hamilton: I think that will be covered in the unified code of ordinances is adopted.

President Winnecke: Okay.

Article Eleven: Amendments

President Winnecke: Amendments, Article Eleven. In my notes, my first note was 11.1.2 on the citizen petition, the written petition signed by at least five percent of the registered voters in the Combined Government who voted in the most recent Governor's election, asking for the appointment of a PRC to study a specific proposal to amend the Plan, the formation of a PRC to study that specific proposal shall be considered by the Council, at ten votes. But, I also had five percent of, for this process to start, it began with a petition by five percent of people who voted in the previous Secretary of State's race. So, we, there was some discussion of making that the criteria versus the Gubernatorial election.

Councilmember Adams: We shot down 20 percent.

President Winnecke: Yes.

Councilmember Adams: Figuring it was too high (Inaudible. Microphone not on.) .

President Winnecke: Well, we thought it was, it should have the same threshold that would start a process.

Commissioner Abell: Do you want to substitute Secretary of State for Governor?

President Winnecke: And the number is five percent instead of 20 percent.

Councilman John: Ten votes (Inaudible. Microphone not on.)?

President Winnecke: Right. Is everybody good with that? Straw, show of hands. Okay, good.

(By show of hands all five City Councilmen present and all three County Commissioners voted in the affirmative for the motion.)

Ted C. Ziemer, Jr.: I would just maybe point out, you see in this section it refers to registered voters. A while back in 7.4.1, which deals with the urban services or special services districts, it just talks about a council by the majority of the residents. I think we'll want to change that to say registered voters at least in that area and not a majority of the residents, so that like every member of my family can't be a part of that, it's just the registered voters. I mean, my grandchildren can't sign up, and that sort of thing, though they would like to.

President Winnecke: That's back in 7.4.1. Any other questions under Article Eleven, the amendment?

Councilmember Adams: (Inaudible. Microphone not on.)

President Winnecke: On eleven?

Councilmember Adams: (Inaudible. Microphone not on.) Are we all in favor of changes in 11.1.2?

Councilmember Mosby: We had show of hands.

President Winnecke: We did. Do you want to raise your hand, Dan?

Councilmember Adams: Yes.

President Winnecke: Great, raise your hand.

Councilmember Adams: (Inaudible. Microphone not on.)

President Winnecke: Okay, that gets us through the Plan, with some things to come back to, most notably, and perhaps the longest piece of discussion for next week, appointments. I think we should come prepared to talk, to take a straw vote on term

limits. That's something that we need to figure out where we, where our breaking point is, and, hopefully we'll have some law enforcement language. This is just my hope, but if we can wrap all of that discussion up next week, next week is our last scheduled workshop, so maybe, I suspect it will take a couple of weeks for our learned counsel to make the changes. We could reconvene then on the 30th of June to see what document we have.

Commissioner Abell: There's nothing that requires us to vote on that document on June 30th?

President Winnecke: No, that's just when we continued our public hearing.

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: And it can be continued to another date beyond that.

Commissioner Abell: Because we'll get the document and we may still want to make even further changes?

President Winnecke: Right.

Commissioner Abell: Okay.

Councilmember McGinn: So, June 30th is our next official meeting?

President Winnecke: Well, next week—

Councilmember McGinn: Next week, then June 30th.

President Winnecke: —then we'll take a couple of weeks off to allow these guys to make the modifications. Then we'll reconvene on the 30th.

Councilmember Adams: John, how much more information do they need to get a dry run of property taxes change?

John Hamilton: Who?

Councilman John: The Auditor's Office.

Councilmember Adams: We were looking for—

President Winnecke: We are.

Councilmember Adams: — way, way back—

President Winnecke: Right.

Councilmember Adams: —we were looking for somebody to give a sort of pro forma about changes in property taxes.

John Hamilton: We have not been involved in that.

Councilmember Adams: Well, I apologize. We were going to—

President Winnecke: We can probably start now, since we've pretty much, I think we know—

Councilmember Adams: Got districts and so forth like that.

President Winnecke: I'll talk to each of those guys.

Councilmember Adams: It's kind of important that they (Inaudible).

President Winnecke: I understand.

Ted C. Ziemer, Jr.: My recollection was there was some question of maybe having Crowe Horwath, who are the financial advisors to the Reorganization Committee, and I think there's some unexpended funds there still that might be dedicated to asking them to do another projection.

President Winnecke: I think what the consensus was initially was to, let's modify the Plan, see what direction it was going to go, sit with the Auditor and Controller to see what their recommendation is. They may recommend that we go back to Crowe Horwath for a final pass at it.

Councilmember Adams: I don't think (Inaudible. Microphone not on.)

President Winnecke: No, I understand.

Public Comment

President Winnecke: Anyone from the public that would like to come forward and speak?

Bruce Blackford: Good evening. Bruce Blackford, 8701 St. Wendel Road. Just a couple questions, can I get a copy of the appointments, your 26 pages so we could see that?

President Winnecke: Sure.

Bruce Blackford: Okay.

President Winnecke: He can have mine.

Bruce Blackford: Was there any discussion of a balanced budget amendment? To keep the—

President Winnecke: It's in there. It's in the Plan.

Bruce Blackford: Okay, I didn't see it. Then, could I get a copy of the organizational charts, what you were talking about? Then, is there, I was reading through here, I didn't see an actual definition of what required or defined an urban district. Did they have to have all of the services, part of the services to become an urban district? So, if they had city lights and sidewalks and water, but did not have sewage and transportation, could they still become a service, or an urban district? Or does it have to have all of the services or just part of them to become an urban district? There's

not a definition of what, you know, it lists a bunch of different things, but it doesn't say you have to have all of them, part of them, you know, if you had city lights in and then that qualifies you to be an urban service district, to be then put into that. Because then you would get the Police protection and other things, and I would just like some clarification on that. I wasn't for sure what defined an urban district.

Councilmember McGinn: Sidewalks shouldn't be. I mean, I know that subdivisions developed both in the city and in the county, sidewalks it seems like are summarily waived at all times anyhow. So, that was a question that...I know the subdivision control ordinance does say that they're supposed to be there, but they're waived a lot, right? Waived all the time.

Bruce Blackford: Well, I guess, I was just looking for some clarification and definition. Then, you were talking about the bonds, that the city's responsible for theirs and the county's for theirs, what if in five years they come due and they're rolled? There is no more city and there is no more county, then would that, would those bonds if they were then rolled become joint to everyone? Because you guys do that, don't ya?

Councilmember Adams: No, you don't have to roll it.

Bruce Blackford: But, I mean, they can be. So, if a city bond came due in five years and you decided to roll it—

Councilmember Friend: Well, more importantly, what about callable bonds.

Bruce Blackford: I have no idea. I'm just asking.

Councilmember Friend: I mean, if we have any callable bonds. You get that immediately. They can come due immediately, if you want to roll those.

Bruce Blackford: Right.

Councilmember Friend: I mean, you know, the interest rates, if you have high interest rates that's going to drop, you're going to call the bond.

Bruce Blackford: Right. So, if they do and you guys want to refinance those bonds, how will you, there is no more city, how would you guys account for them staying in the city's expenses versus being spread over the entire county.

Councilmember McGinn: It seems to me, there are certain revenue streams are always earmarked to pay the bonds, at least on the city level, and also the county. It says, you know, "x" amount comes from property taxes and so much comes from Riverboat. I mean, I think you would have to have those same streams, you know, same revenue streams.

Councilmember Friend: You would have to identify the streams of revenue, don't you?

Councilmember McGinn: Yeah.

Councilmember Adams: I think his point is well taken. You do have city—

Councilman John: I would think that even if the new entity assumed those, that they could designate that the prior payers, in other words, the ones that are already on the property tax list as obligated for those bonds, they could keep that same list of taxpayers. I don't know if it's spelled out in here or has to be, or if it's by State law—

Councilmember McGinn: Because the only time a bond—

Councilman John: but (Inaudible).

Councilmember McGinn: —would be called to refinance it and have to pay less monthly payments. So, I think the original streams of income, I mean, again they're obviously more than adequate to pay for a reissue of a called bond. I mean, I don't think that's a problem.

Councilman John: But, his concern is—

Councilmember McGinn: Who signs the paper.

Councilman John: —yeah, I'm not paying for it now. If it's rolled over and I'm included in the city, do I start paying for it if it's rolled over? What I'm saying is, they ought to have a mechanism where they can say we're going to keep the same tax rolls, the same people are going to pay it. They're going to go down, but the people that have been brought in that were no longer obligated will still not be obligated.

Bruce Blackford: Right, and just like if you were a general service district and in three years you become a urban one, then it's, you know it gets complicated—

Councilmember McGinn: Oh yeah.

Bruce Blackford: — and confusing, and we're trying to keep the thing straight and separate in some aspects. I just want to know, in the future, when there is no city and no county that when some debts come due or roll then how is that accounted for? It's something to think about and discuss and it's way above my head. The last thing I had was on 10.8.3, it defines land use and firearms ordinances. It says if a general service district becomes an urban service district it basically falls into the regulations and rules of the urban district, which would be city ordinances. If you would happen to define 41 and take it and find it as urban service district because of the growth, you have tons and tons of farm ground in that area that all of a sudden is going to be trying to farm in city type ordinances, in dust, in animals, and a lot of rules and regulations are going to be falling on these farmers that, you know, I don't have any clue all of the city ordinances and regulations for animals and veterinarians and licensing and that, you know, by the way it reads they would then all have to start licensing their animals and the cattle and the fencing and the size of the grass and the hay and everything else would, then they would be going into those city regulations.

President Winnecke: Yeah, there is no intent to do that.

Bruce Blackford: Right, it's just something, maybe a clarification that Ag land is somehow segregated and not responsible for city ordinances and lawn care and that kind of stuff, because they grow hay and they grow it high, then all of a sudden they are told they are being fined that they're not mowing their pasture every week.

President Winnecke: As to your first question about the services. I think 7.3.2.1, I mean, it spells out the services in an urban service district, page nine.

Bruce Blackford: Right, it says an urban service district is created to be a service and taxing district that is bound by the corporate limits of the City of Evansville immediately prior to the effective date, but then it goes—

President Winnecke: The next point outlines the services (Inaudible).

Bruce Blackford: Public transportation, but, I guess, it doesn't say all, it just has a list. It doesn't say it needs, must have all of these requirements, or some of them, or anything. So, there's not a definition. I guess, I would just ask that you put the word "all" in there. To become an urban service district you must have all of these requirements to meet the criteria of becoming an urban service district.

President Winnecke: We'll look at that.

Bruce Blackford: Okay. Thank you.

Ted C. Ziemer, Jr.: Just, excuse me, if I can. There is a provision here, as you see in 10.8.3 though that refers to land outside the urban services district as of the Effective Date of the Transition will continue to be treated that way. Land within the urban services district effective as of the date of the Effective Date will be governed by laws in effect for the urban services district. So, it's laws that are in effect for property in or out of an urban services district as of the Effective Date will continue to be the laws for those districts after the Effective Date.

Councilman John: Unless they're brought into the urban district. Is that correct?

Ted C. Ziemer, Jr.: Beg your pardon?

Councilman John: Unless they're ultimately brought into it.

Ted C. Ziemer, Jr.: Unless they're brought in, yes.

Councilman John: Then, they're subject to—

Bruce Blackford: That was my question. If it's brought into an urban service district, then it falls into a different code of, set of laws.

John Hamilton: My comment on that, to change to an urban district requires a public process, it requires either the citizens to ask for it or the Mayor and two thirds of the Council to approve it after a public process is gone through. So, it's not like these are going to be automatic things that happen.

Bruce Blackford: Right, but if you've got, you know, 1,000 people and they decide to be in it, and three of them are farmers, they're going to lose probably most of the time, but they may own two thirds of the ground that's going to be coming into that urban service district that they make their livelihood off of. That was my concern.

President Winnecke: I think Becky can help us.

Becky Kasha: Yeah, I think the idea of the firearms and the land use ordinances apply to land currently outside of the urban services district. That will not change even if you come into the urban services taxing district. Those are going to be, that will be something separate from the taxing district. Don't confuse those two things. So, even if your land comes into the urban services taxing district, the land use ordinances that were in effect, as of right now, will not change.

Bruce Blackford: Okay, but it is changing somewhat, because they then go from County Police protection to City Police protection.

Becky Kasha: But, that's not what that addresses. That talks about firearms ordinances and land use and that kind of thing. I mean, the idea about city versus Sheriff wasn't addressed in this Plan, because under our Plan it was all Sheriff.

Bruce Blackford: Right.

Becky Kasha: So, that is something that has to be addressed. But, that's, the question of whether land use ordinances are going to change if you come into the urban services taxing district, it's not.

Bruce Blackford: I guess, then it gets confusing to me, because, you know, you're in urban but you're still going by the county regulations. I mean, I was just looking for some clarity.

Becky Kasha: But, we will have one set of regulations, but depending on where you live within the Combined Government, you will, different things will apply to you. We'll still have one set, it's just that if you, at the moment that this comes into effect lived outside of the city limits, the code will have to be written so that your land use rights are not affected by the change.

President Winnecke: I understand.

Becky Kasha: Now, your taxes might change as you get different services.

President Winnecke: But, you would still be able to use the land and use the firearms as you would today.

Becky Kasha: Exactly, because we certainly never intended to impinge on anybody's...and if there's a better to say it, you know, I'm all for it, but I do think that that's the—

Bruce Blackford: That was the general idea of it. I just was looking for clarification on it.

President Winnecke: We'll ask the attorneys to see if they can wordsmith it maybe.

Bruce Blackford: Okay.

President Winnecke: Bruce, here's a copy of that. You can have my copy.

Bruce Blackford: Thank you.

President Winnecke: It's not stapled. Anyone else that would like to come before us and speak, offer comment? Eldon?

Eldon Maasberg: (Inaudible. Not at microphone.) First of all—

President Winnecke: Eldon, could you state your name for the record.

Eldon Maasberg: Eldon Maasberg, I live in Vanderburgh County, not in the city. Out of all of you's here, how many of you's was at Chief Hill's when he brought the man down from Indianapolis at his meeting at the library? Other than about five or six of us from back here, how many of you? I think you were there, weren't you, Lloyd?

President Winnecke: It was at the School Corporation, right?

Eldon Maasberg: Yes.

President Winnecke: Yes, I was there.

Eldon Maasberg: Was any of the rest of ya's? I thought that was a very interesting meeting, because when I come away from that meeting, and you're heading down the same road if you listen to what you're doing now, the City Police ain't any further today than they were when Indianapolis went into consolidation. I think that would be the biggest mistake you could make by leaving them out of consolidation the route you're going. Another thing, to talk about what Bruce was talking about, if I remember right, I can't think of the girls name but she's the Animal Control woman. Her last name is Freeman, I thought in the city limits you ain't allowed to have any livestock, when you get in there, you know, put new livestock in. Now, if you had livestock when your consigned in, you can keep them, but if the livestock dies or you have to take them to the butcher, you can't put any back, I guess. So, that rule is on your city ordinance right now. Thank you.

President Winnecke: Thanks, Eldon. Anyone else? Hearing none, thanks for coming, and we'll see everyone back here next Thursday.

(The meeting ended at approximately 6:50 p.m.)

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
H. Dan Adams	Dan McGinn	Curt John
John Friend	Missy Mosby	Ted C. Ziemer, Jr.
John Hamilton	Alberta Matlock	Bruce Blackford
Joanne Alexandrovich	Eldon Maasberg	Others Unidentified
Members of Media		

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded by Alberta Matlock. Transcribed by Madelyn Grayson.)

**JOINT WORKSHOP
COUNTY COMMISSIONERS-CITY COUNCIL
JUNE 9, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville met in a joint workshop format on this 9th day of June, 2011 at 5:3 p.m. in room 301 of the Civic Center Complex for the purpose of addressing potential modifications to the Evansville-Vanderburgh County Plan of Reorganization.

Opening of Meeting & Pledge of Allegiance

President Winnecke: Good evening. I would like to call to order our joint workshop of the Vanderburgh County Board of Commissioners and the Evansville Common Council. We'll begin with the Pledge of Allegiance please.

(The Pledge of Allegiance was given.)

Moment of Silence for Thomas Matlock

President Winnecke: Before we get to the business at hand, for those of you who don't know, City Clerk Alberta Matlock suffered a tragic death in her family. Her son was killed two nights ago. I think to recognize that, I would like to take a moment of silence just to keep her and her family in our thoughts.

(A moment of silence was observed.)

President Winnecke: Thank you.

Law Enforcement Component of Plan: Deferred

President Winnecke: Okay, a couple of things, first on the law enforcement...as the Chief walks in, we were, he and the Sheriff are still working on language that we'd asked for to discuss potential jurisdictional issues. So, that will not be forthcoming at this meeting.

Discussion of Compensation for Boards/ Organizations: Board of Parks

President Winnecke: One of the other outstanding issues is boards and organizations and the appointments. We have the lengthy, but detailed, great information sheet that the legal counsel provided to us last week. So, we'll begin there. I don't know who would like to start.

Councilmember McGinn: I would just like to make one, add one bit of information. On page two, at least the way I have it, board number five, the Board of Parks, shows compensation no, but they do receive \$3,000 a year.

President Winnecke: Three?

Councilmember McGinn: Yes, I confirmed that with a member this afternoon.

President Winnecke: Okay, thank you. If anyone needs extra copies of that, I do happen to have some. Does everyone have a copy that needs one? Do we need extra copies? Okay.

Commissioner Abell: Well, I'll just say, to start it that we might as well skip everything that's State statute. There's nothing we can do about it anyway. So, let's just address the ones on city ordinances.

Page One: Boards/Organizations Discussed
Advisory Board on Disability Services
Animal Control and Education Services

President Winnecke: There you go. I agree. That would begin with the Advisory Board on Disability Services. The Reorganization Plan calls for a total of seven, four appointed by the Mayor, three by the Council. Our legal counsel says this is, this would not be compliance with—

John Hamilton: With the ordinance—

President Winnecke: Right.

John Hamilton: —but, it doesn't have to be.

President Winnecke: Right.

John Hamilton: Since it's an ordinance.

President Winnecke: Right.

John Hamilton: (Inaudible. Microphone not on.)

Commissioner Abell: Because we'll be changing all of the ordinances anyway, in the event we change government?

John Hamilton: Correct.

Commissioner Abell: Alright. Well, I have a little knowledge of Disability Services, only that I have been to a couple of their meetings and I've talked to some of them. My information is that they don't actually have any direct authority to spend any money. Is that correct?

John Hamilton: I believe that's correct.

Commissioner Abell: Then, I have no problem, I don't know how differently else feels, but if they don't, if they're not going to be making official differently on behalf of the city and county government, and not spending any taxpayer money, I don't have any problem with the way it is.

John Hamilton: And, any of these that are by ordinance can always be changed by ordinance by the Metro Council, if the Metro Council decides to do that, regardless of what you do in this Plan.

Councilmember McGinn: I just want to echo what Commissioner Abell said. My concern is spending money without representation by an elected official. So, again, on boards such as this, I have no problem with the constitution. Again, we can always change it.

President Winnecke: Okay. Anybody feel differently? Okay, we'll move on then.

(No changes made to the Advisory Board on Disability Services.)

President Winnecke: Animal Control and Education Committee. A total of—

Commissioner Abell: Does—

President Winnecke: Go ahead.

Commissioner Abell: Is that under, is Animal Control under Transportation Services?

President Winnecke: It is.

President Watts: Do you want to see if there are questions on each page (Inaudible. Microphone not on.).

President Winnecke: Okay, yeah. President Watts had a good point, otherwise it's going to be a very long night. Maybe we'll just start by page and see if there are issues on each page. On this page is the Animal, just for those watching at home or in the audience, is Animal Control and Education, which is a city ordinance. That's the only other one on this page.

Page Two: Boards/Organizations Discussed
Board of Health
Board of Parks
Burdette Park Advisory Board
Central Dispatch Board

Commissioner Abell: I do have a question about one that is by statute and that's the Board of Health.

President Winnecke: Okay.

Commissioner Abell: Since, if we have reorganization, reorganized government there will be no Commissioners, how will that become four Mayor and three Council? Will that have to be State legislation change? How does that change?

John Hamilton: No, I believe, our interpretation is that, since that was an executive appointment, we have over there requirement for compliance with statue is all Mayor. Since the current is all Commissioners, which is executive, we believe that to require, to meet the requirement it would be all Mayor and it would just happen by adoption of this Plan. I don't believe it will take a change in State statute.

Commissioner Abell: Well, I have an issue with the Health Department then, because they spend a tremendous amount of money. They have their own budget. We on the Council, on the county side have dealt with them for a long time on County Council regarding, you know, where they are, their rent, and all of their expenditures. They have their own taxing entity, but, am I correct on that? They have their own taxing entity? Correct?

John Hamilton: I've not looked at that issue. I mean, I've looked at the statute and it is manda.....right now what it reads is the County Executive shall appoint the members of a local Board of Health, and that's State statute. So, I think it would be the executive, unless you get a change at the State level.

Commissioner Abell: Well, if we can't, you know, if we're stuck with the statute, we're stuck. I just would like to point out that that's a lot of money that they spend. Isn't that correct, Lloyd, that they have their own—

President Winnecke: You're correct.

Commissioner Abell: Okay.

President Winnecke: Page two. Oh, I'm sorry. Steve?

Commissioner Melcher: So, that means we're going to say it's going to be all Mayor?

President Winnecke: Well, what Mr. Hamilton just said is the statute requires that it's all appointed by the executive.

Commissioner Melcher: Well, I just thought we ought to get that on record.

President Winnecke: Okay. Page two, we have the Board of Parks, Board of Zoning Appeals, the Building Authority Board of Trustees, Burdette Park Advisory Board, Central Dispatch. In that two are by local ordinance, that would be the Burdette Park Advisory Board and Central Dispatch. Any questions on those two?

Councilmember McGinn: I do, Mr. President. The question I have is, do we want to allow three of the boards out of the 60 to remain compensated or no? Parks Board was, they make \$3,000 a year, that's, I don't think by State statute, because the board was in existence for years and years and years before they received any compensation. So, Public Works, Safety and Parks Board, I think, or, well, Water a different entity pays them. That comes from revenues, but, I mean, that's the issue. Why do these people receive money? We're looking for citizen volunteers, you know, if we want to decrease some strength in the executive, which again, I don't know what anyone's personal preference is, but not having pay seems to, I would think would make members of a board more neutral, less able to be influenced, at least theoretically.

President Winnecke: My only source of reference on that is the Area Plan Commission. I've served on that and those members are not compensated. That is a large, they have a lot of responsibility.

Councilmember McGinn: I mean, you know, the other side of the coin is, gee, let's compensate everyone, but if a portion of this reorganization is to try to consolidate services and save money. I mean, I know people that would be willing to serve on boards without compensation just, you know, to do their public service. You know, I have friends on boards who are receiving payment. So, they're not going to be real happy with this.

President Winnecke: John, on the issue of the Parks Board, since it's created by State statute, does statute require compensation?

John Hamilton: I don't believe it does. I'm not sure of the source, whether it was by county or city ordinance or both, but I don't think we have that. But, if you take a straw vote and decide you don't want it we can certainly find out and follow those wishes if we're able to, and if we're not able to we would report it to you.

Councilmember Bredhold: I will say as a new member of the Council, the first time we went through the budgetary process I was sort of surprised to see that some members of boards are paid while so many other aren't, and wasn't sure what the rhyme or reason was there and questioned whether that might be someplace where we could save some money. It's not much, but some.

President Winnecke: I agree. Do we want to take a straw poll?

President Watts: If we're going to address this one here now, do we want to go ahead and say if we're not going to compensate them, there's going to be no compensation for any board that we have? Is that a fair statement?

Councilmember Bredhold: I agree.

Commissioner Abell: But, I think we might want to consider reimbursing expenses, especially for things like Area Plan. If they get in their car and they drive around and look at all those places and we want to encourage them to do that, at four dollars a gallon that becomes pretty expensive for some of those people. I think it would be a good idea to have them, have the freedom to turn in an expense sheet showing where they went and then reimburse them for their expenses.

Councilmember McGinn: I would agree with that. You're not talking about lunches?

Commissioner Abell: No, I'm not talking about lunches. No Christmas parties, just mileage.

Councilmember McGinn: Yeah, who would have thought at four dollars a gallon how important this is, but, yeah, I agree too, four bucks a gallon.

President Winnecke: You knew that was coming, didn't you?

Councilmember McGinn: Gas expenses sound fine.

President Watts: So, the motion would be that any board that is compensated, the compensation will be removed, bar mileage expenses for duties that they are doing that involve that board appointment. All those in favor signify by saying aye.

All Councilman: Aye.

President Watts: Opposed?

(Straw vote was passed by County Council 9-0. County Commissioners approved straw vote 3-0 by raising their hands. No audible vote was taken.)

President Winnecke: Okay, that's one change we can make now. Still on page two, Burdette Park Advisory Board or Central Dispatch. Any questions.

Commissioner Abell: Any chance Burdette Park will go under the Parks Department, if we have Consolidated Government?

President Watts: That would be the net, I would assume.

President Winnecke: It is, but there are also, the Plan also calls for the Advisory Board to remain in tact, if I remember correctly.

Commissioner Melcher: It does as (Inaudible), I can't pronounce it, but—

Commissioner Abell: Is there any reason? I mean, they're not in tact right now.

President Winnecke: It's not been active for three years, four years maybe. I can't tell you why.

Councilmember Robinson: Have they been meeting?

Councilmember Adams: Can we delete it?

President Winnecke: Sure.

Commissioner Abell: I would.

President Winnecke: I guess.

President Watts: So, you're saying if it comes under the Parks Board there's not a need, all of their things would be addressed by the Parks Board as opposed to—

Commissioner Abell: Well, I'm assuming that Burdette Park will be treated just like all of the other parks when it comes to expenses and funding. So, I don't see why they would need their own board.

President Watts: I agree with that. Do we need to do that by—

President Winnecke: Yeah, let' straw poll, straw vote on Burdette Park being eliminated, Advisory Board rather, not the park, the Advisory Board. Show of hands. Anyone opposed? Okay.

(The straw vote was approved by County Council 9-0 and County Commissioners 3-0.)

President Winnecke: Okay, so that can be eliminated. Central Dispatch?

Councilmember Adams: It's recommended they go from nine to seven.

President Winnecke: Seven to nine.

Councilmember Adams: (Inaudible. Microphone not on.) I don't know whether that's important (Inaudible. Microphone not on.).

Councilmember McGinn: I'm on that board right now, and we really do, as a non-service member of that board, the Police and the Fire and the Sheriff, I mean, they're the ones who deal with this everyday. They know what's going on. So, as long as

those representatives are there, then, I think, the other two people can add some new ideas and that type of thing. But, it's pretty specialized, at least what I've figured out so far.

President Winnecke: I agree.

Councilmember McGinn: So, I think seven is fine, compared to, from my experience. Wendy, you were on it for a year, what do you think?

Councilman John: So, you're going to take the—

Councilmember Bredhold: The reason that it's less is because the Police Chief isn't included in the Reorganization Plan. That's why the number is—

Councilman John: Neither is Emergency Management, is it??

President Winnecke: But, what the attorneys are saying, to be in compliance with the ordinance, and we could change the ordinance, they're suggesting that it remain at nine, with two appointments by the Mayor, two by the Council, the Police Chief, one by the Police Chief, one by the Sheriff, one by the Fire Chief, one by the Suburban Fire Chief, Emergency Management. Seems to me that's a better representation than what is proposed.

President Watts: So, the State statute, what the State would require, right?

John Hamilton: No, this is ordinance.

President Winnecke: This is a local ordinance.

Commissioner Melcher: It's an ordinance.

President Watts: Okay.

President Watts: I would go with the nine.

Councilmember McGinn: It doesn't (Inaudible. Microphone not on.) at seven.

President Winnecke: Okay, do we want to take a straw vote on the total of nine with the breakdown; two by the Mayor, two by the Council, one by the Police Chief, one by the Sheriff, one by the Fire Chief, Suburban Chief, and one by Emergency Management. Show of hands. Anybody opposed?

(The straw vote was approved by County Council 9-0 and County Commissioners 3-0.)

**Page Three: Boards/Organizations Discussed
Coalition to End Homelessness
Code Enforcement Hearing Authority Board
Commission on Social Status of African American Males**

President Winnecke: Okay. Page three, there are three of the four on this page that are City ordinance; Coalition to End Homelessness, Code Enforcement Hearing

Authority Board, and the Commission on the Social Status of African American Males. John, on the, on the Coalition to End Homelessness, it says 16 total enumerated in ordinance. So, I assume that is totally different than what the Reorganization Plan—

John Hamilton: It has a lot more additional appointments.

President Winnecke: Right.

John Hamilton: If you want me to name them off to you we can.

Commissioner Melcher: Some of the people on that are from different agencies.

John Hamilton: Yes.

Commissioner Melcher: And that's what makes it work.

Councilmember McGinn: I'm on that board too. You're right, there's an exchange of ideas—

Commissioner Melcher: Right.

Councilmember McGinn: —this is a flow of information that's never happened before. These groups are coordinating their efforts, and they're very, very pleased with what has happened over the last few years—

Councilmember Friend: Right.

Councilmember McGinn: — there's groups that didn't even talk, meet together—

President Winnecke: Right.

Councilmember McGinn: -so, yeah, I mean, 16, I mean, that's just more information to be shared to make this thing possible.

President Winnecke: Yeah, it seems to me that we should, if reorganization passed, and that's too many, I guess we could always amend the ordinance, but it seems to me that we would want to keep it the way it is.

Councilmember McGinn: Yeah, unless people on that board have some objections, but I cannot imagine that they would. They're, it's really working very well. You were on it.

Councilmember Bredhold: Yeah.

Councilmember McGinn: Yeah.

Councilmember Bredhold: Yeah, I agree with you, Councilman. I think that should stay the same—

Councilmember McGinn: Yeah.

Councilmember Bredhold: —because there's a plethora of information there.

John Hamilton: (Inaudible. Microphone not on.)

President Winnecke: Yeah, would you mind reading them off?

John Hamilton: They're mainly positions; the Mayor, a County Commissioner selected by the Commissioners, a City Councilman selected by the City Council, a County Councilman selected by Council, a person appointed by PPCHS, Director of the Department of Family and Children, a member of the Evansville-Vanderburgh School Corporation, a member appointed by the governing body of Work One, a person appointed by the Board of Commissioners who was previously a homeless person at some point, a person appointed by the Mayor of the City of Evansville who is a landlord in Vanderburgh County, the Director of the Housing Authority, a person appointed by the Board of Commissioners who is a credit counselor, the Director of Southwestern Mental Health, the Director of the Department of Metropolitan Development, a person appointed by the Mayor who works in the area of vocational rehab, and the Director of the Human Relations Commission.

Commissioner Melcher: See, if you listen to that, it pretty much covers the gamut of what it is. That's why it needs to stay that.

President Winnecke: I would agree. Let's, since it's different from what's proposed in the Reorganization Plan, let's go ahead and take a straw vote. Everybody in favor of keeping it the way it is raise their hand. Anyone opposed? Okay.

(The straw vote was approved by County Council 9-0 and County Commissioners 3-0.)

President Winnecke: Another change for you. Anything else on this page?

Councilmember Adams: Well, I'm on the Commission of the Social Status of African American Males, and the attendance is very, very spotty. About four or five people show up, and I wondered, and I defer to my colleague, whether it could be folded into the Human Relations Board in terms of....I mean, people don't show up to it.

Councilmember Robinson: (Inaudible. Microphone not on.)

Councilmember Adams: I'm sorry?

Councilmember Robinson: It makes it a problem when you need a quorum.

Councilmember Adams: Yeah.

Councilmember Robinson: That's one of the problems (Inaudible. Microphone not on.) people don't come to them.

President Winnecke: It's a large board too, 15 members.

President Watts: Yeah, when you have 15 people it's going to be pretty difficult to—

Councilmember Adams: Well, if four or five show up it's a good day.

Councilmember Robinson: Well, we have problems trying to find people that are interested in being a member.

Commissioner Abell: That causes problems with the board to function, because if they don't have a quorum—

President Watts: Do you think changing the number would help?

Councilmember Robinson: It probably (Inaudible. Microphone not on.) It's a part of the Human Relations Commission.

Councilmember Adams: Right.

Councilmember Robinson: It's almost like a feel good board. I mean, we did have a barber shop health fair that was outstanding.

Councilmember Adams: Yep.

Councilmember Robinson: It could be part of Human Relations, it's a function of the Human Relations Commission.

Commissioner Melcher: They actually take the minutes and that if I remember right, because I sat on that board. Don't they take the minutes and set the meetings up and everything?

Councilmember Robinson: I think it would probably be more effective if we did reduce the number of people.

Councilmember Adams: I just want it to be more effective. I mean, I've come down three or four times, I've showed up three or four times, don't have a quorum so we just sit around and, I mean.....and, I agree, that one project was excellent.

Commissioner Melcher: Well, in the beginning we had a couple bus trips up to Indianapolis for a couple different events.

Councilmember Robinson: But, it has no funding or anything.

Commissioner Melcher: Right, it doesn't have any funding.

Councilmember Robinson: Yeah.

Commissioner Melcher: It goes back to the administration.

Councilmember Robinson: It just has ideas but no money to implement anything. So, they usually have to wait on some kind of special grant or funding from something at the State that might be available.

Commissioner Melcher: And, right now, non-profits, I know last time, I know one time CAPE even donated some money and some other people, and all of them are getting cut. So, you're not going to see non-profits donate too much money here.

President Winnecke: So, I hear two things; one either reduce the size of the current board or eliminate it and fold it into Human Relations. So, what's the pleasure?

Councilmember Robinson: I think we start off by reducing the size.

President Winnecke: Okay. How large?

Councilmember Adams: Cut it in half?

President Watts: Seven?

Councilmember Robinson: Seven.

Commissioner Melcher: Seven.

President Watts: Three Mayor, four Council?

Councilmember Robinson: Uh-huh.

President Winnecke: Okay, seven members, and what did you say, Curt?

President Watts: Three Mayor, four Council.

President Winnecke: Three Mayor, four Council.

Councilmember Adams: Would you recommend review for the implementation of the merged government? That would give them a couple of years to see whether the cut down of numbers helped.

Councilmember Robinson: Just like Commissioner Melcher said, they depend on a lot of non-for-profit agencies to donate money so that they can do programs, and with the cut in funding from non-profit agencies, they don't have money to do anything.

Commissioner Melcher: When I was on it, a lot of us that were appointed, we donated money. So, it needs, for it to work it needs money behind it, and that's where the Human Relations could come in. So, I think going down to seven you could surely have a quorum, because we always had a hard time getting a quorum. I would think, Connie was right, we're better off starting it with that—

Councilmember Adams: See how responsive.

Commissioner Melcher: —and then as we get to that point, then it would be understood.

President Winnecke: Okay, so a motion to reduce the number to seven total appointments; three by the Mayor, four by the Council. Everybody in favor raise their hand. Anybody opposed?

(The straw vote was approved by County Council 9-0 and County Commissioners 3-0.)

President Winnecke: Okay.

Commissioner Melcher: I would like to add, this might be a good time for the City Council maybe to look at this and go ahead and do that, you know, for next year and

that so they could get started and see what it does, before we even vote on consolidation.

Councilmember Adams: That's a good suggestion.

Commissioner Melcher: Because, I think, why sit there with 15 the next two years when, just think about it.

Page Four: Boards/Organizations Discussed
Construction & Roofing License Review Board
Convention & Visitors Bureau

President Winnecke: Okay, next page, page four. Two on this that have, are under the purview of local ordinance. The first is the Construction and Roofing License Review Board.

Unidentified: (Inaudible. Microphone not on.)

President Winnecke: We'll get there. Any suggestions on this page, on that one or the CVB?

Commissioner Abell: What does it mean, the Mayor determines the number of members and who makes the appointments?

Councilmember Adams: It means the Mayor determines the number.

Commissioner Abell: I know what I read.

President Winnecke: Thank you, Doc.

Commissioner Abell: I want the legal people to tell me what that means.

Councilmember McGinn: It means the Mayor determines the number.

Commissioner Abell: Someone who's actually practicing law.

Councilmember McGinn: I just set them up.

John Hamilton: The State statutory language is that the executive shall determine the number of members, which must be an odd number, to be appointed to the commission. Then it does have some qualifications such as a simple majority of the members must be engaged in the convention and visitor tourism business and some other requirements such as that.

Commissioner Abell: Well, but then they recommended four Mayoral and three Council, but yet there's, so their recommendation does not fit State requirements?

John Hamilton: We're telling you it does not comply with the State statute, and statutory language, I mean, it would be spelled out more in detail than that, but we didn't repeat the entire statute, but that's the gist of it.

Commissioner Abell: I think, right now, CVB has a lot more members than that on the board.

John Hamilton: Well, I think the County Commissioners—

Commissioner Abell: County Commissioners have two, the County Council have two, does City Council have any?

Councilmember Robinson: No.

John Hamilton: No, but I think the County Executive—

Commissioner Abell: Then the Mayor has two.

John Hamilton: — is who determined whatever the make up is now, according to this statute.

Commissioner Melcher: The County executive?

President Winnecke: The current statute? You're just saying in a reorganized form of government, aren't you, John?

John Hamilton: Okay, is this strictly in Evansville? Okay, the executive of the municipality shall appoint a number of members of the....I want to clarify this, because the way I'm reading this, is there a tax levied under a section for the Evansville Convention and Visitors Bureau?

Commissioner Abell: Innkeepers Tax.

President Winnecke: They don't levy it. I mean, as, like we, like any of our bodies would, but they oversee a tax.

Commissioner Melcher: I would think since the County Council's is making appointments, I don't know why the Metro Council can't make appointments.

Commissioner Abell: I agree. This board is definitely a board that needs representation.

Commissioner Melcher: Maybe we can look into that and bring that up.

John Hamilton: Yeah, I mean, if you tell us what you want, we'll determine if you can do it. The statute I'm reading is not (Inaudible).

Councilmember Adams: How about seven people, four Council, three Mayor?

Commissioner Abell: I like that.

Councilmember Adams: I knew you would. Is this the place where we decide whether various boards report to the Metro Council with their decisions on how they spend all of this money?

President Winnecke: Well, the way it's organized now, the CVB's budget is presented annually to the County Council. So, I guess, the question for John and

Kathryn would be, in a reorganized form of government, would the CVB present its budget to the Metro Council?

Councilmember Adams: But, you're talking about budget, I'm talking about awarding various millions to various projects, which wouldn't necessarily be in the budget.

President Winnecke: Well, and the County Council has, they bring, those approvals come to the County Council now.

Councilmember Adams: And, if you...on a quarterly basis, or?

President Winnecke: As they happen.

Councilmember Adams: Oh, as they happen.

President Winnecke: As the projects occur. The CVB, the local board, the CVB decides, yes, they want to do it, and then they bring it to the County Council for approval.

Councilmember Adams: So, we should, or we do have to put it in for the Metro Council?

President Winnecke: That's what I just asked.

Councilmember Adams: I'm sorry.

President Winnecke: I don't know.

Councilmember Adams: I gotcha.

Commissioner Melcher: I would think it would. It would have to.

Councilmember McGinn: I mean, I would hope they were in, because we've all been through budget processes where when you're doing the budget for the upcoming year there's a lump sum, you know, "x" hundreds of thousands of dollars for—

Councilmember Adams: How about millions?

Councilmember McGinn: — projects, you know, and then we don't know what these little projects are. So, the way the CVB works now with County Council, when they come up they enumerate those projects, we know what dollars out of that lump sum we approved or spent. So, yeah, I think this is a great spot to put it in.

John Hamilton: I think the Reorganization Plan at 3.1.4 addresses this broadly where it says, "approval by the Common Council of acts of subordinate agencies." It says, "to the extent, even if State law authorizes a board or commission to levy taxes, establish fees, incur new indebtedness, the intent of this Plan to invoke the act to require approval by the Metro Council of any of those acts." It's, you know, I think you've discussed this 3.1.4. That's where it's covered.

President Winnecke: So, your interpretation is the process would remain the same as it is today?

John Hamilton: Yes, and it might even require more than it is, as long as, even if it doesn't say that specifically, if you've got one board where it's not set up that way and they are going to levy taxes, establish fees or incur new indebtedness, this says they have to come to the Metro Council.

President Winnecke: Alright.

Councilmember Adams: That works for me.

President Winnecke: Is everybody comfortable?

Councilmember McGinn: What was the first phrase you said before? Levy taxes, establish fees and, what was the first one?

John Hamilton: Levy taxes, establish fees or incur new indebtedness.

Councilmember McGinn: Okay, well, that's just new. I mean, that still doesn't fill in the gap of, you know, it's like the Redevelopment Commission, you know, the budget that we, it might say \$1.2 million for acquisition of property. We don't know what specific property, because they don't.

John Hamilton: It also is of budgets, you approve budgets.

Councilmember McGinn: Well, I think what the Metro Council wants and what we're talking about is we want, besides approving a budget, which is just kind of these generic lump sums, we want to be able to approve specific line items within that budget as they spend it. Do you know what I mean?

Councilman John: Dan, I don't mean to correct you, but I would like to kind of give it a little clarity.

Councilmember McGinn: Educate me, yeah please.

Councilman John: The majority of dollars, if not all of them, when they're presented to us at budget time, we have the CIP, our Capital Improvement Plan that delineates any capital projects that's coming out of contractual service accounts, plus we have the list of contractual service accounts in each department that matches up with the dollars we're appropriating. So, with few exceptions there may be some in there that's not dedicated to a particular project that we're made aware of, but most of them are either in the CIP or in the recap of the contractual services.

Councilmember McGinn: Again, but it's the ones that aren't in there, and there aren't, I agree, there aren't many, but those are the ones that I would like the Metro to at least get a chance to look at those and approve those.

Councilman John: Well, anytime there's a request for dollars, you can request that it be broken out to exactly what are we going to spend this for before you appropriate it.

Councilmember McGinn: Yeah, but there are some instances with, they don't know what it's going to be spent on. You know, you don't know what properties are going to come up. I'm talking about Redevelopment.

Councilman John: Okay.

Councilmember McGinn: Sometimes they just don't know, you know. I guess, I want the Metro Council to have a second look when they're delineated. But, I agree, most of it is itemized, but those that aren't, I don't want those to slip through the cracks.

Councilman John: I just didn't want anybody to get the wrong impression that we appropriate millions of dollars and have no idea what it's going to be spent on.

Councilmember McGinn: Oh, no, no, no. Well, I apologize if I gave that impression. No, I couldn't sleep at night if we did that.

Councilmember Adams: Well, let me bounce something off you. Let's say that they wanted to spend, who knows, \$17 million on new softball fields, or something weird like that. Would they have to come to the Council, the County Council for approval of that?

Commissioner Melcher: Yes.

Councilmember Adams: Okay, do we have, are we talking about the same thing now on the Metro Council having the same authority?

Commissioner Melcher: Yes.

John Hamilton: Yes.

Councilmember Adams: Great, that's what I'm looking for. Thank you.

Commissioner Melcher: Yes.

President Winnecke: The only question, I think that remains with the CVB is the make up or composition of the board.

Commissioner Melcher: And, like Adams said, four to three.

Commissioner Abell: I like four Council, three Mayor, if the Parks Department is going to have just the opposite, because if they wanted to do a \$17 million park, baseball field and the Parks Board wanted to do it, it would be CVB has different composition of appointees to the board.

Councilmember Adams: For balance.

Commissioner Abell: Yeah.

President Winnecke: I think the only question is do we have the legal authority to make the composition (Inaudible. Microphone not on.)?

John Hamilton: Right, and if you determine what your wishes are, we'll get that answer for you. If you can't do it, we'll let you know.

President Winnecke: So, is there a feeling that this would be a seven member body with four appointments by the Council and three by the Mayor? (Inaudible. Microphone not on.).

Commissioner Abell: (Inaudible. Microphone not on.).

President Winnecke: Let's take a (Inaudible) of that first. Is everybody clear? The vote is seven appointments, four by the Council and three by the Mayor. Everybody in favor raise their hand.

President Watts: (Inaudible. Microphone not on.) If it's something that we can't do.

President Winnecke: Okay, that's our question, John.

(The straw vote was approved by County Council 9-0 and County Commissioners 3-0.)

President Winnecke: Any other questions on that page?

**Page Five: Boards/Organizations Discussed
Economic Development Loan Committee
Evansville Bond Bank Board of Directors
Drainage Board
Evansville Brownfield Corporation Board of Directors
Evansville Historic Preservation**

President Winnecke: On the next page we have a number of, I guess, actually number 19, the first one under (Inaudible. Microphone not on), Economic Development Loan Committee.

Councilmember McGinn: Is this from the Bond Bank? Is that what we're talking about? Is that the source of this funding? Does anyone know?

John Hamilton: I remember the current Council adopted this ordinance, and it was to transfer some funds that were in the former Economic Development Loan Account into this Community Revitalization Fund Account. I can't remember whether there was a reason for the grants or the funding or that it was—

Councilmember McGinn: I don't remember either. I remember there was a lot of discussion on it though.

John Hamilton: Okay, and I do not know the source of the funds.

Councilmember Robinson: I'm not even sure if that committee is still in existence.

Commissioner Melcher: Well, if they transferred the money out, you don't need that committee.

Councilmember Robinson: Well, I think, yeah, and I think it's a plan to do something with the money, if there is money in there, you know, I was telling you about a loan, a micro loan program. I think what the EDA, the EDA loan program with, I guess, Greg Wathen and them.

John Hamilton: The ordinance shows it was adopted in 2009 and it did away with the, I think the Economic Development—

Councilmember McGinn: It was a rollover of funds—

John Hamilton: Yes.

Councilmember McGinn: —and then the funds were to only be loaned to businesses, repaid to that account and then re-loaned. It was sort of a revolving fund, but there wasn't a lot of money in it. \$92,000 for some reason—

John Hamilton: Correct, I think it had been sitting for a while unused—

Councilmember McGinn: Yeah.

John Hamilton: —and they wanted to use it.

Councilmember Robinson: You would probably want to check with the DMD Director, because I don't even think that money, there's anything in there, and that committee is even in existence any longer.

President Winnecke: John, can you check on that, the status of that?

John Hamilton: Just on the status of it?

President Winnecke: Yeah, thanks. Any other questions on this page?

Councilmember McGinn: Yeah, I do. On number 22, which is the Evansville Bond Bank Board of Directors. This is, the Evansville Bond Bank is a separate legal entity set up by Indiana statute. Does the Mayor have to do all five of those, John? Is this, again, what this means?

John Hamilton: That's what the statute says.

Councilmember McGinn: Okay.

Councilman John: Number 21 it says, five Mayor, four Commissioner appointments, under the Reorganization Plan. Do they mean Common Council? Because there will no longer be Commissioners if this—

Commissioner Melcher: I've got that circled myself.

John Hamilton: I'm not sure what they meant.

President Winnecke: It could be a typo.

Commissioner Melcher: I think what you're getting at where they said the attorneys are saying is it's all executive appointments, over here, according to the statute.

John Hamilton: You're on 21?

President Winnecke: Yes.

John Hamilton: In the actual Reorganization Plan the exhibit I'm reading does say five Mayor and four Council. So, maybe that is a typo. So, that's just a typo on our end.

President Winnecke: Curt went back to 21.

Commissioner Abell: Oh, I'm sorry.

Commissioner Melcher: 21, it says Commissioners, it should say Council.

President Winnecke: Any other questions on this page before we move forward?

Commissioner Melcher: I have one.

President Winnecke: Steve?

Commissioner Melcher: You know, the Drainage Board now is the three Commissioners, and then the Surveyor is part of it. Is the Surveyor still going to be part of it?

President Winnecke: I think the statute requires the Surveyor serves at the technical advisor to the Drainage Board.

John Hamilton: I think you're right about that.

Commissioner Melcher: Well, I'm just saying that's the best way for it to work. If you take the Surveyor completely out, and I would like to talk to Jeffers a little bit about that, because I think he might have his own ideas too.

Commissioner Abell: I have a little problem with the Drainage Board not having elected people on it, because the people who have a problem with their drainage issues come before the Drainage Board to try to work those issues out. I think they're entitled to stand before a body that they elect and not before a group of appointed people.

President Winnecke: John, could you look to see if those could be, those appointments could be members of the Metro Council?

Commissioner Melcher: We're having a rash of them this year.

Councilmember Robinson: I'm sorry?

Commissioner Melcher: We're having a lot of people this year that are having problems with drainage.

Commissioner Abell: A lot of people for the drainage....yeah, and, you know, you're hearing their issues with drainage with their neighbors and other problems that they have, and, I think, that requires an elected board to be responsive to them.

President Winnecke: I think that's a good point, because frequently the Drainage Board meetings last longer than the County Commission meetings.

Commissioner Abell: And it is, for the those of you who are in the city, it is not a fun board to serve on.

Commissioner Melcher: Just watch it next Tuesday night.

Councilmember Adams: For my own edification, how are the Evansville Brownfield Corporation Directors appointed?

Councilmember Robinson: Well, I'm appointed, I'm the City Council representative and I'm appointed by the Mayor.

Councilmember Adams: Okay. How many are there?

Councilmember Robinson: We have—

Councilmember Adams: Roughly.

Councilmember Bredhold: It's listed in the Plan.

Councilmember Robinson: It's what?

Councilmember Bredhold: It's listed in the Plan on page 24. Or actually, I guess that's their....yeah, it says no change, so page 24 it's listed under item number 23.

Councilmember Robinson: We have a representative from the Chamber of Commerce, one from private industry, myself, and the DMD Director.

Councilmember Adams: And you basically are buying up properties that are in trouble and trying to resell them and refurbish them?

Councilmember Robinson: Resell them and build right.

Councilmember Adams: Okay.

Commissioner Abell: John, are you going to check on that, if the Drainage Board can be elected people? You're going to check on that for us?

John Hamilton: Which one?

Commissioner Abell: The Drainage Board—

John Hamilton: Yes, I made a not on it, yes.

Commissioner Abell: I know we were skipping around, and I just wanted to make sure of that, okay.

John Hamilton: On the brownfields, to take note, it looks like one of the Mayoral appointments shall be a member of Council.

President Winnecke: Go ahead.

Councilmember McGinn: Just a question, talking about the Brownfields Corporation, are those meetings, I know it's a 501C3, are those meetings public, are they open door?

Councilmember Robinson: They're public.

Councilmember McGinn: Okay.

Councilmember Robinson: We have executive session usually 30 minutes before the meeting, but the meeting is open to the public.

Councilmember McGinn: Okay.

President Winnecke: Any other questions before we move on? Next page.

Councilmember Bredhold: I'm sorry. I take it that nobody has an issue with all of the appointments to the Historic Preservation being Mayoral? That's a city ordinance.

President Winnecke: Does anybody have any issues with that?

Kathryn Schymik: The current ordinance does say it's Mayor subject to approval of the City Council. (Inaudible. Microphone not on.).

John Hamilton: The Plan (Inaudible. Microphone not on.).

Kathryn Schymik: No.

<p>Page Six: Boards/Organizations Discussed Evansville Port Authority Evansville Housing Authority Board of Commissioners</p>
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President Winnecke: Okay, next page, by, we have the Evansville Port Authority, the Evansville or the Environmental Protection Agency Board and the Fire Department Merit Commission on this page.

Councilmember Adams: I'm not sure we need a Port Authority. I think it was created when we were playing with the concept of doing a slack-water ports and the Port Authority is allowed to issue bonds, but I think that particular, it's just not, obviously, not the economic climate for this, at this time. I think a lot of the, I've forgotten whether it's \$84,000 or whatever the thing is to maintain the dock and so forth could be taken over by the Parks Board, if they wish to.

President Winnecke: Hasn't the Port Authority Board been around a long time?

Councilmember Adams: No, well, I apologize. It was there, it disappeared, and then it was refurbished, when in 2007?

John Hamilton: It was inactive for (Inaudible).

President Winnecke: Okay.

Commissioner Melcher: The Port Authority don't have to be on the river though neither. That can be something else somewhere else. I can't see eliminating it yet, but maybe there's something we can do.

Councilmember Adams: It's sure limited in what it's doing now, Steve. It has been for a number of years.

Commissioner Melcher: I understand, but there's a lot of things in the works.

Commissioner Abell: Does our Port Authority, would they be working with Posey County? Posey County had a project.

Commissioner Melcher: I don't know that answer.

Councilmember Adams: Not that I'm aware of. Pretty much on the river, right here.

Commissioner Abell: Okay.

Councilmember Adams: They do maintain the dock and the LST and so forth, but I think it could be taken over by the Parks Department. Right now, if they want to get something paid, they have to go to the Parks Department to get it approved to have the bids put out.

Commissioner Abell: I don't know nothing about it. I plead ignorance.

Commissioner Melcher: I would think that we would want to leave that, and if this thing passes, then let the next one, let them decide on that.

President Winnecke: I don't know enough about it personally to—

Councilmember Adams: Well, I was on it for two or three years, and I know what the promise was, and that promise has not been fulfilled.

Councilmember Bredhold: I would think, not knowing anything about it either, I would think though as gas increases to become more expensive and scarce that we probably will be able to take more advantage of the transportation and the fact that we're here on this river. I don't know, I would think that might be a reason not to eliminate it.

Councilmember Adams: Well, we wanted to get \$100K to do a study for the Corps of Engineers to see the possibility for the slack-water port and couldn't get that money. A whole bunch of money was spent trying to get a big document on whether it would work, it might work, but, you know, we don't have, the funding is just not there now, either locally or regionally or federally. Somebody suggested that a slack-water port might go where the bridge across the Ohio for I-69 goes. It would be kind of a....but, again, that's just a pipe dream at this juncture.

President Winnecke: So, is there a consensus to leave it in or take it out?

Councilmember Adams: Sounds to me like there's a consensus to leave it in, which is fine. I just wanted to make people aware of—

President Winnecke: Okay, we can circle back then at another day. Any other questions on this page?

Commissioner Melcher: Yeah, I would like to talk about the Housing Authority.

President Winnecke: Okay.

Commissioner Melcher: This is one that I always have felt like the Council should have at least some appointments on. It shouldn't all be the Mayor, but I understand

this is State statute. So, there's probably nothing that we can do. I just wanted to get that on tape.

President Winnecke: They're checking it now.

John Hamilton: The statute is very clear, the executive shall appoint seven persons, and it determines who they shall be and certain qualifications.

President Winnecke: Thank you.

John Hamilton: I think it would take State action to change.

Commissioner Melcher: I've tried that. It doesn't work, but we'll continue to try though.

President Winnecke: Any other questions on this page?

**Page Seven: Boards/Organization Discussed
Growth Alliance for Greater Evansville (GAGE)
Haynie's Corner Advisory Board
Human Relations Commission**

President Winnecke: Okay, moving on, just two on this page that have local authority; the Haynie's Corner Advisory Board and the Human Relations Commission.

Commissioner Abell: Except I have a question about the Growth Alliance for Greater Evansville. It says per their article of incorporation, but their articles of incorporation must say that we have County Commissioner on it, because I'm on it. So, that goes all to the Mayor, is that the way that—

President Winnecke: No, I read that as being that the composition of that board would remain as the articles of incorporation, which requires a member of the City Council, the Mayor, a member of the County Council and a member of the County Commission.

Commissioner Abell: But, none of those groups are going to be here if we have reorganized government.

President Winnecke: Right, I'm just saying what it is now.

Commissioner Melcher: So, it would be two and two?

President Winnecke: So, it would be, you know—

President Watts: So, would they have to re-do their articles of organization?

President Winnecke: Right.

Commissioner Abell: So, it's going to be up to them then to amend their by-laws. So, we have no say whatsoever as to whether it's going to be here or not?

President Winnecke: Well, I mean, as the two, as funding bodies–

Commissioner Melcher: As a funding body we have a say.

President Winnecke: – of the organization, I think we would have some leverage.

Commissioner Abell: That's the kicker is that it's an expensive route to keep going.

President Winnecke: So, to that extent I think we would want a, you know, we could say, we could....what, Dan?

Commissioner Melcher: We could recommend two and two like it is now.

President Winnecke: Right.

Commissioner Melcher: I mean, the Mayor would bet two and the Council would get two.

President Winnecke: I think they wo7ld be amenable to incorporating it.

Commissioner Melcher: Like if they would want the money they would want that.

Councilmember McGinn: My question was, you said Council appoints, that's County Council now appoints a member, not city, is that correct?

President Winnecke: I think there's a City Council has an appointment too.

Commissioner Melcher: The City Council appoints one.

President Winnecke: I believe.

Commissioner Melcher: The city appoints one and the County Council appoints one, the Mayor and the Commissioners. So, that's two to two.

Commissioner Abell: I don't think they do.

Councilmember Robinson: We don't have an appointment. I'm not aware of–

Commissioner Abell: I think it's all county.

Commissioner Melcher: Well, I thought it was the city also.

President Winnecke: Well, we can recommend two Council–

President Watts: Well, that won't be in the Plan, right? This is going to be a recommendation that we are going to pass on to GAGE–

President Winnecke: Right.

President Watts: –that if this happens, this is what we would like to see you amend your by-laws to.

John Hamilton: Right, (Inaudible) back it up by the funding.

President Watts: Certainly.

President Winnecke: Yeah, I can't imagine there would be a problem with anything that we would recommend. So, what are we recommending.

Commissioner Abell: I just had a question.

President Winnecke: No, I think it's a good question. We should pass it along to the Growth Alliance, if this changes. So, two Council....okay.

Commissioner Melcher: And, this is another one that I would recommend them getting someone from the City Council on.

Commissioner Abell: (Inaudible. Microphone not on.)

Commissioner Melcher: Sooner than that.

President Winnecke: Haynie's Corner Advisory Board, or Human Relations Commission?

Councilmember Bredhold: Are there any members of the City Council who sit on that Haynie's Corner Advisory Board? Does anybody...the last that I'd heard it doesn't meet, or hasn't met in quite some time. I don't know if it's meant to advise on the Arts District specifically. I assume so, that's the name of the Arts District, but, I don't know, maybe it's something at least DMD should revisit.

President Winnecke: No answers for you there.

Kathryn Schymik: My husband actually is appointed to that board and I don't know that they've ever met or perhaps had one meeting that he was notified of. (Inaudible. Microphone not on.).

Councilmember Adams: Is that because of your husband?

Kathryn Schymik: Maybe so.

Councilmember Bredhold: I think that board was created about two years ago.

Kathryn Schymik: It was.

Councilmember Bredhold: Yeah.

Commissioner Abell: Would that be a good fit under the Parks Board?

Councilmember Bredhold: I'm sure it came out of DMD.

President Winnecke: Is there a feeling, is there a consensus to eliminate that?

Councilmember Bredhold: I mean—

President Watts: I would (Inaudible. Microphone not on.).

Councilmember Bredhold: —yeah, without checking in with DMD about it.

President Winnecke: John, would you mind checking maybe with DMD to see what its status is?

Councilmember Bredhold: I don't think it's costing, it's not costing anyone any money.

Councilmember Adams: Right, but there might be people that could serve on other boards that are meeting.

President Winnecke: Right.

Councilmember Adams: There are a lot of boards here, a lot of people are needed.

President Winnecke: Any other issues on this page? Hearing none. Moving on.

President Winnecke: For those of you keeping score, we're on number 36 of 59.

Commissioner Abell: You have a question?

John Hamilton: Yes.

Commissioner Abell: We're in trouble.

John Hamilton: When you don't address one and the ordinance has "x" number of members and the Reorganization Plan has a different number of members, does that mean you want to stay with the Reorganization Plan as it is?

President Winnecke: Oh, I see, we missed Human Relations Commission, didn't we?

John Hamilton: For example, that's an example. There's 11, there's 13 now. The Reorganization Plan says 11, and you can go either one. I'm just asking if you take no action what are you wishing. I would say if we take no action we want it to be as it is outlined in the Reorganization Plan.

John Hamilton: Okay.

Commissioner Melcher: I agree.

President Winnecke: But, thanks for asking. Okay, now turning the page.

<p>Page Eight: Boards/Organizations Discussed Information Technology Advisory Council (ITAC)</p>
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Commissioner Abell: Is number 37 computer services meetings that met today at 3:30?

President Winnecke: ITAC.

Commissioner Abell: ITAC?

President Winnecke: That is one that, I think, could probably be reduced.

Commissioner Abell: Uh-huh.

President Winnecke: Once we know the final form. It was created, it has 26 members, largely to make sure that each county and city department were fairly represented in issues of technology. This board does not spend money, but certainly approves projects that go to each Council that approves budgetary expenses.

Commissioner Abell: I have sat on that board since 1992, with just a few exception of years, and there is, that's a board that I really feel if you don't know a lot about computers you shouldn't be on, because they talk about stuff that people vote on that have no idea what they're talking about. They could be talking about putting five wheels on a car and you wouldn't know because they're talking about servers and back room stuff. I have a problem with a board that just somebody's stuck on there because they're a department head or an elected person, if they don't know anything about that issue, you know, I think we need to really specify that they, they have to have some understanding of what's going on there.

Councilmember Friend: Marsha, I've talked to Randy Brown about this. You're absolutely right, when you look down currently, you have people that don't know anything about IT whatsoever. It would be nice if we would have other people in the community on those boards, like Randy, a very talented young man.

Commissioner Abell: When that board originally was set up, I think his name was Rust, he was at EVSC—

Councilmember Friend: Yes.

Commissioner Abell: —and he was President of that board at one time, and the Police Chief was Art Gann who was President of that board at one time, both of whom were very, knew a lot about what was going on and understood all of it. Of course, the enterprise has grown so much since '92 that, you know, it's hard to keep up with where it's going. But, I don't think we can have controlled growth of that if we don't know what we're voting on, and there are people on that board that just vote with the guy next to them because they don't have any idea what they're voting on.

Councilmember Friend: I totally agree with you.

Councilmember Adams: So, what would you suggest? (Inaudible. Microphone not on.).

Commissioner Abell: I would really like to see some people from computer technology people in the community on that board.

Councilmember Friend: I agree with her.

Councilmember Adams: So, you would suggest people that are being asked to serve on that board have to have that required, just like the CPA we talked about earlier?

Councilmember Friend: Oh, I definitely agree.

Commissioner Abell: You should have to have some knowledge, because you could be voting on the wrong thing and not know it.

Councilmember Adams: John, can we do that? Can we keep the, do you want to divide the board in half and ask the people who apply have to have a means test that they have to have a background in IT?

Councilmember Friend: Absolutely. I think so.

Councilmember Adams: I mean, 26 members.

Councilmember Friend: We spend, that's a four and a half million dollar a year budget. A lot of money goes through there.

John Hamilton: This is an ordinance. So, it can be changed, but the majority of the members are like County officeholders, or heads of departments. So, you have to decide if you want to keep any of them, or if you want to make these all Metro Council appointments, which, obviously, if the Metro Council is appointing them, they can determine qualifications and backgrounds. So, there's a number of ways—

President Watts: Make them Council appointments. It would make more sense—

Commissioner Abell: I think that's a good idea.

President Watts: —for the, I mean, for the department heads, if they have a need to come to this board that's appointed by the Metro Council that can explain yes, that's what you need.

Commissioner Abell: I think that would be a great idea. Have the Metro Council appoint every member.

President Watts: I don't think you need 26.

Commissioner Abell: I don't think you do either. And, you know, I know there's some people who are going to have hurt feelings if this happens, but that's what we're supposed to be doing is—

Councilmember Adams: Simplifying.

Commissioner Abell: —being leaders here and doing this.

Councilmember Friend: They should have some certifications on that. I know they've got certifications on those, in that field.

President Watts: Well, you can do that via the Metro Council, correct? I mean, because you're going to be appointing them. You can—

Commissioner Abell: I think the Metro Council could appoint all of them and you should set your own qualifications for who you appoint.

President Watts: Seven, nine, 11, what?

Commissioner Melcher: How about nine.

Commissioner Abell: Whatever works.

Councilmember Friend: I think nine would be—

Commissioner Melcher: Yep.

Councilmember Friend: You've been on these types of advisory boards, do you have any recommendations?

Councilmember Adams: I would divide it in half. I said 13, but, you know, nine is probably more manageable. I agree.

Councilmember Friend: Yeah.

Councilmember Adams: You would have a quorum with five.

Councilmember Friend: Yes.

Councilmember Adams: But, I do think they need to be qualified. I think that has to be sort of in the verbiage.

Councilmember Friend: I would think they would all have to have some type of certification.

Councilmember Bredhold: Are there any department heads here who might explain why, if and why it's important for them to have a representative from their office on this board? I mean, is this a place where people talk about what they want for their area of the website? Or, what kind of technology they want to use in their offices?

Councilmember Friend: Well, I think what happens, Wendy, they, a lot of them they get together to discuss that, I can't seem to talk to say the Assessor's office. My computer can't communicate with them. Or I can't download something. It's about some function, because if I walk down the hallways I've talked to different people about how their computer service has been operating. That's what I get. I can't seem to talk to another location, to the Treasurer's office over to the Assessor's office. It's by way of the computer that is. Communicating with data.

Councilmember Bredhold: I mean, do you think these meetings serve as an opportunity for information technology to kind of check in with all of these departments?

Councilmember Friend: Yes.

Councilmember Bredhold: Maybe I'm being too cautious, but I hate to just wipe it away without really fully understanding why all of these department heads are represented, rather than just saying, boy, that looks like a lot of people.

President Watts: Well, I think department heads would still be welcome to attend, they just wouldn't be a—

President Winnecke: A voting member.

President Watts: - voting member.

Councilmember Friend: You should be allowed to come to the meetings and give their input.

President Winnecke: The other thing the ITAC does is oversee major implementations of new technology in the building. The financial software package that the city and county recently installed.

Commissioner Melcher: I think nine is a good number.

Commissioner Abell: It was a turf war, if you really want to know.

President Winnecke: That's how it started out. I think you're right.

President Watts: So, did we say nine?

President Winnecke: So, what's the feeling, nine?

Commissioner Abell: And Metro Council appoints them all.

Commissioner Melcher: With qualifications.

President Winnecke: Do we want the Mayor to have a appointment?

Commissioner Melcher: Uh-uh.

Commissioner Abell: Did Steve say uh-uh?

Commissioner Melcher: We already say Council. So, that's no. The Mayor doesn't have any say.

President Winnecke: Just asking. Nine appointments, by Council, with—

Councilmember Adams: IT qualifications.

President Winnecke: —IT qualifications.

John Hamilton: As determined by the Council?

Commissioner Melcher: Yes.

President Winnecke: Do we want to preclude people who sell computer equipment to the enterprise?

President Watts: Well, I don't know if you would have to preclude them, but I would say that if you are on this board, you're not allowed to bid work with the city.

Councilmember Friend: Oh, that's absolutely. You couldn't, otherwise you would have conflicts.

President Watts: I wouldn't mind somebody wanting to serve that might say I've got more work than I can handle. I think there may be a lot of people that may not want to do business with us, but, I think that if you're on the board you would not have the option of doing business with us.

Commissioner Abell: Yeah, I agree. Good point.

President Winnecke: So, can you include that in there, John? Clear as mud?

President Watts: Did we say all nine appointments are Council? There's none—

President Winnecke: We did. Any other questions on appointments on this page?

President Watts: I'm a little—

Councilman John: Are we going to vote?

President Winnecke: I'm sorry.

President Watts: – confused.

Councilman John: I mean, the Mayor is the Chief Executive of the city having no input (Inaudible. Microphone not on.) very, very important board.

President Watts: I would agree with that. I mean, I don't mind if it's five, four, but I agree that there should be some.

Commissioner Melcher: Then make it eight to one.

Commissioner Abell: How about eight to one?

Commissioner Melcher: Eight to one.

Commissioner Abell: I don't have any problem with that. Is that a motion then, eight to one?

President Winnecke: What's your number, Curt?

Councilman John: Well, I mean, almost every other board it's either four to three, or five to four, and sometimes it's the Council that has the majority of the appointments and sometimes it's the Mayoral. It doesn't matter to me which one, but I think it ought to be a little more even between the Council and the Administration.

President Watts: I would agree with that.

Commissioner Melcher: Okay, five to four with the Council getting the five.

President Watts: Five Council, four Mayor?

President Winnecke: Four Council, five Mayor?

President Watts: Five Council, four Mayor.

President Winnecke: That's what I, what did I say? Five Council, four Mayor. I was writing that actually. Okay, is everybody clear? Nine appointments, five by the Council, four by the Mayor, with qualifications and no vendors. A show of hands on that. Okay, good.

(The straw vote was approved by County Council 9-0 and County Commissioners 3-0.)

President Winnecke: Anything else on that page?

Page Nine: Boards/Organizations Discussed

President Winnecke: The next page we only have one, the License and Disciplinary Board.

Councilmember Adams: I guess, on number 40 though, I couldn't understand why now we have seven and the Reorganization Plan wanted to go down to two. Or did I read that wrong? They wanted to get rid of the EVSC. It just didn't make sense to me. I thought it was good the way it was.

Councilman John: It looks like our counsel has said that according to Indiana statute that it's a seven member board, three Mayor, one Council and three EVSC.

Councilmember Adams: Right, right.

Councilman John: So, I mean, I would make a motion we comply with the statute if we're going to have one.

Commissioner Melcher: I'll second that.

John Hamilton: I thought you had earlier said that on the (Inaudible. Microphone not on.).

President Watts: If it's State statute.

Councilmember Adams: I'm talking about 40. I just couldn't understand why they did it.

President Winnecke: Okay, anything on the License and Disciplinary Board on this page? Okay, hearing none. Moving on.

Page Ten: Boards/Organizations Discussed
Mesker Park Zoo Advisory Board
Minority Business/Women Business Enterprise Utilization Board
(MBE/WBE)

President Winnecke: Mesker Park Advisory Board?

Councilmember McGinn: The way, you know, the way this works in practice, the Parks Board can overrule them, though in practice they don't. So, I mean, there is a check and a balance already built into this situation.

President Winnecke: Dan, is that an active board?

Councilmember McGinn: It's a very active board. In fact, all of the day-to-day activities are brought there to give some autonomy to the zoo and recognize it as a separate entity from Parks. So, it's a very, very active board. In fact, the make up in the ordinance, some of the people they are required to be members of the

support group also in order to make sure everybody is on the same page. So, it's a very well thought out and very active group. I'm a strong proponent of it.

President Winnecke: Anything else on this page?

Councilmember Adams: I guess, I'm trying to figure out why they have representation of EVSC on the Minority Business/Women Business Enterprise?

Councilmember Robinson: I was also wondering that?

Councilmember McGinn: Would that have anything to do with this common–

President Watts: Is that an ordinance or State statute, John?

Councilmember Robinson: It ordinance, I guess.

President Winnecke: It says ordinance.

Councilmember McGinn: Is that a part of this common, this cooperative buying plan? All three of these groups are together. That would make sense.

Councilman John: The joint purchasing now that's run through the EVSC.

Councilmember Robinson: Oh, okay, but that's not part of it.

Councilman John: I'm just saying maybe that's why it's on there.

Councilmember Robinson: Oh.

President Watts: I think maybe they're there so they understand the requirements. I want to say that they mirror our requirements, but don't quote me on that.

President Winnecke: John, can you tell us how old that ordinance is?

John Hamilton: The most recent amendment was 2009. I think it might date back to (Inaudible. Microphone not on.).

Councilmember Robinson: I think it dates back to Mayor Lloyd.

John Hamilton: The only one that's showing (Inaudible. Microphone not on.) 2009 (Inaudible. Microphone not on.).

President Winnecke: Okay.

Councilmember McGinn: Could we just–

Councilmember Robinson: I think it was under Mayor Lloyd's administration (Inaudible. Microphone not on.). Then we amended it in 2009.

Councilmember McGinn: Yeah, could we just check to see if EVSC does mirror our MWBE requirements? If so, then it makes sense. Could we just check on that? If they have the same type of requirements for notifications and opportunity to bid.

President Winnecke: Can you do that?

John Hamilton: Check to see if the EVSC has the same?

Councilmember McGinn: Yeah, if they have a policy that mirrors our MBWB requirements for notification and opportunity to bid. Then it would make sense if they do the same thing, to keep them on the board.

President Winnecke: Okay, anything else on this page? Hearing none. Moving on to the next page.

Page Eleven: Boards/Organizations Discussed
Public Safety Board
Public Defender Board

Councilmember Adams: From our previous discussion, the Public Safety Board would not be compensated?

President Winnecke: Correct.

Councilmember Bredhold: Is that part of the statute that they're compensated?

John Hamilton: That's why we'll have to look at it.

Councilmember Bredhold: Okay, because I noticed earlier--

John Hamilton: (Inaudible. Microphone not on.)

Councilmember Bredhold: Yeah. Earlier there was a stipend of twenty five bucks per meeting for another board that's a State statute. I was kind of wondering the same thing there. Yeah, the Housing Authority Board.

John Hamilton: Our understanding is your direction is to eliminate compensation.
President Winnecke: Correct.

John Hamilton: I'm not sure if (Inaudible. Microphone not on.).

President Winnecke: Correct, yeah, and if you can note, if there is a statute that prevents that, if you could let us know that.

John Hamilton: Yes.

Councilmember Adams: (Inaudible. Microphone not on.).

President Winnecke: Right. Okay, any other comments here on this page? Hearing none, we'll move to number 52, which starts with the Board of Works, State statute.

Commissioner Abell: Could I back up? I do have one question.

President Winnecke: Sure.

Commissioner Abell: I know it's by county ordinance that we set up the Public

Defender Board, but we get compensated by the State. Is some of the way that we had to set that up, was that governed by the State? Because we do, the Public Defender does get reimbursed by the State for some of the expenses of their offices. I ask that, because I think I would be a little more comfortable, although I'm just one person up here, but if we would change that appointment by the judges to appointment by the Bar Association, or at least the criminal division of the local Bar.

President Winnecke: In lieu of the judges? Or to split it?

Commissioner Abell: Yes, in lieu of the judges. The judges hear the cases from the Public Defender they help appoint? I just have a problem with that. I would feel a lot better if it was a little further removed.

Kathryn Schymik: We'll double check. I mean, it's showing that's just established by county ordinance.

Commissioner Abell: Okay.

Kathryn Schymik: So, if it is then you can change the make up (Inaudible. Microphone not on.) by local ordinance, but we'll confirm that there's no State statute that (Inaudible. Microphone not on.).

Commissioner Abell: Okay.

John Hamilton: Then you have to direct what changes you are asking and if there's a majority—

Commissioner Abell: Right.

John Hamilton: —(Inaudible. Microphone not on.).

Councilman John: Now, this is their board. This isn't, these aren't the Public Defenders, this is just the board that oversees them. So, they don't practice, necessarily, criminal law in front of a judge through this board.

Commissioner Abell: But, don't they hire the Public Defender? Doesn't that board select the Public Defender?

Kathryn Schymik: The ordinance says the County Public Defender Board is established for the purpose of providing legal representation to indigent defendants.

Commissioner Abell: I do believe that that board hires the Public Defender. I think he's—

President Winnecke: I didn't think that. I thought the Chief Public Defender did. I thought that was an administrative function.

Commissioner Abell: Well, who hires the Chief Public Defender?

President Winnecke: The County Commissioners do, I believe.

Commissioner Abell: I think he's hired by the board. Mr. Melcher, you serve on that board.

Commissioner Melcher: Yeah, I sit on the board, but I don't know that answer. He, the one that is there was there when I got on the board. So, I don't know who, he's been in there a long time.

Commissioner Abell: He's been there a long time. I would be interested in knowing if that board...if that board actually hires the Public Defender, and there's two judges that hire the Public Defender that may practice in front of them, I think that's a conflict of interest and we should make that change right now.

President Winnecke: So, they're going to research it before we.....yeah. Okay, moving on, anything, next page.

Page Twelve: Boards/Organizations Discussed

President Winnecke: There are no local, next page–

**Page Thirteen: Boards/Organizations Discussed
Water and Sewer Utility Commission**

President Winnecke: – beginning with Tree Advisory Board.

Councilmember Adams: The Board of Public Works also (Inaudible. Microphone not on.).

President Winnecke: Right.

Commissioner Abell: Water and Sewer?

President Winnecke: Water and Sewer, bring it up.

Commissioner Abell: I just think that the Water and Sewer is just, they have so much involvement in the lives of every individual in Vanderburgh County. I would like to see it flipped. I would like to see it two Mayor, three Council.

Councilmember McGinn: I agree with that. This board, by separate statute, they're allowed to spend money without approval by this Council because it's a revenue stream, is that correct?

Councilman John: No, I mean, we still have to approve their budget and any additional requests we have to approve. Now, in some of those you'll see large amounts that aren't specified–

Councilmember McGinn: Yeah.

Councilman John: – for maintenance and other deals. But, no, any money that's spent there, at some point in time has to go through this Council.

Councilmember McGinn: Okay, well, but, again–

Councilman John: The revenue is generated through user fees.

Councilmember McGinn: Right, yeah.

Councilman John: But, it shows in your revenue reports what they expect to get

in, and it establishes their budget because of that and we establish the rates to meet the needs.

Councilmember McGinn: Okay.

Councilman John: So, yeah, we do approve all expenditures.

Councilmember McGinn: But, it's still one you're talking about, you mentioned the phrase that I used earlier that there are large amounts, whatever it was, that are really not specified the exact expenditures.

Councilman John: \$112, or \$120 million this last year and a half or so for the Southeast side drainage project. Yeah, I mean, you know, but we had to approve the bonding and we have to approve the budget.

Councilmember McGinn: But, we didn't have a choice, any say so in who the engineering firm was, who the design firm was, and, of course, I know it goes to regular bidding, but—

Councilman John: No, I mean, that's an executive decision. That's not a legislative decision.

Councilmember McGinn: The expense—

Councilman John: I think too much attention is being paid to give the Council, the legislative body, executive powers. I think we're getting away from Government 101, you're going to have an executive branch that does the hiring—

Councilmember McGinn: Yeah.

Councilman John: — does the projects, determines what, and then subject to the approval of the Council for funding—

Councilmember McGinn: Yeah.

Councilman John: — and that's where the Council, in addition to passing the laws and doing the zonings, that's where our responsibilities lie.

Councilmember McGinn: Right. I agree with you, that's a difficult line. I want to stay out of that line. I recognize they have executive functions, but, you know, the expenditures within the general budget. I mean, I would like this Council to have a little more knowledge and a little more say so on that. I don't want to talk about any specifics, but, you know, there are times I'm really concerned, kind of like how did that happen?

Councilman John: I would like to see eight engineering firms submit a proposal to the Council and let us select who it's going to be, because I don't think anyone would get more than three votes.

Councilmember McGinn: Yeah.

Councilman John: You know, so no decision would ever be made. You have to somewhat trust the Mayor.

President Watts: This Mayor is going to be elected by the people just like we are. I mean—

Councilmember McGinn: Board wise though, we're talking about we can't...or we can then have some input with the board?

Councilmember Friend: I think, Dan, what you might be talking about....if I may. Sometimes some of the expenditures in the utility went out without any type of quotes. That's the way it is for services. They don't have to do quotes.

Councilmember McGinn: I understand that.

Councilmember Friend: You'll find that out. It's usually an RFQ that goes out, correct? That's what happens.

President Watts: Professional services.

Councilmember Friend: Professional services. So, you see a large amount of money, a lot of these projects, the engineering firms will get almost ten percent of the overall project. It's pretty good size. You don't see a bidding process per se. Just more of an RFQ process.

Councilmember McGinn: Yeah, well, I mean, if we have some, where we can because it's city ordinance, we can do a three and two or two and three in this particular instance.

Councilmember Adams: I tell you what, I'm not really worried too much about the Mayor's power. We've got 59 boards and committees here, the lion's share is going to the Mayor. I just think, you know, every once in a while it would be nice to flip it. It would be nice to give, what we just did for example—

Councilman John: And we have.

Councilmember Adams: — on the previous page. I don't see any slipping to the end of orchiectomizing the Mayor or anything like that. From my point of view, I think the three Council, two Mayor is just an attempt for balance.

Councilmember McGinn: Yeah, this is one that, I mean, I would like Council to have more power, this board, than a lot of the other ones. I mean, this is a big money board.

Councilmember Bredhold: I'm not sure why it gives us an either or in this table, under the Reorganization Plan it says either five Mayor or three Mayor, two Council, because the Reorganization Plan just says five Mayor actually. At least the copy I have. Not that we shouldn't or can't change it. I'm just curious as to why suddenly there is an option appearing there under the Plan as it stands.

John Hamilton: I do want to make one comment. Even though this is by ordinance, I've just reviewed the ordinance and the first section says it's established pursuant to a State statute. It identifies the statute. So, whatever you do in terms of giving us direction, you may be required to follow the statute. In other words, the ordinance says the Water and Sewer Board is established pursuant to Indiana Code and it gives the statute. We do not have that statute with us. That statute may dictate how the appointments are made. So, I mean, you can give us any direction or changes, but it's subject to what you're allowed

to do.

Councilmember Adams: If we can't change it, then there's no reason why we shouldn't do three Council and two Mayor. (Inaudible. Microphone not on.).

John Hamilton: Well, I apologize. It didn't show up on the chart and it does show up there.

Councilmember Adams: You don't have to apologize. I'm just saying, you know, if you're going to come back and say we can't do it, it's going to be all Mayor, then why not allow the Council to attempt in the interim to have more representation. I think we're splitting hairs here. I think in terms of comfort, I'm not worried about the Mayor being too weak, I promise you. I think, I would like balance is what I'm looking for.

President Winnecke: Okay, let's, is there a consensus on the Water and Sewer Utility Commission—

Kathryn Schymik: I've got the statute.

President Winnecke: Oh, I'm sorry.

Kathryn Schymik: The State statute—

President Winnecke: Could you come to the...Kathryn, go to the microphone.

Kathryn Schymik: Sorry. Thank God for iPhones, right? The State statute that enables this says that the board shall consist of either three or five directors as determined by ordinance who shall be appointed by the municipal executive. In the case there are three directors, not more than two may be of the same political party, and then it goes through some of the qualifications. But, so, it's giving us the authority by ordinance.

President Winnecke: It gives us local rule to decide what direction to go?

Kathryn Schymik: Of three or five.

President Watts: Just the number, not who appoints them.

Kathryn Schymik: Just the number, who shall be appointed by the municipal executive.

Councilmember Adams: So, it's all Mayor. Okay, great.

Commissioner Melcher: And, that's what you guys recommended anyway, five Mayor.

John Hamilton: (Inaudible. Microphone not on.).

President Winnecke: Last one, EMS Oversight Committee. Any suggested changes here? Okay, this was a good discussion and I'm glad we held this for one evening unto itself.

Overview of Proposed Changes/Direction to Counsel

I believe, and correct me if I'm wrong, I believe we've gone through the entire document and made—

Councilmember Adams: Straw votes.

President Winnecke: —straw votes and given legal counsel direction on how to modify the proposed Reorganization Plan. We've asked the County Surveyor to propose maps based on the districts that we voted on in the straw poll. This is the last scheduled workshop. Our next scheduled meeting is actually—

President Watts: We have the Chief too, correct? Who's bringing the police jurisdictions.

President Winnecke: Right, we still have to interject the law enforcement language, which we'll get—

Councilmember McGinn: I apologize for not being here for that meeting.

President Winnecke: Oh, term limits.

President Watts: We (Inaudible) to take a vote because we were three to three, I think.

Councilmember McGinn: I was out of the country at that time.

President Winnecke: Do we have everyone here?

President Watts: Yeah.

Councilman John: I thought you were here on the term limits.

Councilmember McGinn: I thought you were talking about law enforcement.

Councilman John: No.

Councilmember McGinn: Oh, I was here on term limits, yeah.

Councilmember Adams: We also need to get the property tax projections.

President Winnecke: Oh, thank you.

Councilmember Adams: And, we also need to talk about, we don't have to, but we can talk about the information that I sent you all about the equalization of the sewer thing.

President Watts: Do you want to do term limits first?

Councilmember Friend: I also sent back, because if we don't do the rate deals, you know I sent to Jim asking what would be the underwriting ramifications by not doing that. You know, if you noticed that we were at 149 percent to revenue, but when you went over to the equalization we went down to 123, then when you put the post pilot in there, it goes down to 107. So, without a rate increase, I'm telling you, you're going to have underwriting issues on new bonding.

Article Two: Section 2.4: Term Limits

President Winnecke: Okay, article, 2.4 addresses term limits. Thanks for reminding me, we did not reach a consensus on that.

President Watts: I made the motion that there be no term limits, and I would make that same motion.

Councilmember Friend: I would second that.

Commissioner Abell: Are you talking Mayor and Council? Or do we want to do them separate.

President Watts: Mayor and Council, no term limits.

President Winnecke: I think we voted on the Council.

President Watts: We said no term limits on Council.

President Winnecke: No term limits on Council. We have voted on that.

President Watts: So, for the Mayor's office, I would say that there not be term limits.

Councilmember Bredhold: I agree, once again, I feel we, you know, the voters make the term limits. So, I don't think there should be any term limits set by Council.

Councilmember Adams: I confess, I've gone full circle and I compliment Mr. Lloyd's logic. Circuitous as it was, it convinced me. I think we don't need term limits.

President Watts: All of those in favor of no term limits, aye.

All County Councilman: Aye.

President Watts: All opposed?

(The County Council approved the straw vote motion 9-0.)

Commissioner Melcher: Now the Commissioners need to revote, don't they? We voted for term limits.

President Winnecke: Yeah, we need to vote. Okay.

Commissioner Melcher: We've got to vote the same way.

President Winnecke: Okay, if you're in favor of no term limits.

Commissioner Melcher: I'll make that motion.

President Winnecke: Okay. Second. Okay. This is for no term limits raise your hand. Okay, two to one. So, we have that.

(The County Commissioners approved the straw vote 2 to 1. Commissioner Abell opposed.)

President Winnecke: So, no term limits.

Update on Financial Analysis Presentation

President Winnecke: Okay, so this is how I see this, and, Dr. Adams, I did speak with the County Auditor. He is willing to come and make a public presentation to this joint body once he has a modified plan. He will take that modified plan and compare it to the financial data he's been provided and give us his guesstimate.

Councilmember Adams: Just out of curiosity, with all of the things that are sort of hanging out there, reports and so forth like that, would it not be willing to us to have yet another meeting in two weeks, or a week, so that if we get all of this information together before we have the final, June 30th? Because we don't have to close this on June 30th.

President Winnecke: Well, here's what I think we probably ought to do, because it's going to take the counsel a while, as John's grimacing—

John Hamilton: I'm going to have my entire firm work on it.

Commissioner Abell: Bill the city.

President Winnecke: But, my thought is, it will, we have nothing scheduled until the 30th, so we reconvene the public hearing then, but, in fact, we will, hopefully, accept the—

Councilmember Adams: All the reports.

President Winnecke: —all of the loose stuff, with the idea that we're probably going to have to suspend or continue the public hearing yet again. So, I don't see any action being taken that night other than this organization receiving data and knowing there may be more data that we still may need. Does that make sense? At this point, anyone from....oh, Steve?

Discussion of Organizational Flow Charts

Commissioner Melcher: I've got one more thing. We talked about last time flow charts, and we got a flow chart of 31 pages, but even my tri-focals can't read some of it. So, I would like to get a blown up one of page seven. If somebody could get it bigger. I even did it in black and white, it was in color, and I still can't read it all. So, if we could get page seven. Madelyn, if you could—

Madelyn Grayson: I did not receive that flow chart.

Commissioner Melcher: You didn't get a copy?

President Winnecke: Madelyn, or Kristin and Marissa provided those.

Commissioner Melcher: Okay.

President Winnecke: So, maybe they could do that.

Commissioner Melcher: We'll get them to get us a blown up copy. We need to discuss that too a little further.

President Winnecke: Okay.

Councilmember Adams: Was one of those an org chart of the city? Because I couldn't find one of the city.

President Winnecke: Yes, many of them were.

Councilmember Adams: Yeah.

President Winnecke: But, they were by department.

Councilmember Adams: Yeah, rather than the overall.

Commissioner Melcher: Then one of them had, when we were talking about Transportation, I was trying to find the City Engineer. I haven't found it yet, unless it's on this one. So, hopefully, it's on that one. I've got tri-focals and I can't read it all.

Public Comment

President Winnecke: Anyone from the public that would like to come and address? Just state your name and your address please.

Charles Luecke: My name is Charles Luecke, and I live at 2801 Marcel Court. I addressed the committee, the volunteer committee before about the Levy Authority. I don't know what the situation is for State statute with the Levy Authority, but I'm concerned that everyone in the county pays taxes to the Levy Authority, but it seems to me only people in the city, or will be in the Urban Tax District after consolidation, will get the benefit from it. I thought that was, I thought it was stark in this past period when we had the flood waters that were up, and people were putting sandbags around their houses outside the city limits and still paying taxes to the Levy Authority, getting no protection from it. So, my question is, is it possible to move the Levy Authority over to the Urban Tax District, out of county, can you do that by statute, and, should it be? Thank you.

President Watts: John, is that something that you can check on? Something else, page 203.

President Winnecke: We'll check. Anyone else? Councilman?

Russ Lloyd, Jr.: Commissioners and Council, appreciate the kind words, Dan. With term limits, I had kind of looked at that, and I kind of thought, yes, it would make sense, it would be a good thing, but the unintended consequences where you see it empowers the people that stay there, whether it's the bureaucracy, the lobbyists, people that work with government, and you've got this, at least in California they've seen a constant turnover of elected officials. Even when I was Mayor, at some of the Mayor's conferences, the California people said, yeah, we've got a State Senator running for Mayor, we've got a State Rep running for Council, and just kind of a lot of churning and it didn't turn out quite correct. So, I think you made a good decision on that, and just leave it up to the voters. Thank you for the consideration.

President Winnecke: Anyone else? Okay, we'll see everyone on the 30th. Thank you.

(The workshop ended at 7:04 p.m.)

Those in Attendance:

Lloyd Winnecke

B.J. Watts

Curt John

Dan McGinn

John Hamilton

Charles Luecke

Unidentified

Members of Media

Marsha Abell

John Friend

Missy Mosby

Don Walker

Kathryn Schymik

Russ Lloyd, Jr.

Stephen Melcher

H. Dan Adams

Connie Robinson

Wendy Bredhold

Madelyn Grayson

Others

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JUNE 14, 2011**

The Vanderburgh County Board of Commissioners met in session this 14th day of June, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the June 14th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

County Highway Storm Debris Collection Update

President Winnecke: We'll begin with a quick announcement. Mike Duckworth, Superintendent of County Highways could not be here, but he did ask that we remind residents that live outside the city limits that we are picking up storm debris, and, again, you must live outside the city limits. You need to call the County Highway Garage to be put on the list for pick up. That number is 435-5777, 435-5777. The debris must be placed at the curb to be picked up. This is for tree limbs and storm debris, not heavy trash pick up. The Highway Department does not have a time line on when they will be in what area, but we're getting requests so that they can get that information. So, again, this is for storm debris only for those residents who live outside the city limits. The number to call to get it picked up is 435-5777. If you have any questions you could contact the Commissioners office, or the County Garage.

**Permission to Open Quotes for VC-9903-2011:
Burdette Park Food and Related Items**

President Winnecke: Next, permission to open quotes for VC-9903-2011, Burdette food and related items.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed? Okay, open the quotes, we'll be back to those.

(Motion approved 3-0)

Torian, Hofmann, Dillow & Flittner Insurance Presentation

President Winnecke: Action items, first we have a presentation from Torian, Hofmann, Dillow and Flittner Insurance. Bob?

Bob Dillow: Thank you, Commissioners. I'm here today with Andy Dillow, Greg Hofmann and Tony Flittner. We're the team that is putting together the website that we want to present to you today. So, I would like to begin by thanking the Commissioners for showing confidence in the staff of our firm, and to thank you for allowing us to serve as the insurance agency for the employees of Vanderburgh County. Obviously, we take our job very, very seriously. With that said, we're here to request your approval for three value added services that we wish to provide. We have a very brief presentation of those three items. The first on the screen is a custom designed website available to every employee, 24 hours a day, seven days a week. On this site you will be able to, or the employees will have a summary plan description detailing every benefit available to county employees. It will also provide contact information to customer service departments of each insurance company. It will provide resource information regarding health and wellness and many other topics. Are you there? Okay, then, in addition to this site, we wish to restore the agent on site program previously introduced by our firm. We will provide a customer service agent on site at the Civic Center, two times per month. This customer service agent will be available for face to face coverage information of claims and assistance to county employees. Then, the third item is we wish to prepare for each county employee what we call pocket cards. We would provide a pocket card to each employee containing contact information to our agency customer service personnel and customer service departments to each insurance carrier. Samples of that are also on the screen. All of these services we would like to provide in addition to the normal day to day services that we provide as your agent of record. We ask for your approval to proceed with the services. We will begin immediately to provide communication materials to Vanderburgh County employees regarding the services, again, upon your approval. There is no cost for these value added services. Again, we thank you for the opportunity to serve the employees of Vanderburgh County.

President Winnecke: Thanks, Bob. What would be the communication strategy to alert employees of this?

Bob Dillow: We have, we're willing to prepare banners at our cost, signage at various locations to announce this service. We would work with Matt Arvay from the existing county website to help make the appropriate announcement, and there's any number of suggestions that you would come up with that we would be willing to do. We talked about if it would be possible to put information with the county, with the

pay stubs, to go out in the county employee's checks to notify them that the service was available.

Commissioner Abell: You've talked to Joe's office about that?

Bob Dillow: Yes.

Joe Gries: We have had discussions about that, yes.

Commissioner Abell: Jane Laib has been involved in this, I'm assuming?

Bob Dillow: Yes.

Commissioner Abell: Okay.

Bob Dillow: We have listened to Jane's suggestions about how the website can be expanded to be even more meaningful for employees, and we're open to any of those suggestions. We can do that because we control the site. We prepared it, we developed it. So, if there's something that makes the site more meaningful, we're very happy to do it, and Jane has had suggestions for us.

Commissioner Abell: Would it be possible for this site to run on our monitors? Well, you probably wouldn't know that. That's probably something that I need to ask Matt Arvay. Maybe for a couple days just run them on our monitors out here in the building and let people get used to seeing them.

Bob Dillow: If you need our assistance in anyway for that, of course—

Commissioner Abell: We can ask Matt about that.

Bob Dillow: —we're available.

Commissioner Abell: Thank you.

Bob Dillow: Thank you.

Commissioner Abell: I like it.

President Winnecke: Yeah, I think this, could you describe real briefly sort of the, back to the website, sort of the depth and breadth of what they'll be able to—

Tony Flittner: I'm Tony Flittner. What they'll be able to do is they'll be able to go on to the website 24/7, or 24 hours a day, seven days a week, and get detailed information regarding the plan designs for the benefits that are offered to them through Vanderburgh County. So, they'll be able to click on the plan design that they have, Andy, maybe if you would just click on one of those. They, all of a sudden, a detailed summary plan description pops up, and they can look at what their coverages are, they can look at what their deductible is, what the out-of-pocket limitations are, how certain procedures are covered, how hospitalizations are covered and so forth. So, depending on which plan they have, they just simply click on that plan design and they get a summary plan description. It saves them from having to maybe track down someone in the Auditor's office, or try to get a hold of somebody on Saturday evening when they're talking with their spouse about maybe a procedure that they're considering having or something like that.

President Winnecke: I think it's great. Is there anywhere on the site that details problem resolution information?

Tony Flittner: The best thing to do for problem resolution is to go down to the contact information. Let's click on that, Andy. Who do I contact? It gives all of the information regarding our agency contact, e-mails, names, phone numbers, and then, as well, gives customer service phone numbers to the carriers themselves. So, the employee can make their decision as to who they want to contact, us or the carrier themselves. Of course, we're more than happy to help. So, a lot of them do contact us. I think this will help expand our information to more and more people so they know who to call. Maybe they won't just run around here within their circle of co-workers and try and figure out who to talk to. They'll be able to get on here, get the information and maybe, who knows, maybe somebody will print some of those contact sheets out and they'll be floating around here.

President Winnecke: Is the website ready to launch?

Tony Flittner: It's ready.

President Winnecke: At our approval?

Tony Flittner: Yes, sir.

President Winnecke: What about the timing for the pocket cards?

Tony Flittner: We can have those within two weeks.

President Winnecke: Okay. What's your thought, or what are your thoughts relative to re-establishing the agent on site, in terms of timing and what not?

Tony Flittner: We can do that immediately. I think it's a very valuable service. I think a lot of people are confused, at times, about their benefits. They get confused about some claim summaries that they get. They don't quite understand the details on the claim summaries. It's a very difficult process.

President Winnecke: Right.

Tony Flittner: If any of you have tried to make an appointment, go to a doctor, try to be in network, am I in network, am I out, did the claim get adjudicated properly? All sorts of details that can be very confusing. We found, the last time that we did this for Vanderburgh County, it was very helpful. You know, people that felt hopeless found that their situation wasn't hopeless, that we could help them, we could save them money and help them get into the care that they need.

President Winnecke: Yeah, I agree, I think it's great. I think probably the best thing to do is get with Mrs. Deig and Ms. Laib to determine like when the best times of the month are to schedule those and just pick the dates and times based on their recommendation.

Tony Flittner: Sure.

President Winnecke: And communicate that as best you can.

Tony Flittner: Okay.

President Winnecke: I think this is all very positive.

Tony Flittner: Good. Thank you.

Commissioner Melcher: Those times will be on the website too, eventually?

Tony Flittner: Yes, sir.

Commissioner Melcher: That way... I would like to go back to who you contact if you've got a problem. You've got a number up there and it says after business hours and then you press seven, now, will they talk to somebody on Saturday afternoon, eventually?

Tony Flittner: That's a great question. Yes, they will.

Commissioner Melcher: Because that seems to be, if I'm at a hospital because I took my wife or something, I might have a question there, and I would like to be able to figure out how to do that, not wait till Monday.

Tony Flittner: Right. Bob should have told you about that when he was up here, but he didn't.

Commissioner Melcher: Well, he said you were going to take it from here.

Tony Flittner: Oh, I guess that's right. No, actually, they will get in touch with a live person. That live person will have the ability to contact us. They have all of our cell phone numbers, they can get in touch with us, and then we can get back in touch with the person who needs the help. So, it is, it's literally 24 hour a day customer service.

Commissioner Melcher: Okay.

President Winnecke: Any other questions? If not, I would entertain a motion to approve what our agents, agent of record, Torian, Hofmann, Dillow and Flittner Insurance have presented.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: So, feel free to proceed, gentlemen.

Bob Dillow: Thank you.

Tony Flittner: Thank you. We appreciate it.

President Winnecke: Thanks.

Tony Flittner: Okay, thank you.

West Terrace Elementary School Road Race Closure Request

President Winnecke: Next we have a road race request. The West Terrace Elementary School 4K for Kids. The race is scheduled for September 10th. This is the third year for this event. The appropriate forms and certificate of liability insurance has been presented. Organizers have been coordinating with the County Sheriff's Department. Anyone here to speak to that event? Mr. Ziemer, are you confirming that everything is in order for that?

Ted C. Ziemer, Jr.: Yes, everything is in order.

President Winnecke: In that case, I would entertain a motion to approve.

Commissioner Melcher: I'll move for approval.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Prosecutor: Adult Protective Services (FSSA) Grant Amendment
EMA: 2010 Homeland Security Sub-Grant Agreement (Salaries)
Auditor: Maximus Professional Consulting Services Agreement
County Highway: Xerox Lease Agreement**

President Winnecke: Next, contracts, agreements and leases. First, for the Prosecutor's Office, Adult Protective Services grant amendment. This amendment changes the grant number to EDES #345-1-82-11-PV-1253, increases the amount of the grant by \$144,796 to a new total of \$287,592 and extends the term of the grant to June 30, 2012. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: What do they do with this grant? Do you know?

President Winnecke: I did. Ted, do you remember off the top of your head?

Ted C. Ziemer, Jr.: What's the question?

Commissioner Abell: What do they do with this grant? Do they pay an employee out of this grant?

Ted C. Ziemer, Jr.: They do. Yes, it's for salaries, a contribution towards salaries. It doesn't cover all of the salaries, but attached to the grant is a schedule which shows the various salaries that it covers.

Commissioner Abell: I guess, my only concern is, my continuing concern is with grants, when they run out what we do with the employee who's getting paid out of them?

Ted C. Ziemer, Jr.: I don't know, maybe Sherman—

President Winnecke: This is for the Prosecutor's Office.

Ted C. Ziemer, Jr.: Oh, this is the Prosecutor. I'm sorry, Sherman. Yeah, right.

Commissioner Abell: Yeah, this is Prosecutor.

Ted C. Ziemer, Jr.: Yeah.

President Winnecke: I think that's a good question. The good news is this grant goes through September of '12.

Commissioner Abell: So, we've got a little time.

President Winnecke: We've got a little bit of time.

Commissioner Abell: And, the other good news is, it's really the County Council's problem.

President Winnecke: I didn't want to say that. Do we have a motion?

Commissioner Abell: We do.

President Winnecke: Okay. Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, we have the Emergency Management Agency 2010 Emergency Management performance grant salaries sub-grant agreement to be entered into between the county and the Indiana Department of Homeland Security. The grant is to reimburse the county for a portion of salaries paid to EMA staff from October 9, 2009 through December 31, 2010, for an amount not to exceed seventy, oh, surely this is a typo. Surely it would be \$77,465.05.

Ted C. Ziemer, Jr.: That is correct.

President Winnecke: The grant period is for one year. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Sherman, before you leave, I do have a question.

Sherman Greer: Yes, sir?

President Winnecke: A month or so ago when we were all in the throws of the flooding, we had a lot of great volunteer effort, and we talked out there at the site about recognizing some of those folks—

Sherman Greer: I've got the information for both of the churches.

President Winnecke: Oh, great, and the, was it Civil Air Patrol?

Sherman Greer: Civil Air Patrol.

President Winnecke: Are you going to send that to the office so we can—

Sherman Greer: Yes, we will.

President Winnecke: Okay, great, do that at a future meeting soon.

Sherman Greer: Okay.

President Winnecke: Okay.

Sherman Greer: Just for your information—

President Winnecke: Sure.

Sherman Greer: —since I'm here, 11 counties, out of the 34 counties that are declared for, by the Governor, we have 11 counties that were declared for individual assistance, and Vanderburgh County is one of those 11 counties. Then, also, for public assistance, of course, we're on that list. This memo that we got, it says that the damage reports from April the 18th and continuing on until the flooding and the wind storms that we've had. So, anything that we've done in the last couple of weeks is still considered to be, you know, under this State of Emergency until we get a declaration out of it.

President Winnecke: Great. Any questions of Sherman?

Sherman Greer: That house that, over on Bellemeade that the tree fell through the house? That's my niece's house.

President Winnecke: I'm sorry to hear that.

Sherman Greer: Two little kids in there, but everybody's okay. That's the most important thing.

President Winnecke: Good. It would be nice to make, to coordinate those presentations to the volunteers, to the churches and the other volunteers that helped us at a future meeting.

Sherman Greer: Okay. We might want to, if at all possible we need to, in the past we've always put something in the newspaper thanking a host of people, like Mulzer's—

President Winnecke: Right.

Sherman Greer: –and a lot of people and everything like that. I didn't know if that was something we could get into the budget to be able to do that.

President Winnecke: Why don't you send the Commissioners, each of the Commissioners a list of the companies, volunteer groups and individuals that really went above and beyond–

Sherman Greer: Sure.

President Winnecke: –for possible consideration, and we'll shoot back individual e-mails and figure out...some we might want to recognize publicly before this Board.

Sherman Greer: Thank you. Okay. I'll do that.

President Winnecke: Thanks, Sherman. Next, for the Auditor's office, Maximus professional consulting services agreement. This is to review expenditures by the county under various State and Federal programs and then to assist the county in filing claims to recover what essentially consists of excess expenditures by the county under those programs. The agreement is for 2011, 2012 and 2013 at a cost of \$10,200 per year. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Anything from the Auditor?

Joe Gries: If I may.

President Winnecke: You may.

Joe Gries: I provided some inaccurate information to Ted when we spoke yesterday. The amounts that we receive back were significantly higher than what I gave you, Ted.

Ted C. Ziemer, Jr.: Okay.

Joe Gries: The lowest amount over the last three years is \$140,000 that we get back from the State. One year it was actually above \$170,000.

Ted C. Ziemer, Jr.: Thanks, Joe, because you'll see in my e-mail I said that we had approximately \$40,000 per year in savings, and now it's \$140,000, which makes it even more valuable.

Joe Gries: That was based on information–

Ted C. Ziemer, Jr.: Plus it's \$10,200 in a year to get \$140,000 back.

Joe Gries: Yes.

Commissioner Abell: Good return on our money.

Ted C. Ziemer, Jr.: Yeah.

President Winnecke: Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, from the County Highway Garage, a Xerox lease agreement. The copy machine lease will replace the current copier and four printers with a new Xerox copier to be leased under a master pricing agreement between Xerox and the city-county that was entered into in July of 2010. The lease period for the new Xerox copier is 60 months. The monthly lease payment will be \$226.22 per month. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Reading of Bids for VC-9903-2011: Burdette Park Food & Related Items

President Winnecke: Next, department heads. Steve, would you like to say anything?

Ted C. Ziemer, Jr.: While he's coming up, perhaps I'll report on the bids?

President Winnecke: Sure.

Ted C. Ziemer, Jr.: These are bids for various food services, candies, hamburger buns and so forth for Burdette Park. So, there are no total bids on any of these. So, I can only tell the Commissioners at this time that we have three bids, one from CRS One Source of Owensboro for various foods at various prices; one from Sara Lee for various foods at various prices; and the third from Fischer Candy Company, again for various foods at various prices. I think it's the recommendation of the Purchasing Agent that we take these under advisement so that the department can review the various bids for the various foods and determine what's best.

President Winnecke: I would entertain a motion to take—

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second to take these bids under advisement. Any other questions or discussion?

Commissioner Abell: Where is Sara Lee from? Are they local?

Ted C. Ziemer, Jr.: They have a local office.

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: I mean, I think they're a national organization, but they do have a local office.

President Winnecke: Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Burdette Park

President Winnecke: Okay, Steve?

Steve Craig: Yes, Steve Craig, Manager of Burdette Park. We opened the park on Memorial Day weekend. We had large crowds. We had a very safe three day holiday. We didn't have parts of the park open, the front part of the park. The picnic area and that was still covered with debris and mud and all the nasty stuff that a flood leaves. We finally got that cleaned up and are moving our efforts to other parts of the park. In the front of the park, still cleaning up some of the mud and the debris

from there. Fixing some of the stuff that was repaired. We had to redo our landscaping. Lost a lot of bushes and trees that was submerged for a couple of weeks. They didn't take the water too good. The clean up, it's put us behind on a few of our other projects, but we're working on them and they'll be done in a timely manner. We've had, like I said, great crowds so far. The weather's been conducive to swimming and all of our buildings are rented, and having a good summer so far.

President Winnecke: Great. Any questions of Steve? Thanks.

Steve Craig: Still need lifeguards if there's any people out there that's got their lifesaving that would want a job for the summer.

President Winnecke: There you go, Richard. There's a story that no one else is going to have.

Richard Goote: I had that two weeks ago.

Commissioner Melcher: Sounds like you need to do it again.

Steve Craig: Thank you.

Commissioner Melcher: In bigger print.

President Winnecke: Thanks, Steve.

County Engineer

President Winnecke: John?

John Stoll: I have two items. The first is a notice to bidders for the Baseline and 41 work. This is for the lane improvements associated with the new school construction. This would be approval to advertise the project for bids. We would open bids on July 12th.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, the other item is a change order on the University Parkway embankment repair project. This is for an increase of \$4,048.61. That increase was a result of increased quantities of dirt needed to fill up all of the erosion. We didn't do a detailed survey on that. We just estimated what was needed and we underestimated the total volume.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Winnecke: Thanks, John.

John Stoll: Thanks.

President Winnecke: Gary, did you have anything?

Gary Heck: No, sir.

County Attorney

Ted C. Ziemer, Jr.: I do.

President Winnecke: Mr. Ziemer?

Ted C. Ziemer, Jr.: We, you'll recall that in December of 2010 the Knight Township Volunteer Fire Department, it developed that they were going to be unable to continue providing service to the residents of Knight Township. At the same time the county had constructed a building for the Knight Township Fire Department on

Pollack Avenue under a grant, under a \$500,000 grant from the Office of Community and Rural Affairs for the State of Indiana. If that building were not going to continue to be used for fire protection services through December 31, 2012, there would have been danger of the county having to repay a portion or all of the grant funds to OCRA, plus there was the problem of having fire service, fire protection service available for the residents of Knight Township. After some negotiations it developed that the City of Evansville was willing to take a lease of that building, that is the building built with the grant money from Knight Township Volunteer Fire Department in return for, at one dollar a year. In return for that to agree to provide, the City of Evansville to provide through its Fire Department fire protection services for the Knight Township residents through at least the period until December 31, 2012. That lease was signed and those problems were solved. We were then notified, we have since been notified by OCRA that since the original grant was between the county, between OCRA and the county, and since the city was taking over obligations of the county as the grant recipient, they wanted to see an interlocal agreement between Vanderburgh County and the City of Evansville which would recite that the city is willing to perform the fire protection services and use the building for storage as required under the terms of the grant. I have prepared an interlocal agreement between Vanderburgh County and the City of Evansville, which you have before you, and it has attached to it a copy of the lease agreement, and it basically provides that the city agrees to provide fire protection services for the residents of Knight Township in return for the lease of the property. The interlocal agreement has been approved by David Jones, the corporate counsel for the City of Evansville, and he has provided me, and I did also provide an e-mail to you, a copy of a proposed resolution, which will be adopted by the Common Council of the City of Evansville. It's already been approved by the Board of Public Works, approving this interlocal agreement so that it can be signed by the Mayor. So, I recommend that you consider approving the interlocal agreement today, so we can then forward it to the city for execution, and then forward that to OCRA.

President Winnecke: Okay, I would entertain a motion to approve the proposed interlocal agreement.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Anything else?

Ted C. Ziemer, Jr.: No, thank you.

Board Appointments

President Winnecke: I don't believe we have any board appointments this evening.

New Business/Old Business

President Winnecke: Any new business to come before the Commissioners? Any old business?

Public Comment

President Winnecke: Any public comment?

Commissioner Melcher: I do have one comment that I want to make tonight. Last year when we were putting the Commissioners budget together, and I noticed today we picked up the budget for next year, I wanted to look at GAGE and see what they were doing and how much. I was talking about cutting it last year, if you remember. Maybe we ought to be looking at it seriously. I think Saturday you read in the paper where they've turned the farmers market next year over to somebody else, maybe they probably shouldn't have even been in that business. They spun off the Freedom Festival to the Shriners, to the Shrine, and as of right now, as far as the phase-ins, when they were before us in January or February I asked them if they were going to do it and they said yes. To this day, and I verified it again with the President of the County Council, they haven't been before them. The City Council actually last night got one of them that I think that they were requesting. I don't know what the hold up is, there's cut off dates with all of these corporations. They have to be mailed out. They should have mailed them out, I think the 15th of March. They should have been back by the end of May. They should be contacting the county and the City Council about bringing them all in. This is something that I think a lot of the taxpayers do watch, because, you know, the only thing the taxpayer gets from us is the homestead credit, and businesses get a lot of credit. So, this is something that we've always tried to stay on top of, especially like with Whirlpool pulling out, we have tried to stay on top of this. Even though it's part not us, but it is us, as Commissioners, I believe. I would like her to come to our next meeting, or the meeting after that, with whoever's doing the phase-in and bring a list of all the county, so that we have an idea of what's going on and tell us that they are caught up. Because if there's somebody behind, they need to come in and explain why, the County Council needs to go ahead and keep them going. Both of you probably already understand it, you've done that in the past when you were County Councilmembers. But, I do think that if they're not going to be doing that, then we need to find somebody that will do the phase-in, and this would be the time to address their budget. If there is jobs out there that they're supposed to be bringing in, maybe they could bring us a list of the jobs they've produced.

President Winnecke: Marissa, would you ask, extend an invitation to Debbie Dewey to come before our next meeting and be prepared to talk about the status of phase-in compliance issues?

Marissa Nichoalds: Yes.

President Winnecke: Thanks. Anything else, Steve?

Commissioner Melcher: That's it.

President Winnecke: Okay. Any other public comment?

Consent Items

President Winnecke: At this time I would entertain a motion to approve the consent agenda items.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Madelyn, you're on.

Madelyn Grayson: The consent items for the June 14th meeting are as follows; approval of prior minutes, there's the May 24, 2011 Commission meeting minutes, there are minutes from the joint Commissioner-City Council workshops for May 19th, May 26th and June 2nd; employment changes for the Commissioners approval, there are five for the County Highway, two for Burdette Park, one for the Public Defender, one for the Health Department, and one for the Co-Op Extension; the Auditor has the May 2011 A/P vouchers; the Assessor has a request to surplus various office machines; the Public Defender has a request to surplus a fax machine, a scanner, three toner cartridges and one paper cutter; the Commissioners have the INDOT response to a letter regarding the intersection of U.S. 41 and Ruffian Way; the Commissioners have a request from SICAN to waive Centre fees, not overtime for the 2012 College and Career Expo; the County Engineer has pay request number 129 in the amount of \$779, \$779,123.63 for TIF projects; the Hillcrest Washington Youth Home December 31, 2010 financial report; the Evansville Convention and Visitors Bureau May 25, 2011 meeting minutes; the IBAP Gatekeeper May 31, 2011 report; Burdette Park has a comparison from 2010 through 2011 through April 30th; AMR has the first quarter 2010 report and reimbursement, and the first quarter 2011 report and reimbursement; and there are department head reports from the County Engineer and the Ozone Officer.

President Winnecke: Any other questions? Any questions relating to the consent agenda? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Rezoning Petition: VC-1-2011
Petitioner: New Urban Investments, Inc.
Address: 15201 Peck Road
Request: Change from Ag to R-3**

President Winnecke: We have one rezoning to approve to send to the Area Plan Commission. I would consider a motion to approve VC-1-2011, New Urban Investments, Incorporated, 15201 Peck Road, a change from Ag to R-3. Anyone to speak to that tonight? This is just sending it on to the Area Plan Commission. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: I'll second it just to send it on to the Area Plan Commission.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Any other business to come before the Board of Commissioners? If not, I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

(The meeting was adjourned at 5:36 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the May 24, 2011 Commission Meeting Minutes.
Approval of the 5/19 & 5/26/11 & 6/2/11 Joint Commission-City Council Minutes.
INDOT Response Letter: Intersection of U.S. 41 & Ruffian Way.
Waiver of Centre Fee for 2012: SICAN College & Career Expo.
Hillcrest Washington Youth Home: December 31, 2010 Financial Report.
Convention & Visitors Bureau: 5/25/2011 Meeting Minutes.
IBAP Gatekeeper: May 31, 2011 Report.
Burdette Park: Comparison 2010-2011 through April 30, 2011.
AMR: Fourth Quarter 2010 & First Quarter 2011: Report & Reimbursement.

Employment Changes:

Health Dept (1)	County Highway (5)	Burdette Park (2)
Public Defender (1)	Co-Op Extension (1)	Sheriff Office (5)
Prosecutor (1)	County Clerk (1)	Circuit Court (1)
VCCC (1)	Superior Court (1)	Assessor (1)

County Auditor: May 2011 A/P Vouchers.

Surplus Request Letters:

County Assessor: Various office machines.
Public Defender: 1 fax machine, 1 scanner, 3 toner cartridges & 1 paper cutter.

County Engineer: Pay Request No. 129: Green River-Burkhardt TIF Projects.

Department Head Reports: County Engineer Ozone Officer

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Bob Dillow	Tony Flittner
Sherman Greer	Steve Craig	John Stoll
Gary Heck	Others Unidentified	Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
JUNE 28, 2011**

The Vanderburgh County Board of Commissioners met in session this 28th day of June, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. We'll call to order the January, the June, not January, June 28th, I knew it started with a J, 2011 Board of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

Notice of WNIN Equipment Problems: Not Able to Air Meeting

President Winnecke: One housekeeping item before we get started. WNIN reports that they have some technical issues. Our meeting tonight is not being aired or recorded in any way, just so folks know that, who happen to follow our minutes later.

Madelyn Grayson: Just for further information the audio will be on the Auditor's website tomorrow morning.

President Winnecke: Great.

**Building Authority:
Request to Use F&B Funds for Chiller Repair at the Centre
Request to Enclose Space in Booking Area of Jail**

President Winnecke: We'll begin with action items, first we have Dave Rector from the Building Authority here to discuss two items. The first is the chiller repair at the Centre.

Dave Rector: Good afternoon, Commissioners. Dave Rector, Building Authority. Is this on? It didn't sound like it. We have two chillers at the Centre, one of them is

completely down and needs to be repaired. I received four different quotes to repair the chiller. We're running on the back up one now, and, obviously, it's summertime we need to repair it. I requested that we spend \$40,000 from our F&B Fund to make that repair.

President Winnecke: David, is that a not-to-exceed \$40,000?

Dave Rector: It is, yes.

President Winnecke: Who are the four bidders, do you know off the top of your head?

Dave Rector: Industrial Contractors, J.E. Shekell, Alpha Mechanical and Johnson Controls. Industrial Contractors was low.

President Winnecke: Okay. Any questions of Mr. Rector? If not, I would entertain a motion to approve his request to spend an amount not to exceed \$40,000 from the Food and Beverage reserve account for the chiller repair at the Centre.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or further discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Dave Rector: The second item?

President Winnecke: The jail.

Dave Rector: Sheriff Williams, I think, had sent you an e-mail today that he couldn't make it, but Major Pace has come in his stead, and is here. Come on up, Rick. You're going to explain this. I think Eric's e-mail explained it real well, but I want Major Pace, he was in the jail up until recently and is very intimate with this situation. I thought he could much better explain it than I could.

Rick Pace: Good evening, Commissioners. Like Dave said, my name is Rick Pace, and at this time I am the Major over the operations at the Sheriff's office. Prior to that I was the Major over the Confinement Center for almost three years and third shift Lieutenant shortly after the new jail opened. The item that Mr. Rector is talking about

is enclosing the booking area, where the booking Sergeant works and where the Clerks work. Needless to say, because of how it's built and because of the people we hold in that area, to put it bluntly it is a zoo. They receive several calls from the public every day, all shifts, also from the professional sector. The Sergeants are constantly dealing with court paperwork, paperwork to bond subjects out and what not, and other various issues. The booking Sergeant probably is one of the most vital areas of the jail, but when you have people cursing at the top of their lungs, showing feces, trying to get...that's their job, is basically to distract the Sergeants and the Clerks. There is nothing you can do. I've sat up there many a time, tried to talk to the public, and basically they're here in the background cursing and yelling and screaming. Not because they are fighting or whatever, but that's their mission in life. To me, that's how mistakes are made. We cannot afford to make mistakes there, especially in the booking area. I've always thought it should have been enclosed, it wasn't, but if this project can be set forth, it would be a great help to the people that work in that area.

Dave Rector: We have the money in our joint fund, between the Building Authority and the Commissioners that was the result of a settlement out of court on a pending lawsuit with the design firm during the construction. So, the money is there, if you so choose. Then, I will bring it up in my board meeting tomorrow.

President Winnecke: David, just for the record, we have approximately \$75,000 left in that account? Is that correct?

Dave Rector: Yes, that's correct.

President Winnecke: And, you're proposing a project to not exceed how much for this?

Dave Rector: Eight thousand.

President Winnecke: \$8,000. Questions of the Commissioners?

Commissioner Abell: I just have a question about the design, because it's kind of hard to tell what it is from here. Is that like a smoky colored Plexiglas—

Rick Pace: Yes.

Commissioner Abell: —that will go?

Rick Pace: Exactly.

Commissioner Abell: But, it won't go over the top of them, it will just come up?

Rick Pace: Yeah, it will come up to the ceiling and it will diminish the sound immensely, and it will allow the Sergeants and that to still view the cells around them, but not allow the inmates to see in there. Because that's one of their forms of entertainment is to distract the Sergeants and Clerks while they're doing their work. I could go into various things that they do, but I won't at this meeting here.

Commissioner Abell: Okay, but if they need to converse with someone they can still do it through the Plexiglas?

Rick Pace: Yes, they can.

Commissioner Abell: Or, they have some way to do that?

Rick Pace: Yes, Ma'am, and that's one of the things, they can talk through, plus they have the radios, plus they'll have the monitors for all the cells inside there. So, it won't be a safety issue as far as the inmates.

Commissioner Abell: Okay, thank you.

President Winnecke: Steve, any questions?

Commissioner Melcher: Now is it going to touch the ceiling or be six inches from it or something?

Dave Rector: There's a drop down soffit where the ceiling is built in. We'll run it from the top of desk up to the soffit.

Commissioner Melcher: The only reason I was asking, because when these are designed there's usually heat and air returns and stuff like that.

Dave Rector: We have a return right in that area and supply.

Commissioner Melcher: Okay.

President Winnecke: I would entertain a motion to—

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Dave Rector: Thank you, Commissioners.

President Winnecke: Thanks, David.

Kelley Coures: Old Courthouse Wooden Door Repair Estimate
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President Winnecke: Kelley Coures, Old Courthouse.

Kelley Coures: Greetings.

President Winnecke: Greetings.

Kelley Coures: I wanted to come myself this evening rather than just send something through the mail, because I wanted a chance to brag just a little bit. Just a month or so ago we were able to unveil the newly restored Superior Courtroom in the Old Courthouse. Since I took over President over the Old Courthouse Foundation five years ago, I think we've done a wonderful, wonderful job in that building. I want to brag on my troop of volunteers. Marsha, you were on our commission for awhile, our board for awhile, and these are all volunteer people that meet, you know, once every couple of months to try and restore the interior of this marvelous, marvelous building. We've hired FC Tucker Emge Realty to market the building, and we're almost at, what 85 percent capacity in paying tenants. My goals as President were two fold, to restore the public rooms to their original shape and make them usable for the public, and we're moving towards that, and to get the building on a paying basis so that it's not a drain on the taxpayers. I think the rent has generated now, pretty much covers the day to day expenses, the utilities of the building. So, we're moving in the right direction. I want to invite you all to...have you seen the restored Superior Courtroom?

President Winnecke: Beautiful.

Kelley Coures: Have you seen it? I mean, it's just beautiful and we're so proud of it. But, one of the things that I, really is a high priority for me are the north and south exterior doors on this building. I gave Commissioner Winnecke an estimate from Mike Alley. Mike Alley is the man who did the woodwork inside the Old Superior Courtroom, the bar and the chairs, the tables, the judges bench and all of that. His company did all of the wood restoration. It's such a small, I need \$10,000, up to \$10,000 to restore these two doors. If you look at the proposals that he's given us, there are two items that he did not price out, and those are interior, some interior things that I believe the Foundation would be able to take care of. It's the exterior wood on these doors that looks just terrible when you go up to those doors. The other problem, in fact, I think I told you, Marsha, in the winter time last year I was waiting for someone from Evansville Living to come to do a story, they wanted to do an article, and I was standing, in February, I was standing in front of the north face of that building and those doors there's a space about an inch wide that the cold air was just blowing in. Mike Alley has, he and I talked about it and he's going to weather strip with furring all around there to make those two exterior doors weather tight. It doesn't help, my next project will be the revolving door at the other entrance that needs significant work, but those two exterior doors I think it would help the heat loss in the winter time, I think it would help in the cooling loss in the summer time and it would present a much more appealing entrance to the building for people coming to do business there and people who are renting the rooms out for their wedding receptions and things like that. So, I would really appreciate if we could get this done as quickly as possible.

President Winnecke: Kathryn, from a legal standpoint, what are our obligations for an amount of \$10,000?

Kathryn Schymik: I'm sorry, I don't understand your question.

President Winnecke: In terms of bidding. They've sought--

Kathryn Schymik: Oh, I see.

President Winnecke: – a quote from–

Kelley Coures: If I could?

President Winnecke: Sure.

Kelley Coures: When we were going through the process of getting that courtroom restored, we asked for bids on the woodwork in the building and we got none. It was Mike Shoulders, our architect from VPS that went out and sough Mike Alley, because he had redone the doors on the Henderson County Library, the historic entrance. Mike and I went down there and looked at it, and they are just gorgeous. So, that's the reason that I just, I thought I would come myself and just ask for the money to do it, and if we could do it quickly and just let Mr. Alley do it, if we didn't have to bid that much out, because we didn't get any bids for the wood in the courtroom.

Kathryn Schymik: I think, this is not a bid for services per se, it's more of a public works kind of, because it's more like a labor and construction contract. So, I think that to the extent that funds are being approved by the Commissioners those would have to be, they would be subject to the public bidding laws. Even though you didn't get any responses on those, I think we still have to publish notice and request pursuant to statute before they could approve any expenditure of funds.

President Winnecke: So, maybe we could work, Marissa, you can work with Kelley to get that advertised, and then we could get that done as quickly as possible.

Kelley Coures: My goal is to get it done before winter.

President Winnecke: I think we can do that.

Kelley Coures: If we could, get that done, I mean, the cold air just blowing through there. I can just, you know, it's like, as a homeowner I can just see the dollars going flying out the door, and since they're taxpayer dollars, I wanted to try and save as much as possible.

President Winnecke: I think we can get it done by the winter.

Kelley Coures: Okay.

President Winnecke: So, Marissa will be in touch and we'll work on doing it legally.

Kelley Coures: I appreciate that. Thank you so much.

President Winnecke: Thanks, and thanks for your effort over there. It does look really nice.

Kelley Coures: Thank you.

Evansville ARC Semi-Annual Presentation
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President Winnecke: Deidra Conner?

Deidra Conner: Thank you. Good afternoon, and thank you for inviting us to attend the County Commissioners meeting. My name is Deidra Conner, I'm the President of Evansville ARC. I think all of you know what Evansville ARC does, but for those listening, just a little background. Evansville ARC is a non-profit organization that provides services to individuals with developmental disabilities. We were founded in 1957 by a group of families who were committed to keeping their children in the Evansville community. They did not want to send their children to a State institution and there were no services, even in the school system, available at that time. Special education did not start until the early 1970's, by law. So, ARC actually started as a school in the basement of the Eastside Christian Church, and today we have grown and evolved to meet the needs of those children as they grew up, and to meet the needs of individuals with disabilities in our community. We now serve over 750 children and adults. Our youngest client is six weeks old. Our oldest client is 80 something years old. So, we have a very broad scope of services, and many of these folks we serve on a daily basis. Part of ARC's history that we're very proud of is we're constantly changing. What we do today is not what we will be doing tomorrow. We are constantly evolving and changing to meet the needs of what the next generation needs and wants. What I want you to hear just a little about today is our Connections for Life program, which started about eight years ago as a pilot project. In the old days, even just ten years ago, people either had a job or they came to our adult day program, and they stayed in our facility and received training. We realized that's not enough. We wanted to give people the opportunity to become involved with the community even if they couldn't work full time. So, the Connections for Life program was started as a pilot. It's now considered one of our premier programs. We've been held in very high regard by our accrediting body for starting this program. We've actually been presenting at national conferences and to our peers who are trying to replicate this. So, I want you to hear from Shelly Dunn, who's the manager of our adult programs; Leslie Cox, who's one of the participants in the program; and then Denise Thorbeck, who's with us also as the community liaison. We promise to keep it short.

Shelly Dunn: I will try. My name is Shelly Dunn, like Deidra said, and I run the Adult Day Service program and the Connections for Life program. The Connections program is just a phenomenal program for our clients and for this community. What we do is we pair up our 63 individuals enrolled in the program with volunteer sites out in the community. We normally serve around 50 plus not-for-profit sites per year, unduplicated. St. Anthony's soup kitchen, lots of long term care facilities where we go and socialize with the residents, help call out the numbers for bingo, that is a wild one I'll tell ya. We go and, we've partnered with lots of community organizations to do a recycling project, and what a great way to promote a greener Evansville. We go and separate newspapers and magazines and junk mail and so forth and take it to either Wesselman's or to BFI, those types of places. We go to Evansville State Hospital and we pair up with individuals there that don't have maybe family or visitors. So, we've identified another group of folks in need where we do pen pals with them, we go to monthly dinners or game playing nights with them to be able to do those types of things as well. All kinds of things with MDA, MSA, Susan G. Komen, we put together their packets and mailings. So, it's a phenomenal program. What we're doing is getting our clients out in the community and showing that they're productive members of society. In the last fiscal year we logged 5,550 ½ volunteer hours in Evansville, Indiana. That is phenomenal. So, I want to have Leslie tell you a little bit about it, because I can go on and on, because what we're doing is we're teaching our clients some work skills that maybe they're going to go out and get a community job too. So, Leslie, why don't you come up here just a little bit, and can you tell everybody what you do in Connections?

Leslie Cox: We go to MDA, Vista Care, we give stuff to the clients. We definitely make crafts for them, because, you know, when they're in a program like Vista Care or something like that, we want to make them a little happier so they're not...if they're sick with something, make them feel better. You know, I just like making them smile maybe, because, you know, if they get that special something, you know, they are probably going to smile and say, somebody made that for me. So, that's probably why. One of the things that I like to do out there, and, of course, we recycle and we do things, so, it's really fun. I like it a lot.

Shelly Dunn: What's your favorite site do you think?

Leslie Cox: Probably Vista Care, because we can go, we shred, we make crafts for the different holidays for the people who are in the nursing homes, or, you know, that can't get out and do, you know.

Shelly Dunn: Leslie has been with the program for about a year. So, she goes to all different kinds of sites. The ultimate goal of the program is to develop natural supports in the community. Whereas we can go and kind of back out of that relationship and maybe Leslie can go alone as opposed to having Denise with her at all times. But, we don't just drop that, maybe we go to a new site for her, for Leslie to learn and do other sites there too.

President Winnecke: Alright.

Shelly Dunn: It's phenomenal. Cutting edge. I spoke in New York City about this and in Tucson, Arizona. It's fabulous. So, questions from the Commissioners?

President Winnecke: I would just say, Leslie, your smile is very infectious.

Leslie Cox: Thank you.

President Winnecke: The more you can spread that around the community the better.

Leslie Cox: I know. Thank you.

Deidra Conner: We can't say enough about how much we appreciate the support from the County Commissioners. This type of program would not be possible without our community partners. You are sincerely one of our longest standing, over 40 years, and one of our most important community partners. So, I say this every time I'm here, Lloyd, our successes are your successes and I mean that from the bottom of my heart. People who've been involved with the Connections program were previously told they would not be able to work, they didn't have valuable skills. We now have individuals who went through this program who are working full time, and then still volunteering on top of that, and using their paid wages to donate their money for people less fortunate in the community. This has truly been a life changing program. It's something that we couldn't do without your support. So, we would love for the listeners, or people who don't know about us, if they want to learn more to call me directly, Deidra Conner at Evansville ARC, 428-4500, or log onto our website, evansvillearc.org. For family members who are just a little nervous about getting their loved ones engaged with something like this, folks like Leslie and Denise and Shelly, you'll not meet anyone more enthusiastic than this team of ladies, love to talk to families and let them know what can happen in individuals lives. So, thank you for your support.

President Winnecke: Thank you. Just, I know there are a lot of great not-for-profits in our community, but I think, I'm not sure there are many that have more passion or compassion than you folks. I applaud you for everything you do.

Deidra Conner: Thank you.

<p>Permission to Award: VC-9903-2011: Burdette Park Food and Related Items</p>

President Winnecke: Okay, moving on, Debbie, Cooperative Purchasing Organization. Two awards to consider, first VC-9903-2011, the Burdette Park food and related items.

Debbie Spalding: Yes. Those bids were opened in this meeting, the last meeting that this Commission had, and we received responses from three vendors. We had sent the invitation out to ten vendors. We, I would like to ask you to award to all three vendors. Fischer Candy was one of the vendors and they bid only candy and chips. They didn't bid other products that they don't provide. Earthgrains Baking Company has, is out of Louisville, but they have a local facility here in Evansville, and they purely bid the bun and the bread items. These are not frozen. Burdette Park does not have a means to store frozen goods, they don't have enough room. So, they need to have a facility where they can buy them fresh. Then, the last vendor was CRS One Source. I would ask that you would award the bulk of the food items to CRS One Source, including the meat, fries, condiments, ice cream, and everything else, the paper goods also.

President Winnecke: You found all of the bids to be in order?

Debbie Spalding: Yes.

President Winnecke: I would consider a motion to approve based on the CPO's recommendation.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Debbie Spalding: Thank you.

**Permission to Set Fixed Price on Commercial Fuel:
Contract APA-025-2010: Heritage Petroleum**

President Winnecke: Next, the fixed price of commercial fueling, contract APA-025-2010.

Debbie Spalding: Yes, in the meeting of May 24th, the Commission granted approval to extend the 2010 contract for commercial fueling. On that date, you might remember, Bryan Smith was here from Heritage, and he told us that the fixed price from June to December, the remaining of this year would be \$3.39, and for all of 2012 it would be \$3.36. This is for unleaded fuel, and we would like to set a price. Today I asked for a price from Heritage and the price for the remainder of 2011 was \$3.28, so an eleven cent decrease, and for all of 2012 the price would be \$3.28, which is an eight cent decrease. At that meeting we had asked for permission to be able to set the price when it became valuable to do so, because this Commission's agenda is required on Thursday, I asked to be put on the agenda in case prices continued to go down, and if the Commission felt this was a good time to set the price, if they felt like doing that. If not, you know, it could be tabled until you think it would be more beneficial.

Commissioner Melcher: Can you go over those prices one more time? \$3.28 you said?

Debbie Spalding: Right, the price for the balance of 2011, the fixed price for unleaded, this is 87 octane unleaded, would be \$3.279, so \$3.28. Then, for 2012 it would be \$3.28. Also, Bryan Smith from Heritage wanted me to relay the information that that was at close of market today. Now, tomorrow morning, if you set this price and we go to award it, that price could have fluctuated. It could be, you know, five cents, ten cents difference. So, there's really no way with this Commission meeting at 5:00 to order the fuel the same day.

Commissioner Melcher: What did you, has the city passed anything yet? If I remember right you guys told us that they gave you the opportunity to vote on it when it got low. So, have you done that yet for the city?

Debbie Spalding: Yes, the Board of Public Works granted permission for the Cooperative Purchasing Organization to set a price when it was deemed to be beneficial. What would happen is we would contact the Sheriff, the Police who are the biggest users of the unleaded fuel, and we would say, today we're being offered this price, are you ready to set that price? So, it wouldn't be purely my decision. It would be the people that buy the most fuel would be agreeing to it.

Commissioner Melcher: Okay, did the city set theirs? Did you do it for the city yet?

Debbie Spalding: No, they allowed us to set the price when it became beneficial to do so.

Commissioner Melcher: So, it's not been beneficial yet?

Debbie Spalding: Well, I need your approval, because it's a joint, the volume, we get a discount because of the volume that the Sheriff and the Police buy together. So,

without getting this body's approval I couldn't, because I don't have the volume just with the city.

President Winnecke: But, the key, excuse me, did you want to ask something?

Commissioner Melcher: No, go ahead.

President Winnecke: I was just going to say—

Commissioner Melcher: I'll come back.

President Winnecke: — the key is the fact that the markets need to be open in order for you to commit to set the price?

Debbie Spalding: Right.

President Winnecke: So, we really, it sounds like it's prudent on our part to give you that, the same permission that the city has given you.

Debbie Spalding: I would appreciate it, if it could be agreed upon.

Commissioner Melcher: We didn't do it last time because you weren't here, and I really wasn't wanting to give away something like that until we found out a little bit more about it. Last time you were here, I think it was \$3.99 a gallon.

Debbie Spalding: It was \$3.39.

Commissioner Melcher: No, it was \$3.99 retail.

Debbie Spalding: Oh, okay.

Commissioner Melcher: It was \$3.39, I kept these records.

Debbie Spalding: Okay, okay. Thank you.

Commissioner Melcher: Because the way I had it figured it was going to be a lot cheaper than what you gave us today. So, I guess, I'll never understand pricing on gasoline.

Debbie Spalding: I won't either to be truthful.

Commissioner Melcher: Because if you go from \$3.99 to \$3.39, and today it's \$3.37, it should have been closer to the \$2.75 we were at when we signed the contract.

Debbie Spalding: Right, now I do understand that the price that you see advertised throughout town includes taxes that a municipality wouldn't be paying. There's about 20 cents difference, I think.

Commissioner Melcher: But, the taxes are appropriate, I mean, it just wouldn't be that much higher.

Debbie Spalding: Right, and today when I was speaking with Heritage they told me that oil was up today \$2.86 per barrel over yesterday's price. Whatever that means.

Commissioner Melcher: Well, that doesn't mean anything. We've already figured that out. So, you know, I don't know the correct answer here. Also what they were saying on the news last night is that it's even going to go down. So, we're not there yet.

President Winnecke: But, what we're saying—

Commissioner Melcher: But, I'm not against giving them the price, as long as we know what it is when we do that.

President Winnecke: But, we're not setting the price tonight. We're just giving the Cooperative Purchasing Organization the opportunity to identify the prices at the lowest possible time to lock in on our behalf.

Debbie Spalding: Right, and Heritage will tell you they don't even know that. I mean, they would say, they could recommend this seems like it would be a good time, but it's all a gamble. I mean, no one knows.

Commissioner Melcher: No, but they're in that business, and that's who we're with.

Debbie Spalding: Right, and we would listen to their advice.

President Winnecke: Okay, at this point I would entertain a motion to grant the Cooperative Purchasing Organization the right to set our fuel cost when it deems appropriate.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or further discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Debbie Spalding: Thank you.

President Winnecke: Thanks, Debbie.

**Permission to Advertise Notice of Public Hearing:
Vacation of Portion of Old Seib Road**

President Winnecke: Next we have permission to advertise notice of public hearing for the vacation of a portion of Old Seib Road. The public hearing is to be scheduled for July 12, 2011. I would entertain a motion to approve. I would make that motion.

Commissioner Abell: I'll second it.

President Winnecke: There's a motion and a second. Questions or discussion?

Commissioner Abell: This is just for the public hearing, which is required, is that correct?

President Winnecke: Correct.

Commissioner Melcher: Yes.

Commissioner Abell: Okay.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I will abstain from this vote.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

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

**CIO: Network Services Agreement with Insight
Health Dept: MOU with EVSC, St. Mary's & Echo: Exams & Immunizations
Health Dept: Breastfeeding Peer Counselor Agreement: Cervantes
Health Dept: 2011 Mass Prophylaxis Plan Update
Health Dept: Agreement with Dr. Bentsen: TB Clinic Consultant**

President Winnecke: Next under contracts, agreements and leases, Chief Information Officer...is Matt here tonight? A network services agreement between Insight Communications Midwest LLC for network services to the IT system. The agreement runs for 36 months at a cost of \$2,450 per month. Okay, in an e-mail to the County Attorney's office detailing reasons why we were looking into moving this direction, there is a savings that they have estimated over the life of the contract of \$49,752, compared to the existing and expiring contract with AT&T. There will be additional capacity for sending and receiving calls. There is a disaster recovery option built in for off-site recovery and 12,000 long distance minutes included each

month for free. So, it does sound like there is a benefit, and the contract with the current vendor is expiring. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: I'm assuming the service is good?

President Winnecke: It's their recommendation. So, I assume it is. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, for the Health Department, memorandum of understanding between ECHO, the Evansville-Vanderburgh School Corporation, the Health Department and St. Mary's regarding physical exams and immunizations for back to school blitz. This provides exams and services for children going back to school on July 27th from 4:00 p.m. to 8:00 p.m. Gary Heck from the Health Department is here to answer any questions we may have about this. Any questions of Gary on this? I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have a breastfeeding peer counselor contract with Jessica Cervantes. Under the agreement Ms. Cervantes will provide peer counseling services for \$9.00 per hour which will be paid with grant funds. This agreement is identical to prior agreements. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have the 2011 mass prophylaxis plan. The plan is in place in the event of a disease outbreak, act of bioterrorism or other public health emergency that requires the need to dispense medication, antibiotics or immunizations. The plan was updated in June with a few changes from the 2010 plan. The changes include an updated communications pathways chart and changes to the standard operating procedures for the following; point of dispensing mobilization, operation and demobilization inventory management system and dispensing of medications. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Gary, just on that, how, was there public input into these changes? How were the changes determined?

Gary Heck: Gary Heck, Vanderburgh County Health Department, excuse me. We meet with all of our various partners and with the State District 10 team. Those partners would include people with the Emergency Management Agency, with hospitals, and based on all of that feedback and recommendations that's how the plan is updated and modified.

President Winnecke: Okay. Any other questions or comments? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have a professional services agreement with Dr. Bentsen to serve as the medical consultant for the outpatient tuberculosis clinic. The agreement allows for Dr. Bentsen to serve as the consultant. He's been serving in this capacity since 1997. The agreement runs for two years with Dr. Bentsen's compensation set at a rate of \$105.62 per hour. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion.

Commissioner Abell: Is \$105.62 per hour a standard fee for this kind of thing?

Gary Heck: It started out, my understanding is that it started when Mr. Elder was the Director here and there was an hourly rate and that it's been modified every year based on whether the county employees got a percentage increase. So, it's just, so, in that regard it's standard—

Commissioner Abell: Oh.

Gary Heck: — in that it's been the same ever since, and his contract's been treated that way. He probably, on an hourly rate, makes much more than that as a pulmonologist in this community. So, this is really probably a bargain rate, if you would.

Commissioner Abell: How many hours do we use him?

Gary Heck: Three hours a week. He's at the Health Department on Tuesday from 9:00 till 10:00 and he consults with any of the active cases and writes all of the particular, he reviews not only the notes, he looks at x-rays, takes the x-ray and then he has the consultation with not only the patient but with the follow up nursing staff on how to make sure that the patients are taking medication going forth. So, it's a three hour a week is the maximum.

Commissioner Abell: Well, I wasn't having any problem with, that's what those kind of doctors make, I just wouldn't want us to pay more than the going rate.

Gary Heck: Right, right.

Commissioner Abell: Thank you.

Gary Heck: You're welcome. Thank you.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Anything else for Gary?

Gary Heck: That's all I have at this time, unless something comes up later that you need me for.

Commissioner Abell: I have a question, Gary.

Gary Heck: Yes, Ma'am?

Commissioner Abell: Did your board ever consider my request about two scales of expenses for things such as the dental clinic for one out-of-county and one in-county?

Gary Heck: It's on the agenda, their next meeting is actually going to be in August. The meeting we had scheduled for June wasn't held because we had a lack of a quorum. We need to have four out of the seven board members—

Commissioner Abell: Okay.

Gary Heck: — present, and only three of them would have been present. So, the meeting that was scheduled for June wasn't held.

Commissioner Abell: Okay.

Gary Heck: But, it is an agenda item at the August meeting and I'll be reporting back after that. My personal belief is they wouldn't have a problem with it at all.

Commissioner Abell: Okay. Thank you.

Gary Heck: Yes, Ma'am.

President Winnecke: Hey, Gary, just along those same lines, are you going to recommend to the board what the difference in fees will be? Or are they just going to, I mean, I think one of Commissioner Abell's points that was made earlier in the year was, you know, this would be a source of revenue for the clinic. I hate to just

drag it out. If you go to that meeting with a proposal, are they going to approve it at that time?

Gary Heck: I'm working on that with County Attorney Ziemer, because one of the questions I think he had was just to make sure what the Health Department is required to provide in the way of services and what we aren't provided were we allowed to do that. When we did the research originally, what we found was based on in-state and out-of-state tuition costs as a differential. We were using a ten dollar administration fee at that time, and that's similar to what ECHO Community Health was doing when they put a minimum flat rate of \$16. Now their service area is much larger than just Vanderburgh County though. So, I guess, what we're looking at is trying to come up with a way of putting a dollar value on what that differentiation would be, and if the ten dollar administration fee, where those other service breaks would come. We haven't found an example, just on my research of another Health Department where this is, where they have this kind of differentiation, other than the in-service, or of in-state and out-of-state tuition example.

President Winnecke: I think we would just like to see, this body see them move down the road. So, if you would keep that on the—

Gary Heck: Oh, it's scheduled at their August meeting which would be the second Thursday at 7:00 in the morning at the Health Department.

President Winnecke: Okay.

Gary Heck: In room 216.

President Winnecke: Thanks, Gary.

Gary Heck: Thank you.

Burdette Park

President Winnecke: Department head reports. Let's see, who do I see first? Steve Craig?

Steve Craig: Steve Craig, Manager of Burdette Park. I don't have much to report. I got the mess cleaned up from the flood. Got the trees cleaned up from the storms, and when it's not raining we have good crowds. Of course, we've had some rainy days, we had a big day going with SABIC's picnic Saturday, and right in the middle of it we got into that storm. But, everything's going good, if you know anybody that's a lifeguard and they need a job we're still looking for lifeguards. I know it sounds old, but as the year goes on and a lot of my older kids go back to college, we stay open weekends and for me to be able to stay open weekends, we're going to need to find some more lifeguards.

President Winnecke: Any questions of Steve? Thank you.

Steve Craig: Thank you.

President Winnecke: Have a good evening.

County Engineer

President Winnecke: John?

John Stoll: The first two items that I have are in regard to Blue Heron Estate Subdivision. The first is a street acceptance request, and this street acceptance consists of 2,062 of Pelican Pointe Drive, 451 feet of Palmetto Circle, 445 feet of Bombay Circle, 445 feet of Osprey Circle, 599 feet of Bayshore Drive, and 531 feet of Cape Code Circle. All the streets have been completed, so it's recommended the streets be accepted for maintenance.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, next I have a storm sewer acceptance request for that same subdivision. This covers 2,017 linear feet of storm sewers located outside of street rights-of-way. The developer has submitted a payment of \$4,034 to cover the two dollar per foot acceptance fee. So, I would recommend acceptance of all of the off right-of-way storm sewer pipes.

President Winnecke: I would entertain a motion to—

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I have a street acceptance request for Section One of Spring Lake Valley Subdivision. This covers 1,367 feet of Wisteria Lane, 821 feet of Breezy Creek Drive, 215 feet of Kyle Drive, 197 feet of Lisa's Way, 246 feet of Farmers Terrace, and 236 feet of Blackberry Hill.

President Winnecke: Variety of street names there. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, next I have change order number two for the Burdette Park-USI bike path project. This is for an increase of \$39,132.68. The county's share of this change order would be 20 percent. This change order covers some design revisions to alter, remove some sections of the modular block retaining walls and replace it with earth embankments and curbs. Long story short, by making the design changes it actually reduced the quantity of walls to the extent that we would have had an increase of \$69,000 based on what the construction inspection firm, Cripe Engineering, told us. So, this actually, even though it's an increase of \$39,000 it could have been another \$30,000 on top of that if we followed the original plan. So, on that basis I would recommend approval. Like I said, the county share will be 20 percent, so the county will be on the hook for about \$8,000 for this change order.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: The final item I had was a street plan approval request for Leed Sheffer Subdivision. This is located at the intersection of Kansas Road and Highway 57. The street plan approval is for the widening of the intersection of Old Seib Road where it intersects New Seib Road, which was part of the realignment done with Stonecreek Subdivision. This also adds a cul-de-sac at the south end of what is termed Old Seib Road on the plans, and then one detail that we still need to work out is the intersection of Kansas Road and Seib Road, the existing plans need some additional work to show how a semi truck can make it from Kansas Road on to Seib Road without encroaching in opposing lanes of traffic. All of these improvements are the result of the reuse of Old Seib Road in conjunction with the subdivision, and the pavement changes are necessary in order to accommodate truck traffic. So, I'm requesting approval of that minus the Kansas and Seib intersection.

President Winnecke: I would, go ahead, are you done?

John Stoll: I'm finished.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: So moved.

President Winnecke: Second. Any questions or discussion?

Commissioner Melcher: I do. Naturally, I guess. I really don't think we need semi trucks on Seib Road, the one that was redone for that subdivision, because there are a lot of families, a lot of kids and everything comes out that way. I don't understand why that this is being done. I think it would be a lot safer, safety wise and everything if it came in off 57. So, I don't really think this is something that we need to pass because of the health and safety issues out there. I also know we've got some drainage coming on this. It seems like there's just one thing after another with this property. So, with this, I don't want to approve these plans, because I would like to see Seib Road, I even spoke to the engineer before about making this a non-truck traffic road, so we wouldn't have a lot of this stuff like this. I'm not in support of accepting this plan, this street plan.

Commissioner Abell: My concern about this, John, is that they may pay for the improvements to Seib Road when we put it in, but then the county is stuck with the bill after that. If they're going to run trucks up and down that road, I understand they don't want to have to deal with INDOT. The reason INDOT would want them to make sure that 57 was sound for the trucks is the same reason I would want it on Seib Road, I don't think they would want to have to deal with us on Seib Road if we wanted them to bring it up to the standard that it needs to be for trucks. I just feel real uncomfortable with a road like Seib Road being used for truck traffic. So, I have to agree with Mr. Melcher, I'm not happy with this plan as it is. Is there a chance that we could continue this and work with the developer? Or is this the way it has to be or he doesn't want to do it?

John Stoll: I would say we probably need to talk to him and see what other options might be available, and then bring it back in an upcoming meeting. I don't have any problem getting with them and seeing if they can make any changes that would help get a plan that could be approved. If not, then we can let you know that as well.

Commissioner Melcher: Part of this road is going to be left that's only 18 feet, and if there's going to be two lane traffic and one of them is a semi, I wouldn't want, maybe me and my Jeep can do it, because we can get off the road, but somebody in a car couldn't. So, if that's going to happen there ought to be some modifications that that's going to be 24 feet or something like that across also. I still think the best bet is go off of 57, work with INDOT to get a ramp, and that way everything is out in the open, you're away from the neighbors, all the safety issues are solved at that time.

President Winnecke: Hey, John, are there any traffic projections on either, for either the entrance at Kansas or on Seib Road?

John Stoll: I'm not sure if the MPO has done any counts out there recently. The airport studies that they've been doing for the realignment of Oak Hill may have some numbers, but I can check with the MPO and check the airport's traffic studies and just see what data might be out there.

President Winnecke: Because the current development calls, only has specific plans for one development, right?

John Stoll: As far as I know, yes, a gas station. Lot two is supposed to be a gas station, but, and lot one is already developed with the fitness center, so lots three, four and five were unspecified uses at this point.

President Winnecke: Okay, so, we have a motion on the floor and a second, but there's also discussion to table this. So, we need to vote on the first motion first, right? Unless I withdraw the motion. I could withdraw my motion, correct? I would with—

Commissioner Abell: Did you make the motion?

President Winnecke: Oh, no, I did not. You did, I'm sorry.

Commissioner Abell: I will withdraw the motion.

President Winnecke: And I withdraw the second. So, if someone would like to make another motion.

Commissioner Abell: I will move that we table this and give John an opportunity to talk to the developer. You might relay to the developer our feeling that, if I had to vote on it (Inaudible) tonight, I would have to vote no.

President Winnecke: So, you have a motion to table?

Commissioner Abell: Yes, I have a motion to table it.

Commissioner Melcher: I'll second the motion to table it. Besides they ought to look at 57.

President Winnecke: A motion and a second. Questions or further discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Winnecke: Thanks, John.

John Stoll: Thanks.

Health Department

President Winnecke: Gary or Doc, did you have anything?

Ray Nicholson: Doctor Nicholson, Health Officer for Vanderburgh County. I just would like to give you a little bit of information in that we're having a major outbreak of measles in northern Indiana. This epidemic has started among people who have not been vaccinated. There are a number of doctors here in Evansville that are in their 55-60 year range who have never seen a case of measles. We have pretty much wiped this out, and now we have immigrants that have come in who have not been immunized. We also have a sizable population where they have refused to take immunizations because they think that immunizations are not useful. I'm here to tell the public that they are. That you all well know how many cases of polio and measles and everything else we've had for years and years and now it's almost been wiped out. So, this is for information that we are working on it hard and we're trying to educate the public and we hope that this fall we'll catch all of the children that need immunizations. A lot of the families have declared that they have adopted the Amish religion, and consequently are asking the School Corporation to excuse them from not having their immunizations on that basis. So, it's going to be a problem, but

we'll see what we can do about it to try and stop this again, because we thought it was pretty well wiped out and it is coming back.

President Winnecke: Good. Good information, Doctor.

Ray Nicholson: Yes, thank you.

President Winnecke: You've given the newspaper and Channel 14 a story to do.

Ray Nicholson: Thank you.

President Winnecke: Thank you.

New Business

President Winnecke: Moving on, any new business to come before the Commissioners?

Old Business

President Winnecke: Old business?

Public Comment

President Winnecke: Any public comment on any issue?

Consent Items

President Winnecke: Hearing none, we'll move on to the consent agenda. I would consider a motion to approve the consents.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Madelyn, do the thing that you do so well.

Madelyn Grayson: The June 28th consent items are as follows: approval of prior minutes, we have the June 9, 2011 Commissioner-City Council workshop minutes, the June 14, 2011 Commission meeting minutes, and the June 28, 2011 executive session summary minutes; employment changes for the Commissioners approval, there are two for the Health Department, two for the Public Defender, four for Burdette Park, and one for the County Highway; the County Auditor has a Barrett Law lien release for the Aabel's Park Barrett Law project; the County Engineer has pay request number 130 for TIF projects in the amount of \$57,701.21; the Evansville MPO has a request to waive fees, not overtime for the Centre to host a Sustainable Evansville Area Coalition Public Kick-Off Meeting on Wednesday, August 3rd; the County Commissioners have a transfer request for Southwestern Mental Health to fulfill contractual amount and the 2012 budget; there are surplus requests from the Sheriff for two 2000 Ford Crown Victoria's and the Commissioners have various office equipment; Evansville ARC has the May 2011 report of activities; Weights and

Measures May 16th to June 15, 2011 monthly report; the County Treasurer has April and May 2011 monthly reports, and the May 31, 2011 year-to-date report; Burdette Park has the comparison from January through May from 2010 to 2011; and there are department head reports from Burdette Park and the County Engineer.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: I would consider a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We are adjourned.

(The meeting was adjourned at 5:54 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of Prior Minutes: June 9, 2011 Commissioner-City Council Workshop Minutes, June 14, 2011 Commission Minutes & June 28, 2011 Executive Session Summary Minutes
Evansville MPO: Waiver of Fees/Not OT Centre: 8/3/2011.
Transfer Request: Southwestern Mental Health Contract.
2012 Budget.
Evansville ARC May 2011 Report of Activities.

Employment Changes:

Health Department (2)	Burdette Park (4)	County Highway (1)
Public Defender (2)	Sheriff (2)	County Assessor (1)

Auditor: Aabel's Park Barrett Law Project Lien Release.

County Engineer: Pay Request No. 130: Green River-Burkhardt TIF Projects.

Surplus Requests:

Sheriff: (2) 2000 Ford Crown Victorias.
Commissioners: printers, cartridges and phonefax.

Weights and Measures: May 16-June 15, 2011 Monthly Report.

Treasurer:

April and May 2011 Monthly Reports.
May 31, 2011 Year-to-Date Report.

Burdette Park: Comparison from January-May 2010-2011.

Department Head Reports:	Burdette Park	County Engineer
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Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Kathryn Schymik	Marissa Nichoalds
Madelyn Grayson	Dave Rector	Rick Pace
Kelley Coures	Deidra Conner	Shelly Dunn
Leslie Cox	Denise Thorbeck	Steve Craig
John Stoll	Gary Heck	Ray Nicholson
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**JOINT MEETING
COUNTY COMMISSIONERS-CITY COUNCIL
JUNE 30, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville reconvened the joint session and public hearing from March 30, 2011 on the proposed Reorganization Plan this 30th day of June, 2011 at 5:31 p.m. in room 301 of the Civic Center Complex.

Call to Order

Councilmember Adams: Mr. Chairman, Mrs. Bredhold would like to say that she would love to come, but she is a little bit under the weather with just a few days left to have that magnificent event called birth.

President Winnecke: Understood, we wish her the best. I would like to reconvene the public hearing that we began March 30th, I believe.

Pledge of Allegiance

President Winnecke: We'll begin with the Pledge of Allegiance. So, please stand and join us.

(The Pledge of Allegiance was given.)

WNIN Announcement

President Winnecke: One housekeeping item, many of you may know that WNIN is having some technical problems. They could not televise this meeting live, they are recording it tonight and it will be played back at a time that they will determine. So, they are here to video tape that.

Overview of Meeting Format

President Winnecke: My thought on what we would do tonight, and certainly open to suggestions, we all have the redlined version, and actually we have some extra copies of the redlined Plan if anyone from the public would like to come up and get one, you're welcome to do so. I thought we would just go through the changes that have been outlined for us, make sure that the wording is the way everyone thinks everyone is comfortable with, go through that. We have maps from, the Surveyor has maps for us to look at, and I know Chief Hill and Sheriff Williams are here to chat about the law enforcement component and the jurisdiction issues that we discussed previously. So, if that's alright we'll go immediately to the Plan.

**Modified Reorganization Plan Overview Changes:
Articles One through Three**

President Winnecke: I believe page three has the first change, in the first paragraph, 1.22. Anybody have any issues with that? If not, we'll move on. Page four is the next change, a deletion under 2.7, deleting the clause "and are excluded from civil service". As a reminder for those who haven't been here through all of the meetings or are sort of catching up, have been with us through some, these changes were made via straw votes from each body in previous workshops. Page five, I have the

next one in 3.11, deleting the phrase “or any department, unit, board, agency, subordinate body or any other part of the Combined Government”. Page six, we have several changes, beginning with 3.3, Number of Members. I’ll just read this to you briefly. It says, the changes, “The Common Council shall consist of fifteen (15) members. Twelve (12) members shall be elected, one each from single-member geographic districts, and three (3) at-large members shall be elected from the Combined Government at-large.” That is a change from the first Reorganization Plan. 3.4, Geographic Districts for At-Large Members, it reads now, “Each of the three (3) at-large members shall be voted upon by the entire Combined Government area. The Combined Government area shall be divided into three (3) separate “at-large” districts as shown on Exhibit “BB”. One (1) at-large member shall reside in and be elected from each of the three (3) at-large districts.” Section 3.5, Description of the Twelve (12) Common Council Districts and Three (3) At-Large Districts. 3.5.1, “Attached as Exhibit “B”, which we’ll see later, “is a map depicting the proposed twelve (12) Common Council districts and precincts for the Combined Government.” 3.5.2, adding, “Attached as Exhibit “BB” is a map depicting the three (3) separate districts for at-large members. There will be one (1) at-large member elected from each district as shown on Exhibit “BB”.” Any questions or concern with any of that wording? Hearing none, down to the bottom of the page, 3.11, Legal Counsel to the Common Council, “The Common Council shall employ legal counsel of their choosing to represent them.”

Article Four: Judicial Branch

President Winnecke: Article four regards, relates to the Judicial Branch. I believe this is pretty straight forward.

Ted C. Ziemer, Jr.: We received a call from Judge Heldt, and both John and I, and the only thing that he requests is that Article Four be changed from Judicial Branch to Courts.

John Hamilton: Just on the heading.

Ted C. Ziemer, Jr.: Just on the heading, to say it’s Courts instead of Judicial Branch. His thought is that the courts are not a branch of this local government, they are a branch of the State of Indiana government. He would, so if we don’t want to go into all of that, he would be pleased if we just simply changed the caption to read Courts instead of Judicial Branch. Neither John nor I see any objection to that.

Commissioner Abell: I don’t see any reason for it. The Clerk of the Court is part of the Courts, and she’s addressed in here as an officeholder. If you put Courts there then you sort of have that confusion, because the Clerk of the Court does not fall under the Judicial Branch. The Clerk of the Court falls under county government, but if you put Courts then you’ve changed it to something that the Clerk of the Court is in charge of.

Ted C. Ziemer, Jr.: Let’s see, Commissioner Abell, 5.3.2 is the Clerk of the Court, and then it describes that office. It’s talking about court, so, I’m not sure that that would be in conflict if we changed the section, Article Four, to Courts.

Commissioner Abell: Well, if the Clerk of the Court is in Article Five and you change Judicial Branch, which is Article Four, to Courts, I think it’s confusing. I think it’s

much better left Judicial Branch. That's just my opinion, but I was Clerk of the Courts once and I know that the Clerk of the Court has 53 employees and they are county employees and we have a problem with the judicial branch thinking their employees are State employees. I think we're asking for a big problem.

Ted C. Ziemer, Jr.: I would just comment to say, excuse me—

Councilmember Adams: Go ahead.

Ted C. Ziemer, Jr.: — to say that we're not, he's not suggesting that we in anyway change the language of 4.1. As it is stated now he is totally satisfied. He just suggests that if the heading would read "Courts" instead of "Judicial Branch", the courts would be more satisfied. Neither John nor I see how that, in any way, contradicts other language in the Plan, but, I mean, the Clerk of the Court is still the Clerk of the Court, and will be. We just wanted to advise you of what the judges would like. It's up to the Council and the Commissioners.

Councilmember Adams: Mr. Ziemer, one of the problems I have about changing that to "Courts", and therefore reaffirming that that is a State group.

Ted C. Ziemer, Jr.: I don't think we're really reaffirming that. We're simply calling this section "Courts". They are courts. So, I don't think, I don't think it even addresses the problem—

Councilmember Adams: Well, let me tell you the problem.

Ted C. Ziemer, Jr.: Or the issue of whether they are State or local.

Councilmember Adams: Let me describe the problem before you go off on what you think the problem is.

Ted C. Ziemer, Jr.: Yes.

Councilmember Adams: The bottom line here is, the one thing that we've been toying around and talking a lot about is that the people who work under the judges seem to have the idea that they have their own rules to go by. I wonder if we allowed this to be separate, ie: a separate State thing, does that somehow free them up to believe that people can go home at 3:00 in the afternoon?

Ted C. Ziemer, Jr.: My response is, we're not calling it "State Courts"—

Councilmember Adams: That doesn't answer my question.

Ted C. Ziemer, Jr.: Well, it's just calling it "Courts", and I don't think that that gets to the issue of all of who's employees they are. Whether they are employees of the courts or employees of the county, or of the new Metro Government.

Councilmember Adams: I think I just heard you say though, by saying "Courts" that reaffirms the fact that it's a State, they are under the State rather than the city. I don't, I promise you I'm not versed enough to know, but I certainly wouldn't want to reaffirm that these people are not being held accountable to the same rules that everybody else is that works for the county and city, the Metro. I think it should be

uniform. If you say that changing this word won't change that, fine, but I sense that there would be—

Ted C. Ziemer, Jr.: That would be my opinion.

Councilmember Adams: – I'm sensing there's a flavor here that we're letting, we're starting to get separation of who owns who.

John Hamilton: I don't think the heading has any substantive meaning at all in terms of how this is interpreted.

Councilmember Adams: Then, I guess it begs another question, how do we address the thing that you were so worried about that you made me aware of?

Commissioner Abell: Well, if the heading doesn't make any difference, why don't just leave it alone? Why change it if it doesn't make any difference? Just because the judges want it changed?

Ted C. Ziemer, Jr.: No, because the judges suggest that calling them a "Judicial Branch" of the new Metro Government is incorrect. They aren't a branch of the Metro Government, they are the Judicial Branch of the State of Indiana. To, I mean, I guess, this section could go into all of that and call them a Judicial Branch of the State of Indiana. He says that to avoid that problem, he would be satisfied if they were simply called "Courts". I, well, from a legal perspective you're not harming this language at all, nor are you granting any further credence to whoever the employees are employees of, whether it's the courts or of the Metro Government. It's simply saying this section has to do with courts, which it does.

Councilmember Adams: Can you tell me simply whether the judicial staff is under the courts or are they under the (Inaudible) rules of the Metro Council?

Ted C. Ziemer, Jr.: I cannot tell you that simply.

Councilmember Adams: Okay, fair enough. Fair enough.

Commissioner Melcher: I have a question I want to jump in on. What if we changed the word "Judicial" to "Judiciary"? Would that change anything?

Commissioner Abell: To what?

Ted C. Ziemer, Jr.: Judiciary.

Commissioner Melcher: Would that change?

Ted C. Ziemer, Jr.: Commissioner Melcher, I would think that that would be satisfactory, but I'm not a member of the judiciary, and I'm not sure that they would agree with me.

Commissioner Melcher: Well, they're not agreeing with us right now.

Ted C. Ziemer, Jr.: No, but it seemed to John and I after he made that...and that's the only request he made. In other words, he accepted the language that we have written in the document. He simply would like the Article Four to be called "Courts"

instead of "Judicial Branch". John and I are not arguing for the judges position, we just want to be sure you understand what it is. Whatever you decide to do is wonderful.

Councilmember Adams: Is Judge Heldt the only judge that feels this way?

Ted C. Ziemer, Jr.: Well, he is the judge of the Circuit Court and he called, I think, expressing the wish of the courts.

Councilmember Adams: But, we don't know that, do we?

Ted C. Ziemer, Jr.: I'm pretty sure that's what he's doing. I'll be very surprised if he is acting separately.

John Hamilton: I took it that he was speaking on behalf of the judges collectively.

Councilmember Adams: Okay.

Councilman John: I mean, if it has nothing to do with, other than changing, I don't see what the long discussion is about. I don't know why we wouldn't just put "Courts".

John Hamilton: You could change lots of headings in here and it really wouldn't have any substantive effect.

Councilman John: Yeah.

John Hamilton: But, we need you to tell us (Inaudible. Not at microphone.)

Councilmember Adams: Well, Councilman John, I agree with you, but the question I have, is there some subtle meaning here where the staff somehow gets special privileges by being under the umbrella, if you will, of these people?

Councilman John: If I'm not mistaken, the Council is still going to have to approve their salaries, their benefits, everything that they've done in the past.

Councilmember Adams: Their working hours?

Councilman John: I would assume that you would have control over that. I mean, that's, of course, there's not uniform working hours in the county right now. I mean, some of them are open till 4:00, some till 3:30, they split their staffs. Yeah, I mean, I think that at some point in time the Council should probably have uniform employee schedules throughout the city and county, and we don't have that right now. I don't think changing it to "Courts" is going to address that issue. I think it's going to take Council coming up with an employee manual across the board for all departments, and I think that really needs to be addressed.

Councilmember Adams: Well, let me ask you this, I'm sorry, would it be possible for us to put into this document that the Metro Council would have the opportunity to regulate all county court employees so that it's uniform and have that be part of their responsibility to do exactly what is being suggested here?

Ted C. Ziemer, Jr.: It's certainly possible for you to put that in the document. Whether that will be accepted by the courts or not is a question. I can tell you that, and I don't know, Commissioner Abell, I know that you've talked to, from Barnes and Thornburg, Brad...I can't think of his name right now, but I've spoken to him as well. He says, throughout the State of Indiana various counties treat them differently in this regard. It's not uniform across the State. So, it's not an easy issue. I agree that it's one that should be worked out. I'm not sure that this document is the place to work it out, but that would be my response.

Councilmember Adams: Well, humor me.

Ted C. Ziemer, Jr.: I will always humor you.

Councilmember Adams: How do I make a motion that we include in this document that the Metro Council does indeed have the responsibility to review uniform regulations for all of the Metro employees, including the courts? I mean, people may not agree with me. We can vote it down. I mean, I just think it ought to be uniform.

Ted C. Ziemer, Jr.: I think it's going, I can't give you that answer sitting here this evening. What I would like to do is work with the language and then provide a response which addresses the issue you would like to raise.

Ted C. Ziemer, Jr.: God bless you. Have a wonderful time doing that.

Councilman John: Can you somehow come up with language that says that the Metro Council shall approve the employee manual as established by the administration?

Ted C. Ziemer, Jr.: Certainly. We can say that.

Councilman John: And, whether or not the courts are involved with that, I mean, as Auditor we got mandated to do a bunch of things. So, they may come back and say, no, we run our own courts and we will set our own hours, and we will mandate it, and so be it. I don't know that that would happen, but maybe to address Councilman Adams' concern is you included something in there that the employee manual, as established by the administration is subject to approval of the City Council, or the Metro Council.

Councilmember McGinn: That may be, if you look at Section 10.8, Effect of Reorganization on City and County Employees, it says, "As of the Effective Date, all non-elected employees of the City and the County shall become employees of the Combined Government on the same terms and conditions as existed on the day before the Effective Date." Maybe it ought to be they shall become employees of the Combined Government on the terms and conditions as established by the Combined Government, you know, the Metro Council, sure, you know, according to the employee manual. I mean, that's where it ought to be.

John Hamilton: Well, I think the next paragraph addresses that, 10.8.2. It says, "Notwithstanding 10.8.1, employment shall be subject to such terms and conditions as the Combined Government shall establish from time to time." I think 10.8.1 just says you keep it as it is until the Combined Government makes any changes, so that if they don't do anything, you have a default to keep them the same.

Councilmember McGinn: Yeah, it's covered. I mean, I think it's covered. I should have kept reading.

President Winnecke: So, what's the pleasure? We're back to the heading.

Councilmember McGinn: Let's call it "Legal Stuff".

President Winnecke: Just "Legal Stuff"? Well, surely the judges would like that.

Councilman John: Let's title it the way they think it should be titled.

Councilmember McGinn: They say it makes no difference to the substance of the law, flip a coin and put it on there. I vote they flip a coin and either call it "Judicial Branch" or "Courts". Whatever they feel is, I think it has no bearing whatsoever.

Councilman John: It's their department, so I would just as soon put "Courts" there, if it has no bearing on the interpretation or administration of the courts. Put it there, I mean, why get in an argument with the judiciary?

Councilmember Mosby: Councilman John, I agree with you. I mean, Judge Heldt is saying that, that's his expertise, and I think that we should go with "Courts".

President Winnecke: So, do we want to take a straw poll, a straw vote on the "Courts" titlement?

Councilmember Adams: The problem is it's little, tiny changes like this, ten years down the road, five years down the road (Inaudible. Microphone not on.) We can't foresee that. I'm not saying (Inaudible. Microphone not on.) I'm just saying that this sounds like it's innocuous, but it may not be. I'm going to stick with Marsha.

President Winnecke: Okay, a show of hands on Councilman John's recommendation to change it to "Courts"?

(City Councilmembers approved straw vote 5-1. Councilman Adams opposed. County Commissioners approved straw vote 2-1. Commissioner Abell opposed.)

President Winnecke: Okay, it's to "Courts".

Article Five: Elected Offices other than the Mayor & Common Council

President Winnecke: Okay, down, the next change is 5.3.3, saying the Evansville Police Department is responsible for parking enforcement and parking meter administration.

Article Six: Financial Planning & The Budget Process

President Winnecke: Page eight, 6.1, Director of Budget and Finance, requiring that the Budget, the Director of Budget and Finance hold a CPA certification. We had a lot of discussion about that. Down to 6.3.2, changing the word "office" to "officer". 6.3.4, increases in budgeted items by the Council. Changing that number from eight

(8) to ten (10), and adding the sentence, "the Common Council may decrease any item in the proposed budget by a simple majority of eight (8) members."

Article Seven: Tax Rates and Services Districts

President Winnecke: 7.3, it's Exhibit "C-2". Section 7.4.1, "A geographic area in the General Services District may be converted to the Urban Service District or Special Service District upon either: (1) petition to the Mayor or Common Council by a majority of the registered voters of such an area", rather than the "residents"; or "request by the Mayor and ten (10) members of the Common Council."

Article Nine: Consolidation of City and County Departments

President Winnecke: Section 9.2, describing the City Engineer and County Engineer being combined into one office, into the Department of Transportation Services. Section 9.3, adding the word "the", and at the end, "Language on jurisdictional boundaries". Who's going to provide that for us?

Ted C. Ziemer, Jr.: The Police Chief and the Sheriff.

President Winnecke: On code enforcement?

John Hamilton: I think that belongs in 9.4.

Ted C. Ziemer, Jr.: Yeah.

John Hamilton: We need to put that in 9.4.

President Winnecke: Okay, good. So, that should be deleted and added to 9.4?

Ted C. Ziemer, Jr.: Right. Well, that's just, advise us that that needs to be done.

Article Nine: Section 9.4: Law Enforcement

President Winnecke: Right. Okay, 9.4 confirms our earlier discussion that the County Sheriff and the Evansville Police Department shall not be modified or combined in the Combined Government. They each shall continue their operations as separate departments. Notwithstanding the provisions in Article 11 of this Plan concerning Amendments, no action or consideration to combine the departments shall be taken or acted upon prior to, we have left this date open. We had a lot of discussion around that last time. So, in my mind we need to insert a date here, and we need input from the Chief and the Sheriff regarding the jurisdictional issues that we discussed earlier. So, let's start with the Chief and the Sheriff, please.

Brad Hill: So, I guess we can't do eternity for that blank spot there?

President Winnecke: You could.

Ted C. Ziemer, Jr.: If you know the date.

President Winnecke: Yeah, if you know the date.

Brad Hill: I'm Chief Brad Hill. Eric and I have discussed it, and I'll certainly let Eric talk as well, but we had discussed the idea of 12 years for that election cycle of discussing the law enforcement issue, consolidation issue again at that time. As I said, from my perspective, the idea would be to discuss it. I think it should be a discussion that's had by law enforcement professionals from both sides to discuss that issue at that time. If that group comes up with an agreed upon plan, then I think it should go to the voters for, to the public for a vote, and not necessarily go to a vote if that body does not come up with an agreed upon plan. So, I guess, what I'm saying is in 12 years it gets looked at again by that body.

President Winnecke: So, that would be 12 years from the date of our referendum?

Brad Hill: That's my thoughts.

President Winnecke: So, 2024?

Eric Williams: As I had said in the previous meeting, we discussed this, that I thought a time period was out there. I mean, personally, 12 years, I can live with that. As I told Chief Hill, I think that's probably longer than it needs to be. I had said ten years originally, and my logic there was that that's half of a deputy's or policeman's 20 year career, theoretically. That would give us ten years to understand how consolidated government works, because we're basing all of these numbers on the assumption that this would pass and everything else would become consolidated. That means that everybody over the course of the next ten years would have been hired knowing that this was on the horizon and to be preparing themselves and be thinking that way, that administrations would change probably more than once or twice in that period of time, with that in mind to prepare themselves for it. So, I kind of, ten years, and it was purely a random number based on half of a 20 year career, and it gave us enough time to, what I would hope, become and develop an appetite to go ahead and consolidate law enforcement once we realize that the consolidation of all of the other forms of government locally and the sun still came up and we were providing services and things were going really well.

President Winnecke: Any questions or comments of either the Sheriff or the Chief?

Councilmember Adams: Have you two come up with a map delineating the service areas?

Eric Williams: We've come up with two maps.

Councilmember Adams: Good.

Eric Williams: We have his version and my version, and they don't jive very well right now.

Councilmember Adams: So, you're still hashing that out?

Eric Williams: Yeah, you know, I think both of us are operating with the spirit of we need to find a solution, that, you know, if we're going to have two law enforcement agencies in this community and they're going to stay as is for a period of time, we need to look at those jurisdictions as they are today and correct some of the inefficiencies that exist. I think that's kind of the marching direction and orders that you gave us, and it's kind of the pledge we made to you all. I think my version of

future efficiencies and effectiveness are probably far more aggressive. I've looked at some bigger, sweeping changes, and Chief Hill did much more of a fine tuning of current things. So, you know, we're probably on the same track, but pretty far apart.

Councilmember Adams: Okay.

Eric Williams: If that makes any sense.

Councilmember Adams: Yeah, it makes very good sense. I would like to take this opportunity to publicly apologize to you for being so glib when we last discussed this. You and I got into a repartee back and forth where you eventually said are you trying to tell me my Sheriff's aren't as good as the Police, and I, in my Irish unwitting, said if you want me to say yes, I'll say yes, or yes. What I really was trying to say, and I've e-mailed you about this, but I wanted to say this in public, was that while I was trying to say that if we are going to wait 12, 14 who knows, if we're going to wait a long time, there may be areas of a contiguous nature that come into the city who are paying for full service, and I, Dan Adams, felt if they were paying for full services they should get fire and police protection from the city. That's all I'm saying.

Eric Williams: And I truly, perfectly understand that. I appreciate your comments. I don't take this stuff personally.

Councilmember Adams: Okay.

Eric Williams: Trust me, if I had known you were going to be that easy to get to say something I would have tried to get you to say something else, include me in the will, I don't know.

Councilmember Adams: Well, now you know.

Eric Williams: But, you know, when I look at that, and I've tried to explain to people that the task that is in front of us, because we're deciding to consolidate all of local government, at least, you know, what we know of county and city government, townships excluded, except for the two biggest pieces, which is the Sheriff's Office and the Police Department. That's difficult to make some people that are really following this understand. So, I've tried to take the analogy that let's put it in the business world and we're going to create this one large business, and this business is going to choose to contract with two people to provide a similar service to cover different areas of their operation. There's some, because there's no longer a city and a county, or a city boundary, it's just all one happy family. It's just that I will be policing one area, I won't, but the Sheriff's Office will be, and the Police Department will be policing another one. I guess, not understanding the tax piece of it and how those are actually going to be extrapolated out and spread out across of it, it seemed to me that the law enforcement component of it, both city and county, should be pulled from that and both of those budgets should be spread across the entire general tax base, as opposed to being specific to the city, current city boundaries or that Urban Tax District. Because, truly, just like it is today, and I foresee in the future, unless something horrible would happen, when we have an issue the first people we call is the Evansville Police Department and they send their troops in. When something happens in the city and they need extra troops, the first people they call are the Sheriff's Office and we send the troops in. You know, so, we already work, you know, very, very well together and we back each other up, and it seems to me law enforcement, as a total, the two of us combined, should not be separated like

that. That should be applied across the entire tax base. Now, I don't know if I'm crazy, but that to me makes the most sense.

Councilmember Adams: No, I don't think you're crazy at all. I just think the likelihood of a Full Service District coming in sometime in the next ten to 12 years is much more likely than not. I don't know if my colleagues agree with me, I was just making that suggestion—

Eric Williams: And I understood your position.

Councilmember Adams: – and they can vote on that, if they like.

Eric Williams: I think the reason that we got to where we're at in talking about locking these boundaries in, was to avoid this emotional discussion over and over again every single time something changes. That we were going to leave this alone, this component of this local government alone for this period of time and discuss it by itself at a period in time when everybody has had time to digest the entire concept.

Councilmember Adams: Okay, well, my colleagues will tell me whether they think that little, tiny change is worth doing.

Commissioner Abell: Mr. Winnecke, did we decide that, as I recall, we intended that this will go back to a vote of the people once we make a decision about, is that correct? In ten years will they vote on how they want, right, isn't that correct?

Councilmember Adams: Did we make that decision?

Commissioner Abell: I think we did make that decision. I would say that I think you should, the two of you whether whoever's got your uniform on at that time, should be prepared for this to go to a vote in November of 2024, not be prepared to just putt it around. I mean, to vote, because in 2023 there will be no election, 2025 there will be no election, because if we have consolidated government there will be no city election anymore, they will only be done on the county, on the same sequence, correct? Am I correct on that? Okay, then 2023 is normally a city election, 2025 is the off year, so, I would think that it needs to be on the ballot in November of 2024.

Eric Williams: I sincerely hope I am not still wearing the brown uniform at the time, and that I'm just a voter that will cast a vote in that election.

Brad Hill: I don't know that I would necessarily agree that it needs to go to a vote then. I think, as Eric had said, by the time, 12 years, I don't think this is the right time for consolidating the law enforcement, in 12 years maybe it is the right time, but it may not be either. I don't think we should be mandated to put it to a vote if there is still the will of the people let's say that law enforcement doesn't need to be consolidated. I'm okay with a vote, but I think it needs to be studied again, ten years, 12 years, and then possibly go to a vote depending on what that group decides, rather than decide now that it's definitely going to a vote.

President Winnecke: I have a legal question for—

Councilmember Adams: Doesn't the vote decide that?

Commissioner Abell: I think it does.

President Winnecke: Let me just jump in here, jumping ahead to Section 11, which makes the Amendments to the Plan, if you follow that, it tells me that changes in law enforcement in 12 years or whenever would not be required to go to a vote, but I think what the feeling is that people would like for that component, in 12 years or whenever, to go to a vote. Is that—

Commissioner Abell: I think you have to put a date on it or it will never happen.

President Winnecke: No, yeah, I understand that, but my question is—

Councilmember Adams: (Inaudible. Microphone not on.)

President Winnecke: —my point is the mechanism, because in Section 11 when it talks about amending the Plan, it does not call for that. To amend components of the Plan that we're considering does not go to, none of those changes go to a vote.

Commissioner Abell: We can amend it as a Combined Government without it?

President Winnecke: Correct, and there's a mechanism, but if there's a willingness by this body to change that, for law enforcement only, then we need to add that language.

Eric Williams: I think that is what we kind of discussed that this would be one of those issues that's going to go back to a ballot someday to the people, as opposed to, of this, because, I mean, the argument was that this was the issue that was going to, you know, cause this to fail miserably anyways because of the emotion and all of the reasons that everybody had that it should or shouldn't occur. If those emotions are here today, I can't imagine that they won't be here tomorrow and the next day, that we ought to, I agree with the idea of just putting the date in there and having a vote and know that we are going to prepare to that and put forth the best plan at that date, and either the people vote for it or they don't.

Ted C. Ziemer, Jr.: To just answer you, Commissioner Winnecke, when the provision was drafted with the date provision in there, what that means as the Plan is currently written or as revised, it means that on that date, if it's 2024, will be the first time that the Metro Council could go through the amendment provision provided for in Article 11. You would simply follow that. You're quite correct, it does not require a referendum to amend the Plan. If you want to have a referendum to amend the Plan regarding law enforcement, you can provide for that.

President Winnecke: Okay, we would just need to create the language, I suspect, in Article 11, or maybe mention it twice, I don't know, in nine and 11.

Brad Hill: May I speak? If it does go to a vote in 12 years, one thing I would want to make clear is, that it's not a vote on this current plan that was presented by the committee. That it's a vote on a plan that is prepared by law enforcement professionals.

Councilmember Adams: Well, sorry to challenge you, or gently disagree. I agree with what you just said, but this concept of let's discuss it in 12 years, we started, I think with four, or five or six, and we've gone to ten, now it's 12—

Brad Hill: No, I started much higher.

Councilmember Adams: –I think–

President Winnecke: The Chief started at 20 actually.

Councilmember Adams: Right, well, that's where I started, anyway, the problem with, I think, if we don't set a date, I think that referendum will do exactly what you say you want, that the people will decide whether they want that. But, if we're just going to start discussing it in November of '24, there is no impetus for the two people to get together and really spend some time, over the next decade, to figure out what is the best course for us. So, I'm very much in favor of saying let's put it to the test, let's put it to a vote in November of 2024.

Brad Hill: I think we're on the same page now. If you're going to choose to put it to a vote, my point is that we're putting something to a vote that's not planned yet.

Councilmember Adams: Yeah, no, I got that point.

Brad Hill: It's not the current plan, but it's something that's put together by law enforcement, rather than some other group.

Councilmember Adams: I don't have any problem with that.

Commissioner Abell: Well, I think that's our idea, because if we're going to put the current plan, we'll put it out there today. We're giving you ten years to work out a better one.

Brad Hill: I just want to make sure that that's not an understanding ten years from now that it was that plan.

President Winnecke: We could lay that out, we could specify that in the modified language.

Councilmember Mosby: I really feel there does need to be some type of discussion, because this has been very healthy for Council and Commissioners, along with constituents to, you know, talk and see what everybody wants, and not just let's put it to a vote.

Councilmember Walker: Leave it as it is.

Commissioner Abell: Well and you may leave it as it is, who knows.

Councilmember Walker: Leave it as it is.

Eric Williams: Just for the record, I agree that in the course of that ten, whatever that date is, that period of time, that it would behoove everybody to begin and constantly be working towards that end, to come up with the best plan. Now, I wouldn't have any issue if you wanted to take the current plan and just put that in the future, but I understand how it works, and we ought to constantly be working to the best plan, because the best plan is usually the next one, because we learn from each one before it.

Councilmember Mosby: How about if we start the discussion in ten years and then have it on a referendum in 12?

Councilmember Adams: I would love to see them discuss it over the next decade to tell you the truth.

Eric Williams: I agree with you, Councilman Adams.

Councilmember Mosby: I do too, but—

Eric Williams: I would like to say, put the date in, I started with ten years and I'll stick to ten years, have that date and the date this passes, the referendum, and we consolidate local governments is the day that whoever is at the helm of both of those agencies needs to sit down and start the process.

Councilmember Adams: If we leave these two bodies together and start to discuss it in 12 years, they'll ignore it for 12 years. If they know that down the road they've got a date that they're going to have to vote on it, it will really make these people think and really work hard, I think.

Councilmember Mosby: But, I think there needs to be public discussion like we're having now.

Councilmember Adams: Yeah.

Councilmember Mosby: So, you know, in ten years start public discussion, and in 12 years have the vote on it.

Councilmember Adams: But, we have to vote and amend it so that we have that process (Inaudible. Microphone not on.)

Brad Hill: Like Councilman Mosby said, if you started the discussion in 2010, that's still two years as opposed to the length of time this one was in process. So, that's still a healthy length. It's not to say that it can't be, the discussion might start earlier, but I think that sounds reasonable.

Ted C. Ziemer, Jr.: Mr. Chairman, one issue, I think—

Councilmember Walker: I wanted to make a motion that we leave the Police Department and the Sheriff's Department as it is.

President Winnecke: Well, in this Plan, it does.

Ted C. Ziemer, Jr.: One consideration, when we're talking about maybe having a referendum, we cannot have a referendum on the ballot unless it's authorized by the State, through legislation. So, we can't change this to require a referendum. You can do anything you want to make the approval process more difficult, if that's what you want to do, require a super majority of everybody on the, not just ten, 15 people on the Council. You could do that, but you can't require a referendum without legislation authorizing the referendum.

Councilmember McGinn: Don't you think that the issue of consolidating law enforcement will come up the next election for Sheriff? I mean, I would think that this process and these plans would be vetted during an election campaign.

Eric Williams: The only thing I can tell you for sure is that I will not be a candidate.

Councilmember McGinn: I know you won't be. The law says you can't.

Eric Williams: But, I will ask the questions of the candidates.

Councilmember McGinn: I already have them written down. I mean, I think this is going to be vetted. I think it's going to become a campaign issue in primaries and in the general election. Whoever is running for Sheriff, are you in favor of consolidating law enforcement, why? So, I mean, I'm not really worried about it not being brought up in the next ten years, and how, how much are you going to save us? So, I'm not concerned it's going to be a secret.

Councilman John: Not to stop the conversation about this, but what's to prevent the Metro Council, four years from now, saying let's amend the Plan and go and combine them right now and they vote? Ten of them, ten of them vote.

John Hamilton: They would have to follow the procedure in Article 11.

Councilman John: So, I mean, they can do it. So, we could put ten years, 20 years, 50 years, 100 years, but a new Council can decide.

John Hamilton: We say (Inaudible. Not at microphone)--

Commissioner Abell: Unless you leave this.

John Hamilton: -- can, (Inaudible. Not at microphone) might not be able to.

Commissioner Abell: Well, this says no consideration can be acted upon prior to a certain date.

Councilman John: But, you can't amend it?

Commissioner Abell: If you leave this you can't.

John Hamilton: We're trying to set in stone an exception.

Councilman John: Okay, so you would put in there that this cannot be amended pursuant to section--

John Hamilton: That's what we (Inaudible. Not at microphone.) notwithstanding Article 11. That they cannot do it until a certain date.

Councilman John: Do your ten year--

John Hamilton: (Inaudible. Not at microphone.)

Councilmember Adams: Then render me, because I didn't really want to get into this, but I thought about it last night, then render me a legal opinion as to whether the new Metro Council could indeed supercede and overrule this thing. I mean, they're a brand new group of people.

John Hamilton: There is no precedent or no law to guide us on it.

Councilmember Adams: Yeah, so, I think what I'm hearing is the chances are they can do that.

Ted C. Ziemer, Jr.: No, I think it's the reverse. I think the chances are they cannot, but it could be challenged in court. I think the challengers lose. The object here is to prepare a Plan which is going to set the stage for the new government, and after this Plan is approved by this body, and we're putting in the Plan what the amendment process is, we can make that amendment process anything we want to. Then we can, if we can put in an amendment process, we can also say that some portion of this Plan is not subject to that amendment process, or won't be subject to that process until 2024. I think we have the right to do that, and I believe that in a challenge we would win. The Plan is going to supercede any chance to change it, except as provided in the Plan.

Councilmember Adams: By doing so we would be showing the will of the people at this particular date.

Ted C. Ziemer, Jr.: Always.

Councilman John: What if you include in there in ten years, 2022, the Council petitions the State to authorize a referendum and they start developing a plan for 2012, or 2024? Excuse me.

John Hamilton: Are you wanting to mandate that they do that? Or, what if the Council decides by ten out of 15 that they don't want to do that? Do you want it to be mandated? I'm just asking.

Councilman John: No, authorize them on that date to petition the State for a referendum for the 2024, but they can't do it before 2022.

Councilmember Adams: That's the most legal way that I (Inaudible. Microphone not on.) what I hear you guys say, this is just (Inaudible) allows the Metro Council to start doing it at that time—

John Hamilton: It authorizes them, but you don't want to mandate that they shall do it.

Councilman John: Yeah, authorize them to do it.

Councilmember Adams: What we're looking for here, obviously, ten or 12 years (Inaudible. Microphone not on.) I think we've got that. Then the question is how do we process it so that it is discussed and voted on by the people?

John Hamilton: What if the Metro Council decides they don't want (Inaudible)?

Councilmember Adams: Well, that's their problem.

John Hamilton: Okay.

Councilman John: Yeah, then they don't do it.

John Hamilton: That's what I'm asking. Just so we understand.

Councilmember Adams: I can't (Inaudible) won't.

Councilman John: I'll put that in the form of a motion.

Councilmember Mosby: I agree.

President Winnecke: Okay, do you want to summarize it one more time?

Councilman John: In the year 2022 the Metro Council is authorized to petition the State, through one of our legislators, to authorize a referendum in the year 2024 on combining the Police and Sheriff's Department, and during that interim they develop the plan, if they decide to do that, on the implementation of the merger.

President Winnecke: And did that plan, just to piggyback on it maybe, and then that plan be developed by-

Councilman John: The Police and Sheriff's Department-

President Winnecke: Right.

Councilman John: – the professional law enforcement officers.

Councilmember Friend: Second.

President Winnecke: Is everybody clear on that?

Councilman John: Does that make sense?

Councilmember Friend: Yeah, I think I followed you.

President Winnecke: Okay, a show of hands for people who support Councilman John's idea.

(City Councilmembers approved straw vote 5-1. Councilman Walker opposed. County Commissioners approved straw vote 3-0.)

President Winnecke: Okay.

Ted C. Ziemer, Jr.: Just for the lawyers sake, and we hate to ask you to do anything for the lawyers sake, but, so, are you suggesting that there can be no discussion about this prior to 2022?

Councilman John: No, I don't think it says that, it just says at that year they can petition the State.

Ted C. Ziemer, Jr.: But, that's the first time they could authorize, that's the first time they would be authorized to seek legislation to provide for a referendum in 2024? Then, is it your thought that they still go through the amendment process provided for in Article 11? Or, does the Metro Council in 2022, working with police agencies and so forth to set up a plan? If they do that, that plan will go on, will be the question

on the referendum and we don't have to go through the process provided for in Article 11?

Councilman John: Right.

Ted C. Ziemer, Jr.: So, what we're saying, in effect is, if the Common Council at, if the Metro Council at that time determines that they want to amend the Police Department and the Sheriff, they'll begin discussing it, they'll have meetings, they'll deal with experts in the area, they'll come up with a plan, and that plan, if voted on by a majority of the people on that Council will be put to referendum in 2024?

Councilman John: Right.

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

President Winnecke: Okay, the other, well, they'll come up with some language and we'll get a chance to bat it around. The other issue, just to clarify the earlier, we started the discussion regarding jurisdiction issues, I thought I heard you say that you've each put together ideas that go beyond jurisdiction. Is that right?

Eric Williams: I don't mean to speak for the Chief, what we both came up with was initially a plan to attack who the primary responder for 911 services would be. When you call 911 who are you going to get? And to discuss where those boundaries were. What we had talked about during the whole planning process of the committee's meetings is that there are some inefficiencies in the way the boundaries have been designed to this day. You know, annexation is not by, you know, street center lines and places that people are easily identifiable. What we both did, just at different degrees, looked at those places where it was very confusing, where there were some inefficiencies in how we deployed our personnel to make it more efficient and more effective and tweak those boundaries, and that's what they would be from that day until the next day that's established. Like I said, I have a version and Chief Hill has a version.

President Winnecke: So, do we have an opportunity to sort of meld these two together between now and 12 years from now? No, I'm just kidding.

Brad Hill: My version is very conservative, his is, he uses a broader brush with his. From my personal perspective, I am comfortable with the current jurisdictional boundaries. What I proposed was a few changes to even out some of the borders and take out some islands and things, but as I say that, I think it's conceivable that the current boundaries could be left in the Plan now, with the caveat that the Chief and the Sheriff could come together for a memo of understanding eventually for some changes in those boundaries, dependent upon, I guess, approval from the Mayor and the Council in the future, unless we come up with that before that.

President Winnecke: I exchanged e-mails with the Sheriff yesterday on this issue, and I suggested a memorandum of understanding, you know, that each agency have regarding jurisdictions as agreed upon by the appropriate bodies, but you expressed some reservation about that.

Eric Williams: My fundamental reservation with that concept is that it pretty much negates all of the previous conversation.

President Winnecke: I'm not following you.

Eric Williams: If it's up to the two of us to figure out that we're going to shift and move things around, why have the dates in the future and let's just leave it alone. It seems to me that the goal of what we talked about was that we were going to come up with some efficiencies today, set those in place and we're going to leave it alone. We're not going to adjust it for this period of time. In that time we're going to build a plan, but if during that period of time we're pushing back and forth moving depending upon the personalities that are in office at the time or the Chief that happens to be in office at the time, it seems to me that that creates a whole lot of the unknowns again. I'm much more comfortable with let's come up with something today and figure out and make it work for both of us and set it in place and leave it alone.

Commissioner Abell: Why don't you both provide a copy of yours to all of us and we'll see if we can come up with something.

Eric Williams: Quite honestly, I'm very comfortable with that.

Commissioner Abell: Good, I think that would be a good solution.

Eric Williams: You know, I, this is what we can do to best serve the people that we serve. So, you know, I'm more than willing to let as many eyes look at the plan and see what you think.

Commissioner Abell: Sounds great. Is that agreeable with you, Mr. Hill?

Brad Hill: Well, I was going to say, before you made that option, that we would meet and talk some more, but we are somewhat separated now on a solution, but it's not that we can't talk further. I would be happy to supply you with my (Inaudible).

President Winnecke: Why don't you, if it's alright, if it's the will of the bodies here, each send electronic versions to the Commissioners office and they can distribute it to everyone electronically. Unless you have a better idea.

Eric Williams: No, I don't mind doing that, just at the magnitude of these maps and the detail they are, the electronic version that you see on your computer screen, I just having been messing with it, it's a little difficult to see. I don't mind doing that, but I would like to make sure that the full size maps with the drawings are available somewhere that you can look at them in detail to see the big version, because it makes a difference when you're looking at it.

President Winnecke: Just, maybe provide a hard copy to the Commissioners office and everyone knows whenever they are there, you can bop in and look at them.

Councilman John: You could put one in the Clerks office too.

President Winnecke: Any other discussion on the law enforcement component before we move on? Thank you, gentlemen. The other changes in Section Nine are deletions based on what we're doing with the Sheriff's Department and the Police Department as in leaving them alone. Any questions there?

Discussion of Exhibit "D": Board and Commissions

President Winnecke: Section Ten, the Transition. Article, oh, I'm sorry, Mr. Ziemer. Yeah, I forgot this.

Ted C. Ziemer, Jr.: I just want to point out to the Commissioners and the Council that inadvertently when we were putting Exhibit "D" together we did not include the Police Merit Commission, and it should be. There's a provision for Fire Merit Commission and there needs to be one for the Police Merit Commission. We're preparing that and we'll send the language around of the appointing authorities and so forth on that, and it will add one more committee to the group shown on Exhibit "D".

John Hamilton: It was taken out because they were putting the Police under the Sheriff's Office.

Article Ten: Transition

President Winnecke: Okay, Article Ten regards, relates to the transition. We decided in one of the workshops that the Transition Committee would consist of the nine members of the current City Council, seven members of the County Council, and the Mayor, and I thought we talked about being, there should be a County Commission presence on this versus just having advice from the Commissioners.

Councilmember Adams: We were trying to (Inaudible. Microphone not on.)

President Winnecke: Right.

Ted C. Ziemer, Jr.: It was just that you never took a straw vote on that.

President Winnecke: Oh, we didn't. Okay.

John Hamilton: You discussed it and you talked about leaving an odd number—

President Winnecke: Gotcha.

John Hamilton: Someone said how about if you do it with the advice.

President Winnecke: I think there probably needs—

Councilmember Adams: Could we have a County Commissioner from both parties? Then it would still be an odd number. I think it's important that the County Commissioners—

President Winnecke: No, I agree.

Councilmember Adams: —have influence in this.

President Winnecke: Yeah, what if, I mean, there have been situations where they've all been of one party.

Councilmember Adams: Well, then—

President Winnecke: It's unlikely, but—

Councilmember Adams: Well, then just say two Commissioners, hopefully of either party.

President Winnecke: The Commissioners—

Councilmember Adams: You need an odd number. We need representation from the County Commissioners.

President Winnecke: —could decide. Two Commissioners decided by the County Commissioners.

Councilmember Adams: Yeah.

President Winnecke: How does that fly? A show of hands on that.

(City Councilmembers approved straw vote 6-0. County Commissioners approved straw vote 3-0.)

Councilmember Adams: Well then the dominant party outvotes the—

Commissioner Abell: Believe me, nobody will want to be on it.

President Winnecke: The rest of the changes in Article Ten are renumbering, with the exception of 10.5.2, which changed “polices” to “policies”, just a spelling change. Everything else, then in 10.9.2 we add a sentence at the end, under Unified Code of Ordinances, indicating that it is noted that the City of Evansville does not have a drainage code and that issue is to be addressed in a new, unified ordinance. That takes care of all of the changes in Article Ten.

Article 11: Amendments

President Winnecke: Article 11, in 11.1.1 changes the number of votes required from eight (8) to ten (10) based on our increase in the number of Council representatives. 11.1.2, the citizen petition is signed by at least five percent of the registered voters of the Combined Government who voted in the previous Secretary of State's election. That's consistent with the statute that created this, the enabling legislation for this process. I believe, oh, and 11.2.1 just changes the number of Council representatives. Any other Commissioner or Councilmember have any questions relating to the changes that have been presented?

Presentation of Amended District Maps

President Winnecke: If not, I think it's time we ask Mr. Jeffers to present his work to us. For anyone keeping score, there were 94 insertions and 98 deletions in the, from the original Plan.

Bill Jeffers: Yeah, come on. I'm going to get somebody down here who knows what they're doing. The map that's being passed around shows 12 districts, as requested. This would be your Exhibit “B”. It's not headed, it's not shown as that, but

that would be Exhibit "B" in your document, if you choose to adopt it. Linda Freeman will be down here in just a, is down here and she'll have it up on your screens in a moment. I apologize for the quality, what the audience will see, because unless the lights are turned off the colored shading, some of the blues are going to look like some of the greens. That's why I'm handing out the hard copy. On your screens it should look exactly the same as the hard copy that's in front of you. It's decent, but if the lights were off you would see it better. Basically, what we did was followed the direction that was given us, divide the county into 12 equally populated districts. We gave absolutely no consideration to the residences of current elected officeholders. We gave no consideration whatsoever to political or partisan demographics. We simply started up in Armstrong Township, which is a very rural and agricultural area, and Armstrong and Scott we stayed on the west side of 41 and came south until we reached approximately 15,000 residents. We started in Union Township, which is similarly to Armstrong and Scott very rural and agricultural, and we worked north towards the Lloyd Expressway until we reached 15,000 residents. That left us with a piece of (Tape Flip) in between. We tried to make six of the 12 districts lie exclusively to the west of U.S. 41, because of the inconvenience of crossing 41 for some people. That was not totally possible, but that's what we tried to do. Same on the east side of the county we did exactly the same thing, we started at the top, worked our way south, lopping off 15,000 people at a time, and we tried to use the Lloyd Expressway as a geographic boundary between districts because of the inconvenience of crossing Lloyd Expressway for some people. So, this is what we ended up with and we have 12 districts, which as I read the proposed Plan would still go to the Transition Committee, after the referendum, and before the effective date, and that the Transition Committee essentially would be made up of elected officeholders who could adjust these district lines should they see fit to make adjustments. Are there any questions about the 12 districts, how we arrived at those? We gave you the population, I guess, I should say also our target population was what, Linda?

Linda Freeman: 14,975.

Bill Jeffers: 14,975. I contacted the Election Board, both the Republican and the Democrat representative of the Election Board and they assigned the Democrat representative to me to answer my questions, and of all the questions I asked the lady, who I've known for, oh, 20 years or so, I worked with her on these districting projects, there was only one question that she was unable to answer me, and that was what is our leeway above and below 14,975, either in head count or in percentage, and she said there was no federal or state rule or law that gave us specific percentage that we could vary above and below 14,975. But, that any variance opens you to an action by a group of voters who may perceive an imbalance, but, this is the best we could do. That's why I say the Transition Team still would have the opportunity, the Transition Committee would still have the opportunity to click one census block off here and add it over here and tweak this to get it as close as they would like to get it. This is the best we could do for you at this time.

Linda Freeman: It's 3,000 plus census blocks, if you think you guys want to pick and choose.

President Winnecke: I have a question—

Bill Jeffers: Yes, sir.

President Winnecke: –for the legal staff. If, and this is my personal opinion, so, I don't know if this is shared by others, but I would like, I guess I would like to take that power away from the Transition Board. I think, I think if this body approves a modified Plan, including maps, and that's what folks go to the polls to vote on, and this is, this includes the latest census data, I don't think the Transition Team, although they are elected officials should change that.

Commissioner Melcher: I agree with you, and I thought that's what we were doing. I thought we agreed to that, that whatever we passed, the voters would know right away where they live and that.

President Winnecke: So, the question is really for Ted and John. In Article 10.3.1, Specific Duties, could we amend that language to reflect that?

John Hamilton: I believe so, as long as (Inaudible. Not at microphone.) polls establishing these districts, and we'll look at that.

President Winnecke: Does anyone on this panel not agree with that? Okay, thank you.

(No one on the City Council or County Commissioners voiced opposition.)

President Winnecke: Thanks, Bill.

Bill Jeffers: The lady who I spoke with at the Election Commission in Indianapolis is named Michelle Brzycki. She's very diligent, very well versed in all of this, and the question that she was unable to answer she referred to her supervisor, so there is still an answer pending from them regarding how far you can vary off of–

President Winnecke: Your base number.

Bill Jeffers: –the base number. So, if there's no questions on the 12 districts we'll put up the three districts version A. This would be a version, just an example of at-large districts, the county divided into three at-large districts in which the at-large member must, each at-large member must reside in one of these three districts, but the entire county votes on the at-large members. However, each one must come from one of these three districts. This version that's up there now, basically we just took four districts, merged them into one, because that gives you a fairly even population distribution between the three. In this case we have one on the west side of 41, one on the east side of 41, and one south of the Lloyd on the southeast and east side of town. Our thinking on this was that an at-large member should travel the entire district and the entire district should reflect both rural and urbanized demography. So, they know what they're looking at and know what they're talking about when they come represent their district. They know what the farmers are thinking, they know what the city dwellers are thinking. We just geographically took four districts for each of the, four of the Councilmatic districts and merged them into one at-large district, did that three times. The next version is version B, which is just another example of the very same process. This one just simply looks more like it does today, the School Board districts and the Commissioner districts, the County Commissioner districts. We've got a north side district, a west side district and east side district. Again, it's just four Councilmatic districts merged into each one of the at-large districts. Just showing you some examples. You can take any four districts and make an at-large district. We have had, in closing I would, if there's no

questions, I would just say we have had requests from the media, specifically the Courier & Press for copies. No one has seen a copy because we just finished these this afternoon about 4:00. I have three hard copies here, the person, the young gentleman from the Courier who requested it asked us if we could overlay the current city boundary on the 12 district map, and we can do that as well, for his—

Linda Freeman: (Inaudible. Not at microphone.)

Bill Jeffers: Right, all of it is digital, so their artists can do a rendering for the article. I'm just notifying you of that, and you can make that decision. Thank you.

President Winnecke: Bill, thanks for, this is a lot of work and appreciate everything you and Linda and your staff has done for this.

Bill Jeffers: Mostly Linda.

President Winnecke: Linda, thank you very much.

Bill Jeffers: 99 percent.

John Hamilton: Thank you, Linda.

Commissioner Melcher: Thank you.

Councilmember Walker: We know you didn't do it, Bill.

Linda Freeman: I do have them all available as PDF's so anybody that wants an electronic copy I can send it to them. If you want to give me your e-mail addresses. Oh, Madelyn.

President Winnecke: Linda, is it possible you can send that to the Commissioners website?

Linda Freeman: I can send, who, is that Karen?

President Winnecke: Marissa.

Linda Freeman: Oh, Marissa, okay.

President Winnecke: So, folks can access those.

Linda Freeman: Yeah, and then I know, oh, that was good, okay, I didn't even see you.

President Winnecke: Richard.

Linda Freeman: There he is, the Courier & Press gentleman, Richard, he was asking for it. So, I've got his e-mail. So, when I get back down to the office here in a few minutes.

President Winnecke: Thank you. There's a lot to consume in these maps. I certainly don't expect anything but discussion tonight. In fact, people may be hesitant to discuss what they're seeing for the first time, which is fine.

Overview of Continuation of Plan Review/Modification Process

President Winnecke: Before we move on to public comment, just a thought about what I think we ought to do next, and I'm certainly open to ideas. We've given the attorneys additional modifications to make, we're seeing the maps for the first time. I know there's still additional data that, and information that we all need that we got an e-mail on late today that requires additional research. We have vacations coming up, and I would like to have as many people present as possible as we continue these discussions. I would like to think that we could continue this until August 4th, which is a Thursday night, at which time we would reconvene to reconsider what we've seen tonight. Just an idea, food for thought. Go ahead.

Councilmember Adams: That's great. Could we discuss a little bit the e-mail that we got late today?

President Winnecke: Absolutely.

Councilmember Adams: From Joe Gries.

President Winnecke: August 4th first—

Councilmember Adams: Excuse me.

President Winnecke: – we'll pencil that in and then we'll move on. Okay.

Councilmember Adams: I guess, I was a little confused whether he was saying that he could or could not give us a pro forma of a guesstimate of what the property taxes would be if the merger occurred. I just think it's mandatory.

President Winnecke: I think I need to talk to him more to understand the e-mail more.

Councilmember Adams: Okay.

President Winnecke: I would encourage everyone to reach out to him.

Councilmember Adams: Well, I e-mailed him back and said, hey, there was some sort of pro forma in the fall. I'm not quite sure whether it was valid, but I really think we've got to have that.

President Winnecke: You know, and frankly I don't know if we need to, in conjunction with the Auditor and the Controller, engage Crowe Horwath to do some more, to do a deeper dive. I don't know what he needs and whether that's information he can readily or needs technical assistance on. So, that's a question that I would urge all of you to run by him.

Councilman John: I have not read the e-mail, but until he knows what your urban areas are, and what your other areas are, it's almost impossible to come up. I mean, if it was going to be a straight rate across the board, it's simple, you take the assessed valuation and you combine the city and county budgets to estimate how much money you're going to be using and it will give you a rate. But, if you don't

know who's in what area, and what your assessed valuation you're going to be basing your rate on, it would be very difficult.

Councilmember Adams: Sure.

Councilmember McGinn: Could we give him, you think, maybe some assumptions, you know, like ten percent of the county as it exists now is, every year becomes a full service then, so we at least have a number?

Councilman John: If you go with assessed value as opposed to ten percent of the area—

Councilmember McGinn: Yeah.

Councilman John: —if you throw in your assessed value, yeah, they could do that. He could probably give you a ten, 20 and 30 percent. If ten percent is rural, versus 20 percent is rural, versus 30 percent, yeah, he ought to be able to do that. Maybe that's the guidance we should give him.

Councilmember McGinn: I mean, we need and the people need to look at something, like what's it going to cost if we become part of the city?

Councilman John: Right.

Councilmember McGinn: We just have to know. So, even if it's a generic, you can figure your assessed valuation, you know, a baseline, you know, assessed valuation of \$112,000 then you just modify it up or down depending on what yours is worth. Yeah, I think he could give us something like that.

Councilman John: But, you would also have to, if you're a rural area are you going to pay just the county rate that they're currently paying? Or are you going to pay part of the city rate? There's a lot of questions there that I can understand why he's a little reluctant to say here's what it's going to do, because nobody knows.

Councilmember McGinn: Right, yeah, but baseline. If you are in your taxes go up "x" percent. You know, if, it doesn't say, you know, who you are, but if. Yeah, I think he could give something generic. We'll think about it a little.

President Winnecke: Okay. Any other....Commissioner Melcher?

Commissioner Melcher: I'm not going to be able to be here the whole night that night. If anybody doesn't have a problem, can we start at 5:00, instead of 5:30? But, if it's a problem, we'll keep it at 5:30.

President Winnecke: That's fine with me.

Councilmember McGinn: I have a 4:00, I'll just leave it a half an hour early.

Commissioner Melcher: Well, I've got a 4:00 too, but I'll be here at 5:00, because we have to run them out of here.

President Winnecke: Okay, 5:00 it is on the 4th. Any other comments by anyone in this body? If not, I would—

Commissioner Melcher: The other, I guess, what is going to be the goals of that meeting? Is that the meeting, the night we're going to try to pass it on a real vote?

President Winnecke: I don't know that we're ready to vote. I think, at that point, members of the public are still, they're seeing this for the first, the redlined version for the first time—

Commissioner Melcher: No, I understand.

President Winnecke: – so, I would say it depends on what language we get regarding law enforcement. We'll have a lot of discussion, I assume, on the maps. I suspect there will be feedback from all kinds of circles. I would not see a vote on that night, but further discussion and maybe putting everything to bed and figuring out when to continue the public hearing, and then when a vote could be done.

Commissioner Melcher: So, that's what we're doing now with this and we're going to continue this one?

President Winnecke: Yes, sir.

Councilman John: Well, it's my understanding that our formal votes will come at our, at the Commissioners meeting and at the Council meeting.

Commissioner Melcher: Right.

Councilman John: So, it would be just a straw vote that night anyway, if there was any.

President Winnecke: Right.

Councilman John: Okay.

President Winnecke: So, tonight, technically we would be continuing our public hearing to 5:00 p.m. on August the 4th.

Commissioner Melcher: Okay.

Public Comment

President Winnecke: Anyone from the public that would like to speak? Bill?

Bill Jeffers: President Winnecke, if I might just interrupt for a moment? My Chief Deputy, Linda Freeman—

President Winnecke: Come to the microphone, please.

Bill Jeffers: Linda Freeman stables some rescue horses way out in Armstrong Township, and she has to attend to them tonight and again tomorrow morning. If, there's a gentleman in the audience who wants us to pull up something from the Auditor's office, to talk about taxes, could he go first so we can—

President Winnecke: Sure.

Bill Jeffers: Is that okay?

President Winnecke: Sure.

Bill Jeffers: Thank you.

Mark Fehrenbacher: My name is Mark Fehrenbacher, 14815 N. Buente Road, Evansville. I reside in Armstrong Township, which is outside the city limits of Evansville and outside Darmstadt limits. Before I get to my spiel, I would like to sort of piggyback on what the Sheriff and the Chief said and probably add two points for your consideration. One is for any decision that you all make, make it in an odd year, not an election year, so you keep the politics out of it. Then, second, for the concern that you're making with law enforcement, the same thing you have to apply to the fire departments. That's the other 800 pound gorilla in the room. Okay? Now, I would like to hand some material out to you all, if I could. What I'm passing around is an actual property tax bill for this year for a resident in Armstrong Township. The second page is what you see on the screen, which is the actual property tax rates. The reason I'm bringing this all to you is that at your last meeting, and maybe the meeting before you were going over various boards that you were making appointments to, and I'm going to make the proposal that some of them boards should be elected officials, not appointed. As we go over this property tax bill you'll find out that some of those tax levy rates are made by appointed board members, not elected. Okay? So, if you go down to table three, county, and look at your screen over here, county believe it or not is a little complicated, but we'll come back to it at the end. Your next item, Township, which for this particular residence, for this tax year is .0788. If you look down, for Armstrong Township, you'll see Township Assistance, Fire Equipment, Township, all of these items, total township rates, .0788, that's the tax rate for this property. The Township Trustee and the Township Advisory Boards those are elected members. Okay? The next item, School District, .6060. Scroll down, you see various line items for your school, total school rate, .6060. Your School Board, an elected School Board. It's not that far in the past, and believe it or not, I was around back then, that your School Board was appointed. Now, they're elected, okay? Your next item, City, and you may find out why Armstrong Township is there something that says "City" on it. We don't live in the City of Evansville, we don't live in the Town of Darmstadt, okay? The city rate of .0939. Okay, scroll down to the very bottom, total City, .0939. What does that consist of? Scroll up, Parks and Recreation, .0903; Park Bonds, .036. Your Parks Board, an appointed board, has a tax levying rate on your property taxes. For you members up here, and I think all of you are city residents, none of you are outside the city limits, look at these other things that are at zero that you all appoint board members to; the Police Board, the Fireman Board, do they all set your tax rates? Library, next item, Library consists of three items; Operating, Debt Service, Special Library. They all add up, but your Library Board is appointed, not elected. Tax Increment, your TIF, doesn't apply to this property in Armstrong Township, but in some parts of the city it does. Then, the last item, Special District, and if you try and figure out where Special District is, at a rate of .0242, it's right there, the Levee Authority, .0242. Again, another appointed board, not elected. Okay, then go down to the, toward the end of that tax bill, the levying authority. Well, first off, let's go back to county, there's another appointed board that makes up that county tax levy, County General and these items here as established by your County Council, which are elected officials, but the rest of the items, scroll down here, where are they at? I'm looking for the airport. The airport, Cumulative Airport Building, Special Airport

General. They are appointed boards, they have taxing authority, they should be elected. Now, the final item, on table four, your levying authority, Barrs Creek, five dollars, we call it the ditch fee. I discussed it with Mr. Jeffers and it's my understanding that it's basically your Drainage Board, which consists of your three County Commissioners. That's fine, I mean, you're elected officials. So, I guess, basically, to summarize, is when you were going over your appointed boards, some of them have taxing authority, and I believe that those that have taxing authority should be elected officials. Any questions?

Councilman John: Any board that we appoint, we don't appoint the library, we don't appoint the airport, we don't appoint a number of these boards, but any board that we appoint that has a budget, those budgets are subject to approval of the City Council.

Mark Fehrenbacher: I believe, unless the law has changed, that you review the budgets, but you don't set the budget.

Councilman John: Yes, we don't, they request it, we have to approve the spending. We can cut it, we can cut any of those budgets.

President Winnecke: The same applies to the airport—

Councilman John: Of the city.

President Winnecke: Same on the county side, the air board—

Councilman John: The county does that. I'm talking about City Council, the current City Council, we have to approve any budgetary requests of the bodies that we appoint.

Mark Fehrenbacher: The budgets, yes, but do you approve the tax rates for these appointed boards?

Councilman John: Well, the budget, what we approve in the budget determines what the tax rate is going to be. The Controller says, alright, here's how much we have to raise through property taxes, here's what the rate will be, based upon the amounts that we approved for the budget. We don't do the library, we don't do the airport, we don't do a number of them that you've talked about here. We don't do the township budgets.

Mark Fehrenbacher: Right, that's understood.

Councilman John: Right.

Mark Fehrenbacher: But, some of them—

Councilman John: But, now, Police Pension, yeah, I mean, the Police Pension is determined by somebody else, but we have to approve their budget and approve the tax rate. Fire Pension, Police Department, Fire Department, all of those we have to approve.

Mark Fehrenbacher: But, the airport, and the library and all of that stuff, who—

Councilman John: Currently the county, under the new one, I would assume—

President Winnecke: The County Council has always approved the air budget, the Air Board budget. On the Library and the other budgets—

Councilman John: They are approved by the State, the Local Government—

President Winnecke: Right, they are approved by the, well, now they get a cursory look by the County Council, as a result of recent change in State law, and then they go to the Department of Local Government Finance to be approved. There's more local oversight now than there was five years ago, let's say, because of change in State law.

Mark Fehrenbacher: But, do you, to make a long story short, do you set the tax rate? You review the budget, but do you...in other words, if I look at, okay, Library, I don't like how much that tax is, who do I go to and vote them out? Or vote whoever approved that out?

Councilman John: The County Auditor figures what rate is necessary to raise the money that the County Council approves. The City Controller determines what rate is necessary to raise the amount of money that the City Council approves for the budgets, and a number of things go into it. It's not just all property taxes, there's a number of miscellaneous incomes that the city has and the county has that offsets the amounts you have to raise through property taxes.

Mark Fehrenbacher: Right.

Councilman John: But, you get down to a bottom dollar, here's how much we need to raise through property taxes. The Controller figures out that for the city, the Auditor does for the county. It's all based on the amount of dollars that are approved by the two legislative bodies.

Mark Fehrenbacher: What I'm looking for, is that as you go through these board appointments, if I don't like a particular item on that property tax bill, say the airport, say the library, I think it should be an elected official that I hold accountable. That's, yes, the airport, their budget may be approved by the now Metro Council, that's fine, as long as we have some accountability, you know, I'm fine with that.

President Winnecke: Okay.

Mark Fehrenbacher: Alright?

President Winnecke: Yeah, points well made.

Mark Fehrenbacher: Thank you.

President Winnecke: Thanks, Mark. Actually, this discussion did remind me, we did forget one thing. We did not review the 59 boards and commissions that we discussed. So, I would say we'll put that on the agenda for August 4th too. Who else from the public would like to....just in an orderly way, just come up, state your name.

Lucretia Powell: My name is, my voting name is Lucretia Faye Powell. I live at 1101 Suwannee Drive, 47725 in McCutchanville. I'm here, I came to one of the earlier

meetings when a friend of mine called me and said, Faye, you really ought to find out what's going on with consolidation. I said, oh, I'm busy with my career, you know, I don't have time to go to meetings. She said, well, you know, if we consolidate they're going to raise your taxes. So, she gave me an estimate of what my taxes were going to be raised, which was about \$3,000 on top of what I'm paying right now. So, that got me to the first meeting, and that got me interested. That was a selfish thing on my part. Then I was standing in the grocery line behind a couple, and, obviously, the lady was buying the groceries and the gentleman was obviously upset and wanted to talk to someone, with tears in his eyes, and he said I just filled up my gas tank, it was \$50, and my taxes have been raised \$89, and that would be the loss of the home, the home whatever exemption. So, I'm looking at them and I'm judging, they're senior citizens like me. I'm 83, going on 84, I still work, I'm fortunate that I can still work. There are a lot of senior citizens that own their own homes, so judging, doing the math, \$89 raised in the taxes, so that would make their home value probably in the \$100,000 area. So, if we are consolidated, moved into the city, these couples, these senior citizens are going to be paying maybe \$300 more in taxes or whatever. So, if your Social Security is \$1,000 or \$1,500 that's a lot of money. So, I'm sitting there and I think I'm worried about myself, you know, and here, you know, I think it's time that we started thinking about other people. It is not a time to raise taxes on anyone in this economy today. The cost of living is going up, for Social Security people there's no increase in cost of living whatsoever. So, I'm going to be fighting. I'm going to take less time out of my career. I like to live in the county because I fly a lot in my career and I like to be close to the airport. Also, in my earlier years I taught school 12 years, before, obviously, the schools were consolidated. So, I don't have a really good taste in my mouth for consolidation. By the time my children were school age, the schools were consolidated. Everybody was taken out of the rinky dinky little neighborhood schools, put on a bus, and shoveled off to a huge, big school some place. Well, how did that turn out? You know, the kids on the bus, they could, you know, they're away from their parents, they're down in the long halls in the big schools and so forth. They can do a lot of things that their parents, you know, are not there to help them with. You know what the test scores are in our consolidated schools nationally. It's a national disgrace, down, test scores are down. Recently, there was picture in the local magazine, or the newspaper, the Courier, of national honor students. A picture of ten students who had won national honors. Five at the top were from rinky, dinky little signature schools. One was from Evansville Day School, four were from parochial or our very expensive consolidated schools. I'm against consolidation, because I think consolidation is watering things down. I'm very happy out in the county. We have an excellent Sheriff's Department. I mean, our burglar alarms go off, they're there instantly. We feel very safe, and I'm very happy that that deal is going to be kicked down the road, you know, for a while and that our Sheriff's Department is not going to be watered down. Any time you have consolidation, big is not better. You know, with our government, big is not better. So, you know, even my husband's company, my husband was with Mead Johnson, went through the merger, which is really consolidation. How did that turn out? Well, you know, we're back, that company is back where it was from the beginning. I would, you know, guess that more parents are going to be sending their children to signature schools, or as with my granddaughter, my daughter can't afford a private school, so she's home schooled. So, all of that is a result of consolidation. I just wanted to share, you know, my thoughts, my thoughts on consolidation as I talk with my neighbors and people, and people are saying, well, you know, what are going to be the benefits? You know, what are the benefits? Are we just going to pay for that big arena down in the center of town?

(Applause)

Lucretia Powell: You know, if you wanted to build a big arena down in the center of town, you should of asked us first. We should have been able to vote for it.

(Applause)

Lucretia Powell: So, you know, and I just thank you for listening. I just, you know, wanted to share those points, and I want you to think, you know, about the senior citizens. I happen to be a lucky senior citizen because I'm still able to work, but there are so many senior citizens who are not, that are living on the Social Security that they thought as they were young was going to be the thing that they could retire on. Any raise of taxes and so forth is going to be, you know, detrimental to them. So, where are they going to end up, you know, when they try to sell their house, the real estate is down. When they find out in 2012, in the health care bill, they are going to have to pay 3.8 percent to the government when they sell their house. No one knows that yet, they are going to have to have a new furnace and new appliances in the house, all, you know, with senior citizens. Well, where are the senior citizens going, you know, to government housing and more food stamps? So, I want you to think about it before you really decide on consolidation. Thank you very much.

President Winnecke: Thank you, Mrs. Powell.

(Applause)

President Winnecke: David?

David Coker: David Coker, I'm a city resident. I would put the parking meters under the County Clerk's office, instead of the Police Department. On Exhibit "D", the listing of the various boards and commissions, I've watched this process sometimes close up, sometimes from afar on television, when it was on t.v., and I saw some real growth and some real improvement in these appointments and how they were going to be made. I particularly appreciated the way that various Commissioners and Councilmembers reached across the aisle in bipartisan agreement to hammer out some of these compromises on how these boards are to be appointed. I particularly appreciated that and wanted to commend you all for the hard work that you went to to do all of these things. I still have a couple of questions. I'm up in the air about this and continue to have an open mind. I would like to know a little bit more about how the debt load for the overall county and the city is distributed among the various taxing districts and so forth. I guess, the bottom line question that I have, and one that I've not heard a specific answer to, and we may not be able to come up with a specific answer to these questions. Can city government, as it presently is in place, survive financially over the long haul? Can county government, as it's presently constituted, survive financially over the long haul? I don't know the answer to those two questions, and will not be able to make a decision on this until I do know the answer to those questions. So, when it comes to this business of drawing up the tax tables, if we could have a little fleshing out of the distribution of the debt load, and, of course, revenue bonds and so forth are limited by where the service is provided and so forth for sewer bonds and that sort of thing. I don't think it's right to be charging people in Armstrong Township for sewers that are on the southeast portion of the county. I think part of that is why there is this pronounced resistance to going in this direction from so many people. But, those are basically all of the remarks that I have. Thank you very much.

President Winnecke: Thanks, David. Who else?

Bruce Blackford: Good evening. Bruce Blackford, 8701 St. Wendel Road. On 7.3 of the proposal, in defining the General Districts—

President Winnecke: I'm sorry, which one? What number?

Bruce Blackford: 7.3.

President Winnecke: Thanks.

Bruce Blackford: In the second paragraph, on page eight, it says that the General Service District shall serve the taxing district for funds for law enforcement, courts, jails, detention facilities, probation, child care and all of those other items. Since the Urban Service District should be paying for the City Police, and that is one of the biggest expenses, it does not separate this in that item. It says law enforcement. So, I would read that that everybody in the county would be paying for the City Police and the County Police. Is that the way you guys read it?

Commissioner Abell: I don't necessarily read it that way, because I think that it will be just like everything else, you pay for the service that you get. So, I think you would be paying in the county, your service would be the Sheriff, and in the city it would be the Police.

Bruce Blackford: That's the way I understand it, but it's not the way it's written.

Councilman John: The city will also be paying 70 something percent of the Sheriff's Department.

Bruce Blackford: Because they get the jail and other items.

Commissioner Abell: The city is in the county, the county is not in the city.

Bruce Blackford: Right. That was just one item that I noticed that I just wanted to bring to your attention, that it's not separated saying that it would pay for the County Police Department and not the City. Maybe a correction that may be needed. In 8.4, it says, "All Appointments Report to the Mayor. All boards, commissions, agencies, authorities and departments currently reporting to the Mayor or the Vanderburgh County Commissioners will report to the Mayor." Wouldn't it make more sense, since we're trying to dilute the Mayor's power a little bit that boards that report to the County Commissioners now, report to the Common Council?

Councilman John: Who is saying that we're trying to dilute the Mayor's authority?

Bruce Blackford: Most of us back here.

Councilman John: Okay, because I hadn't heard, well, I have heard it from a couple of members up here.

Commissioner Abell: Are you pointing at me?

Councilman John: I was going like this.

Bruce Blackford: And a few others.

Councilmember Adams: He was pointing to me.

Councilman John: No, I just went like this. I'm not pointing fingers at anybody.

Councilmember Adams: I'm just trying to make it even.

Councilman John: Well, but government is not even. You've got your legislative branch, you've got your executive branch, you've got your judicial branch. Now, anybody on Council that wants to run the city, they should run for Mayor. I mean, that's my thoughts on it. There are decisions that the Mayor should be making, You know, whether it's one of these two people that were here tonight, that's what they're running for, and if people don't like the decisions they make, then they get rid of them the next election. You don't take the power away and then give it to another body.

Bruce Blackford: I think he's got quite a bit of power, or would have quite a bit of say in whatever happens. I'm just looking at, since it was thataway before, and, I believe, you made the comment leave it, let's see, leave it as it is. Earlier when the Police Chief was talking about and they were discussing all of the different things, you said, leave it as it is.

Councilman John: I believe that was Don.

Bruce Blackford: Oh, I'm sorry. I couldn't tell from the back.

Councilman John: It was Don.

Bruce Blackford: Okay, sorry.

Councilman John: And, we are leaving it as it is for the time being.

Bruce Blackford: Right. Let's see, on your next meeting date, on August the 4th, since most of us didn't get this proposal until tonight, it's really hard to have a fair, or an open discussion on the information that you've received one hour, three days. Is there anyway of leaving the date open somewhat so that there's not, well, we're going to meet, but, no, we don't have all of the information, so, let's push the meeting back again until we get some of the tax tables and the bond ratings and how all of the money is going to be distributed? So the public can have 15 to 30 days to read over the material so that we can have an intelligent discussion on all of the different things.

President Winnecke: I don't mind that, Bruce. I mean, I'm willing to, I guess, I would rather keep the process moving, continue to continue the meeting so that people have the appropriate time to digest it.

Bruce Blackford: Right.

President Winnecke: I'm not trying to cut anyone off.

Bruce Blackford: I guess, I'm getting meetinged out, and you guys have a lot more of them than I do, and it's just—

President Winnecke: Well, we conducted these meetings in the interest of letting everyone watch what we're doing.

Bruce Blackford: Right.

President Winnecke: So—

Bruce Blackford: Right, and I've been to most of them.

President Winnecke: —right.

Bruce Blackford: So, you know, it's just, you know, a lot of times we discuss it, well, let's push it back to the next meeting, and it's just if we could get the information and sort of have it all out right then and there, it just seems that it would be, a lot of discussion goes on and then it's tabled to another time, and then it's sort of forgotten about and we move on to something else. One other thing and I'll sit down, is the two separate votes we've discussed in the past, or I have. I know a couple have came out and announced that they don't, they won't vote for this without two separate votes, a rural and city vote. What I've been told is that we can vote this down and then you guys could just basically re-appoint the committee, with the proposal that's already in place, go through the motions and have two separate votes and we could still have this proposal ready for the next election cycle. I think that if you want to keep the community involved and, I know a couple of comments was made that, you know, we want the public's engagement and all, this is one way that you, the public will feel like engaged, because when I was sitting back there I heard people say, well, I don't feel like I'm making any input. I come to these meetings and nothing I say really matters. So, I think if we can have the two separate votes it will bring some people in and feel like they can be part of it, and we can still stay on the same time table and have a finished budget, or a finished proposal for the election. So, that's just an idea that, you know, we could still do the two separate votes and stay on the same time table that we're on now. Any questions? Thank you.

President Winnecke: Thanks, Bruce.

Edith Smith: Hello, my name is Edith Smith, and I live at 1606 Kings Bridge Road in McCutchanville. I would just like to mention something about getting older and getting your house paid for, because that's all that we wanted to do, and now that we have it paid for we're still having a lot of bills and worried about taxes, you know. Social Security didn't get a raise, my husband is a federal employee and they are making us the lamb slain because of the inflation and all and our economy. I've talked to a lot of people about their tax bill, and most people don't know what they're paying for. It's really sad to know that they take such apathy toward what they're paying every month, or when they pay their bills. Most people have mortgages, so they're paying that for them and they don't even get a copy of it. Because we didn't get copies of it until we paid for our house. So, but we make our payments ourselves. There's a lot of people that I talk to also, they think that all of these new buildings, the arena and all of this stuff that's going on is all paid for. I said those are bonds, they're not paid for, there's a whole bunch of debt. Why don't we try to break that down so we're not indebted? If you save on interest, it would make a big difference on how things cost. I would also like to say that, someone mentioned about how much our taxes are going up, that should be the first question that you answer for people before we have this referendum, because, you know, a lot of us

are on fixed incomes, and, you know, young people don't think about it. They think, oh, well, you know, they've got extra money, they'll just pay it. I would like to know what that amount is. What are we going to get for our taxes going up? We already pay for our garbage removal, we pay for all of the libraries, everything that he was listing up there, we pay for those things. The school, that's the biggest expense, and people don't realize that in their taxes. I would also like to ask why are the city residents get to vote on our taxes to go up? I don't understand that. You know, they need to take our word and see whether we want to have them go up. There should be one referendum and it should just be the people in the county. I don't understand why the city has to even vote, because I don't know what you're going to tell them that's going to happen, because, you know, they're going to vote that we are annexed. Then, why are you supposing that this is getting passed? Everything in the newspaper that I read is, it's all of these plans and everything, and nobody ever acts like this might not, you know, pass with the referendum. So, I just think you ought to be more clear to people, and when you have articles in the paper that you answer questions that I've addressed tonight. So, anyway, the next meeting might be a good time to get those questions answered. I thank you.

President Winnecke: Thanks, Edith.

Michael Sandefur: Michael Sandefur, 2425 Knob Hill Drive, Evansville, Indiana. I guess, one of the things that I want to reflect on is have we, have you ever thought what our founding fathers would say? I know that's getting a little philosophical here, but they had just fought a war, most of them had died, and they were trying to move away from a consolidated government, okay? They were trying to move away from a consolidated government, and they died for that liberty. Now, here we are trying to go back toward that consolidated government. So, I'm going to ask you, what would our founding fathers do? Would they say you're creating liberties, or are you taking liberties? If you ask that question, because if you do, I think there's only one answer, but I don't think a lot of you have asked that. Now, it's possible that if you could come up and say, look, we're going to save, we're going to save, you know, 20 percent on this government. Well, that would be a lot of savings, and if a money return to the people, money I'm not paying, well, that is a liberty, because I've worked for that. So, the less taxes I pay, the greater liberty you have established. So, I would ask this, how much money are we saving? What is this measure going to save? Because it's certainly not going to establish any more liberty. It's going to take our liberties. So, how much money is it going to save me? Ask, can you answer that? Can anybody give me a range of dollars that this consolidated government is going to save the taxpayers? That wasn't a rhetorical question. Can anybody answer that question for me?

Councilmember McGinn: We don't know. Studies show it may cost more, Mike.

Michael Sandefur: Then why are we taking our liberties away so that we can take more money? It makes no sense to me.

Councilmember McGinn: We could get, you asked what would the founding fathers say, you know, they were such rugged individualists they may say, provide your own police protection, fire protection, build your own roads, build your own house, have no zoning requirements, clean your own water and handle your own sewage. So, if you want to be a rugged individualist—

Michael Sandefur: No, no, the government, the founding fathers didn't say that. They came together and created a government because people wanted some functioning government. What's the role? What is your role? Well, I can tell you what I think it is. I think it's to create the minimal necessary social restraints to establish a functioning government. I'll say the minimal necessary societal restraints, but we're going in the wrong direction. We keep growing government. If I want to put tile in my house, ten square foot of tile, I have to get permission from the government? Does that make any sense? That's the nonsense we've went to here. Okay? The other thing, like I say, if you could save some money, if you could save, give my money back, then that would be giving me some liberty back, but you're not, you're taking it. So, you're taking my liberties from a societal standpoint, you're taking my income, which makes me, throws me further into economic slavery. The other aspect of that is I say, well, okay are we saving money? Well, we may, but, guess what, the one money saver that we could make, with the police departments, we're not doing it, because we're too busy. I watched a group up here pander to, and the Chief and the Sheriff represent themselves very well up here, but I watched the group here pander to them. I wish they'd had that much discussion on the stadium.

(Applause)

Michael Sandefur: Had we, and it's about 700, do they represent 700 people? We've got these many people out here that don't want it and you're not pandering to them at all. You're just moving forward.

Councilman John: What you have to realize, we keep hearing we want a referendum, we want a referendum on all of these items. We're not passing consolidation. We're not passing reorganization. We're presenting a Plan, for people like you to either vote up or down.

Michael Sandefur: People like me, I live—

Councilman John: You get to vote on it.

Michael Sandefur: Okay, so the city gets to vote on it and the county gets to vote on it?

Councilman John: Everybody gets to vote on it.

Michael Sandefur: No, you said people like me. There's people in the city, and there are people in the county. We need two elections.

Councilman John: By "you", I mean registered voters. Every registered voter gets an opportunity to vote on whether or not they want this Plan to go through. You know, if you're for something you don't want a referendum. If you're against something, you want a referendum.

Michael Sandefur: No, I'm against it.

Councilman John: Are you against the referendum?

Michael Sandefur: Yes, I'm against the referendum because it makes no sense because it's automatically stealing our freedoms if it passes, because consolidation

is a form of liberty theft. That's it. That's as simple as it gets, and I appreciate you guys listening to me.

Councilmember Mosby: Excuse me. Excuse me, but do you understand that if we don't come up with an actual Reorganization Plan to put on the referendum, that all the League of Women Voters have to do is get, what is it, five percent more signatures?

Commissioner Melcher: 4,600 more.

Michael Sandefur: That's fine. Let them do it.

Councilmember Mosby: Then they can put that original Plan on the referendum.

Michael Sandefur: Let them ram it forward and you guys stand up for liberty and say we don't support it, and, guess what, it will fail. That's all it has to do. All it has to do to fail, and all we have to do to stand up for freedoms and liberties is for you just to say no. Thank you.

President Winnecke: Thanks, Mike.

(Applause)

Brenda Bergwitz: My name is Brenda Bergwitz, I live out in St. Joe in the county. This is going to be short and sweet. If we do, if this does come up for a vote, I think the city should vote and then the county should vote. It shouldn't be all in one. It should be separated. Thank you very much. Thank you all, I know it's been a lot of hard work, even though we don't like it, you still have done a great job.

President Winnecke: Thank you, Brenda.

(Applause)

Mike Mahan: Mike Mahan, 1140 East Gum, Evansville. Just a couple of questions please. What was the over, you've got the maps and so forth, what was the total population of Vanderburgh County on the census?

Councilman John: 179,703.

Mike Mahan: Okay, and one item that I noticed in your Reorganization Plan that's not addressed. You had addressed the employees, you know, keeping all of their, whatever they had previously, but it doesn't address one, the formation of one department, a combined Human Resources Department. That's all, that's just a suggestion that I had. Thank you.

President Winnecke: Thanks, Mike.

Bruce Ungenthiem: Bruce Ungenthiem, 2037 Fleener Road in beautiful downtown Darmstadt. The nice thing about going last is that everybody's already covered all of my points. So, I'm going to do what I told Lloyd, I'm going to be brief, I'm not going to go through all of this. I do have a couple of things that I want to identify. In Article Nine, Consolidation of City and County Departments, if you read through that it says more about what you're not going to consolidate than what you are going to

consolidate. We're not going to consolidate law enforcement, we're not going to consolidate fire protection, we're not going to put Burdette Park and Mesker Park Zoo in with the Parks Department, we may do some code enforcement, but only if we think can get by with it. So, really, if I read this, the only thing we're going to consolidate is the Engineer's Department? You know, I've spent 33 years being an engineer at Mead Johnson. We consolidate real easy. It doesn't take all of this paperwork to do that. We're fairly logical folks.

(Applause)

Bruce Ungenthiem: We can consolidate just by saying, hey, you two guys get together and come up with a plan. So, we're doing a whole lot to consolidate the Engineering Departments of the city and the county? Interesting. Still looking for that economic benefit, and do we know when we're going to have that economic benefit? When we are going to have, what is it the Auditor, or whoever go through and determine what kind of savings that we're going to—

President Winnecke: He's working on it.

Bruce Ungenthiem: When?

President Winnecke: I don't know.

Bruce Ungenthiem: Will we have it by the 4th of August?

President Winnecke: I don't know. I hope so.

Councilmember Adams: We can't vote on it until we've got it.

President Winnecke: We're not going to, yeah.

Bruce Ungenthiem: Yeah, okay.

Councilman John: (Inaudible. Microphone not on.) tax rates, that's not (Inaudible. Microphone not on.)

Bruce Ungenthiem: I, just a question. The last thing I want to reiterate is also on the voter threshold. I sat and watched as the Sheriff and the Police Chief and we bantered back and forth as to what's going on and how we're going to do this, and it took 35 or 40 minutes, and that's fine, because that's an important part of this, but the reality of it is, it's not going to be part of consolidation. We spend 35-40 minutes worrying about 700 folks and what they feel about their jobs. Yet, there are 50,000 people that live outside the city limits of the City of Evansville that live in the rural community who's lives and taxes will change, and this Plan doesn't give them the right to vote that up or down on their own. This Plan takes those 50,000 folks and adds them in with 120,000 folks who are in the city and says we're going to look at this as Vanderburgh County all together. Well, that's not fair, because you're not forming Vanderburgh County government. You're forming a greater Evansville government with a Mayor—

(Applause)

Bruce Ungenthiem: – and with Councilmembers, and you're not changing what the city members are going to see. They're still going to have a Mayor, but you are changing those 50,000 folks that live in the rural areas, you're changing their form of government. You're changing their tax structures. You're changing their livelihood. They should have the right, in the United States of America, to vote independently of whether they want that government forced on them. To not do that, well, it will be on your conscience. Thank you.

(Applause)

President Winnecke: Bill, Bruce said he was last.

Bill Jeffers: He was wrong. Sorry, Bruce. I do appreciate, as has been said by others, the effort that's been put forth by this joint committee and their attorneys, because a few months ago this was a Plan that had some awful content, and now much of that awful content has been amended to be not nearly as awful as it was before. My concern is that, as a county resident, Bill Jeffers, 2641 Mailbu Drive, in lower McCutchanville, down on Highway 57, my concern is, is the same as many of the speakers who have already spoken, that if this is to pass the referendum, that this document be thoroughly scrubbed of its awful content. So, probably it should be left in there and it will be more easily to be defeated, but at the same time I'm afraid that if it's passed it should be the best it could be. So, this lady said the first question that should be answered is how much our taxes will go up, and I heard several Councilpersons say, we don't know. Before the referendum we need to know what will we get for our taxes. Now, I'm speaking on the first page in regard to the fiscal impact analysis, which we've been assured will eventually come to us before you make a vote. I look up what the fiscal impact analysis should contain, and it's the estimated effect of the proposed reorganization on taxpayers in each of the political subdivisions outside the corporate boundary, inside the corporate boundary, to which, okay, including; the expected tax rates, the tax levy's, the expenditure levels, the service levels, the annual debt service, the payments in those two political subdivisions, a description of the plan services to be provided, an itemized estimated cost for each department or agency in the reorganized political subdivision, how specific and detailed expenses will be funded from taxes, fees, grants and other fundings and a description of the capital improvements to be provided by the Reorganized Government to the political subdivisions and the method of financing that. The Crowe Horwath report can't possibly provide that, because it was done before you scrubbed this Plan of much of its content. The Crowe Horwath fiscal analysis that was paid for by, what, \$68,000 was actually completed before the committee itself sent the Plan to you, well before. In there, you know, I heard earlier you were asking possibly to look to see if Crowe Horwath would come back and help our County Auditor. There's a statement, I think it's on page 14 of the Plan, I don't have it in front of me. They say they're done, and they ain't coming back. Okay, so does the statute allow the Plan to go forward without a true fiscal analysis? That's my question number one. As to partisan elections, it probably doesn't come as any surprise to any of you, I wrote an opinion piece that was published, and I am for non-partisan elections, especially after what I've seen since 2008. As a long time politician, my father was a politician, same party, and all I can tell you is that I've come to the conclusion that in municipal politics, partisan politics is ruining our community.

(Applause)

Bill Jeffers: There's no reason to vote for anyone other than the person who's going to do the best job for your family, for your neighborhood and for your community. To vote on the basis of party affiliation is (tape flip). Now, I know your attorneys advise you that you cannot convert to non-partisan elections with this Plan, because to do so, they say, would conflict with existing State law. Yet, under the Act that you're developing this Plan, that Act says, "the exercise of power to organize without complying with other laws", that's IC 36-1.5-1-4. "A political subdivision may exercise the powers granted under this Article to reorganize or enter into cooperative agreements without complying with the provision of any other law, statute or rule. This Article shall be liberally construed to affect the purpose of this Article, and except as otherwise specifically provided by law, to the extent the provisions of this Article are inconsistent with a provision of any other general, special or local law, the provisions of this Article are controlling, and compliance with this Article shall be treated as compliance with the conflicting law." So, has anyone sought or received an Indiana Attorney General's opinion on whether you may convert to non-partisan elections under this Modernization Act? Just a question, don't need an answer at this time. Oh, the best corporate lawyer I've ever worked with has an answer. Some of these things can be asked October 4th, and probably will be. So, I'll just—

President Winnecke: August 4th.

Bill Jeffers: August 4th, excuse me.

President Winnecke: Maybe not.

Bill Jeffers: Urban Service District, 7.3.2, Services Provided, (1) fire protection, (2) public transportation, (3) street cleaning, (4) street lighting, (5) legal drains, what that means is the city pays the legal drain assessment that the fella from Barr Creek that spoke first is paying, out of his pocket, because he's a county resident, the city would pay it if he's annexed, and (6) other activities as may be provided for the general benefit of all residents blah, blah, blah, blah, blah. What are the other specifics? Are they sidewalks? They're really no different than street lights. So, you've got five specific things there that are listed. Now you go to General Service Districts, when they are brought in, expansion of the Urban Service Districts. When a geographic area receives tax-based services provided in the Urban Service District, I've brought this up many times, and it still reads the same, that geographic area will be converted to the Urban Service District or Special Service District. It doesn't list which of those five specifics, and the unnamed other things. How many of them and which ones have to be provided before you basically annex a neighborhood into the Urban Service District? It just say when some neighborhood in the General Service District receives tax-based services. Not how many, maybe not all five, maybe just one or two, you just go out there and grab them. I wonder how come we can't change that to be a little more specific and restrictive. 7.4.1, how a neighborhood could be annexed, either by a petition to the Mayor, well, it could be done as I just said, but also by a petition to the Mayor or to the Common Council by a majority of the registered voters of such an area. Sounds good, but actually the people affected are the property owners in that area, not the registered voters. Some property owners may not, number one, live in that area, they may live in another area, and, number two, there may be a reason why a person isn't a registered voter. There may be a religious reason why a person isn't a registered voter, yet that person still has the right, as a property owner, to sign or not sign that petition, or be counted as, you know, in the 51 percent of the 49 percent. Just a thought. Okay, tonight, in Section 9.4, Law Enforcement, you passed a motion, which I assume will be put into the text,

does that motion, which was adopted tonight, prevent the people or the voters, however you want to go about it, from petitioning via 11.1.2 for Police and Sheriff merger? In other words, what you did tonight sounds like, if the way it was worded, there's no possible way the people could petition the government to merge the Police and the Sheriff's Department until 2024 or '22 or whatever. Just another thought. Article 10.1, Transition Board, within 60 days after approval of this Plan, parentheses, start date, does that mean after passage of the referendum? Or after the Council approves the Plan?

President Winnecke: After the referendum.

Bill Jeffers: So, shouldn't it say after passage of the referendum, rather than approval of the Plan? I think start date indicates that, but it's just a question. 10.3.1, Specific Duties, the Transition Board is comprised of the Common Councilmembers, and the Mayor, but not the County Commissioners.

President Winnecke: We changed that.

Bill Jeffers: Not in the copy I took down off of—

President Winnecke: Just tonight.

Bill Jeffers: Oh, okay. Good deal because, you know why—

President Winnecke: Right.

Bill Jeffers: —the County Commissioners always do the re-districting, along with the City Council.

President Winnecke: Right.

Bill Jeffers: Turning lots of pages, I bet you all are getting excited. I talked to Ted about this one, right? Okay.

Ted C. Ziemer, Jr.: Yeah, let me have a copy of that.

Bill Jeffers: I think it's a typo, but that's okay. Everybody makes them, I make lots of them. Okay, 11.2.2, Purpose of the Plan Review Commission, when I read that, I understand the intent, it's a good intent, but there's no time line and there's no drop dead date. So, let's say the Common Council or the people succeed in bringing language or the request to amend the Plan. You guys are operating on a time line right now, you have a drop dead date, but the Council or the Mayor or somebody could just procrastinate forever under 11.2.2, and that could drag on for years before it ever came to a vote, even though the people want it to. 12.7, small point, Certified Professional Engineers, anytime in the State of Indiana you have a full time City Engineer or a full time County Engineer, those engineers must be certified professional engineers, and hold a license with the State of Indiana, but it's a good thought, it's just that it's already taken care of. And, 11.3.3, Final Action on an amendment of the Plan, you're giving the Mayor the pocket veto power. So, no matter how hard you work, and how many people on the Council, if all 15 of you vote yes for an amendment, he's still got pocket veto potential. Thank you.

President Winnecke: Thanks, Bill. Anyone else? Bill, you're not even last.

Cynthia Maasberg: I'm Cynthia Maasberg, I'm a rural resident of Armstrong Township. Excuse me, I have a sore throat this evening. I have about six, what I call format changes, and probably need to be directed to these gentlemen. If you look in Article 5.3, Office of Clerk, it says the Clerk of the Court and the Department of Transportation Services are generally set forth below. My comment is that the Department of Transportation Services should be replaced with the Evansville Police Department, because in 5.3.3 it states that the Evansville Police Department will be responsible. The next, as Bill said, is probably just a typo, 10.5.2, it says, notwithstanding Section 10.4.1, I believe that should be 10.5.1? I'm waiting for their nods.

President Winnecke: He said yes.

Cynthia Maasberg: Article 10.9, almost the same situation, it says, notwithstanding 10.8.2, that should be 10.9.2.

John Hamilton: Correct.

Cynthia Maasberg: Okay. Article 11.3, it talks about two thirds vote of the entire Council, I believe that should say Common Council instead of just Council. I did a word search of this document and everywhere where Council is referred to the word Common precedes it. In the Exhibit "D", there are references to Metro Mayor and Metro Council, those two terms are not referenced in the Plan at all. I've heard them used a lot tonight. I would like to just ask that we come up at least with right terms. Is it just going to be Mayor, or is it going to be Metro Mayor? Is it going to be Metro Council or Common Council and that we all use the same terms. Those are my format changes. I have a couple of other items, Article 8.3, which is Boards, Commissions and Authorities Created after the Effective Date. It reads, "a majority of all appointments hereto shall belong to the Mayor of the Combined Government." My comment is, the Mayor should not have a majority of appointments on future boards, commissions and authorities. The Common Council should be involved with those appointments. Move on to Article 8.4, All Appointments Report to the Mayor, my comment, there is that those reports currently going to the County Commissioners should report to the Common Council instead of the Mayor. Then, I find it very interesting, when I reviewed Exhibit "D" on the boards, that there are actually 16 boards, commissions, or authorities that have changed to give the majority of the appointments to the Mayor instead of the Council or Commissioners. Bruce's comment may hold true, where Bruce is saying that the Mayor had too much authority. Here he's getting to be the, have the majority of the appointments on 16 additional boards than he has currently.

President Winnecke: Yeah, those were by statute. Those changes were made because the law dictates that.

Cynthia Maasberg: I'll check that, but I thought I looked at that as I went through and didn't include those.

President Winnecke: Well, that's what John and Ted said.

Councilman John: I think many of them were if the Commissioners had been appointing those members, the Mayor as the Chief Executive, as opposed to the Commissioners would be making those appointments. The Commissioners were the

Chief Executive of the county, now those duties and responsibilities would transfer to the Mayor.

Cynthia Maasberg: Yeah, okay, I'll look at that. I believe that's all that I have then on those. Thanks.

President Winnecke: Thanks, Cynthia. Does anyone else want to be last?

Keith Jarboe: I want to.

Commissioner Melcher: State your name please.

Keith Jarboe: You know the good thing about going last?

President Winnecke: Ask Bruce and Bill.

Keith Jarboe: My name is Keith Jarboe, I live at 925 Johannes Court. First of all I want to thank each and every one of you for the hard work that you've put into this. This isn't easy, and trust me, I understand that government isn't easy. If it was, everybody would do it. I'm proud of the fact that I have a grandfather and a mother that are on those plaques behind you, because they got involved in their community, and they tried to move this community forward. A comment was made earlier, what would the founding fathers think today? I think that the founding fathers of Evansville would be very proud of what they're seeing today. That this community is stepping forward, whether we agree or we disagree, whether we're for a program or we're against a program, I think they would be proud of the fact that we are engaged in looking at moving our government forward, that we are not complacent and we're not settling for the status quo. That we are at least investigating the possibility that there may be a better Evansville and Vanderburgh County out there. Otherwise, we would still be a sleepy little town on the bend of a river. I think as you look at what's happened within this community, back many, many years ago, the foresight of our forefathers, the things that they did that brought industry to this community, that brought people to this community, that gave this community an opportunity to grow, and I see that we're at that same point in time today. That we have an opportunity today to say, is this enough, or can we be better? I think we can be better. I think we should strive to be better. Now, is it perfect? Of course not. It's never perfect. If government was perfect you wouldn't have half of the ordinances coming before you on the Councils today for changes, because government is a work in progress, always striving to get better. It is my thorough opinion and my belief that we have an opportunity today to move this forward, with some changes to make this a better government and a better community, and to be the community that our forefathers and people that came before us, that served before us always believed that we could be. Thank you for your time.

President Winnecke: Thanks, Keith. One more time?

Brenda Bergwitz: Just for second though.

President Winnecke: Only because you only spoke for like 30 seconds before.

Brenda Bergwitz: No, this really doesn't have anything to do with this, but, you know, just three years ago I started coming to these meetings. I think, you know, the last election in '08 it woke a lot of people up. We're getting off our behinds, getting away

from the televisions, and we're coming to the City Council meetings, the County Council meetings and we're learning, because we want to elect good people, Democrats and Republicans, and we want to start holding the people though that we elect accountable. That's why I'm coming. I'm taking a Constitution class, and I'm learning about the Constitution. You never get too old to learn. I'll be 70 years old in October, and I'm proud of it. Again, thank you all for all of your hard work, but, there again, I'm still against it, but that's okay.

President Winnecke: Thank you. We stand continued until August 4th at 5:00 p.m.

(The meeting was recessed at 8:04 p.m.)

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Dan McGinn	Don Walker	H. Dan Adams
Missy Mosby	Curt John	John Friend
Ted C. Ziemer, Jr.	John Hamilton	Madelyn Grayson
Brad Hill	Eric Williams	Bill Jeffers
Mark Fehrenbacher	Lucretia Powell	David Coker
Bruce Blackford	Edith Smith	Michael Sandefur
Brenda Bergwitz	Mike Mahan	Bruce Ungenthiem
Cynthia Maasberg	Keith Jarboe	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
JULY 12, 2011**

The Vanderburgh County Board of Commissioners met in session this 12th day of July, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to welcome you to the July 12, 2011 meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

President Winnecke: Thank you.

Open Bids: VC11-06-01: U.S. 41 & Baseline Road Intersection

President Winnecke: First we'll begin with permission to open bids for VC11-06-01, the U.S. 41 and Baseline Road intersection. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Okay, Mr. Ziemer, you may open the bids.

Mulberry Center Update

President Winnecke: First under action items, Mr. Nichols. Welcome.

Ralph Nichols: Thank you very much. If I had known I was going to be appearing this evening, I would have been a little more formal.

President Winnecke: That's alright, as warm as it is—

Ralph Nichols: I found out this morning.

President Winnecke: —you're absolutely fine.

Ralph Nichols: I found out this morning that I was on the agenda. I'm here just for two reasons. I am the, I was getting ready to say I'm the Executive Director of Mulberry Center, but not anymore. I'm stepping down, and in my new capacity I will just be seeing folks at Mulberry Center. After I get done with just a quick briefing on the Burdette Park incident, I want to introduce my new boss and the new Executive Director to the County Commissioners. Primarily what I wanted to share with you, I received a call last Tuesday from Sandie Deig asking if I could go to Burdette Park and meet with the lifeguards, the Park Manager, and, I believe, the Pool Manager in response to the near tragic drowning of a three year old at Burdette Park last Sunday, a week ago. I did go on Wednesday at 6:30, and my point to the Commissioners is that you could certainly take a great deal of pride with the lifeguard staff. There were 52 lifeguards, Wednesday evening, I understand, is their normal, weekly in-service. I was there about an hour, we talked about the tragedy, I shared with them some of the trauma debriefings that I do with the firefighters and the Evansville Police Department. You could hear a pin drop as everyone listened and shared in some of their thoughts about the event on Sunday. There were two EMT's there, I believe both are employees, and one of, I don't know names, but one of the EMT's was sharing how impressed he was with how the lifeguards who were on duty that Sunday responded to the event, doing CPR, chest compressions, and the youngster is doing quite well. It was an exceptional, awesome experience for me, because from these kind of experiences, as difficult as they are for the people who are the first responders, it's always a learning experience for me. So, I just wanted to share that with you, that Burdette Park staff did a superb job.

President Winnecke: Thank you.

Ralph Nichols: Secondly, I would like to take the opportunity to introduce our new Executive Director. Since we're the EAP provider for Vanderburgh County employees, oh, his name is Tim Tharp. Tim comes to us from the Youth Service Bureau as Executive Director. Tim started last week. So, I'm already feeling relieved that I can just sit back, see patients and not have to get into the management and administration piece of it. So, this is a good opportunity for Tim to meet you all, since, you're our boss in a way.

President Winnecke: Right, right. First, thank you for your response out there. I talked to Sandie two or three times over the course of those couple days. I was relieved to know that you were the one that was going to go out there. We'd heard many, similar reports to the response, by the response of the Burdette staff, but thank you for being out there to offer your professional guidance for them.

Ralph Nichols: They did an awesome job.

President Winnecke: Thanks. Tim, would you like to give us a brief history of your background?

Tim Tharp: Oh, well, off the cuff, a brief history. I grew up in Southern Illinois, worked there for the beginning of my career, met my wife in graduate school at Southern Illinois in Carbondale, Southern Illinois University in Carbondale, spent a lot of my time in forensic psychology. Working with gangs in Illinois that seemed to be, unfortunately, a pretty popular topic in dealing with teens and disruptive teens. Worked, got an early opportunity to get into supervision and management, and kind of felt like that's where I wanted to go and felt lead to be. So, took some opportunities to work as a supervisor in some smaller programs, worked my way up as a Director and then Executive Director. About three years ago came to Evansville with the Youth Service Bureau and worked there for about the last three years, and then the opportunity became available with the Mulberry Center. Interestingly, when I began my career as a young graduate student, I was making referrals to the hospital, when Mulberry Center did in-patient. So, I had a history with Mulberry Center that certainly a lot of the folks, with Ralph and a lot of them were employed there during that time. So, I hope that to come in, and I think our vision and our hope is to bring a lot of new services and a lot of direction, but also sustain the quality of services we've been providing. Certainly, as Ralph has demonstrated and done many a time, he's gone out and introduced me to a lot of people, and he's a phenomenal asset to have on our team. He's a great leader and a great therapist. So, we're very fortunate to have him on our team.

President Winnecke: Welcome, thanks for your time.

Tim Tharp: Thank you.

President Winnecke: We look forward to a long partnership with you.

Tim Tharp: Thank you all.

President Winnecke: Thanks, Tim. Thanks, Ralph.

GAGE: Tax Phase-In Compliance Report

President Winnecke: Okay, next, Debbie Dewey from the Growth Alliance.

Debbie Dewey: Good evening. For the record, Debbie Dewey, President of the Growth Alliance for Greater Evansville. I'm here to provide the tax phase-in compliance report. The Recording Secretary does have a replacement, you have two spreadsheets in your package with the data and then letters from companies that were out of compliance. The second spreadsheet we found an error in our Excel spreadsheet, so I want to make sure that you replace that page. Again, I apologize, if you had studied on it, it looked like there was an extra two million dollars of tax revenue somewhere. So, I hope you didn't get your hopes up with that. We had an error, so, I apologize for that. We've received all of the tax compliance reports, except from three companies. Two of them came in after the deadline to get these packages to you. So, we will have those at the next meeting. The third one has asked for an extension, and we'll have that at the next meeting too, because they were acquired by another company and are having to go through that to get their

compliance reporting in. If you look at the first spreadsheet, what we show there is the actual versus the projected investment, as well as the jobs. You can go across each line for a company and see the projected dollar investment, and then the actual dollar investment. The top half of the sheet is for real property, and then the bottom half for personal property. Going across, you can see the projected employment when the phase-in was granted, and then the actual employment. There are some duplicates, in terms of number of employees, top and bottom, because some of those employees, or those companies, did have both personal and real property tax abatements. Again, if you look at the ones that are, I'll say a blue grey color, those are all considered to be in compliant. Those in green are slightly out of compliant, but again, given the economic situation of the last few years, I think it's very, very good. If you look at the bottom line, in terms of investment in real and personal property, it's over what was projected, 107 percent. The actual jobs were 96 percent of what was projected. Again, given the economic environment of the last few years, I think that's tremendous. Then, if we flip to the second page, the new second page, there we show the actual taxes abated, as well as the taxes collected on these projects. Again, the top half of the page is real property, the second half, or the bottom half is personal property. You can see under, for example, under real property at the top, where the actual potential tax, a little over \$566,000, the amount abated close to \$370,000, and then the actual taxes collected, this is for 2010, a little over \$196,000. So, that's how we read the spreadsheet. But, again, if you look at the economic impact of these jobs, we have an economic impact modeling software now, these 1,444 jobs end up being over \$45 million a year in payroll. So, for granting a total of a little over \$486,000 in tax abatement for the year, you're getting about a \$90, a 90:1 ratio or return on your investment in terms of actual earnings of employees in the community. If you look at the trickle down effect of that, in terms of those people now have money, so they go out and spend in the community, the real economic impact is about \$190 million. So, you're getting about a 390:1 return on your investment for the abatement. So, again, everything is very, very close, a few just short of compliant, but, again, I think that the economic impact more than justifies the tax abatement. Are there any questions?

President Winnecke: Any questions of Debbie? I guess, the only question I have, Debbie, is what is there, or is there a mechanism by which we're in on-going communication with the companies, especially those that are out of compliance to see if there are tools or tools that we could offer or turn them on to?

Debbie Dewey: Yes, and we do have letters from those out of compliance that are attached there. One of the things that we started doing at the Growth Alliance now, is we're building a data base of our top employers, and trying to put all of the data in there so that we can go out and start doing some of what we call BR&E, Business Retention and Expansion meetings. So, again, we're starting to pull together that data and can go out and start talking to these companies one on one and establish those relationships. I think that's very important, because, again, we talk about job attraction, but the retention and expansion is really the core of the economic development.

President Winnecke: Right. Any other questions?

Commissioner Melcher: I just think this is really critical in the toolbox of ours, in our toolbox, basically. That's why I would like to see them on time and that, because you hear time and time again, that's why we changed it to tax phase-in years ago, that a lot of people are saying, well, how come I can't get it for my house, and we're giving all of these businesses that. So, the thing we have to do is be accountable.

That's why I've tried, in my 20 year tenure, to stay on top of tax phase-in's we call it now.

Debbie Dewey: One of the things that we're doing now, we haven't had the opportunity to bring a phase-in application before the County Commissioners yet or the County Council, but we are providing with all new tax phase-in applications an economic impact modeling, so we can tell you from the start this is so many jobs its projected, it's not just this much investment, it's this much economic impact in the community over the next ten years. So, I think that provides an additional piece of information for making those decisions.

President Winnecke: Great.

Commissioner Melcher: You've probably worked now with both the city ordinance and the county ordinance, which one do you, do you have any feelings yet?

Debbie Dewey: I think they're both very similar in terms of our scoring mechanism and what we look at to justify coming before you with a tax abatement. I think they're very, very similar there. I don't see a big difference. I think we may have some opportunities in some process improvement, just to kind of make things go a little bit more streamlined. I was hoping to get some of the folks together going forward and maybe we can provide some recommendations for streamlining the process so it doesn't seem quite as long and drawn out to some of our business clients. But, as far as providing the tax phase-in, I think that both the city and the county are very close.

Commissioner Melcher: They're close to a point, but the county seems to have bonus points and stuff, and that's something that the city never wanted to have, is bonus points, because that way it's clear cut when it comes before us or before anybody. Actually, when that got started both of them were supposed to pass the same one, but the county never did. They ended up doing it years later.

Debbie Dewey: Well, one of the things we've done is we follow the scoring sheets, but we also use those as a guideline. We try to recognize and understand exactly what the project is, how the project can impact other businesses within the community, and the total economic impact over time. So, we would come before you and maybe this is what it scores, but we think there are some extenuating circumstances in other areas, and we would try to be flexible in presenting that to make sure that we give the company credit for what we should give it credit for to attract those jobs.

Commissioner Melcher: I would be interested when you get this committee together to at least get some information on it. Some things we tried to get in it is that the company does drug testing, and the MBE/WBE we finally got that in at the 11th hour. There's a lot of things that we needed to do, but at the time that's the best we could come up with, with the Chamber and at that time Vision 2000 and all of us. The point system is, like you said, it's a guideline, but it's a start where everybody is treated equal. But, the Council can go either way they want, they could go down or they could go up.

Debbie Dewey: Right.

Commissioner Melcher: Because that's the State law.

Debbie Dewey: I think, also, I've had the opportunity, because we have brought some abatements before the City Council, but the competitive environment for jobs is just fierce. I mean, companies not only are getting tax phase-ins, they're getting grants for training, they're getting land given to them. I mean, there's just a very, very aggressive environment right now for jobs. Very often too we may not even know that we're considered, and it may be some of the website searches that companies are doing to look at communities. So, I think we have to recognize that every job is just a fierce competition in today's environment.

Commissioner Melcher: Well, it really is, and the Edge Bill that the State of Indiana has was a big help.

Debbie Dewey: Yes.

Commissioner Melcher: We didn't get Scot Towels because Kentucky got them, but Kentucky doesn't seem like, they didn't want to hire anybody from Indiana. It seems that it really is competitive.

Debbie Dewey: What we're trying to do too, is we work very closely with the Indiana Economic Development, we have their representative right in our building, we work with them and the Economic Development Coalition. We work with Work Force One in terms of on the job training to try to put together the best package we can, with the most incentives, trying to pull on everything that may be available. We work very closely together.

Commissioner Melcher: Okay.

President Winnecke: Any other questions? Thank you, Debbie.

Debbie Dewey: Thank you.

County Clerk: Discussion of Voting Centers

President Winnecke: Susie Kirk? Good evening.

Susan Kirk: Hello, how are you tonight?

President Winnecke: We are great.

Susan Kirk: Good.

President Winnecke: Warm, but good.

Susan Kirk: That's true. I can't complain, because I do not like winter. So, I'm not going to gripe. This evening, I just want to kind of go over with you a little bit the vote center plan that we have started. What I need to know from the Commissioners this evening is if you are willing to do this so that we can go forward. If you're not, then we're going to stop the work and just keep it the way it is. I come tonight to explain this to you, get your input, then I come back next month, if you decide we should go forward with it, and at that time you will make a resolution. I went before County Council last week, and it seemed to be reasonably unanimous, I thought, that they were for this, because it will save quite a bit of money. First, vote centers have been already implemented in three other counties for the last three years. It has been

proven that it has not changed to where there's a lot more people voting or less. It seems to be the same. There's still Democrats elected, still Republicans. So, they don't see any change in any statistics at all. The three counties, it's been a huge success, grant you there are some people who used to walk across the street to vote and now they may have to drive a couple of miles. Change is always a little difficult. I explained to, I think when I was on the Shively and Shoulders I just bought one of those new fangled phones, you know, and it's driving me nuts, but I feel like that, you know, this is just the way that it is nowadays. We need to save some money and do some changing. Vote centers are similar to libraries. Both party chairman sat down, were very gentlemanly, they picked out 23 sites throughout the county. I gave you a packet showing you the new vote centers and where they are compared to the existing precincts that we have now. You can see sometimes if you look at the map of the proposed vote centers that, oh, my gosh, there's a big kind of a gap right there, but if you look at the existing precincts you will see like in Center Township, Scott Township, there were already gaps there. Everybody in Scott came halfway down to vote, Center has a little gap in there where they kind of went to the east or the west and voted. So, there are still vote centers in those areas, but instead of three there would be one. So, you can go to, a voter can go to any one of these vote centers and vote, just like they do at the libraries. The voter would come in, they will present their voter, or their drivers license, photo i.d., and the clerk will look them up, we'll have laptops, of which I will go in to the upfront costs in just a little bit, but they'll look you up on a laptop. When you vote it's going to bring up, obviously, their ward and precinct, they will write down on just a piece of paper the ward and precinct. If it is in the primary election the voter also will print their name, sign their name and in the primary will designate whether they want a Democrat or Republican ballot. The clerk will write that down, give it to the voter, the voter will take it to the judge, the judge will come to the machine and get back where the voter can see and say, ok, you're in Ward One, Precinct Three, because when they put the peb in the iVotronic all 132 precincts come up, just like they do in the libraries. They will pick that, always letting the voter say, okay, 1-3, 1-3, yes, yes, okay so that everybody knows that they are voting on the correct ballot, then whether it's Democrat or Republican they will choose that. The voter will vote and leave. That's pretty well how that works. There are upfront costs, we need to buy laptops that will be totally dedicated to election day and training, because we'll have to have at least 30 laptops just for training. We will also have one, just little printer, the printers are like, I think, \$80 a piece, at each vote center in case someone needed to vote a provisional ballot, they would be able to print that. Because otherwise, to have 132, say ten ballots each and then in the primary double that for Democrat and Republican, we would have to send filing cabinets out to each polling center. It's just cheaper, basically, especially for the moving company and everything to go ahead and have a printer. So, there's some upfront costs, but as you can see by the spreadsheets that I gave you, just the poll workers alone we'll be able to save approximately \$80,000 a year just on the decrease in poll workers. Because instead of manning a precinct now, 132, with one inspector, judge of the opposite party that makes ten dollars more, and then another judge of the opposite part and two clerks we're paying \$500 per 132 precincts. With vote centers you will have one inspector, we will begin with four clerks and four judges. Vote centers are a work in progress, the other three counties that tried them, you know, you may find out after a couple of elections, oh man, everybody seems to go here, and so they will move judges and clerks out of one vote center for the next election over there. So, you may end up with two clerks, two judges at one and maybe six at the other. Instead of having four or five machines at a precinct, there will be anywhere from 10 to 15 at the vote centers.

Ted C. Ziemer, Jr.: You mentioned you were going to check for them to see the ward and precinct. I think there are people who know where they vote, but don't know what ward and precinct they're in.

Susan Kirk: That is correct.

Ted C. Ziemer, Jr.: So, when they come in will they find out first at the book where they sign in what ward and precinct they're in? Or, when they get up there and this guy says this is Ward One, how are they going to know that?

Susan Kirk: Okay, when a voter comes in and they produce their photo i.d., they are going to give that to the clerk, and the clerk is going to look you up on the laptop, which brings you up, it brings your address up—

Ted C. Ziemer, Jr.: Oh, okay.

Susan Kirk: —it brings your ward and precinct. Say when you registered to vote we have decided, we kind of had a little meeting and decided that we were going to use Quest, who is the state-wide voter registration system now. They also have the poll books, and say a little question mark comes up, like when you registered to vote maybe you didn't give your drivers license number or something is missing off of there. Well, you're not going to go farther until that person gives you that information, but everything comes up, your name, your birth date, your signature when you signed, you know, so that you can look at the signature where they signed the so called poll book. All of that comes up. So, that person, that clerk will write down that ward and precinct and double check it just to be sure. That's how they're going to know where they're at. So, rather than having people going over to Plaza Park where you have two to three polling places and they go and get in a line, and by the time they get up there it's like no, you're supposed to get in that line over there because you're in that precinct. You just go get in line. You won't have that anymore. So, like I said, I realize that change is, we're not big on changes here in this area. I know it's between a primary and a general, but if we're going to do it, we're going to have a change some time or another. If we can't do it for this general election to get our feet wet to get going, because we have to have internet access at these places, most every one of the vote centers will be a church, it has a social hall or a gymnasium, it's going to get our feet wet for the Presidential election, so that the clerks know what they're doing so we'll be ready for the big one. If we can't do it now, then I will not continue, I will not do it next year. Whoever the next Clerk is can have at it for the off election year. So, it's up to you, but I need to know tonight should I go forward, or should we stop? Because we're, you know—

Commissioner Abell: I have a question.

Susan Kirk: Okay.

Commissioner Abell: First of all, I think it's fantastic. I commend you for working on this.

Susan Kirk: Thank you.

Commissioner Abell: I think it's the greatest thing, because really we don't have fewer polling places, you actually have more, because I only had one place I could vote before and now I can vote at 23 different places.

Susan Kirk: Yes.

Commissioner Abell: So, I actually feel like, I think it really frees you up to stop on your way to work just anywhere and vote. So, great idea.

Susan Kirk: Thank you.

Commissioner Abell: My question is, and I don't know, maybe you're working with Matt Arvay on these laptops.

Susan Kirk: Yes.

Commissioner Abell: I'm concerned, my concern is do we have to have a Microsoft license with all of these?

Susan Kirk: No. Matt, the way he's got it fixed, there is enough licensing to go around to take care of our clerks. The upfront costs with Matt's group is going to be, they will go to the sites and see. Most every one of them have network internet, but it's better if we can do a plug in rather than wireless—

Commissioner Abell: Yeah.

Susan Kirk: —it's just a little bit more, it works better. It's not as likely to go down, so we may have to run some wires. They will be responsible for that. They're going to get our laptops up and running, otherwise all you do, all the clerks do, they will be shown how to log in, I give them, I give the inspectors one log in user and password and all four clerks, well, three clerks, because we are only going to have three laptops and four clerks in case, you know, something happens we've got a little back up there. They just get on the internet and it's a secure site and that's how we do it. During the day, I know both parties, they like to have some statistics, how many people has voted in each precinct. It's a ward, it's a vote center, but we can break it down to tell you at that vote center we had five people from Ward One, Precinct Three vote. We can send out reports during the day for that, which will help them quite a bit. Both party chairman, I think, one of the big reasons that they decided to do this, two, saving money, it is so difficult to find people to work at the polls nowadays. I mean, the last few years, and, I'm sure, Marsha, even when you were the Clerk you could see the decline in, I mean, even the inspectors, we come around Monday before the election and we'll have five or six precincts that haven't even picked up and it's 4:00 Monday, it's, you know, time to go home. So, it is really becoming very, very difficult for them to do this. So, hopefully, with these vote centers they will be able to pick their elite, have the precinct committeemen, they always wonder they are supposed to do, well, they're going to help find these people to work the polls, just like they did before. So, but, like I said, if I can get your approval to go forward, I will. If you decide you don't want to do this, then it stops here and whoever the next Clerk is have fun.

President Winnecke: I, oh, go ahead. I'm sorry.

Commissioner Abell: I was just going to say one thing, just for the benefit of the two here with me that maybe we hadn't thought about, this will also make it a lot easier to deliver these things. Because if you're only going to be delivering to 23 locations as opposed to all of the other locations that we delivered to, I think our job with the moving company is going to be much easier.

Susan Kirk: It is. I spoke with the moving company, and because they still are going to have to be picking up 500 machines, obviously, they don't have to drive as much, the cost goes down a little bit, but not a huge amount. Our biggest savings is going to be poll workers. County Council decided, we kind of e-mailed each other afterwards, and instead of trying to cough up \$100,000 at the beginning, they are going to do a lease-purchase agreement over a three year period. They preferred to do that. I think the interest rate, Matt got like 2.3, which is a pretty good interest rate. So, that's what they decided to do.

President Winnecke: Susie, I just had three quick, short topics to touch on. In the three other counties that have already gone to this, has there been any increase, do they report of voter fraud or any issue like that?

Susan Kirk: No, they have seen, like I said, as far as any kind of statistics, bad or good, everything seems to be moving along the same. When you go to a vote center and vote and you're plugged into that computer, don't even think about going to another vote center and trying, because it's live. It's just like it is when you vote at a library. Don't think about going to another one, because you are already in the system as being voted. So, you're done.

President Winnecke: One of the other questions I had was about training. Is this a long training cycle for the inspectors and judges and clerks?

Susan Kirk: Well, what we would do is, the week before the election we have our training sessions. I usually have three during the day, one being on Saturday, and one at night, and, of course, they all just kind of sit there and have to listen to my boring speech, then at the end they can go back to the back and actually work on the iVotronic to see how to start it. The difference this time is, we will begin together as a group, because I always feel like that all of the poll workers, even though you're a judge, clerk or inspector, you need to know what the other guy's job is too. So, that, you know, you won't wonder what they're doing, or if they're doing something wrong you'll know it's wrong. We will divide up, at the end of the class, we will have the clerks go into one area and work on the laptops, the judges will move back to the iVotronics so they will know how, when they put the peb in, all 132 precincts will come up, and then, if they want to, they can do a switch, if the judges want to know, the inspector could go back and forth, or whatever, whichever they want to learn and get their hands on, they can go to either place, because we will be there long enough that if anybody, we will stay if anybody wants to switch, after we divide up, if they want to switch we'll still be there to go on to take care of anybody that wants to know the other guy's job.

President Winnecke: Okay, the last question just has to do with communication to the public, outside of young Richard here from the newspaper writing an extraordinarily accurate story in tomorrow's paper—

Susan Kirk: Okay.

President Winnecke: —will you, will the Election Board or your office develop a communication strategy to convey to the public?

Susan Kirk: Yes, the news media has normally been pretty good when I need to get something out. I think it's going to be reasonably easy. I'm going to ask them to, once we get this up and going, have a copy, you know, the maps that I gave you, put that in the paper, put it on t.v., put it on their websites, each one. They can actually

print out the list of, because in the city election we will have 15 vote centers. It's 23 for the whole county, 15 in the city. They can print those out, and it's, you know, it's not difficult, I don't think it is, to say, okay, instead of going to where you went before, pick any one of these that you want and go to. I think the news media, they're going to be our big asset as far as, because to mail it out to voters, I, mailings really don't accomplish that much. They really don't. People tend to pitch it, and then when they get it they're not really going to understand, but I think the news media...and I've been going around the different places, different groups and have got more to go, as far as explaining. We have one more public meeting at Oaklyn Library on the 27th of this month at 6:00. The first public meeting we didn't have hardly anybody show up. So, if the news media will get that out, I'm sure we're going to have more people show up.

President Winnecke: Okay.

Commissioner Melcher: So, basically, you're not going to be sending new cards to everybody, because the old cards say where they vote at.

Susan Kirk: Yes, I think that would be confusing to a voter.

Commissioner Melcher: I think it would too, especially if this map in front of you passes and everything, they'll be getting new ones then.

Susan Kirk: Yes.

Commissioner Melcher: Secondly, I think there's a lot of positive things, like I explained to you earlier, at one time I thought the whole Third Ward could vote at Roberts Stadium and that would be even cheaper yet, but I couldn't get anybody to even listen to me. I do think it's going to be good that we could open up the polls, because I believe it's still true you have to have one inspector and one judge to open up.

Susan Kirk: Yes.

Commissioner Melcher: So, we always had to bump people up. So, what you have in your training is good. What I don't like about it for this year, and I explained this to you too, I just don't like doing anything in the middle of the year. I think if you do something like this you need to start in a primary where there is less voters. That way they'll have at least an accurate or a good sense of what's happening when it comes time for the fall. That's the only question I have on it.

Susan Kirk: Well, and, I mean, I—

Commissioner Melcher: But, I understand the law didn't get changed until July 1—

Susan Kirk: Right, well—

Commissioner Melcher: —and I think you've done a good job. I think you're pushing forward, and if the chairman agree to it, how can we, you know, but I'm just saying, to me, it makes more sense to do it, like next year, but I understand you don't want to do it next year, or the off year.

Susan Kirk: That's true, the off year would have been the ideal time to do it.

Commissioner Melcher: It would have been.

Susan Kirk: When we don't have the President or the Mayor running, but I do feel like that even though it's a change in between the primary and the general that it is not difficult to understand, instead of going to the place where you used to go, you may go to any one of these 15 places listed.

Commissioner Melcher: I think that's good, because I liked your early voting three years ago, when people were going early. A lot of people voted early.

Susan Kirk: We did. We had over 20,000 vote at the libraries—

Commissioner Melcher: Exactly, and some of the races were over by that time, you know.

Susan Kirk: Pretty well, yes. You're right.

Commissioner Melcher: So, I think that's, I think it's a good thing. I think it shows positive, I just question, it's not you, I understand you have, you're doing what you need to do, I just question not starting in a primary instead of the fall.

Susan Kirk: We will continue to have early voting in the general election 15 days out, at the five libraries, and then I asked Council, of which I'm basically going to do anyway, but I asked, I was nice, in the primary we're going to have the libraries open five days out from a primary election. It's just an extremely popular, I mean, people are driving from all over the place to come to these libraries, so that's a pretty good sign that they got that down.

Commissioner Melcher: A lot of people don't like to vote absentee because they're leaving town or something. This way they've got a chance to vote before they leave town, or if they're running late one morning they can stop somewhere else.

Susan Kirk: That's true, for anyone that has, you know, if you're disabled in anyway you can vote by mail or you can vote by travel board. Then we have the libraries and the Election Office is open 30 days before, by statute one of the vote centers has to be open the Saturday before the election. Of course, the Election Office is open the two Saturdays before the election, but, like I said, the libraries have been so popular, I think it's kind of been a prelude maybe to vote centers. That they understand that, that they can just go to any library they want and do it. So, I think that's helped us a lot. We're the only county in Indiana that have five early vote sites.

Commissioner Melcher: That's what we get by leading. Okay.

President Winnecke: So, Susie would like a non—

Ted C. Ziemer, Jr.: Mr. President?

President Winnecke: Oh, sure, Ted?

Ted C. Ziemer, Jr.: If the Commissioners determine to authorize you to go forward, are the sites and the locations, the number of sites and the locations set in stone now? Or is there further opportunity to add more, subtract, change locations? The reason I'm asking that, I did see one letter to the editor that seemed to me to raise some issues that I thought, you know, I don't know might be worth considering. So

far as location, I wasn't sure that the two county chairman had considered those when they set the sites. I wondered if there was opportunity for them to make further adjustment? Or is it fixed?

Susan Kirk: No, you are correct. We are right now in the draft stage. That's why we're having the public meetings and things. I welcome anybody's suggestions, whatever. I know Armstrong Township, there's nothing in Armstrong Township that has internet, except people that live out there. So, we have an option maybe of buying the little phone card thing, it cost quite a bit of money, for that day just to try to take care of that area. But, no, we're open for suggestions. This is the draft. This is what both county chairman came up with as far as the locations, and absolutely it can change. We can add to, by law—

Ted C. Ziemer, Jr.: Who makes those changes?

Susan Kirk: Well, it's just our little group, but by the statute, the way it was supposed to be, I was supposed to get a little group together, so I got both county chairman and they picked a representative and we had Voter Registration present, and we've met, e-mailed, talked on the phone, and this is pretty well what they came up with. Because I had figured, with my cost analysis, 24 on the low side and 30 on the high side. By statute we only have to have 17, one for every 10,000 registered voters, but not, none of the pilot counties had that few. Now you're having to drive a pretty good little distance. So, no, if someone has any suggestions, we are, this is the time.

President Winnecke: Ultimately, this body approves the sites, right?

Susan Kirk: Yes, you do. That is your responsibility. Yes, we turn them in to you.

President Winnecke: So, we would approve those in August or September? August, I guess.

Susan Kirk: You would, yeah, there's a deadline for that, but it would probably be good if you could approve that like next month when I come, at least say, yes, that looks good. Then you can make your official approval later when you need to. I know there's a deadline. I don't know, maybe you can do it early, because we need to get our IT guys out to these areas and get things hooked up and ready to go.

President Winnecke: Okay. Right, the resolution would be in August, but she's looking for, basically, a resolution, a separate resolution tonight to move forward.

Susan Kirk: Yes.

President Winnecke: So, I would entertain a motion to, for the County Clerk to move forward with this process, understanding it would come back before this body in August.

Commissioner Abell: So moved.

President Winnecke: Second. A motion and a second. Questions or further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Even though I do like your program, I think you've done a great job. Like I told you on the phone, I just think it needs to start in the primary. So, with that, I vote no.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

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

Susan Kirk: Okay, thank you very much. We will move forward, and I'll keep you, once we finally get this plan down to where we're ready to go with it, I'll be sending it out to you.

President Winnecke: Thanks, Susie.

Susan Kirk: Thank you again.

Commissioner Melcher: Appreciate all your work, Susie.

Susan Kirk: Thank you.

DADS: Old Courthouse Office Space Discussion

President Winnecke: Okay, next, Old Courthouse office space discussion. Delores?

Delores Koch: Delores Koch, Program Director for the Drug and Alcohol Referral Service. We work under the Superior Court. The County Council has asked me to look at moving our office to the Old Courthouse building. Currently we're paying rent to an outside source. We have very low rent. It's been very good, but they would like me to move. I've looked at some spaces there. Mr. Bernhardt is the realtor that we've been talking to about the space over there. We've been working on trying to, there is one space that might be available if they can move a tenant out. There's someone that has, it's divided into two parts, and someone has leased a small part of that. Mr. Campbell over at the courthouse says that one of the problems with moving him to another area in the Courthouse, is the storage in the basement is taking up a lot of space apparently, surplus storage. That would have to be moved before this, apparently this tenant is willing to move, but that would have to be cleared out before that person could move. I've worked on some floor plans, we could squeeze all of us in there, but it's going to be a tight fit. It's less space than what we have now. We have to always be concerned about the privacy. We would have to have at least the, at least four private office spaces for confidentiality purposes. We need quite a lot of storage. I have, I'm thinking it's about 20 file cabinets that we have to keep our files for at least six years. We have to destroy them after that, but we have to keep them up to that point. So, I have to have that space. So, that's part of the problem. There is another space on the second floor that I had understood that the Bar Association may have plans for, but I've talked to some people and there is no lease on that area, and there's no immediate plans as far as I can tell to do something with that. It would be a much larger space. If I'm going to move, I'm looking at it as a permanent move. I know it would be a lot more comfortable for us to move into a larger space is what I'm saying. What I'm here for

today is to let you know about the process, and to find out, really we need to know just how much funds would be available for us to make this move. We're talking about remodeling, possibly almost just starting from scratch to remodel this space to make it fit our needs. The actual moving, you know—

President Winnecke: When does your current lease expire?

Delores Koch: We're going month-to-month at this time.

President Winnecke: So, we could, it could be any time?

Delores Koch: It could be any time.

President Winnecke: And, the space—

Delores Koch: There would need to be a lot of work done.

President Winnecke: The space that you referenced on the second floor, is that the space directly across from the Old, the Courtroom that was just refurbished?

Delores Koch: That was remodeled, yes. The Old Circuit Court area. The one large room in and of itself is more square footage than the whole office space I'm looking at now. So, if we could have that and maybe another, an adjoining room to that, it would, I think it would meet our needs pretty well. I haven't really worked out floor plans on that one, but we're just in the beginning planning processes here.

President Winnecke: I think, before we could move forward on that space, I would like to sit down with the Old Courthouse Preservation Board and see what its plans are. There have been some, I don't think official, but there has been discussion about refurbishing that room as well.

Delores Koch: Yes.

President Winnecke: I don't think it's very far down the road yet, but we need to take that into consideration. I think, maybe what we need, instead of us saying, hey, you have "x" number of dollars, I think it might be more prudent if you came back to us at a future meeting and said this is what it would cost to put us into this smaller space that you described, and then into the second floor space.

Delores Koch: To do a comparison of both?

President Winnecke: Yes, and then we could sit down with members of the County Council to see what kind of funds would be available.

Delores Koch: Okay, I just wanted to have an idea of where I'm going.

President Winnecke: How much square footage do you have now?

Delores Koch: Now? It's estimated about 2,000 square foot.

President Winnecke: Okay.

Delores Koch: We have six staff, as I said, we would have to have at least four private offices for the confidentiality aspect.

President Winnecke: The smaller space that you first described in the Old Courthouse, how large is it, square footage wise?

Delores Koch: It comes out to 1,843 square feet. One of the problems you have with trying to divide all of that up to make it fit, are the windows that are eight feet wide, 14 feet high, 12, I don't know. The doors, just, the doors in this building are, you've got to have about a four foot clearance just to open a door.

President Winnecke: Right.

Delores Koch: So, there's a, I would draw plans then I would go over there and start measuring and say, ah, this won't work, start over. So, it's been difficult to try to fit it all in.

President Winnecke: Well, I think that if you could get that data for us, and maybe send it to Marissa Nichoalds in our office—

Delores Koch: Okay.

President Winnecke: — and she can distribute to each of us, and we can have some discussions in the next few weeks about how to proceed.

Delores Koch: I believe the realtor and Mr. Campbell might already be looking into it, talking to someone about that.

President Winnecke: Commissioner Abell makes a good point, if you need the services of Mr. Rector with the Building Authority to help with sort of mapping out or designing, whatever, feel free to, Marissa can facilitate that discussion for you.

Delores Koch: Okay, that might be helpful.

Commissioner Melcher: He can probably help you with costs too.

Delores Koch: Help me with that? Talk to him further about it?

President Winnecke: Yeah.

Delores Koch: Okay.

President Winnecke: Okay.

Delores Koch: Alright, so do I come back next month with more information?

President Winnecke: See how quickly you can pull your data together, then send that to Marissa, she can send it to each of us, and then we can kind of figure out when to get you back on the agenda.

Delores Koch: Okay.

Commissioner Melcher: What would be good too is, what rent you're paying now, what rent you will be paying—

Delores Koch: Uh-huh.

Commissioner Melcher: –so we'll have something to go by. Is it worth, are we saving money or are we losing money?

Delores Koch: I don't know how much savings there would be, but the big difference is that we would be paying money back to the county and not to an outside source.

Commissioner Melcher: I understand that, but that's something–

Delores Koch: So, it may not be any less expensive, but it would be a different aspect to it.

Commissioner Melcher: That's why it would be good to know.

Delores Koch: I don't know yet for sure what the rent would be over there.

President Winnecke: Okay.

Delores Koch: So, I'll get more information.

President Winnecke: Okay, thanks, Delores.

Delores Koch: Thank you.

President Winnecke: Have a good evening.

Delores Koch: Thanks.

<p>Cooperative Purchasing Organization: Permission to Advertise for Pharmacy Services Request for Proposal for Sheriff's Office</p>
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President Winnecke: Okay, next the Cooperative Purchasing Organization, permission to advertise for pharmacy services requests for proposal. Sheriff, did you want to, did you have something to say to that?

Eric Williams: Just seeking your permission to release a proposal to seek pharmacy services for the jail. Those pharmacy services are currently provided by a local vendor who's done a great job for us, but in the history that I've been there those have never actually been put out for a competitive bid. We think it's appropriate that at this point in time we do that. There's some vendors out there that are interested in the business. We put this proposal together in cooperation with public Purchasing.

President Winnecke: Any questions of the Sheriff? Hearing none, I would entertain a motion to advertise for pharmacy services.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: I just have one question, do those people that are, is this for people that are at the jail?

Eric Williams: These are for inmates.

Commissioner Abell: Yeah, do they have that Indiana health card that they can get cheaper prescription drugs?

Eric Williams: Sometimes.

Commissioner Abell: Can we like enroll them when we book them?

Eric Williams: That is absolutely worth exploring. There are a lot of issues in doing that, in the timing and the way things occur. We are, there are some statutes in Indiana, and if you look through there you'll see that the counties right now are able to negotiate, well, maybe not in this one, I've got another one that you are going to be getting that we get Medicare plus four percent, basically, as a minimum rate on our services. So, that it may not be as effective for us as you think.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Eric Williams: Thank you.

Reading of Bids: VC11-06-01: U.S. 41 & Baseline Road Intersection
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Ted C. Ziemer, Jr.: Mr. President?

President Winnecke: Yes?

Ted C. Ziemer, Jr.: If you would like to, I've got the bids, and then any bidders who are here could leave after that.

President Winnecke: Okay.

Ted C. Ziemer, Jr.: For the work at U.S. 41 and Baseline Road, Deig Brother Construction, \$503,916.26; Blankenberger Construction, \$446,942; J.H. Rudolph, \$451,615; Ragle, Inc. Construction, \$457,652.25.

President Winnecke: Could you repeat that last number? I'm sorry.

Ted C. Ziemer, Jr.: Yes, \$457,652.25.

President Winnecke: Okay. I would entertain a motion to take those under advisement.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Roll call vote please.

Ted C. Ziemer, Jr.: Question?

President Winnecke: Oh, I'm sorry. I didn't see you.

Chris Locker: I'm with J.H. Rudolph and we would just like to let you know—

President Winnecke: Would you come to the microphone please and state your name?

Chris Locker: Chris Locker with J.H. Rudolph. I don't know if you saw in our bid packet, but we did claim the bi-local law that was effective July 1, 2011. I just wanted you to be aware of that—

Ted C. Ziemer, Jr.: Okay.

Chris Locker: —since our primary county residence is Vanderburgh County, so we elected that option.

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

Chris Locker: Okay, thanks.

President Winnecke: Thanks, Chris. Any other questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**First Reading and Public Hearing of Vacation Ordinance CO.V-06-11-002:
Vacation of Portion of Old Seib Road**

President Winnecke: Next we have the Old Seib Road right-of-way vacation/public hearing and the first reading of the vacation ordinance, which is CO.V-06-11-002., the vacation of right-of-way on Old Seib Road. The public hearing on this issue is now open. We'll begin with, I guess, Mr. Shofstall, would you like to begin?

Justin Shofstall: Justin Shofstall with Easley Engineering. We filed the petition on behalf of Mr. Sheffer and the development that's being proposed at Old Seib Road and Kansas Road and Highway 57. As per the packet that was filed with the Commissioners, you will see that all of the utilities and required agencies have no objection to this vacation. This vacation will allow for more useable land on a future constructed lot, and allows us to go ahead and comply with the required subdivision ordinance to do those necessary improvements to Old Seib Road with the cul-de-sac turnaround as well. At this point, it's my understanding again, besides the agencies and the utilities that are in favor of it and request that you go ahead and move forward with approval of the right-of-way vacation and the first reading here this evening.

President Winnecke: Any questions of Justin? Is there anyone else that would like to speak in favor of this?

Ted C. Ziemer, Jr.: John, are you going to have any comment regarding this at this time?

John Stoll: I had previously put a letter in that said that our office had no objection to the vacation. I know it kind of runs hand in hand with the drainage plans and the street plans, but as far as this vacation moving forward to the next meeting, I don't see any problems with that relative to the pending drainage plans and street plans.

Ted C. Ziemer, Jr.: Right, that would be my understanding as well. However, there are these issues that need to be resolved, I think, prior to approval of this, at the next meeting. I just wanted to be sure the petitioner is aware of that.

John Stoll: I discussed that with Justin earlier this afternoon.

Ted C. Ziemer, Jr.: Okay, because, I mean, otherwise, Mr. Shofstall, your petition is fully in order, you've given notice as you're required to do and you have all of the appropriate letters, but there are the two issues regarding drainage and use of roadways by large trucks that need some resolution prior to approval of this.

Justin Shofstall: That is correct. If you may recall, prior, at the starting of the Commissioners meeting I was out in the hallway discussing with Mr. Sheffer, he is aware of those comments and concerns that have been addressed since the last tabling, and the information that's been revealed to our office as of 4:30 this afternoon regarding that ordinance. As far as, again, with the drainage plans themselves, they are still in conformance with the preliminary drainage plan that has been granted approval by the County Commissioners and the Drainage Board. What modifications that would be required with the street plans themselves is actually in benefit to Mr. Sheffer in regards to construction costs, etcetera for those proposed improvements of Old Seib and New Seib. At this point, from my initial conversations I've had since then, from 4:30, that there is no strong opposition, comments,

concerns that have been raised from statements from any of the Commissioners to John Stoll and John Stoll relaying that information to our office and thus to Mr. Sheffer.

Ted C. Ziemer, Jr.: Okay, just so you understand, I mean, it's a relatively short period of time, two weeks, between now and July the 26th, and I think there is a question relative to access from these properties to Highway 57 instead of the circuitous route on Old Seib Road and New Seib Road, at least there are issues there to be resolved.

Justin Shofstall: With that, as far as with the Commissioners in regards to not having the access for the subdivision itself for commercial truck traffic, that would be all relayed into those individual sites that are being proposed for construction, and those individual sites would have to address those issues at site review. So, with the individual construction process, again, as far as where I believe, with what we're proposing with this development in hand now, as a stand alone subdivision, addressing those issues that the County Commissioners have in regards to limited or no truck access whatsoever in regards to Old Seib and New Seib that those issues can certainly be addressed here within the next two weeks prior to the County Commissioners—

Ted C. Ziemer, Jr.: Good, thank you. Then, the other issue would be, if the drainage, I mean, if the site is, my understanding is if the vacation goes through, as you have requested, and then the subdivision development doesn't go through because (Inaudible) can't be worked out on truck access and so forth, then we would have a problem with the drainage plan if the drainage ditches along either side of Old Seib Road can't be used anymore because that's been vacated, that could be a problem. So, I just want you to be aware of that, and those concerns do exist.

Justin Shofstall: Yeah, and as far as with still being related and tied in with that, the drainage plans themselves, or what's been proposed there's still measures that would allow for that drainage to be still handled from that portion and dedicated through easement across and getting into county right-of-way drainage systems once again.

Commissioner Melcher: I know I've still got concerns on what the attorney was trying to say, and as your, I guess, the gentleman you're working for, has he contacted the State at all about 57? Has he made any attempts, anything?

Justin Shofstall: Well, I believe the, one of the persons that's involved with the actual lot two with the proposed Marathon has had initial conversations with INDOT, being Richard Meyer and Randy Archer. On my way here I did speak with Richard Meyer, and he did confirm that he had had some initial conversations with—

Commissioner Melcher: Because to me that makes the safest, simplest, best way win for everybody. Is just to come in off of 57 and move on.

Pawan Sooch: Yeah, my name is Pawan Sooch. I'm proposing to run the station here, and we had the people from INDOT visit the site, they looked into the specifications, laws and everything, and they are giving me a right in-right out off 57. So, and the truck traffic we are talking about here, I mean, this is not going to be a truck stop anyways, it's going to be for small cars and everyday used vehicles. The only truck we are talking about here is a semi for my gas delivery. That's like once in two days and they are like first thing in the morning, 4:00 in the morning, 5:00 in

the morning. We can adjust to anything that we require them to do, which road to take, and which access to exit out so, and they would have no problem with that. Any other questions that you wanted me to answer?

Commissioner Melcher: So, are you planning on having your ingress and egress on 57?

Pawan Sooch: We are planning to get one ingress/egress from 57, that would be just a right in-right out like we're talking about at Kansas.

Commissioner Melcher: At Kansas? Is it going to be Kansas or 57?

Pawan Sooch: We planned one for Kansas, like you know the one on 57 with INDOT. So, that would reduce a lot of stress from 57, I mean, on Kansas.

Commissioner Abell: To get in here, I mean, is that what he's going to do off of Kansas?

President Winnecke: No, I don't think that's his plan.

Commissioner Melcher: I'm more confused now.

Commissioner Abell: I am totally confused.

President Winnecke: Justin, can you clarify maybe? Thanks, Pawan.

Justin Shofstall: Commissioner Melcher, if you recall at the Area Plan Commission, on part of the approval of the subdivision plat that a right turn in- right turn out was allowed off of Kansas Road to this development, as per John Stoll's recommendation stating that a right turn in-right turn out ingress/egress for this development, as long as it's located directly west of the proposed common lot line of lot one and lot two, would be allowed. That was how the subdivision was approved by the Area Plan Commission at that time.

Commissioner Melcher: I was at that meeting, so I understand. I don't think anybody, I don't even know if everybody at that time even understood what they were voting on. You were there too, because they kept going back and forth, and they finally all decided to throw their hands up in the air.

Justin Shofstall: I understand, as far as there was, yes, the initial confusion on that, but as far as the other option that was before the Area Plan Commission would have been to vote no on a subdivision ordinance that did meet their code and requirements, which—

Commissioner Melcher: No, I understand that, and that's what's bad about just meeting the requirements. Just meaning one truck today, which five years from now could be 20 trucks. You know, we have to look at it from the beginning as, I've done that my whole career is look at the worst scenario from the beginning. That way at least I have a little bit of understanding how I vote.

Pawan Sooch: Yeah, in this situation, I mean, the worst situation would be one truck every day, or one truck every two days, because I only have a 10,000 gallon tank underneath, and it can only hold one truck. So, that probably takes two days, more than two days to sell that.

President Winnecke: Justin, help us understand the, because I'm not on the Area Plan Commission, the right turn in off of—

Commissioner Melcher: We can change that.

Commissioner Abell: Why don't you come up here and show us on our maps.

Justin Shofstall: Okay.

Commissioner Melcher: You can take my place on the Area Plan Commission.

President Winnecke: No, that's fine.

Madelyn Grayson: Make sure you speak into one of the microphones please.

Justin Shofstall: If you look here, as far as, I know we've looked...with the general layout you have Elite Fitness, which is considered lot one, which is an already developed commercial lot. Then lot two is this portion here, which encompasses all of that right-of-way vacation of Old Seib Road. This, right now, is the proposed property line. So, starting here at Kansas Road, running north and then tying back over, that would be the property line, then up to here, this would be that area, all of lot two. As far as, with those requirements, that right turn in-right turn out has to be located directly west of this common lot line, which means it would have to come in, cross lot one, and then into lot two for a right turn in-right turn out.

President Winnecke: So, actually, it cuts across, more or less, the Elite Fitness parking lot—

Justin Shofstall: That is correct.

President Winnecke: – then another right turn into the station?

Justin Shofstall: Right, there would be an interconnect between those two. As far as with their proposed access point here, this line is depicting the edge of pavement. This is the most westerly edge of pavement for southbound traffic on Highway 57. So, starting here, this begins the taper for the decel lane for the turn on to Kansas. You can see right here where their right turn in-right turn out, which would be essentially at this location here. With INDOT, their right turn in-right turn out that would allow, as far as with their truck traffic from southbound on 57 to enter, maneuver around their site and exit here. I also would like to point out too, John Stoll can confirm this as well, as far as with the property directly south, it does have limitations and this is all zoned commercial directly south of us as well, it does have limitations to where there's no access from Highway 57. With this development, once it's in, if I recall correctly, their access is going to be lining up with Kansas Road and New Seib Road intersection. They would have to enter this here and come back. So, even with no truck traffic coming in to Kansas Road generated by this site, once these two commercial properties are constructed, their only legal access at this time is coming down Kansas Road to this point, turning in the development and accessing here. Very similar to what's going on with the commercial development in the industrial park across the way at Hedden Road, to where they have to come up Kansas and access it that direction.

President Winnecke: I think one of the points of confusion that we have, based on this earlier GIS snapshot, it shows truck traffic within, you know, on New Seib Road, but if I'm hearing everything correctly, that will not be the case.

Justin Shofstall: That is correct.

Randy Sheffer: Yeah, it's not allowed.

President Winnecke: Right.

Randy Sheffer: Just because you have a commercial lot doesn't mean you are going to have semis in it.

President Winnecke: So, right, so currently the idea is right turn here, into here, at the service station, and then here. So, where would your truck, your truck would maneuver around here and then—

Justin Shofstall: On site, and then exit there.

President Winnecke: —exit on 57?

Commissioner Melcher: Who's coming out here onto here?

Justin Shofstall: Nobody is coming out at this time because it's prohibited as per—

President Winnecke: This plan is now outdated?

Justin Shofstall: That is correct, as far as with, from my understanding and conversations with John Stoll today and the position of the Commissioners on regards to the road plans.

Pawan Sooch: The people who are using Seib Road, because they live down there, they would still have (Inaudible).

Commissioner Melcher: So, we could make this road, what you're saying then is we could make this road no trucks at all?

Randy Sheffer: It is that way already. It's already that way.

Commissioner Melcher: Well, well, I understand that, but, I mean, we could put signs up and stuff.

Randy Sheffer: Correct.

Commissioner Melcher: Because, right now trucks will go down roads.

Pawan Sooch: Okay, but if you get (Inaudible) make a left on Kansas we won't have to do anything at all.

Commissioner Abell: I don't think that's our problem.

Justin Shofstall: So, with that, I hope that clarifies any other issues you may have with that. I do want to try and get this moving away from the fact of, I don't want to be, you know, blind sided and just having the short vision, because a vacation is for

the usability of that lot. It's for an existing dead end roadway, with part of the requirements that we have, we're going to be, once we dead end, it's currently just a straight dead end that goes down to a guardrail. With the approval of the vacation, that allows us to go ahead have more useable area for a useable lot on existing right-of-way that is owned on both sides by Mr. Sheffer with his development, allow for construction of whatever it may be, because it doesn't necessarily say that, who knows, within the next week they might, they may find a better site to build on. That they're much happier with. It doesn't necessarily mean that this lot, per se, is going to be generating the tanker truck issues. With that, this is something, as far as, with the truck traffic it should be limited to the actual lot itself that we would be reviewing and the vacation is involved for allowing a createable lot that, I believe, currently from what we've just discussed here and the information that John Stoll has relayed to our office, is issues that can be addressed, taken care of here in a timely fashion to show that there will be no truck traffic on those portions of Old Seib Road and New Seib Road to service these lots.

Commissioner Melcher: Why didn't they vacate the whole road?

Justin Shofstall: I believe, as far as with the initial concern on that would be once we get north of our end point, that also involves the right-of-way for the Stonecreek Homeowners Association, that is on the eastern edge of that lot, and I believe at that point it was just something that Mr. Sheffer did not want to pursue at that time.

Commissioner Melcher: Because that's a road that, you know, I think it's only 18 feet wide, and, you know, the legal road would be Seib Road. So, I would have thought that you would have vacated all of it.

Justin Shofstall: Well, I believe Old Seib Road is still classified as a legal road.

Commissioner Melcher: Well, yes, but you are not going to drive a semi down through it and a car coming the other way.

Justin Shofstall: Well, we've already addressed that. There will be no semis on that portion of the roadway.

Commissioner Melcher: I understand how you're going to address it. I'm just thinking of the future. So, would you have any plans on widening that road, if you're going to keep it?

Justin Shofstall: I believe as far as with the current requirements that are established with the subdivision ordinance and what's in the County Commissioners ordinance itself, there is nothing that states specifically that that roadway would have to be widened.

Commissioner Melcher: Okay.

Justin Shofstall: And the fact that there is—

Commissioner Melcher: I'm just asking.

Justin Shofstall: And I'm trying to address your questions and concerns.

Commissioner Melcher: Okay, thank you.

Justin Shofstall: I do not mean to be rude or curt, but as far as with that, with no truck traffic, most county roads, as with the very definition of it, and one of the things that Andy Easley always liked to point out to John Stoll, is that Petersburg Road is only 18 feet wide in front of his house and people are driving 45 miles per hour in front of it. So, as far as with the width, it's certainly allowed for two passenger vehicles to cross it, just as they had in the past before the New Seib Road improvements had been installed.

Randy Sheffer: This is not an issue here of trying to get permission to get semis down that road. We're not trying to get that. We're just taking two commercial lots and combining them and vacating a wedge that's in between them. For us to get commercial access or heavy duty access for semis, there's already a law, a city ordinance that says we can't do that. We're not trying to do that. We're just combining lots. If we wanted to do something or build something there that's going to create activity where we need heavy tankers or heavy trucks, we can't break the law, we would have to have legal access. So, we would have to either get access off of 57, which we would have to go through INDOT to get, or otherwise if I build a commercial building on those lots (Inaudible) a lot of lightweight traffic, just like it is. Just like Elite Fitness is right now. You could put, you've got a bunch of cars right there. So, we're not looking for semi traffic to come down Old Seib Road. That's not what we're here for. We're here to vacate the section of Seib Road to consolidate two commercial lots to make one lot for a corner, not take....for us to try to get permission for the semis, that's a whole other process, which would be widening the road, and that's a whole other coming back to see you all again on another issue. We're not looking for that, right now anyway, and probably won't be anyway.

Ted C. Ziemer, Jr.: Just for clarification, if we, if this vacation was approved and the subdivision gets approved and you didn't have the 57 access in there, I understand you're going to have that now, but I just want you to understand, if you didn't have it, while trucks are required to use 57, they're also allowed to go to local stops. If we didn't do anything else, trucks off 57 would be able to go up Old Seib Road and access this development. So, we don't want to encourage that, which is why the move is on to have the access off of 57, then they don't need to go Old Seib Road. So, that's all I wanted to say.

President Winnecke: Anything else on behalf of the petitioner?

Justin Shofstall: Do you have anything else?

President Winnecke: Okay, if you guys want to have a seat, we'll have any remonstrators. Just step to the podium, you can have a seat, Randy. Just state your name and your address if you would please.

Steve Hess: Good evening, ladies and gentlemen. Steve Hess, president of the homeowners association. Again, president of 320 homes that are adjoining the lake, the adjoining property that this is all in question in the last three meetings. I find quite amount of confusion based on the last meeting that you folks had to make a very difficult decision on the right on-right off of Kansas. I thought that's what was a challenge issue. I find that the concerns of me, myself and that neighborhood, as well as the 300 community members and their spouses and children that this is a very complex project in such a confined space. So, I'm presenting to you folks to please take into consideration, I believe Ted Ziemer hits it on the head, of the concerns, again, I deal with transportation, our trucks are over 82 feet long. We are within DLT specs of whatever lengths our trucks are, however the concerns that we

have are the size of those trucks. He's only mentioning a gas tanker truck. How is the Coke trucks going to be approaching and exiting if he's going to sell more than just gasoline there? Traffic, the width of Kansas itself, if any of you saw the news media a Sunday a few weeks ago, there was a vehicle that ran that stoplight where all of this is being discussed here. I think that if we all just would take a step back and take on a consideration of a request to have a study done of this intersection, to have a study done of this property where this is all in focus, but maybe all of us would have a better idea, and decide a divine decision, if you will, on what we're considering here and looking forward to. I'm concerned about myself, my community, the safety therein of this county, of Vanderburgh County, and I fear that the increase of accidents, as well as this right on-right off, the confined space of Kansas, the intersect of 57 is just too much to consume of this small space. I'm not going to take up your time like I did last time, but, hopefully I'm addressing the point of considerations here of your decision of this subdivision move tonight on this project.

President Winnecke: Steve?

Steve Hess: Yes, sir?

President Winnecke: If I may just ask a quick question? On the, sort of the narrow issue of the vacation of Old Seib Road, based on the description that they just made to us, it appears that there would be, truck traffic would enter off of 57, or off of, from Kansas right into the, that first lot there, and there would be no traffic on New Seib Road or anywhere near a residential area. Is that how you understand?

Steve Hess: That's the way they're presenting it, however I can stand here all day and say I've called the State of Indiana and I've done this and that. I would rather see documentation on if they have communicated with the State on their accesses, to answer your question. How can you guarantee us, how can this company guarantee you and I that there will not be any traffic at all if Old Seib Road is opened to the New Seib Road connection? Tanker trucks have to get in and out. If you witness the business on 41 North, that right in-right off is a very narrow and very shallow, very small right in and right off. I want to ask how can this tanker truck enter in and off of Kansas? If he has no access off of 57, what other avenue will he take? As Ted suggests, Old Seib Road.

President Winnecke: Thank you.

Ted C. Ziemer, Jr.: I think they're saying now that they are going to have access though off of 57. So, I don't know.

Steve Hess: I haven't seen any documents where it's in our plotting that he's presenting to us that we will have legal access off of 57. That may be a plan. I'm told verbally it's in the future, Ted, but what's the guarantee of the State and their funding on that project connecting his project to the right-of-way of 57?

President Winnecke: I'm sure the funding would be incumbent upon the developer for the ingress/egress off of 57.

Steve Hess: I'm understanding the developer's not willing to pass the bill at this time.

President Winnecke: I think they're nodding their head otherwise. I think. Is that right, Justin?

Justin Shofstall: That is correct.

Randy Sheffer: There would be no semis allowed on your road anyway.

President Winnecke: No, he--

Justin Shofstall: As part of the--

President Winnecke: Step up so we--

Justin Shofstall: To answer your question, as far as with that, in regards to construction on Highway 57, anything that is done, that is proposed by the development, whether it be the developer himself or the purchaser of a lot would have to pay for all those improvements done to Highway 57.

President Winnecke: Okay, thanks. I really got out of order here. We'll have a chance to rebut the remonstrators. I apologize, but anything else for Steve? Thank you, Steve.

Steve Hess: Thank you, Lloyd.

President Winnecke: Any other remonstrators?

Bill Roach: My name is Bill Roach. I'm with Stonecreek Subdivision. I live on Mooring Road. I enter the subdivision right there at Kansas and New Seib. Correct me if I'm wrong, but we're looking at four cuts on Kansas within a block, is that correct?

President Winnecke: John, is that, that's not right is it? Just one, I believe.

Bill Roach: Well, we have two for Huck's, correct? One for New Seib Road, entrance to Stonecreek, and we have another one that you're proposing now?

President Winnecke: John will clarify it. I don't recall the Huck's.

Bill Roach: Huck's is going across the street evidently.

Commissioner Melcher: Right, they're going--

Bill Roach: There's a cut, an existing cut now. They've also said that they have a, permission to make a cut directly across from Stonecreek entranceway, that's two cuts.

President Winnecke: Okay.

Bill Roach: Stonecreek entrance is three, and we're talking about putting another one in?

President Winnecke: John is going to clarify for us.

John Stoll: I thought you meant just the north side of the road. I guess, I didn't consider a street intersection to be a driveway cut, but as it stands now, yes, there would be two driveways proposed on the south side of Kansas. One directly opposite Seib, and then a second one, further east, that would serve the gas station they're

proposing at the southwest corner of Kansas and 57, and then the proposed right in and right out for the gas station at the northwest corner of 57 and Kansas. So, three private drives and a public street intersection.

President Winnecke: Does that answer your question?

Bill Roach: Yeah, I'm asking you guys is that what you're proposing? Or is that what the developer is proposing? To put another entrance there on Kansas?

President Winnecke: Yes.

Bill Roach: Is that true?

Justin Shofstall: Which development, are you talking about this development?

Commissioner Melcher: Their development is the only one that is before us tonight.

Bill Roach: Yes.

President Winnecke: There are two, two, I mean, I understand where you're going.

Bill Roach: The other two, or the other developer has already got permission, I understand for the one cut that's existing now, and they've already got permission for the other cut. So, that's two cuts that they've got permission for. The other developer, not this developer.

President Winnecke: Right.

Commissioner Melcher: Right.

Bill Roach: Okay, and then there's a road, New Seib Road that enters Kansas.

Commissioner Melcher: Right.

Bill Roach: Now we're going to put another one in from the developer we're talking about now.

President Winnecke: Well, first, I'm not clear that the Huck's, and I'm not personally familiar with that development, but I'm not sure that that, they've not come before us.

John Stoll: The gas station on the south side of the road has submitted preliminary plans to site review committee. They don't have any permits as it stands, as of yet, and the last plan that I saw, excuse me, the last plan that I saw that they presented didn't show the second access point that was opposite the Seib Road and Kansas Road intersection. It just showed their one driveway. We made them aware of the possibility that there was going to be a median, a raised median on the Kansas Road approach through there, in conjunction with the airport work. So, that's what brings the second driveway into the mix, because they would be in the same boat as what the development we're here to talk about this evening has where if there's a raised median it's blocking their main driveway. They would have to come in further west in order to get the access to work. Otherwise they don't have a way to get lefts in and out of their site. So, no plan has been officially approved for anything on the south side as far as I'm aware of.

Commissioner Melcher: I thought the one road across from Seib was already okayed, it's not?

John Stoll: Not that I'm aware of. It was discussed.

Commissioner Melcher: Because they were at Area Plan and I thought they said it was.

Bill Roach: Yeah, that's what I thought.

Commissioner Melcher: I'm just telling you what they said.

John Stoll: They platted an access easement, if I remember correctly, but I don't recall them presenting any plans to get permits to actually build anything, as of yet. I could be wrong on that, but I don't recall it.

Commissioner Melcher: Cause that discussion lasted a while with this one coming, a right turn, a right turn out. Okay.

Bill Roach: That's where I got my information also.

Commissioner Melcher: Me too.

Bill Roach: That's all I've got to say.

President Winnecke: Thanks, Bill. Appreciate you coming out tonight.

Commissioner Melcher: Thank you.

Bob Wootton: Good evening, my name is Bob Wootton, I live at 9625 Clippinger Road. It's the first house on the right after, whenever you turn off of Seib. I'm not sure that I understand exactly what this whole thing, you know, what their plan is. I didn't, I wasn't at the last meeting, but the way I understand it there's only going to be allowed on to Kansas Road from this proposed station a right turn in and a right turn out. Correct? Is that what the proposal is? You cannot, you will not be able to turn left if you're leaving that gas....turn on to Kansas Road and turn left?

President Winnecke: Correct, that's correct.

Bob Wootton: Only a right turn.

President Winnecke: Correct.

Bob Wootton: Whenever the people turn out then, turning right, onto Kansas Road, if they want to get back on 57 they only have one way, you know, there's several ways of doing it, but one of them would be to turn right on Seib Road and go on to Clippinger, and since my house is the first one on the right, to turn around in my driveway to get back out onto Kansas Road. You know, that's going to be a problem if there's only a right turn out there if people are wanting to get back on to 57. They need gas and they pull into this gas station, and there's going to be somebody who's going to be turning left onto Kansas. Somebody will do that. Now, I don't know if they're just going to have one lane that goes to the right or just exactly how this thing is supposed to work, but I see that as a potential problem in our neighborhood with people wanting to turn around to get back to 57 unless they go all the way down Seib

Road to Boonville-New Harmony and enter back on to 57 that way. Anyhow, that is my concern about this proposal. The entrance on 57 for trucks, you know, that softens it somewhat, rather than have big trucks enter onto Kansas Road, but I'm still concerned about the people when they leave this gas station, where are they going to go to get back onto 57?

President Winnecke: Right, okay.

Bob Wootton: Thank you.

President Winnecke: Thanks, Bob. Any other remonstrators that would like to speak tonight? Justin, would you or your client like to offer anything else?

Justin Shofstall: Yeah, just on that, as far as a direct chance to answer as far as some of the concerns that the residents have; one, as far as in regards to the homeowners association president and his concerns with Kansas Road being narrow, etcetera, right now that portion of Kansas Road is much wider than the existing roadways from that intersection beyond. Also, as of last week, John Stoll had forwarded the proposed improvements, in association with the north runway and the realignment of Oak Hill Road, Hedden Road, etcetera, and those improvements that would be done in addition to those at Hedden Road, Kansas Road, and also the intersection of Kansas Road and Highway 57. At that point there will be an entire decel lane along the northern, not a decel lane, but a right turn lane from Kansas Road at 57 all the way to New Seib. There's, I believe, John can answer this question, is it going to be a total of four lanes at 57 and Kansas? So, a total of four lanes going from the existing three. With the access concerns that they have, again, with what's been addressed and mentioned to our office today, up to 4:30, that, with those concerns with eliminating truck access off of Old Seib Road, New Seib Road, the, what would be proposed with the existing approved right turn in-right turn out for Kansas Road would still have to line up in a form with those plans that are currently in existence for Kansas Road, and then would have to be improved and reconditioned once Kansas Road was improved, whenever the Highway 57 and the proposed improvements for realignment of Oak Hill Road come about. With that, again, commercial traffic will not be entering off of Highway, will be coming in off of Highway 57, as per what they're proposing with the future lots. Now, in order to have those future lots, the right-of-way vacation would have to proceed. Anybody who once enters that project development, as far as with being a larger commercial, anything from a small commercial development that are two lots or more, to a larger commercial development, that there's usually always been an interconnect from one commercial lot to another. You're certainly already allowing one interconnect between lot one and lot two, because the right turn in-right turn out has to come in on lot one to get any access onto lot two. At that point, once they're on lot two, there still allows for passenger vehicle for Old Seib Road that has not been vacated and be improved as with what was proposed with the road plans, to allow for vehicles to exit to the north onto Old Seib Road, because it's very plausible that any residents that would be going in there using that convenience store and gas station, would also be either, if they're driving north, or driving north onto Highway 57, or they're residents of Stonecreek Subdivision. I find it hard to believe that just out of pure spite that every single resident of Stonecreek Subdivision will not use this convenience store. Also, as far as with them exiting, if they're trying to get out, with there being a right turn only onto Kansas Road from the, with the right turn in-right turn out, that means that they can only travel west. If they want to try to get back onto Highway 57, they can use the right turn in-right turn out that would be proposed with one of the interconnects on the lots itself, or with the interconnect on Elite Fitness, with their

existing curb cut that is right there north of the intersection of Kansas and New Seib Road. So, as far as the concerns to where this site is going to generate and strictly focus all of their traffic into the subdivision, turning around in driveways, would be erroneous at best.

President Winnecke: Okay.

Justin Shofstall: So, I believe with that, again, with the vacation of the right-of-way, allows for this lot to be developed, it still conforms with what the Area Plan Commission approved with the right turn in-right turn out to limit access off of Kansas Road. As far as with those developers purchasing the lots, the individual lots that front on Highway 57, the responsibility for them to have their access off of Highway 57 limiting all truck movements on the site itself, or on those designated roadways, being Highway 57 and that initial portion of Kansas Road.

President Winnecke: Anything else from the petitioners?

Commissioner Melcher: I've got one question of John.

President Winnecke: Sure.

Commissioner Melcher: John, he was talking about you sent the plans already, is there any way we could see those?

John Stoll: The airport's plans?

Commissioner Melcher: Uh-huh.

John Stoll: I've got—

Commissioner Melcher: Because you're talking about this median thing, and I don't—

John Stoll: The plans that I forwarded to Justin didn't have the median, but because of the concerns about trying to make the access points right in and right out, I asked the airport designers to add the median in there. So, that way that would prohibit left turns for certain. There wouldn't be any question that they could drive across the top of a raised concrete median. The plans that I have do not show that at this time, but I've asked R.W. Armstrong to include those. So, I can forward you those sheets.

Commissioner Melcher: Do you know when we'll get those?

John Stoll: Not off the top of my head, no.

Commissioner Melcher: Because I think that's important.

John Stoll: I can forward you what we have, and it does have four 11 foot lanes on that west leg of the 57 and Kansas approach.

Commissioner Melcher: Okay. Thank you.

President Winnecke: I will move this along, unless anyone....Marsha, do you have something?

Commissioner Abell: I have one question.

President Winnecke: Sure.

Commissioner Abell: I have a question for the developer. If you're the developer. This is going to be a service station/gas station, are you under a time constraint?

Randy Sheffer: Okay, first of all, this is not about the gas station. That's a whole other permit. Right now, I legally cannot build a gas station, well, I legally could build a gas station on the lot as it sits, it's just they would be restricted to small trucks coming in and out. They would have to use a small tanker, the small trucks instead of the big semis. All this really is about is a vacation of the road to consolidate a commercial lot. For me to get an approval for the gas station is a whole other process, in addition to this process. This is not about the gas station. We've already got approval for the entrance. So, I could put an entrance here. I could put a small gas station right there beside the Elite Fitness Center as it sits. I just would not be allowed to take any big semi traffic out through the back of Seib Road, or out Kansas Road. So, technically, if he buys this lot from me after I get it developed, we will have to have access off 57, which we're already working on anyway too, in addition to this. But, right now, I could legally go in and build an office building, another fitness center, or just any kind of development that's rated C-4 or less on this property. This is just about the vacation of the road to consolidate the lot just to make it more feasible.

Commissioner Abell: But, you don't need this vacation to meet any time constraints? Or you're not under—

Randy Sheffer: Well, I need this vacation, yes, to make my lot whole.

Commissioner Abell: I understand that. I'm asking do you need it to meet a time constraint, like do you have to have a yes or no by Friday, for instance?

Justin Shofstall: Like your closing deadlines, etcetera.

Commissioner Abell: Yeah.

Randy Sheffer: Yes.

Commissioner Abell: Okay, that's what I wanted to know, do you have a time constraint?

Randy Sheffer: That's a very good point.

Commissioner Melcher: Did you say, and maybe I heard you wrong, did you say that with this vacation you could drive semis down the Old Seib Road?

Randy Sheffer: Well, right now I can access all of that, that whole area from Seib Road. I just can't access it with a semi, and don't intend to. That's not my intention here, it's just to take the part of Seib Road that separates my two pieces of land to make one piece of land. We're just shortening a dead end street that's already dead ended and should have been torn out a long time ago anyway. That's all this is about. The gas station is a whole other process, somewhere, something out in access off Kansas or 57 is INDOT jurisdiction, a whole other thing. So, before this guy is going to build a gas station on it, he's going to have to have approval from somebody for access off of 57. So, nobody has to worry about that. That's not the issue here. That's another thing. It's about commercial, it's about combining a lot.

President Winnecke: Anybody else? Thanks, Randy. I guess, I'm a little torn about what to do. I understand the distinction, we're asking for just the vacation of the road tonight. I guess, it does strike me that there are a lot of moving parts. Clearly, the neighbors aren't aware of the, I don't think it was clear until tonight of the latest plans to offer ingress and egress off of 57, which as one of them said, does soften it a little bit, but perhaps it would make the process go smoother if we could see an updated plan that diagrams what the traffic flow could be off of 57, off of Kansas, including the proposed, it's not even proposed, it's in the discussion, the other convenience store for the other side of the road. I am concerned about how that plays into this, and I think it just seems like it would be smart development to understand all of that before we move forward with this. I came here tonight fully intending to vote to vacate the road tonight, but I'm wondering if we wouldn't be well advised to delay this for a meeting or two until we can see the updated traffic flow plans that, so everyone can kind of put their arms around it. There may still be opposition after that, I don't know, but I think it would be great to see everything together.

Ted C. Ziemer, Jr.: Mr. President? This requires two readings.

President Winnecke: Right.

Ted C. Ziemer, Jr.: So, you could in the interest of moving it along possibly, assuming everything else is going to fall into place, go ahead and approve this on first reading tonight, with, setting the next reading for July the 26th. If by July the 26th you're not satisfied, or for some reason you need, or more time is needed, you can continue that meeting to another one. If you do nothing tonight that moves everything at least two weeks further down the road. You're not binding yourself at all by approving this on first reading tonight. You have full right to disapprove it at the final reading. So, I would suggest perhaps, in the interest of time, you might vote on it tonight for first reading.

President Winnecke: John, is it feasible to, if we proceeded as Mr. Ziemer just suggested, and asked all parties to get to you the data that we could consider what I described previously, maybe for our August 9th meeting, at which time we could consider the final approval of this vacation? Does that make sense?

John Stoll: Yeah, as far as the proposed widening plans with the airport, that wouldn't be a problem. The only issue may be whether or not they show a raised median or not, but I do have draft plans there. From what Justin is saying this evening, I don't think there would be any problems with them getting the plans. The only thing I don't know is for the proposed gas station on the south side what they would be able to provide. I haven't spoken to them about any of their time tables or anything that's associated with their site.

President Winnecke: I guess, I'm not concerned about their time table so much as at least what they're thinking in terms of the road cuts that Bill suggested that Area Plan has already considered. I guess, I'm okay with going with Mr. Ziemer's alternative with the understanding that in a second meeting, in a second hearing, if we don't have all the traffic flow data that I think everyone wants to see in one comprehensive plan, then I may change my vote. But, I guess, I guess I would be open to this alternative if my fellow Commissioners would be too, but, I mean, I really want to demand that we have all that for, and I say August 9th because I'm not going to be here frankly in two weeks and I want to be a part of this vote. I think that would give all parties enough time to get the information we want.

John Stoll: We can definitely get the subdivision plat for the south side of the road, and definitely get the plans that have been submitted to the Plan Commission so far for everything on the south side of the road. So, that won't be any problem to get that. If there's anything more then it might be more difficult, but I can get that, get the data provided from this development, and I can also have what the proposed road plans are for the airport's project. So, that shouldn't be a problem.

President Winnecke: Let me, excuse me, one thing just before I forget this thought. Is it also, once you get all of that pulled together into a single map, chart, whatever, that prior to the meeting on the 9th that you can disseminate that to maybe Mr. Hess, as the point person, so the remonstrators can have an idea of what all this looks like?

John Stoll: Okay.

President Winnecke: In some fashion, and if you need more time, we're going to have to, I would say we would be open to delay it. Go ahead, Steve.

Commissioner Melcher: I just wanted to make sure that when you brought it we could put it up on the screens, so everybody in the audience, the neighbors that are here, they're seeing what we all are seeing. I want us all to see the same thing, because what we've been talking about from day one was this domino here, was the drainage plan, then the next domino was going to Area Plan for the review. That took a long night, and then another domino now is this part. The house, I mean, the building across the street, the Huck's that turned out to be another domino. So, we don't know where all of these dominos are going to fall in. So, to me, I have to have a clear understanding before I could vote for this on that.

President Winnecke: Okay, at this time, if there's no other discussion, I would entertain a motion, oh, I'm sorry, I didn't see you. I apologize.

Justin Shofstall: Sorry, I just wanted to get a clarification as far as to where we're looking at conceptual plans for, as far as horizontal layout, with the concerns that you have with the truck traffic movements in association with this development in conjunction with what John Stoll has on the proposed improvements with Kansas Road. We're not talking about hard, fast we've got everything designed down to the thousandths of an inch.

President Winnecke: No, I think people want to understand conceptually how the development would work. I think, everyone seems reasonable enough to understand the specifics aren't ironed out, but to Steve's point, we would like to know how the dominos are all going to fall.

Justin Shofstall: Right, and that's what I just wanted to get as far as a clarification—

President Winnecke: Right.

Justin Shofstall: — so we all know it's certainly conceptual and follows an intent, and not what's going to be considered hard, fast set in concrete, but as long as it follows that intent.

President Winnecke: I think we want to know it's directionally accurate.

Justin Shofstall: Correct.

President Winnecke: Okay?

Justin Shofstall: Right.

Madelyn Grayson: Sir, what was your name for the record?

Randy Sheffer: Randy Sheffer.

President Winnecke: Okay, at this time, Mr. Ziemer?

Ted C. Ziemer, Jr.: There's only one other thing, I think we want to include the drainage information as a part of that same plan.

John Stoll: The drainage plans and the street plans as we had discussed from prior meetings for this particular development.

President Winnecke: Okay, at this time I would entertain a motion to approve, on first reading, the vacation of Old Seib Road, with the caveats previously mentioned.

Commissioner Abell: So moved.

President Winnecke: Second. Any questions or further discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: No.

Madelyn Grayson: President Winnecke?

President Winnecke: I'm going to vote yes, with what I said, I will continue this until August 9th, at which time we'll get all of this data. If it's not to my satisfaction, I may join Commissioner Melcher in voting no, but I vote yes. I would continue this public hearing until our August 9th meeting.

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

President Winnecke: I appreciate everyone's patience. I know we took a lot of time on this, but I think this was important.

<p>Sheriff: USI Facility Use Agreement for PAC: Applicant Testing Health Dept: Agreement with U of E: Dunigan Family Dept of Nursing</p>
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President Winnecke: Okay, next, contracts, agreements and leases. Sheriff, facility use agreement with the University of Southern Indiana for the applicant testing. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, from the Health Department, an agreement with the University of Evansville Dunigan Family Department for 2011-2012 to provide clinical education opportunities for new nursing students. This is identical to the form of the agreement for the past two years and does not contain any funding requirements on the part of the county. How about that?

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Emergency Management Agency

President Winnecke: Next, department head reports. Sherman, I see you first.

Sherman Greer: Sherman Greer, Emergency Management Director for Evansville-Vanderburgh County. This is in reference to the denial of the individual assistance from FEMA to the citizens that we have in Evansville-Vanderburgh County that was

affected by the flooding. We proposed to, I think we proposed a letter to the County Commissioners to be able to send to, at first we started out sending it to Joe Wainscott from the Indiana Department of Homeland Security, and we were advised to maybe send it to Region V to Mr. Velasquez for the, to FEMA, so that we could get a little bit more action out of this.

President Winnecke: Okay, great, I appreciate you drafting that. We word smithed it a little bit to—

Sherman Greer: We appreciate that too.

President Winnecke: Yeah.

Sherman Greer: Because we were kind of—

President Winnecke: I know, I suggested that it be worded strongly, but—

Sherman Greer: Maybe it was a little too strong.

President Winnecke: —we toned it down a little bit. I appreciate the effort and the spirit. I would consider a motion to approve the letter that is before us.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Sherman Greer: Thank you.

President Winnecke: Thanks, Sherman. It seems like we asked, we need, we still need the information—

Sherman Greer: You need the names and addresses—

President Winnecke: — from the volunteers, because we need to honor them appropriately for their volunteer efforts during the flood.

Sherman Greer: Right. If we can just get out of one thing into another, but we do have a list started.

President Winnecke: Okay, great.

Sherman Greer: Okay?

President Winnecke: Let's shoot for that August 9th meeting too.

Sherman Greer: Okay.

President Winnecke: If you would.

Sherman Greer: We'll do that.

President Winnecke: Okay, thanks, Sherman. Who else? Steve?

Burdette Park

President Winnecke: Hi, Steve.

Steve Craig: Steve Craig, Manager of Burdette Park. First thing, I wanted to make you aware that the BMX track is having its national race this Friday, Saturday and Sunday. There will be racers from all over the United States coming to Evansville to race in this event. If you've never seen one, it's something to see. You could come out and see it. The second thing I want to do, is I want to thank the Commissioners for offering the service of Ralph Nichols and Mulberry Center. The people of Vanderburgh County are very privileged to have leaders that have the insight to offer this kind of services to their employees when something like this happens. These kids, when they come to work for us, I give them a speech in the spring, and I tell them that this could very well be one of the most important jobs that they ever had in their life. It doesn't take them long to find out that that's true. Mr. Nichols, he was a God send, I guess, and some of them, because some of them seemed to be in a small state of shock, and after he talked with them and everything, they seemed to, you know, understand that this was real. It's just not with the Aquatic center, but when you get in the neighborhood of 300,000 visitors to your park in a year, you deal with everything from heart attacks to strokes to just people being hurt in the park. I just want to thank the Commissioners for offering this service to the employees of Vanderburgh County.

President Winnecke: Thanks, it was the right thing to do. Kudos again to those young people who acted so courageously.

Steve Craig: One other thing, I want to thank two patrons that I don't know who they are. They didn't stick around and take a pat on the back. But, as I read all of the reports from everybody, they keep mentioning two professionals that had helped them, and nobody caught their name, when the incident was over they just kind of disappeared. But, you know, it's like the whole community contributed, but I want to thank those two people, whoever they are.

President Winnecke: Okay, thanks, Steve.

Steve Craig: Thank you.

County Engineer

President Winnecke: John, did you have anything else?

John Stoll: The first item I had was to request approval of the ESRI annual maintenance agreement for our GIS software. This is an annual license agreement for \$700 for the GIS software, the ArcView software used in my office.

Ted C. Ziemer, Jr.: I apologize, I did not today get an opportunity to send you an e-mail on that. I have reviewed that contract and it is identical to the maintenance contract for the last two years, and it is \$700, and it's for a one year period. We find it satisfactory for execution should you decide to do so.

President Winnecke: I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: Next, I've got an amended street plan, street acceptance for Spring Lake Valley Subdivision. On, at the last meeting I had an incorrect mileage total on the mileage for Wisteria Lane within that subdivision. It doesn't change any of the footages that I read into the record, it just had one number incorrect. So, I just wanted to get a corrected form in the record. So, I've submitted that for your signatures.

President Winnecke: I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: Next, I've got the IDEM notice of intent letter. This is to notify IDEM about construction on the Millersburg Road project. It also needs Commissioners signatures.

President Winnecke: I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: Next, I would like to request approval to file a travel request with County Council to go to Jasper for an IDEM storm water meeting. This is on August 16th and it will be a half day seminar. We'll just take a county vehicle, and it will be up and back, same day.

President Winnecke: Motion to approve?

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: The only other item was very well discussed awhile ago, the street plans have been postponed until a future meeting, I guess, on August 9th. So, I'll bring those back for LEED-Sheffer Subdivision at that time.

President Winnecke: Thanks, John.

John Stoll: Thanks.

Public Comment

President Winnecke: Any public comment at this time? Hi, Bruce.

Bruce Ungenthiem: Bruce Ungenthiem, Darmstadt. I am not going to talk about my favorite subject tonight. So, you all can smile, okay. I'm going to talk about my second favorite subject. Back in February, I think the 22nd, this Commission found it, or actually passed the resolution to prevent smoking, or to ban smoking from public facilities in Vanderburgh County. I told you at that point in time that if that happened, that I would take the \$100 out of my pocket and donate it to the American Cancer Society. I have a receipt from the American Cancer Society, which that was done on March the 2nd, and I want to present that to you. In addition, for your courage in doing this, I have certificates of appreciation for all three of you for making this possible. I want to give those to you.

Commissioner Melcher: Well, technically, I didn't vote for it.

Bruce Ungenthiem: You're part of the group, aren't you?

Commissioner Melcher: I'm part of the group.

Bruce Ungenthiem: We're all one big, happy family here. Isn't that what I've been hearing?

Commissioner Melcher: Well, we're supposed to be.

President Winnecke: Happy this week.

Bruce Ungenthiem: Thank you, Steve.

President Winnecke: Thanks, Bruce. Appreciate it.

Bruce Ungenthiem: That was done on March 2nd, my mom's birthday. Thank you.

Commissioner Abell: (Inaudible. Microphone not on.)

Bruce Ungenthiem: The one other thing I wanted to let you know, and I'll give you an update of where we're at. July the 1st the tavern that I'm very interested in went non-smoking, we had a party there. In the last week or ten days, the business has actually gone up. This last weekend's business was up 30 percent. Sunday's brunch had an additional 60 people at the brunch. So, it is not affecting the business whatsoever.

President Winnecke: Great.

Bruce Ungenthiem: So, thank you very much.

President Winnecke: Thanks, Bruce. Have a good evening. Any other public comment?

Consent Items

President Winnecke: At this time I would entertain a motion to approve the consent agenda.

Commissioner Abell: So moved.

Commissioner Melcher: Actually, you were going to take one out?

President Winnecke: Yeah, I would consider a motion to approve the consent agenda, except for the CMoe request for the fundraiser on November 12th, that waiver fee. I would make a motion that we consider that separately.

Commissioner Melcher: I'll second it.

President Winnecke: Is that--

Commissioner Abell: (Inaudible). So moved.

President Winnecke: Are you clear, Madelyn?

Madelyn Grayson: Yes.

President Winnecke: Okay.

Madelyn Grayson: Are you ready for me to read the rest of them?

President Winnecke: Oh, I'm sorry, I didn't ask you to do your dramatic reading. Thank you, please proceed.

Madelyn Grayson: The consent items for the July 12th meeting are as follows; approval of the June 28, 2011 Commission meeting minutes; employment changes for the Commissioners approval, there is one for the Health Department, one for Veterans Services, one for the Public Defender, and one for the County Highway; the County Auditor has the June 2011 A/P vouchers and continuing disclosure documents; there are requests for waiver of fees/not overtime for the Centre, there are two for the Human Relations Commission, one for September 29, 2011 and one for October 12, 2011; the Evansville Police Department for Officer Safety and Street Survival Training on December 7th ; the Commissioners have a blue claim for payment to the Evansville-Vanderburgh County Building Authority for loan for demolition of the old jail; there's a notice to bidders of sale of 907 Governor and 810 East Gum Street; the County Engineer has pay request number 131 for \$49,818.52 for TIF projects; the Adult Probation has a request to surplus three office chairs; the County Clerk has the May 2011 monthly report; the IBAP Gatekeeper has the June 30, 2011 report; Bohannon Estates project certifications and department head reports from the County Engineer and Burdette Park.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Did you include the Airport Board reappointment?

Madelyn Grayson: No, I didn't have that on here.

President Winnecke: Let's just make that in the form, I would entertain a motion at this time to re-appoint Mr. Kaskel to the Airport Authority as this body's appointment.

Commissioner Melcher: I'll second it.

President Winnecke: Did you make the motion?

Commissioner Melcher: No, I thought you just said.

President Winnecke: No, I just said I would entertain a motion.

Commissioner Melcher: Oh, I'll make the motion then.

President Winnecke: Okay.

Commissioner Abell: I'll second it.

Commissioner Melcher: I thought you were making the motion.

President Winnecke: I'm sorry. It's late.

Commissioner Melcher: I was trying to read at the same time you were talking.

President Winnecke: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Okay, next I would consider a motion to approve the CMoe request for a waiver of fees for the Centre for it's breakfast with the Sugarplum Fairy fundraiser on November 12th, and the set up on November 11th. I noticed we have folks from CMoe here, who would no doubt like to make their case.

Abigail Adler: Thank you. I'm Abigail Adler, Marketing Development Coordinator with CMoe. Yes, we are here tonight to request your consideration for waiving the fees in whole, or in part for our largest fundraiser. We do, we are a non-for-profit, obviously, museum, and we do not have the capacity at our museum to host this event, which does primarily attract children and their families, mothers, parents. This year the event is in November, and at this time, with the current fee structure, we do not meet any of the minimum requirements, again, because it is primarily a kids event and we do keep costs low and the offerings low. We don't meet any of the minimum requirements in order to get any type of fee waiver or any type of consideration for lower fees at the Centre. Right now with the current fees, for a set up date and the actual event, that actually represents more than ten percent of our total take, even on our best year, at this fundraiser. We do strive to, obviously, support the Centre and the offerings there, and we do spend anywhere from \$7,000 to \$8,000 in addition to the booking fees, on different services they provide. We have done this for the past, three of the past four years at the Centre. This will be our fourth year using that facility. So, we do request that you consider, I know you do have the capacity to do that, to waive those fees in part or in whole.

President Winnecke: I'll just, I'll tell you my, I love CMoe.

Abigail Adler: Great.

President Winnecke: I've been a personal contributor. I'll tell you where I fall on this. There are, roughly a third of the business that goes into the Centre is not-for-profit organizations. As soon as we waive the fees for the first, we have to do it for all. When we waive the fees, our policy has been in my time on the Commission, that we waive fees for use by governmental, other governmental entities or quasi-governmental entities. But, I have a real fear that once we do it for CMoe every organization that rents it, the third, will expect the same. Then, at the end of the day, the burden is carried by all of the taxpayers. As much as I love CMoe, as much as I want you to make as much money as you can to continue your mission, I can't support it.

Abigail Adler: Have you had, have you waived the fee before for any non-profits?

President Winnecke: This body has, I've never voted in favor of that. My vote will be consistent with what I've done before.

Commissioner Melcher: We usually don't, we haven't supported waiving fees without paying, when there's overtime, somebody has to pay that overtime.

Abigail Adler: It's typically not associated, ours is a morning event, and on a Friday. I don't know that we've ever incorporated any overtime charges on any of our detailed billing.

Commissioner Melcher: I just threw that out, because I agree with Lloyd, there's a lot of non-profits, I work for a non-profit. So, if we know we're going in there, we know we're going to have to pay for it. At least, I don't think we've ever got anything waived there, before I was a Commissioner or since I've been a Commissioner.

Abigail Adler: Are those primarily, when the non-profits do use it, is it primarily for their fundraising efforts?

President Winnecke: Most of the time, sure. I mean, if you look at, the Keep the ARC Afloat, the Really Big Show, you know, all of those are all fundraisers, and we don't waive the fees for those.

Abigail Adler: Alright, well, thank you for your time.

President Winnecke: We haven't voted yet.

Abigail Adler: Oh.

President Winnecke: I mean, I would consider a motion to approve the CMoe request.

Commissioner Abell: So moved.

President Winnecke: There's a motion. Is there a second? No second, it dies for lack of a second. I'm sorry that you had to hang around for two hours.

Abigail Adler: I learned a lot.

President Winnecke: That's the governmental process.

Abigail Adler: I'll stick with working with a not-for-profit, and I won't be running for office anytime soon. You all have my respect.

President Winnecke: If nothing else you got quite the civics lesson tonight. Thank you.

First Reading: Rezoning Petitions

VC-2-2011: 810 Schutte Road LLC
Address: 812 Schutte Road
Request: Change from R-3 to C-1

VC-3-2011: JBI Construction
Address: 6000 Millersburg Road
Request: Change from Ag to M-3

VC-4-2011: Buttonwood Properties LLC
Address: 3901 N. St. Joseph Avenue
Request: Change from R-1 to M-2

President Winnecke: Rezoning, we've only just begun. First reading on VC-2-2011, 810 Schutte Road LLC, this is a change from R-3 to C-1. Is there anyone here to speak on behalf of that tonight? These are, each of these three are first readings. These are going to, these go to Area Plan after this for consideration at their, at its August 11th meeting. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Okay. A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, first reading on VC-3-2011, JBI Construction, 6000 Millersburg Road, change from Ag to M-3. Anyone here to speak to that? If not, I would consider a motion, for first approval to send to Area Plan.

Commissioner Melcher: I'll make a motion to send it just to Area Plan.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, first reading on VC-4-2011, Buttonwood Properties LLC, 3901 North St. Joseph Avenue, a change from R-1 to M-2. Anyone here to speak to that?

Commissioner Melcher: I'll make the motion just to send it to Area Plan.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Any other business to come before this body?

Commissioner Melcher: I have one. I think all of us received one, and copies for everybody. Like I've got the one for JBI Construction and I got about six copies.

President Winnecke: Right, same here.

Commissioner Melcher: So, you've probably got one for somebody else, and, Marsha, you've probably got—

Commissioner Abell: Oh.

Commissioner Melcher: —one for the rest of them. So, we probably need to interchange, exchange so that everybody's got copies.

President Winnecke: Good point. Any other business to come before this body? If not I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We are adjourned.

(The meeting was adjourned at 7:04 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the June 28, 2011 Commission Meeting Minutes.

Blue Claim for Payment to EVCBA: Old Jail Demolition Loan Payment.

Notice to Bidders: County Owned Property: 907 Governor & 810 E. Gum.

IBAP Gatekeeper: June 30, 2011 Report.

Bohannon Estates Project Certifications.

Re-Appointment of Rick Kaskel: Airport Authority Board.

Employment Changes:

Health Dept (1)	Veterans Services (1)	Public Defender (1)
County Highway (1)	Sheriff (5)	Circuit Court (2)
County Clerk (1)	Superior Court (2)	

County Auditor:

Approval of the June 2011 A/P Vouchers.

Approval of Continuing Disclosure Documents.

Centre Fee Waiver/Not Overtime Requests:

Human Relations Commission: 9/29/2011 & 10/12/2011.

EPD: 12/7/2011: Officer Safety and Street Survival Training.

CMoe: Sugarplum Fairy Fundraiser: 11/11-11/12/11: **Denied.**

County Engineer: Pay Request No. 131: Green River-Burkhardt TIF Projects.

Surplus Requests: Circuit Court: Adult Probation: (3) Office Chairs.

County Clerk: May 2011 Monthly Report.

Department Head Reports:

County Engineer

Burdette Park

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Ralph Nichols	Tim Tharp
Debbie Dewey	Susan Kirk	Delores Koch
Eric Williams	Chris Locker	Justin Shofstall
Randy Sheffer	Steve Hess	Bill Roach
Bob Wootton	Sherman Greer	Steve Craig
John Stoll	Bruce Ungenthiem	Abigail Adler
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
JULY 26, 2011**

The Vanderburgh County Board of Commissioners met in session this 26th day of July, 2011 at 5:04 p.m. in room 301 of the Civic Center Complex with Vice President Marsha Abell presiding.

Call to Order

Commissioner Abell: I would like to call to order the July 26, 2011 meeting of the Board of Commissioners. As you probably can tell by looking, I'm not Mr. Winnecke. He's on vacation, and unable to attend tonight. So, I will be attempting to run this meeting in his absence. I'm Marsha Abell and Mr. Melcher, I'm sure, will keep me in line if I make some errors. So, please overlook it if it's not the speediest meeting you've come to. Attendance roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Pledge of Allegiance

Commissioner Abell: Would you stand and join me in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

**Permission to Open Quotes for VC11-07-01:
Fickas Road Culvert Wing Construction**

Commissioner Abell: It looks like we have to open some quotes this evening for the Fickas Road culvert wing construction. I would like, I would entertain a motion.

Commissioner Melcher: I'll move that we open VC11-07-01, for the Fickas Road culvert wing construction.

Commissioner Abell: I'll second that motion.

Ted C. Ziemer, Jr.: I don't have them.

Commissioner Abell: You don't have it? Marissa, do you know where it is?

Commissioner Melcher: Well, if we find it you could open it.

Ted C. Ziemer, Jr.: Yeah.

Commissioner Abell: Maybe nobody wants, no one bid on it. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. All opposed?

(Motion approved 2-0)

Commissioner Abell: Okay, if we find those, we'll bring them to you.

Notice of Errors with Precinct Boundaries
--

Commissioner Abell: The first item on here is a notice of errors with precinct boundaries. Mr. Jeffers, would you like to tell us, Mr. Melcher and I have been talking about this, and maybe we need some clarification on this.

Marissa Nichoalds: There are no bids.

Commissioner Abell: No bids. You contractors in the office, there were no bids on that.

Bill Jeffers: Yes?

Commissioner Abell: Well, I looked at your information you gave us, and thank you for it. I guess, we have to sign a form because there's some errors, and we've got to ask for an extension in time to correct those? Is that—

Bill Jeffers: That's essentially it. The Indiana Election Commission sent you a packet that included a hyperlink to a map that was developed for them by 39 Degrees North, a consultant, from data from the Census Bureau showing jurisdictional boundaries, Indiana State House boundaries, Indiana State Senate boundaries, municipal boundaries, Town of Darmstadt boundaries, etcetera, overlaid on all of the existing precincts in Vanderburgh County, and said that if they don't hear from you that there's any errors discovered in that map, on the required form no later than August 4, 2011, that they will assume that everything is correct. That is the map for 2012, and any re-precincting or re-districting that you do between now and the primary election would have to follow the lines shown on that map, and not cross certain jurisdictional boundaries, such as the Town boundary of Darmstadt or the corporate boundary of the City of Evansville. When I took a look at it, I saw some lines that indicated corporate boundaries extending way out into Evergreen Acres and over towards the Birch Plow Works and, oh, down across Oak Hill Road and Baumgart Road outside the present city limits. I called the representative of the Election Commission and she told me that indicated corporate boundaries and/or known places for greater than 20 years, or something like that. Like Melody Hills apparently is a place name that's been known for long enough that it has a boundary around it. Highland was the other one, and some other oddball things. Well, since the same line is used for the corporate boundary that's used for these place boundaries, it became very confusing, and the line split several precincts that I listed in the memo to you, maybe ten precincts that are split by those lines, and you would have to, if you didn't object to that, if you didn't say that was an error, you would have to follow those lines and draw all kinds of new precincts based on these, what I consider Census Bureau data errors. I found out today, Linda Freeman-Schaffstein and John Ansbros, I think is his name, from APC went through the list and discovered that John had reported several of these errors, including other errors to the Census Bureau during the review period earlier, and they had proceeded with the same data that came back to you. They didn't acknowledge his, many of his needed corrections. So, I would think it might be to your advantage to file the error report so that that extends your time to the first of the year to have the map corrected, because I understand that Susie Kirk, the County Clerk, is working on some mapping changes to adjust

precinct boundaries to the new census data. She will run into problems if she has to use the map that was presented to you by 39 Degrees North.

Commissioner Melcher: Are you helping her with that, Bill?

Commissioner Abell: That's what I was going to ask him.

Bill Jeffers: I'm supposed to meet with Ms. Kirk and Mr. Ziemer on Thursday afternoon.

Commissioner Melcher: Okay.

Commissioner Abell: Do you need or want either one of us there? I don't want to muddy it up.

Bill Jeffers: That would be at the invitation of your attorney.

Ted C. Ziemer, Jr.: No, you're certainly welcome, or either one of you. I don't think it's necessary at this preliminary time.

Commissioner Abell: Okay, do you need us to go ahead and sign this?

Ted C. Ziemer, Jr.: We recommend that you do sign that.

Commissioner Melcher: So, we need a motion to...okay, then, I'll go ahead and make the motion that we sign this agreement that we will be extended until the end of the year.

Commissioner Abell: I'll second that motion. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Melcher: Somebody needs to get their money from 39 Degrees North or something, whoever paid them.

Commissioner Abell: Whoever paid them for bad information.

Commissioner Melcher: The State needs to get a refund.

Bill Jeffers: Well, they might pass the buck to the Census Bureau.

Commissioner Abell: I'm sure they would pass it to somebody.

**Juvenile Court: Independent Contractor Agreement with Toy Widmer
Superior Court: Home Verification Officer Agreement: Ryan Barrett
Assessor: Agreement with DS Parker Family LLC
EPD: City-County JAG Grant Resolution
CIO: Key Government Finance Lease/Purchase Agreement (Storage)**

Commissioner Abell: Okay, contracts, agreements and leases. Juvenile Court, an independent contractor agreement with Toy Widmer. Ms. Widmer will be paid \$75 per hour for her services. The courts have grant funds available to cover this cost. Is there anyone here that wants to speak to that issue?

Commissioner Melcher: I make the motion for approval.

Commissioner Abell: I'll second it. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: It passes. Superior Court, home verification officer agreement with Ryan Barrett for home verification services and drug and alcohol testing for Vanderburgh Superior Court for a one year term from May 1, 2011 to May 1, 2012. Deputy Barrett will be paid \$22.50 per hour. This is identical to the similar agreement with Deputy Barrett in 2010-2011. Is there anyone here that wishes to speak to this?

Commissioner Melcher: Move for approval.

Commissioner Abell: I'll second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Assessor, Assessor services agreement with DS Parker Family LLC, acting through D. Stephen Parker, a certified real estate appraiser, to perform the services described under paragraph two of the agreement for the Assessor. The LLC would be paid \$37.50 for the services provided for the county by Mr. Parker, up to a maximum fee of \$15,000. The Assessor has funds appropriated to cover this cost. Anyone wish to speak to this issue?

Commissioner Melcher: Move for approval.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: EPD resolution approving an agreement between the city and the county regarding the 2011 JAG funds. JAG funds are available to the city in the amount of \$62,804. The distribution of funds will be \$50,243 to the city to pay overtime officers on problem solving activities, and \$12,561 to the county for in-car radio equipment to support law enforcement. Anyone wish to speak to this issue? I would entertain a motion.

Commissioner Melcher: Move for approval.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Chief Information Officer, Key Government Finance lease for storage equipment, for lease/purchase installation and maintenance of new hardware and software for handling the increased capacity of data that is being stored on the network, including internal production, public-facing Internet and disaster recovery storage areas. The commencement date of July 28, 2011, these documents are all covered by the master tax exempt lease/purchase agreement approved by the Commissioners on August 8, 2006. I do see Mr. Arvay in the audience. Would you like to speak to this issue, Mr. Arvay?

Matt Arvay: Good evening, Matt Arvay, CIO of Vanderburgh County. This would be a 36 month lease agreement, as you indicated, with Key Government Finance. This would allow us to refresh and continue to increase our storage capacity for county and city government. The city will have a like agreement on Thursday to pass through the Board of Public Works. These funds would be within my current budget. As we move forward and look to starting to store video, voice recordings, we continue to move towards document management systems to reduce the utilization of paper, our storage capacity and needs increase. I expect this solution to have a life expectancy of five to seven years.

Commissioner Abell: Does this also include the Courts?

Matt Arvay: It will be capable of—

Commissioner Abell: Any questions of Mr. Arvay?

Commissioner Melcher: No, when you called me today I was in a meeting at work, and by the time I got out of it, I came straight here for another meeting.

Matt Arvay: Okay.

Commissioner Melcher: Now, we're in this meeting.

Matt Arvay: Sure.

Commissioner Abell: I actually called you, but you didn't answer the phone.

Matt Arvay: Okay.

Commissioner Abell: That was my one shot.

Matt Arvay: Okay.

Commissioner Abell: But, I think, Mr. Melcher and I both got all of your information, and I think we both understood it.

Matt Arvay: Okay, yeah, thank you.

Commissioner Melcher: Move for approval.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Any opposed?

(Motion approved 2-0)

Commissioner Abell: Thank you.

Matt Arvay: Thank you.

County Engineer

Commissioner Abell: Department head reports. County Attorney, I know Mr. Stoll is on vacation. Is Pat here? Oh yeah.

Commissioner Melcher: Pat's here.

Commissioner Abell: Oh, I'm sorry, Pat. I didn't see you. Come on up.

Patrick Seib: Actually, that's kind of surprising, because I'm pretty hard to miss.

Commissioner Melcher: I seen you.

Patrick Seib: Good evening, Patrick Seib, Assistant County Engineer. The first item that I have tonight is to recommend approval of change order number one for University Parkway, phase three. This is an increase of \$2,744 to cover the costs of the removal and disposal of asbestos in one of the houses located at New Harmony Road that was removed for this project.

Commissioner Melcher: Move for approval.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Okay.

Patrick Seib: The next item I have is to request the awarding of the Highway 41 and Baseline Road intersection project to Blankenberger Brothers. They were the low bidder for the amount of \$446,942. This project will be funded by the U.S. 41 TIF district.

Commissioner Abell: Pat, do you have any idea how much money is left in that TIF after we do this?

Patrick Seib: I really don't--

Commissioner Abell: I didn't want to catch you off guard if you don't. Do you know, Mr. Gries? Do you know how much money is left in that TIF after we use--

Joe Gries: I'm sorry, what TIF was it?

Commissioner Abell: The 41 corridor TIF.

Joe Gries: No, but I can get you that information tomorrow.

Commissioner Abell: Okay.

Joe Gries: I don't off the top of my head.

Commissioner Abell: Do you have any idea how much time is left in it either?

Joe Gries: I believe that one is paid off in 2014.

Commissioner Abell: 2014?

Joe Gries: Uh-huh.

Commissioner Abell: If you would get me that information, I would appreciate it.

Joe Gries: I sure can.

Commissioner Abell: Thank you, Pat.

Commissioner Melcher: Just e-mail both of us.

Commissioner Abell: Yeah, if you don't mind. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Opposed?

(Motion approved 2-0)

Commissioner Abell: Okay.

Patrick Seib: The final item that I have is to recommend approval of several right-of-way offers for the Millersburg Road project. If you would like I could just read those off.

Commissioner Abell: You can. You sent them to us and I've seen them, but you can read them off.

Commissioner Melcher: We need it for the record.

Commissioner Abell: Yeah.

Patrick Seib: Parcel number one is Christian Fellowship Church for the amount of \$66,900; parcel two is James and Jacqueline Johnston for \$66,700; parcel three is Evansville Water and Sewer Utility for \$16,325; parcel four, Terry and Kerrie Wicks for \$7,450; parcel five is Susan M. Heathcott for \$3,150; parcel six is Philip and Edna Heston and that is for \$4,950; parcel number seven is also for Philip and Edna Heston, that is \$3,050; parcel eight is the Grace F. Robertson Trust, that is for \$15,350; parcel ten is William and Jane Heilman for \$5,600; parcel 11 is Arnold Heilman in the amount of \$2,300; and parcel 12 is Robert and Connie Heilman for the amount of \$25,750. The total of all of these offer amounts comes to \$217,525.

Ted C. Ziemer, Jr.: Excuse me.

Commissioner Abell: Go ahead.

Ted C. Ziemer, Jr.: These are offers that are going to be made. These are not negotiated settlements, are they?

Patrick Seib: No, this is the first offer.

Ted C. Ziemer, Jr.: First offer, yes. Thank you.

Commissioner Abell: For the benefit of our listening public over t.v. would you explain to them what we're offering to purchase for this kind of money?

Patrick Seib: This would be for right-of-way for the new Millersburg Road project.

Commissioner Abell: The widening of it.

Patrick Seib: That is going to be the widening. It will be a three lane section dedicated, a turn lane from Green River west to Hedden Road. The project will also include raising the area of the road now that floods out and installing a new bridge over Furlich Creek.

Commissioner Abell: Okay. Does anyone have any questions?

Commissioner Melcher: Move for approval.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Okay.

Patrick Seib: That's all I've got unless you have any other questions.

Commissioner Abell: Any questions of Pat?

Commissioner Melcher: No.

Commissioner Abell: Thank you.

Patrick Seib: Thank you.

County Attorney

Commissioner Abell: I jumped right to the County Engineer, and I skipped over our County Attorney.

Ted C. Ziemer, Jr.: Thank you. I just have one matter. The attorney, Joe Harrison, Jr., does some representation of the county through the County Attorney's office. In addition to that he is the attorney for the Area Plan Commission. We have some litigation, county litigation involving the Plan Commission. I have a waiver of conflict, which has been signed by Brad Mills on the part of the Area Plan Commission, and we would recommend that the Commissioners also sign that waiver so that we can proceed.

Commissioner Abell: Okay.

Commissioner Melcher: I make a motion that we sign the waiver.

Commissioner Abell: I second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Okay, you've got that with you?

Ted C. Ziemer, Jr.: Yes, I'll give it to Madelyn.

New Business/Old Business

Commissioner Abell: Is there any new business to come before this Commission?

Commissioner Melcher: Steve Craig is here.

Commissioner Abell: Oh, I didn't have him on the list. Steve Craig, did you have something for Burdette? Okay, any other department heads that have something? Then, back to new business, anyone have anything to come before the Commission? Any old business to come before the Commission?

Public Comment

Commissioner Abell: Any public comment for the Commission? Yes, sir. Please come forward and state your name.

Bill Thomas: Bill Thomas, I live at 8200 Heather Place, which is in Evergreen Acres on the north side. I live at the corner of Heather Place and Pine Place. This is actually for the Drainage Board, which I understand that this is the forum to address this issue.

Commissioner Melcher: The Drainage Board meets right after this meeting.

Bill Thomas: Okay. I'll wait until then.

Commissioner Melcher: Wouldn't that be right, Bill? If he waited until the Drainage Board? It's going to, immediately after this—

Bill Thomas: Okay.

Commissioner Melcher: —we have a few minutes in between. That way you wouldn't have to repeat it.

Commissioner Abell: And, it's the same people, so we don't have to hear it twice.

Commissioner Melcher: We're not going anywhere.

Commissioner Abell: And she doesn't have to type it twice, that's right. Is there any other public comment? I actually have a public comment, I guess, Mr. Ziemer, I am getting a little bit concerned about our walkway going out of the Centre headed toward a hotel that's non-existent. Are we pretty well protected?

Ted C. Ziemer, Jr.: I have received, I haven't had a chance to totally review the two agreements that we have in place which affect that walkway, and I am reviewing those now.

Commissioner Abell: Oh, good. Okay.

Ted C. Ziemer, Jr.: Then I will report back to the Commissioners.

Commissioner Abell: Appreciate that.

Commissioner Melcher: I brought that walkway up to the Redevelopment Commission at their last meeting, because I went.

Commissioner Abell: Yeah, it's a big expense to the county and we need to protect our investment there.

Commissioner Melcher: I do have one thing, I just got it e-mailed today. Tomorrow is going to be an ozone day. So, I just want to remind everybody that tomorrow is an ozone day, and with that you get free rides on the METS bus service, according to the city.

Commissioner Abell: Good deal.

Consent Items

Commissioner Abell: Consent items. Madelyn?

Madelyn Grayson: The consent items for the July 26th meeting are as follows; approval of the July 12, 2011 Commission meeting, approval of the June 30, 2011 joint County Commissioner-City Council meeting; employment changes for the Commissioners approval, there is one for Burdette Park, one for Legal Aid, and six for the Health Department; Hillcrest Washington Youth Home second quarter 2011 fees for services in the amount of \$343,941.10; the County Engineer has pay request number 132 for \$43,776.12 for TIF projects; the County Auditor has the statement of salaries and wages; the County Treasurer has the June 30, 2011 year-to-date report; there are surplus requests for various office furniture and equipment from Voters Registration, the Records office and the Courts; the Commissioners have a request for appropriation of \$50,000 to the Old Courthouse utilities line item; Weights and Measures June 16-July 15, 2011 monthly report; the Evansville ARC June 2011 report of activities; and department head reports from Burdette Park and the County Engineer.

Commissioner Melcher: I'll move to approve the consent items as written and said.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: There is one item, we've signed this, Madelyn, we signed this document that goes to the State about correcting the errors. I believe we ought to send that certified mail in lieu of the fact that they ignored, you know, somebody else.

Madelyn Grayson: I can do that tomorrow. They've given me information about who to send it to at the Election Division.

Ted C. Ziemer, Jr.: The due date is August 4th, so we've got plenty of time, but I think we should do that.

Commissioner Abell: That way we, at least somebody's got to sign for it and they can't say we didn't send it. So, let's do that. Is there any other business to come before the Commission?

Commissioner Melcher: I move for adjournment.

Commissioner Abell: We are adjourned.

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

Commissioners:

Employment Changes:

County Engineer: Pay Request No. 132: Green River-Burkhardt TIF Projects.

Auditor: Statement of Salaries and Wages (Form 144's) for Review.

Treasurer: June 30, 2011 Year-to-Date Report.

Voter Registrations: 19 chairs.
Recorder: 17 chairs, 9 broken chairs and 2 broken stools.
Courts: 42 monitors, 1 Laserjet printer, 1 computer all in non-working order.

Weights & Measures: June 16-July 15, 2011 Monthly Report.

Department Head Reports: Burdette Park County Engineer

Marsha Abell	Stephen Melcher	Joe Gries
Ted C. Ziemer, Jr.	Marissa Nichoalds	Madelyn Grayson
Bill Jeffers	Matt Arvay	Patrick Seib
Bill Thomas	Others Unidentified	Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**JOINT MEETING
COUNTY COMMISSIONERS-CITY COUNCIL
AUGUST 4, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville reconvened the joint session and public hearing from June 30, 2011 on the proposed Reorganization Plan this 4th day of August, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex.

Call to Order

President Winnecke: Good evening. I would like to welcome everyone back to our continued public hearing on the local government reorganization committee.

Pledge of Allegiance

President Winnecke: Let's begin by standing and joining in the Pledge of Allegiance please.

(The Pledge of Allegiance was given.)

Section 7.3.2.1: Urban Services District: Services Provided

President Winnecke: I think each of you received, each of us received an e-mail from Mr. Ziemer outlining the open items from our last meeting. So, I thought I would use that as our agenda, if you would, and go through those. We're certainly free to go back through other matters that have come to anyone's attention since we met last. Point one has to do with Section 7.3.2.1. This is an issue that Councilman Adams has brought up. I think that's the right, 7.3?

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

President Winnecke: Okay. Dan, would you like to add, say anything to that?

Councilmember Adams: Well, it goes down, and I apologize for being repetitive, it comes back to the definition of a Full Service Urban District. You know, I guess, you can't have a partial Urban District, you can't have a halfway Urban District. You have quote-unquote, full services. If that means Full Urban District, it seems to me that that would sort of mimic what we have inside the city now. If we are paying county taxes and city taxes, if you're paying those taxes, I think you ought to get what you pay for.

President Winnecke: What if we added language that clarified if a geographic area left the General Service District to join the Urban Service District—

Councilmember Adams: Contiguous, I think was the word we used.

President Winnecke: —contiguous—

Councilmember Adams: Yeah, I understand that. That makes sense to me.

President Winnecke: It would, at that time, receive all of the services of the Full Urban Service District.

Councilmember Adams: Right.

President Winnecke: What if we just added language to clarify that?

Councilmember Adams: Right. I think it's pretty simple to me.

President Winnecke: Does anyone have a problem with that? Okay, we'll consider that a straw yes. So, we can add, clarify that.

(City Councilmembers approved straw vote 7-0. County Commissioners approved straw vote 3-0.)

Ted C. Ziemer, Jr.: Just so I understand, or John and I understand, we're, I mean, it's already, in the definitions it says an Urban Services District is one category, a General Services District is everything, which would be everything outside the city limits, which is now the county. If a part of that is, becomes an Urban Services District, what we want to be sure we say is that part shall be entitled to every service that is, that prior to that time was provided to people in the Urban Services District. Is that—

Councilmember Adams: Yeah.

Ted C. Ziemer, Jr.: —what you're saying?

Councilmember Adams: Obviously, we're talking about police.

Ted C. Ziemer, Jr.: Well, I mean—

Councilmember Adams: And fire.

Ted C. Ziemer, Jr.: — that's one thing, police, fire and yeah.

Councilmember Adams: Yeah.

Ted C. Ziemer, Jr.: Okay, right. Thank you. We can do that.

President Winnecke: Okay. Any other discussion on that point?

Section 11.1.2: Amendments: Citizen Petition

President Winnecke: Okay, point two was a suggestion actually, a suggestion made by Bill Jeffers, actually, relative to Section 11.1.2. This has to do with the process by which the Plan could be amended. He suggested, and I believe the attorneys agree this is a, it's probably clearer language.

Ted C. Ziemer, Jr.: As it's written, it could be interpreted to mean that only the people, the identified people who voted for the Secretary of State, five percent of those people would be the people that have to, want the amendment. Better language would say five percent of everybody who voted for the Secretary of State, without regard to who they are, and we, what I did was trail the language that was used to initiate this process by the League of Women Voters, if you remember, and that's the language that I have referred to here, which says, it would be signed, a

petition for amendment would be signed by at least five percent of the voters of the Combined Government, as determined by the vote cast in the Combined Government for Secretary of State at the most recent general election. We believe that eliminates any possibility of misinterpretation and recommend that you approve that change.

President Winnecke: It sounds clear to me. Any questions?

Commissioner Melcher: I have one question. I think I brought it up once before, but not when we were speaking about it. Is everybody happy with the five percent? I always thought all petitions should have more than five percent. You know, I think it ought to have at least about 20 percent, but that might be me needing to be (Inaudible), but I just think five percent is too small. I think if you just get a group of, you get a couple of organizations, just one organization, they might have five percent among themselves. That's, so, to me, it would be better if it was a higher number than just five.

President Winnecke: I think the initial feeling was they wanted to keep it at five, the original Reorganization Committee.

Commissioner Melcher: Because the original was that way, but we don't have to.

President Winnecke: The State statute, the enabling legislation allows for five percent, I think that's why they kept it in there. I think it might be difficult to be more than five percent, but maybe that's fine.

Commissioner Melcher: I just think there should be more than five, because, you know, whatever happens, if ours don't go anywhere, you know, we know that they could get five percent more, which is ten percent, and it's automatically on the ballot. So, I'm just, I just wanted to throw that out.

President Winnecke: Any other discussion?

Councilmember Adams: Well, Steve, I don't think there's much difference in my mind between five and ten percent, but all this does really is allow people to generate a study commission, as I understand it, start the ball rolling. I think in some sense five percent would make it be more sensitive to the voters needs or whims or whatever word you want to use. Perhaps, would you worry that they might be making that thing work too hard?

Commissioner Melcher: No, I just think we need a little bit of a better, like when they do polls, they do a hundred out of a million or something. Everybody thinks that's a great poll, do you know what I mean? I'm just saying it ought to be a little higher than five percent, whatever it is, but we don't have to live on that all night. I just believe that.

Councilmember Adams: Are we allowed to up that?

Councilmember McGinn: How many voted? Does anybody have a number? I mean, are we talking 80,000 people voted in—

Commissioner Abell: No.

Councilmember McGinn: –Vanderburgh County?

President Winnecke: It seems like the number, I'm trying to remember here. It seems like they presented us petitions of roughly 3,300 names, I think, to start this process, which represented five percent of the people who voted in the previous Secretary of State's race, more or less. It might have been a little less than that.

Commissioner Melcher: And they might not have been the ones that they could of, I could be wrong and the attorneys could straighten me out, it's just five percent of the registered voters, not the ones that voted actually in that election. Isn't that right? They just have to be a registered, but they had to vote in that election.

Ted C. Ziemer, Jr.: No, it's five percent of the number who voted is what it is.

Commissioner Melcher: Of who voted.

Ted C. Ziemer, Jr.: Of the number that voted, right. Not who they are individually, but just the number. So, if the number was 80,000, if there were 80,000 votes for the Secretary of State in that election, then you would need 4,000 signatures on the petition. That's what it means.

Commissioner Melcher: Right, and those 4,000 might not even have voted in that election.

Ted C. Ziemer, Jr.: That's not what the legislation addresses.

Commissioner Melcher: That's the reason why I think it ought to be just a little higher, to make sure we get people that are voting.

Ted C. Ziemer, Jr.: In answer to Dr. Adams' question, it can be higher, it's just that you recognize that the higher you make it the harder it will be to get that number.

Councilmember Adams: Right.

Ted C. Ziemer, Jr.: That's up to you.

Commissioner Abell: Mr. President, I would just like to throw in that it's a monumental task, because I've done it as Clerk of the Court, to make sure that these are valid petitions. You may get one in front of you with 3,300 names on it, and Alberta's worked in this also, they probably had 10,000 signatures to get 3,300 people that were really qualified. Because people will sign, you know, they'll be at the grocery store and people will sign who live in Henderson, Kentucky. You know, so, it's a monumental task to get, to have it happen. I just want you to know that it's not an easy job.

Councilmember Adams: Well, I would sure like us to be more responsive than less to the voter.

President Winnecke: Do we want to take a straw vote on the five, on this language and the five percent? Or is Steve out there by himself on this?

Commissioner Melcher: I'm okay if I'm by myself. I'm just telling you what I believe.

President Winnecke: Okay.

Commissioner Melcher: It's not that I'm trying to make it harder on anybody. Actually I'm trying to make it, you know, the one part I didn't like too about this five percent, the taxpayers, all those other 95 percent of those taxpayers didn't get, their taxes are paying for this, because the State said they had to pay for it.

President Winnecke: Okay.

Commissioner Melcher: But, if everybody's happy with the five, we can move on.

Review of Fiscal Impact Analysis

President Winnecke: We're going to move one of the items up, because I know someone just arrived and one of those folks has to leave early. I thought we would talk about the fiscal impact next. County Auditor, Joe Gries; City Controller, Jenny Collins are you both here? I thought I saw Jenny. Oh, there you are. Just a second, Joe. You can go ahead and start.

Joe Gries: Okay, good evening, Councilmembers and Commissioners. We have some additional information here for you tonight. This expands on the original report prepared by Crowe Horwath. The financial analysis for the proposed reorganization of the city and county was originally presented in 2010, as I'm sure you're aware to the Reorganization Committee. This letter and the attached summary provides a projection of the tax rates and possible cost savings due to consolidation. The letter also provides a discussion for four possible scenarios, along with analysis and explanation detailing how these figures were derived. The report examines the impact to property tax caps within the scenarios, in particular from a taxpayers perspective. I would add that the information is a projection. It's based on certain assumptions, not all of which may come to pass. Information, it's an estimate, and will be influenced by several variables that really no one would be able to predict at this time. We have been working with Jennifer Hudson and Dario Requiz, I think I got that right, with Crowe, and I believe they are going to take you through the summary here, or Jennifer will. Myself and the City Controller, Jenny Collins, are also here to help answer questions, and help in any way we can. I'll turn it over to Jennifer.

Jennifer Hudson: Hi, good evening. I'm Jennifer Hudson, and I work for Crowe Horwath in Indianapolis. I was instructed to prepare a letter with additional analysis based off of our original report that we presented to you in August of 2010. I want to go over the one sheet addendum that was handed out. This is a summary of the scenarios that are discussed in more depth in the letter. So, I want to focus my explanation off of this summary. I'll direct you into the memo where it will talk about each one of these scenarios. As Joe mentioned, what we were doing is trying to project out to 2015 and what the tax rates for the county and the city would look like assuming no consolidation happens, and then assuming that consolidation happens with four different scenarios. Okay? So, we picked three taxing districts, Evansville's Center Township, Center Township in the county, and then Scott Township. So, as you can see, in the second column it says, Tax Rate Exhibit 7A. Exhibit 7A is an exhibit that is included in our letter. This scenario is assuming there is no reorganization. We are estimating that with current information that we have about the city and the county budgets that those could be what the tax rates are in 2015, assuming no reorganization. Then, if you look at the other columns, these

are the additional four scenarios. The scenarios on top assume that there is three percent savings, due to efficiencies, through reorganization, plus identified savings to date that have been projected based off of the elimination of some of the County Commissioners, the County Council and the City Councilmembers when that gets consolidated into a Common Council, as well as the City Clerk position. So, that's what we mean by identified savings. The three percent and the seven percent, as you'll see later, have not currently been identified, but they have been projected as numbers that seem to be reasonable and able to be achieved through reorganization. So, the first scenario that I want to talk about, based off of reorganization, would be the three percent savings, plus identified savings, assuming that the Sheriff function for law enforcement expenses only, not correctional, are captured in a Special Service District, whereby only citizens in the county, in unincorporated areas, would be paying for that expense. So, the citizens within the City of Evansville, they would no longer be paying for the Sheriff's law enforcement expenses. It would just be the burden of the citizens in the county that received that service. So, that's what we mean by a Special Service District for the Sheriff. So, as you can see from that tax rate, the Evansville Center Township residents could see a reduction in their tax rate due to the reduction in the Sheriff law enforcement, and then the township citizens would see an increase, because they would be bearing the burden of the entire cost of the Sheriff law enforcement expenses, without the help of the citizens in Evansville. If you go directly below that, assuming that we increase the unidentified savings from three percent to seven percent, you can see that Evansville Center Township, their tax rate may be reduced by nearly twenty cents, where as the Center Township and the Scott Township would go up by about 11 cents. They're lower only because of the increased savings. Okay, the last column assumes that the Sheriff function is included in the General Services District, just as it is today, everybody in the county pays for the service of the Sheriff. There would be no Special Service District, people in Evansville would be paying for the Sheriff function as well as the citizens in the county. You would see a reduction in the tax rate for the City of Evansville due to the three percent savings, and the same below, you would see a reduction in everyone's tax rates, and that's merely just a function of the unidentified savings percentage from our analysis. The scenario, the Sheriff Special Service District, the very first scenario I discussed, with the three percent savings, that is discussed in our memo on the second page, under Additional Analysis, the first bullet point, just in case you wanted to go back and reference later. The three percent savings in the Sheriff District, the Sheriff function being taxed in the General Services District, is discussed in the second bullet point in that same section. Basically, this whole memo is discussed in the additional analysis section of our memo. So, if you want to go back later and review that a little bit further, that's where you're going to find that analysis. The, basically, as I mentioned, this memo basically walks through the analysis that we prepared, and it will go into more of an overall, if there's no consolidation, the first exhibit shows what the current tax rate is, it projects it out to pay 2015, assuming no consolidation. That's what Exhibit seven, Exhibit A is of the memo. I apologize. This exhibit here, it's going to look very similar to what you're used to in the consolidation report that we presented in August. It's the same layout. This is the basis for these other scenarios that I talked about first. This is the analysis that we prepared to project out what the 2015 tax rates would be assuming no consolidation. Then on Exhibit B, the following page, this is assuming that there is a creation of Special Service District just for the Sheriff function and seven percent cost savings.

President Winnecke: Jennifer, just to kind of maybe get the ball rolling, and just for everyone in the audience, we are making additional copies. Those came just tonight and Alberta is down in her office doing that. So, we'll get copies for everyone in the audience. If you could, maybe share with us how you arrived at the projection of a possible three percent or seven percent savings. What historical data you used to base that on.

Jennifer Hudson: Okay, the three and the seven percent, traditionally in reorganization, they project out about 15 percent savings due to efficiencies through reorganization should be able to achieved. So, the committee felt that to be conservative they would estimate seven, but if you all felt that that was too aggressive and wanted to see a lower percent savings, seeing as though this would be the very first year of reorganization, you wouldn't expect to see full efficiencies the very first year. So, three percent might be a little more of what you would expect to see the very first year, and then as reorganization comes into full fruition, in the next few years you might see additional savings as you realize more efficiencies that maybe you didn't realize during the initial.

Councilmember Adams: Let me go back to a more basic question.

Jennifer Hudson: Sure.

Councilmember Adams: How, what kind of documentation do you have that 15 percent is what you normally see with a consolidation? I'm not trying to question your thing—

Jennifer Hudson: Yeah.

Councilmember Adams: — I just, because—

Jennifer Hudson: It is just, it's a general number that people use when they generally put together a consolidation plan. It should achieve approximately 15 percent through purchasing power, elimination of dual services, that sort of elimination, and it may even project, you know, insurance savings and salary and benefits and reduction of work force. I'm not sure what makes up that entire 15 percent.

Councilmember Adams: But, that really doesn't answer my question. The question I had was what documentation do you have that that actually occurs in an actual consolidation?

Jennifer Hudson: I do not have any.

Councilmember Adams: Okay, well, I'm not saying you're wrong.

Jennifer Hudson: No, no.

Councilmember Adams: Because that's a hard number we've been trying to find.

Jennifer Hudson: Yeah, and that's why we are not using the 15 percent, and we're trying to show more conservative—

Councilmember Adams: Okay.

Jennifer Hudson: –numbers, especially seeing as 2015 would be the first year of reorganization. It may be quite aggressive to show a 15 percent cost savings the very first year its in force.

Councilmember Adams: Thanks.

Commissioner Melcher: I guess, and Doc jumped out quicker than I could, I agree with him on that, because I was going to ask pretty much the same question, because I thought maybe you guys looked at Lexington and Indianapolis and Nashville, all of these places that we kept getting told that it all works. It would have been good to have had a spreadsheet from them of what happened their first year, their second year, their third year, and that would have been good to put in your report for here. But, if we're just sitting here thinking I'm 16 and somebody else is thinking it ought to be ten, then all of a sudden to be more conservative we're going to say three. That doesn't mean anything. Unless we've got something we can back this up with, from other cities that have already done it, I think that would give us a better understanding of where we're at.

Jennifer Hudson: Okay.

Commissioner Melcher: Because, right now, this will be hard to sell anybody, because they will say how did you get it and we'll say, well, we just guessed it.

Jennifer Hudson: Okay.

Commissioner Melcher: You know, you've got, so I would want to take those cities that's always been repeated every time somebody's come up to that microphone for this, the ones, we at least get four, and if you get some our size, some of those are bigger.

Councilmember McGinn: I have a comment though that this, Jenny, you I think will back me up on this, I mean, for those of you who have never been a department head in this thing. I mean, if the Controller says you've got "x" amount of dollars in 2010, in 2011 you're getting three percent less, you stretch it. I mean, I think that's simple, rather than having the numbers. If we're talking about a three percent reduction, if you tell a department head their budget is three percent less, it's three percent less. I mean, what's, this isn't rocket science.

Commissioner Melcher: No, but that's not what's being asked. What's being asked is what is the savings for consolidation? What you're saying is what we can do right now. You're saying what we can do right now, without consolidation. With consolidation what are the real numbers we could save? What can we tell everybody out here what we could save? We can't say that yet, because we don't have this backed up.

Councilmember McGinn: But, I think it's up to the elected officials, acting in unison to make that determination.

Commissioner Melcher: And, I'm agreeing with that, but let's see what other elected officials did after they passed.

Councilmember McGinn: I think we're better than they are.

Commissioner Melcher: I'm agreeing, we're better than Indianapolis now, and look where we're at. We're a lot better than them right now, and we're here looking at it. So, if we're going to do it right, let's do it right.

Councilmember Adams: Dan, I think the independent variable here is, you're right, the leadership can say we're going to have a three percent, seven percent, 10 percent reduction, but what I was asking, and I think what you were asking also was using the actual data that we have now, putting the departments together, and I'm not saying you're wrong, I'm just saying I can't sort of wish data that a valve is going to work in heart surgery. I've got to have some five year read out that says this is what happens before I change my valve.

Jennifer Hudson: Okay.

Councilmember Adams: The bottom line is, I'm not trying to put you on the spot, I just think it would be good to have some, this is what happens across the country.

Jennifer Hudson: Okay.

Commissioner Melcher: I will say, I'm glad you came down, because we kept getting horror stories that you guys disappeared, and I thought August of 2010 wasn't going to get it for this.

Jennifer Hudson: Yeah.

Commissioner Melcher: So, thank you.

Jennifer Hudson: You're welcome.

Commissioner Melcher: Even though it's dated today, it's still good.

Commissioner Abell: Mr. Winnecke, I think, I understand what they're saying about the assumption of the tax rate, but I do think there is one thing that maybe this does tell us. That if the, if we have consolidation and the county bears the whole burden of the Sheriff, their taxes are going to go up, and the city's will go down. But, if we, if it remains as it is now, where the city residents pay part of the Sheriff's—

Jennifer Hudson: Right.

Commissioner Abell: —everybody's is going to go down a little bit.

Jennifer Hudson: Yeah, when you mean county you mean just the county residents that are in the unincorporated areas?

Commissioner Abell: Yes.

Jennifer Hudson: That is correct, yes.

Commissioner Abell: So, no matter what the percentage is, the end result is that if we tax the current county residents for the 100 percent usage of the Sheriff, their taxes are going to go up, because right now they get a contribution from the city toward the county Sheriff's—

Jennifer Hudson: Law enforcement.

Commissioner Abell: – law enforcement expenses.

Jennifer Hudson: Right.

Commissioner Abell: But, if we keep it like it is, everybody should get a little savings.

Jennifer Hudson: That's right.

Commissioner Abell: Okay.

Councilmember Adams: Am I right to assume that in the present thing that the city pays two thirds of the bill for the Sheriff?

Jennifer Hudson: That's the way I understand it, yes.

Councilmember Adams: Yeah.

President Watts: Jennifer, were you guys involved in Louisville or Lexington?

Jennifer Hudson: No.

President Watts: You were not?

Jennifer Hudson: No.

President Watts: Have you done any cities comparable to us?

Jennifer Hudson: Yes, I am currently working with Delaware-Muncie consolidation.

President Watts: Have you done any that are two or three years into it? If so, did your projections hold true with them?

Jennifer Hudson: They are at the same part that you're at right now.

President Watts: Oh, they are in the (Inaudible) with us?

Jennifer Hudson: Yeah, they are in the same phase.

Commissioner Melcher: I don't think there is one in Indiana yet. Is there?

Jennifer Hudson: Indianapolis.

President Watts: Indianapolis.

Commissioner Melcher: Well, not counting Indianapolis.

Jennifer Hudson: Yes, that's correct.

Councilman John: Well, to take Councilman Watts'--

Commissioner Abell: (Inaudible. Microphone not on.)

Jennifer Hudson: They did do annexations, but they have not done consolidation.

Commissioner Abell: Oh.

Commissioner Melcher: I think there's been a township—

Jennifer Hudson: There's several communities that are watching this one and Delaware-Muncie to see how it happens.

Councilman John: I'm sure there have been studies or at least reports done on Jefferson County, you know, Louisville area, Lexington area, maybe some other major metropolitan area. What have those shown? Have they been making this three percent, seven percent, 15 percent?

Jennifer Hudson: On Muncie-Delaware we were not making any projections of savings.

Councilman John: Well, no I'm not asking projections. Has there been an analysis of jurisdictions that have already gone through this and what their actual savings have been?

Jennifer Hudson: I'll look into it and I'll get back to you.

Councilman John: I would think those figures would be available.

President Winnecke: Any other questions of Jennifer or Joe or Jenny before we move on? Dan, you're looking like you're—

Councilmember Adams: Well, this gentleman in the second row gave us a wonderful paper about two months ago and I've lost it. It was some sort of summation (Inaudible. Microphone not on.) I don't know whether they actually talked about the three (Inaudible. Microphone not on.) percent savings.

Jennifer Hudson: Okay.

Councilmember Adams: (Inaudible. Microphone not on.) What was it (Inaudible). I apologize for putting you on the spot. That study that you showed they were (Inaudible) consolidations in that study.

Bruce Ungenthiem: Of the Louisville consolidation?

Councilmember Adams: (Inaudible. Microphone not on.) That they quoted in that paper.

Bruce Ungenthiem: Oh, you're talking about the (Inaudible. Not at microphone.).

Councilmember Adams: Meta analysis, excuse me.

Bruce Ungenthiem: Meta analysis that Emmons put together? I think there were 75 or so different consolidations.

Councilmember Adams: I apologize, I left that at home.

President Winnecke: Bruce, if–

Jennifer Hudson: Okay–

President Winnecke: – do you want. Do you want him to get that for us?

Councilmember Adams: (Inaudible. Microphone not on.)

President Winnecke: Okay. Any other questions of Jennifer or Joe or Jenny? So, if we have some additional questions, maybe you can flesh out for us and get back to, probably Joe and Jenny, and they can distribute the information.

Jennifer Hudson: Okay.

President Winnecke: Is that fair to everybody?

Councilmember Adams: Thank you.

Jennifer Hudson: You're welcome. Thank you.

President Winnecke: Thank you, Jennifer. Appreciate it.

Jennifer Hudson: Thank you.

President Winnecke: Joe and Jenny, thank you.

Review of Boards and Commissions: Exhibit D
--

President Winnecke: Okay, we'll go back up to number three, review of the boards and Exhibit D. Ted, would you or John like to give us a brief recap of....John wants to, no, Ted wants to.

John Hamilton: (Inaudible. Not at microphone.)

President Winnecke: Oh, okay. Well, we don't attack you too much.

Ted C. Ziemer, Jr.: Well, what we did was go through each of the boards or departments that were listed on Exhibit D to the Reorganization Plan that we received, and checked whether those boards are authorized and controlled by statute or by ordinance. If they are controlled by statute then we can't change what Indiana law says those boards should be, so we made no change. If they are controlled by ordinance, they could be changed if the ordinance is amended. But, what we reflected on both the worksheet that we gave you, which is this one, other than the one that was attached, what we reflected there is what the make up of these boards should be based on either the statute or the now in effect ordinance. In doing that, if appointments were to be made by an executive, and that means either the Mayor or the County Commissioners, then we considered those appointments would be made by the Mayor of the Combined Government. If they were appointments to be made by the County Council or the City Council, then we had those appointments made by the new Common Council. Based on that we prepared the chart that we gave you. Then, what we also gave you is a new copy

of Exhibit D, using the form that it was in when the Reorganization Committee submitted it to us, but using information that's contained on this chart.

President Winnecke: Yes?

John Hamilton: I can add one thing, and it may be out of order, but number nine is kind of related to this on your worksheet. Number nine informs you that under the way this Plan is written, if you adopt Exhibit D as it is, you may require the full amendment procedure in order for the first Council to make any amendments, which they ordinarily could do by ordinance. We're suggesting in number nine, and we've brought this to your attention before, that you may want to add some language that says any of the boards that are authorized and established by ordinance may be amended by ordinance so that you're not restricting the first Council from having to go through that arduous process.

Ted C. Ziemer, Jr.: But not have you go through Article 11.

John Hamilton: Right. Yes. If you don't add that language that we're suggesting in nine, you're actually requiring them to go through this entire amendment procedure, which is something they should, normally would be able to do by ordinance.

President Winnecke: Yeah, I think that's a good suggestion. I think that, to go through the entire amendment procedure for something like this might be a little cumbersome. I like the addition of that language and that suggestion. I don't know if anybody feels otherwise.

(City Councilmembers approved straw vote 7-0. County Commissioners approved straw vote 3-0.)

President Winnecke: Okay, let's add that language there, gentlemen. Now, back to the boards themselves, any...we also eliminated, just for your review, we eliminated compensation to all, I believe all boards, except for expenses. There are 60 boards or commissions, just for anyone out there who doesn't have the list.

Councilmember Adams: I mentioned, if you'll recall, that I wasn't sure if that the Port Authority Board was necessary and viable at this juncture, but I think, obviously, we ought to leave it up to the Metro Council to decide that.

President Winnecke: Okay.

Councilmember Adams: I think that's only about \$120,000, strike out the word only.

President Winnecke: Any other comments or suggestions? Okay, then I will consider, do we want to do a straw vote or just a head nod? How about a straw vote.

Councilmember McGinn: On number nine?

President Winnecke: On boards and commissions, accepting Exhibit D, the 60 boards and commissions and the make up, their appointing authorities, etcetera.

Commissioner Abell: Plus number nine.

President Winnecke: Plus the addition of number nine, which gives us a little more flexibility in eliminating a board or Commission. All in favor raise their right hand, or left.

(City Councilmembers approved straw vote 7-0. County Commissioners approved straw vote 3-0.)

President Winnecke: Okay, gentlemen, we're good with that.

Section 1.6 & 1.7: First Election & Effective Date

President Winnecke: Section four, I'm sorry, number four in Section 1.6. It was suggested by someone, and I don't remember who, that we might--

Ted C. Ziemer, Jr.: Us.

President Winnecke: Oh, the attorneys. Well, why don't you get up and explain it then. It makes sense.

Ted C. Ziemer, Jr.: There's language in the statute which says the first election for the Mayor and the Common Council of the Combined Government shall be held after the first general election occurring after the approval of the Reorganization Plan as provided in the Act. That would be 2014, and rather than having to think through all that, we think it's better to just say, shall be held at the general election in 2014. That would be our recommendation. Then, if we do that, in section 1.7 it refers to the effective date of the reorganization and describes what that's going to be. That actually will be January 1, 2015. We would put that in instead of that language.

President Winnecke: Anybody have a problem with that? It makes it clearer I think.

(City Councilmembers approved straw vote 7-0. County Commissioners approved straw vote 3-0.)

President Winnecke: Okay, gentlemen, no one disagreed. So, please make that addition.

Section 11.2.1: Membership & Appointments

President Winnecke: Number five, section 11.2 denotes the combined political subdivision as Evansville-Vanderburgh Combined Government, or for legal purposes the Combined Government. The language of 11.2.1 which refers to the nine (9) citizens of Evansville, should be changed to read the nine (9) citizens of the Combined Government. 11.2.1, is everybody following, tracking? Anybody have an issue with that? Again, just clarification, page 17. Is everybody okay with that?

(City Councilmembers approved straw vote 7-0. County Commissioners approved straw vote 3-0.)

President Winnecke: Okay, gentlemen, that's a change.

Police and Sheriff Jurisdictions in Combined Government

President Winnecke: Number six, Police and Sheriff, relative to jurisdictions. We have Sheriff Williams and Assistant Chief Hahn here.

Eric Williams: Good evening. I believe you all have received copies from both Chief Hill and myself of our proposed jurisdictional changes, but, before I spend any time answering questions, just a comment, based on the discussion of your very first opening remarks, section number one, which in effect creates annexation as it is today just with less restrictions, really renders this discussion a moot point. These discussions were held based on the idea that we were locking jurisdictional boundaries in for a period of time to be determined by this committee. There's really not much value in doing this if we're going to do what we talked about in section one earlier this evening. With that, I would be happy to answer questions about my proposal though.

Councilmember McGinn: I agree with you, what you said, because when you're talking about, the part that is in the county now only becomes part of the city if it is, if it meets two requirements, it is contiguous and if the services are provided, the services include Police services. So, I mean, it automatically changes color when that happens.

Eric Williams: Which becomes annexation as it is today, more or less. We came up with these ideas, Chief Hill and myself, after the debate of we were going to leave law enforcement as it is today for a period of time to be reconsidered. That regardless of what everybody else did, that law enforcement was one of those issues that we wanted to pull completely away from the discussion, and that we would come up with some realistic or some reasonable jurisdictions that would last us that period of time, doing away with islands and make easy to follow boundaries and clean up some discrepancy areas as they exist today. That's what Chief Hill and I did. Obviously, we did it differently. We had several meetings and we landed in different places, but I think that was both of our ideas when we went into those discussions.

Ted C. Ziemer, Jr.: Sheriff, if I can just ask a question for our understanding. If I understand what you're saying now, we know that the Urban Services District is defined by the city limits of Evansville, as it exists today. The General Services District is the county outside the city limits of Evansville. If I'm hearing you right the Sheriff will continue to operate in the county, as we know it today, and the Police will operate in the city as we know it today. If we take a portion of the General Services District, which is the county, and convert that into an Urban Services District, that will then be served by the Evansville, what we know as the Evansville Police Department and the Evansville Fire Department, and that would then cut back on the area served by the Sheriff. Is that essentially what you're saying?

Eric Williams: You just described annexation, but, yes, I think that is what we discussed that we were taking that component out it when we had this last meeting, that we were going to lock law enforcement jurisdictions in because everybody that had the county Sheriff's Office seemed to be very happy with that, and everybody that had the Evansville Police Department were very happy with that and wanted to leave well enough alone regardless of the rest of the argument. You know, I think the discussion in number one and then listening to the discussion by the finance from Crowe Horwath takes me all the way back to the beginning where it sounds like the most reasonable choice is to consolidate law enforcement in this

program, but that was an argument that's already been had, settled and solved apparently.

Commissioner Abell: It's not been solved.

President Winnecke: Let me ask you this, I mean, the issue of jurisdiction, I thought, came up based on discussions by you and the Chief. Is that right or not?

Eric Williams: When we became, when we were talking about the jurisdictions we said if we are going to lock jurisdictions in that it would make sense at that point in time, because we were all going to be one happy government, one happy community, just served by two different law enforcement entities, both providing full time paid professional services, both with very good mutual aid agreements with each other. We go into the city and help them, they come out into the county and help us. I mean, we work together all the time, we were just going to have primary patrol jurisdictions spelled out for a period of time before it was reconsidered in the future. With that in mind, there are some oddities in our current city-county boundaries that make them difficult to follow, it creates some islands that are difficult to police for one or the other, that at that point in time, since we were all one happy government and one happy family, that we ought to shore those up so they made the most sense so that we could both operate as efficiently as possible. There are some areas in the county, for example, what's known as the east side bottoms for us, the big dip down in the east side for us, is not contiguous with any of our other patrol jurisdictions. So, we are sending patrol cars through the city all the time to go down there and patrol that and to answer runs for service down there. Where it would make a whole lot more sense for the city, who has contiguous beats and sectors right along that edge just to take that, provided we're all one happy government at that point in time. We were looking at other areas where we have boundaries that dissect neighborhoods, parcels, follow irregular patterns, and my goal was to move all of those to very clearly definable roadways, so that you knew that this roadway was the difference between city and county police protection. Or Sheriff and Police Department, however you want to say it, but that was the goal we took, and that's why probably mine looks a lot more broad and sweeping is we were looking for opportunities to make contiguous patrol beats and sections and make it as efficient for a period of ten years to come as we possibly could.

President Winnecke: Rob, did you want to say anything?

Rob Hahn: We, and you've got to forgive me, I'm kind of playing catch up a little bit. The Chief was unable to be here tonight. We kind of looked at remapping a little bit differently. We didn't take wide swaths. It's like the westside, it's the Wal-Mart that's closed now at Rosenberger and Lloyd, it used to be it caused a nightmare for Dispatch as well as law enforcement, because the parking lot was city, and Wal-Mart was county. So, when you would get out there everybody would complain about who was going to make the run. So, we tried to stop that. So, that small part there at the very west side, that's what we fixed there. That would be all Sheriff's Department. Of course, they would take Moutoux Park, that's way up on St. Joe Avenue. We looked at it from when someone calls 911, to actually the guy that makes the run. Goebel Field we would like the Sheriff's Department to take care of that for us please. Angel Mounds Boat Ramp as well as Dogtown, but the wide swath, I mean, that's nothing the Chief would ever agree to. You cannot, the airport, Mater Dei, Daniel Wertz, and this has nothing to do with downing them, I'm not criticizing the Sheriff's Department, just the sheer numbers the Police Department

has, you've got to let them do that. You cannot have an airport, a high school, a grade school be policed by someone that doesn't have a SWAT team, that doesn't have a bomb dog, that doesn't have a bomb robot at all. You've got to plan for the worst case scenario. An active shooter, someone that's actively doing something, shooting someone at school, God forbid, you've got to have those tools to address it. So, that's why we would never, you just can't do it. So, let's stop this year and half bickering we've been doing and just leave it alone. So, that's my request. If I was out of line, I apologize.

Commissioner Abell: I have a question. I'm looking at the proposal from EPD—

Rob Hahn: Yes, Ma'am.

Commissioner Abell: — and way down here on the south side, the southeast side there's a little bitty red piece. What in the world sense does that make?

Rob Hahn: That's Angel Mounds Boat Ramp.

Commissioner Abell: But, why would we run the Sheriff's Department, who the closest they have to that is way on the north side there, why would you run them all the way...if somebody was doing anything at Angel Mounds, they would be dead by the time they got there.

Eric Williams: Let me answer that for them. You have to remember, Marsha, in the current jurisdiction we are patrolling everything around that. That is ours right now, and that's the part I'm trying to give to the city, because they have contiguous patrol jurisdictions now. That would make more sense efficiency wise. Right now we police that through mutual aid agreements with the Evansville Police Department. We handle Angel Mounds, we handle Moutoux Park and we handle Goebel because it's out in the county also.

Commissioner Abell: But, in this one from EPD, the transfer to EPD, just above that.

Eric Williams: Correct.

Commissioner Abell: Well, why not take that too? I mean, I'm very familiar with that area, but you could almost spit from one end to the other, why would we run the Sheriff's Department all the way across town to do that?

Rob Hahn: To be honest with you, we would be glad to have it. We didn't want that whole, huge area of agricultural field. We're kind of an urban Police Department. We looked at it like, Urban Taxing District, if you're in the city we'll take care of your law enforcement. That's not city, but we'll be glad to take it.

Councilman John: Marsha, you may not have been following it, all of this white area is currently the Sheriff.

Commissioner Abell: Well, but directly—

Councilman John: All of this.

Commissioner Abell: — yeah, but directly above this little red spot right here—

Councilman John: Right.

Commissioner Abell: –transfers to the city. That's where the road connecting Angel Mounds, this down here doesn't connect to it anyway. This road right up here connects to it, and that's where the tornado was that took out the trailer park. I just think it is ridiculous to think that if there is a Police car sitting right here, and there's something going on at Angel Mounds, the Sheriff from way up here has to come all the way down here and answer that call. That doesn't make any sense.

Rob Hahn: And we go now. We'll go then, we just left it as is.

Councilmember McGinn: In practicality, if there is consolidation and there are jurisdictional questions here, the person who is the Mayor can tell the Police Chief for coverage areas you go there. I mean, our Police Chief under this, with all due respect to Brad and Robbie, I mean, your not an autonomous entity like the Sheriff. I mean, a Mayor can order coverage in an area, for convenience, if the parties cannot work it out and should order coverage in an area that is this proper.

Eric Williams: I would also add though that, you know, as the Sheriff's Office my jurisdiction is county-wide, and I could order coverage into the city if it was necessary. It's six of one, half a dozen of the other. We looked at it from two different perspectives. I was looking at this as a long term solution to reach efficiencies, you know, I take a little exception to some of Assistant Chief Hahn's comments. My office is more than capable of handling schools, we're getting ready to take over the new North High School and the new North Middle School. We'll be very capable of doing that. We have different philosophies on specialty teams, but we are very well aware of the Evansville Police Departments capabilities and equipment, and we call on them frequently, just as they do the same for us when they need something we have that they don't. It's, again, I think all of these arguments lend to take us right back to where we started that if we were to merge the two we would take the best of both and put them together and have a great police agency for this community as a whole.

Councilmember McGinn: I believe that will happen too no matter what comes out of this plan. I mean, I know enough Police officers and Sheriff's officers, I mean, it's going to be good, if we just decide on something and it will work itself out. I mean, we have quality people who are handling this.

Rob Hahn: Like minds can disagree. Even though we disagree, don't mean we're going to walk outside and start fighting. In reality, my kids go to Mater Dei and I want the Evansville Police Department to take care of them.

Councilmember Adams: Ah, I did a little background search and I need some ratification from the legal brains here. It's my understanding that State law says that the Police Department takes care of the city and the Sheriff takes care of the county. Right now, until good people get together, these two people are going to be separate under the consolidation. I still see my constituents paying two thirds of the bill for the county Sheriff's and it doesn't bother me at all that you have to drive through the city and have that presence and actively come down and take care of the, along the river, because I think it's wonderful that you actually are coming through the city to come down there, because my constituents are getting some, their money's worth.

Eric Williams: Can I just make one comment?

Councilmember Adams: Oh, sure.

Eric Williams: Because I don't disagree with you at all.

Councilmember Adams: Okay.

Eric Williams: We're in the city all of the time. We do a lot of other functions that are inside the city limits, service of process, arrest warrants, all kinds of things. We're in the city quite frequently, and we don't mind driving through the city, my concern was efficiencies as far as making that 911 response when I don't have a car in that area at the time and the Evansville Police Department has sectors and beats that are contiguous to it right then, and my car is coming from what would be McCutchanville to cover that.

Councilmember Adams: But you do that—

Eric Williams: My position was purely efficiency and delivery of services to everybody uniformly in the county. City and county.

Councilmember Adams: Part of public safety is imagery, and I think your coming through town is great. If you were in that situation, if I've misinterpreted you, you've told me many times you just ask them to cover for you when you are in that kind of situation right now.

Eric Williams: We do—

Councilmember Adams: And vice versa.

Eric Williams: — and that's usually in bigger situations. On the day to day runs, report runs those kinds of things, not so much. We handle our own business. I mean, we'll cover for each other if there's something going on, and we do that very well. I don't want to give anybody the impression ever that on the street that the men and women of the Police Department or the Sheriff's Office are doing anything other than good, solid law enforcement services and work well together. I see it everyday. I see brown cars and white cars stacked up on runs and things together, working together. I never want to give that impression. I do agree with you, we like traveling through the city, because I do feel that the city residents are entitled to some services from their Sheriff, because they're paying the freight.

Councilmember Adams: Right.

Eric Williams: No disagreement.

Councilmember Adams: I have to add this, and I don't mean to always be the other end in your and my discussions. I happen to have been on the Airport Board when the line went right across the middle of the airport. So, it depended on where the plane crashed as to who you called. We did an in-depth study as to what would be the best response in terms of bombs and all that sort of stuff, and I really don't feel like we ought to have to go through that process again. I think the airport ought to be in the city and be served by the city Police.

Eric Williams: That's fine. Please take my proposal as a recommendation. What we looked at, and if you saw my e-mail today it kind of spelled out the criteria that I gave to my staff as we looked at this to balance loads. The airport used to be all in the county for awhile. We have our Command Post sitting on airport property—

Councilmember Adams: Right.

Eric Williams: —and quite frankly, if anything of any magnitude other than a crash or a theft or something at the screening station happens, not only is the Evansville Police Department going to be there with the Sheriff's Office, but the Indiana State Police is going to be all over it and everybody that's got a police car within however far is going to be on that scene. I mean, the resources will deploy that scene because we all recognize the importance of the airport and the significance of a major incident there. That's just a given.

Councilmember Adams: Thanks.

Rob Hahn: Can I add one thing?

Eric Williams: Sure.

Rob Hahn: Things get so confused so quickly, and God help you guys, but if you start having different boundaries for City Fire, City Police, Sheriff's Department, Suburban Fire, it gets so confusing for the people answering the phones and dispatching the runs it's messed up from the get go, and you never can straighten it out. So, whatever decision you make, please make it standard across the board. It would help out tremendously.

Eric Williams: Again, I would have to take exception, because currently the area I'm trying to push to the city because it makes more sense is currently served by the Evansville Fire Department through contract with Knight Township. That, we've worked hand in hand with the Fire Department for a long period of time. There have been many areas in our community where it's been Sheriff's service for law enforcement but **(Tape Flip)** prior service because of contracts with townships, it's never been an issue. Whoever shows up handles it.

President Winnecke: Anything else? We have a couple, three options, I think. We could accept either the Sheriff's proposal, EPD's proposal, we could, to the Sheriff's point and our very first point tonight, based on Section 7.3.2.1, we could leave things as they are and make no jurisdictional changes and we could consider this for a couple of weeks, because we are seeing the maps and really hearing the first meaty debate on this topic in awhile. So, that would be my recommendation.

Councilman John: (Inaudible. Microphone not on.)

Commissioner Abell: (Inaudible. Microphone not on.)

President Watts: (Inaudible. Microphone not on.)

President Winnecke: Maybe we just put a star by this and come back to it at the end of the night. Dan?

Councilmember McGinn: May I ask a question? Because the one reorganization meeting that I missed was the one where law enforcement consolidation was discussed. It was my understanding from reading the minutes and speaking to various people this is down the road for, I forget, what, ten year or 12 years, but is the goal to consolidate the departments ten years down the road? Is that what—

Commissioner Melcher: No.

Councilmember McGinn: —okay, it's to have a decision ten years down the road?

Councilmember Adams: I understand that we were supposed to study it and therefore it was coming to a referendum down the road, 2022 or something.

President Winnecke: Yeah, just if—

Councilmember McGinn: So, there wasn't a goal in mind other than—

President Winnecke: Right.

Councilmember Adams: The referendum.

Councilmember McGinn: —that's what I mean, work on a plan to be voted on. Okay.

President Winnecke: Just, yeah, it says, notwithstanding, this is in 9.4 under Law Enforcement, notwithstanding the provisions in Article 11 of this Reorganization Plan concerning amendments, no action or consideration to combine the Vanderburgh County Sheriff and the Evansville Police Department shall be taken or acted upon prior to January 1, 2022. After January 1, 2022 the Common Council of the Combined Government is authorized to do either of the following, and it spells out. Okay.

President Watts: Sheriff, if I may? Sheriff, is there, since we're going to come back to this, and Robbie, is there any, I don't want to waste your time, I mean, are you guys to a point where I see black, he sees white? Or, because, I'll be honest, I would prefer you guys, I mean, you guys know more than any of us sitting up here. I understand that you're both passionate about what you do. So, I don't want to waste your time, but if there is a consensus—

Eric Williams: Chief Hill and I have met several times on this. We had these discussions with the concept, and Assistant Chief Hahn may correct me if I'm wrong, with the concept that whatever we came up with, whatever you guys settled on was going to be those jurisdictions, regardless of what else happened until this future date and future activity occurred. So, my point was very simply that if we are going to continue down the road that, I point to you, but it was your issue, that we're going to have what I would consider to be just a different form of annexation, then really this discussion is a moot point, because they are going to be subject to change again and again and again, as much as that might grow or change or whatever. That we ought to just probably leave it the way it is today with the mutual aid agreements we have and just wait and see what happens, because we are doing a good job with what we have today. But, if the intent was to lock in jurisdictions and say this is, which is what the spirit of that discussion was, is that the people that have the Sheriff's Office now want to keep it, the people that have

the City Police now want to keep it and they don't want to see that change, and that was the emotional issue that led to taking law enforcement completely out of the project anyways, then that's what we were trying to accomplish. But, if that's not the case, you know, and I don't think there's any wiggle room from my side of it. You know, I think there's probably some room to move, but I feel very comfortable with the proposal that I made as being a proposal that makes sense for the next ten to 12 years until this is finally addressed in another forum.

Councilmember Adams: I don't think we decided that we were going to lock in anything. That was what you decided you wanted to do, and the only thing I was trying to do was to fold in some flexibility into the system, because I don't think it's going to stay stable for ten years or 12 years. I think there may be no annexations in the next ten to 12, there may be only one or two, and without a mechanism for which you can work that, I don't think we're talking about miles, square miles here going in, especially with the extra hit there that's going to be contiguous.

Eric Williams: No, I, don't get me wrong, I'm not blaming you and I'm not saying that's what I wanted it to be. It's what I heard. What I wanted it to be was let's consolidate both agencies into one and be done with it.

Councilmember McGinn: I do too, because we're going to end up doing it, I mean, and that may not make this pass, so I can completely understand the reasons why it's off in limbo. I do not disagree with that, but like Dan said, the way chapter seven or paragraph seven of this reads that an area is fully taxed when it becomes an Urban District when it receives all of the services. This is going to take awhile, this isn't going to happen. You know, things work, and the infrastructure is built and the lightings are there, we may take in six or eight square blocks a year, if we're lucky. Then if things work well, I mean, some of these other people may want to come in or they want to do it earlier. I mean, this is a very slow process. I mean, to get into a hurry I think is one of the worst things that we could possibly do. If we set up the framework where eventually the entire county and the city will have the same services, we're looking at 50 years. I mean, let's be realistic.

Eric Williams: I'm trying to educate myself, I've done the best I can to try to follow along with this, and I understand exactly the progression that you just laid out on how that occurs. The language I heard was all of the Full Service District services are provided and then you can start taxing. What would be the mechanism...because everything else is infrastructure based, building sewers, water, street lights, sidewalks, all the other kinds of things—

Councilmember Adams: Fire.

Eric Williams: — but that is generally something that somebody just directs to happen. If it's a contiguous six blocks, somebody at some point is going to have to say, okay, Fire Department you are now going to service this, Police Department you are now going to service this, and now we've accomplished that goal. Now we can tax them. I'm not sure I understand how that happens. Does that make sense? That you're talking about two entities that are, that you may not have to add anything to make it happen, as where all of the others are construction based or adding something or attaching something or hooking something up.

Councilmember Adams: (Inaudible. Microphone not on.) If you don't (Inaudible) it's ambiguous. (Inaudible) or not, this particular section or that (Inaudible).

Eric Williams: I guess, that's what I'm trying to understand in my head, just really for clarity sake, because if I'm confused maybe there might be others. I may be the only one. That we've done all of these other things and then once that happens then we're going to say now we're going to hit Police and Fire and we're going to roll them into there, and now we can start taxing you.

Councilmember Adams: I think it's the other way around.

Eric Williams: And, see, I don't, so we start taxing you and then we're going to roll those in. That's what I was trying to get the progression of how that would work, because I agree with you, and I understand the concept that the likelihood of mass annexations or mass changes would be slim. Yeah, I mean, they're not going to be huge. I get that, but it's really more where are we at and how do we want this to proceed?

Rob Hahn: If I can answer your question, B.J., or we'll be here until tomorrow. I can't see much wiggle room. I just, I think the Sheriff would agree and everybody here would agree, this has been a year and a half of unnecessary bloodletting on both departments and we need to put it behind us, but, the airport, schools that's unthinkable.

President Winnecke: I think what I'm hearing from this group is that we want to, yeah, we need another couple of weeks, at least. So, we'll, right–

Commissioner Abell: I have a question of Mr. Ziemer.

President Winnecke: Absolutely, yes.

Commissioner Abell: I've heard the comments there's no wiggle room, we're not going to do this. Who's decision is this? Isn't this the decision of this body? Aren't we the ones that are writing the rules for how this is going to happen?

Ted C. Ziemer, Jr.: Yes, Ma'am.

Commissioner Abell: That's what I thought. Thank you.

Councilmember McGinn: Then again, as a point of clarification with talking about, I mean, we still have two taxing districts. You're going to have the General Services, which everybody in the combined area, and then more taxes on some people when they get all of the city services. It's a step up, is that correct? So, there is a way to finance some of that infrastructure with the General Taxing Service District.

President Winnecke: Right.

Councilmember McGinn: I mean, we don't have to do all of this stuff, figure out how to do it before they are part of the county. I mean, I just want to make that clear. Okay.

(City Councilmembers and County Commissioners unanimously agreed to table this issue until the 8/17/11 meeting and not take a straw vote on the Law Enforcement proposals at this time.)

Review of District Maps

President Winnecke: Okay, I think the next, the last item on our punch list from our last meeting has to do with the review of the district maps prepared by Mr. Jeffers. Does everybody have those with them? This actually, we've probably had these for two or three meetings now. One map represents the layout, the proposed layout for 12 district maps. And, then three districts A version, three districts B version, those represent the geographic areas from which an at-large candidate would have to reside.

Commissioner Abell: This is the (Inaudible. Microphone not on.). Do you want to know which one of the two at-large's we like? Is that what you want?

President Winnecke: Yes. I think that's the only, or if someone doesn't like any of them, we could always direct Mr. Jeffers to go back—

Commissioner Abell: (Inaudible. Microphone not on.)

Commissioner Melcher: If you look at these, and you go by, I think Bill even said that district, I mean, the B plan was the best one. It's more like it is set up right now, and that's what the School Board is. If you look at the numbers they're pretty close. The other one is a thousand or two thousand off, we could be sued by the ACLU. We could be sued about anything though. So, I would think B would be the one we would probably want, because it looks like that's a little bit more like what it should be.

Commissioner Abell: I agree.

Commissioner Melcher: I like B. If there's going to be one, I like B, plus the numbers are close, and that's the main goal of whatever we do was numbers have got to be under five percent.

President Winnecke: What section are the districts in? What article?

John Hamilton: Under the legislative (Inaudible. Not at microphone.) .

President Winnecke: Is that three?

John Hamilton: Yes, 3.4, 3.5, 3.52. Starting in 3.4 and 3.5.

President Winnecke: Just to review, we're saying that there would be three at-large members, they would be voted on by the entire Combined Government area, the Combined Government area shall be divided into three separate at-large districts, one at-large member shall reside in and be elected from each of the three at-large districts, is what we're saying. The language and the map reflects that. We've heard several version B's. Do we have any other thoughts over here?

Commissioner Melcher: I think it's a no brainer.

(City Councilmembers approved straw vote 7-0. County Commissioners approved straw vote 3-0.)

President Winnecke: Okay, version B it is.

Other Council or Commission Issues with Reorganization Plan

President Winnecke: Okay, that gets us through our punch list from last meeting. Before I ask the attorneys to kind of give us an update of where we are on a time line, are there any other issues in the Reorganization Plan that any member from the Council or the Commission would like to bring forward tonight?

Commissioner Melcher: I do want to, getting back to the rejection threshold resolution. I know we can't do a (Inaudible) vote here, so I would like on our next Commissioner meeting if we could have it on the agenda.

President Winnecke: To discuss the issue?

Commissioner Melcher: Discussion and maybe even vote on it.

President Winnecke: To vote—

Commissioner Melcher: We could have a discussion on it again, and it may be that we—

President Winnecke: It would be a non-binding vote.

Commissioner Melcher: I'm not talking about this one, I'm talking about our Commissioners meeting.

President Winnecke: I understand that. Maybe, to help, this might just be a great segue into where we stand from a time line, and we'll address your—

Commissioner Melcher: Okay.

Councilmember Adams: Let me just, before you get into the legalese, are we happy with the data we got about the water equalization thing? Did we get a sense as to how much people are going to pay if we equalize the water? The property taxes and the water equalization thing were the two things that I was trying to figure out whether they washed each other out in terms of the burden of the tax. Are we happy with our—

President Winnecke: I'll have to go back and review, I don't remember off the top of my head.

Councilmember Adams: I don't think we ever got—

Councilmember Friend: I think it was (Inaudible. Microphone not on.) , the people in the city would have to pay eight dollars a month on the average.

Councilmember Adams: Right.

Councilmember Friend: The people in the county (Inaudible. Microphone not on.) about four dollars. (Inaudible. Microphone not on.) like that. It was a little under eight dollars.

President Winnecke: Who sent us that e-mail? Was that Jim Gerrard?

Councilmember Friend: (Inaudible. Microphone not on.)

Councilmember Adams: I think Gerrard.

President Winnecke: Would you mind reaching back out to him?

Councilmember Adams: Not at all. Not at all.

Councilmember Friend: (Inaudible. Microphone not on.)

Councilmember Adams: I'll e-mail Jim Gerrard.

President Winnecke: Okay, Ted. Thanks.

Overview of Time line for Remainder of Reorganization Process

Ted C. Ziemer, Jr.: Well, we've been having a continued public hearing, and the enabling statute provides that to, that what is to happen is that there be a public hearing on the Plan, and following the public hearing, or the adjournment of the public hearing, then each body, that is the City Council and the County Commissioners must, within 30 days, either adopt a resolution, either accepting the proposal of the Reorganization Committee, modifying the proposal of the Reorganization Committee, or sending it back to the Reorganization Committee for further action. The actions of both the City Council and the County Commissioners must be identical. So, we have been going through the process of a public hearing and you've been taking straw votes. Once you get to a point where your straw votes indicate that the City Council and the County Commissioners are going to probably, I guess, be in agreement on a Plan, then you would adjourn the meeting, the public meeting, and then within 30 days each body would vote, and, presumably, based on the straw votes, you would be adopting an identical Plan to put forward for a referendum.

President Winnecke: Then, to Commissioner Melcher's point, relative to the rejection threshold, help us there.

Ted C. Ziemer, Jr.: Well, that's part of the Plan.

President Winnecke: So, Steve, what you're suggesting, what you're asking is if we—

Ted C. Ziemer, Jr.: Oh, excuse me, I'm sorry, I misunderstood your question. The question of the rejection threshold was determined by the City Council and the Commissioners initially when they proposed going forward with the public hearing. It's our opinion, that is the opinion of John Hamilton and myself, that to change that we then have to go back, have a public hearing on that issue and then have the Commissioners and the Council adopt new resolutions forwarding this to a committee to develop a reorganization plan, and then go through the steps that we have been going through. Now, it's true that that could probably be shortened considerably since a Reorganization Committee has already studied this and brought forward a Plan, which is the one you are reviewing, but there is no assurance that if you each determine to start over again, which is what you would be deciding, you are going to refer it to a committee, and that is the Reorganization Committee, that committee can then study this and decide to recommend

something new, which you would then get and start reviewing just as you are reviewing this now. So, I know that, and, so, it's our opinion that you have to start over again if you're going to change your vote on the recommendation for no rejection threshold.

President Winnecke: Steve, does that help you with where you are?

Commissioner Melcher: Yes, but nothing would stop me from making a motion though to do it, and then it just dies for a lack of a second.

Ted C. Ziemer, Jr.: That is correct.

Commissioner Melcher: And it gets voted down.

Ted C. Ziemer, Jr.: That is correct.

Commissioner Melcher: Thank you. That's what I would like to have.

Councilmember Adams: Let me be sure I understand, sir. When you say a straw vote, we would go through and re-again formally vote, or give indication to all of the things that we've changed from the original Plan? I mean, I think there are about six or eight or 20, I don't know, 15 things that we've altered from the original Plan.

Ted C. Ziemer, Jr.: Yes, sir.

Councilmember Adams: So, we'll come back and do that again at a later meeting a week or two from now?

Ted C. Ziemer, Jr.: Well—

Councilmember Adams: This would not—

Commissioner Melcher: It wouldn't be us, it would be the separate bodies.

Ted C. Ziemer, Jr.: Well—

Councilmember Adams: Is this the last group meeting we're having?

President Winnecke: No, I don't think so.

Councilmember Adams: I don't think so either.

Commissioner Melcher: No.

President Winnecke: No, I think, if I could jump in, I think our straw votes along the way, the latest document we have is the document that the majority of each body is comfortable living with today.

Councilmember Adams: Right.

President Winnecke: So, the additional changes we've asked the Council to provide to us we'll get in a new update, and we'll go through and review those to make sure those are good, like we've done in the past.

Councilmember Adams: Okay.

President Winnecke: In my mind, the document is getting closer and closer to being—

Commissioner Melcher: It is.

President Winnecke: —baked, yeah. Is that fair?

Ted C. Ziemer, Jr.: That is fair. Then, if, and I think I understand, Commissioner Melcher, when the Commissioners get ready to consider the Plan, which has been approved by straw vote, but only by straw vote, Commissioner Melcher may introduce at that time a motion to change the resolution to require a rejection threshold. He can certainly make that motion at that time, it would be voted on by the three Commissioners, and the majority would determine that issue so far as the Commissioners are concerned. If there were a similar motion made by a City Councilman when they are considering this, they would vote on that issue. Once that's disposed of, however it's disposed of, then you would vote on the Plan that's before the City Council and the County Commissioners, and, presumably that's going to be a Plan which you're probably going to approve because of the results of the straw votes, which is the idea of going through this. We know that the Plan has to be identical, and we're trying to get to a point where we think we are identical. Otherwise, if the, we get to the actual vote, not the straw vote, and the City Council approves a Plan which is in some respect different than the Plan approved by the County Commissioners, we've got to come back together again and start talking.

Commissioner Melcher: With that—

Councilmember Adams: (Inaudible) different (Inaudible) one thing different.

Ted C. Ziemer, Jr.: I beg your pardon?

Councilmember Adams: It's not some things that differ—

Ted C. Ziemer, Jr.: One thing, one thing, yeah, anything.

Councilmember Adams: That's what I thought.

President Winnecke: Steve?

Commissioner Melcher: With that, it's time for me to go to my Veterans Council meeting. I've gotta run. So, I have to leave. Thank you.

President Winnecke: Okay, let me just, just real quickly on my punch list, Dr. Adams is going to run down water utility information—

Councilmember Adams: Yeah.

President Winnecke: — we're going to get additional information on tax rates, and we're going to have additional thought and discussion relative to law enforcement boundaries.

Scheduling of Continuation of Public Hearing to 8/17/11 @ 5:30 p.m.

President Winnecke: With that, I would propose that we continue this hearing until the 18th of August, two weeks from tonight. How does that float everyone's boat?

Councilmember Adams: Great, what time? 5:00?

President Winnecke: 5:00.

Unidentified: (Inaudible. Microphone not on.)

President Winnecke: What? Oh, there is? What time does it start? Oh.

Councilman John: What about Wednesday?

President Winnecke: Wednesday the 17th? Is that good, everybody?

Councilman John: What's the date?

President Winnecke: Wednesday the 17th?

Commissioner Abell: August 17th?

Commissioner Melcher: I'll just have to cancel (Inaudible. Microphone not on.).

Commissioner Abell: 5:00 or 5:30?

President Winnecke: What do you like? 5:30? 5:30. The 17th, okay.

Public Comment

President Winnecke: As has been the case in the past—

Councilmember Adams: I'll miss American Idol then.

President Winnecke: — anyone from the audience that would like to come to speak their mind. Start to file up, Bruce is going to get there first.

Bruce Ungenthiem: I tried to be last last time, so I'll try to be first this time.

President Winnecke: You just sat closer to the front that's all.

Bruce Ungenthiem: I'm not sure where to start.

Alberta Matlock: Well, you have to give me your name first.

Bruce Ungenthiem: Bruce Ungenthiem. I'm a resident of Vanderburgh County in the Town of Darmstadt. Where to begin this, let's begin with the most important issue probably and that's the voter threshold. I hold in my hand a Plan for Reorganization, and as you can see not everything is black, some is blue, some is red, some is green. These are the changes that you have made to this Plan. Now, I tend to disagree with you on this subject, because if I read paragraph five in the

introduction of this Plan, it says voter threshold, as required by the Act the City-County determined that there will be no voter threshold when this Plan is voted on as described in the foregoing provision. It seems to me that if you've changed all of those things in that color, it would be a very simple process to go in here and change this and say, required by the Act the City-County determined that there will be a voter rejection threshold in this Plan, and you can do that tonight if you so choose. It does not have to go back to committee. It is in this Plan that you're changing right now, and you can change that. Now, with that said, we had a little booth out at the fair, unfortunately, I didn't see any of you guys show up or I would have tried to get you to sign a petition. The petition basically says, we the undersigned residents of Vanderburgh County do hereby support and request from the duly elected Commissioners of Vanderburgh County a separate threshold vote for city residents and non-city residents of Vanderburgh County on the referendum for consolidation of this city and the county governments in Vanderburgh County. I have over 500 signatures in one week on this referendum, or on this petition, over 500 county signatures on this petition, and I have 35 people from the City of Evansville who signed it, because they don't believe that it's fair to try to merge two governments together without each individual unit having the ability to vote on it. We're going to continue to collect these signatures over the next month so that the time when you guys get ready to make this vote, my guess is we'll have this doubled at least. So my request for you on this threshold vote is to listen to the people. The people want a threshold vote. You know, I'm not really sure what we're scared of. If this is such a good idea, if it's such a great economic boon to the area, then the people in the city and the people in the rural areas should overwhelmingly vote for this. So, why not have a threshold vote. It costs you nothing. It absolutely costs you nothing. It's just two separate votes. They both have to be approved. So, think about that, because I don't think it needs to go to any further committee, since you are changing the Plan anyway. Just change it. I agree with Mr. Watts when he made the statement that not having it would be, I will paraphrase this, because I don't know your exact quote, not having a threshold vote would be like having a hostile takeover. Mr. Melcher has already indicated that he won't vote on it unless there's a threshold vote. What I would ask the rest of you to do is to stand up and be leaders and actually make this decision and make the right decision, because leaders do the right things. That's the threshold vote. Can I finish? I don't know about the rest of you, but I spent 33 years reading eyes and understanding what people are thinking by the way they held their eyes, the way they looked at folks when things happen, and I think you and I were both relatively disappointed that we didn't get any kind of numbers of any substantial documentation on the economics of whether this thing is actually going to save any money. I would caution that even though we are going to look at what happens in other areas, and I'll get you that data, I think I've got it at home on my computer, it's not an apples to apples comparison, city to city. Evansville and Vanderburgh County are fairly well consolidated with a lot of the services that they produce or that they have right now. We have joint purchasing agreements, we have the library systems are already put together, the city or the School Corporation is already put together. So, if I look at what we're going to actually put together, we're going to put together the City Engineer's office, we're going to consolidate a couple of people at the top, add a few more people underneath that are appointed instead of elected. I would be very, very surprised if we can achieve even the three percent that we're making an estimate on as savings. So, be careful with that, because I would like to see what it's going to save the City of Evansville and Vanderburgh County based on where we are right now with most everything consolidated. Talk about the Sheriff or the law enforcement portion of it. Dr. Adams, Sheriff Williams and I had a discussion

when we were out at the fair, and we were talking about the very thing you were talking about, that it's not fair for the City of Evansville to pay for the Sheriff's Department and have the City Fire, and I said, okay, well how much, you know, how much does the city pay versus how much do the non-residents or the county people pay? Well, it's roughly two thirds to one third, or whatever that is. Okay, then I asked the Sheriff, tell me something, where's the biggest part of your budget? He said, well, it's in the jail and the courts system. I said, okay, just give me a guesstimate, of the 600 people that are sleeping on the floor in the jail, well, there's only a hundred sleeping on the floor, but there's, of the 600 people that are in the jail right now, how many of those people came from the rural area versus how many of those people came from the City of Evansville? He thought for a minute and he said probably 90 percent are inside the City of Evansville. I said, when they go to the courts system, when they go through the Clerk's office and they go through the subpoenas and all of that other stuff that you've got to do, what percentage of that is city people versus rural people? About 90 percent. I said, so what you're telling me is that I'm paying for a third of the cost of the Sheriff's Department, and I'm only getting ten percent of the service? Yeah, that's pretty much the way it's going to be. So, think about that. It's not just the patrol cars that are on the street, which he has 108, I think, 108 people doing patrol. It's not just the patrol cars. The biggest cost of the Sheriff's Department is the jail and the courts. The people who use the jail and the courts system are the urban citizens of Evansville by 90 percent.

Councilmember Adams: John, am I wrong in that usually it's the salaries and perks that are the largest part of a...I haven't looked at the, I'll be honest with you, I haven't looked at the like you have the thing, but I would have thought the largest part would have been salaries, pension, benefits.

Bruce Ungenthiem: (Inaudible. Not at microphone.) percent (Inaudible. Not at microphone.) salaries and benefits.

Councilmember Adams: How much.

Bruce Ungenthiem: Around 83 percent.

Councilmember Adams: So, I would challenge your point on the 90 percent.

Bruce Ungenthiem: Well—

Councilmember Adams: I'm not challenging that 90 percent of the people come from inside the city—

Bruce Ungenthiem: Okay, well, look at the jail—

Councilmember Adams: — but in terms of the amount of dollars spent—

Bruce Ungenthiem: — and the courts system which is—

Councilmember Adams: — it would seem to me that—

Bruce Ungenthiem: — that the Sheriff has, the Sheriff is a unique situation, because he has the jail and he has to support the courts—

Councilmember Adams: But, he's got Sheriffs, he's got a pension plan, he's got a bunch of people that he has to pay, and that's usually the largest. That's my understanding. I could be wrong. This is your time. I apologize.

Bruce Ungenthiem: No problem, I just want to point out, you're getting your monies worth in the city. Don't worry about it. I had to sit there and look at the people's anguish on their faces as the Sheriff and the Deputy Chief went back and forth and back and forth, and I'm thinking, you know, this would all be a whole lot simpler if we just consolidated the local law enforcement branches, instead of bickering over who's going to take care of Mater Dei High School, and who's going to go out to the airport when somebody has a false alarm. I would strongly suggest that you take, have another proposal. You were talking about three proposals, there's another proposal on, that's there, put the law enforcement consolidation back in the Plan. I know it's not going to be popular to some of the political folks, but, you know what, I spent 33 years working for a company that I didn't always agree with what the leaders, what the leaders of our company did, but once they made that decision and went on with it, then I went ahead and abided by it. To your point, you're the leaders of this community, you've got to make a decision of what's best for the community, other people will then follow. The last point I had, I have some other ones, but we'll get to those as we get later on. The last one I've got is the at-large districts, you indicated that they would be three different districts but voted on as a county at-large. Is that the way the County Commissioners are voted on right now?

President Winnecke: It is.

Bruce Ungenthiem: Okay. I would propose that if they are in that district, that only the voters within that district vote on that person, because what will happen is a person representing district one could actually be elected by people in district two and three. I would propose that district one elect district one's representative, district two elect district two's representative, and district three elect district three's representative.

Commissioner Abell: Then they wouldn't be at-large.

Councilmember Adams: That's the whole point of being at-large.

Bruce Ungenthiem: No, if they were at-large, they should run county-wide.

Commissioner Abell: They're doing that.

Bruce Ungenthiem: Well, I mean, there would be no districts, they would be at-large. They are district representatives—

Councilmember Adams: We're trying to give the county more representation. At-large people (Inaudible. Microphone not on.) area.

Councilmember Friend: Bruce, if I may, what we have now (Inaudible. Microphone not on.) City Council, we've got three people from the Fifth Ward on this Council. Myself, Councilman John and Dr. Adams.

Councilmember Adams: And that's the way it should be.

Bruce Ungenthiem: Okay, I've taken enough time. Thank you.

President Winnecke: Thanks, Bruce. Sir?

Roger Madden: Yeah, Roger Madden, Evansville security police, U.S. Air Force, nuclear weapons. I think, we might have had a few more problems than the Sheriff and the Police do here, but if you take the count, well, they've already brought up, they all overlap, they all respond to the emergencies, they both have specialty teams, and with the things these days with Homeland Security, I'm sure they even have nukes covered. But, if you take the county, you divide it into six sections, however many patrols they want, the Police cover what they cover, the Sheriff covers their areas, which are the extremities, but covering the whole county, so you've got dual coverage no matter where you are. As long as they aren't sitting at the donut shop and getting fat and they're making their responses, they're taking care of the people, they're doing their patrols, like Bruce just said, we're getting our monies worth. So, that's just a bunch of pissing and moaning. As long as they're covering the people and taking care of us, and, this Break the Silence t-shirt, we've got about 20 dead kids in the last ten years in Southern Indiana, most of them around here. If they were spending more time taking care of the people, responding to incidents of child abuse, rape, molest, etcetera, we wouldn't of had 20 dead kids. So, if we quit playing politics and we start taking care of our citizens we'll be a lot better off.

President Winnecke: Thanks, Roger.

Leslie Simmons: My name is Leslie Simmons. I'm the current President of the League of Women Voters of Southwestern Indiana. I'm going to start by giving you all a big thank you. I can tell that you have spent hours of your time and talent working on this Plan, and it sounds like you have hours to go. But, we all appreciate your attention to detail, and, first of all, want you to know that you're efforts are appreciated however this gets resolved. The time is right to embark on the endeavor and to continue to move forward to a referendum vote. Clearly you have carefully considered each element of the proposed Plan for a merger. We are pleased with the modifications that you made to the initial draft that was presented to you. We believe a merger of local governments can achieve an improved environment for economic development, a stronger voice for our community within the state, and a consistent, accessible and representative leadership for all county residents, for all county residents, because we all live in the county, without increasing the cost of government. Tonight we've heard a lot of emphasis on efficiencies and cost savings. We believe those are there. I have some documentation of that, but there are a lot of other things to consider that would be beneficial outcomes of a merger. It has been mentioned many times that some areas of services that are provided by city entities within the city limits, and those that are provided county-wide have already been merged very successfully. This is the next step to bring everything together. Look at how wonderfully this group has worked together. Again, we ask that you continue to move forward to give voters of the community the opportunity to come to a full understanding of your proposal, Plan of merger and to have that opportunity to vote on that. Don't let it stall. Thank you.

President Winnecke: Thanks, Leslie. Eldon?

Eldon Maasberg: About that.

President Winnecke: Good to see you.

Eldon Maasberg: Yeah. My name is Eldon Maasberg. I live out in Armstrong Township. My first question is why ain't these working up here? These cameras?

President Winnecke: They've been out for a while.

Eldon Maasberg: I know. I've been watching both of your meetings, old ones and then now this one, they just took them off the t.v. What are you trying to hide under the table that we're not able to watch it? Which gets to another point, this thing has cost us over \$100,000 to get this far, and if you don't put the City Police in this thing, or I said that wrong, if you don't put the police together, it's going to cost another \$100,000 before this thing gets done in the next ten years. Why not put the two together right up front? I think it would be money saved to us all in the long run. I also think we ought to go with Ungenthiem's idea, have two votes, I think that's a better deal than this slam dunk deal. Thank you.

President Winnecke: Thanks, Eldon. Who else? John, did you want to add something?

John Hamilton: Just a procedural thing on that threshold question. The statute is very clear that when each body adopted their initial resolution, that is where the threshold question is decided. So, the basis of our opinion, if you want to revisit that, we have to go back and have either a new or amended initial resolution, which, in effect, does start the process. I mean, the statute is very specific that that is where that issue is to be dealt with.

President Winnecke: Thanks, John. If there's no other business to come before these bodies....did you want to say something, sir? You kind of looked like you were going to raise your hand and then.

Ted C. Ziemer, Jr.: I just was going to say--

President Winnecke: Not you, Ted.

Ted C. Ziemer, Jr.: What?

President Winnecke: This guy. The guy behind you.

Ted C. Ziemer, Jr.: Oh, you're not talking to me. Well, how come you're not talking to me?

Alberta Matlock: We've been talking to you all evening.

President Winnecke: I can talk to you anytime.

Les Lantaff: My name is Les Lantaff, I live in Scott Township. I was just going through this report here, and it amazes me, if you go through there and look how many things are assumed. You know what assume means? Thank you.

President Winnecke: Did you have anything to say? Okay, I would move that we continue this public hearing until August 17th at 5:30 p.m.

(The meeting was recessed at approximately 6:35 p.m.)

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
B.J. Watts	John Friend	H. Dan Adams
Curt John	Missy Mosby	Dan McGinn
Don Walker	Ted C. Ziemer, Jr.	John Hamilton
Joe Gries	Jennifer Hudson	Eric Williams
Rob Hahn	Bruce Ungenthiem	Roger Madden
Leslie Simmons	Eldon Maasberg	Les Lantaff
Others Unidentified	Members of Media	

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded by Alberta Matlock. Transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
AUGUST 9, 2011**

The Vanderburgh County Board of Commissioners met in session this 9th day of August, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the August 9th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

Open Quotes: VC11-08-01: Fickas Rd Culvert Wing Construction

President Winnecke: Okay, we'll begin with permission to open, first, quotes for VC11-08-01, Fickas Road culvert wing construction.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Mr. Ziemer, you may open.

Open RFP's for Pharmacy Services for the Jail

President Winnecke: Also, I would entertain a motion to open the proposals for pharmacy services.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Mr. Ziemer, good luck and watch the paper cuts.

**Resolution CO.R-08-11-006: Approving the Designation of
Vanderburgh County as a Vote Center County**

President Winnecke: Our action items, first resolution CO.R-08-11-006 approving the designation of Vanderburgh County as a vote center county. With us tonight is Vanderburgh County Clerk, Susie Kirk.

Susan Kirk: I'm getting old, I need my glasses.

President Winnecke: Good evening.

Susan Kirk: Good evening. How are you?

President Winnecke: Good.

Susan Kirk: I handed out to each of you, just a, what's been going on since the last meeting. The County Council voted to pass their resolution for the vote centers. They also transferred enough, well, we're going to use funds from the Parks Department, that's where it says Council approved the funds, which are on the Commissioners account. That's already a done deal. So, we will probably begin to order our laptops and things like that. The Election Board meets Friday, and we will vote unanimously to have the vote centers. The one page, the next page is the actual resolution that the Council signed. The next page is a list of the vote centers. You have to remember though this will be a city election, so we're only using those vote centers that begin with a number, like in the wards, Wards One, Two, Three, Four, Five, which is 15. The next one is a map of the vote centers. The next page is next year's budget, and you can see at the bottom, the very bottom line, we saved \$81,620 in one year. That's just, that's going to be our savings now, from now on for general, for elections for the year. Then, the last page is basically a break down of what we have ordered. The line that goes across in blue, the total three year purchase agreement, the \$100,517, that's the money that we will be taking out. Of course, it wasn't exactly that amount, was it? Was it like a hundred—

Joe Gries: It was \$107,500.

Susan Kirk: \$107,500 is what they ended up putting in there. Kind of a little buffer zone. So, that's what our up front costs will be. The last two items on that list, this MRC election day support, obviously, we're going to have laptops up and running, so we'll have three people, we'll have one here at the Civic Center and two in the field in case we need them. Then we decided to go with Quest Poll E-Books, because Quest is currently what we use for Voter Registration. There are many

companies out there with e-poll books, but because Quest is already our company and their price was lower than some of the other ones that we sent a bid out for, we decided to go with them. We'll get some perks out of that too. Some things that we wouldn't be able to get out of the old, other e-poll books, such as reports during election day for both parties, candidates, whoever wants them. We can say who's voted, where did they vote, what Ward and Precincts, however they want the list done. So, it's kind of like a wagon book type thing, only it will be e-mailed to the parties. So, I'm hoping that the Commissioners will vote to pass their resolution this evening. I think Ted who's extremely busy with all of his Christmas boxes over there has the resolution that you tweaked. I'm hoping that you will do that.

President Winnecke: Susie, just for clarification, for this election cycle, there are 15 voting places, voting centers for this year's election?

Susan Kirk: Yes.

Commissioner Melcher: Are we still going to be voting, I think you are, voting early in the libraries?

Susan Kirk: Yes, early voting starts 30 days prior to the election in the Election Office. We will have the libraries open 15 working days out from the general election, and we will also have one vote center open the two Saturdays prior to election day. In the primary we will have, it will be the same thing except the libraries will be open five working days out from election day. So, we, I added that.

Commissioner Melcher: Okay.

Commissioner Abell: Susie, I want to take an opportunity to congratulate you on this step forward. This is a big, this is really a step forward for Evansville and Vanderburgh County for voting.

Susan Kirk: I appreciate that. Thank you.

Commissioner Abell: To have this ability to vote at any of these particular centers. Glad to see you've really stepped up on this.

Susan Kirk: Thank you. I appreciate it. I think, probably because we've got the early voting at the libraries, I've felt more comfortable with it. Because, like I said, we had over 20,000 people vote at the libraries. So, that's a lot of people.

Commissioner Melcher: I think that's the biggest thing you've done, is voting early in the libraries. A lot of people has really bragged about that.

Susan Kirk: Thank you.

Commissioner Melcher: With my vote this evening it's not because of what's happening, I just, as I told you and I stated last time, I just believe this needs to start in a regular election, who's ever election it is, in a primary first and then that way we'll have a trial run in the primary and then the general. That's the reason why I'm opposing it today. The sole reason. Everything else, I think we do need to save money, we do need to make it easier for people to vote. So, with that—

President Winnecke: Anything else? I would entertain a motion to approve the resolution.

Commissioner Melcher: So moved.

President Winnecke: There's a motion—

Commissioner Abell: Second.

President Winnecke: —and a second. Any further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: No.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

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

Susan Kirk: Thank you very much.

President Winnecke: Thank you. Good luck, Susie.

Susan Kirk: I appreciate it.

Commissioner Melcher: Thank you.

President Winnecke: Good work.

<p>EMA: Hazard Mitigation Grant Agreement County Assessor: Xerox Copier Agreement Amendment</p>

President Winnecke: I'm going to jump around just for a second. We've got a couple of things that will not take much time, and one thing that will take a little longer. Under contracts, agreements and leases, the Emergency Management Agency, did I see Sherman sneak in? This is grant program CFDA97.039 in the amount of \$62,594 to supplement a local grant in the amount of \$20,864. Sherman?

Sherman Greer: This is for the mitigation grant for the mitigation plan that we have to have for eligibility for any type of reimbursement from the federal government. We've had our plan done before and it's up for its second renewal as of this time. It's good for four years.

President Winnecke: Okay. Any questions of Sherman? If not, I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or further discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Sherman Greer: Commissioner Winnecke, I have your list of the—

President Winnecke: The Civil Air Patrol?

Sherman Greer: The Civil Air Patrol—

President Winnecke: Our volunteers for...alright.

Sherman Greer: These are all of the people that volunteered—

President Winnecke: Good.

Sherman Greer: —to help us out with the flooding event that we had.

President Winnecke: Do we have a list of the specific Air Patrol members?

Sherman Greer: We can get that for you.

President Winnecke: I think that would be nice.

Sherman Greer: Okay.

President Winnecke: Thank you.

Sherman Greer: Also, we tried to get the Civil Patrol (Inaudible. Not at microphone.)

President Winnecke: Okay.

Sherman Greer: (Inaudible. Not at microphone.)

President Winnecke: Great. Thank you. Next, County Assessor, an amendment to the Xerox copier lease agreement. An amendment to the lease agreement approved in April 2011 to add additional capability on copier number 9201 at a cost of \$32.86 per year, increasing the total cost for the three year, for the three copiers for 60 months to \$407.44 per month. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

<p>Continuation of Public Hearing and Second/Final Reading of Vacation Ordinance CO.V-06-11-002: Vacation of Portion of Old Seib Road</p>
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President Winnecke: Okay, next to the continuation of our public hearing and the second and final reading of vacation ordinance CO.V-06-11-002, the vacation of a portion of Old Seib Road. Who would like to speak first for the petitioner? Justin?

Justin Shofstall: Justin Shofstall with Easley Engineering. Also, I know, I believe the Commissioners are aware of the e-mail that was sent out by Counsel, Mr. Ziemer this morning in regards to a reference with conversations, and I believe that meeting was based off of yesterday, late afternoon with John Stoll and Bill Jeffers. Am I correct in that recollection?

Ted C. Ziemer, Jr.: Yes.

Justin Shofstall: What, as far as, and I know John Stoll has a very large Power Point presentation that he wanted to go through as well. I also wanted to provide the clean copies of the drawings that both John Stoll and Bill Jeffers were provided for your reference. As you recall from the last meeting that we had, it was requested that we have a conceptual layout, because there was a preliminary site plan that was being offered for lot two in conjunction with the subdivision, which, lot two requires the right-of-way vacation. The conceptual plan right now, as far as in reference to being a convenience store/gas station, wanted to eliminate and show traffic flow to where there is no commercial traffic, no commercial trucks entering onto New Seib Road or Old Seib Road. The truck traffic pattern shown there, and is also part of the Power Point presentation that John Stoll has for you later on, shows that as far as with the commercial trucks coming in off of Kansas Road, entering the site, as far as from one direction, and entering and we're leaving the site off of Highway 57. Both of those entrances off of 57 and Kansas Road are right turn in, right turn out only channelized entrances. So, with traffic entering the site they are forced to go onto lot one, enter into lot two. They can do their fueling at the underground tank stations on lot two as needed, and then exit south onto Highway 57 to where they can then go from 57 to Highway 41 and other points throughout Evansville and beyond. One of the things that I have, going through the e-mail recommendations from Mr. Ziemer

and the Commissioners, one of the issues I wanted to address because, as it states in item six, letter of credit must be issued and the LEED-Sheffer Subdivision must be recorded in reference to the Commissioners giving the right-of-way vacation for this portion of Old Seib Road. One of the conditions that the Area Plan Commission has is that the right-of-way vacation has to be accepted and recorded first prior to the recording of the subdivision. I have forwarded an e-mail from Brad Mills to both John Stoll, Bill Jeffers and Mr. Ziemer stating this, which is, Justin, item six below would require a different subdivision layout showing existing right-of-way not vacated for Old Seib Road. My suggestion would be to have everything required for recording the subdivision submitted to APC awaiting the County Commissioners approval of the vacation. That would include the letter of credit, the final Mylar, and checks to record the subdivision. In essence, the Area Plan Commission would have everything ready to record, and once the vacation was heard, and then recorded the following day, with that recording information added to the plat and then the Vanderburgh County Area Plan Commission could immediately follow over with the recording information for the vacation and record the subdivision. The letter of credits would already be in hand, and I believe at that point we would satisfy the requirements that the County Engineer and the County Surveyor and County Counsel has requested.

Ted C. Ziemer, Jr.: Mr. Shofstall has correctly stated the proposed amendment to item six of our recommendation of earlier today. If those requirements were met it would be the recommendation of the County Attorney that, if you wish, that the vacation be approved.

President Winnecke: Any questions for Justin? Or, is there anyone...I'm sorry, Steve, do you have anything?

Commissioner Melcher: Not yet.

President Winnecke: Okay.

Justin Shofstall: I would like to point out too, as far as, again, with this being a conceptual plan, that layout is based off of the same drainage plan that was brought before the Commissioners on June 28th when the first reading was heard, when both the County Surveyor and the County Engineer were recommending for final approval both the street and drainage plans for this. That conforms to those same set of plans, and with those general notes, because I know that was a concern as far as, well, if they paved over it, if you pave over a ditch you have to provide the piping. That's also explained in those general notes, to where that conceptual plan, if they did that type of development on the lot conforming with the subdivision layout that we have and concurrent with the approved drainage plan or to be approved drainage plan...it's my understanding that as far as the Commissioners are being requested—

Ted C. Ziemer, Jr.: Is it likely that you'll be able to have all of this ready for the next Commissioners meeting two weeks from now?

Justin Shofstall: As far as the street and drainage plans that will not be a problem, because on that what we have to do is with the existing set of plans, all I've got to do is remove data, because this included, the last set included making sizable improvements to the intersections of Old Seib and Kansas Road, and to New Seib and Old Seib Road for making those improvements. With that being the case to where, to allow for commercial truck traffic, commercial truck traffic not being allowed on that portion of Seib Road, we don't have to do the improvements, we're

actually scaling down the plans to where they're more in conformance with the original preliminary plans.

Ted C. Ziemer, Jr.: You said, with reference to those things there wouldn't be any problem. Is there anything that's going to be a problem in having this ready for two weeks from now?

Justin Shofstall: Nothing that I can think of off hand. As far as, the one thing that I would like to clarify, as far as that, again, with the site plan suitable for submittal to APC for commercial site review, that's the full fledge design and everything else, what I would request as far as that, again, we're looking at a site plan compared to the whole, a conceptual plan. If they follow the intent of what we have as far as a conceptual plan, this is something that needs to be handled at site review and also can come back before the County Commissioners and the Drainage Board as well. If it's an absolute must have, then, yes, you know, as far as with the order of what needs to be done, street and drainage plans, of course, would have to be heard in two weeks before the County Commissioners. The client requires additional time to address those concerns on the site plan itself, and fine tweaking some of the other items that are listed on those six in the e-mail. That can certainly be addressed prior to the hearing and heard at that time on the, which would be September 13th County Commissioners meeting, which we would hope would be where we allow for the final reading of the vacation.

President Winnecke: Okay, anyone else that would like to....Justin, anything else?

Justin Shofstall: Unless the Commissioners have anything at this time, questions of me regarding this conceptual plan, and anything else from John Stoll in regards to his Power Point presentation that he has prepared.

President Winnecke: Anything else from the petitioner? John, would you like to come forward?

John Stoll: I just put the Power Point together to try and address the questions that came up at the last Commissioners meeting. I didn't really have a formal presentation, and I just put the slides together in hopes of showing how the LEED-Sheffer Subdivision and the Cameron Creek Subdivision both interact with one another. There were quite a few questions regarding numbers of driveways, and where the driveways would be located and things like that. So, the first slide that's up there right now, that just shows the relative locations of the two subdivisions. The gas station sites are right here at the dead end of Seib Road, and then the other one that's proposed is down here in this northeast corner of Cameron Creek Subdivision. Next slide, Brenda. It's lot two in Cameron Creek where the gas station is currently proposed to be on the south side. Lot one, we have not seen any proposed development plans for anything out there as of yet. Quite a bit of this has flood plain and flood way issues due to the creek running through here. So, I'm not sure what ultimately would go on that lot, but the only thing we've seen so far is a site plan that I'll show you further in these slides. Jump to the next one please. There were quite a few questions regarding the access to the proposed gas station there on the south side of Kansas Road in the Cameron Creek Subdivision. The way that that subdivision, the restrictions that were placed on that subdivision when it was recorded specifically said that there would be no access to Highway 57. So, it's access is currently shown to be in this location, and they also provided an access easement across the two lots, so that way, ultimately, another driveway could be constructed opposite Seib Road and shared by the two lots. But, unlike the LEED-

Sheffer Subdivision, the Cameron Creek Subdivision has no access at all on 57, and that's a restriction on that plat.

Commissioner Melcher: It looks like that first road is actually between lot one and two.

John Stoll: That is where they are currently showing an access proposed for this lot. So, it is shared on the property line--

Commissioner Melcher: So, that's a share on the property line like you were talking about?

John Stoll: Then, the intent was that, depending on how this was developed, a second driveway would have some sort of cross access between the two driveways. This is just the LEED-Sheffer Subdivision, you've seen this many times already, the gas station site is this site here, and the cross hatched area is the proposed right-of-way vacation area. Going along the lines of what Justin was talking about, though it doesn't show up real well, the green lines are where the perimeter ditches would be re-routed to eliminate the existing roadside ditches that run alongside Seib in the area that would be vacated. So, the west ditch would run along here and come down this, approximately down the lot boundary between lots one and two. The east drainage would be intercepted up where Old Seib and New Seib come together, routed along the north boundary of the sub, parallel to 57, and then eventually hit the roadside ditch along Kansas Road. Justin was making reference to the conceptual plan for the development of this lot, it was in this area where some additional pipes would have to be added that aren't currently shown on the overall subdivision drainage plan.

Commissioner Melcher: That's the original drainage plan?

John Stoll: Pardon?

Commissioner Melcher: isn't that what was said?

John Stoll: I'm sorry.

Commissioner Melcher: That was the original drainage plan?

Justin Shofstall: Yes, the one that's been proposed since then.

John Stoll: Based on the site plans that have been submitted for both LEED-Sheffer subdivision and for Cameron Creek Subdivision, here are the approximate driveway locations shown right now. The, this would be in the area of the shared drive between lots one and two in Cameron Creek. This is the driveway that's shown, as it stands right now on the plan that's been submitted for the gas station on this lot, and then the site plan that was submitted to APC for the gas station site here, that's approximately where their driveway was to be located. I wanted to bring the airport's proposed reconstruction plans into the mix here, because it does affect how everything would operate out here. The airport is proposing a second westbound lane on Kansas Road. It would, basically be an extension of the existing decel lane that is located here on Kansas Road, turning north onto Seib. This would be widened and extended all the way back to 57, and then a second through lane will be added down here on Kansas Road, in addition to the dedicated left turn lane. Given all of the driveways that would be located here, we have requested a raised

median to be constructed on Kansas Road between Seib Road and 57. That is one of the things that will ultimately make this a right turn in-right turn out driveway, and this a right in-right out only. The problem with the median, as it stands right now, is the airport has no guaranteed funding for their project. So, we have no timetables on when this section of Kansas Road might be rebuilt. It, based on all of the public hearings it supposed to be done by 2015, but we have no specific timetable as of yet, because they don't have any specific guarantees on their funding as of yet. So, ultimately this median will go in, but we just don't know when.

Commissioner Melcher: So, you're talking about that road being extended there on the property we're talking about tonight and turn on Seib Road, the New Seib Road? Is that what you said?

John Stoll: There's an existing right turn lane--

Commissioner Melcher: Decel lane.

John Stoll: -- right, right in this general area. The airport project extends that all the way out to 57, all this gray, shaded area. It stays within the existing right-of-way, the existing line is this red line here. So, no new right-of-way appears to be needed out here, but it does add a second lane for westbound traffic, and it will terminate into a right turn only where it currently ends, the decel lane right now. I just put this slide in here to show that the--

President Winnecke: To test our eyes?

John Stoll: -- that too, just to show that the driveway locations, as they've currently been proposed, do generally comply with the Area Plan Commission's zoning code, as far as driveway spacing and locations based on the amount of frontage that's out there. The two blocks that I highlighted are the pertinent parts of that code. Do you want to go to the next slide, Brenda? Here's the slide that shows the approximate distances as far as what's in the zoning code, and then what the available frontage is. We'd have one new driveway in 495 feet on the north side, and then two driveways in 440 feet on the south side. This is the site plan that was submitted to Area Plan Commission that went to site review for the gas station site at the northwest corner in the LEED-Sheffer Subdivision. This is a site plan that never was approved. Things that weren't submitted included; detailed drainage plans, there was nothing that showed how trucks would get in this site, in this driveway I should say, this was the site plan that would have necessitated trucks going out on to Old Seib and New Seib Road. The property lines didn't match what the subdivision showed, so, there were quite a few issues that were needing to be resolved in order for this go forward. As it stands now, this is still the only site plan that has been submitted for this location to Plan Commission, as far as I know. This is the conceptual plan that was done by Justin to address the truck issue. It shows a channelizing median here in the driveway that will force the trucks to make the right turn movement that keeps them off of Seib Road, both Old Seib and New Seib. They would go in off Kansas and come out on 57. One of the things that makes the raised median a key part of this overall project is the width of this, in order to accommodate the trucks, it's wide enough that until the median is in, people will use it for left turns in and out, because the width is great enough that it will just be too easy. We saw that in the island that was in the Foundation Drive up at Vanderburgh Industrial Park. Another example is the gas station up by Central High School, people routinely ignore those islands if there's physically enough room. So, that's where the median will play a key role in making sure that it is just right in and right out. This plan, like

it says at the top, it's just a conceptual plan. It's not been submitted, formally submitted for permits to the Plan Commission. This is the site plan that was submitted to site review for the gas station at the southwest corner of Kansas and 57 and Cameron Creek. It also has not been approved as of yet. They are still trying to address their drainage and their erosion control plans and things like that. So, as it stands right now, it's still a conceptual plan, although it has been submitted for approval, and we're still waiting on some details for that. That's all I had as far as a rundown of what the existing conditions are, unless you've got any questions on any of that.

President Winnecke: John, this was helpful. I appreciate you pulling all of this together so we can all kind of see, visually, what's going on out there. Any questions of John before we get to any remonstrators?

Commissioner Melcher: He's probably tired of listening to me. I do appreciate you getting back to me all of those times.

John Stoll: No problem.

President Winnecke: Okay, remonstrators? Anybody? Okay. I would say that John and I went out visiting with Mr. Wooton yesterday and walked through the latest plans that we'd had submitted. We do have some testimony from Steve Hess, who's the president of the Stonecreek Arbors Homeowners Association. It's rather lengthy, I will submit that. You don't want me to read it all, not that I couldn't, but it's very lengthy, but it is all information and data that they have presented in previous meetings. I believe, many of their concerns have been addressed. Mr. Hess met with the LEED developer last night, they talked about drainage plans for final construction, they discussed the traffic flow for right in and right out on Kansas and Highway 57, they talked about the elimination of Old Seib Road to prevent traffic flow. Landscape trees, I don't remember what that was about, landscape trees along both the south and east side of the lake, I believe was discussed and agreed upon. Prevent water and any flow of washout into the lake was agreed upon, I believe. Maintain the lots, in terms of mowing and grooming, and the median management of Kansas Road, obviously, that is going to be very vital and as the airport project continues we'll have to, all of that is driven by the airport project. So, does that fairly represent, Bob? Okay. Any other questions, concerns on this issue? So, if I'm pulling all of this together correctly here, Ted, and correct me if I'm wrong, we, in order to make sure the latest plans are submitted to APC, we need to continue the second reading of the vacation, is that correct?

Ted C. Ziemer, Jr.: Yes.

President Winnecke: Okay. In that case, I would entertain a motion to continue the second reading until such time....Justin?

Justin Shofstall: Yeah, I just wanted to add a caveat too, as far as to where, in regards to item six, as with the e-mail that Brad Mills had sent, that that be adjusted to reflect that Area Plan Commission would be holding the letter of credit, the Mylar, the checks for recording until that time to where the Vanderburgh County Commissioners can make the final reading and vote on the vacation, which would allow for the recording of the subdivision.

President Winnecke: So, I would entertain a motion to continue the second hearing of that with that caveat.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: There's a motion and a second. Any other questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Let me just thank everyone. There are a lot of moving parts to this. I appreciate everyone's patience on this. We'll try and get this wrapped up. I appreciate the developers reaching out and sitting down with the neighbors and vice versa. So, I appreciate the dialogue that's gone on, and we'll see if we can get this moving forward. Okay, thanks.

Justin Shofstall: Thanks.

Reading of Bids for VC11-08-01: Fickas Rd Culvert Wing Construction

President Winnecke: Okay, Mr. Ziemer, would you like to discuss the Aflac proposal to offer a free employee audit?

Ted C. Ziemer, Jr.: Yes, sir. I wonder if I might give the responses to the bids first?

President Winnecke: You certainly may.

Ted C. Ziemer, Jr.: For the Fickas culvert, we have two bids, one from Blankenberger Brothers for \$89,290, and one from Koberstein Construction for \$81,712.

President Winnecke: At this time I would entertain a motion to take those under advisement.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Okay.

Reading of RFP's for Pharmacy Services for the Jail

President Winnecke: For the requests for proposals for pharmacy services for the Sheriff's Office. Since these are responses to requests for proposal, I'm not going to read any amounts into the record, but simply, at this time, advise the Commissioners, for the record of the entities from which we received proposals. One was received from Westwood Pharmacy of Richmond, Virginia; one from Stratman Pharmacy in Evansville, Indiana; one from Diamond Pharmacy Services of Indiana, Pennsylvania; one from Paul's Pharmacy of Evansville, Indiana; and one from Contract, and the final one, from Contract Pharmacy Services of Warrington, Pennsylvania.

President Winnecke: So, your recommendation is what?

Ted C. Ziemer, Jr.: Is to take these under advisement for review of the responses to the request for proposal.

President Winnecke: Okay. I would entertain such a motion.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and second. Questions or discussion? Anyone from the audience? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you.

Aflac: Free Employee Audit and Offering of Aflac Products

President Winnecke: Aflac.

Ted C. Ziemer, Jr.: This is a proposal by Aflac Insurance Companies to conduct an audit of Vanderburgh County employees relative to the status of dependents of

those employees relative to coverage by the county's health insurance plan. I will advise the Commissioners that under the health insurance plan dependents of county employees are entitled to be covered under the plan until age 26 provided that those dependents do not have other health insurance coverage available to them through their workplace. If they do, even though they are under age 26, they're not eligible to be covered under the county insurance plan. The Auditor is advised and we are advised that in, I guess, various places throughout the United States where such plans are in effect, there are fairly numerous cases where inadvertently, I'll say, county employees did list their dependents for coverage, when, in fact, those dependents did have other health insurance coverage available to them through their workplace. I refer to those as ineligible dependent coverage. What Aflac proposes is, at no expense to the county, to conduct an audit of all county employees, and they would do that on a face to face interview type basis. In the course of that interview they will have questions relative to the status of the dependents of the employees. To the extent that those audits review, reveal employees who's dependents are really ineligible for dependent coverage but are listed for coverage, those dependents would be removed from coverage under the county's health insurance plan, which would result in a savings for the employee, though perhaps the need to obtain different insurance coverage by their dependents, and, of course, a savings for Vanderburgh County. In exchange, for, and, of course, there's no free lunch, in exchange for Aflac conducting these audits, they propose to, at the time of the audits, present to the employees a proposal to be covered by their catastrophic illness policy, which if any employee elected to do that it would be made available to the employee by Aflac for a charge to the employee. That would be strictly voluntary, and a matter between Aflac and the eligible employee. I'm advised by the Auditor's Office that they do not have personnel or the time available to conduct such an audit independently, and therefore, subject, of course, to the will of the Commissioners, would think this might be an appropriate way to have the audit conducted. Your action would be, if you chose to do this, to, just as a policy matter, authorize the Auditor to arrange with Aflac to have the audits conducted, and they would be conducted, I think, starting in October of 2011. We see no legal reason why this cannot go forward. It's really just a matter of policy for the Commissioners.

President Winnecke: Good evening.

Laurel Seger: He did a great job. I could not have done it any better.

President Winnecke: If you could state your name for the record, that would be great.

Laurel Seger: My name is Laurel Seger. I am with Aflac.

President Winnecke: Okay.

Laurel Seger: I have Tara Sendeweck with me as well. She is also with Aflac.

President Winnecke: Okay.

Laurel Seger: We did have a conference call, I think, with Joe and Jane Laib and, I'm not sure of the other gentleman, June 16th, and we explained pretty well everything that you did there, sir, and trying to help. With Aflac we've been partners with Vanderburgh County since 1975, Aflac has. So, we are always doing what we call wingspan. What that means is basically we are trying to enhance a lot of things

that we can bring to the plate, as well as not just our voluntary health products, but also the audit such as this, but, like he said, for that then we would like to be able to propose a critical care guaranteed issue product that is, seems to be going over very, very well because it is guaranteed issue and it is a lump sum type of product. That is something, you know, obviously, that we need, on the audit we would need mandatory to see each individual employee interviews, because we're trying to not only find out, like he just stated as well, trying to take care of who is eligible and who's not. There might be divorces that have never been found, there might have been, you know, dependents that are above age and things like this, that we are finding out that there's an average of over \$3,000 per dependent that we could save if we actually could find, you know, these type of ineligible dependents and things on your health care.

President Winnecke: Based on our, based on the size of our workforce, what number would you expect to discover?

Laurel Seger: Actually, I did the math. 850 is kind of the number of employees that we were told. We figure five percent of ineligible dependents, and that's times \$3,000 is what the average amount that we save towards dependents. That could save the county over \$127,500. That's, we've done, or they've done a lot of, lot of audits. The City of Toledo is probably the biggest one where they saved them over \$900,000.

President Winnecke: Wow!

Laurel Seger: Yes. They had bigger employee size than you all have at this point, but we can't even offer this unless it's a company over 500. So, that's not something we do for all small businesses. They have to be 500 plus employee bases.

President Winnecke: Help us understand the manner by which you conduct these audits. I understand they are in person, how long are they? It seems like it would take a long time to go through this.

Laurel Seger: Yes, we are trying to keep things anywhere from 20 to 30 minutes at the very most. Because we are, obviously, have to ask the required questions that each person will be asked. If there's any kind of documentation that has to go with proving of, you know, let's say someone's children's guardianship or something, we don't handle those type of forms. Those will go to our imperative company that will take care of the documentation. I think that's in there as well. We are figuring, I know Tara and I talked on the way here, to talk to each and every person, if they have questions it might be up to 30 minutes, but mostly it would be around 20, 20 to 30 minutes each person. Does that answer?

President Winnecke: Yes, it does. Then, help us understand what the critical illness proposal is that you would be outlining.

Laurel Seger: That's my girl here. She's going to talk about that.

Tara Sendeweck: This has actually been Aflac purchased—

President Winnecke: Excuse me, Tara, could you state your name for the record?

Tara Sendeweck: Tara Sendeweck. You don't have to spell that, I'll give that to you later. Aflac purchased a company, a group platform that Aflac's been unable to do

before. We all know that there are health issues and there's underwriting questions with most insurance companies, and our critical illness plan will actually insure someone and pay an employee a lump sum of \$10,000 if they go through cancer, a heart attack and there's certain critical illnesses, hence the name of the policy. The big thing for us is that there are no guaranteed issues. Again, this is something that Aflac personally has been unable to do for about a year, and, again, there's a certain employee limitation as far as how many numbers. So, that's what we're trying to do with heart disease being the number one killer of women, one in two men dying of cancer, and one of three women dying of cancer, your employees need that supplemental coverage. Even though you have great health insurance, that's not paying the bills at home. So, again, this group critical illness has gone over very well in most municipalities, but also just everywhere, I mean in the country.

President Winnecke: What's the expense for that?

Tara Sendeweck: It's very hard to say because it is based on age, and it is based on tobacco use, unlike our other Aflac policies.

President Winnecke: Say someone was 51 and a non-smoker.

Tara Sendeweck: I was going to give you a 30 year old.

President Winnecke: Well, that would be very kind of you, but, oh, I'm sorry.

Tara Sendeweck: I don't have rates, let's just say.

President Winnecke: You can use your example, I'm just teasing.

Tara Sendeweck: Like a 30 year old example—

Laurel Seger: Excuse me a second, don't you all have those?

Commissioner Melcher: There is something in here.

Tara Sendeweck: Oh, there are rates?

Laurel Seger: Yes.

President Winnecke: Oh, there is? I apologize.

Commissioner Abell: You can be any age you want to be.

Commissioner Melcher: Yeah, just pick one out, non-smoker, smoker.

Commissioner Abell: You could be 30.

Tara Sendeweck: But, there's a lot of things within that policy too, for instance, our biggest people that we are signing up are , for instance, are 30 year olds, because they can purchase a policy, or let's say 29 since there's, that's the youngest age bracket, they can purchase the policy for about \$100 a year, get a \$50 wellness benefit and it's a \$50 policy a year for the rest of their lives, because Aflac doesn't increase their rates. So, yes, a 50 year old is going to see the need for this policy, and so, they might be more willing to pay a little bit more because they have that family history, or they've had those risk areas, but, you know, we're just going to

inform everyone what the coverage is, and really that the rates are locked in and this money is coming to them.

President Winnecke: Joe, we could do that through employee deduction, payroll deductions?

Joe Gries: We currently have deductions for Aflac, and we would continue that, yes, for this as well.

Tara Sendeweck: I think, and I feel like we proposed this to Jane, or what we've actually showed, but because we pre-tax the Aflac policies, unfortunately, life insurance, short term disability and this is not pre-tax, but we do pre-tax a considerable amount of Aflac policies based on the section 125 regulations. We do save the county a considerable amount of money. Again, this is not a cost to the county. Yes, it is your employees time, but when you are giving them a benefit at no cost, and now they get that group rate, plus you're saving tax dollars, they're saving tax dollars, now we're throwing in the audit, it's kind of a win-win for the employees.

President Winnecke: Okay, any questions of Laurel or Tara? Joe, would you have anything to chime in on?

Joe Gries: I would just add that this, the audit is comprehensive, and it's not specifically, well, it's looking for these possibly ineligible dependents, but we're going to gather a great deal of information about all employees; address changes, people don't always, information that comes to our office, we don't have that. Like they had mentioned, divorces, getting married, adding dependents, those things will be found out as well, will help us better, you know, keep the records for all of the county employees and make sure everybody is where they need to be.

Tara Sendeweck: If I can just add, doing a service for your employees, we have been unable for years to get to see all of the employees. So, it is a disservice to any of our Aflac policy holders, that if we're not seeing them, there could be unclaimed money on the table. Aflac's very willing to pay their claims, but if they don't know necessarily where to go, how to file, unless they're getting in front of an Aflac person it's not the easiest process. So, just another benefit for the employees.

President Winnecke: Anything else? So, we're looking for a motion to approve the Aflac employee audit.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Mr. Jeffers? I thought you were taking a lot of notes over there.

Bill Jeffers: Bill Jeffers, Vanderburgh County Surveyor, father of two adult daughters who are both over the age of 26 and not claimed as dependents. So, this is not really a voluntary interview by Aflac representatives on county property, but it's a mandatory catastrophic offering. Is that correct?

Ted C. Ziemer, Jr.: No.

Bill Jeffers: It's a mandatory interview.

Ted C. Ziemer, Jr.: It's a mandatory interview—

Bill Jeffers: During which there will be an offering of a catastrophic policy to the employee.

Ted C. Ziemer, Jr.: But, the purpose of the interview is to get answers to the questions that we're talking about.

Bill Jeffers: Right. So, it's a mandatory, comprehensive audit, in exchange for the exclusive right of Aflac to solicit business from county employees.

President Winnecke: Yes, but—

Bill Jeffers: Could it be characterized as that?

President Winnecke: It could be, but as a county employee if you decide, you could opt, you could complete the audit and say I'm not interested in ten seconds and get up and leave.

Bill Jeffers: Could I sign a waiver saying that I have no adult dependents who are currently eligible for or participating in the—

Ted C. Ziemer, Jr.: I wouldn't think so, Bill, because they're going to, as it was stated, they're going to ask other questions—

Bill Jeffers: Right.

Ted C. Ziemer, Jr.: — you know, relative to your employee status.

Bill Jeffers: So, are you giving them a contract?

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

Bill Jeffers: So, they're performing a service that the Auditor should be performing in exchange for the exclusive right to solicit an offer, a product?

Ted C. Ziemer, Jr.: That's your characterization.

Bill Jeffers: That's my characterization. I'm not asking for an answer then.

Joe Gries: President Winnecke?

President Winnecke: Yes.

Joe Gries: Our office, our Bookkeeping Department has one person that handles insurance and benefits. Obviously, the county has over 800 full time employees. This is something that we ask for information from the employees, and we update, you know, everyday of the year, but to do a comprehensive audit continually to gather this information would be very difficult for our office.

Bill Jeffers: Are you aware of the questions they might ask, Mr. Gries?

Joe Gries: Yes, I am.

Bill Jeffers: Can you print those out on a form and circulate them to our employees and ask them to answer yes, no or don't want to?

Joe Gries: We can, but, there again, this is an opportunity to make sure that everyone has the ability to provide the information exactly, you know, what is needed, then is offered the—

Bill Jeffers: Right, then offered, then the exclusive right to offer a product that might be available from another, a competing corporation for a lesser or greater amount, the employee would be free to choose, well, I would rather go with Progressive or whomever.

Ted C. Ziemer, Jr.: Well, they're still going to have that option, Bill. They hear the proposal and decide. They are free to go out afterwards and try to find another insurance company that will provide the same kind of coverage for whatever they want to pay. You know, they're free to do whatever they like regarding the product.

Bill Jeffers: How do they determine whether or not I do have a dependent that is, I mean, they're just asking questions and then forwarding that information to the Auditor really. Are they going to have somebody there to swear me in or something?

Ted C. Ziemer, Jr.: I don't think so.

Laurel Seger: I would imagine that it would be on the honor system.

Bill Jeffers: Well, that's what we're on now.

Laurel Seger: One thing too, just to share with everyone, we've been in business with you all since 1975, and it's always been voluntary. It's always been for your employees to know that they have this opportunity, and if they so choose to take it, or so choose not to. You know, I mean, that's always been the situation here. So, I feel like with us holding your section 125 as well, you know, with the pre-taxing and everything, it's just such a—

Ted C. Ziemer, Jr.: How are the employees advised of your other products that you currently sell in Vanderburgh County?

Laurel Seger: Whenever there's new employees, then we actually sit and present to them, you know, best we can. Then they can choose to take it home and talk to their spouses, and then either they sign up or they waive.

Ted C. Ziemer, Jr.: So, you could wait until the open enrollment period and offer this if you wanted to, but then you would not be conducting an audit service for the county?

Laurel Seger: That is correct. It's really such a process that we feel like, and I think Joe was in on the conference call where it just seems to work really, really well if it's outside of the open enrollment, because then we're talking major, we're just talking about a lot of different things, where we streamline the audit and, obviously, this critical care product that we just shared with you. But, they are aware of all of our products, I would hope, and that's what we're trying to do as well is, you know, communicate. I mean, again, everything is voluntary, and I think this audit is just going to be so streamlined. It's going to be so, you know, professional to get, not just

a piece of paper being passed around back and forth. You know, that's the way it is meant to be. It's meant to save you money is what it's meant to do.

President Winnecke: Okay, we have, we're going to go, one last thought there, Tara.

Tara Sendeweck: If I can just add, usually this audit, and I think you were there, costs \$25 an employee. So, while it may be looked at as soliciting business, Aflac's actually saving the county \$25 an employee without the promise of a sale. So, I just want to kind of state that, that we're not charging anyone to do the audit, but there is, obviously, an incentive to just explain and educate the Aflac. So, I just wanted to state that.

President Winnecke: Okay, thank you. Okay, we have a motion and a second on the floor. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: I'm going to vote yes, but I would hope that you're just going to make an offer and it will be a soft offer.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I would rather have more time to study this and look at this instead of voting tonight. So, I'm going to abstain.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-1. Commissioner Melcher abstained.)

President Winnecke: Thank you, ladies.

<p>Interlocal Agreement Merging the Building Inspection Activities: Building Commissioner & DMD</p>
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President Winnecke: Department head reports, oh, I'm sorry. Mr. Ziemer, merger of the building inspection activities of the Building Commissioner and the Department of Metropolitan Development.

Ted C. Ziemer, Jr.: Have we already done the agreement for the Assessor?

Commissioner Abell: Yeah.

Ted C. Ziemer, Jr.: We did that?

President Winnecke: Yes, we did that. Oh, hi, Ben.

Ben Miller: How are you?

President Winnecke: Ben Miller, the Building Commissioner is here.

Ben Miller: Ben Miller with the Building Commission.

President Winnecke: You and Ben might give us a brief overview.

Ted C. Ziemer, Jr.: Sure.

Ben Miller: Certainly. This is an agreement amending our existing agreement between the county and the city for the Building Commission. Ted made some changes, you know, from a revenue standpoint where our revenues would come in, be calculated, then we would add our Community Development Block Grant funding, would exhaust that before the county's portion would come into play. That changes the county's ownership in the Building Commission from 50-50 to 75-25. I would be glad to answer specific questions. It also allows for a much more efficient operations. We are able to eliminate three open positions and one through attrition, saving over \$250,000 by doing this. We have the support of the Southern Indiana Builders Association, Southwest Building Trades Council, and the Property Owners and Managers Association as well.

Ted C. Ziemer, Jr.: Ben, perhaps—

Ben Miller: Yes, sir.

Ted C. Ziemer, Jr.: — you might explain, currently the split between the city and the county under the current interlocal agreement is 50-50. Under the new agreement the new funding process is going to change to 75-25, and perhaps you can explain the reason for that to the Commissioners.

Ben Miller: Well, the reason is our budget is increasing and our work that we perform in the county is changing. So, from an ownership level it would be more responsible to make that 25-75 versus 50-50. That would keep the county's commitment the same that it is now. So, we'll be doing more work in the city, under a joint department we'll have many more employees.

Commissioner Melcher: So, as far as, and I'm glad we're doing this. If you remember, I think you was on the job two weeks—

Ben Miller: That's right.

Commissioner Melcher: — when I came to you and said Roger Lehman and I decided to try to do this, but three different Mayors and I couldn't get this done. I'm glad we're able to get to this point at this time. Wouldn't there have to be some, the ordinances in tune with each other? Or are you going to operate them separate?

Ben Miller: Currently the ordinances for—

Commissioner Melcher: The city?

Ben Miller: — DMD are very much all within the city limits.

Commissioner Melcher: Yes.

Ben Miller: So, I think our county ordinance would stay the same. There may be some things we would have to review.

Commissioner Melcher: In the past, the way it was set up, DMD did all of the code enforcement—

Ben Miller: That's correct.

Commissioner Melcher: – on residential. You did all of the commercial, and then everything out in the county.

Ben Miller: Everything in the county as well as we did all of the residential–

Commissioner Melcher: Right.

Ben Miller: –inspections in the city from a building and remodeling standpoint.

Commissioner Melcher: Right, so this time, this is ten years coming as far as I'm concerned, because this has been set up two or three different times and we just couldn't get to first base. So, I'm all in favor of it and I'm glad that it's something, that we finally made it.

Ben Miller: I think one of the biggest missing pieces was how would we be able to report for federal funding, and our new software system has really solved that. I think that's really helped us get over the edge.

Commissioner Melcher: Well, that was always a problem in the city, because DMD can only use 25, 75 percent of their funding can only be spent in the focus neighborhoods, which is 12.

Ben Miller: That's correct.

Commissioner Melcher: And, only 25 percent outside that. So, that's why we kept screaming about this, because we couldn't get everything inspected outside the focus neighborhoods.

Ben Miller: With our new software system, we'll be able to track our activities and be able to report on them to obtain reimbursement for the activity versus having to fund an entire employee.

Commissioner Melcher: So, all the grass and housing and all of that is going to be under your bailiwick?

Ben Miller: Yes, it will all be under one department. The citizen will have one place to call for anything building related, city or county.

Commissioner Melcher: That's great.

Ted C. Ziemer, Jr.: I would just point out to the Commissioners, that if it is approved by the Commissioners, this still needs to go to the City Council and to the County Council–

Ben Miller: Yes, sir.

Ted C. Ziemer, Jr.: – before the interlocal agreement will be approved.

Ben Miller: Yes.

President Winnecke: Any other questions of Ben? I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or further discussion?
Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I'm going to have to vote in favor of this. It's 10 years late,
but I'm going to vote yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thanks, Ben, I appreciate your work on that.

Ben Miller: Thank you very much. Appreciate it.

President Winnecke: Thanks.

**Approval of Resolution CO.R-08-11-007: Approving an Interlocal
Agreement with the City of Evansville: Building Inspection Activities:
Building Commission and DMD**

President Winnecke: Department head reports. Ted, did you have anything outside
of what—

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

President Winnecke: John Stoll, did you have anything else?

Madelyn Grayson: Excuse me, isn't there a resolution also that has to be passed
with that?

Ted C. Ziemer, Jr.: Well, yes, I'm sorry. I mean, they've approved it, but, yes, I think
specifically we ought to approve the resolution. It's a resolution to approve the
interlocal agreement. Good catch, Madelyn.

President Winnecke: Good catch, Madelyn. I would entertain a motion to approve
the resolution approving the interlocal agreement with the City of Evansville.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

County Engineer

President Winnecke: You're on.

John Stoll: I've got two things, the first is a change order on phase two of University Parkway. This is for an increase of \$64,561.15. This reconciles all of the pay items on the contract that had net changes of increases or decreases that exceeded \$20,000. There were eight items that met that criteria. There was also payment for a pavement bonus that added \$71,931 to the project. If it wasn't for the pavement bonus that was paid in accordance with INDOT specs, we actually would have seen a net decrease in the entire project, but that bonus payment is what caused this increase. So, long story short, we've got an increase of \$64,561, 20 percent of that will be the county's share which is \$12,912.23. I would request approval.

President Winnecke: I would entertain a motion to approve the request.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: And that, other than the embankment slide, that pretty well closes out the project. We'll still have another change order to deal with the embankment slide, but that is the only pending issue on phase two of the project.

President Winnecke: Where do you stand on that, John?

John Stoll: It's been rebuilt and they're in the process of trying to figure out the final quantities to get the final payment on that. Ballpark estimate is in the neighborhood of \$100,000. So, it's come in less than what we had anticipated originally. It should be covered with the federal road money rather than any of the disaster emergency funds that were being pursued. Long story short, we ended up getting the project moving ahead prior to the actual approvals of the emergency funding sources. So, in order to keep the project moving, it was just done with the road funds. It doesn't really have an affect on phase three of University Parkway or any other road projects. So, it shouldn't cause a problem with using the road money.

President Winnecke: Okay.

John Stoll: The other item I have is approval on a right-of-way purchase offer on parcel nine on Millersburg Road. This is the Nathan and Danna Cook property, and the offer amount is \$10,300.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Winnecke: Thanks, John.

John Stoll: Thanks.

Board Appointments

President Winnecke: Next, board appointments, the Criminal Justice Planning Committee. We need to have a Commissioner on that organization. Commissioner Abell has agreed to sit on that committee.

Commissioner Melcher: Thank you. I knew it wasn't my turn, but I was just wondering.

President Winnecke: So, you're appointed.

New Business

President Winnecke: New business, discussion of the Old Courthouse Superior Courtroom rentals. These are recommendations from Marissa in our office that SMG will actually handle the rental of the room, with similar terms and conditions of the current event rental agreement for the Ballroom. \$250 to rent the room if it's used in conjunction with a rental of the Ballroom. \$500 to rent the room if it is not using the Ballroom, and off duty security must be hired for events. I think all of which seem fair to me. Any questions? Marissa, anything that you would like to add to that? In that case, I would entertain a motion to approve these recommendations.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Okay.

Old Business

President Winnecke: Any old business to come before this body?

Public Comment

President Winnecke: Any public comment?

Consent Items

President Winnecke: Okay, we'll get into the consent items. I'm having difficulty speaking tonight. I would entertain a motion to approve the consent items.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second, Madelyn, would you read them?

Madelyn Grayson: The consent items for the August 9th meeting are as follows; approval of the July 26, 2011 Commission meeting minutes; employment changes for the Commissioners approval, there are two for the Co-Op Extension and one for Burdette Park; the County Commissioners have a request to appropriate \$107,500 to Park and Playground line item, and a request to transfer \$107,500 from Park and Playground line item to Voting Equipment line item; there are notice to bidders regarding 810 East Gum Street and 712 Waggnar; the FEMA response letter regarding denial of individual assistance program for FEMA-1997-DR-IN; the Sheriff has a waiver of Centre fees/not overtime for recognition/swearing in ceremony on September 6th; the County Engineer has pay request number 133 in the amount of \$48,060.73 for TIF projects; Burdette Park has the yearly comparison from January through June from 2010 to 2011; Legal Aid Society has the second quarter 2011 budget; Public Defender has the State Public Defender Commission reimbursement; the County Clerk has the June 2011 monthly report; the County Clerk also has a two week FMLA extension request; the Auditor has the July 2011 A/P vouchers; and there are department head reports from the County Engineer and the Ozone Officer.

President Winnecke: Any questions on the consent items? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Madelyn.

**Second/Final Reading of Rezoning Ordinance VC-1-2011
Petitioner: New Urban Investments
Address: 15201 Peck Road
Request: Change from AG to R-3 with UDC
Action: Approved 3-0**

President Winnecke: Next, rezoning we have the second and final reading of rezoning ordinance VC-1-2011, New Urban Investments which is at 15201 Peck Road, change from Ag to R-3 with a use and development commitment.

Janet Greenwell: Good evening. Janet Greenwell with the Area Plan Commission, and I haven't seen you guys for awhile. Brian Murphy is here with New Urban Development, New Urban Investments. The Plan Commission did hear this at their last meeting and recommended approval with eight affirmative and one abstention. Basically, it's being followed up with a subdivision that is scheduled for our meeting in two days, assuming this zoning is approved. The one issue that came up during

the rezoning that was most discussed was the access to Peck Road. That was the catalyst for the resolution that came from Plan Commission. That was a request to County Commission and County Council to please find some money to widen Peck Road from Baseline to Old State. It was brought on by the need for improvements, because Peck Road is a single lane at some parts, and the 210 dwelling units could typically increase the traffic considerably, and there were safety issues brought up by John Stoll and Brad Mills of MPO. So, it did obtain a recommendation for approval, but with a strong emphasis that they want the road improved.

President Winnecke: Do we have questions of Janet?

Commissioner Melcher: No, but I think they also said this was actually passed by some kind of resolution in 2006 to improve Peck Road, or something from Area Plan to come.

Janet Greenwell: Something came from Area Plan in February of this year. That was a resolution requesting that emphasis is put on widening and improving Peck Road. I believe the School Corporation with their new access there precipitated some of that. We didn't anticipate at that time a subdivision of this magnitude also entering on to this. They do have an alternate access through Kingsmont and Chadwick Subdivisions. The recommendation from the County Engineer and from MPO was that no access be allowed to Peck Road until it's widened.

President Winnecke: Is there anyone who would like to speak for the petitioner?

Brian Murphy: Good evening, Brian Murphy, I'm managing member of New Urban Investments. I made a copy of the presentation for each of the Commissioners. I think it is important to note that this is, the rezoning that we're asking for, the R-3 to Ag¹ is primarily for the concept of the subdivision that we are moving forward with, which is based on a traditional neighborhood design. I'm not going to read the whole slide to everybody, but just keeping in mind that this would allow for a range of housing styles with a network of well connected streets and blocks. It creates the human, public spaces that the streets and the sidewalks create, a variety of amenities that, obviously, this neighborhood is going to end up bringing together between Scott, Kingsmont, Chadwick, our proposed subdivision and, hopefully, linking that to the new high school across Peck Road. I do have a slide, which kind of shows a traffic flow, and kind of where alleys are at. The blue up here is, obviously, where the alleys are going to be at for this neighborhood design. The green line, which goes from Chadwick—

President Winnecke: Can you help us with the orientation?

Brian Murphy: Yes, sir. Off to this side would be Kingsmont, a little further over would be Scott Elementary, moving this direction across, this is going to be a proposed bike path from Chadwick Subdivision, where I'm currently building homes, which connect over into Poet's Square, which is the larger squared off area. We've kind of designed this to create a bikable/walkable area, trying to get towards North High School, across that Peck Road, which is going to be a matter of conversation, I'm sure. One of the reasons we've tried to incorporate that, is keeping in mind the Safe Routes to School Initiative, which the Welborn Foundation has been very prevalent in here locally with the Movement Initiative. It's had a lot of local press. I

¹Should be AG to R-3.

know David Goffinet, who I did a presentation with last week at Welborn Foundation, they were very in favor of, I don't think anybody could be here tonight to speak towards that, but as far as the neighborhood concept in connecting existing with what's coming out there with North High School, it was very favorable. I do have a calculated economic impact, seven to nine million condominium sales, and between \$26 and \$30 million for the single family residential. I think it is important to note that this subdivision kind of came to fruition between a lot of conversations with Brad Mills at Area Planning, you know, he suggested the R-3 to try and stay away from the public planned unit development, which gets a little contentious at times and making sure that things are right or wrong. It creates a subdivision layout. It will allow the subdivision to grow and allow those variety of housing types as opposed to it just being a 65 foot wide garage left or garage right subdivision, which is everywhere. I think this will just create a more unique neighborhood also for Evansville to be proud of. It's going to create that extra tax revenue for the EVSC capital, which everyone knows the majority of our tax dollars go towards schools. It allows that variety of home ownership, and it's, most importantly, the subdivision will end up connecting Scott, Kingsmont, Chadwick, this development with the new North High School. It's being done, I know the staff field report pointed out, you know, it needs sidewalks, and I agree, and we've gone forward and have, you know, we know it needs the sidewalks, we're putting the bike path in, we're trying to create that neighborhood sense where the kids can walk or ride to school, and that R-3 helps the neighborhood work in that fashion.

President Winnecke: Brian, what are the price points for the homes and the condominiums?

Brian Murphy: I would say, low end is probably going to be around the \$145,000 range, and then upwards of \$220,000. I mean, currently what we're selling right now is to a lot of single, first time buyers with small children. It's their first home, but they're buying in the \$220,000 to \$230,000 range in Chadwick right now.

President Winnecke: I was out there yesterday, is Chadwick the one immediately adjacent to 41, Brian?

Brian Murphy: Yes, sir. Natalie Drive, at the end of the road, is kind of the dead end where we would be taking off and what we would consider our first phase.

President Winnecke: What do those homes run?

Brian Murphy: Two, we have several for, getting ready to close between \$219,000 and \$170,000.

President Winnecke: What percent of your development would be condominiums and what percent would be homes?

Brian Murphy: I would say the homes would be 90 percent of the development.

President Winnecke: I like the fact that you've added the, my microphone's not even on. I like the fact that you've added the bike path and are considering the, sort of the walkability and family friendly nature. You've mentioned a couple of times connecting to the school campus, how do you envision that?

Brian Murphy: With my discussions with the Welborn Foundation, and I would really like to see some traffic calming devices across Peck Road, either through road

tables, kind of a raised sidewalk, not necessarily a speed bump, but it draws attention to the fact that there is a dedicated crossing for either bikes or pedestrian traffic, that, you know, it reduces the speed of traffic, but also draws attention to the fact that there's some sort of dedicated walkway. I don't know if flashing lights would work, or signage is the answer, but, just across Peck and through, without having actually the full on site plan that EVSC is going to be using, I mean, just the way that it....where we're at it just seems to flow into that site really well.

President Winnecke: So, is that something that you, as the developer, would provide?

Brian Murphy: Across the Peck Road, I mean, I think getting up to it we are looking to try and get it where it needs to be up to where, I think, public monies are going to help get it across the road. I know, the Safe Routes to School Initiative, and the Movement individuals were really discussing how to try and help with either grant monies through the Safe Routes to School Initiative, which is more of an Indiana Department of Transportation concept. I believe it's, Michael O'Laughlin kind of heads that up, but, I think they had spoken about they had already exhausted their grant possibilities for the year, but, I mean, I don't see us getting to that point probably within another probably two years at best really.

President Winnecke: Then what is your time line for this development, and, I mean, do you have funding in place, do you have, is all of that ready to go?

Brian Murphy: We are, we have comfortable funding to move forward with our first phase as conceptual, which would basically be, I don't know if we can get back to the slide which shows the subdivision proper. I think it was on up, there you go. I'm not used to walking around with a microphone, sorry.

President Winnecke: You get used to it, believe me.

Brian Murphy: As we come off of Natalie Drive, which would be here, this first area we're talking about developing would be primarily this, what I'm calling the block, the first block out of Chadwick, and then conceptually probably moving next block, and then, at that point, probably moving, and at that third phase we're probably looking at within three years, best case, I think,

President Winnecke: Where are the condos versus the homes in that subdivision?

Brian Murphy: We've outlined everything here with a traditional garage left or garage right subdivision look. So, these will all be front load garages, kind of like what you have in Chadwick or in Kingsmont. The condominiums that we have will be lot 129 or lot 128.

President Winnecke: Oh, okay. Okay, any other questions of Brian?

Commissioner Abell: How many people will be living in the condos? Are they going to be like high rises or just attached on the sides?

Brian Murphy: Really, the condominium concept has come around more for empty nesters. We're getting a lot of people who would like to live near the grandkids, but they don't necessarily want the bigger yard, the bigger house, they don't want the extra bedrooms for the grandkids to necessarily spend a whole lot of time there, but they would like to live close. We don't really have, we're really not selling to anybody

who's, you know, in the empty nester market. That's just kind of something that we would like to be able to offer in that area. It would be, I think our use and development limits it to single story.

Commissioner Abell: Okay.

Brian Murphy: One story.

Commissioner Abell: Okay, thank you.

Brian Murphy: Yes, Ma'am.

President Winnecke: Steve?

Commissioner Melcher: I guess, the alleys that you talked about and these trails, who's going to maintain them in the long run?

Brian Murphy: The way that we're planning on setting it up is a good homeowners association, and the alleys themselves will have a common right-of-way easement, and I may defer to my surveyor/engineer on that, but as of right now we're primarily looking to do the alleys as a center line, I think, common easement between the property owners to actually maintain.

Scott Buedel: Hi. Scott Buedel with Cash Waggner and Associates. Whenever we initially drew this up, we drew this up as having a whole alley back there. That was going to be dedicated and maintained by the county, and John Stoll, I guess, has talked with you, presented that to you and the suggestion is to come back and have those privately maintained. So, the alleys will be in an ingress/egress easement on the rear of the lots, and then other utilities and so forth will be back there too.

Commissioner Melcher: Thank you.

President Winnecke: Brian, I would, another question, in terms of your access, or construction access to this area, how do you, what's your vision for that?

Brian Murphy: For the actual development of it?

President Winnecke: Right.

Brian Murphy: I know that Chadwick, when it was developed, and you may, this might be a good slide to show it off of, the, Chadwick itself was actually forced, this is Chadwick here, they had an actual construction entrance for their equipment, machinery to come up all the way back through here. They put in a rip rap road all the way back up through there. That's where they entranced it from. To get our equipment in, we're probably looking at doing kind of a construction entrance here, probably similar to what the school district has or has been using on this back side. They've had a lot of heavy traffic, and possibly even a refueling site back there, but, and, you know, when we say the construction traffic, it's not like it's going to be everyday. I would say that there's going to be machinery dropped off and then—

President Winnecke: It's going to be there for awhile.

Brian Murphy: —yeah, it's not like it's going to be in and out, in and out. It's, once the machinery gets on, in place, there will probably be more of just somebody driving to

work every morning and then parking and walking over to the heavy equipment to make that, do what they've got to do with it.

President Winnecke: So, to clarify, your plan is to have that access off of Peck?

Brian Murphy: I think Kingsmont, and then the Chadwick individual homeowners would probably rather see something like that.

President Winnecke: I would think. Okay.

Commissioner Abell: You'll access Peck through Baseline?

Brian Murphy: Or possibly Old State. I know it's got an entrance or exit on either end there, Ma'am.

President Winnecke: Any other questions of Brian? Brian, did you have anyone else who you would like to speak on your behalf? Any remonstrators here that would like to speak?

Mike Ruder: Good afternoon. My name is Mike Ruder, R-u-d-e-r. I live at 15034 Wheatcroft Lane, which is on the access road he just talked about that they did on the construction. I'm just on the other side.

President Winnecke: Can you point—

Mike Ruder: I'm not going to take the mic.

President Winnecke: Oh.

Madelyn Grayson: Sir, we can't get your comments on the tape unless you have that microphone with you.

President Winnecke: Okay, he's just going to—

Mike Ruder: They did use the construction at the very beginning, but that's all they did. It was in '06 that they were to use that road, and they failed to do it. I'm not against Brian's development. I'm against how it's being proposed. I just went to, here at the Centre, Sustainable Evansville Coalition. You may have heard about it in the papers. It's a, it's Vanderburgh County, Evansville, Warrick and Henderson. It's about thinking ahead, how you want to perceive the community as a whole. How you want this community to grow and prosper, and have the things that we don't have now in tax base and how you accomplish it. In other words, it's a master plan. Right now, we don't have a master plan, or if we do, we don't stick with it. What he's proposing flies in the face of what this conference was about. You cannot accomplish, this is going to developed no matter what, but it's up to you guys to see how it gets developed and the best usage for Vanderburgh County. There's other ways to get the tax base that he's talked about, and I've done it. I have to think outside the box in what I do everyday, constantly. This isn't it. This is going to cost the community a lot of money. You say how? What do you have here? You've asked the questions. Stop and think about what is going to propose to happen out there? You guys make the decisions on how that's going to be developed in the future. I just have to ask you, what kind of services do you think these people are going to need in high density living? I'm sure, on their side they're going to say this is not high density living, and it is high density living if you figure what's out there

now. You already have a facility on 41 asking for bus service, correct? Well, we didn't tell him to build it out there, he could have built it back off of Stockwell where it was originally at, and had bus service there when it came out of Cincinnati. He chose to put it off of 41, his factory. I'm fine, but why should we, as taxpayers, subsidize a bus service for him? High density living is going to require services, period. Not now, not five years from now, but it will. It's a fact. So, I have to, you know, implore you that you need to think about how you want to go about developing this area, because it's going to get developed one way or another, but how we go about it and the best usage of the land, and at a cost savings of the taxpayer, not only now but down the road. The issue is here is the road, of course, it's the road, it's a very narrow road, Peck Road, but that's, you have to look at the big issue, not just the little issue. I'm for him making all the money he wants to make, but I don't want it on my back down the road with higher taxes because now we have to provide more services because you have high density living. It's just a thought.

Commissioner Abell: Are you against the number of houses he's putting in there?

Mike Ruder: Yes.

Commissioner Abell: Is that what you're....okay, I'm trying to extract what you're trying to say here, but I'm not following you, I guess. So, you think it's too many by 50 percent, by ten percent?

Mike Ruder: I think the kind of, the people that are going to be living out there are going to be required to have services that the services that are provided in the city now down the road is what I'm saying.

Commissioner Abell: I guess, I don't know what you mean by the kind of people that are going to be living there. Do you mean, you think there will be people there who won't be able to afford automobiles? At \$250,000 for a house?

Mike Ruder: Well, I don't know. What he puts in there is, he can change, you know, you can put a little bitty, I'm just saying that what you have now is high density, and that flies in the face of this committee that this needs to be in an area where services are being provided now. That's just my take on it. Like I said, I'm not for him not making all of the money he can make, I'm all for that. I'm just thinking that we need to think long and hard how we're going to develop this area. It's a very large area, and how we go about it, and not just this and this, you know, be consistent on how you want to go about developing the area. Peck Road is a side issue that's going to get taken care of one way or another. It should have been taken care of 20 years ago, but, and that is a great issue when he starts building. You know, you don't have high density living out there now. You're going to have it and this will be the start of it. It's just something to think about, the big picture, don't think about the little subdivision this one time. Think about the big issue of what you are responsible for for this county.

President Winnecke: There are two subdivisions, I mean, I guess high density is in the eye of the beholder, but, I mean, there are two subdivisions adjacent to the proposed site that, I guess, I would consider as high density. I don't know what the numbers are.

Mike Ruder: Well, when you do a smaller lot and now you have to put an alley in the back, you're crunching, you're crunching the lots.

President Winnecke: Well the alleys are meant to be as an amenity, I believe, right? It's just a different way to—

Mike Ruder: Are you not going to have where that's going to be parking? Garages in the back? I mean, I may be mistaken.

Brian Murphy: The R-3 zoning still comes with its own setbacks, its own, I can't just put the house all the way back to the back of the alley. I still have a 20 foot setback, front and back. So, I can't crowd the street, I can't crowd the alley, there still will be a driveway apron to get into a garage, there still will be a 20 foot setback from the street to the front of the house. Just like right now there's a 25 foot setback in what I would call your standard subdivision, which are basically, I think, 60 feet wide with, you know, just deeper setbacks. This still creates that subdivision context, where if I wanted to change any of that, I would have to either get a variance, or there would have to be a rezoning if anything was to change. Like with the condominiums, I still have to come back and do more planning and more site review, and that has to, that's another planning process. I mean, so that, the R-3 comes with restrictions of what I'm going to be able to do or not do.

President Winnecke: There are, am I counting four alleys in there?

Brian Murphy: Yes, sir.

Mike Ruder: And, you'll have parking, they will enter the garage area through the alley, correct?

Brian Murphy: That's correct, and that's another idea of why we did this, because we don't want garages in the front of the house. We want the garages hidden like you get in a more traditional neighborhood, like downtown, where you don't see the front of the garage, you see the house, you see more architecture, you see more details.

President Winnecke: Anything else, Mike?

Mike Ruder: No, I just, I just think this is a huge issue. It may be just one little subdivision, I'm not against him making money. I'm not, it's going to get developed one way or another. I just think, I want you guys to think about the big picture of what's going to happen out there down the road. I don't think we've sat and thought about a master plan of how we envision, our leaders, you envision this area needs to be. That's just my concern, that's all.

President Winnecke: Just a couple closing, well, maybe not closing thoughts, but a couple of comments. One, the city and county's professional planning organization has approved this, and it is part of their, its master planning document that is being revised even as we speak. So, if you haven't, I would urge to reach out to Janet or Brad to figure out how you can offer some input into that. I'm personally....go ahead.

Mike Ruder: I have offered to be on some of their steering committees with this, because, you know, I want to see this community grow. I think it's sorely needed. We have too many vacant lots in downtown that's being underutilized, you know, tax base, and we need to look hard at how we're going about things now than we were.

President Winnecke: Thanks. Any questions for Mike? Any other...oh, go ahead.

Mike Ruder: Thank you very much.

President Winnecke: You're welcome. Thanks for coming out tonight. Any other remonstrators? Bill, are you going to remonstrate?

Bill Jeffers: Yes. Bill Jeffers, north side resident at 2641 Malibu Drive. I did serve on the Area Plan Commission for several years. I've served the County Commissioners as their technical adviser on drainage plans, etcetera. I do have opinions, believe it or not, and one thing that alarms me as a former Area Plan Commissioner, because it alarmed me when I was on the Area Plan is when someone stands up and worries about the "kinds of people" that will move into my neighborhood. Whether it be apartments, condominiums, or single family dwellings, small lots, large lots, whatever. This is the United States of America, I wish we had a totally egalitarian society, we don't, but we should move in that direction. I do agree that there are many empty lots downtown, there are many structures that need to be torn down and make more empty lots downtown, because the structures aren't fit to live in. The market drives the location of residential development. The School Corporation decided to purchase this piece of property over here and move a consolidated school out there, junior high/high school, athletic fields, etcetera in close proximity to a major, overpopulated elementary school. For anyone to think that residential development would not follow a major school development, well, I don't know where that thinking comes from, because it's going to happen, and thank God it does. So, I won't go too much farther with that except to say the county, or, excuse me, Mayor Russell Lloyd, Sr. envisioned this entire area as an industrial development area and extended all the services with huge sewer lines and water lines all the way to the current location of I-164, and that's why factories located out there, because it's on I-164, or I-64 connection between St. Louis and Stanton, Virginia, and soon to be a connection between Windsor, Canada and Brownsville, Texas on I-69, and that's why people locate out there because it's on major transportation routes. The County Commissioners wisely decided to put a TIF zone out there, and if you want to develop that TIF zone and collect the kind of monies that are necessary to improve Peck Road and other roads in the neighborhood to support this type of sane residential development, good residential development, you will encourage any residential development, the developer to come out there and do this type of thing to populate the area, because commercial development follows residential development. Residential development follows infrastructure, the infrastructure is there, except for Peck Road. The commercial property will follow this development, and then you'll collect your TIF funds and be able to complete your infrastructure improvements of Peck Road and other roads in the area. I'm no longer on the Area Plan Commission, so I can advocate for a project, and I advocate for this one. Thank you.

President Winnecke: Thank you, Bill. Any other remonstrators, or any other comment before we call for a vote? Brian, would you like to rebut?

Brian Murphy: If I can just sum it up?

President Winnecke: You may.

Brian Murphy: Again, the R-3 just allows this subdivision to work on a Safe Routes to School concept, and in regards to the meeting the other night about the comprehensive planning for the entire community, I was actually singled out by David Goffinet who's been chosen through Bernardin and Locumuelier Associates to head that up, and I've been in communication and he was very adamant and impressed with the presentation that I gave to Welborn Foundation who he was a member of the other day when we were discussing the Movement Initiative here in

this area. So, I would just, would like the Commissioners to know that he is actually on board with the concept as proposed for that area.

President Winnecke: Thank you ,Brian. At this time I would entertain a motion for the second and final reading of rezoning ordinance VC-1-2011, for New Urban Investments at 15201 Peck Road that changes from AG to R-3 with a use and development commitment.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or further discussion?

Commissioner Abell: I have a question of Janet? If we were to assume that this is a higher density than what would have normally been in a regular subdivision, by how much?

Janet Greenwell: I don't have the numbers. I can tell you that the agricultural district would have required 60 foot wide lots with a minimum 6,000 square feet, 25 foot setbacks and 30 percent lot coverage. The R-3 allows 50 foot wide lots, 5,000 square feet, 40 percent lot coverage and 20 foot setbacks. So, it's, there's, as far as numbers I don't know how many lots difference it would be.

Commissioner Abell: Okay, and the Area Plan Commission realizes that the Peck Road is a dream? That we don't have any money to do that right now.

Janet Greenwell: I can't speak for the Plan Commission. They decided on their own to send a resolution to County Council and County Commission and to encourage the Peck project, maybe to bump it up a notch, or to encourage it to be put on the boilerplate for funding as soon as possible.

Commissioner Abell: Well, I can't speak for the other two Commissioners, but I can tell you that the stock market doesn't indicate we're going to have very much money to be doing anything in the near future.

Janet Greenwell: I think that point was brought up. It was just something that the Plan Commission requested that we do.

Commissioner Abell: I've been out there and I think the road does need to be improved, but I will still say that I would never vote in favor of putting this county in financial ruin to do any road that so far has been able to sustain traffic.

Janet Greenwell: I believe the point was well taken also that it is included in the TIF, and when the TIF funds do increase that, hopefully, this will get some type of priority when the money is available.

Commissioner Abell: Sure, and I think it would. We also have to realize that, you know, TIF is money that comes from—

Janet Greenwell: Industry.

Commissioner Abell: —a good economy, and none of us are going to kid ourselves and think we're in a good economy right now. Thank you.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Brian.

Brian Murphy: Thank you.

President Winnecke: Thank you everyone. Any other business to come before this body? I would entertain a motion to adjourn.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: We are adjourned.

(The meeting was adjourned at 6:43 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the July 26, 2011 Commission Meeting Minutes.
Request to Appropriate \$107,500 to Park & Playground Line Item.
Request to Transfer \$107,500 from Park & Playground to Voting Equipment.
Notice to Bidders: 810 E. Gum Street & 712 Waggoner.
FEMA Response Letter Regarding Denial of Individual Assistance: 2011 Flooding.
Sheriff: Waiver of Centre Fee/Not OT: Recognition/Swearing In Ceremony 9/6/11.

Employment Changes:

Co-Op Ext (2)	Burdette Park (1)	Sheriff (5)
County Clerk (1)		

County Engineer: Pay Request No. 133: TIF Projects.

Burdette Park: Yearly Comparison: January-June from 2010 to 2011.

Legal Aid: Second Quarter 2011 Budget.

Public Defender: State Public Defender Commission Reimbursement.

County Clerk:

June 2011 Monthly Report.
Two week FMLA Extension Request.

County Auditor: July 2011 A/P Vouchers.

Department Head Reports:	County Engineer	Ozone Officer
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Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Susie Kirk	Justin Shofstall
John Stoll	Laurel Seger	Tara Sendeweck
Bill Jeffers	Sherman Greer	Ben Miller
Janet Greenwell	Brian Murphy	Scott Buedel
Mike Ruder	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**JOINT MEETING
COUNTY COMMISSIONERS-CITY COUNCIL
AUGUST 17, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville reconvened the joint session and public hearing from August 4, 2011 on the proposed Reorganization Plan this 17th day of August, 2011 at 5:35 p.m. in room 301 of the Civic Center Complex.

Call to Order

President Winnecke: Good evening. We would like to, I would like to call to order our reconvening of the government reorganization committee.

Pledge of Allegiance

President Winnecke: Let's stand and join, please join us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Section 1.6: First Election: Subsequent Elections

President Winnecke: Okay, on the desk before us is the latest revisions made, they are redlined, the redline copy. So, let's start, I see the first page, first change on page three, section 1.6, first election, which adds the specific date.

Section 1.7: Effective Date of Reorganization: Transfer of Powers

President Winnecke: Then in 1.7 it adds the specific date of the start of a new government, if it were to pass. Any questions there? Okay.

Section 5.3: Office of the City Clerk

President Winnecke: Next we move on to page seven. We have some changes in 5.3, Office of the City Clerk.

Alberta Matlock: Yes, put me out.

President Winnecke: Any questions there, besides Alberta?

Commissioner Abell: (Inaudible. Microphone not on.)

Section 7.1.1: Phase In

President Winnecke: Okay, next we go to page eight, Article Seven, 7.1.1. It gives the specific year. Any questions there?

Section 7.3.1.1: General Services District: Services Provided

President Winnecke: Next page, 7.3.1.1?

Section 7.3.2.1: Urban Services District: Services Provided

President Winnecke: Nest 7.3.2.1, Services Provided. There might be some discussion here. Or not.

Commissioner Abell: (Inaudible. Microphone not on.)

President Winnecke: 7.3.2.1, page nine.

Section 8.2: Appointments

President Winnecke: If there are no questions there we will move on to Article Eight, 8.2, Appointments. We talked about this at length last meeting. If there are no discussions there—

Section 9.4: Law Enforcement

President Winnecke: –9.4, Law Enforcement. Added the word “Office” twice, three times, actually five times. If there are no questions there, we move on to Article 11, we made some changes.

Section 11.1.2: Citizen Petition

President Winnecke: 11.1.2, just clarifying how a citizens petition could begin.

Section 11.2.1: Membership and Appointments

President Winnecke: Next, 11.2.1, Membership and Appointments, just eliminated the word “Evansville”, and inserted the words “Combined Government”.

Section 11.3.1: Plan Review Commission Recommendations

President Winnecke: 11.3, from “will” to “shall”.

Section 11.3.3: Final Action

President Winnecke: And the same in 11.3.3. Any questions about the revisions? Hearing none.

Law Enforcement Jurisdiction

President Winnecke: We also talked at length about law enforcement jurisdiction questions. I noticed the Chief is here and the Sheriff is here if we wanted to continue that discussion tonight. I did not see that there was a consensus when we left last week, or two weeks ago. So, we can resume the discussion.

Councilman John: My position would be that it remain as it is today, that the districts remain the same, and that we, the spirit of cooperation that they’ve had in the past

continue. So, if there's a need to change those, between the Sheriff and the Chief of Police they change it. I think that that's happened in the past, and I'm sure it will happen in the future with the way we're growing.

Councilmember McGinn: I would like to comment on that also. I agree with that 100 percent, because if they are left as they are today, they will change on their own. I think we had the discussion, I think Sheriff Williams brought it up, that as an area changes from a General Services District to the Urban Services District, that means that Combined Government, or what will be City Police protection is extended to that area and thus becomes a part of the Combined Government and is part of the Urban Services District. I think whomever the Mayor is has the control over the Police Department, and, you know, they can tell them this is now your new area. I mean, I think that it becomes an automatic situation. Provision of services defined as Urban Services automatically change an area, I think, into the Combined Government jurisdiction, which is what is now known as the Evansville City Police Department. I mean, that's the way I understood it.

President Winnecke: Okay. Anyone else?

Commissioner Abell: I don't disagree in leaving it, if that's what we decide to do. I just want to point out that if that is how it changes, we're going to see the Police, what we call the Evansville Police Department now, the City Police are going to be coming, at budget time, for more police officers and we're going to have somewhere out there Sheriff's deputies that aren't going to be needed anymore. So, we're going to end up in a big, I think this is going to cause a financial problem to the people that pay the taxes in Vanderburgh County.

Councilmember McGinn: I would hope that those issues can be resolved by some of the inter-departmental agreements like we have now. I mean, we can't pay for—

President Winnecke: Dan, your microphone.

Unidentified: We can't hear back here.

President Winnecke: Your microphone.

Councilmember McGinn: The light is on. It's not picking up?

President Winnecke: They can't hear you.

Councilmember McGinn: Oh, I would think that those issues would have to be taken care of by an interlocutory or an inter-departmental agreement like we have now with certain things. I don't think any taxpayer or anybody on this body, or whomever is on the Combined Council would want to be paying for officers of the law, that duplication of services. I mean, it might have to be. You know, until this is finally resolved by the second referendum in 20, whatever the year was, you know, the city may have to hire county Sheriff's rather than pay them. Or, you know, it's just, I think it's something that's going to have to be worked out. We can't make that decision today, because we don't know when areas are going to change from General Services Districts to Urban Districts. I just think we have to, we have to recognize that it is a potential issue and just take care of it.

President Winnecke: Dan?

Councilmember Adams: One of the things that I've maintained all along is that we need a little bit of flexibility. This, over the next ten years could be a huge problem, which I very seriously doubt it will be, or it could just be a minor thing. When we have, I mean, we've already gone through two major annexations, I don't see anything hanging out there that looks, I mean, I can't predict what the Mayors are going to do over the next ten years, but, I think, I would be surprised if there was much change over ten years.

President Winnecke: If we left it alone, this is a question for the attorneys, if we left it alone, as has been suggested, and just, do we need language to, in the Plan, that gives authority to the Police Chief and the elected Sheriff to make jurisdictional changes as they see before, either before a Combined Government takes effect, if it were to, or before 2022 or whatever the year is, do we need to give them, make that provision in the document?

John Hamilton: I think, without any language in the document they can do it by agreement.

President Winnecke: Okay.

John Hamilton: I mean, the document, obviously, doesn't determine what happens if they don't agree.

President Winnecke: Okay.

John Hamilton: It would stay as it is.

President Winnecke: Okay. Any other thoughts on—

Commissioner Abell: Does the city contract with the City Police have a minimum that you have to keep on the force?

Councilman John: (Inaudible. Microphone not on.)

Commissioner Abell: So, if you had a minimum and the county had a minimum and we're sitting here with a lot of people we don't really need, we're going to be paying them anyway. Then you're going to be hiring people to take over in the city, because you're going to need more people.

Councilman John: I think the current agreement is for three years. So, this question will be answered prior to the expiration of the existing contract, and would be taken in consideration on the next negotiations.

Commissioner Abell: But—

Councilman John: 2015 is the year.

Commissioner Abell: Yeah.

Councilman John: In the event that it passes.

Commissioner Abell: Yeah, just pointing out that I think we're getting ourselves in a financial bind.

Councilman John: What is it you're recommending?

Commissioner Abell: Well, I just don't think that as, because we're going to go into contract negotiations in the county this year, aren't we? I don't have any disagreement with the contract that the Sheriff's deputies have presented, except that if they're going to present to us a contract that requires a minimum be kept on the force and it's a three year contract, and we start moving people around right after this new government goes into effect, I think we're going to be sitting here with people with probably a lot of longevity that we're going to have to buy out, people that are going to be no longer needed and whether we can move them over into the City Police Department, or if we're going to be forced to spend...I'm just concerned about the amount of money, that's all. I'm just worried that—

Councilman John: I understand.

Commissioner Abell: —we're getting ourselves in a bind.

Councilman John: Are you recommending or have a recommendation on how it should be handled?

Commissioner Abell: I don't know, I don't know tonight, but I'm not so sure but what the attorneys need to meet with the two police departments and see if they can't work out something that, in the event that we have Reorganized Government that does pass, that there be another type of agreement made between the Sheriff and the...it would be a waste, in my opinion, to have a good police officer on the Sheriff's Department be let go because we don't need him, and hire somebody in the City Police Department with no experience. We've given up, you know, I think that they, we need to have some kind of an agreement between the city and the county where when one starts not needing a certain number of troops, of police officers, they revert over to the other one, in the event that we have this type government. I don't know how that, I'm not a lawyer.

Ted C. Ziemer, Jr.: I was just going to point out that, I'm not familiar with the city contract, but the county contract with the deputies does have a provision that for good cause that number, that stated number can be reduced. I'm confident that good cause would be a, you know, a reduction in the area, you know, for which services are to be provided. So, I mean, that's there. That doesn't answer the question you're raising about shifting from one department to the other. That's an interesting question.

Commissioner Abell: Shift the money too, that would be, that's the big thing.

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

President Winnecke: But, couldn't that be addressed through collective bargaining—

Ted C. Ziemer, Jr.: Yes.

President Winnecke: —with the respective bodies? I mean, if there's a provision, for instance, if there's a provision in the new county agreement with the Sheriff's deputies, and a new provision in the contract with the city and the F.O.P. that says should there, should one department be diminished because of consolidated

government, I'm just thinking out loud here, the other department that might need hiring would have to offer preferential hiring to the other.

Ted C. Ziemer, Jr.: Certainly that can be a matter for negotiation, yes.

Councilmember Adams: The other thing is, both of these contracts are three year contracts? If I understand this right, the government, the Combined Government doesn't start until 2015, so, it's going to take three years for the process to work.

President Winnecke: The county's contract actually expires this year. So, the timing on the county's side would work well.

Councilmember Adams: And the police just got their contract a few months ago. So, it would seem to me that would be, at that time, three years from now, this whole thing would have to be re-visited anyway.

President Winnecke: Right.

Councilmember Adams: Although I agree with your concept.

President Winnecke: Anymore discussion on law enforcement? Since there's nothing in the Plan that talks about jurisdictional issues, I don't know if we need a straw vote. That was just an issue that the Sheriff and the Chief brought before us for consideration. Everyone satisfied to move on? Okay.

Other Commission and Council Issues with the Plan

President Winnecke: Other issues from last time?

Councilmember Adams: I don't know whether this works or not, but there's always the cost of consolidation, the actual initial cost of coming together. Is there any way that we could amortize that, John, over a two or three year period? I know we can't incur debt, but I wondered if there wouldn't, some financial way that we could make the initial cost of putting these things together, if we could smooth the costs out over two or three years as opposed to that big hit the first year. I don't want to put you on the spot, I'm just not talented enough to know that.

Councilmember Friend: Well, if you're looking at it from a business standpoint and you're talking about (Inaudible) pay (Inaudible) down and (Inaudible) amortize over three years, well, you're talking about some kind of a payment plan that would have to be phased in through, I guess, taxes and be phased in over a three year period of time of some sort. What do you say, Curt?

Councilmember Adams: Well it's already (Inaudible)--

Councilman John: That, or you would have to borrow the money and pay it back over a three year period.

Councilmember Adams: Well, that's what I was thinking. Could a Combined Government do that? So that the taxpayer wouldn't be hit with that kind of initial blip.

Councilman John: I would assume so.

Councilmember Friend: Would we go through like the Bond Bank, or would we go through a Band, one of the Bands, something like that, possibly?

Councilmember Adams: Well, it might make it more palatable for the voter both in the county and the city, if they weren't going to get this initial hit of spike of putting everybody together, you know, making everybody come to, moving equipment and doing all of this sort of stuff. If we could somehow smooth that out over a three year period, but maybe that's another thing that the Combined Government could decide at the time, at 2015 that they want to do that.

President Winnecke: Well, I think, oh, I'm sorry. Go ahead.

Councilmember Friend: Well, it's going to obviously be a question of where we are with cash balances in certain Funds, I mean, whatever obligations we may have between now and when that comes up. But, I could see, possibly, actually becoming our own bank if we had those funds available, spread that over three years.

Councilmember Adams: Yeah.

President Winnecke: I think the good news is that in Article Ten we changed the make up of the Transition Team, so the Transition Team now is all elected officials. So, they'll have an entire year to figure that...I think that's a good question, but they'll have an entire year to plan for that. Who else from the Commissioners or the Council on any other issue in the document?

Overview of Time Line for Remainder of Reorganization Process & Scheduling of Continuation of Public Hearing to 9/6/11 @ 6:00 p.m.

President Winnecke: Okay, so, we're at the point now where, and we'll open it to public comment, so don't anyone worry, as combined bodies, if we adjourn this, legally adjourn this meeting tonight, each body would have 30 days to pass the identical Plan in order for to be on a referendum in November '12. So, basically we have 30 days to act at the conclusion of the public hearing. So, the question is, I know there was questions earlier about whether that would fit into the City Council schedule because of city budget hearings and just scheduling of their meetings. So, if we want to continue that discussion, now is the time, I think.

John Hamilton: For the sake of the City Councilmembers, our next meeting is this coming Monday, which is very, right around the corner. Then the 29th of August is the fifth Monday of the month, so we're not scheduled to meet. The following Monday is Labor Day, so, to get two meetings in, which normally when we pass a resolution our rules say it should be two separate readings, or two meetings. We're going to go past that 30 days unless they have a special meeting of some kind.

President Winnecke: So, if we—

John Hamilton: I just want the Councilmembers to be aware of that.

President Winnecke: So, it looks like the option might be, because of the Labor Day and all of that, our best option might be to continue this meeting again tonight to perhaps the first week in September, at which case we would reconvene, basically for the purposes of adjourning. I mean, from a legal standpoint.

John Hamilton: Yeah, I mean, you would still hear public hearing if there were any comments.

President Winnecke: Yeah, that's right though.

John Hamilton: If there is literally no changes to the Plan, we could possibly get this on for first reading this coming Monday. That's one reason I wasn't aware of whether there were going to be any changes to it.

President Winnecke: The Commissioners have a meeting the day after Labor Day at 5:00. There's nothing to say we couldn't meet after that.

Councilmember Adams: Mr. Chairman, would it be worth coming back to a meeting and having a non-binding straw vote on the whole document?

President Winnecke: Yeah—

Councilmember Adams: To be absolutely sure we aren't going to have any wrinkle that is going to suddenly make us have to come back and do it all over again.

President Winnecke: I'm assuming that based on all of the straw polls we've taken to date—

Councilmember Adams: Yeah.

President Winnecke: — everyone, with notable exceptions, are on board with the changes we've made, but, I hear where you're going.

Councilmember Adams: Yeah, but we've not had a straw vote on the—

Commissioner Abell: Entire document.

Councilmember Adams: — entire document.

President Winnecke: We could do that tonight, if you wanted to.

Councilmember Adams: I don't—

President Winnecke: I mean, it's obviously non-binding.

Councilmember Adams: Yeah.

President Winnecke: But if we wanted to continue this meeting until after our Commissioners meeting on the 6th of September for the final wrap up, any final comments from the public, and then we would adjourn after that, and then, at that point, each body would have 30 days to act.

Councilmember Adams: I guess, we still haven't found out what the guy's going to pay, the property tax guy is actually going to pay, without assumptions.

President Winnecke: Right. Well, we got that information last time.

Councilmember Adams: I mean, we certainly know what the sewer bill is going to be. We all got that information.

President Winnecke: Right.

Councilmember Friend: Yeah, I was going to say, we did get that. It looks like it's almost a two to one split, very close.

Councilmember Adams: Right.

Councilmember Friend: Three dollars on one, eight on the other.

Councilmember Adams: But, whether people are going to have to pay more property tax or less, I mean—

President Winnecke: Well, we talked about, I think—

Councilmember Adams: — I did not like the fact that everybody assumes 15 percent, so we assume seven percent, and even assume three percent.

President Winnecke: But, I thought, and I could be wrong, but I thought toward the end of the discussion, Councilman McGinn made a really great point, and that is, if whomever is Mayor at that time dictates there's going to be "x" percent of savings in a budget, that's what it's going to be. Not 15, it could be 15, it could be seven, it could be three, whatever. It could be eight, it could be five, but that is, I mean, that's really—

Councilmember Adams: Or it could be zero.

President Winnecke: It could be zero, that's right.

Councilmember Adams: Yeah.

President Winnecke: But, it's, you know, you are making assumptions based on things that are going to happen in the future based on people who may be in office that you don't know today. I mean, that's the reality, I think.

Councilmember Adams: The reality could be negative too. Therefore—

President Winnecke: Could be.

Councilmember Adams: Okay.

President Winnecke: So, back to the—

Councilmember Adams: I think people are going to be hard pressed voting for something they don't know what their property taxes are going to affect.

President Winnecke: Let's get back to the date first.

Councilmember Adams: I apologize.

President Winnecke: That's okay. So, is September, is that okay with everyone? We will reconvene at the conclusion of the regular County Commissioners meeting that night. I will do my best to make that a brief agenda.

Commissioner Abell: What about the Drainage Board?

President Winnecke: We may not have Drainage Board. I'll work on that.

Commissioner Melcher: We don't have to have Drainage Board.

Commissioner Abell: (Inaudible. Microphone not on.)

Commissioner Melcher: That's right.

President Winnecke: Tuesday at 6:00.

Councilmember Adams: Voila! Executive decision.

President Winnecke: Let's say—

Commissioner Melcher: Can we set it at 5:30?

President Winnecke: Let's say 6:00 to be safe.

Commissioner Melcher: 6:00?

President Winnecke: 6:00 on—

Alberta Matlock: September the 6th at 6:00?

President Winnecke: At 6:00 p.m.

Commissioner Abell: Okay, that will be our final meeting?

President Winnecke: That will be our final meeting.

Commissioner Abell: Okay.

Alberta Matlock: Promise?

President Winnecke: I said....Steve?

Commissioner Melcher: Getting back to Dr. Adams, I though Crowe Horthwack, or whatever it's pronounced, I thought they were going to try to get back with us with comparing other cities on if they're going to save money or not save money. I kind of thought they were going to be here this evening and then I didn't see them.

Councilmember Adams: That was my impression. That they were going to give us some hard data.

Commissioner Melcher: Right, and I wouldn't mind having that on that date, if they could get that to us by that time. That would give them plenty of time.

President Winnecke: I know that the Auditor and Controller were talking to them. I'll touch base with them and see where that stands.

Commissioner Melcher: Well, I would think they should have that information. That's almost 30 days then from when—

President Winnecke: Okay, anything else?

Commissioner Melcher: I would like to see that, and if they could get it ahead and e-mail it to us, that would even be better.

President Winnecke: Right. Anything else from this group before we open up to the public? Okay.

Public Comment

President Winnecke: Public comment? Yes, sir? You have to come up and state your name please, to the microphone.

Norman Messell: Norman Messell is my name.

Alberta Matlock: I didn't hear you.

Norman Messell: Norman Messell. Is this not on? Okay.

John Hamilton: This red light?

Alberta Matlock: Is it on?

John Hamilton: Yes.

Norman Messell: It's on?

President Winnecke: Yes, sir.

Norman Messell: Okay, just from listening to you all talking back and forth, my understanding is the whole purpose of this reorganization is to save money. Am I right or am I wrong?

President Winnecke: That's not everyone's opinion.

Norman Messell: Well, that's mainly what you here. I mean, you know, this gentleman is talking about raising taxes to pay for the transition.

Councilmember Adams: No, that's not what I said, sir.

Norman Messell: Well, that's what I understood. Okay. It seems to be one of the main issues is, there was something said about sewers also, right?

President Winnecke: About what?

Norman Messell: Sewers.

President Winnecke: Yes, okay.

Norman Messell: What concern does the county outside of the city have to do with sewers? Why should the people in the county, outside of the city limits, have taxes raised, which it seems like that's the trend, to pay for stuff that's going on in the city? That doesn't seem quite fair to me.

Councilman John: You have to realize, sewers are a users fee. That's how we pay for those. Only those people that have sewers pay that rate. What they're talking about here is, currently the people in the county pay a higher percentage than the people in the city. Once, and in the event that it is consolidated, everybody will pay the same rate for their sewers.

Norman Messell: You're speaking of people that's out in the county that are on a sewer system?

Councilman John: Outside the city limits.

Norman Messell: Not people that's not, that don't have—

Councilman John: Now, people that don't have the sewer won't be paying sewer rates.

Norman Messell: Okay, so, you're not talking about an additional tax? Or raising the tax revenue—

Councilman John: No.

Commissioner Melcher: They're actually lowering it.

Norman Messell: —to put in sewers and such as that?

Councilman John: No, no. Only those people that would be getting sewers will pay sewer rates.

Norman Messell: Well, I would like to hear what reasonable amount of savings this thing can produce. I see nothing that's in it for the people that live outside of the city limits, except a great possibility of higher fees, and I also strongly disagree, we don't need a Mayor telling us out in the rural areas what we can or can't do. In other words be at his, whatever he wants. I strongly disagree with that. Thank you.

President Winnecke: Thank you. Next? Bruce, you might as well.

Bruce Ungenthiem: Bruce Ungenthiem, Scott Township. Everyday I move to a different place, but I'm at the same spot. The sewer question just brought up an interesting idea that I need to understand. There's an 800 pound gorilla sitting on the city's shoulder, and it's called the EPA. The EPA has said within the next 20 years, I think it's now 19 ½, that you must comply with all of the EPA regulations, as far as discharge of city sewers into the Ohio River. I have heard estimates of the cost to fix the combined sewer systems in the City of Evansville, exceeding \$800 million. Now, my question is, is that a tax based cost, or is that a fee based cost? Can we put that into this Plan that basically says that all improvements to the sewer

will be paid for by the fees charged to the people on the sewer and not the general taxpayer?

Commissioner Melcher: It already is.

John Hamilton: That's the law.

Commissioner Melcher: Yeah.

Councilman John: Yeah, I mean, it's the law that says that the only people that are going to pay for sewers are the people that are using the sewers.

Bruce Ungenthiem: Is that true of all of the improvements that have been done to the sewers in the last 15 to 20 years.

Councilman John: Sanitary sewers, yes. Now, there are storm sewers that are not, they're in the process of separating those. Storm sewers are not on your rates.

Bruce Ungenthiem: Okay. So, I guess my question becomes, when that bill comes due, who pays for it? The people who are now on the sewer system?

Councilman John: Or get on it in the future.

Bruce Ungenthiem: Okay.

Councilman John: Users.

Bruce Ungenthiem: It is a fee based cost, not a tax based cost?

Councilman John: Correct.

Bruce Ungenthiem: Okay, I just needed to understand that. We've been talking a few times about city residents paying for county services and double paying and going through that whole question. So, I did some digging, I'll pass these out as I'm (Inaudible. Not at microphone.). I spent some time with our County Auditor, and I spent some time with our County Treasurer, and I spent some time on the Internet. I found out a few interesting things. I'll wait until that goes around so everybody can take a look at it. I looked at this from a couple of different directions. I first looked at it from a population standpoint. By population, the total population of Vanderburgh County is 179,703 according to the 2010 census. The city population is 117,429, which is 65 percent of the people in Vanderburgh County live in the urban, City of Evansville, right now 35 percent live in a rural area. So, then I asked a question, okay, that makes sense. I asked the question, okay, by tax assessment, by assessed value, how does that break out? Well, you look at that, and there's \$6.9 billion of assessed taxes or assessed value in Vanderburgh County. \$4.2 billion is in the city, \$2.6 billion is in the rural area, and that means that the rural area pays 38 percent of the taxes. They are only 35 percent of the people in Vanderburgh County, but pay 38 percent of the tax base that supports the county government. So, my guess is, we get a refund? If you look further down, and look at what that means to the budget, the budget for 2011 is \$84,969,000. If you take three percent of that, that's roughly two and half million dollars that the county, the rural area is paying, up and above what they should pay based on population. If you look at taxes paid, because not all of the county budget is paid for with taxes. There are other things

that help pay taxes. If you just look at the tax value itself, it's \$54 million, three percent of that is \$1.6 million. So, there's a difference between population and actual tax assessed value in the county. Now, I had a conversation with the Sheriff at the fair, and we talked about that two weeks ago. The Sheriff, I asked the Sheriff point blank, how much, how many folks in that jail that we have are city residents versus how many of those folks are rural residents. He didn't have an exact idea, but he said, probably 90 percent are city residents. So, I said, alright let's be real conservative, let's take 80 percent of that, and I took that 80 percent and I took it across every line item in the county budget. Oops, excuse me.

Commissioner Melcher: Sorry. Thank you.

Bruce Ungenthiem: The county line items that are involved in law enforcement and courts and probate and Prosecutor and Public Defender and Drug and Alcohol Deferral, I basically took those line items and took them from 65 percent to 80 percent. Just to see what the difference is from a user fee of that county budget. As it turns out, the actual amount, if you look by population, it's 65 percent-35 percent, by taxation it's 62 percent-38 percent. But by user fee, by people who actually use the services, it's 71 percent city and 29 percent county. That's a difference between taxation percentage and user fee percentage of nine percent. You take a look at those numbers and say, okay, on a tax based format, that's roughly \$4.8 million. These are all hard data points. These are not assumptions. These are hard data points. This basically tells me that the people of the rural area of Vanderburgh County are not only paying their share, they're paying more than their fair share for the county government. The second thing I wanted to talk about is the on-going issues with the Plan. There's still an issue with the threshold vote. There's still a problem with having one vote instead of having a vote for the city and a vote for the rural community. We've got over 600 signatures and we're still counting, and before we go to a final vote we'll present that information to you, and those 600 plus signatures say that they want to have a threshold vote, separate vote for the county, separate vote for the city. There's still no economic justification. I see nothing from anybody, other than assumption, and we've talked about this several times. I see nothing other than assumptions of hard data that says this is what we're going to save. How difficult would it be, I went on the web page and got the county budget. I've got the city budget, but it's 75 pages long, and I didn't want to print it out. How difficult would it be to have somebody go through this and say, okay, this line item we're going to save this much, this line item we're going to save this much, this line item we're going to save this much. We're going to add this much in here, we're going to add this much in there. Is that possible to do? Both of those budgets are on the webpage.

Becky Kasha: Who should do that?

Bruce Ungenthiem: Pardon me?

Becky Kasha: Who should do that?

Bruce Ungenthiem: Who should do that? I would think the County Auditor and the City Controller.

Don Walker: We spent \$100,000 to that Crowe up there.

Becky Kasha: Who should make the decision about what services should be—

President Winnecke: Yeah, let me just, yeah, hold on, we'll continue this discussion. Go ahead, Bruce.

Bruce Ungenthiem: Okay, so, that was my question, why can't we just take the budgets and figure out whether this is going to save any money or not. The next thing, I was in the airport Sunday night picking up my son and his wife, and as typical of airports, the plane was late. I had my two grandchildren with me, and I was trying to keep them occupied, so we played a little game called, "What's this?". So, we were walking around looking at the various presentations, and we were saying, well, what's this? I would explain to them what's this, what's this. Well, interestingly enough I came across a presentation that had a familiar face on it. This is the presentation from the Chamber of Commerce. Let me read it to you, it says, if you look at what are arguably the two most important initiatives in our region, the planning and construction of Interstate 69 and the study of merging city and county government in Evansville and Vanderburgh County, you have to look at the advocacy and leadership of the Chamber of Commerce of Southwestern Indiana. I don't believe that anyone with a straight face could look at you and say that those projects would be where they are today without the leadership and advocacy of the Chamber of Commerce of Southwest Indiana. You know, I thought this was a voter referendum. I thought this was something that was generated by a petition through the League of Women Voters and that it had grassroots support, and that it was being driven by leadership within county government and leadership within...this tells me this is the Chamber of Commerce's baby. Oh, by the way the author of this is Lloyd Winnecke, Senior Vice President of Marketing Fifth Third Bank. Okay. This tells me this is the Chamber of Commerce—

President Winnecke: Hey, Bruce.

Bruce Ungenthiem: Pardon?

Commissioner Abell: That was a cheap shot.

Councilmember Mosby: That's uncalled for.

President Winnecke: Bruce, you know, I mean, I usually don't respond to all of this kind of stuff, but everyone knows the process was begun by a petition of the League of Women Voters. The Chamber has always been an advocate of it. It's always been one of their strategic initiatives. So, by the fact that I pointed that out means nothing. So, if you don't mind, instead of taking personal attacks at me, let's make your points about government, this Plan and let's move on.

Bruce Ungenthiem: All I wanted to make a point about was the Chamber of Commerce was an advocate—

President Winnecke: I understand your point.

Bruce Ungenthiem: — and a leader in this point.

President Winnecke: I understand.

Bruce Ungenthiem: Okay?

President Winnecke: Okay. Point made.

Bruce Ungenthiem: The last thing I wanted to do before you go to execute your leadership role and vote on this is, basically look at a couple of different things that people have said about leadership. This is a book by Stephen Covey. Stephen Covey is a very popular person who talks about leadership. These are the Seven Habits of Highly Effective People, leaders, two of those points are; begin with the end in mind and think win-win. I have to ask the question, do we know what the end is in this? I don't think so. I also have to ask the question, is this a win-win situation for the city and for the county? I also don't think so. Thank you.

President Winnecke: Thanks, Bruce. Next.

Councilmember Adams: Bruce?

President Winnecke: Oh, sorry.

Councilmember Adams: Let me ask you a question. If you're numbers are correct, and I believe you that they are correct—

Bruce Ungenthiem: Okay.

Councilmember Adams: – would you not think that the county people would want more representation, not less?

Bruce Ungenthiem: What do the numbers have to do with representation?

Councilmember Adams: All of it.

Bruce Ungenthiem: The numbers—

Councilmember Adams: If you're paying for more, I would think you would want to have a say in the sewer rates.

Bruce Ungenthiem: Well, the numbers indicate that the county, the rural people, are actually paying for more county government right now than the population would suggest. That is to combat the comments that I've heard about the, the comments from the city folks who say that the city folks are paying double for Sheriff and for police protection. The two articles that the Editor in the paper have put on the editorial page saying that the city government, that the city folks are actually paying more than their fair share, and the reality of that is they are not.

Councilmember Adams: But, that's what—

Bruce Ungenthiem: That's what those numbers say.

Councilmember Adams: But, that doesn't answer my question.

Bruce Ungenthiem: Do we want more representation?

Councilmember Adams: So you can control those costs. I happen to think people in the city are county residents.

Bruce Ungenthiem: Oh, I think they are too.

Councilmember Adams: Whether you like it or not.

Bruce Ungenthiem: I never said that the people in the city were not county residents.

Councilmember Adams: Well, by you wanting two different votes, they are.

Bruce Ungenthiem: No. What I'm saying with two different votes is the people in the county are losing their form of government. The people in the rural area are losing the only form of government they have, which is three County Commissioners and the County Council. They have no government other than that. The folks in the city are losing part of that, but the consolidation of government is being consolidated into the same form of government that is currently in the city, a Mayor and a Common Council. Because those folks that are in the rural area are losing their form of government they should, by due process, have the ability to vote on whether they want to change their form of government from a Commissioner-Council to a Mayor-Council form of government, and they should be able to do that independently. That's my point with the threshold.

Councilmember Mosby: But, I do have a question on that, right now your form of government, when you vote on the Commissioner and your County Council, the city also votes too and there's not a voter threshold there.

Bruce Ungenthiem: I understand that. I didn't say that the city was losing all of their government—

Councilmember Mosby: But, why should this vote be different? Why should we have a voter threshold for this when we don't, when we're voting for your County Commissioners?

Bruce Ungenthiem: Because you're changing the form of government. You're not changing who's in the government, you're not changing the person that will be Commissioner, or the person that will be, you're actually changing the form of government, and by changing the form of government you should have the ability to vote on that independently.

President Winnecke: Anyone else?

Commissioner Abell: I just want to make one comment about your figures. These are not hard figures like you said, that these are fact, because I know for a fact that the city census are wrong. Because I know for a fact, because I sat on a board of underprivileged children that there are at least 20 households where children go to Culver School that did not respond to their census questionnaire. So, you cannot say that this is how many people are in the City of Evansville unless you and a group of your friends want to go down door by door—

Bruce Ungenthiem: Those—

Commissioner Abell: — and knock on the doors and find out who's living in those houses.

Bruce Ungenthiem: That is the best information that we have—

Commissioner Abell: But, that isn't what you said. You said these were hard core numbers and you counted out to a percentage. That's not correct, and don't try to make us look like we're stupid.

Bruce Ungenthiem: Well, they're (Inaudible) numbers because there are births and deaths everyday. I mean, there's never hard core numbers. All we can go by--

Commissioner Abell: You said these were hard core numbers...as a matter of fact I will listen to the tape.

Bruce Ungenthiem: Alright. What I meant by that is, these are the best numbers that we have from the 2010 census. Those are the numbers.

President Winnecke: Thanks, Bruce.

Bruce Ungenthiem: Thank you.

Jayne Buthod: My name is Jayne Buthod, I'm a Vanderburgh County resident. I didn't plan to come up here and comment, but the tone of this conversation shifted, people were offended, people got defensive, and I know you've been through a lot, you've had to deal with this. You didn't start this, you've inherited it. You're spending a lot of your time to be here. You're listening to a lot of people who are upset or concerned or curious or asking questions that you don't have the answers for. Your individual political futures are impacted by all of this, but I do appreciate the comments that Mr. Adams and Mr. Melcher said about what happened to K & H answering those questions about finances. From the very beginning this thing was perported, it was pushed as the idea that it's going to give us a bigger profile in the world, we'll be bigger, we'll be able to say we're bigger, that we will have all of these savings and that the regular citizen will be able to conduct business with their government more easily. We have yet to hear anything that's addressing those questions. We just keep avoiding them. We're so busy doing the administrivia of trying to make this sellable, you know, we've taken out everything objectionable, we're trying, you're trying to be responsive to people's concerns, but it's more a matter of let's package something that can be sold and we'll figure it all out later. We've stopped talking about money, talking about savings. Something was, I read something recently, another community is considering doing this, and they're not even trying to talk any longer about saving money. They're talking about possible future reductions and increases. They've learned from other communities doing mergers that they're not even going there anymore. So, they're re-marketing that concept. I didn't understand the difference in the way people who lived in the city and the people who lived in the rural areas looked at this before. I didn't start my relationship with this concept with the merger resisting it. I'm not against change for the sake of change. I spent lots of years, you've seen me down here for many years coming to City Council meetings and being a participant in the city. I have a big concern about what's going to happen to center city residents when this happens. If the merger goes through, the history of all other mergers in all of the research that I've done, and there isn't a book in the library that I haven't checked out and read and several that I've read that I've purchased, they all, all of the research indicates that the influence shifts. The power base shifts. It follows the money, and part of the reason, let's be realistic, there's no reason to want to merge unless you think there's some dollars to be captured that aren't being captured right now. Now, the rural people, and I say rural now, because I used to not make that distinction, the rural people think of themselves differently. I don't know what kind of reaction I'm going

to get when I say this, but they think of themselves as more independent, that we're not asking for services, we don't want to pay for them, we don't need them, don't bring them to us, we take care of ourselves. Now, that's marginally true in lots of different ways, but the city looks at things differently. City neighborhoods, city residents, I want a new law to fix a problem, I have this little problem, I want a new law, this big a law for this small a problem. They want government to handle things. They want immediate results. They expect you guys to do it, and we'll all share in the cost. Now, I personally think less government makes more sense. I think people should be more taking care of themselves, policing their own little plot, doing your own, cleaning your own gutters out, not having to get a law about it. I'm digressing, but this shouldn't be an adversarial relationship, and it's become one. A lot of people feel like a shotgun marriage. That's what the voting threshold is about. You know, it's a hostile takeover. Nobody's asking us if we want to merge. Nobody's telling us what those benefits will be specifically anymore. It's all about we have the power to make it happen, or we're going to package it in such a way that the people who weren't paying attention are going to vote for it. I see center city people suffering and they aren't realizing it, because they're not paying attention to this yet. There's only been a few people, Mr., Adrian Brooks talked about it, you know, he hasn't been able to get enough other people hearing that point of view at this point. This whole thing has to be about what's better for our future long range. If we simply get rid of all of the issues, push them off to the next guy, then, well, we know what happens when you do that. It's just a mess. So, thank you for your time and your patience.

President Winnecke: Thank you, Jayne.

Commissioner Melcher: Lloyd, this might be a good time just to throw this out, because it was brought up at a couple of meetings. I know with the federal government the larger we get the less block grant money we get. We've said that many times, but nobody's even took that into consideration. Maybe it just hit home when Jayne said it, but, I think, maybe the DMD Director could look at the census and maybe he could figure out before our next meeting, once we enter all of the county and the city together how small that piece of pie is going to become so we could have a halfway understanding since if we get something from Crowe Horwick about what's happened. Maybe we'll understand how much block grant money we're not going to get. You know, because what happens is, when you start including all of the income in the county, that changes everything. So, where we have a smaller area, let's say, once you change all of these big incomes well then this is going to shrink. So, I think we need to get that too before we make a final vote.

President Winnecke: I just made a note. I will reach out to Mr. Barnett and get that in the works.

Commissioner Melcher: Yeah, I think he could probably throw that together in a few weeks. It's just a matter of looking at the census. He knows what the figures are now, he knows what it is for bigger cities, and I think that would give us an idea if we're going to lose two million, one million, half a million. Thank you.

Cathry Edrington: Cathy Edrington, newly annexed city resident. When I first started, well, I guess, back in 2000, I thought we were going to talk about sewers tonight, so, that's where we'll start. I think I was here back in 2002 when the vote actually occurred to do the 35 percent increase on the county residents. It's been too many years, and I can't recall. But, definitely I was here different times, the most recent city tax, or city sewer tax rate, whatever, and then with, I also was present at

the consolidation hearings when Ed Hafer discussed sewer equalization. I was confused by the article in the paper a few days ago. I thought the rates he gave were low, or the discrepancy he gave for 5,000 gallons by Jim Garrard wasn't totally accurate. It seems to me there's a bigger disparity between city and county than the amounts he quoted, or the amounts that were quoted in the paper. I guess, my comment is, I'm not sure what we're waiting on on the sewer equalization. I think we should do that now, without waiting for consolidation. I don't understand why we made that a law in 2002, or passed that bill in 2002, but I think it's time to change it now. For that matter, I don't have a problem with changing the other half of that, the Sheriff and Police discrepancy, where city residents pay more too on that, I think we ought to switch both of those now, and address those issues now, instead of waiting. The other question, or the other comment that I would like to make is one reason I'm strongly for consolidation is I don't like how it's impacting our tax abatements. Again, I'm going by what the Courier printed, but if I trust the Courier they made a comment when Berry Plastics got their recent thing, their recent tax abatement that there was incentives if they hired residents of Evansville. To me we're one community, not, there shouldn't be a line, I mean, it should be residents of our county regardless of where you live. I just think for tax abatement it makes more sense doing it centrally instead of we have, you know, instead of the city residents paying for some companies or, you know, offset some companies whereas county residents offset others. To me we're one community. But I would really like us, going back one more time, I would really like us to address this sewer thing now instead of waiting. I don't see any reason really to wait, you know, and I say that now as a city resident where it actually hurts me more by saying that, because mine would go up. So, you know, I'm getting impacted the other way now, but I still think it's the right thing to do.

President Winnecke: Thanks, Cathy.

Cathry Edrington: I just have one question.

President Winnecke: I'm sorry. I apologize.

Cathry Edrington: Is there any, were the rates he gave correct, because I thought they were higher than that.

President Winnecke: I don't personally know.

Cathry Edrington: Okay. Thank you.

President Winnecke: Thank you, Cathy. Next?

Toni Beamer: Hello, my name is Toni Beamer. I live outside the city limits in the county. I'm one person that lives out there that is in favor of consolidation, for a couple of reasons. One is, I can't vote for Mayor. Let's face it, in the city, anyplace you go the Mayor is kind of the head figurehead for what goes on in that area. I feel like it's really important that everybody in Vanderburgh County have a say so, because I work in the city, I usually recreate in the city, go to school in the city, and yet I can have no say so on what goes on as far as the city is concerned. So, I think people in the county, outside the city limits are really disenfranchised by not having that authority. Now, I realize there's the Commissioners, but I'm not sure it's really the same thing, because the Mayor carries some, you know, authority, real or not, that everybody appreciates. So, that's one of the reasons I think it's important. The other is, when I left Evansville, I grew up here, went away for 39 years and came

back, and the population went from about 140,000 to about what, 112,000-115,000 something like that now. The city is older and it's poorer. Something has got to be done to get this city going. I'm thinking with consolidation there can be some singular leadership between a Council that cares about everybody's needs and a Mayor that can get this city moving into the 21st century. I mean, the future is where you guys need to be thinking, not the past. I think if we don't start looking towards the future, Evansville is just going to continue to grind and grind and grind, more people are going to move to Warrick County or wherever. We're losing a lot of our 20 somethings, and we need to keep those people here, but to keep them here we've got to have jobs. For much of what I've read consolidation is a positive factor in bringing industry into the area. There is no question that we need to get some more industry. We need to find some cottage industries that this area could support, because we're not keeping up with cities comparable to ours. I, for one, if I'm going to spend the rest of my days here, I really want to be proud of this city and I want it to move forward. That's all I have. Thank you.

President Winnecke: Thanks, Toni.

Commissioner Melcher: Thank you.

President Winnecke: Next. Last call. Okay.

Commissioner Melcher: Lloyd?

President Winnecke: If no one else want to speak, we will reconvene, we will continue this meeting—

Commissioner Melcher: Lloyd?

President Winnecke: Oh, I'm sorry.

Commissioner Melcher: I found some old notes of mine that I was going to ask earlier, and since Becky is here, I would like to ask her a couple of questions about the two or three meetings, the one at U of E, USI and the 4-H. It won't take very long.

President Winnecke: Sure.

Becky Kasha: Becky Kasha.

Commissioner Melcher: What I had on the notes was that we paid, I guess, \$1,500 or something to USI and \$1,500 to U of E and they had less participation at theirs, and most of them were students, and then the one they had at the 4-H Fair, which another group brought, they weren't paid anything, and yet they had 200 people. How did the committee pick who was going to get paid and how much? I should have asked you that a long time ago. I had it on a note too and naturally we're moving on, and when I heard your voice awhile ago, I thought now would be a good time to ask you. How come they didn't get paid the \$1,500 like everybody else did if they brought in lots more people?

Becky Kasha: Well, the \$1,500, the amount that was charged was to the University of Southern Indiana to do facilitation work, to actually have people handling the breakout sessions at the meetings. That wasn't paid to utilize the facility at USI or

utilize the facility at U of E. Neither facility charged us to actually have the meeting there. That was, like I said, those were fees paid to trained facilitators to handle those meetings. For those of you who weren't at the meetings, we, obviously didn't know how, what to anticipate in terms of attendance at those meetings. We didn't think it would be particularly productive to just have the whole committee sit there and have people just come up one at a time and talk and talk and talk and talk. So, we broke into small groups and had facilitators address some specific questions. That's what the facilitators did.

Commissioner Melcher: At the two schools?

Becky Kasha: At the two schools.

Commissioner Melcher: How did it do, how did you do it at the 4-H?

Becky Kasha: We asked the Farm Bureau to host a meeting, and I, my recollection is that we asked them to have it at the 4-H because we thought that would be the most convenient place. At the time I don't believe that Susan Helfrich who was handling the meetings or I were aware of the charge to have the meeting there. So, when that came up that they were going to charge, you know, we had said that no one else was charging us to have the meetings in the places we'd had them. I may be talking out of turn because I wasn't present, but I believe that someone on behalf of the committee offered to pay the Farm Bureau for that and we were told to not worry about it, you know, that what was done was done.

Commissioner Melcher: Okay, so the Farm Bureau actually paid the, what fee did they pay?

Becky Kasha: To, apparently whatever the amount was, and I don't remember what it was now, but that was to actually have the 4-H facility.

Commissioner Melcher: Yeah, because I don't think 4-H gives anything to anybody.

Becky Kasha: Well, that may well be, and I, in retrospect now, if I had realized that there would be a charge, I think we would have handled that differently. The day that they came up and talked to us about it, it caught me off guard. So, where as if I had thought it through I might have said, you know, under the circumstances we would go ahead and pay for that, but it caught me off guard. Then, afterwards when I realized how angry they were at us for that misunderstanding, I believe that one of the members of the committee offered to pay it and Farm Bureau at that point said to not be, not worry about it. We still have money in the budget if they, if they want to get paid and they think that that's the appropriate thing to do, I, you know, I suppose the money is there.

Commissioner Melcher: Okay. Alright, that's what I wanted to hear.

Becky Kasha: Yeah, but USI and U of E was not predominantly students. There was a cross section of people there.

Commissioner Melcher: Okay, thank you.

Councilmember Adams: How much money are we talking about with the 4-H?

Becky Kasha: I can't recall. I'm sure there are people here who can. It was \$600 or \$900, I don't remember. I think if we had known at the time that there would be a charge for the room that we had asked them to use, maybe we wouldn't have asked them to have it at that specific location. We just thought that was the most convenient thing for the people who were involved.

Bruce Blackford: Bruce Blackford. Recalling from memory, I believe the facility was about \$200. Then there were some incidental costs. We had somebody come down from Indianapolis to be sort of the moderator of the meeting and stuff and we were asking for transportation costs. That was all we asked for.

President Winnecke: Bruce, since Mr. Melcher brought it up, would your organization like to be reimbursed?

Bruce Blackford: That's fine. It's not a big deal one way or the other.

President Winnecke: If you would, give us the entire amount.

Bruce Blackford: Okay.

President Winnecke: Shoot that to us and we'll see that your compensated for it.

Commissioner Melcher: I just wanted to be fair with everything, and I've heard from all kinds of numbers and different people talking and I just thought we ought to end it so it don't go any further so that wouldn't affect what we're doing on this.

Bruce Blackford: Okay, the only thing I would ask is have you received the reports from those two meetings?

President Winnecke: Yes.

Commissioner Melcher: Yes.

Bruce Blackford: Okay. Thank you.

President Winnecke: Thanks, Bruce. Anything else?

Commissioner Melcher: Thank you. Thank you, Becky.

Becky Kasha: Oh, you're welcome.

President Winnecke: If there's nothing else, we will continue this meeting until September 6th at 6:00 p.m.

(The meeting was recessed at approximately 6:45 p.m.)

Those in Attendance:

Lloyd Winnecke
John Friend
Missy Mosby
Dan McGinn
John Hamilton
Jayne Buthod
Becky Kasha
Members of Media

Marsha Abell
H. Dan Adams
Connie Robinson
Alberta Matlock
Norman Messell
Cathy Edrington
Bruck Blackford

Stephen Melcher
Curt John
Don Walker
Ted C. Ziemer, Jr.
Bruce Ungenthiem
Toni Beamer
Others Unidentified

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded by Alberta Matlock. Transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
AUGUST 23, 2011**

The Vanderburgh County Board of Commissioners met in session this 23rd day of August, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good afternoon. I would like to call to order the August 23rd meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Old Courthouse Foundation Board: Repairs to Tuck Pointing at OCH

President Winnecke: Okay, we'll begin with our action items. First on the agenda is the Old Courthouse Foundation Board. Kelley Coures is here.

Kelley Coures: I brought the big gun with me.

President Winnecke: Whoa, brought your muscle, huh?

Ted C. Ziemer, Jr.: You are the big gun.

Kelley Coures: Speaking of big guns, where's Commissioner Abell?

President Winnecke: She's out of town today.

Kelley Coures: Did you send the Commissioners the copies of the letters?

Marissa Nichoalds: (Inaudible. Microphone not on.)

Kelley Coures: You have not. Okay, would you distribute them? We got notification at our last meeting from Mike Shoulders, our architect, that there's a very serious problem going on with the Old Courthouse. I think I sent an e-mail to the Commissioners early, just right after we had our first meeting, but I have some photographs that you all can keep that Mr. Shoulders made available to us. Around the perimeter of the roofline the building is beginning to leak quite a bit in two sections, and we're almost sure that the other two quadrants of the building are going to start leaking any day. The County Engineer, I think on the third floor—

Dennis Au: Right.

Kelley Coures: – has some very, has some leakage going on in there. There's some leaking going on under the roofline in our newly renovated Superior Courtroom that the Bar Association raised so much money to restore. It hasn't affected the plaster in that room yet, but we're, Mike Shoulders is convinced that it's going to come any time. There's, we redid the plaster in the Probate–

Dennis Au: Probate.

Kelley Coures: –Courtroom, which is the one right across from the ballroom that people rent. They rent both of those rooms out, and we had some of the ornate grill work replaced at the top of the, at the roofline, at the ceiling across the top of that, those old curls and freezes and things up there, and it's starting to leak again in that same....so, it's not the roof. I think Commissioner Abell suggested that there might be a warranty on the roof system. It's not the roof, it's where the limestone stones meet. The mortar in there, some of the mortar is 99 years old, some of it's 30 years old, but it's exposed to heat and freezing and rain. We need to get something done before the fall rains come or our courtroom is going to be in jeopardy.

President Winnecke: What, do we know yet the extent of the, I mean, how long this would take to do or an estimate of how much it would cost?

Kelley Coures: We talked to, Mike Shoulders talked to Bungee?

Dennis Au: Bunge.

Kelley Coures: Bunge?

Dennis Au: Bunge.

Kelley Coures: And he's written up an estimate for each of the four quadrants, because, when I speak of quadrants, I mean, the four turrets that are on the courtrooms on the four sections of the building. He's, the two where he's identified the serious, serious leaks need to be done as soon as possible. I think he could do it within a short period of time, but it's, Mike Shoulders says it's an emergency situation. He's, in his letter to us, which we're forwarding to the Commissioners, he's declared this an emergency situation.

President Winnecke: Is there an estimate on the cost, Kelly?

Kelley Coures: There is. Now–

President Winnecke: He said dramatically.

Kelley Coures: – I'm really glad you're in a good mood, because it's, the estimate that Bunge has given us is up to \$100,000.

President Winnecke: For two of the four?

Kelley Coures: For all four.

President Winnecke: For all four? Okay.

Kelley Coures: It's roughly \$25,000 per quadrant–

Dennis Au: Right, per quadrant.

Kelley Coures: – to tuck point, to remove the old mortar, to put new mortar in, to secure those, to secure those places from leaking, but we really don't want our new courtroom....I had Marissa forward everything to Judge Heldt since he was so instrumental in raising the money that it took to restore that Superior Courtroom. We just don't want to see all of that work go to waste.

President Winnecke: Right. Ted, what are our options in terms of it being deemed an emergency, bidding, etcetera?

Ted C. Ziemer, Jr.: If it's a true emergency, we, I think, can dispense with bidding. I would like to answer that not today, but I could answer it tomorrow. I want to research that, but I think we can do that. Then, is there, are there Foundation monies available that could cover this cost?

Kelley Coures: We do have some Foundation money. At the beginning of my tenure on the board, the money that the Foundation has raised was to be used for the interior, interior renovations, the hallways, the courtrooms, the interior of the building to attract tenants, to make the rooms more usable to the public. That money wasn't for exterior work. Since it's a county building, the Commissioners at that time told me that anything to do with the exterior of the building, with the structure, you know, windows, the limestone, those kinds of things, that since it's a public building that the county was responsible for taking care of those. The money that we raise through bequests and through fund-raising is for the interior of the building. That was how I understood it. So, that's why we're here.

President Winnecke: So, perhaps we can investigate that and take action at our next meeting, which I'm told is September 13th.

Ted C. Ziemer, Jr.: Of course, my research won't have anything to do with the funding, President Winnecke, and I don't–

President Winnecke: Well, in the meantime, I betcha I can get with Mr. Gries to figure out what kind of funding stream we would have for that.

Ted C. Ziemer, Jr.: And, for the Commissioners, just a point of interest, I guess, to what extent this is an emergency, I mean, you know, if you're telling me that we're going to have leakage in the courtroom starting today–

Kelley Coures: We already do.

Ted C. Ziemer, Jr.: We already do? What are we doing? How are we treating that now? What I'm thinking of–

Kelley Coures: We aren't.

Ted C. Ziemer, Jr.: –is the time limit. I mean, so, if it leaks in that courtroom, I mean, what happens? Nothing?

Kelley Coures: Judge Heldt has my phone number, so, I don't want him mad at me. I want him to–

Ted C. Ziemer, Jr.: No, I understand. What I'm trying, Kelley, to address is, if water comes in today, if it rains tonight and water comes in, is anything done, being done to protect the interior of that courtroom at all from this possibility?

Dennis Au: There's nothing much to be done, Mr. Ziemer. It's, the only thing, with a building of that mass it can absorb some moisture, so, the reality is, yes, for a light rain it's not going to make a difference. If we get a deluge, then we start to have plaster damage.

Ted C. Ziemer, Jr.: When it's coming, do we know where it's coming in? Is it coming in on every wall?

Kelley Coures: The photographs tell you, show you, there are little holes, little places where the mortar has ceased to be, the mortar has come out, the mortar has—

Ted C. Ziemer, Jr.: I guess, what I'm really getting to—

Kelley Coures: Yes, we do know where it's coming in.

Ted C. Ziemer, Jr.: — I mean, is it going to be in the center of the courtroom, or is coming down the walls?

Kelley Coures: It would be along the edges of the courtroom, where the ornate freeze work is. All around the courtroom, that's where—

Ted C. Ziemer, Jr.: And, what I'm finally getting to, you tell us that your architect has declared this an emergency, we can have an emergency meeting without waiting until the next regular meeting of the Commissioners if we're going to, want to address this as an emergency. I'm trying to assess the degree of emergency that we have here.

Joe Gries: President Winnecke?

Kelley Coures: Well, the next rainstorm, the next rainstorm we have, the water may not come into the courtroom in that rainstorm, but water will get in the eaves above—

Ted C. Ziemer, Jr.: Right.

Kelley Coures: —where the plaster is.

Ted C. Ziemer, Jr.: Okay.

Kelley Coures: The rainstorm after that will have damaged the eave portion there, and each subsequent rainstorm will come in further and further and further.

Ted C. Ziemer, Jr.: Okay, and has there been damage already?

Kelley Coures: Not to the Superior Courtroom, no. To the Probate Courtroom, to the second, the courtroom across from the ballroom there has been damage again, after the repairs that we, the Foundation paid for for the interior. We spent about \$100,000 on that room to make it white, to make it, you know, because people rent that for weddings, they have the reception in the ballroom across the hall. It has already damaged some of that plaster in the Probate Courtroom.

Ted C. Ziemer, Jr.: The new work that you've done?

Kelley Coures: Yes. Right.

Joe Gries: President Winnecke?

President Winnecke: Yes?

Joe Gries: I'm sorry. Marissa has told me that there is \$100,000 in Old Courthouse Contractual Services line within the Commissioners CCD budget.

Commissioner Melcher: I think we could do this from like two or three different angles. You could go ahead and start checking, we could set a date for, we are going to be here on the 6th at 6:00, we could set a date then. If it gets to where we don't have to, we could call a special meeting, because we've got to give 48 hours notice on that.

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

Commissioner Melcher: I'm going to be gone Thursday, Friday and Monday. I don't know when Marsha's getting back. So, I would think we would go ahead and set the meeting now for 5:00 on the 6th. This letter was dated the 12th and today's the 23rd. So, it's not like, if it was an emergency, I would have been here sooner, you know. So, I think the 6th is good, but if it comes to find out we need it, give us more time to investigate, and we'll get everything solved.

Kelley Coures: Well, Marissa could get in touch with Mr. Bunge, Marissa can get in touch with him and let him know of any questions that you have.

Commissioner Melcher: But, if it has to be bid, we could maybe still have that in by the 6th. I'm just trying to do both at one time.

Ted C. Ziemer, Jr.: I'll have an answer on that tomorrow. So, on the bidding issue.

President Winnecke: Should we go ahead and set the meeting for the 6th? We can.

Ted C. Ziemer, Jr.: Sure, when is the next regular Commissioners meeting?

President Winnecke: The 13th.

Commissioner Melcher: The 13th.

Ted C. Ziemer, Jr.: The 13th.

President Winnecke: So, we could move it up a week. Does that work for you?

Kelley Coures: It works for me. That's why I bring the big gun.

President Winnecke: Marissa, let's plan to advertise a special meeting on September 6th at 5:00 p.m. for the purposes of discussing repairs to the tuck pointing of the Old Courthouse. 5:00 p.m. on the 6th. Okay, anything else?

Commissioner Melcher: And there won't be a Drainage Board meeting that night.

President Winnecke: Thank you.

Commissioner Melcher: Because we've got another meeting at 6:00.

President Winnecke: Yeah, yeah, yeah. Anything else?

Kelley Coures: That's it.

President Winnecke: Thank you, gentlemen.

Kelley Coures: Thank you.

Building Authority: Chiller Repairs at the Centre
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President Winnecke: Mr. Rector?

Dave Rector: Good afternoon, gentlemen. Dave Rector, Building Authority. I had e-mailed you, I believe, the concern with the chiller, and we talked about it a couple of meetings ago. It is in need of replacement. I've gotten three bids, the low bid is \$189,000, \$188,914 actually, but we also need to make some repairs to the second chiller. That's about \$8,600. I'm suggesting we approve \$200,000, not to exceed, to replace the chiller that's bad and to make the repairs to the second one.

President Winnecke: Just for clarification, this funding would come from the F&B line item.

Dave Rector: Please.

President Winnecke: Any questions of Mr. Rector? Steve?

Commissioner Melcher: No, but it just amazes me how all of this real expensive stuff that's supposed to last a lot longer than what it's lasting is going down.

Dave Rector: I think I've shared with you that, in my opinion, there's no reason for this to be in the shape it is.

Commissioner Melcher: And you have, that's why I really think it's, that you need to be on top of this, and maybe start looking for other things over there that we might be able to stop now before they go.

President Winnecke: David, I forgot, the second chiller, is it the same age?

Dave Rector: Yes, they're both, they were both new with the building.

President Winnecke: Will that level of rehabilitation keep it in good running order for—

Dave Rector: We hope that it will, yes. We did not know the extent of the damage of this until we opened it up. It's just completely black and rusted.

President Winnecke: Who was the, what company was the low bidder?

Dave Rector: The low bid was J.E. Shekell. We also had bids from Alpha and ICI.

President Winnecke: Just, sort of technically, your board would approve the vendor hire, is that right? Or do we do that too, Ted?

Dave Rector: No, we do that.

President Winnecke: You do that?

Dave Rector: Yes.

President Winnecke: So, at this point I would entertain a motion to authorize the Building Authority to spend a level not to exceed \$200,000 from the Food & Beverage account for the replacement of a chiller at the Centre and for the rehabilitation of the second chiller.

Commissioner Melcher: So moved.

President Winnecke: Second. Any further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

Dave Rector: Thank you, gentlemen.

President Winnecke: Thanks, Dave.

Commissioner Melcher: David, while you're up at the microphone--

Dave Elgin: Yes?

Commissioner Melcher: --would you have time just to help us and go over to the Courthouse and can you see what they're talking about?

Dave Rector: Sure. I would be glad to.

Commissioner Melcher: I mean, I would rather have another set of eyes on it too.

Dave Rector: I understand what they're saying, and it's not--

Commissioner Melcher: I do too, because I just did this at a building where I work.

Dave Rector: Yeah.

Commissioner Melcher: It wasn't the roof, the roofs are good, it's all the brick work had separated and I had to get a company to go in and re-caulk that. So, I understand that. It's just good to have you look.

Dave Rector: Sure, I would be glad to.

Commissioner Melcher: Just get back with us, that way we know if it's a real emergency. I think they're right, but I would like for you to just look at it.

Dave Rector: I would be glad to. Thank you.

President Winnecke: Thanks, David.

Award RFP for Pharmacy Services for the Jail

President Winnecke: Next, permission to award pharmacy services for the detention center. Debbie Spalding? Is Deb here? Or, Sheriff Williams in her stead.

Eric Williams: I will fill in for Debbie this evening, since it's for my operation. Did you get the letter of our recommendation in your packet?

President Winnecke: I did.

Eric Williams: I would be happy to answer any questions, but after evaluating all of the bids, we feel pretty comfortable with that recommendation. I think it's important to note that we did have two local vendors, and while we very, very much like to keep Vanderburgh County tax dollars with our local vendors, the opportunity for cost savings was so extreme with one of the other vendors that we just couldn't do it.

President Winnecke: Okay, I say it was in my packet. I did read your e-mail, but I don't have it with me. Oh, here it is. If you could, just sort of summarize the....you're recommending Contract Pharmacy Services, and, if you would, just kind of give us a view as to why you recommend them.

Eric Williams: Well, basically we went through the selection process with all of the criteria that was established in the proposal process. We assigned point values to each of their positive answers and their responsiveness. Not only did they achieve the highest point rating of all of those that presented proposals, the final and probably, possibly the most important component of it is when we did cost comparisons of the value of our typical month's pharmacy services for the confinement center. They were several thousands of dollars cheaper. You can see those numbers detailed on the last page of my spreadsheet there, along the bottom.

President Winnecke: Any questions of the Sheriff? I think this is pretty cut and dry. If there are no questions, I would entertain a motion to approve the pharmacy contract with Contract Pharmacy Services, as recommended by the Sheriff.

Commissioner Melcher: So moved.

President Winnecke: Second. Any other questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

Eric Williams: We will contact them and begin the process of working out a contract with them to bring back for final signature. Thanks.

Superior Court: Home Verification Officer Agreement: K. Williams

President Winnecke: Okay, contracts, agreements and leases, Superior Court, this is a home verification officer agreement with Sheriff Deputy Kelly Williams. This is identical to the form of agreement entered into last year. It's for the period of May 1, 2011 to May 1, 2012. The hourly rate remains the same at \$22.50. I would entertain a motion to approve.

Commissioner Melcher: So moved.

President Winnecke: Second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

County Engineer

President Winnecke: Okay, next, department head reports. John?

John Stoll: I have two items, first is the final change order on University Parkway, Phase II. This is for an increase of \$74,560.79. This covers the repair of the embankment that washed out on the westside of the road, just north of Upper Mount Vernon Road. The county's share of this change order will be 20 percent, which is \$14,912.16.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

President Winnecke: Second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

John Stoll: The other item I have is to request approval to go to County Council to transfer \$40,000 from the First Avenue Bridge Account to the Fickas Road Culvert Account. The First Avenue Bridge project is finished, and based on the bids that we received on the Fickas project we didn't have enough money in the account to award the project. That being said, if we can find a way to do the project cheaper we're still going to pursue that, but in the event we can't, then we would have enough money in the account to actually award a contract.

President Winnecke: I would entertain a motion.

Commissioner Melcher: Yeah, I approve the motion.

President Winnecke: Second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

John Stoll: That's all I have.

President Winnecke: Thanks, John.

Burdette Park

President Winnecke: Steve?

Steve Craig: Steve Craig, Manager of Burdette. All I have is I wanted to tell everybody that the Aquatic Center is open this weekend and through Labor Day. It will be open to the public, so everybody, it's still supposed to be in the 90's, if they would come out, and then our miniature golf course will be open through the last weekend in September. Other than that I don't have anything if you don't have anything for me.

President Winnecke: What's your attendance looking like this season, Steve?

Steve Craig: Good, we're actually ahead of last year which was a record year. If we have good weather on the weekends through the rest of the year we should come out really good.

President Winnecke: Okay. Great.

Commissioner Melcher: I wouldn't jinx it. Thank you.

Steve Craig: Thank you.

President Winnecke: Thanks, Steve.

County Attorney

President Winnecke: Ted, did you have anything?

Ted C. Ziemer, Jr.: I do, thank you. I apologize, this was a late agreement, late in the lateness of my getting it to you, which was just this afternoon. I did send an e-mail to the Commissioners, but I suggest that probably Commissioner Melcher hasn't received it, and maybe you hadn't either, Commissioner Winnecke. But, it is a fairly pro forma document, it's a memorandum of understanding between the Board of Health and CAPE Head Start for the Board of Health to provide lead screening services for children in the Head Start program of CAPE. There is no exchange of funds, no compensation to the Health Department by CAPE. It's merely to formalize an agreement between CAPE and the Health Department that the Health Department will provide the screening services, which the Health Department as a part of its regular functions is willing to do. So, the agreement really describes the services, it doesn't provide for any exchange of compensation. In addition to that there's a separate agreement which is a HIPPA prescribed agreement, a Business Associates Agreement, under the terms of which both the Health Department and CAPE, through the Head Start program, agree to maintain as confidential any health records or other records regarding health information that will be supplied by either the Health Department to CAPE or CAPE to the Health Department in connection with this lead screening program. Given that, we, oh, and I want to note that Commissioner Melcher is employed by CAPE, and ordinarily he, very correctly in my opinion, abstains from voting in any matter having to with CAPE. However, in this case, since there is no exchange of funds, no compensation being provided to CAPE or by CAPE to the Health Department, we believe that it would not be a violation of any ethical or other provision for Mr. Melcher to vote on this issue should he decide to do so. We recommend that the agreement is satisfactory for execution by the Commissioners, both agreements, and recommend that you do that today.

President Winnecke: I would entertain a motion to approve. I'll make the motion for you.

Commissioner Melcher: Yeah, you make the motion.

President Winnecke: So moved.

Commissioner Melcher: I'll second it.

President Winnecke: Any further discussion or questions?

Commissioner Melcher: Yeah, I just want to make a statement here. It's like the attorney said, Ted said, that I've always abstained from voting on anything at CAPE, but like he said this is not going to be any kind of money passing back and forth. This is about the children getting lead screened, which is a federal requirement, and I know that they have to have it done in so many days when school starts and it starts next week. So, with that, that's why I seconded the motion and I'll be voting on it tonight, we're short a Commissioner but we have to be moving on this. It has nothing to do with my position at CAPE, because I don't work for Head Start at all. I work for CAPE. I'm their facilities director and I'm over all their property.

President Winnecke: Any other questions or comments? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

President Winnecke: Anything else?

Ted C. Ziemer, Jr.: No, that's all I have.

President Winnecke: Okay.

New Business/Old Business

President Winnecke: Any other new business to come before the Commissioners?
Any old business?

Public Comment

President Winnecke: Any public comment? Yes, sir?

Kenny Crooks: My name is Kenny Crooks. I'm a small business owner of a heating and air conditioning company here in Evansville, Indiana. I've kind of been running around in circles with my sign in my yard.

President Winnecke: Okay, Big Cynthiana Road.

Kenny Crooks: I, basically, does anyone else need one? The, two years ago I started a business, or my wife started a business and I basically work for her. She's in the process of doing her WBE to get certified in the State of Indiana/Vanderburgh County. We're an upstart business, we're trying to see if we can seek a variance for our sign, which we signed off on from all of our neighbors. I mean, I live in a rural almost farm community out there, there's several signs on 65, but I'm not zoned commercial. I don't know that I want to put my neighbors in a situation where I want them to say, hey, I don't want you to be a commercial property, because if I ever sell or move, then any store or whatever could move into that community. When I got it approved by the neighbors, I basically went to their house and said, hey, I've been out of work, I'm going to start my own business, I want to do it as professional looking as I can, I want to put a sign up. They all said, hey, no problem, you know, get it done and good luck. So, I've not had, there's not been any complaints, it's just that Area Planning, I think it's Area Planning that came out and saw the sign and said, hey, you've got 30 days to take it down or a \$500 fine. Well, I took it down, at that time one of the Commissioners, who's not with us now, said, hey, put it on a wagon and just move it around your yard. Well, it looks terrible. It looks very unprofessional. I didn't even put a picture on there, because it just don't look right. I want to grow my business in Vanderburgh County. I have faith in my business, we're growing, two years running. I guess, I'm looking for a variance, just a, you know, one out of ten people say, hey, I saw your sign on the road, and that's why I called you. It makes a noticeable difference when it's down. I don't, it's not my goal

to have that sign in my yard forever. I just want to grow enough to get a legitimate area and move on from there.

President Winnecke: Kenny, you might explain to everyone sort of the nature, that you don't really do work out of your home, but you're a traveling—

Kenny Crooks: I do run a service-based business. If your air conditioner breaks down, I go fix it. Just an upstart business for two years. I just topped out \$120,000 in business, which do the math, a little bit of profit there, and we're growing. We don't have a whole lot of money for advertising, and what I've been doing is doing voluntary work for places like Golfmoor, I've got it down, trading out some labor and some furnaces and stuff for some advertising. Advertising is a tight budget, but I'm, you know, like I said, I'm trying to grow and trying to do everything by the book, but it kind of limits me when I'm kind of chasing my tail on this sign. It is a good business partner.

Ted C. Ziemer, Jr.: Have you discussed this with the Plan Commission, other than them being there saying you have to take it down?

Kenny Crooks: I have. They give me no option, no hope. You know, I even give them, I said, I'll do anything, whatever you tell me to do, I'll do. They were kind of cold. They just kind of looked at me like, I can't do this. Well, how I got turned on to you guys was because the Chamber of Commerce said, hey, you guys are out to help small business grow in Vanderburgh County and that's what I'm here for. So, they just didn't, wasn't any help at all. They didn't even mention variance until I got, I think Lloyd was busy and she kind of handed it off to Marsha, and she said, hey, why don't we just sit down in front of the Commissioners and see if we can do something like a variance or something for a couple years, and then you just promise us that you're going to take it down in a couple of years. So, I didn't know if there was an option out there for this or what.

Ted C. Ziemer, Jr.: I think there's probably two things you need to do. First of all, the Commissioners, there is a zoning and planning ordinance in Vanderburgh County which was enacted by the Commissioners, and the Commissioners are bound by that ordinance which they created. They can amend that ordinance if they want to go through the procedure of amending the zoning ordinance, which they're probably not interested in doing. I'm not sure, given the nature of your business whether you need to be zoned commercial or not. Possibly, since you don't do any work on the property, and simply want to advertise, maybe you only need a variance to have the sign located on your property. To do that you have to go to the Board of Zoning Appeals, which is the organization that grants a variance. Now, you're probably thinking already, I was advised to come to the Commissioners, now the Commissioners are telling me to go to the Board of Zoning Appeals. What I suggest you do is go to the Plan Commission and ask to speak to Brad Mills about your problems. He's the Executive Director of the Plan Commission. If the Commissioners so direct me, I will call Brad Mills tomorrow and advise him that you're coming in to see him, and he'll be happy to talk to you. He knows what is required under the county zoning ordinance and will be able to tell you precisely what you have to do to do what you want to do. I don't know exactly what his answer is going to be, but it will be what is allowed under the zoning law. If you need to seek a variance, you'll have to apply for the variance and that means going to the Board of Zoning Appeals, and then you make your case and then they decide whether or not to grant you the variance. So, I think the first thing to do would be to talk to Brad.

President Winnecke: I would say, ask you to please call Brad on Mr. Crooks' behalf, and let him know the call is going to come.

Ted C. Ziemer, Jr.: Tell me, give me your name again. I don't need a card. You can just...alright—

Kenny Crooks: I'm Kenneth Crooks.

Ted C. Ziemer, Jr.: —okay, you've got it great, great, Ken.

President Winnecke: Kenny, who—

Kenny Crooks: I talked to Brad already.

President Winnecke: I was going to ask who you talked to there.

Kenny Crooks: I talked to a lady named Donna. I didn't get any answers from her. I didn't get any kind of option or hope that this could ever be resolved other than take down your sign. That's the three words she said consistently. So, I asked to talk to, I think, Brad, I think it was Brad, I'm not sure—

Ted C. Ziemer, Jr.: Yeah.

Kenny Crooks: —but I talked to somebody in there that was apparently her supervisor, and they didn't give me a whole lot of hope either. That's when I turned back to the Commissioners and tried to get something.

Ted C. Ziemer, Jr.: Okay, let me, I'll speak to Brad Mills tomorrow—

Kenny Crooks: Okay.

Ted C. Ziemer, Jr.: —morning. So, you hold off on trying to contact him—

Kenny Crooks: Okay.

Ted C. Ziemer, Jr.: —until tomorrow afternoon. He'll be glad to talk to you. We'll try to, I mean, you have to operate, all businesses in Vanderburgh County have to operate within the zoning and planning laws of Vanderburgh County.

Kenny Crooks: Right.

Ted C. Ziemer, Jr.: The Commissioners don't have authority to grant a variance that's contrary to those zonings laws. They created this ordinance and even they have to abide by it, unless they want to amend the ordinance, and that has never happened in an individual case.

Kenny Crooks: Right.

Ted C. Ziemer, Jr.: But, we ought to be able to tell you what you need to do, and then you'll know what you have to do to comply. I just want to give you an example, if a kind of business requires a commercial zoning to do that business, then you really can't do that business in a residential area without getting the property rezoned from residential to commercial. Maybe what you need to know is then how do you accomplish that, and, you know, what's going to be involved in doing that.

That may impact what you were discussing about, well, it becomes a commercial piece of property and then you don't want your neighbors, if you ever sell it, to have a who's know what go in there. Even that can be dealt with based on covenants and that sort of thing. So, it may not be an easy solution, but the Plan Commission will work with you to let you know what the solution is, and then you'll need to determine whether or not you want to try to comply with that or not.

Kenny Crooks: Okay, well I'm here to comply. That's why I'm here.

Ted C. Ziemer, Jr.: Exactly, I understand that.

Commissioner Melcher: I would just like to say, we have beauty shops in Evansville in homes and there's signs out, but they have to get a BZA, they have to go before the Board of Zoning Appeals, they're only a one seat person, it's called a special use. There's also such laws in our community where you can zone just where your sign is at. In other words you can take ten feet around that sign, let's say, and say you want to make that the certain zoning, and put a special use on it that it's only going to be that sign only. Now, you'll have to pay for that, I mean, you're going to have to pay for BZA, but that's another way you can do it. They just did it for Harrison High School on the east side. They just rezoned where the sign was. All they did was measure what the sign was, and we just did it at Area Plan.

Kenny Crooks: Okay.

Commissioner Melcher: We didn't do the rest of the property, we just did it for the sign. So, there's a way to do it. I'm surprised that if you did talk to Brad that he didn't bring it up, but we do have to follow, like Ted said, there is laws, because if we all of a sudden said you could, then somebody else down the road would do it and the next thing you know we're going to have everybody doing it.

Kenny Crooks: Right.

Commissioner Melcher: So, we either have to do that or change the laws.

Kenny Crooks: Okay.

Commissioner Melcher: So, basically, we would like to help you, but it has to start with Area Plan.

Kenny Crooks: Okay.

Commissioner Melcher: I wouldn't move it around. I don't know why a Commissioner would tell you that.

Kenny Crooks: Well, I think in his mind it was like having a van parked in your yard. You know, as long as it's licensed, but I couldn't talk to (Inaudible)--

President Winnecke: He was trying to help.

Commissioner Melcher: Well, and they've had cases, and we just had one not too long ago where they were driving commercial trucks in and out of a piece of property and that's how they found out about it. They don't go by and call somebody up. Somebody had to say something.

Kenny Crooks: That's not what I was told from the Donna lady, you know.

Commissioner Melcher: You know, they could have been out there on another problem and seen that.

Kenny Crooks: Could be.

Commissioner Melcher: Because that's what they do, they don't have time to drive around finding every problem.

Kenny Crooks: Yeah.

Commissioner Melcher: For what it's worth.

Kenny Crooks: Okay.

Commissioner Melcher: We would like to help you, and this is the best advice that Ted has gave you, but there's two or three different ways you could do it.

Kenny Crooks: Okay, well–

Commissioner Melcher: Maybe.

Kenny Crooks: – I appreciate your time.

President Winnecke: Thanks, Kenny.

Kenny Crooks: Alright, thanks a lot.

Commissioner Melcher: Thank you.

President Winnecke: Hey, Kenny? If you'll wait just a second, I want to give you a card after this.

Kenny Crooks: Okay.

President Winnecke: Any other public comment?

Consent Items

President Winnecke: At this point I would entertain a motion to approve the consent agenda.

Commissioner Melcher: So moved.

President Winnecke: Second. Madelyn, would you do your thing?

Madelyn Grayson: The consent items for the August 23rd meeting are as follows; approval of prior minutes, we have the August 4th and August 17th joint County Commissioners-City Council meeting minutes, the August 9, 2011 Commission meeting minutes; there are no employment changes for the Commissioners approval this evening; the Commissioners have an INDOT response to residents near U.S. 41 and Old State Road regarding median cross over removal; there's a support letter

for Small Community Air Service Development Grant; the County Assessor has a waiver of fees/not overtime for the Centre for Assessor's Manatron Indiana Pro-Val training on September 13th; the County Clerk has a request for waiver of fees/not overtime for the Centre for poll worker training on October 25th, 27th and 29th; Burdette Park has the yearly comparison through July, from January through July of 2010 to 2011; Weights and Measures monthly report from July 16-August 15, 2011; the County Recorder has a request to surplus one non-working microfilm machine; the Sheriff has a request to surplus two Ford Crown Victorias and one Dodge Ram; the Evansville ARC July 2011 report of activities; the County Clerk has the July 2011 monthly report; the County Engineer has pay request number 134 for \$24,264.86 for TIF projects; the County Treasurer has the June and July 2011 monthly reports and the July 31, 2011 year-to-date report; and there is a department head report from the County Engineer.

President Winnecke: Well read. Thank you, Madelyn

Madelyn Grayson: Thank you.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 2-0)

President Winnecke: If there's no other business to come before the Board of Commissioners, I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

President Winnecke: We are adjourned.

(The meeting was adjourned at 5:39 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the 8/4/11 & 8/17/11 Joint Commission-City Council Minutes.
Approval of the 8/9/11 Commission Meeting Minutes.
INDOT Response to Residents Near U.S. 41 & Old State Rd: Median Removal.
Support Letter for Small Community Air Service Development Grant.
Evansville ARC: July 2011 Report of Activities.

Employment Changes:

County Clerk (1)	Superior Court (1)	Circuit Court (2)
Sheriff (8)	Prosecutor (1)	Auditor (1)

Centre Fee Waiver Requests:

County Assessor: Manatron Indiana Pro-Val Training: September 13, 2011.
County Clerk: Poll Worker Training: October 25th, 27th and 29th, 2011.

Burdette Park: Yearly Comparison January-July from 2010 to 2011.

Weights & Measures: Monthly Report: July 16-August 15, 2011.

Surplus Requests:

County Recorder: One Non-Working Microfilm Machine.
Sheriff: (2) Ford Crown Victorias, (1) Dodge Ram.

County Clerk: July 2011 Monthly Report.

County Treasurer:

June and July 2011 Monthly Reports.
July 31, 2011 Year-to-Date Report.

County Engineer: Pay Request No. 134 for TIF Projects.

Department Head Reports: County Engineer

Those in Attendance:

Lloyd Winnecke	Stephen Melcher	Joe Gries
Ted C. Ziemer, Jr.	Marissa Nichoalds	Madelyn Grayson
Kelley Coures	Dennis Au	Dave Rector
Eric Williams	John Stoll	Steve Craig
Kenny Crooks	Others Unidentified	Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING
AUGUST 30, 2011**

The Vanderburgh County Board of Commissioners met in special session this 30th day of August, 2011 at 3:30 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding. The sole purpose of the meeting was to review quotes for repairs of tuck pointing in the Old Courthouse.

Call to Order

President Winnecke: I would like to call to order the special meeting of the Vanderburgh County Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

**Discussion of Leakage at Old Courthouse and Review of Quotes for
Tuck Pointing Repair**

President Winnecke: This is an emergency meeting based on a discussion we had at our last meeting relative to leaky roof conditions in the Old Courthouse. At this point I would turn the floor over to our legal counsel, Mr. Ziemer, for an update.

Ted C. Ziemer, Jr.: Okay, thank you. As I told you I would do following the last meeting when the presentation was made by Mr. Au and Mr. Coures relative to the emergency in the Courthouse, we checked, or I checked the law Wednesday morning, and we can indeed declare an emergency if the Commissioners are of a mind to believe that there is an emergency, and, in that case, the problem caused by the emergency, or giving rise to the emergency can be dealt with by receiving two quotes and without advertising for bids for the work to be done. As you know there was only one quote presented at the meeting, or you don't know this because, Marsha, you weren't there, but I'm telling you there was only one quote presented at the meeting. That was from N.M. Bunge, Inc., and that was to do the required work as described by Mike Shoulders, the architect for the Old Courthouse, for an amount not to exceed \$100,000. Since we need to have two quotes, I proceeded to obtain, first I called the architect and asked him who else, in his opinion, was a company that was well competent to do this particular kind of work. He said that there were several, but he suggested that since we just needed to get two quotes that I proceed to contact ARC Construction, which I did. I spoke to both Jamie Bateman and Danny Bateman, they, I asked them to contact Mr. Coures and to then arrange to have Mr. Au take them up on the roof of the Old Courthouse so they could see what the problems were and give us a quote. They did that, and responded on August 30th with a quote of not to exceed \$92,250. I then spoke to Mr. Shoulders again, who told me that indeed the quote of ARC Construction and the

quote of N.M. Bunge was for the same work. That is they bid apples to apples. It was his recommendation then that the, if the Commissioners, number one, find that there is an emergency, then, number two, it would be his recommendation that the Commissioners award a contract for the, to repair the emergency problem to ARC Construction as the low bidder, or low quoter for \$92,250. We heard, at the meeting, again, Commissioner Abell, for your benefit, statements by Mr. Au on behalf of the architect, Mike Shoulders, that this did represent an emergency due to the fact that new plaster work has been done over there to the old courtroom that's been refurbished with some \$300,000 to \$500,000 by the Bar Association and another \$200,000, I think, by the county, and that the nature of the leakage was such that if we get a hard rain, it was quite likely that water would pour into those courtrooms and damage the plaster that had just been done, along with other work for some \$500,000. So that it's well worth immediately taking care of this problem to avoid loss to a project that cost \$500,000 just in the last six months.

Commissioner Abell: What's leaking, the roof?

Ted C. Ziemer, Jr.: Not the roof. If it were the roof, Commissioner Abell, that would come under, we have a warranty—

Commissioner Abell: I was wondering about that.

Ted C. Ziemer, Jr.: —because we rather recently, I can't remember when, but we rather recently did roof work up there, and we have a warranty on that. This is not the roof. It's, and I, let me see here—

Commissioner Melcher: It's the tuck pointing of the concrete blocks are coming apart.

Ted C. Ziemer, Jr.: Exactly.

Commissioner Melcher: Like where I work we have bricks coming apart. So, water poured in between those bricks. Our roof's okay, but it's the bricks. Over there it's the concrete block.

Ted C. Ziemer, Jr.: So—

Commissioner Melcher: And they have pictures.

Ted C. Ziemer, Jr.: Yeah, it's coming from between these, the pylasters for the Old Courthouse, and it's not coming through any of the roofing, it's separate from that. So, it's, the Commissioners need to determine whether they believe, oh, and I want to mention one other thing, I think the architect and Mr. Au, and probably Mr. Coures have maybe known for a month or so that this problem looked like it existed. They didn't know, you know, to what extent it was. They arranged for N.M. Bunge to go up and look at it, and then later a quote was received from them. So, it might appear to some, that, well, if this is an emergency, they knew about it a month ago, why didn't we advertise for bids and get this done? They really didn't know, I'm told, that the problem was as extensive as it is until Bunge went up and looked at it, and shortly after that is when they came to the Commissioners and asked to have an emergency declared and then have a repair awarded to a contractor. So, I think the Commissioners have two things before them today; one, if you're convinced that you declare that the damage, that the leakage problem at the Old Courthouse is, in fact,

an emergency, so, you're finding that an emergency exists. Then, since one does exist, we have two quotes that were obtained to do the work in the amounts indicated, and the low contract would be ARC Construction for \$92,250.

Commissioner Melcher: I think there was a room already leaking with damage, another room

Ted C. Ziemer, Jr.: Yeah, there had been some slight, yeah, slight damage already.

Commissioner Melcher: Right, that's what started this.

Commissioner Abell: That's how they started looking for this?

Ted C. Ziemer, Jr.: They started looking for it. You're right.

Commissioner Melcher: They're going to do all four turrets, or whatever they call them?

Ted C. Ziemer, Jr.: Yeah, thanks, Commissioner Melcher. That's exactly right, that's what got them to get up there and to start looking for it.

Commissioner Melcher: Yeah, I don't know if it's an emergency, because if I remember and I don't have the letter, but it was dated the 12th and the meeting was the 22nd, and I brought that up. But, since we do have the prices now, I don't see why we—

Ted C. Ziemer, Jr.: The only thing I want to stress, we could not do this without advertising for bids if you don't believe it's an emergency. So, you've got to first declare it an emergency, and then, second, you can look at these quotes and decide what you want to do. If you don't think it's an emergency, then we stop right now, I guess, we would request permission to advertise for bids, and then we would proceed to do that. The emergency is not so much getting this done today, it's getting it done before the first very hard rain, and none of us know at this point when that's going to be, but the architect indicates that there is substantial probability that in a very heavy rain, we'll have very heavy damage.

Commissioner Melcher: Both contractors could start right away?

Ted C. Ziemer, Jr.: Immediately, yes.

President Winnecke: Based on the information from Mr. Au and Mr. Shoulders and Mr. Coures, I mean, I'm convinced that an emergency exists. I guess, so, should we take a vote on that first?

Ted C. Ziemer, Jr.: Yes.

President Winnecke: I would consider a motion to declare the Courthouse leakage an emergency.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed?

(Motion approved 3-0)

President Winnecke: The second question I would have then, I guess, relates to the two quotes. Is there any issue with the fact that one was announced in a public meeting prior to receiving the second?

Ted C. Ziemer, Jr.: I can tell you that the amount of the Bunge quote was mentioned in the public meeting last Tuesday. The next day we ordered the quote from ARC, ARC was not at the public meeting, they could have watched the meeting on t.v. Mike Shoulders has talked to ARC and is convinced from his conversation with them, and they said they did not know anything about the other quote. So, it's their statement that they did not know about any other quote, and that their quote stands by itself. I spoke to Mr. Shoulders again this afternoon, and his suggestion was that we go with the low quote.

Commissioner Abell: Does he suggest that based on the amount or based on the fact that he thinks they'll do an equally good job?

Ted C. Ziemer, Jr.: Oh, no, he thinks either quoter will do, either will do the same satisfactory job.

Commissioner Abell: Because I don't want to save \$8,000 bucks and have (Inaudible. Microphone not on.)

Ted C. Ziemer, Jr.: No, no, no. No, he doesn't, no, no, his opinion is that both are fully competent and able to do an ideal job on this project. It just develops that ARC is \$8,000, or \$7,500 less.

Commissioner Melcher: I don't know the other one, but I do know ARC and they do good work.

Commissioner Abell: I just know that Bunge is a masonry contractor. That's what they do, that's their thing, masonry, but I don't have any preference one way or the other.

Commissioner Melcher: Me neither.

President Winnecke: In that case, I would entertain a motion to accept the recommendation of the Old Courthouse Preservation Society's architect and award the bid to ARC Construction for \$92,250.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or further discussion? All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed.

(Motion approved 3-0)

President Winnecke: Okay. Any other business relative to this matter?

Ted C. Ziemer, Jr.: No, I will advise ARC, and then we'll need to get a contract with them for the work, but, otherwise, that's all we have.

President Winnecke: I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We're adjourned.

(The meeting was adjourned at 3:40 p.m.)

Those in Attendance:

Lloyd Winnecke

Marsha Abell

Stephen Melcher

Ted C. Ziemer, Jr.

Marissa Nichoalds

Madelyn Grayson

Others Unidentified

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**JOINT MEETING
COUNTY COMMISSIONERS-CITY COUNCIL
SEPTEMBER 6, 2011**

The Vanderburgh County Board of Commissioners and Common Council of the City of Evansville reconvened the joint session and public hearing from August 17, 2011 on the proposed Reorganization Plan this 6th day of September, 2011 at 6:00 p.m. in room 301 of the Civic Center Complex.

Call to Order

President Winnecke: Good evening and welcome to our continued public meeting on the proposed Reorganization Plan.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Recap of Actions Taken at Previous Meetings

President Winnecke: As a reminder from our last meeting, we continued the last meeting until tonight to meet some scheduling conflicts. I don't know if there are other issues related to the proposed Reorganization Plan that members of the City Council or the County Commissioners would like to address. I do plan to open it up for public comment at the conclusion of our discussions here. So, if anyone would like to begin, just to kind of a recap of where we are, we've taken a number of straw votes over the last several weeks on the changes we've made. We've made more than 100 changes to this document. I'm assuming that based on the straw votes we've taken that the document is satisfactory to a majority of members of each body. As a reminder, each body, in order for this to go to a referendum, has to pass the identical Plan of Reorganization. So, we're at the point tonight of, I think, discussing the last pieces of information related to the changes we've made, and then, of course, we'll hear from members of the public. So, having said that, would anyone like to begin?

Commission-Councilmembers Discussion of Plan

Commissioner Melcher: I just had a question. I didn't get any, did anybody get any real financial facts? Did they ever get back to us?

President Winnecke: The last financial data I got was from Crowe Horwath—

Commissioner Melcher: Right, that's what I'm talking about.

President Winnecke: — that everyone got.

Commissioner Melcher: Where they were going to compare the other cities.

President Winnecke: Did not get that, but we did get where it showed the proposed, the projected cost savings of \$781,000 initially, and then whatever additional savings would be ordered by future administrations.

Commissioner Melcher: And that's that number they picked out of the sky?

President Winnecke: Correct.

Commissioner Melcher: Okay.

President Winnecke: Well, they based it—

(Applause)

Commissioner Melcher: I thought we would have that tonight.

President Winnecke: Who else?

Councilmember Adams: You know, I must join my colleague. I think theoretically this is a good plan. I think it has a lot of promise. I think it sounds good. I was in favor of term limits, I'm willing to give up on that, other people didn't feel that way, but, you know, we still have not, and, I've asked and I'm sure others have, numerous times, about what is the real effect here in river city and in the county, and I'm a county member also, on what's really going to happen with property taxes right here? The cost savings, which, I agree with my colleague was pie in the sky, what, because we have so much, so many things that are already consolidated, it seems to me that there isn't a lot left to consolidate, except for public safety. The concept of putting some sort of amortization in so the taxpayer doesn't take a big hit when this happens has sort of been discussed, but it's not in the Plan. I know, I know once we vote on this, we're done. I mean, it's out of our hands and it's gone. I don't want to hold that process up, but tonight I will not vote for this.

(Applause)

Councilman John: Councilman, do you have something that you would like to add to this Plan or some changes you would like to make? You know, it's easy to say no to something—

Councilmember Adams: I've already—

Councilman John: —but—

Councilmember Adams: It is easy to say no.

Councilman John: — verbiage or paragraphs or content or something. It's kind of like my question to Marsha the last time—

Councilmember Adams: Right.

Councilman John: — is, you know, it's easy to say I don't like it because of this, but let's come up with some kind of alternative to get this at least into the public.

Councilmember Adams: And your question is valid. Yeah, your question is, but, I think I really have a, what I would consider a consummate covenant with my constituents, and I think if we could be shown what the tax....we've already, Jim Garrard was wonderful, he gave us a printout, you know, the water bill is going to

come up a little bit in the city and it's going to go down in the county. I thought that was great, and if we could somehow show it was a trade off, so that, you know, the city loses a little bit with that but gains a little bit with the property taxes, that makes sense to me in terms of letting this go through. But, again, I, when somebody tells me they assume normally it's 15 percent, but we were conservative and went to seven percent and three percent, well, you could also go to minus five percent. So, I, you know, as much as I would like to support this thing, in its present form, I can't. I would suggest that somewhere down the line that we find out what the real property tax hit is, and what real savings these people, we're all going to enjoy. I don't agree with people that there's a separate vote for county and city. I think we're all county residents, I mean, and, so, that's how I feel. It may not satisfy your question, but—

Councilman John: No, and I understand, and maybe there could or should have been a better showing of here is where our savings can come from, but to say what our property taxes are going to be in 2015 or 2018 or whatever it may be—

Councilmember Adams: Well, I would like to—

Councilman John: – it would be very, very difficult at this time, if not impossible.

Councilmember Adams: Very difficult. Not sure I even know a pro forma for now.

Councilman John: Because we can't tell you what the rate is going to be next year, and we're getting ready to vote on the budget.

Councilmember Adams: Right.

Councilman John: Yeah.

Councilmember Adams: But, I mean, we could at least try with the data we've got and see what that would have done. That's what Jim Garrard did. He didn't have the EPA kick in there. So, you know, that's where I'm at. I'm pretty, I'm sure others may say don't worry about it, Dan, we're going to put this through, and I don't mean to hold this up. We've been through agonizing things, and we've spent hours and days of this, you would think those questions, it wasn't for the lack of you and I asking these questions that we didn't get the data.

Councilmember Friend: Dan?

Councilmember Adams: Yes.

Councilmember Friend: But, this is going to go to referendum, and surely by then, when it does go to referendum, we should, now wait a minute, we should have numbers.

(Laughter)

Councilmember Friend: No, no, I would think you would have some numbers.

Councilman John: I would say if we don't, that's a good reason to vote no.

Councilmember Friend: That would be a good reason to vote no. If we don't have the numbers, vote no for it.

(Applause)

Councilmember Friend: I mean, all of you folks are going to vote out there, just say no.

Councilmember Adams: If we vote for this tonight, we lose total control in demanding what you and I think is an appropriate thing to do.

(Applause)

Councilmember Friend: No, we don't. No, we don't, because they bring five percent more, if they go out and get five percent more signatures, it goes out there anyway. It takes us out of the mix.

Commissioner Melcher: (Inaudible. Microphone not on.) this one.

Councilmember Mosby: Then we're completely out.

Councilmember Friend: I mean, we'll be out anyway.

Councilmember Adams: I doubt if they can get five percent.

Councilmember Friend: I wouldn't, well--

Councilmember Adams: Well, anyway, you asked for my opinion--

Councilmember Mosby: I wouldn't doubt if they already have it.

Commissioner Melcher: I think they have it.

Councilmember Mosby: That's what concerns me. It's in the best interest of us to come up with the Plan. If not, then they can basically put the original Plan back on there and then we've got several different things that we definitely did not agree upon that goes to referendum, and then it is the people's choice to vote that.

(Applause)

Councilmember Mosby: But, you know, all of us didn't seem to be in favor of the original Plan. That's why we've spent months and months and months and months of going through this and making changes. I would hate to think, you know, this would be voted down and they put that original Plan back on the referendum.

Councilmember Adams: I believe, my old fart memory is maybe corrosive, that I showed my unwillingness to vote for various things as we went through with it. I understand the majority rules and so forth. I've been asked what my opinion was and where my head is on this particular thing, and we're just going to have to agree that we disagree on this particular thing.

President Winnecke: The other issue I would just remind you of, one of the major changes I think we made for the positive was that the transition committee, in the future, will be made up of 100 percent elected officials.

Councilmember Adams: I agree.

President Winnecke: So, this collective body and then some would be responsible for determining the data that you're suggesting. So, you know, at the end of the day it is this group and more that will be responsible for that. Dan?

Councilmember McGinn: Yeah, I would like to add my two cents. Again, I may be in the complete minority, but I have never looked at this reorganization with the primary purpose, primary goal to immediately save money. I mean, I think we have to look much farther into the future than the first tax bill once this is done. I mean, it is inevitable, it is, it's like a glacier moving down a mountain, the City of Evansville, the tax base, starting in the center is disappearing, and it is moving out into an area that cannot be touched by the taxing authorities of the City of Evansville. So, the City of Evansville is left with less funds every single year to maintain the infrastructure to attract the Deaconess Hospitals, half of which is here and half of which is now in a non-taxing area. You know, St. Mary's same situation, half of it is in the city and half of it is moving out. You know, Mead Johnson, Bristol Myers, you know, the plastics companies, when these people leave, the people who live in what is now the county will no longer have a place to work. We're going to end up just like Detroit is right now, wondering what they're going to do with 40 percent of their downtown, other than tear it down and replant it in corn. Now, I think, I would hope that people would look forward, they would, you know, see what is happening. The county's population is remaining relatively the same, I'm talking about the entire Vanderburgh County, city and county, yet the city proper is getting smaller. The county, what is now county is getting bigger. So, again, in a, we're all in this together, you know, when downtown Evansville businesses leave because the City of Evansville tax base can no longer support, you know, to fix the sewers, to fix the roads, to pay for security, to pay for the police, they're going to leave. Aztar is going to leave, you know, there's not going to be anything left except a great big, ugly hole and no place to go work. So, we need to look ahead and recognize that, you know, times are changing and that we need to preserve the entire core of this region, or else county residents don't have a place, their property values decrease. So, I'm just asking everybody to think 30 or 40 years ahead. Look at four census' down the road, and guess what will be here if things stay the same. You know, there won't be much. There will be a lot of beautiful homes out in the county, of course, they will be empty because people that used to live in them moved somewhere to try to find a job. So, I just ask you to think about that. Think about it.

President Winnecke: Okay.

Councilmember McGinn: Thanks.

President Winnecke: Anyone else? John, or Don?

Councilmember Walker: Just one other thing, I mean, I can reiterate what Dr. Adams said over there. I don't believe in this either. I think the form of government we have right now is sufficient enough. I don't see why we have to change it at all.

(Applause)

Councilmember Robinson: I don't see it saving money or increasing efficiency. Personally, I don't see it's the best thing for the people that I represent.

(Applause)

President Winnecke: Anybody else? Commissioner?

Commissioner Abell: I have a question.

President Winnecke: Sure.

Commissioner Abell: Tonight we're not voting on whether or not it goes to a vote. Tonight we're just voting on whether or not the city and the county people agree on the wording of the referendum, is that correct? Okay.

Commissioner Melcher: We're basically not voting, right?

President Winnecke: Right.

Commissioner Melcher: We can't do any official votes.

President Winnecke: I mean, we—

Commissioner Abell: Well agreeing then.

Commissioner Melcher: We've already agreed, pretty much, up until this now, even though I don't like half of it.

President Winnecke: In my mind, our straw votes along the way have been our votes to get us to this point. Then, the important votes would come, and the real binding legal votes would come at each of our body's meetings within the next 30 days, assuming we adjourn tonight. That action would allow, either allow this to go to a referendum or not.

Councilmember Adams: I've got to admit, I'm in a quandary. I want this to go on to a referendum. As I said, theoretically it seems to make sense, but once we disband this group and we lose the double headed hydra that has supported us all the way through this thing, I don't know whether we're going to be able to get any more information the way than what we're doing here. Now, maybe you're right, maybe the transition, if it passes, the transition people, a lot of people who are here will be on that thing, we can, I'm not sure I'll be there, but we can hammer that out. I just have some strong reservations about, if I was a person living in either place, I would want to know the big, black box of property tax. We've worked out the water change. I think that was great. I think that was super. That's enough, from me anyway.

President Winnecke: Anyone else up here before we open it up to the audience for comments?

Public Comment

President Winnecke: Okay, the first, hearing none, then we'll move on to the first speaker that I have is Jeff Day.

Councilmember Adams: (Inaudible. Microphone not on.)

Jeff Day: Only for you, sir. My name is Jeff Day. I live at 6000 Berry Lane, Evansville. Dr. Adams made the most profound remark awhile ago, to me, on term limits. The city government wants to consolidate the county government. The city was allowed to keep running and running and running for office. County officeholders have term limits. Basically, what I see, and I know a lot of people here see, is when you allow this new government body to have no term limits, you're saying what's good enough for Chicago is good enough for here.

(Applause)

Councilman John: Mr. Day?

Jeff Day: You want to put into place a Mayor Richard Daly in Evansville, Indiana that can run the city forever.

Councilman John: You have to realize, the County Commissioners have unlimited terms, your County Council has unlimited terms.

Jeff Day: Well, County Sheriff does, the County Recorder and all of the—

Councilman John: The Constitutional offices.

Jeff Day: Well, this ought to be a Constitutional...I'm just, I'm telling you, folks, think what you want, but you pass this this way with unlimited term limits it's going to go to defeat when it's election. I promise you.

President Winnecke: Thanks, Jeff. Brenda?

Brenda Bergwitz: Brenda Bergwitz from St. Joe in the county. This is going to be just short and sweet. First of all, I know every one of you all, and other people have put a lot of hard work into this the last few months. Thank you for all of that. Even though I'm against it, I still want to thank each and every one of you for all of your hard work. But, I too believe with the Mayor or whoever, whether it be Democrat or Republican or whatever, it needs to be term limits period. No ifs, ands or buts about it, but term limits. Then if it goes through, then so be it. Then, again, thank you.

President Winnecke: Thank you, Brenda.

Councilman John: Let me ask you a question, if they put term limits in here, would you support it?

Brenda Bergwitz: Probably, yes.

Councilman John: You would support consolidation with term limits?

Brenda Bergwitz: But, I think if you don't put term limits, I'll do everything in my power to make sure it doesn't pass.

Councilman John: Okay.

President Winnecke: Thanks, Brenda. Berniece?

Berniece Tirmenstein: Berniece Tirmenstein, 1636 East Blackford Avenue. In March 30th of this year I spoke to you of my opinions on the consolidation, and at that time many, I'll read what I said then. Many people say that they feel that the Mayor has too much power as they read the Plan and wanting to know more to substantiate their concerns. I did some research, and counted 59 appointed boards, commissions and authorities in the new Combined Government Plan. Then, I counted the number of people serving on these boards, commissions and authorities that are appointed by the Mayor, not elected, that number of people was 181. So, you see, the Mayor does have power, and to add to that the, now we bring up the idea of term limits, no term limits for the Mayor, no term limits for the Common Council. To me, that is taking power away from the people. Thank you.

President Winnecke: Thank you, Berniece.

(Applause)

President Winnecke: Those were the only folks who submitted a sheet, but I would be happy to take other folks who would like to speak for or against.

Emmons Patzer: My name is Emmons Patzer. I'm at 510 West Mt. Pleasant Road. I don't need to give a civics lesson to a group of civic minded individuals as you, however, we're at the point, as I understand it, that you're going to make a decision to move this from your decision to the voting population. What I would like to remind is that we have a republic form of government, as opposed to a direct democracy. There's a reason for that, the reason for that is they expect that an elected official is going to make a learned decision on complete information, as opposed to whatever can be put forward in a broad communication, through marketing campaigns, etcetera, and I call myself a marketer. So, the decision that you're being asked to leave tonight from this meeting is whether a decision should be to move this vote to a larger population in the county. This begs that we answer two key questions. One, have you effectively done your job as an elected official in the representative form of government, which was established to provide a learned response to the people, in terms of a recommendation on what should happen. I'm hearing gaps. I mean, I'm hearing that you don't have clean numbers. I'm hearing comments that I don't want clean, short term numbers because that's not the issue at hand, but in the immediate response to that what else do I hear? I hear the intent needs to be looked longer term. The saving of the city by the members of the county. Well, then position it that way and communicate to the population that way. Be clear. You are supposed to come with a learned recommendation in what you make, the decision, not throw this over the fence to the voting population. Make a decision, make it on facts, and you don't have those facts.

(Applause)

Emmons Patzer: Secondly, can you honestly answer that you're willing to frame any question put forward to a voting, to a direct vote democracy in a fair, clear, clean way so that the voters make an informed choice? I mean, I'm not hearing anybody have crystal clarity on what this thing is going to do, other than process, not on outcome. I would suggest, from my perspective, this group has failed in both regards. First you've focused virtually all of your work on a process rather than an outcome. This is a failure of weak government. If your focus was on outcome, you would not have put this community through the expense you have over this issue. You have made, you have been made well aware of research studies to show the promised theoretical benefits of consolidation have not materialized. I provided a meta analysis on over 75 merged governments that did not produce that. If you read the Wall Street Journal there was another study published in it last week. If the respective Councils were focused on outcome, there would not be procrastination over the law enforcement combination, because that's one of the major budget items, if not the major budget item. If the Councils were focused on outcome rather than process, the huge amount of time and dollars spent on this topic would have been directed elsewhere. When we hear potential, actual, identifiable savings of about three jobs from this consolidation, we're probably looking at a couple hundred thousand dollars in total. Council leadership effectiveness must be questioned to see this focus on consolidation rather than outcome successes that might be meaningful from our government. Compare the size of the theoretical consolidation savings to the cost overruns on the unpopular stadium. Compare it to the Redevelopment Commission's bungled hotel bid costs. Compare it to the expenditures of GAGE waste and overruns that have produced nothing in the way of employment. Compare it to the EPA penalties on sewer non-compliance. Our government, these Councils should be focusing on what you have clear responsibility for, and that's managing dollars, rather than shuffling the deck chairs on the Titanic. I told you in prior meetings that I have been involved in starting over 35 new, or 25 new products, brands or companies in the past five years, and in no case does this consolidation have a bearing on whether I would locate it here. So, you've got no gains in efficiencies, and I see nothing in terms of evidence from studies or from any business person's perspective that consolidation is going to produce better employment opportunities. So, the fundamental question at hand is whether having failed job one, what are you going to do in terms of job two? Are you going to fail in that as well? Are you going to throw this thing over the wall to the population without clarity, when we, in fact, expect from our represented officials to make clear decisions based on facts that you just admitted that you don't have. Thank you.

(Applause)

President Winnecke: Next?

Bruce Ungenthiem: Bruce Ungenthiem, 2037 Fleener Road. Just a housekeeping issue from last meeting. It was my understanding that we were supposed to get some information on loss of federal funding that we might expect from the change in demographics. Did we receive anything? So, we don't know whether we are going to—

Councilmember McGinn: Yeah, didn't we get an e-mail from Mr. Barnett? There was a question that was specifically answered. I did not bring it, but it was—

President Winnecke: I did not see it.

Commissioner Melcher: I didn't either.

Bruce Ungenthiem: Okay, so, we don't know. Another thing that I had talked about in the last meeting, I'm ready to present now. This is the petition for a separate threshold vote for city and non-city residents. It says, "We the undersigned residents of Vanderburgh County do hereby support and request from the duly elected Commissioners of Vanderburgh County a separate threshold vote from city residents and for non-city residents of Vanderburgh County on the referendum for consolidation of city and county governments in Vanderburgh County." There are a total of 1,159 signatures from people outside the city limits, and 57 people inside the city limits. I'll give you a copy.

(Applause)

Councilmember Adams: (Inaudible. Microphone not on.)

Bruce Ungenthiem: The total population in the county; women, children, the whole shebang is like 63,000.

Councilmember Adams: (Inaudible. Microphone not on.)

Bruce Ungenthiem: Oh, the total was 1,200 and something.

President Winnecke: 1,216.

Bruce Ungenthiem: Right.

Councilmember Adams: (Inaudible. Microphone not on.)

Bruce Ungenthiem: I didn't figure the percentage. The next thing I wanted to ask is if anybody had seen the Economic Development Coalition of Southwest Indiana's study in its entirety. I have not been able to obtain a copy of that. There have been a couple of articles in the paper that talk about it, but when you go to the Southwest Indiana Economic Development Coalition website the study is not there. So, I didn't know if anybody's had.....pardon?

Commissioner Abell: I read it, and it is there.

Bruce Ungenthiem: It is there?

Commissioner Abell: It is there.

Bruce Ungenthiem: I must have, it must be—

Commissioner Abell: I'll pull up the link and send it to you, if you'll leave me your e-mail.

Bruce Ungenthiem: Okay, thank you. What I did see in the paper was a couple of different articles about that study. This was a study that we spent \$231,000 in federal grant money, hired three different companies to do this study, and it

basically was a plan for where this four county coalition needs to go forward. They talk about advanced manufacturing, health and life sciences, they talk about improving our broadband internet leaks, they talk about lack of jetways at Dress terminal. They say that we don't show well in our community appearance. That we have no megasites for major companies. But, nowhere in this plan does it mention, to my knowledge, and I admit I have not seen the entire plan, nowhere in this plan does it say anything about we need to consolidate government in order to grow our businesses in this four county area. I'll leave you with one last thing. On a couple of different occasions I have come up here with a book and talked about leadership, talked about the different folks that have influenced me during my 34 year career, and I happen to pull a book off the shelf that there's a quote in there that might be apropos here. This is the, this book has actually sold more copies around the world than any other book known to man. This comes from a chapter called Luke 6:31, "As ye, would that men should do to you, do ye also to them likewise." The translation to that has been known as the Golden Rule. Do unto others as you would have them do unto you. I hope you consider that as you make your votes. Thank you.

(Applause)

Matt Meadors: Good evening. My name is Matt Meadors, and I'm the President and CEO of the Chamber of Commerce of Southwest Indiana. The remarks that you are going to hear from me tonight are going to sound familiar, because I've had an opportunity to share these thoughts and these remarks with you on several different occasions here, and certainly have had the same opportunity publicly on many different given opportunities. What I don't want to do tonight is attack you. What I want to do tonight is thank you, because I know that you folks have put in a tremendous amount of time into investigating the unification of the city and county into one metro form of government. At the end of the day, you're our fellow citizens, and you take your time from your families and your jobs and your friends, and you work on our behalf. So, I would like to tell all of you thank you very much for all of the work that you've put in, and for getting us to where we are tonight. I have some prepared remarks that I will share with you. Fortunately, everything the Chamber undertakes is designed to strengthen our region's economic development competitive position, to grow the regional business community, create desirable, good paying jobs for our fellow citizens, enhance our quality of life, and generate ample revenues to pay for necessary public services. We've had some conversation about the future tonight, and when you think about the future, we talk about what is this community going to look like 30 or 40 years from now. I think we need to be thinking long and hard about are we going to be in a position to where we have the ability to pay for the services that we're going to need in order to be a community that can compete, and compete effectively on a global scale for the people and the jobs and the investments and the businesses that we're all going to need in order to employ our kids and our grandkids. Everyone in this room knows that the Chamber of Commerce of Southwest Indiana supports the unification of the City of Evansville and Vanderburgh County into one metro form of government. I've stated many times before our support is based on a belief that the formation of a metro form of government will strongly compliment the work that the Chamber and other mission similar organizations undertake in order to create economic prosperity in our region. Those other mission similar organizations also happen to include government. Government plays an extremely important role in whether we're able to evolve our economy and compete or not. We want our

businesses and our institutions to do well, and our fellow citizens to do well. That is our motivation as an organization for supporting the unification of the city and county into one metro form of government. It has been our longstanding motivation. As you know, we have visited and investigated a number of high performing communities with a metro form of government, including; Nashville, Louisville and Lexington. We've done our due diligence. We met with individuals involved in the government unification efforts in those communities, as well as past and present elected officials and business leaders. We learned many important lessons, including the fact that the vast majority of the leaders in those communities believe that their metro form of government has strengthened their ability to compete for investments, jobs and talent, and led to greater economic growth and prosperity for their citizens. Strengthened it. Importantly, during our visits, not a single representative of any constituent group told us, not a single representative of any constituent group told us that they regretted creating a unified, metro form of government, nor did anyone indicate a desire to return to the original governmental structure. That's three cities, six days, with 30 to 60 people that we've taken as part of our delegation each time. From the Chamber's perspective the argument for moving forward with the unification of the City of Evansville and Vanderburgh County into one metro form of government is compelling. We will likely see cost savings over time. Everyone will be able to vote for our Mayor, our CEO, and a unified vision, a unified vision and leadership strengthen our ability to vigorously compete for investments, jobs and talent on the global stage. Let me emphasize one more time, a unified vision. All of us, together, not separated. In closing, again, I want to thank all of you for the time that you've put into this. I know it's been stressful, and I know you've probably had a million and one conversations. We appreciate it very much. It's time to take the Plan to the citizens, folks. Thank you.

(Applause)

President Winnecke: Thanks, Matt.

George Postelweight: Good evening. I'm George Postelweight, CEO of the Evansville Area Association of Realtors. The Evansville Area Association of Realtors takes an active role in property rights ownership, housing affordability, and economic development. We view the city-county consolidation as steps toward economic development and business retention through a more streamlined, we hope, government. This is a chance for all offices to review their policies and procedures, to provide all city, county taxpayers and future businesses the most efficient and speedy services possible. In order to compete competitively for incoming businesses, we must find ways to enhance efficiencies and services as we become more regional in our job environment. The creation that jobs will provide opportunities for home ownership, which will in turn provide additional jobs through products and services. To that end, we support passage of ordinances to allow the proposition to be placed on the ballot for public referendum in the next general election. I thank you for all your help and support, and I have joined in a few of the early on committee meetings, and I think that we have a proposition here that we can, we have some loose ends to mend up, but I do think that in the long run it will be a profitable situation for our area. Thank you.

President Winnecke: Thanks, George.

(Applause)

President Winnecke: Who else?

Berniece Tirmenstein: Again, my name is Berniece Tirmenstein. I spoke in March 30, 2011, and I'll quote what I said then to the body. A model that was used was Louisville, Kentucky bringing economic development was its principal purpose. The business community spent one million supporting the merger referendum with the hope that Louisville could compete in a bigger league with the idea that a large city would attract business. Too, I read the article "Beyond the Rhetoric: Lessons from Louisville Consolidation", published by the American Review of Public Administration, 2010, and originally put online in March 2009. Here is a quote that is worth noting, "Two years after the merger the question was asked of residents would you say that overall the merger has made you better off or worse off? Of the respondents, 13 percent reported they were better off, 9.4 percent reported they were worse off, 8.6 percent indicated they did not know, and 69.1 percent reported they were about the same." This was research done by the University of Louisville Department of Sociology in 2004. The article further stated that rarely, if ever, the plan was reversed. Most scholars would acknowledge that the ability of local government to effect larger economic focus forces is quite limited. Politicians who want consolidation also know voters are mindful of their pocketbooks. Once a campaign is underway, politicians are bound to inflate promises of economic development. In short, we need to be attentive to any possible mismatch between claim and reality.

President Winnecke: Thanks, Berniece.

Faye Powell: My name is Faye Powell, and I think I spoke one time earlier at the meetings. I've been coming to the meetings. I live in McCutchanville in the county. My concern, of course, being, I said I was speaking for senior citizens, but in the early meetings we heard from business people in the county who felt they would go broke if there was a consolidation, and when I read in the paper that perhaps my taxes are going to go up ten percent, or somebody told me in the beginning, that's how they got me to come to the meetings that my taxes would go up \$3,000. That's what got me to the meetings. Now, you know, personally, you know, that isn't so much of a problem for me, but there are a lot of senior citizens in the county that it will be a problem for. Our country is in a situation right now where we don't need more taxes. We're about, hopefully, to get rid of the healthcare bill. This situation with the consolidation is sort of like the health bill, hey, let's ram it through, let's pass it, and then we'll find out what's in it.

(Applause)

Faye Powell: I think, and I would like to say, everyone who is successful wants to plan, plan ahead, and certainly 30-40 years from now, but, hey, let's put on the brakes, let's wait for a year, let's wait until after 2012 and see if we get our country back and on its feet. That's what I would say, let's hold it for a year. Thank you.

(Applause)

Mike Schopmeyer: My name is Mike Schopmeyer. I've been on all four of the Chamber's trips to varied cities talking about modeling of government; Nashville,

Lexington, Louisville, and what Mr. Meadors cited was indeed the fact. We met with all cross sections of the community, minority communities, people who had lived in rural areas, and without a doubt, in each one, they said they wouldn't go back, and it was one of the most important changes that they had made for the community to grow. Particularly Lexington and particularly Nashville. Nashville is at the top of the list on economic development every year. Nashville-Davidson County is always in the top five on economic development. Twenty to 30 years ago, Nashville was the size of Evansville. We all know Nashville now has the Titans professional football, it's a city of well over a million, and it's a perfect example of what can happen when we unify and work together. Obviously, I've been in these hearings, I served, I had the honor of serving on the committee that passed this piece of work to you, which you've amended, as you should, and it's in your powers. There's been one misstatement that I've noticed in the last few weeks that I've been to these, and that is that this is the only alternative we have. I too as a lawyer and having lived in the city, and with four kids I care deeply about this city, and hope that they can come back to it. The alternative was exactly what Nashville endured. We met with the people who helped enact the legislation in Nashville, we met with their Mayor, spent hours and hours with the Mayor, the Commissioners in all of these cities. Annexation, and I have represented the group which, not the county here, but the city officials here voted to annex. I've met with them, they have no say, all of the remonstrators here, or those who have had their comments, have had the opportunity to effect enormous changes. I think you cited 100, I was surprised by that many, having served the committee here every night for a year, I noticed how many changes and compromises were made to bring this to us today. I'm sure it's not perfect. Some want term limits, some want to know the precise dollar amount that was involved. I think Mr. McGinn cited it correctly, it's all about unification, and at the end of the day we've said this is what's dividing us, but what's dividing us is the fact that we have two different governments, and that's the reason we've been here in this unification effort. I remind everyone of this, I think people forget, because I take an oath, as Mr. McGinn has, as a lawyer, to the Constitution of the United States of America. That Constitution of the United States of America was not formed when America was founded in 1776. We were founded as confederation of states. McCutchanville was separate from Evansville, which was separate from all the other little burghs that were here at one time. You've got to realize that when you cross the, just across Pigeon Creek that used to be another city. This is not the first time this community has unified, and I haven't heard a single person in my life, since I've been in Evansville, for 30 years, say to me I wish Independence were back, okay, which is what I think what the city was named, or Lamasco, or you can go on and on. Nobody's asked for those to come back. We were formed in the United States as a confederation of states. Maryland, you know, didn't want any, to share any taxation with Virginia, and for heavens sakes not Georgia and not Delaware or Massachusetts, but what did we do? We formed the United States of America in our infancy, and when we formed the United States they all came together, and I can't remember if it was Washington or New York. Dan, you might remember, but they all came together and they weren't sent there on that journey. They didn't have a year and a half of study and whatever you've had, 40 meetings, and our committee probably had 60 meetings. We didn't have a legislature ever in Indiana that ever gave us the power to do what we've done. This statute that we've been given, has given us the power, with disagreements, to form our new government. Indiana, that's unheard of in Indiana. We worked hard as a Chamber of Commerce, as a past president, to give these folks, you, all of us that power. That's exactly what the United States did. We formed the United States, no

hearings, it was just done. To this day everyone says it's the greatest union on the earth, and certainly all of us do. That was a bringing together, a unification, without any of this process we've went through. They didn't have the slightest idea of what it was going to do to the taxes. They didn't have the slightest idea of how much more, but they had faith to realize that united they were stronger than they were divided. Thank you.

President Winnecke: Thanks, Mike.

(Applause)

Edie Smith: My name is Edie Smith. I live at 1606 Kings Bridge Road in McCutchanville. I'm not a lawyer, I can't talk like the previous man did, but you must know that right now all forms of government; local, state and federal are showing that we cannot trust them to handle our money, our tax money, in a wise and accountable way. You know, what has bothered me is that we have no information about what we're going to vote on. You all have never answered questions that I have asked. You're showing us that we can't even answer these questions about tax increases or what we will get for those increases. We don't trust you. That's my biggest problem is trusting you all, because this amount of time that you've spent there ought to be some clear guidelines for everything that will be voted on. The public needs to know that. I know that a lot of people are apathetic. They don't even look at their tax bills because they have them in a bank or they have their loans and they pay it, but we don't have a mortgage and I get mine and I look at it thoroughly. I see that we're paying for so many things for the city. We pay for libraries, we pay for, well, we pay our sewer, and our schools, that's the biggest amount that we get, that we pay and we have to pay that. I just, I've asked these questions before and they were never answered. Why don't you people listen? This is what I don't understand. Why in the world, how can you do what you're doing and leave us all in the dark? You know, if I knew what was going on, I would probably, if it was good for us, I would vote for it, but right now we have no information. I asked, how much our taxes are going up? No answer. What are we getting for our tax money? No answer. Why are city residents voting for the county to be absorbed in when they don't have any say so? We're the ones that need to vote. I also asked why are you presupposing that there, you're presupposing that this thing is going to pass. I can't believe that you can not give us information that we need to know. There should be, I can't believe you've met that many times and all you've done is go to these pages and go to 6.3 and change "that" to "it" or something. Nobody can understand what this thing says.

(Applause)

Edie Smith: I've read it, and it's lawyers terms. You need to put it in terms that the general public can understand. Thank you.

(Applause)

Jim Braker: Good evening.

President Winnecke: Hi, Jim.

Jim Braker: My name is Jim Braker. I live at 1700 East Blackford. The attorney said there's no, that all of the remonstrators are from the county. Well, I'm from the city and I'm against it, my wife is against it. Berniece Tirmenstein, the Terminator, is against it. I also would like to say that the attorney, how much did we pay you for those 60 meetings that you went to? I bet we paid you a pretty good sum of money. Thank you very much.

(Applause)

President Winnecke: Thanks, Jim.

Charlene Braker: My name is Charlene Braker. Since my husband already stated my position, I do have a question though. I heard before about Nashville and how they're always in the upper echelon, you know, was the economy different at that time? I mean, I think what we're most concerned about right now is the general economy of the nation. I think the lady before said something about, you know, it's a matter of trustworthiness. We're scared. I've said this every single time I've been up here, that's what we're about. We're scared. We don't know who to trust. I do believe that maybe Nashville is a little more upper, you know, there's a lot of music going on, and we don't happen to be Music City, they are.

(Applause)

Jayne Buthod: Good evening. My name is Jayne Buthod, and I also live in the county. If I thought that this was a solution to any of the problems that have been presented by all of you, I would be out there stomping, banging on doors, driving people to the referendum. What I see this as is a distraction. There hasn't been anything said about what's going to happen as a result of this plan that is going to answer the failings. It's paper shuffling, it's new names on letterhead, it's new signs on doors, Alberta's out of a job and that's the solution to the problem. Of course not, we, everybody agrees that improved economics, better jobs and a common voice is going to be the only answer to these questions. Nothing in what we're saying here tells how this is going to happen. If this is going to happen with new job titles it will be because of a decision to make it happen. If it's not happening now, it's because of a failure of will. We have joined together departments effectively, they work together, there's no reason that we can't do those very same things now. Give me some idea that this plan is going to be a real solution and not just several years worth of distraction. People are going to talk about it, but nobody's going to talk about anything that's actually moving the issue forward. Anybody got anything? I mean, I'm serious. I'm not trying to be argumentative or difficult. Tell me how this is going to help. Louisville, all of these cities, these communities that are so pro this decision, we merged, everything's better, they drank the kool-aid. They have, they don't want to have buyers remorse. Of course they're going to say I think we're better off, because I backed this. I don't want to look over my shoulder and say, well, nothing's really different, but I'm really trying hard, you know. I had to do something. So, is that what we're doing? We're just doing something hoping that that something is going to make things better? Let's just focus on what the real issues are and address those and not spend our time on this distraction. Thank you.

(Applause)

Cathie Briscoe: Hi, my name is Cathie Briscoe and I live in the county. My comment tonight is, I've appreciated your hard work, I've appreciated the committee's before you, I don't think I would have as much guts as you all do, standing where you are and hearing either pro or con. So, whether you're for it or against it, thank you for working so hard for it. My personal belief is it will make our community better. It will help economic development. I want jobs for my children, I want jobs for my grandchildren. I ask you to send this to a vote and let the people decide. Thank you.

(Applause)

President Winnecke: One more.

Brenda Bergwitz: Again, Brenda Bergwitz, St. Joe in the county. I just ask you, you know, like I said you all put in lots and lots of hard work, but don't be in a rush. Just because somebody wants it to be on the election ballot next year in '12, why does it have to be in '12? I mean, with the way the economy is right now, we need to wait a little bit and let it get better. Still keep doing your work, and, what's the word, build the confidence back in we the people. I think when you do that, then it will pass, but until you do that, you know, right now the economy is bad, bad, bad, whether you live in the city or the county, we're all hurting. Just don't be in a rush. We've waited all of these many years, how many times of VandiGov and different other things that came through they tried to pass, don't be in such a hurry now. If you really want it to work, then, I think, what, I mean, the next time after the election. It don't have to be in '12. Also, whether it be, whoever is the new next Mayor, whenever something comes up, I, don't do like, I'm sorry, I voted for Mr. Weinzapfel, he was really good, but when he went behind closed doors and took away the homestead credit, we got it back, thank you all very much, but when you need something, when something needs to be done, something right away, go to the people. I mean, that's what televisions are for, you know, go to the people and tell the people, hey, something, whatever the reason has come up. Talk to the people, have meetings, I mean, whether it be Roberts Stadium or the new arena or wherever, but involve the people in the community, city and county, because if you don't get we the people's trust back, we're, this city, even if it merges, even if it goes through, we're not going anywhere. It's going to go downhill. Thank you.

(Applause)

President Winnecke: Anybody else? Let's try to...let's, I know I went down a slippery slope here by, Jeff, go on, going forward if you've already spoken, let new people speak.

Jeff Day: The only reason I'm coming up a second time, again my name is Jeff Day, is hearing a couple different comments. I hear different speakers comparing how wonderful the consolidation was in Louisville, Kentucky and/or Nashville, Tennessee. Can somebody please tell me what the local income tax rate is for Louisville, Kentucky? Is there anyone here besides me that knows what the local income tax rate is in Louisville, Kentucky? When you find that out, you tell me that's what you want for Evansville, Indiana. Is there anybody that knows what the local income tax rate is for Nashville, Tennessee? If it's a great program, and it does all of these wonderful things, or did some of these things happen because of the outrageous tax rates in those cities? Because I promise you, Louisville, Kentucky's tax rate is double Evansville, Indiana. When you count the Jefferson County sinking

fund and the City of Louisville's taxes it's double ours. I don't think there's anybody here that wants this consolidation or anything to work if it means increases our income tax locally.

(Applause)

Mark Fehrenbacher: Mark Fehrenbacher, 14815 North Buente Road out in Armstrong Township. Just like the previous speaker said, I do appreciate you all's hard work and effort you all put into this, I know it probably wasn't an easy task. When this first came about, you know, the talk and the process, you know, I tried to have an open mind as far as what this new government should be. One of the terms that came out was efficiency. Do you expect to save a lot of money? Probably not. Efficiency in my mind is what, more like Mr. McGinn was saying, instead of jumping through five hoops to get something done, maybe two hoops, you know, Instead of 19 elected officials, maybe 11, you know, a more efficient form of government, more efficient way of doing things. So, that's one thing that I think you've all tried to address. Another thing, and you've heard a lot of comment, is representation. Some people say term limits, you know, no term limits, whatever, but I think if you explain your reasoning once this finally gets voted on by your individual bodies, explain the representation and why it is better, in an efficient way, or why is it as good or better than what you have, I think that would help sell it. That leaves the one last thing that you don't have an answer for. You, as elected officials know, that what's the one question your voter is going to ask when you propose something? How much is going to cost? How much is it going to affect my taxes? Okay, you don't have that answer yet. Until you do, people in this community they are automatically going to vote it down, even if you can show it being efficient, even if you can show better representation, if you can't show them the bottom line, how it's going to affect them, you know, they're just going to reject it. Based on the proposal, you know, that you're working on, unless you have the numbers as far as how it's going to affect, here's the way I see things; if the proposal goes through as you've been working on it and leaving law enforcement and fire protection off the table, leaving them as is and combining everything else, I think you'll get a slight cost savings, slight efficiency and the tax rates, county and city will probably be roughly where they are right now. I think if you consolidate down in the future, law enforcement, your city rate is roughly here, your county rate is roughly here, you consolidate your law enforcement into either under the Sheriff or under the City Police, whichever, I think your city rate will go down slightly, your county rate will go up to match it. So, there will be, unless you provide different figures, I think that's what's going to happen when your law enforcement consolidates. Now, you also haven't discussed fire protection. Out in the county it's all volunteers. In the city, it's all paid professionals. Again, you consolidate it, it has to go up in the county. It just has to. So, you talk about efficiency, talk about representation, to give this proposal a chance for passage, you have to give the voters the financial breakdown. Thank you.

President Winnecke: Thanks, Mark.

(Applause)

Mike Sandefur: Mike Sandefur, 2425 Knob Hill Drive, Evansville. I guess, the first thing I would like to do is clarify what I think is an incorrect perception, is that if you don't do something that they're going to go out and get petitions, or they already

have it, and suddenly this will be forced on us. Well, you know, the original proposal was bad. Everybody, pretty much every one of you agree that the original one wasn't a good policy. So, if they bring it forward, if it's forced on us in a referendum, well, guess what? Every one of you won't support it. You won't support it, the people won't support it and it will get voted down. So, it's okay to say no. It's okay to say we're just not going to play ball with this, because we're not ready, because it's not going to have a terrible outcome. What outcome is going to be is it's going to be voted down because it was a bad, it wasn't right when it was built. It's still not right. I guess, the other, have you ever heard the children's rhyme, why did the chicken cross the street? You say, well, what's relevant about that right now? Well, the chicken had a lot more reasons to cross the street than you have given these folks to support consolidation. Okay?

(Applause)

Mike Sandefur: Let's talk about the cost savings. Let's just go down the list. The cost savings, well, are they there? Study after study says there's not, so it can't be about cost savings. Then we look at greater representation, well, it's less representation. You know, there's discussion about unification and all that, but our forefathers they wanted that separation of government, because that was a necessary element, because they didn't want a too big of a government. They didn't want a large, overwhelming government. You know, so you want to be bigger, you want to be like our federal government? Is that the goal of Evansville to become more like our federal government in unification? Unification to me, it sounds more like Chinese or some more like an alien once they come in to take over. So, I don't like the term. I like, kind of like what Ronald Reagan said, trust, but verify. I like the city and the county working together as much as they can, and trusting each other but verifying each other. Those are the separations of government that make us successful. Then we talk about the studies, like you say, study after study after study says it doesn't work. Okay? Then, we do one more thing, then we take the police out of it and say, well, we don't want to upset them. They're too powerful to upset. So, we take them out of the mix. So, I'll ask you, of all these studies that were so wonderful, did they take the police out? Or, and then tell you what the cost savings are? I don't think so. I don't think so. I think if you look at the studies, if we're going to look at a sub-set of studies and say we're not going to deal with the police, probably the biggest portion of any savings, if we're going to throw them out, then we're definitely going to throw the economics out the window. So, it can't be that. So, what are we achieving with this? You know, it's not better government, the downtown is going to fall apart. It's been proven over and over again. The inner city suffers. It's bigger government, it's not better government. It's less representation. So, that's what we have. Now, would you run your campaign, would you run a campaign and say, I'm going to raise your taxes, I'm going to build bigger government and I'm going to give you less representation? Is that the campaign you would run? Because if you, if you say so, then, yes, you're an honest person and I think, and I would appreciate it. Then we look at the supporters of this, let's just list them, we can go through it, we've got, Vectren supports it, the Chamber of Commerce supports it, a few attorneys, the league of busy body voters, and I have no idea why they prostituted themselves to bring this forward. It should be, you know, they've tarnished an already tarnished image for them. So, you know, my dad he wasn't an educated man, I think he was fifth grade education. I used to tease him, the same grade Jethro Bodine graduated from, but he was successful. He wasn't the most educated, but he was successful. He said, son, you follow the

bucks and you'll find the motives. I think that's, unfortunately, I'm afraid that's what this is about more than anything. Now, I'm not saying with everyone, but, I think the big motive on this is bigger government, more control and follow the bucks and you'll find the motives. I did hear something that I thought was fairly profound. It was in regard to the people saying no against a referendum. I quote, if the information, and it's in regard to the financial information, which is probably the most critical element of this whole thing, if the information is not there, then that is a good reason to vote against it. Well, I can't think of a stronger term than that today. Because you are the safeguards. The people shouldn't have to vote against something bad that they don't understand. You should. If you don't understand, you said it, it came right out of your mouth there. I'll read it again, if the information is not there, then that is a good reason to vote against it.

(Applause)

Mike Sandefur: Remember when Nancy Pelosi stood up—

Councilman John: I don't back off that statement.

Mike Sandefur: Huh?

Councilman John: I don't back off that statement either. If you're not satisfied with what you're reading and you don't think it's going to work, that's what this whole thing is about.

Mike Sandefur: I'm saying you should walk the talk though.

Councilman John: We've been asked to present, we have been asked to present, to the public, an opportunity to vote on whether or not they want this new form of government. We have taken a proposal that someone spent a year on, a group of a number of people, we've changed some of the things in there, we thought for the better. Now, if that plan's not going to work, you vote no, and you have some good arguments to vote no.

Mike Sandefur: Well, walk the talk. You said if the information is not there, it's a good reason to vote against it.

Councilman John: So, I should not allow the people to vote for it?

Mike Sandefur: No, what I'm saying is if you don't know what it's going to cost, then you should vote against it. Nobody in here knows what this is going to cost. Here, this—

Councilman John: I do know this, the maximum it is going to cost is one percent to a homeowner, a two percent to a residential or a multi-residential owner, and a three percent to business.

Mike Sandefur: Nobody knows. You know, I hear all these numbers, these black box numbers, here's my wallet right here, I'm going to bring it over and I'm going to lay it on the counter and you guys can just pass it right around the circle here, and when it gets to the other side I'll know what it cost me, because that's what you're asking the voters to do today and it's obscene.

(Applause)

Adrian Brooks: I'm Adrian Brooks. I pastor here in the city. I have a statement I want to make, but I also want to commend you all. You serve our city to the best of your abilities, both at the county level and at city level. You deserve respect. I've sat back there, I've heard statements that trouble me. When they talk about you're not intelligent, and they say we've got to get our country back. Last time I checked we still have our country. It has issues. We don't have to get it back. We can all disagree, but we don't have to denigrate one another in our disagreements. It is this cynicism and this pessimism and this name calling that disturbs some of us, because it's unnecessary. You serve, we appreciate that. There is a certain thing called protocol. That protocol ought to be reinstituted so that when we come before this August body or any August body that we extend to you the respect that you are due as you serve this community, and to others. Whether the President was Ronald Reagan, or whether it was George Bush, or whether it was Bill Clinton, or Barack Obama, anytime any of you have heard me in the public pray, I ask the Lord to lead our President, regardless of political party that they were a part of, regardless of how I personally felt about some of their policies. My momma and daddy told me something about class. It has nothing to do with your income level. It's about the way in which you carry yourself. Some of us would do well to reinstitute some things that would make our children proud of us. One of those things is learning to appreciate and respect those who are public servants, in our community and in our country. It's okay for us to disagree, I'm up here to disagree with you all tonight. I'm here to say I have some issues with consolidation. I served on the consolidation committee. I was part of the committee that presented you with the proposal. I heard somebody talk about that Wall Street article that was in Monday, August 29th, the Wall Street paper there, it said, "When Civic Mergers Don't Save Money". It's by Conor Daughtery, so anybody that wants some more ammo against consolidation, it's a good article. I also had some issues with the on-going tax iniquity where we still have not addressed that issue of why some in certain townships pay more than others. I think that that is still an issue for those of us who live in the city. There's a lot of talk sometimes about county residents wanting, not wanting consolidation and city residents wanting it. I beg to differ. Not all of us who live in the city are all that crazy about hooking up with the county, because we have very good representation at the county, at the city level that's very accessible and very efficient and tends to our concerns to the best of their ability. I don't know what we'll get from the county. So, from our perspective, if I were to talk about what my experience has been, we've enjoyed a wonderful relationship with our city leaders. We have some of the most learned city leaders in the history of this city. If you check the resumes that sit up here, these individuals who serve the city, some of the sharpest minds here. We may not always disagree with you all, I mean agree with you, but I will give you your props when you so richly deserve them. The tax iniquity is an issue. There is also this issue of the water/sewer bill iniquity, where currently the county pays more than city residents. So, there has been this proposal that we would raise city rates and bring down county rates. We who live in the city are somewhat disturbed by that, because we are in the midst of a continuing recessionary economy, and to add additional expense to households that are the most vulnerable in our county would not be a good thing. So, we've got an issue with that. I understand that you were attempting to allay the fears perhaps, or the misgivings of those who live in the county, but please don't do it and punish those of us who happen to dwell in the city. Then, I'm always talking about trying to create a positive micro dynamic political entity that would allow those in the inner

city and those in the county, and in the rural in particular, to have a greater representation. I've tossed out some numbers, I think I said 13 one time, 15 another, let me go on record as tossing out another one. I like 20 to 23, because that gives us village level representation for those who live in the center city and those who live in the county, because then a person, you bring it down to a micro level. Now, people will say that will increase the cost. It doesn't have to. You just subdivide it just like you did when you did the proposal for the 15, or you did the proposal for the 11. Those who want to serve, will serve, not because of a wage, but because of their commitment to making our community better. I think all of you all would agree these positions have not made any of you wealthy. If they have, please, let me know, but I don't think that anybody up here is proclaiming that. So, I would like a greater number. I said I was tentative, because I didn't want to come up here and just say I'm totally against this and not give you reasons. I think you need these insights so that you know where those of us who are in the city, where we, some of the uneasiness that we have with the proposal, and perhaps you can bring about some clarity. I'll stop there, but I think that the utility rates, there's some issues with how we deal with, also this whole issue of tax abatement, that may not even be under your, on your radar, but this whole issue of how tax abatement is dealt with, where you get an abatement, and then to get around the abatement our assessed values are increased so that we still are taxed so that our development that is supposed to start generating some profit and that profit be used for further development is negated by the increase in the assessments so that what was going to be a profit ends up actually being a liability on the property tax side. So, I don't know if that's come up, but it is an issue that I think we need to consider and perhaps some corrective measures need to be taken, so that those of us who do development in the center city and will continue to do development in the center city, we are committed to that. The center city has its issues, we have our problems, but we are still strong. We will continue to be strong and continue to do the things that make our city good, strong and better. We'll do that whether we have consolidation or not. We will continue to make this city the best city that, this side of heaven, because I love this city. I love the people who live here. We're not a perfect community, but I love this city. We'll continue to serve this community, warts and all, but I love this city. So, if you don't vote for consolidation, we'll continue to rebuild the core of this community and try to ensure that downtown does not die by bringing positive demographic back to the center city, as we have done, we will continue to do. People hear us building affordable housing, and you think we're building for poor people. Well, a family of four that makes \$58,000 qualifies for the housing that we build, and it's affordable. That's right there with the average wage of this place. So, we're building housing that you don't have to go in mortgage bondage to live in. So, I think we're doing fine in our city. So, if you all don't want to consolidate, that's fine. We'll be fine. We will continue, as center city citizens, we will continue to come before you with our commendations and our compliments, but we will never come before you and insult you, because we know better. This is a great city, and we can differ, and we can disagree, but let us not become disagreeable. I was in London when all that rioting broke out, and I, my dear friend, Dr. Adams, told me about the Guinness beer. I don't drink, because I'm a Baptist and we ain't supposed to drink. We can play bingo, go to Casino Aztar, but we can't drink. But, I, that wasn't a slip, I pastor the people's church. I brought you, Dr. Adams, this Guinness beer pen. I couldn't bring you a beer can, but I brought you the beer pen. Thank you, Brother. You all have a wonderful night. Hopefully there can be some clarity on the few issues that I brought forward so that we can take the consolidation proposal to the people and we can vote on it, but those are some

concerns that those of us who live in the center city have. So, thank you, and God Bless all of you.

President Winnecke: Thanks, Adrian.

(Applause)

Bruce Blackford: Good evening. Bruce Blackford, 8701 St. Wendel Road. Like Reverend Brooks said, I would have liked to have spoke before him, because I won't be near as eloquent as he is. You guys have had a hard time doing this, putting through it, you guys put a lot of hours, and you guys don't get paid near enough to do this. So, I appreciate you sitting down and listening to the comments and concerns that mostly what I represent is a lot of the county residents. But, you know, when we discussed the Plan and from the reorganization all the way through, there are several things that we feel that needs to be in here and several of them have been mentioned tonight. Lack of term limits, we feel that, I know everybody tells me that there are term limits, all you've got to do is vote them out, they're gone, you put them in every four years or whatever, but the way the government was set up, it was set up to be citizen politicians, and it seems like this country has evolved into professional politicians, or career politicians. Once they get entrenched and they get their million dollars, which none of you guys get, but they get their big war chest, it's very hard to defeat them. Us small people, or small guys just feel like we cannot get them out of office sometimes. That's where the term limits is coming from, I believe. The lack of cost savings, or the expenses of going on with the computer system, I've heard a lot of different things mentioned that we don't know what happens to the computer system, do we merge it, do, you know, how much start up expenses are going to be in the reorganization if it does occur? How much cost savings is there going to be in putting everything together or not putting it together? The judicial branch, how are they going to work in there, where's the cost and how is that going to figure in here? The Police Department, and that's probably the biggest item, that, you know, the original plan had the Sheriff and the City merging together under the Sheriff. When you look at it, that makes the most sense, since the Sheriff is a constituted authority, and the Police Chief is appointed by the Mayor. By having the Sheriff you divide the government up a little bit and diversify the power. So, the Mayor isn't electing or appointing the Police Chief. The Sheriff is sort of there as oversight. Then, you also have the cost savings of having one organization, you know, you should be able to have more people on the streets for protection, and we should have some cost savings in that aspect. You've heard me speak a lot about the segregated vote or two separate votes for the county and city, because it is a merger of two organizations, and the county and the city is just going to be one vote take all, when two thirds of the vote is in the city and one third of the vote is in the county. That, you know, if you look at your proposal, any serious items you have on here, like on page 15 and 16, you state when we're looking at the citizens petition, it requires a two thirds vote. So, to change this you require of a citizen petition that you have a two thirds vote, but you don't feel that we need a two thirds vote to put the position, to put this proposal as law? Just a simple majority. Then, on the back, any final action requires a two thirds vote of the County Council, or the Common Council to pass any changes to this Plan, but the Plan gets approved with a simple majority vote. So, you're giving yourselves power in here, that to change it we've got to have two thirds, but to pass it we only need a 50 percent plus one. So, you know, you guys have recognized that changing this Plan should be difficult, and that's why you put a two thirds majority in place. I think

if we're going to change the entire way we do, the way we govern our county, that a two thirds vote is the least we can do if we can't have the two separate votes.

(Applause)

Bruce Blackford: I know there's been a lot of concerns and everything, and, you know, the Plan is much better than what we started out with. I admit there's been a lot of changes from going from all city regulations to the county regulations. There's been a lot of hard work and a lot of man hours put into this, but it does fall short when the number one expense is the Police and you guys sort of passed the buck for 12 years, which most likely none of you will be here. So, you're going to put it on somebody else's shoulders. We're dealing with it now. We should take care of the Police Department now, because, you know, in ten years we don't know what it's going to be. We know it's here, we're doing it now, let's take care of the Police, merge them together as a city-county, county-city and let the people vote for it. But, I think you have to take care of the Police Department. Passing it on for 12 years and letting somebody else deal with it, because you know in 12 years they'll say, well, let's give it to the next Congress or the next Common Council to take care of. You know, several of you have mentioned that you can't vote for the Plan as is, and I'm glad to hear that, because there are several flaws in the Plan. You know, our biggest one is two separate votes, or even a simple, or a two thirds majority to pass it, but the Police Department, I think, is one of the biggest items, and where we can save some of the most money. We're ignoring that. I think we need to, if we're going to do it, let's do it all, not say ten years we'll mess with it later on. I appreciate your time. Thank you.

(Applause)

Roger Madden: Roger Madden, Evansville. My biggest problem is you're not sure on the taxes. In the last, what, 20 years, how many companies have we lost? Most recently Whirlpool, Pittsburgh Glass was talking about pulling out about four or five years ago, they cut their people's wages back 20 percent over four years, plus they lost their 401k's, Zenith left maybe when I was still in high school, General Foods left whenever they left, I was gone in the Air Force. Just, there's a news story several months ago about a company that moved to Henderson because they had better space over there. So, if Vanderburgh County keeps losing businesses like that, people keep losing their jobs, wages, etcetera, they're not going to have the money to pay the taxes anyway. So, if, you know, we can't get the figures exactly on what the taxes are going to do, and if we can't keep businesses from leaving, we're not going to be able to afford it anyway. So, the one lady said wait until 2012, see what the government, what happens with the U.S., well, for 20 years they've been letting companies leave, and they haven't raised the import tax to make it cheaper for them to make it in the States than to import it from someplace else, so until our federal government does get our country straightened out, at least economically, we're all losing.

President Winnecke: Thank you.

Norman Messel: My name is Norman Messel. I live at 4800 Orchard Road. First off, for a start, I'm not a speaker. I'm an old country boy. If I say anything that makes anyone feel that I'm attacking them, I'm not. I'm just trying to point out some issues that I see that I think needs to be addressed. First off, this whole thing was

started low key. Now last, I got on board late with this thing, so I would have been more active than I have been, but I made the comment that it was to save money. I was told by somebody here on the Council that that's not the case. That's how my first knowledge came about, in the news media or the paper, one or the other. In its infancy you heard quite a bit about it. Since then this thing has been kept so low key you don't hardly hear anything about it. Number one, look around, our media is all gone. Our newspaper don't put anything in there unless it's something....is there one left?

Councilman John: The newspaper is here.

Norman Messel: Well, there's no cameras going.

Commissioner Abell: We're on t.v.

Commissioner Melcher: We're on t.v.

Norman Messel: Well, but who's going to see that. It's not one of the major networks. What I see there is, it's an attempt to keep from stepping on somebody's toes that are in power. This thing, as I see it, is a hostile takeover. I'm not one to powder puff things. I'm a realist. I believe in calling things as I see them. That's what I see. I'm going to try to catch up here with my notes. There is entirely too much power going to be given to one man if this thing goes through as it is. One man should not have that kind of power. You look through this proposal and you count the number of times it says the number one person will be the Mayor, whoever that might be. He can appoint people at his pleasure, and the number is great when you look through this proposal. So, what happened to representation by voters. That's gone out the window if this thing goes through as it is. This one vote thing, to me, without a doubt, is set up to try to assure its passage. Let's be realistic, you've got over twice the amount of people in the city as you have the county out. That right there's pretty much a no brainer, then you turn around and you add another issue to that, of that number, how many people are apartment dwellers that own no property in this county period, but yet they're going to have a big say in the outcome. So, that's why I think that there needs to be two votes. This paper that was turned in a while ago, I spent a lot of time and effort getting signatures. Of them that came out of the city, I don't know what number, but a good sizable amount of people that I talked to, people want what's fair, whether they're inside or out. There's no way that you can say, set up as this is, that it will be a fair vote. That's all I'm asking for. As kids we were raised by our parents, we was taught to be fair, to do what was right, and that's what I would like to see happen. That is supposedly the American way. As another gentleman or someone stated, this thing as it's proposed patterns a whole lot after Obamacare. Oh, just go ahead and pass it and we'll find out what's in it. Well, I'm sorry, but that should not be. This thing started as a cost savings, let's put some real numbers on it. I see it as a takeover and a means to get more money out of the county, which according to this paper that was presented last week, we're already paying our fair share, plus some. As far as supporting the city, I have no problem supporting the city, I've got property inside of the city as well as outside of the city, but a lot of things could be done if the money that has been taken in revenue now was spent wisely. Take this glorious walkway around our city. How many millions of dollars did that cost for six people a day, I'm not sure of any number, but you drive by any time you want to, I drive by it a lot, and other than right down along the riverfront you don't see anybody hardly

ever walking on it. Take our downtown, our Main Street, how many times in the last 20 or 30 years has that been rebuilt, as somebody's grander vision they're going to bring businesses back to town. It actually run people out of business when they had to spend all that money on that big canopy. I've been, I've lived down here in Evansville, I guess, 40 years, I came from Knox County, I worked for Vectren for 30, or SIGECO and Vectren for 35 and a half years. So, I've seen about every development that there is. I helped put all of the new street lights in, which were a fiasco the first time they rebuilt Main Street. This Civic Center was not here, and who's idea was it to close the city streets, the main streets and put this right in the middle of it? Now, we go right over here, the new stadium, we've got more closed streets. You want to revitalize downtown, and you're not going to do it like that. I mean, I'm sorry—

(Applause)

Norman Messel: – and I'm not, I want to see the city succeed, but what have you got down here attracting it? You've got no parking, you already have little space if anything to build anything. You lose tax revenue, how much tax revenue did you lose tearing down the hotel right across the street? You built the Civic Center, I say you, the government did, or the city. Well, there's no tax revenue going to come in off of that. I mean, that's space gone for umpteen years. You've got the stadium out there that you spent millions of dollars on just a few years ago, to rebuild it, oh, it's going to be wonderful, it will last us for years. Now, the proposal is to tear it down, at what cost, several million dollars? I mean, you know, not only did I work at SIGECO, I was farmer. I had to operate within my budget, on what I could do with what I had. I've heard some other people say it, the city government needs to do, the city and county government needs to do the same thing. I, for one, do not need no Mayor to come out in the county and tell me what's good for me. I've got too many people standing in line now.

(Applause)

Norman Messel: Our federal government has run amuck in that order. I mean, how often do you turn on the t.v. and somebody's telling you what's good for you. Well, excuse me, I think I've done rather well for myself. I was an orphan. I've worked all my life to accumulate what I've got. Now, I see with proposals like this right here, that I may not be able to enjoy what I've worked hard for to my old, old age. I'm not a kid no more, but if they keep raising taxes to fund projects that's not going to have no return on it, I may not be able to stay in my home. I don't like that idea. You know, I think you have to be, this gentleman said something about vision, hey, I'm all for vision. I'm all for it, but we need to be realistic when we're looking at these projects. Nobody can predict what's going to happen 40 years down the road. We can't predict what's going to happen tomorrow, but when you decide to make a major investment, make sure, here again it goes back to figures. When I bought something, I factored the cost against what I figured it would make me. If I didn't see that as making some money or supporting itself, it didn't happen. I think our government needs to do the same thing. So, what I'm asking is that everybody take that into consideration and think what is right for this community. The people in the county are not opposed to this. Put it to a vote in and out and then however it ends up, fine. I've never had a problem with majority rules. I do have a problem with, which I got into that before I retired, just because somebody tells you you need to buy in, I don't believe that. You need to think with your own self what's right and

what's wrong. I do have one comment that I'm going to make that might be construed as, oh, hostile. I'm not doing it in that manner, but I think that Mr. Winnecke should abstain from the vote, because I believe it's a conflict of interest. I think it is self serving. Here, if he gets elected Mayor, this will be done so before we have an opportunity to vote, and I do not think that that should be. I think it's too self serving.

(Applause)

Norman Messel: Another thing, and I'll shut up--

Councilmember McGinn: I would like to answer that though. If this passes, whoever the next Mayor is has to run again in three years. Do you understand that? You get another bite at the apple, Mr. Messel.

Norman Messel: But, excuse me, sir, the damage is done. It's like Obamacare.

Councilmember McGinn: There's no damage. What do you mean damage? You have a right to elect who you want.

Norman Messel: There's damage if this goes through as it is now--

Councilmember McGinn: Well--

Norman Messel: --proposed, we all vote and--

Councilmember McGinn: --that's your opinion.

Norman Messel: Well, how can it be any other way, sir?

Councilmember McGinn: I believe that it's good for the community.

Norman Messel: Huh?

Councilmember McGinn: So, I guess we have a difference of opinion, but--

Norman Messel: You, okay--

Councilmember McGinn: --if this passes, whoever happens to be the Mayor at the time it passes has to run again shorter than the normal period of time. So, that's an unfair shot.

Norman Messel: I'm not following you, sir. If this thing goes through, as is right now, and whoever is Mayor now, the election comes up in the fall, this is a done deal.

Councilmember McGinn: What I'm saying, Mr. Messel, is the person who is Mayor, when or if, let's just say when it's passed, since that's the tense you're using, that person has to re-run. They have to re-run in three years.

Councilman John: Mr. Messel, here's where there may be a misunderstanding. In the event that these two bodies propose that this go on a referendum, it would go on a referendum in 2012, it would not take effect until 2014 or 15.

President Winnecke: '15.

Councilman John: So, if he's elected or if Mr. Davis is elected, their terms will be over by the time this would be instituted. Does that make sense?

Councilmember Adams: (Inaudible. Microphone not on.)

Councilman John: Yes.

Councilmember Adams: It was a cheap shot.

Norman Messel: Well, I think that's pretty obvious what that would amount to. When I mentioned self serving, that's what I had in mind.

(Applause)

Norman Messel: So, bottom line is, I think that the only way that this can be fair is that there be an outside vote in the county and an inside vote, because there's no way the way it's proposed that it's fair. Thank you.

President Winnecke: Thanks.

(Applause)

President Winnecke: Anyone else, as we start to wind down? Okay, thank you everyone for your comments.

Agreement to Send Amended Plan to Individual Bodies for a Vote

President Winnecke: So, what's the pleasure of these bodies? Are we, do we feel like our work in the public hearing is done? Is there a feeling that you would like to continue this to do additional work? I'm just—

Councilmember Robinson: Take it to the individual bodies.

Commissioner Abell: I agree with that. Take it to the individual bodies and let's vote on it.

President Winnecke: Okay.

Councilmember Mosby: I agree.

Councilmember Friend: I agree.

President Winnecke: Okay.

(City Council agreed to send the amended Plan to their body for a vote 7-0. County Commissioners agreed to send the amended Plan to their body for a vote 3-0.)

Overview of Remainder of Process

President Winnecke: In that case, each body, when we adjourn, correct me if I misstate, Counselors, once we adjourn this meeting tonight, each body, the Board of Commissioners and the Common Council have 30 days to consider the identical Plan of Reorganization. If that, if each body approves that by a majority, then it goes on to a referendum in November of 2012. If one body does not, then the Plan does not. Okay. In that case I would, the County Commissioners', sorry, next meeting is next Tuesday, what's the date there?

Commissioner Abell: The 13th.

President Winnecke: The 13th. I would put it on the agenda for that meeting, if that's alright with my fellow Commissioners. That easily meets our 30 day deadline.

Commissioner Melcher: Are we gonna, Ted, will it take one meeting?

Ted C. Ziemer, Jr.: I beg your pardon?

Commissioner Melcher: Will it take one meeting?

Ted C. Ziemer, Jr.: Yes.

Commissioner Melcher: Okay, what I, if you're going to put it on the agenda, right before that agenda I would like to have the threshold rejection on it, so we can move on that first before we vote on this.

President Winnecke: Okay. Any other business to come before this body? In that case this public hearing is adjourned.

(The meeting was adjourned at 7:50 p.m.)

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
John Friend	H. Dan Adams	Curt John
Missy Mosby	Connie Robinson	Dan McGinn
Don Walker	Ted C. Ziemer, Jr.	John Hamilton
Madelyn Grayson	Jeff Day	Brenda Bergwitz
Berniece Tirmenstein	Emmons Patzer	Bruce Ungenthiem
Matt Meadors	George Postelweight	Faye Powell
Mike Schopmeyer	Edie Smith	Jim Braker
Charlene Braker	Jayne Buthod	Cathy Briscoe
Mark Fehrenbacher	Mike Sandefur	Adrian Brooks
Bruce Blackford	Roger Madden	Norman Messel
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SEPTEMBER 13, 2011**

The Vanderburgh County Board of Commissioners met in session this 13th day of September, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the September 13th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

**Rezoning Petitions: Second/Final Reading: VC-4-2011
Petitioner: Buttonwood Properties LLC
Address: 3901 N. St. Joseph Avenue
Request: Change from R-1 to M-2
Action: Approved 3-0**

President Winnecke: Thank you and good evening. We'll begin with a rezoning. This is the second and final reading of VC-4-2011. This is the Buttonwood Properties LLC, located at 3901 N. St. Joe, a change from R-1 to M-2. Just for those who were not around when we considered this the first time, this was unanimously approved by the Area Plan Commission and passed on first reading by this body in a previous meeting.

Janet Greenwell: Janet Greenwell with Area Plan Commission.

President Winnecke: Janet, could you make sure the mic is on?

Janet Greenwell: It is.

President Winnecke: I can hear you now.

Janet Greenwell: Buttonwood Properties is petitioning to rezone about an eight tenths part of a parent parcel to combine about a half acre with property to the north, which is zoned M-2. It's going to be used as a storage yard for Sky Cylinder Testing. There will be a subdivision that's coming to Plan Commission next month that will incorporate this half an acre with property to the north and will be a small, half acre lot, or a third of an acre lot left over that will be sold separately. Both John Stoll and MPO have made comments that they don't want to see any commercial truck traffic on 12th Avenue, and I believe they plan to address that through the subdivision plat. The Plan Commission did recommend approval unanimously with one abstention at their meeting last month.

President Winnecke: Okay, any questions of Janet? Anyone here for the petitioner that would like to speak?

Krista Lockyear: Good afternoon, members of the Commission. My name is Krista Lockyear, I am here on behalf of the petitioner. Buttonwood Properties is owned by Rick Richardson, who is the owner of Sky Cylinder Testing, a local business here that employs about 45 people. I do have a map of the property, although, I think Janet's got in on the overhead, just the overhead, Janet, if we could. The next one up. If you can see, Sky Cylinder is directly to the north of this rectangle on the map here, and we're fairly landlocked. We need a little more space, and the owner of this property is willing to sell to us. The third of an acre parcel that, if you're looking at that picture it's to the right, has been promised to a property owner that is adjacent to that property. They would like to have a little bit of buffer between us and them, but they have agreed that when they are done with that buffer that they would resell it. We're working on an option to purchase, so that's the reason we're rezoning the entire rectangle at this point in time. John Grimmer, the Director of Engineering for Sky Cylinder is here with me and can answer any questions you may have. He did canvas the neighborhood, talked to neighbors, made sure that we didn't have too many concerns with them. To our knowledge the neighbors are pretty okay with this, again with Mr. Everly getting that little third of an acre for his ownership during his lifetime. We didn't have any remonstrators at Area Plan Commission. We would appreciate your approval.

President Winnecke: Any questions of Mrs. Lockyear? Any remonstrators that would like to speak on this rezoning tonight? Hearing none, I would entertain a motion.

Commissioner Melcher: I'll move for a do pass.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or further discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Krista Lockyear: Thank you very much.

President Winnecke: Thank you, Krista.

CAJE: North Highway 41 Bus Route Proposal and Contract with METS

President Winnecke: Next we have the North Highway 41 bus route. We have folks from the Congregations Acting for Justice and Empowerment. This is an issue that has been discussed and worked on for many months. Commissioner Abell has taken a leadership role in this and we are at a point now where we are ready to launch a three month trial program, beginning in October. Commissioner Abell, I will turn it over to you.

Commissioner Abell: Thank you, President Winnecke. Would the CAJE people mind standing up so we can....thank you. We've been working with them, as you know, probably the better part of six months from my standpoint. We recently took a bus ride, on a bus up the 41 corridor. It is going to be a very tight run to get up north and back in an hour. However, we did have two of our major employers that are on 41, rode the bus with us and actually expressed their interest in our doing this. Absenteeism at factories and other production facilities such as they have is a big deal to them, and to have someone have transportation will help them. We can also use it, we also are considering it as an economic development tool for future development on Highway 41, to indicate to industry that there will be a way for people to get to their place of business, without their own personal transportation. We are looking at a three month trial period, which we will be using our funds for and not taking out any from any other area. We have a little bit of money in Economic Development we can use for this. I would recommend that we approve this three mile, three month trial period that we will be entering into with the City of Evansville to use the METS system. At the end of that period we'll take a look at this project and see if it's something that we need to implement.

President Winnecke: You might just, if you would, discuss briefly how METS is going to work in cooperation with the employers out there to promote the existence of this, so people are aware of the routes.

Commissioner Abell: We got, I was sent just recently from Mr. Deig, the Manager at METS, a copy of the promotional brochure that they are going to be passing out and that they are going to give to the employers. The major employers will then make them available to their employees. We have special times that this will be going, we're going to run a four hour time frame in the morning and a four hour time frame in the evening, and nothing during the middle of the day. We also are anticipating that the last two routes in the morning, and maybe the first two routes in the evening might be available for parents who need to go to North High School for teacher parent conferences and other needs up and down the 41 corridor. We certainly would anticipate that this could become a vital route for the county, and we may need to be looking at this as a permanent route.

President Winnecke: Right, would anyone from the CAJE organization like to speak? Elliott?

Elliott Cavanaugh: I'll be very brief. I'm Elliott Cavanaugh. I am the co-chair of the CAJE Transportation Committee. I just want to thank you all for your consideration of this initiative. We think it's very important for the people of this community, everyone to have access to transportation. I believe this provides that transportation for thousands of people who work along that corridor and for people who are looking for jobs along that corridor. Thank you, Commissioner Abell, for working with us on this issue over the last several months as we really hammered out a lot of the details. We know from talking to individuals at Work One, I wanted to add that as well, we talked to people at Work One who are also going to help promote this, from my understanding. So, I think that we'll be able to really get the word out between now and the start date, and hope to have high ridership.

President Winnecke: Thanks, Elliott.

Elliott Cavanaugh: Thank you.

President Winnecke: I would just echo one of the comments that Mrs. Abell made, that one of the things that impressed me when I rode the route was the fact that representatives of the Human Resources area from Ameriqua and Anchor were both on the bus the day I did the route, and they are very enthused about this. So, I have high hopes for the success of this trial. So, any further discussion on this issue?

Ted C. Ziemer, Jr.: Only to comment that I reviewed a draft agreement that was prepared and made some minor changes. Essentially the agreement provides that the service will be provided 52 weeks a year, approximately 8 hours a day, from 5:45 in the morning, 5:45 to 9:45 in the morning, from 1:45 to 5:45 in the afternoon. The cost to the Commissioners will be \$46,665.36, which will be paid to METS for providing this service, and in return the county will be entitled to receive all fares that are paid by those who utilize the service. The service will run from October 3, 2011 to December 31, 2011. The substantive terms of that contract have been agreed to by METS, and Robert Rock, the attorney for the city has examined this as well. It's prepared for your signature today, should you decide to approve it. If you do, it will then go to the Board of Works for signature on Thursday.

Commissioner Abell: I would like to move for approval.

Commissioner Melcher: I'll second.

President Winnecke: A motion and a second. Questions or further discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: This has been a long time coming. I think all of us has been meeting, it probably started a year before Marsha even got on, so all them meetings we've had and lunch meetings and evening meetings. I vote yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Okay, October 1.

Elliott Cavanaugh: Thank you.

President Winnecke: You're welcome.

<p style="text-align: center;">Bohannon Estates Sewer Project: CDBG Proposal & Resolution CO.R-09-11-010: Authorizing Submittal of Grant Application</p>

President Winnecke: Next, Debbie Bennett-Stearsman from the Economic Development Coalition of Southwest Indiana.

Debbie Bennett-Stearsman: Good evening, Debbie Bennett-Stearsman with the Economic Development Coalition.

President Winnecke: Hi, Debbie.

Debbie Bennett-Stearsman: Coming to you this evening to have the Commissioners pass a resolution allowing an application to be submitted from the county, on behalf of the residents in the Bohannon Estates and the area to sewer approximately 54 homes that are unsewered currently. The grant application request is for five hundred, excuse me, I have it out here, it's for \$600,000. I'll get this right in just a minute, \$497,000 to be matched in \$70,000 in local funds. The local funds have been agreed to be provided by the City of Evansville Utility Department. I forwarded all of the documents that need to be executed to Mr. Ziemer prior to the meeting, and he has reviewed those documents.

Ted C. Ziemer, Jr.: Yes, and I have reviewed the documents, plus the background material provided by Ms. Bennett-Stearsman as the grant coordinator. Should you decide to go forward, there will be a resolution of the Board to be approved, which will authorize the grant submittal. Then, in addition to that, there's a readiness to proceed certification, a citizen participation report, a contract development disclosure report, a certification by the Auditor that the \$70,000 local grant is available from the Water and Sewer Utility, and that concludes those documents. We've reviewed the documents and we find them satisfactory for execution from a legal perspective. Should you decide to approve it they are ready to be signed.

President Winnecke: Debbie, one question, what's the time line for the grant application?

Debbie Bennett-Stearsman: The grant will be submitted on September the 30th, and awards will be made the first week of December. If it is not successful, since these are competitive, and if it is not successful, the county may re-apply in January once again for the funding.

President Winnecke: Okay. Any other questions of Debbie? Motion to approve the request?

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or further discussion?
Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Debbie Bennett-Stearsman: Thank you. I will remind you that there is another public hearing on September the 19th at Bluegrass Church at 6:00. We would encourage and be very welcomed if you attended. Thank you.

Commissioner Abell: What time is that, Debbie? 6:00?

Debbie Bennett-Stearsman: 6:00.

President Winnecke: Thank you.

Debbie Bennett-Stearsman: Okay.

Road Closure Request: Bob's Gym 5K Walk/Run
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President Winnecke: Next, a road race request from Bob's Gym for a 5K. Is anyone here to chat about that? This is a request to hold a race on the 29th of October, security to be handled as the same it has in previous years, neighbors will be notified of the route and the race closure. I understand Sheriff Williams has been notified and has recommended approval. Lexie Jones?

Janet Oberholtzer: I'm actually here representing Lexie Jones. She is a USI student and had class tonight. My name is Janet Oberholtzer, I'm the front desk supervisor at Bob's Gym on the north side. Most of the pertinent information has already been given to you. We will have Sargent Jack Spencer from EPD heading up security, and we will have volunteers from REACT, as well as employees and volunteers from the gym coordinating the race, the road closure and the race events. We have had detailed correspondence with Sheriff Williams' office and addressed his concerns and priorities. Would just submit this for your approval.

President Winnecke: Does anyone have any questions of Janet?

Commissioner Melcher: I just have a, not really a question, but we have a policy set in place for all of these road races, and really the Sheriff should be included early.

Janet Oberholtzer: Uh-huh.

Commissioner Melcher: Not late like he has this time.

Janet Oberholtzer: Okay.

Commissioner Melcher: Because the e-mails going back and forth, he was included at the end. So, I think that, to stop that you ought to just follow the directions we have on everything. That way it works out better if everybody is included.

Janet Oberholtzer: Okay, thank you, I will notify Lexie about that.

President Winnecke: Any other questions or comments? I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: It's approved.

Title Search Quotes for 2011 Tax Sale Properties

President Winnecke: Okay, next title search quotes for the 2011 tax sale properties. Ted?

Ted C. Ziemer, Jr.: Yes, thank you. This year on tax sale we have 738 properties on the tax sale list. That's the most we've had in recent years. We felt that in order to get this done on a timely basis we needed to spread this out over several title companies. We did seek bids, we had, the low bid was \$125 per search, then they graduated up from that to the two higher bids were three hundred thousand, \$300 per search and \$345 per search. In order to have three companies, we took the three lowest bids and asked them if they would all be willing to do it for the low bid of \$125 per search. They agreed to do that, so, we have three title companies of, who are fully capable to perform the searches, and they are willing to do the searches for \$125 a search. So, we recommend that Trustworthy Title, Total Title

and Regional Title each be authorized to do the title searches for the county at \$125 a search.

President Winnecke: Okay, any questions of Ted on this?

Commissioner Abell: I do have a question.

Ted C. Ziemer, Jr.: Yes?

Commissioner Abell: Will they be, are they going to provide a bond or insurance policy or something to make sure that they don't–

Ted C. Ziemer, Jr.: They are all three bonded, yes.

Commissioner Abell: Okay.

President Winnecke: I would entertain a motion to approve the recommendation of the County Attorney to engage Trustworthy, Total and Regions¹ at \$125 per search.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Ted.

**OCH Lease Event Agreement with Kraftwerks
Burdette Park: EVAPAR Maintenance Agreement
Health Dept: WIC Grant Agreement**

President Winnecke: Next, under contracts, agreements and leases, the Old Courthouse event lease agreement with Kraftwerks. This event lease for use of parts of the Old Courthouse by Kraftwerks is for a craft show on November 12th and 13th. The agreement is identical to last year's. I would entertain a motion to approve.

¹ Should be Regional.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, Burdette Park preventative generator maintenance agreement with EVAPAR. This is for the annual maintenance service for the generator at the Discover Lodge. It's for the period from August 2011 through August 2012 for an annual fee of \$595, which is an increase of \$30 over the cost from the previous agreement. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Okay, next, from the Health Department, the WIC grant agreement. This amendment will extend the grant term from September 30, 2011 to September 30, 2012 and increase the grant amount by \$599,004, to a new total of \$1,198,008. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Gary, anything to add?

Gary Heck: No, sir.

President Winnecke: Okay, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Okay, next, under, any new business to come before the Board?

County Engineer

President Winnecke: Oh, I missed that, department head reports. Gary, anything? John?

John Stoll: I've got a number of items this evening. The first is change order number eight on University Parkway Phase II. This was a no cost increase, this just added 41 construction days to the project. The reason for the extra days was the excessive amount of rain that the contractor wasn't able to work back in April. This did not affect the opening date of the project, it just provided extra days for the contractor to finish up the project after the project was open back in late April.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then I have change order number nine on University Parkway. Once again this is a no cost increase, but it does add 58 days to the contract duration. This was for the reconstruction of the embankment slide that occurred on the west side of the road just north of Upper Mount Vernon Road. We previously dealt with the cost of that slide in a prior change order.

President Winnecke: Where does the reconstruction stand?

John Stoll: It's finished.

President Winnecke: It is?

John Stoll: Yes.

President Winnecke: Okay. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Next, on University Parkway Phase II I have the final acceptance form. This is just one of the forms that has to be submitted to INDOT in conjunction with federal aid projects. I need your signatures on that.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Next I have a request for approval of the street plans for LEED-Sheffer Subdivision. This is the subdivision we've discussed several times in recent meetings. It's at the northwest corner of 57 and Kansas. This amended plan just provides a cul-de-sac at the south end of Old Seib Road. It's asphalt pavement, it will have roadside ditches. It does not include any improvements to accommodate trucks anywhere on New Seib Road or on Old Seib Road. So, all of that has been deleted. It's simply just a cul-de-sac. I've reviewed the plans and recommend that they be approved.

Commissioner Abell: So moved.

President Winnecke: Second. Questions or discussion? I would just add, we did make significant changes in this based on feedback from neighbors in the area. No truck traffic on either New or Old Seib Road was a significant piece of that. So, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: No.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

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

John Stoll: One thing too, we'll still have to get final site plans for the individual sites that will go in that subdivision that ultimately show that the truck traffic won't be there, but this did not provide improvements to encourage the trucks to use either Old Seib or New Seib.

President Winnecke: John, also I'm not sure if we discussed this in one of the previous meetings, but we need to make sure we have appropriate signage out there.

John Stoll: I'll take care of that.

President Winnecke: Okay, thank you.

John Stoll: The next item I have is a street acceptance request for sections four and five of Wynnfield Subdivision. This is located near the southeast corner of Kansas and Green River. The street acceptance request in section four consists of 650 feet of Hedgewood Court and 131 feet of Tacoma Drive. Section five consists of 926 feet of Wynnfield Drive and 131 of feet Windham Drive. Those streets have been inspected and it's recommended they be accepted for maintenance by the county.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Next, I need your authorization to make a right-of-way purchase offer for the Millersburg Road project. This would be an offer of \$11,700 for property currently owned by Christian Fellowship Church. This would be for land needed to build a mitigation site that is required by our permits for the construction of the new Firlick Creek bridge on Millersburg Road.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second, and just as an FYI, this is all TIF funded.

John Stoll: Correct.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, next I've got a request for an increase on parcel ten on the Millersburg Road project. The property owners are William and Jane Heilman. The requested increase is a \$632 increase to bring the total to \$6,232. The original appraisal provided an estimate for relocation of some landscaping that is in the right-of-way acquisition area. The landowners disagreed with that estimate, so they went out and got a second price quote on that and it was for an additional \$632. So, the increase, the approval of the increase is recommended by the consultants.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Next is also a request to increase an offer amount on the Millersburg Road project. This is on a parcel owned by Christian Fellowship Church, it's for the road right-of-way, not the mitigation site. This is for an increase \$18,575. This covers the relocation, an increase in the relocation cost associated with the parking lot lights that are in the right-of-way take, and the relocation of their church sign. Once again, it was recommended by the consultants to proceed, and the church did provide estimates that backed up these requested increases.

Madelyn Grayson: John? I just had a question, President Winnecke. The paperwork says \$18,175, should I change that to 575 before they sign it? Do you need to see this?

John Stoll: If it's that, I typed it wrong on here then. Yes, \$18,175.

Madelyn Grayson: Okay.

President Winnecke: \$18,175, okay. Questions or discussion? I would entertain a motion to approve.

Commissioner Melcher: So, that's going to move the parking lots and the sign, the lights?

John Stoll: The way it's done, the county will pay the property owner and then the property owner takes care of it after the project. We don't actually go out and move the parking lot lights and all of that.

Commissioner Melcher: Okay.

John Stoll: They take care of it, so, that's why the county pays them and then they handle it from there.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Next, I've got a letter that we need to submit to the Sewer Department. This is a value and deficiency letter for the Green River Road sanitary sewer that was constructed as part of the Green River Road project. This sanitary sewer runs from Heckel Road south, along the east side of Green River. In order for the Sewer Department to accept the sewer you have to submit these letters. In this case it states that the value of the sewer is \$133,058.55, and that the county would repair any deficiencies in the sewer for a period of one year.

President Winnecke: I would entertain a motion to approve the request to send the letter.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: The last item I've got is a recommendation to reject the two bids we received on the Fickas Road culvert repair project. Back on August 9th we received bids from Blankenberger Brothers and from Koberstein Contracting. Those amounts were \$89,290 and \$81,712. We had underestimated the cost of the construction of the concrete wing walls, so we're trying to find alternate, cheaper ways to take care of the problems out there with that culvert. So, I request that you reject both of those bids and we'll come back with some additional options and new contract specs at a later date.

Commissioner Abell: John, how much did we, had we planned on?

John Stoll: We thought it would be \$50,000 or less.

Commissioner Abell: So, we're \$30,000 shy? Okay.

Commissioner Melcher: So, we're just making a motion to—

John Stoll: Reject the bids.

Commissioner Melcher: —rescind? So moved.

Commissioner Abell: Second.

President Winnecke: John, one other question, when will you come back with additional—

John Stoll: We're working on that right now, as far as trying to get some specs. I would suspect within the next two weeks we'll have some answers on that. We were trying to see if the County Highway Department could go out and do any of the repairs, but don't know what their current schedules are, as far as what they could do with their forces, versus what we would have to bid out. So, once we get that then we can finalize the specs and get it back out in the contractors hands and get some prices again.

President Winnecke: Okay, thanks. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: That's all I have.

President Winnecke: Thanks, John.

Ted C. Ziemer, Jr.: If I could—

President Winnecke: Sure.

Ted C. Ziemer, Jr.: —Mr. Stoll, I see Mr. Shofstall in the audience. Do you know whether it's contemplated that we have the second reading on the vacation of Old Seib road today? That had been continued pending a drainage plan, and if we're, in fact, ready but for that, I think at the end of the Commissioners meeting we'll want to, instead of adjourning you'll want to continue the meeting, begin the meeting of the Drainage Board, approve the drainage plan, if there is one to be approved, and then resume the Commissioners meeting to vacate Old Seib Road, but I don't know if we're ready for that. Do you know?

John Stoll: From my end of things, the street plans were just approved, and the County Surveyor is, I think, prepared to make recommendations to request approval of the drainage plans.

Ted C. Ziemer, Jr.: Okay, so, we'll follow that procedure then, yeah.

John Stoll: Okay.

President Winnecke: Okay, we'll do that at the conclusion of the Commissioners meeting.

Ted C. Ziemer, Jr.: Right.

John Stoll: Okay.

President Winnecke: Thanks, John.

Ted C. Ziemer, Jr.: Thank you.

President Winnecke: Any other department heads? Okay.

New Business

President Winnecke: Okay, any new business to come before the Board?

Old Business:
Discussion & Vote on Government Reorganization Voter Threshold
Public Comment & Vote on Resolution CO.R-09-11-009
Adopting A Plan of Reorganization with Modifications

President Winnecke: Okay, old business, this is the government reorganization, Commissioner Melcher requested that we put on the agenda a discussion item relating to voter threshold, and, so, I have done that. Steve?

Commissioner Melcher: I'm just going to make this short, because I've said this two or three times. What I believe has happened is that the threshold and this resolution comes too early in the Plan. I think the State's plan is flawed that way. I think it needs to go back, I've already talked to a couple State Representatives about looking into this. I think this resolution should come from the committee, then come to the, back to us and the City Council to pick, at that time what the threshold is going to be, or whatever the Plan is going to be, whatever the resolution is. It shouldn't be done right off the bat. There really isn't enough public hearings, we really don't hear enough from enough people to make that decision that early in the game, especially since we were the first ones out of the box. So, I believe what we're planning on doing this evening is to go ahead and have public comment, then when our public comment is over, I'll be making a motion to put the voter threshold resolution back up this evening. If it passes, they're claiming that it has to take us another, start over, I still think we can get all of that done in time for it to be on the ballot, because a lot of it's already been done.

President Winnecke: Okay, I think that's probably a fair way to go about it. We have that and consideration of resolution CO.R-09-11-009. So, instead of starting a discussion, voting, we'll just have an open public discussion here—

Commissioner Melcher: This way everybody would be able to come up....instead of everybody coming up twice.

President Winnecke: So, the first person that has asked to speak is Jeff Day. Jeff?

Jeff Day: Good evening.

President Winnecke: Good evening.

Jeff Day: My name is Jeff Day. I live at 6000 Berry Lane. At the last consolidation meeting I threw at everyone that sat up there that night, did they have any idea what the tax rates were in the cities that various supporters had used as the model to work this Plan towards. I heard various times, those in favor of it used Nashville, Tennessee and Donaldson County in Tennessee, and Jefferson County in Louisville, Kentucky, and Lexington and Fayette County in Kentucky. The State of Tennessee and Nashville have completely different tax structures than what we have in Indiana. So, it would be virtually impossible for me to write any comparisons of any kind. However, the City of Lexington, Kentucky, which is one city, as I recall, I heard the most favorable stuff, we need to do it because it worked perfect in Lexington, Kentucky. So, then I asked, what's the tax rate in Lexington, Kentucky? Folks, it's 2.75 percent. Evansville, Indiana is one percent. So, we're being asked to support a Plan where the people that have that Plan pay taxes of two and three quarter times more than the citizens of Evansville. The City of Louisville, Kentucky, with Jefferson County, Kentucky, have a tax rate of 2.2 percent. So, that's two, almost two and a

quarter times what our tax rate is. I just believe that the citizens of Evansville and Vanderburgh County need to know that to support this Plan, if they go with the same ideas as Lexington and Louisville, they're looking at probably considerable tax increases. As far as the property taxes were concerned, both Lexington and Louisville, the tax rates seem to be very similar to my own personal. I believe my own personal house is about a middle income, middle class as you can get. So, I didn't go back and try to refigure up what Evansville-Vanderburgh County was, but I just said how does that compare to my house, because my house is just average, and they are very close. If you wish, I can give to Mrs. Grayson my documents that I printed, this is from the City of Louisville and this is from the City of Lexington. It's not Jeff Day propaganda. Do you wish it?

President Winnecke: Yeah, that would be great. Thanks, Jeff. Next? Hi, Bill.

Bill McKeon: Good evening, Commissioners. I would like to reiterate what that gentleman said, and that is what is the proposed, suggested or estimated tax that is planned under this new consolidated merger? If anyone knows. The other several questions I have, and I appreciate your edifying me and the crowd, or the wonderful taxpayers here, will there be a separate rate for the Vanderburgh County taxpayers whereas they were never consulted with the respect to the \$125 million expenditure for that new arena that is across the street. Whereas the City of Evansville, the Council did issue a separate rate charge for the county residents over the city residents. So, are we going to get a separate rate now excluding the \$125 million from our county taxes?

President Winnecke: State statute prohibits residents outside the city limits from being encumbered, encumbering debt by the current city and vice versa.

Bill McKeon: Okay, so, as this gentleman was saying, the county residents will have a different tax rate than the city rate, is that what you're saying?

President Winnecke: Well, first of all, the Ford Center is not on the property tax rolls. It's being funded through other revenue streams.

Bill McKeon: So be it, that's, I'll just leave that go. Will the merger consolidation cover street cleaning, street snow removal, garbage collection and more street lights in the county if we now are encumbered upon being within this merger? You know, I know the city now, if it is, then the city taxpayers are going to have to pay more to accommodate us county folks. Another question is, what is the stipend suggested for these new 15 Councilmembers? Is it \$10,000, is it \$30,000 per person? Is the county-city going to give them paid health insurance? I mean, I would just ask, gentleman and beautiful young lady, before you vote to accept this, these questions should be presented to the taxpayers and answered so that we can vote intelligently. If I may, I would like to suggest that our Commissioner Melcher over there, that his proposal that the county vote separately, is that correct in your motion?

Commissioner Melcher: Yes, it has to pass inside the city limits and outside the city limits.

Bill McKeon: Right, so there would be two separate votes. I would suggest that you people consider that and vote that way. That way everyone gets a fair shot at voting, this way then their vote counts. Thank you.

President Winnecke: Thanks, Bill.

Bill McKeon: Appreciate it.

Brenda Bergwitz: Brenda Bergwitz, St. Joe in the county. There again, a week ago Monday, when I got up here and said, you know, everybody has done an outstanding job, a lot of man hours and time away from their family in getting this ready, but, there again, you know, VandiGov many, many years ago, you know, they started this way back when. You all are doing a good job right now, but don't be in such a hurry. I mean, keep vigilant, but it shouldn't have to be mandatory to be on the ballot in 2012. If it's really going to be good and good for the citizens of Evansville and the county, then I don't say put it on hold, keep doing what you're doing, but study what you're doing, because, you know, also at the same time, build our confidence, build we the people's confidence back up. Then each and every one of you, and then you people that will be elected in the fall, because that is where it's at is people have lost confidence in our government; city, state and local, like I said last week. Like I said, just don't put it on hold, but stop and smell the roses along the way and just stay diligent, but don't, it shouldn't have to be on 2012. If it's not done, then the next time around. I mean, don't stop it, but, there again, don't be in such a rush. Thank you.

President Winnecke: Thanks, Brenda.

Matt Meadors: Good evening. Matt Meadors, President and CEO of the Chamber of Commerce of Southwest Indiana. Commissioners, let me begin by thanking you for all the time that you've put into this discussion. This is a discussion that started about a year and a half ago, and you've had tremendous public input into should we or should we not move forward with the consolidation of local government. We've had a Plan that's been developed, it's been brought to you folks and the Reorganization Committee. A Plan that was developed by our fellow citizens. It was a thoughtful Plan. We've been through a process now, for a long period of time again, where through public input sessions you folks have had an opportunity, the Reorganization Committee has had an opportunity to make more, approximately 100 alterations or modifications to the Plan. It's time for us to move forward now. We've talked about it, we've discussed it, we've debated it, we've aired concerns, and now it's time for all of us to come together and move forward and take this to the public. I've had an opportunity to listen to a lot of discussion, as we've had these discussions and these gatherings through the Reorganization Committee and with the separate bodies and their conversations. I want you to know that I haven't lost faith in government. You're our fellow citizens, I haven't lost faith in our fellow citizens, and I haven't lost faith in our community, respective communities in our region. As a matter of fact I have a lot of faith in our region, and in our communities, and our leaders. I have a lot of faith that if we work together, and we look to the future, and we're not afraid of the future, and we decide that we're going to do the right things for our kids and our grandkids, and we're going to commit ourselves to having a community and a region that can compete, and compete vigorously and rigorously and effectively with other high performing communities for new investments and jobs. I think once we set our jaw and make a decision to do that, that good things will come. So, I don't think that we need to put this off into the future. I don't think that we haven't given this adequate discussion. I think we've given it more than adequate discussion. It's a discussion that's presented itself in front of this community for many, many, many years. We have a Plan now that's been fully vetted. We have one that, in my humble opinion, representing the Chamber of Commerce of Southwest Indiana as well, it's time. It's time to move forward, and it's time to take it to the public. So, those are my thoughts this evening. We've talked about economic development, we've talked about attracting and

retaining talent, we've talked about our youth, we've talked about a lot of things that are very important to this community and this region over and over again. We believe that unifying city and county government into one metro form of government, having one unified vision, is going to play a critical role in meeting some of those objectives that we've set out for ourselves, and understanding those challenges that face us, being able to rise and meet those challenges. So, I would encourage you, Commissioners, this evening as you've listened to these conversations and these discussions and these concerns, if you will, for quite some time now, to think about tomorrow, not yesterday, think about our needs for our kids and our grandkids, think about what the business community is saying to you in terms of impediments to investment and growth, make the right decision and allow us to move forward and take the Plan to the public. It's time for the public to vote. Thank you.

President Winnecke: Thanks, Matt.

(Applause)

Oscar Bohn: Hello, Marsha. How are you? My name is Oscar Bohn. I live in Scott Township, 2727 Charlestown Court. We have about 500 people in Scott that worked before with Fred Stocker, I don't know if you know Fred or not, but Fred did an axe job on VandiGov a few years back and that committee still exists, and all we're asking for is for you to let the county people vote. Mr. Melcher's idea is excellent. We met, and I've given some information to Marsha on people that are really eager to become part of the program by letting us vote, because we don't know how much our taxes are going to go up. For example, I'm a senior, I cannot pay anymore property taxes. We've had some people move out of our subdivision already, and I've asked them why and they said, well, we don't know what's going to happen. We know that people will be leaving Vanderburgh County if their property taxes go up, because there's other places in this area where you can live, for example, over there across the river in a much more economical way. So, some of the other gentlemen have asked, what is going to be the increase in our taxes? I cannot afford, I'm on Social Security and my wife, we did not get raises, we haven't had a raise on Social Security in three years from Obama, so, therefore we're handicapped on what our income is. We can't pay more. In fact, the last property tax for me went up \$300 thanks to the School Corporation. Everything else was held in line, you guys, the city, the schools overspent again. So, I'm just asking on behalf of Scott and a lot of friends in Darmstadt that, where Fred, of course, they moved out, they're not part of Vanderburgh County anymore, but those people worked before, and we have to tell you that we're not happy about what's going on unless we get to vote. We want to vote as a separate community, because we are a separate community out in the county. I didn't move all the way past McCutchanville to become part of downtown Evansville. So, I appreciate the opportunity to talk, and, Lloyd, I take care of your laundry every now and then when I work my part time job. So, thanks a lot.

President Winnecke: Thanks, Oscar.

(Applause)

President Winnecke: It's a small world.

Phil Fisher: My name is Phillip Fisher. I live at 811 Southeast Third Street in Evansville and in Vanderburgh County. I am a resident of the county. I pay all the county taxes. Everybody who lives in the city pays the county taxes. The idea that people outside the city limits should be given a special opportunity to veto this Plan,

I think is patently unfair, because they don't pay anymore taxes than we do. This Plan provides for separate tax rates based on the services provided. That's a much fairer tax system than we have now. On those shared projects, shared departments, such as emergency services, city residents now pay a city rate and a county rate. So, I think, give the people a chance to vote for a system that will be both more efficient, an overall cost savings, and a more fair taxation system. As you probably know, I was part of the 2003-2004 study committee. That committee was charged with determining first whether it would be advisable to unify or consolidate city and county government. The reason that that committee came to the conclusion that it was, was because of the testimony of elected officials and business people in Indianapolis, Lexington, Nashville, Kansas City, Kansas, and more recently Louisville. Roberta Heiman had done a more extensive study, found the same thing, that people who did it said it made for a more effective and a more efficient government. Thank you.

President Winnecke: Thanks, Phil.

(Applause)

President Winnecke: Roberta?

Roberta Heiman: Commissioners. I'm Roberta Heiman with the League of Women Voters. There's an old saying that says, "Change is easy. You go first.". It's not easy. The League of Women Voters of Southwestern Indiana did go first about two years ago, when we were the first citizens group in this State to exercise a State law that gave for the first time citizens the right to begin a petition to ask local government to reform itself, develop a Plan that would be presented to the voters for the voters to decide. Not for politicians to decide, but for the voters to decide. We circulated that petition and got several thousand signatures, as required by law. So, that's why you're here tonight. I commend every elected official who has spent this past year in all of these hearings and everything to prepare this Plan. Now you have it. So, I'm here to ask you tonight to present it to the voters and let us decide as the law, the State law provides. Under our petition we ask that it be presented for a single county-wide vote. I ask that you stick to that. It's only a fair vote. There is so much public education to be done on this Plan. Most of the questions that other people have raised here tonight are in fact answered in this Plan before you. It just hasn't been presented extensively for people to know what's in it. Now let that work begin. Approve this and send it to the public and let the discussion begin, then let voters decide as the law prevailed. All of this concern about, you know, what's going to happen to people's taxes, first of all the tax rate has been capped by the State legislature. It can't go above a certain level. So, that's not what consolidation is all about. This isn't about tax rates, and it's not about water rates, those can be dealt with, with or without consolidation. You know, it's already capped, so their concerns have already been addressed by the State legislature. The water rates, you could deal with those without consolidating. That's not what consolidation is about. So, let's present this Plan, present it to the public, and let the voters decide. So, thank you very much.

President Winnecke: Thanks, Roberta.

Roberta Heiman: I'll be happy to answer any questions.

(Applause)

President Winnecke: Josh?

Josh Claybourn: Thank you. My name is Josh Claybourn. I am a resident of the county and the city. I first want to primarily just thank all of you guys for your hard work. Mr. Meadors pointed out that this process began a year and a half ago, but, I think, as Mr. Fisher pointed out, it's actually been a process that's been going on for quite some time. Quite a bit of public input, quite a bit of public discussion throughout the whole community. It seems, thankfully, that most people here support letting the people decide by a referendum. The issue, of course, is whether we're all given an equal voice, or whether those county residents outside city limits are given some sort of higher, greater preference, over those county residents living within the city limits. I grew up outside of city limits, within Vanderburgh County, went away to school and now I live also again in the county, but also within city limits. City residents are county residents too, as Mr. Fisher so eloquently pointed out. I think it's for that reason that you Commissioners earlier, as I understand it, as well as the City Council, all agreed previously to one equal vote. It's my understanding, Commissioner Melcher, that you did as well. I think for good reason. There was precedent for that. In 1993 a county-wide vote approved the riverboat, in 2008 a county-wide vote approved the EVSC bond, and in 2010 a county-wide vote approved property tax caps. That's just three of numerous examples where we decided, as a county, where county residents had equal voice and equal say. Finally, let me just say, as what I think some people would consider a young person, that this is a vote that really says something to what this county is in terms of progressive thinking, in terms of its ability to adapt, and its ability and willingness to say, willingness to look at and adopt modern ways of doing things that are more efficient, that make more sense and that are logical, and that Evansville, that we can prove the naysayers wrong, that Evansville is not a city, and that Vanderburgh County is not a county that is tied to old ways of thinking just because it's the way we've always done things. That we are a county that is willing to examine and look at new ways of thinking. Now, logical people, reasonable people can disagree with that, and they'll have their opportunity to do so at the ballot box, but I think it's incumbent upon you Commissioners to make sure that all county residents have an equal voice in that vote. Thanks.

(Applause)

President Winnecke: Thanks, Josh. I knew one of the Bruce's was going to be next.

Bruce Blackford: Good evening. Bruce Blackford, Vanderburgh County. Mr. Melcher is right, we are the very first county to take on this reorganization. Being the first, we're not aware of all of the ground rules to start out with. The very first vote, they are correct, that you voted to have one single vote, you know. Maybe we should have known that, but being the first, how can we be, we were not aware that that was going to be the very first thing. Everything in this Plan was up for discussion. They put in on the Reorganization, the Police Department and the Sheriff to be represented under the Sheriff's Department. We talked about the zoning, the laws, which city laws were county laws, the plumbing or the sewer and the water, the transportation, everything on this Reorganization Plan was up for discussion, except for a threshold vote or two separate votes. When the public became aware of it, as you can tell by all of the different meetings and all of the different people that have spoke, there's been a huge groundswell of support from the county residents that they would like to have a say in their future. I know several people say they are part of the county and part of the city, that is correct, but the county is part of the county, they are not part of the city. To go out there and say one vote takes all is not fair to

the county residents. I think we should have two separate votes. I think Mr. Melcher is correct. If we postpone this and go with two separate votes, if it's a good bill, or a good reorganization, it will pass. It will also give you time to get the information that you have been able to get on getting the financial information, the tax structure and some of the other questions that's been raised in many of the different meetings. It still could be on the ballot for 2012. I would like to see it come to a vote, but I would like to have at least a fair vote in my future and everyone else's in the county. You have a responsibility to put a Plan in front of the public to vote, but you need to make sure it's a good Plan, a fair Plan for everyone. They mentioned the tax rates are capped, we all know that they're not capped. There is a one percent, but the tax rates are based off of the actual value, and most people are not paying taxes on their actual value of their one percent. So, taxes can go up a long ways before they hit the one percent. I feel that we have an equal vote, get the information, we can still have it on, but I don't think we're ready to put this Plan forward to the public. Thank you.

President Winnecke: Thanks, Bruce.

(Applause)

Bruce Ungenthiem: Bruce Ungenthiem, a fifth generation, rural Vanderburgh County resident. I just wanted to remind you that we presented a petition to the combined group, both the Commissioners and the County Council, last Monday, I believe it was. Monday, was it, yeah, it was last Monday, had over 1,300 signatures on it that supported Mr. Melcher's proposal to have a threshold vote for both, one vote for the non-urban group and one vote for the urban group. I've since got another 12 signatures that I would be willing to give to you. They're coming in bits and pieces, you figure if I got 12 signatures this week, I'll probably get another 12 next week, and if we had as much time as the League of Women Voters, we would probably have more signatures than they did. I just wanted to remind you that there are over 1,300 people that support this threshold vote.

President Winnecke: Thanks, Bruce.

Mike Sandefur: Thank you, Commissioners. Michael Sandefur, a Vanderburgh County resident. I know there's been a lot of talk tonight about let's look forward, let's look to the future. I think one of the things, and I think that's what we should do is look to the future, but I think one of the things that we have to do is reflect on the past. If we look at what our Founding Fathers set up, they set up a segmented form of government. They set up many layers of government, so that there could be different levels of government, and be able to go and to have that close ability, a close association with your elected representatives. We're throwing this away. We're looking at Evansville, if we look at Evansville and we talk, you know, we seem to always compare ourselves to some, you know, larger city, but if we look at Evansville I think it's a success. I think it's an amazing success. If I compare us to the rest of the cities across the nation, I'm proud. I think it's wonderful. I say, okay, if we've had a successful form of government for a couple hundred years, why do we want to throw it away? You know, why do we want to throw it away? I think there's improvements to be made, but I think instead of necessarily looking forward and leaping into the blind, we need to reflect on the past and consider what our Founding Fathers would have said to this unification type stuff. They would have rolled over in their graves. Another thing, I guess, kind of a little house cleaning here, I know Councilman John commented that it was the group's obligation to come up with a Plan and bring before the voters. That's not totally true. The obligation is to look at

a Plan and see if you can agree on it. Look at a good plan. You're not committed, there's nothing compelling you to rush something forward that's bad. You have every right, and not just a right, you have an obligation to the citizens and taxpayers to move forward with a sound, sound program. If it's not sound, then you have the equal, or even greater obligation to take it down, and vote it down, and redo it and bring it forward again. The other thing that was said, and this was Councilman Mosby, said that, well, if we don't do it, the League of Women Voters is going to run out and get more petitions. Well, you know, what I say, let them do that. Go ahead and let them do it, and this time they won't sneak up on us, we'll be able to present our own petitions to show otherwise. At the same time, if they do present petitions and if it does get forced before the, to the people, well, we'll deal with that, but you don't have an obligation. You do not have an obligation to do anything more tonight than vote on it, and you can vote it down. The concept, I'll use the Nancy Pelosi concept that says we need to go ahead and move forward and then we'll figure out what's there. I don't think that's going to sell well with the voters. I just don't think that's a concept that the American public appreciated. Talk briefly about what we know about consolidation. Well, do we know the cost? No, we don't, and that is probably the biggest issue we have. No one, no one has presented what this is going to cost the voters. I would like to know. You know, I think everybody has a right to know what it's going to cost. We do know that if we compare it to other cities that have done this, the cost has went up. It's not been a savings. We look at Louisville and Nashville, and I do agree, once we start the discussion, should you move this forward, I think the voters are going to be pretty upset when they find out that cities like Louisville and Lexington and so forth are paying two and three times nearly as much taxes, and that you didn't know that going into this. That you didn't tell the people going into that and you didn't know. Now, they're going to presume a couple of things, either, well, one is you don't care. That's going to be a pretty serious one. The other thing is efficiencies, we look at all the studies that they talk about, and guess what, the efficiencies did not go up. You know, there's exceptions, but these efficiencies did not go up. So, we say, okay, well, we're better than they are. Well, then we take the police force, the one area in which we could have made some major savings and we take that off the table because we didn't have the political or the intestinal fortitude to leave it in there. That was wrong. You need to put that in. It needs to be there. If you're going to merge, merge. If you're just going to play politics, then let's just play city and county politics and keep on like we're going. I guess, if I look at, to create an analogy, you know, I think everybody in here has bought a car at one time or another, perhaps a used one. You go onto the lot and you talk to a salesperson, and you see a car you like, and you go up to the salesperson and you say, you know, it doesn't have a price, you ask them how much does it cost? He tells you and then you test drive it to see if it's going to provide the benefits that you want. Then you negotiate a deal based on your ability to pay. Well, in this situation we're going onto a car lot, and we're asking the salesman what's this car cost? He says, I can't tell ya. I'm not going to tell ya. He says well, I would like to test drive it. Nope, you can't test drive it either. What would you do if a car salesman told you that? You would tell him he's out of his mind and walk off the lot and never do business there again. But, it gets worse, now he turns around to leave the car lot, and there's a bunch of people standing behind him and says, no, you're going to do it anyway. You're going to buy that car, and you're going to take it home and you're going to pay for it, and if it don't run it's too bad. That's what you're selling to the citizens of Vanderburgh right now, because you don't know what this costs, and you haven't enumerated the benefits, and the major benefits that it offered you've taken off the table. So, I would ask you, I find it, I have to say, I find it truly irresponsible to support something that you can't tell me what it costs, and had some time to do this. To say that we're just going to move forward with it, and

then we'll figure out what's in the legislation is a Nancy Pelosi, and that's just doesn't sell well. I appreciate the opportunity to talk. Thank you.

President Winnecke: Thanks, Michael.

(Applause)

Kim Howard: Good afternoon, or good evening. For those of you who don't know me, my name is Kim Howard and I'm the Regional Director of the Small Business Development Center for Southwest Indiana. Our offices are located at the Chamber of Commerce down at Innovation Pointe on Main Street. In my position I am actually prohibited from lobbying. So, I'm not here to lobby tonight, but I am here to give you some information that I think you might find helpful and useful as you enter into a process of deliberation. The Southwest Indiana SBDC has a portfolio of about 230 active business clients. About half of those, a little over a hundred are businesses that are existing, they are coming in, they are looking to expand, they may be looking for capital, they're looking for some kind of assistance. The other half are entrepreneurs, they may be in the process of starting a business, or they're coming to us for assistance to start a business. Last year SBDC clients invested \$5.6 million, five million of that was invested in Vanderburgh County. Our clients created more than 300 new jobs, 200 of those jobs were in Vanderburgh County. When I checked, before I left today, so far our clients have started 13 new businesses this year, ten of those businesses are in Vanderburgh County. Most of the people that we meet with at the SBDC, whether they're entrepreneurs or business owners are uncertain about the economy. They aren't sure what's going to happen next, they aren't sure what's going to happen with their company. They do know, however, that by doing some research, by creating a plan, by spending some time and asking questions from the people that they'll be servicing, that they can mitigate their risk, that they can go ahead with this significant kind of investment that they're contemplating if they have a supportive business environment. Let me reiterate how important a supportive business environment is to them. The people that we work with, in many cases, are the people that our city and our county are depending on to help us create jobs. They're the ones that will help us form this foundation of a vibrant community. They're also the ones that will show our local graduates, from USI, from UE, from Ivy Tech and the other colleges, that there are opportunities right here in Southwest Indiana, and that their local elected officials are right here with them helping them make those opportunities happen. We want to encourage people to start businesses, we want to encourage them to stay here. These are people that are willing to take a risk, even when the outcome is not clear. They have to trust their ability to execute, and trust that a progressive government, and progressive government leaders like you, have created an environment where their risks can have a reward. Even though having some doubts about unification is an uncomfortable position, to be certain that you know, or that any of us know, without a doubt, what will happen is simply not possible. The people that we work with, quite frankly, want to be inspired by leadership. They want to see a progressive government, they want to see a progressive community. Thank you very much for your time.

President Winnecke: Thanks, Kim.

(Applause)

George Postleweight: Good evening. I'm George Postleweight, CEO of the Evansville Area of the Association of Realtors. We see this as an opportunity for the

Evansville city and county to move forward, and as this consolidation unfolds and the different departments get into this, I think it's a great opportunity for our local government to conform to enhance the opportunities for all of the citizens of Vanderburgh County, including Evansville. So, we would urge that you move on and let the process begin with the vote at the level with our public. Thank you.

President Winnecke: Thanks, George.

(Applause)

President Winnecke: Any other public comment?

Mike Wilson: Good evening. My concern about this is that how the votes will be tallied. My name is Mike Wilson, I have property in the City of Evansville. Just as the two bodies are going to be able to vote on whether to proceed forward, I think the same courtesy needs to be extended with the threshold voting. If that wasn't fair, if it wasn't right, then why do we have that on the way this is going to be moving forward? Two bodies have to be in alignment and vote for this to move forward. I think the same courtesy needs to be presented to the citizens of Vanderburgh County with a voter threshold. I'm not opposed to not placing this on the ballot as a referendum. My concern is how it's going to be decided. Thank you.

President Winnecke: Thanks, Mike.

(Applause)

Jayne Buthod: Hello, my name is Jayne Buthod, and a Vanderburgh County resident. I can't say that I am opposed to the merger or the consolidation. My concern is that we have yet to hear any specifics about how these, I'm not even talking about efficiencies, but I am talking about the idea that the last few people have mentioned about how we're going to improve our economic development opportunities. One thing that we can say about what happens in Vanderburgh County between the city and the county is that they cooperate. Every, there's so many other episodes where they've already joined together, merged departments for common goals, and have an incredible number of efficiencies already in effect. So, there's not an unwillingness to work together. There's no reason we can't identify those other opportunities that these people keep speaking to and go forward with doing those very things. Now, the Plan doesn't outline what those benefits are going to be, they don't, it doesn't outline what departments are going to be working better together, it doesn't say how that's going to be accomplished. I have complete faith in all of you and the people that were here at all of those other meetings to move this community forward, whether you want to call it progressive or not, to move this community forward by identifying those areas that we can work together and be successful. I'm afraid, as I said before, that the idea of consolidation is just a shiny object. Oh, here's the answer, we're going to consolidate, as I said before, we'll change our paperwork, everybody will think we're progressive, and now we'll be more effective. There's nothing about what's going on that says that's what's going to happen. We already have, excuse me, I'm having voice problems tonight. We already have a number of joint economic development entities that are working together. If you can have adjoining counties willing to work together on economic development, then there's no reason we can't have our city and our rural areas working together. If it's a competition issue for who gets the credit for bringing in the industry, that's something we need to fix. If it's that an outside business is working the rural and the city against each other to get better benefits, to get more

incentives, then that's something we can fix. I'm just not convinced that this Plan is going to do anything to move those agenda items forward. Thank you.

President Winnecke: Thanks, Jayne.

(Applause)

President Winnecke: Anyone else? Okay, we'll close this portion of the meeting, the public comment portion and move forward. Steve, did you want to say anything?

Commissioner Melcher: Yes, there's a lot of things I wanted to address tonight, but I think they've all been addressed in the past. There's no sense in repeating them, they're in the minutes. Yes, I did vote in the beginning, the very first day after 28 pages of notes. I wanted the thing moved forward. I pushed this thing to go forward from day one. There was just some things I wanted in it. There's some things that, there's a lot of things in it now that I don't want in it, but, basically I wanted the voters to vote on it. That's why I voted the way I did. I felt rushed that night, because I was planning on having two meetings as the President of the Commissioners, and it got thrown out that first night, but be it, it did. That's why, during this process we've all learned and studied and looked at this policy for a long time. I think it just needs, the State needs to look at this and try to make this a better plan for whoever's next on the agenda, don't let them go through what we did. Make sure when we have our numbers we get good numbers. I don't like the numbers that are pie in the sky. Yes, we can vote it down. Yes, we could vote for it and send it, I think everybody on this committee worked hard. I really liked the public committee that we all supported. We said we wouldn't get involved with them, we didn't want any officeholders on it, and I think it worked out. I attended a lot of those meetings, I watched some of it on t.v., I think everybody has done their best. I've got about three inches of notes up here, I've constantly asked people, I talk to people in the street, but I do believe that we should have started off with a threshold resolution to make a separate vote, and with that, I'm making that motion now.

President Winnecke: So, the motion is for, to revise the Plan and create a rejection threshold?

Commissioner Melcher: Yes.

President Winnecke: Okay, is there a second? Hearing none, the motion dies for lack of a second. Next on the agenda is consideration of government reorganization resolution CO.R-09-11-009. Given the gravity, I'll just go ahead and read it, it says:

"Whereas, the State legislature has provided a mechanism through Indiana Code 36-1.5-4 (the "Act"), under which local units of government, with express approval of their citizens, may enter into reorganization and/or consolidation agreements; and, Whereas, pursuant to the Act, the Board of Commissioners of Vanderburgh County, Indiana ("Commissioners") adopted Resolution CO.R-01-10-001 on January 5, 2010, and the Common Council of Evansville, Indiana ("City Council") adopted Resolution number C-2010-2 on January 11, 2010 and the Mayor of Evansville signed same on January 13, 2010, each proposing a reorganization between Vanderburgh County, Indiana ("County") and the City of Evansville ("City") and authorizing the establishment of a Reorganization Committee ("Committee") for the purposes of drafting a Plan of Reorganization for

consideration by the legislative bodies of the County and City. The Committee consisted of twelve (12) members; three (3) each appointed by the County Commissioners, the County Council, the Mayor and the City Council; and, Whereas, said Committee approved the "City of Evansville-Vanderburgh County, Indiana Plan of Reorganization, 1-11-11", ("Plan"), and has submitted the Plan to the Evansville City Council and the Vanderburgh County Board of Commissioners for their consideration and action; and, Whereas, the City Council and the Commissioners have conducted a public hearing which was commenced on March 14, 2011 and was continued on the dates of March 30, 2011, June 30, 2011, August 4, 2011 and August 17, 2011 and which was concluded and adjourned on September 6, 2011; and, Whereas, the Commissioners wish to modify the Plan; and, Whereas, the Plan, as modified, is attached hereto and incorporated herein as part of this Resolution (the "Modified Plan"); and, Whereas, the Commissioners, as the legislative body of the County pursuant to Indiana Code now wish to adopt the Modified Plan. Now, therefore be it resolved, by the Board of Commissioners of Vanderburgh County, Indiana, as follows: The Commissioners adopt the Modified Plan, Pursuant to Indiana Code, a certified copy of this Resolution shall be provided to the following: Rebecca Kasha, Chair of the Committee; the Evansville City Clerk; the Clerk of the Circuit Court of Vanderburgh County; the Vanderburgh County Auditor; and the Vanderburgh County Recorder. Pursuant to Indiana Code, upon certification of this Resolution and of an identical Resolution of the City Council, the Auditor shall provide for a certified copy of the Modified Plan to be filed with each of the following; the Vanderburgh County Recorder; the Indiana Department of Local Government Finance; and the Clerk of the Vanderburgh Circuit Court. Passed and adopted on the 13th day of September, 2011 by the Board of Commissioners of Vanderburgh County, Indiana."

I would entertain a motion to approve that Resolution.

Commissioner Abell: So moved.

President Winnecke: Second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: I have a couple comments before I make my vote. The rejection threshold has been discussed at every meeting that we've had. I've had numerous phone calls at my home, even as recently as today. I was not a Commissioner when this came up. I didn't have the opportunity to vote on whether or not there should be a threshold, but to reject this Resolution tonight would be to go against everything that I've been advised by both the City and the County Attorneys, and it would also send this Resolution back to the League of Women Voters for a petition. We have spent many hours hammering out the best possible resolution that we could. All of us have endured much personal time in this. I would even like to state that at the first meeting I left my family in Washington, D.C. and flew home especially for this meeting. We have not taken this lightly. I have not taken this lightly. I have not missed one meeting. The complaints regarding the arena, by not having a referendum have been well heard. We are going to have a referendum on this issue, and I vote yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Well, I think I pretty much summed it up when I didn't get a second that there was going to be some yes votes tonight against me, but I still stand believe that you have to have a, you have to have something in front of you that you believe in to pass on. I believe that's why I was elected. I was just, I was kind of disappointed, I was hoping we would at least get to vote on it, but we didn't, but I do want the public to vote on it, so it looks like it's going to pass here tonight. I don't know what's going to happen at the City Council. I know the City Council was ready maybe to change theirs. What I've read in the paper and spoken to some of them that they would have matched us if we would have done it tonight. I think we still could have gotten it done in time, so the Women League of Voters wouldn't have had to run out there and get those signatures. So, with that, I vote no.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

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

President Winnecke: The Resolution passes.

(Applause)

Board Appointments

President Winnecke: Moving on, we do have one board appointment, the Common Wage appointment. I recommend that we appoint Tom Goodman to that position.

Commissioner Abell: So moved.

Commissioner Melcher: I guess, second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Consent Items

President Winnecke: Okay, next, our consent agenda.

Madelyn Grayson: The consent items, oh, I'm sorry you need a motion.

President Winnecke: Oh, I need a motion to approve the consent agenda as approved.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

Madelyn Grayson: The consent items for the September 13th meeting are as follows; approval of prior minutes; we have the August 23rd Commission meeting, the August 30th special meeting; the September 6th joint City Council-County Commissioners meeting, and the September 13th executive sessions summary minutes; employment changes for the Commissioners approval, we have two for the Health Department, one for the Co-Op Extension and one for the County Highway; the Auditor has a Bohannon Estates Barrett Law lien release, the August 2011 A/P vouchers, and a request to surplus various office equipment; the Commissioners have sale of county owned property 810 East Gum to Whitney Edwards and 712 Waggoner to Vicki Barnes; the Commissioners also have a request to purchase old pay phone from West Heights Trade School building, and a request for disposal of surplus items stored in the Old Courthouse, a transfer request and ratification of the approval of the ARC Construction contract from the 8/30/11 special meeting; the Assessor has a request to surplus various office furniture; the County Engineer has pay request number 135 for TIF projects in the amount of 468,220.76; the Solid Waste Management District 2012 proposed budget; Computer Services requests to surplus the Vax mainframe; and department head reports from Burdette Park and the County Engineer.

President Winnecke: Any questions or comments on the roll call, on the consent agenda? All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed?

(Motion approved 3-0)

President Winnecke: Okay, any other business to come before this body?

Commissioner Melcher: Recess it.

President Winnecke: Oh, we're going to recess. Thank you. We're going to recess this, the Board of Commissioners so we can convene the Drainage Board so we can take up the road vacation. We stand in recess.

(The meeting was recessed at 6:26 p.m.)

(The meeting was reconvened at 6:50 p.m.)

**Second/Final Reading of Vacation Ordinance CO.V-06-11-002:
Vacation of a Portion of Old Seib Road**

President Winnecke: Okay, at this time we reconvene the Board of Commissioners meeting to consider the vacation of Seib Road.

Ted C. Ziemer, Jr.: Yeah, this would be second and third readings of the ordinance to vacate a public way or place, specifically a portion of Seib Road as described in the ordinance. The only comment we would have that if you do approve the vacation that this will be noted on the plat, and then we'll expect that the plat will be recorded by Mr Shofstall.

President Winnecke: John, do you have anything to add? Justin, do you have anything to add?

Justin Shofstall: Just to go on the record on that, as far as we've had the approval of the final street and drainage plans as per the requirements and the readjustments that we've gone through the past several months, provided the updated site plans for the Marathon site that was requested by the County Engineer and the County Surveyor's office. At this point, with the approval of the vacation of the road right-of-way, that allows us to go ahead and record this plat and allow them to move forward with development. I request that you kindly approve it here tonight.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: So moved.

President Winnecke: Second. Further discussion or questions? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: No.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

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

Justin Shofstall: Thank you.

President Winnecke: Thank you, Justin. Are we done?

Commissioner Melcher: We're done.

President Winnecke: Any other business to come before the Board of Commissioners?

Commissioner Abell: Move to adjourn.

President Winnecke: We are adjourned.

(The meeting was adjourned at 6:52 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the August 23, 2011 Commission Meeting Minutes.
Approval of the August 30, 2011 Special Meeting Minutes.
September 6, 2011 Joint City Council-County Commissioner Minutes.
September 13, 2011 Executive Session Summary Minutes (2).
Quit Claim Deed: 810 E. Gum: Whitney Edwards.
Quit Claim Deed: 712 Waggoner: Vicki Barnes.
Request to Purchase Old Payphone from West Heights Trade School Bldg.
Request to Dispose of Surplus Items Stored in Old Courthouse.
Transfer Request: From Bond & Ins. to Hillcrest Washington & Change of Venue.
Ratification of ARC Construction Contract from 8/30/2011 Special Meeting.
Solid Waste Management District: 2012 Budget.

Employment Changes:

Health Dept (2)	County Highway (1)	Co-Op Ext (1)
Sheriff (7)	Circuit Court (1)	County Clerk (1)
Superior Court (2)		

Auditor:

Bohannon Estates Barrett Law Lien Release.
August 2011 A/P Vouchers.
Surplus Request Letter: Various office equipment.

County Assessor: Surplus Request Letter: Various Office Furniture.

County Engineer: Pay Request No. 135: TIF Projects.

Computer Services: Surplus Request Letter: Vax Mainframe.

Department Head Reports: Burdette Park County Engineer

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Elliott Cavanaugh	Janet Oberholtzer
Debbie Bennett-Steersman	John Stoll	Jeff Day
Bill McKeon	Brenda Bergwitz	Matt Meadors
Oscar Bohn	Phil Fisher	Roberta Heiman
Josh Claybourn	Bruce Blackford	Bruce Ungenthiem
Mike Sandefur	George Postleweight	Kim Howard
Mike Wilson	Jayne Buthod	Janet Greenwell
Krista Lockyear	Justin Shofstall	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
SEPTEMBER 27, 2011**

The Vanderburgh County Board of Commissioners met in session this 27th day of September, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the September 27th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Introduction of Teen Advisory Council Job Shadows

President Winnecke: Okay, we'll begin, we have a couple of young students from the Teen Advisory Council. Why don't you lean forward and introduce your name, say your name and the school that you represent.

Amanda Steinbeck: I'm Amanda Steinbeck. I go to Reitz High School, I'm a Senior.

Alex Brizius: I'm Alex Brizius from Signature School, and I'm a Sophomore.

President Winnecke: Alright, thank you very much.

Ann Ennis: Keep Evansville Beautiful: Airport Gateway Project

President Winnecke: Okay, our first item of business is a presentation by Ann Ennis from Keep Evansville Beautiful. Hello, Ann. I said, hello, Ann.

Ann Ennis: I thought you said hold on, Ann.

President Winnecke: No, no. Just hello.

Ann Ennis: Hi, as President Winnecke said, I'm Ann Ennis, I'm the President of Keep Evansville Beautiful. I'm here today just to show you some of our plans and work that we have begun on creating a gateway into the community from the airport, going to Pigeon Creek right now, and then we hope to, as we execute this, keep going farther. Oh, word. Okay, I'm sorry, I went the wrong way. Just a little bit about Keep Evansville Beautiful, we are an affiliate of Keep America Beautiful. We are one of 660 in the country, but we're the only one of all of those affiliates that's completely privately funded. All of the other affiliates are either government agencies, housed in government offices, or receive a substantial amount, primary support from government. So, everything that we do in the community is tied closely to what our stakeholders want us to do and what they are able to fund us to do. That's as far as we can go with things. Our mission calls us to be a catalyst for citizen action in order to engage in work to create a more beautiful community that will help improve the quality of life for all residents and lead to better enhanced economic growth for the community. Okay, there we go, I'm not sure what's going on here. Maybe there's a delay? Is there a delay in this?

Madelyn Grayson: Could be.

Ann Ennis: Okay. We have been working, since 2008, to develop plans and partnerships for the gateway into the community that we're calling the airport gateway. On the board there shows the partnerships that we've achieved so far. Already we've invested, through our partners, more than \$200,000 cash and in kind in beginning to make these improvements. I can't say enough about the business community and the work that they have done, like I said, cash and in kind in support of this. When I took the job as Director of Keep Evansville Beautiful six years ago, the number one complaint, if you will, that I heard from the business community was this drive from the airport, the regional airport into downtown. It's an old, industrial highway, and, you know, Jeff Justice with Hafer Associates calls it the mother of all adopt-a-spots. I mean, it's a long effort and we're working it. We're working it though. We have moved, we're getting many calls from other stakeholders, and the enthusiasm that this community has for this project really feels good. We all, this entire community should feel very good about that. The airport entrance action plan is done, as of yesterday. We have used that area to embrace nature and establish a tone of what it means to be in Southwestern Indiana. We've planted 20 trees and 57 shrubs in the area. There's a maintenance plan to assure that they're taken care of moving forward. The Airport Authority is working with us and they're doing the basic maintenance, but what we've agreed with our stakeholders in this process is that should there be a huge issue, like this we've had some Bermuda grass issues, that, you know, we'll pay for the Round Up, we'll pay for the extra care. We've paid four times to water this year, which was ironically funny when we put this in we were planting it in mud, but we paid for water. So, we have a maintenance fund of 20 percent of whatever's raised for each phase of this project to go towards perpetual care and maintenance. Just yesterday they completed planting at the traffic triangle and the front of the airport sign, and those plants are in and I'm quite pleased. They're small, but they're bigger than I thought they would be. When you take a look at it, you know, it looks full already, and I think after a growing season, next year it's going to look quite nice. So, next we're turning our attention to the northwest corner of Petersburg and State Road 57. You'll see, directly across from, you know, the planting areas that we're showing you there, to create a sense of where we are as a community, a sense of arrival for people coming from the airport. A key feature there is to welcome people into the community. We have had, for the process of coming up with that design that you see there, which is still a little bit of a, we're working on the complete specifications and the final draft of what that's going to look

like right now. We had three public input sessions where we invited the community to come and tell us what they wanted to see. At the last session we used, we have several different ideas out there and we've honed into this one. That piece of art is a place holder, it is not what I call an abstract (Inaudible), it's just the place holder for what will be a piece of art. We're putting together right now a call for artists, working with the Begley Art Source on this. We had an event, a home party, at the Dunn household some weeks ago in August, and at that event just in talking through and showing them these slides and foam boards I have here, we received more than \$17,000 in pledges to give us the money that we need to start investigating what that art will be. So, we're studying a process, and we intend, by March of next year to be able to unveil what that art will be. It might take some time to get it installed. We will have substantially more to raise in terms of that. The art cost is not necessarily reflected in that price, but I don't know the price totally yet until these specs get done by Hafer. Just this year, speaking of the business enthusiasm, an area that we were going to work on, and it was out there as a discussion, but it's kind of really moved to the front, is the old Dress Regional Airport parking lot, which is what greets our highest end people when they come to the community. This is the location where our Senators and our rock stars and our business investors and our whomever may own a corporate jet, this is where they arrive. I've heard a story, several stories, but one very specific one, John Seidler who owns Tri State Aero, we'd been talking about what to do with this site and, you know, he shared a story and this is an issue that, you know, two pilots who had dropped off somebody who then took a car into town and he was here to buy a business, had flown in on his nice, corporate jet, the pilots are standing outside looking around, John comes outside and they look at him and say, wow, some town you've got there, huh? So, you know, this is a problem. It's our problem all together to figure out how we're going to have the best view for economic development for an investor who comes into this community. I've heard other very specific stories like that. So, what it could be. Now, Keep Evansville Beautiful functions on the idea that we can all do it if we all will to do it. We can go as far as we want. Maybe there's too many trees, maybe there's no art, maybe the parking lot is bigger, it's whatever people want. But, this is a first concept of creating an observation area, a public access gathering site for events such as hot air balloon shows, or air shows, or just farmers markets and art shows. I mean, there's any number of things that can be there, but if you can imagine that upper corner, if that's where your business investors are arriving and that's what they're seeing, it creates a substantially different view of what it means to be located in Evansville than what they're greeted with now. We're also looking closely, this is what was going to be the next emphasis, and we're perfectly capable of working on two areas at one time. So, you know, it's like whatever people want to do. Highway 41 and the State Road 57 intersection. We have gotten some verbal interest, strong commitment to studying, replacing that billboard with something that's more aesthetic. If you look at the bottom there, the billboard then would match the sign postings, there could be some flowers, whatever that material might be might be the material that's used in the signage that's across from the airport entrance, you know, we want to tie it together somehow. We have met, Suzanne Crouch arranged a meeting for Keep Evansville Beautiful with Troy Woodruff, we have got some really great response from INDOT about planting wildflowers in the median. You see the pink areas up there on the upper left hand corner, about how that could happen much quicker and much easier than we had previously thought. So, we're going to have a meeting again on that next week. Nothing is firm, I'm not saying anybody's promised anything, but there's ways to work with volunteers and not-for-profit and the State and to make these things happen. The Indiana Native Plant and Wildflower Society, there's a very strong contingent of them in Evansville, I think that's due a lot to the Master Gardener program, they've expressed strong enthusiasm for helping do this.

Because people frequently talk about just planting trees, just put in wildflowers. Well, the wildflower beds that you see in Tennessee, we hear a lot about, those don't just happen. I mean, it takes a good four years for both a tree and a wildflower bed to really get established, but with INDOT's support in terms of security and some access to seeds and the Native Plant Society's volunteer help when they know what they're doing and we can make them secure, this could happen much more affordably and faster than we thought. There's also programs around the country, sponsor-a-highway, INDOT has adopt-a-highway where people pick up litter, but with some cash outlay and a not-for-profit that could be the conduit, there can be a sponsor-a-highway program that would also tend to support some more grooming and manicuring of the sites, or of the shoulders and the medians of the road. Because, right now, the mowing cycle, that's one thing that a lot of people are saying, it's just too far between on the mowing. So, we want to make it look attentive, make it look groomed like someone is paying attention to that. I want to read from this part here, a recent regional survey found, this is the Garner Report, the general appearance of many communities within the four counties we visited displayed blight and aging housing stock, decaying downtowns and business districts, litter and a perception of lack of community pride. Keep Evansville Beautiful would say that the fastest, least expensive and most tangible way to immediately start to try to attract investment and improve property values and the perceived community value is a tidy, well kept landscape. We're on our way with this. We're not asking for anything now, but we want to make sure this is in front of the right people, because we may be, because in order to move the community forward economically the way we all know it can move, we're going to all have to work together. I've got an intern who's quite a photographer, she's been working with me the last month, which hasn't really been the best month to be starting to take pictures of beauty of Evansville, but she's got quite an array of photos. Her name's Jess Durkin and she was telling me, she was sharing some of these pictures with people over the weekend, showing some of her friends and there was a lot of responses that this can't be Evansville. Well, it is Evansville. We are that good. We're as good as we want to be and we can be much better. We're all in the market, our homes are all in the market and we need to get our hometown ready to show. Image matters and we can move this forward. So, again, I just want to make sure that you key Commissioners are aware of what we're trying to do. I don't know if it's even appropriate to say questions, but I just wanted to show it to you.

President Winnecke: Ann, I just had a couple of quick questions that may be on the minds of the other Commissioners as well. Just, in terms of phase two, actually phase two the parking lot and phase four, you had budget items or budget amounts, do you have, have you started the fundraising process in the private sector? How does that stand?

Ann Ennis: Well, the parking lot area, no. In fact, I just was talking to someone today who's going to, a key person in moving this forward, and based just on that illustration there's an anticipation that that could be a half a million dollar project. You know, that's just an illustration, I mean, we don't know. That is not, I know some of our stakeholders have asked, because we don't want to get off track of what we're going to be doing, and we can work on multiple fronts. So, that was not part of the original budget when we were looking at what we thought we had to raise over the next five years. But, you know, it has great merit to it, and it was an area where I have to admit as President of KEB I'm not back there much, and I had not been back there for maybe 20 years, and when I drove back there I thought, oh, my heavens. It's, it's not a reflection on somebody or some entity doing wrong, it's just typical of

how we can do things here sometimes. We walked away from that parking lot and it's still sitting there as a parking lot.

President Winnecke: To what extent, if any, have you been involved with the Air Board on that property?

Ann Ennis: We've been talking to them, and it's been very receptive, but, you know, it's going to take more, you know, it's a community, it's a regional issue really. I mean, anybody coming into this region on a corporate jet is coming in there. So, we have all along the process been working very closely, the Airport Authority has just been remarkable in supporting what they're doing. They're helping us with maintenance and there's things they are doing immediately right now to improve that property. So, it's not that, I would never say that it's, this is not their problem, this is our thing to fix. I mean, it's an opportunity.

President Winnecke: Right. Any other questions of Ann? Great presentation. Thanks for the update.

Ann Ennis: Thank you.

President Winnecke: We look forward to your progress in the months to come.

Ann Ennis: We are making progress.

President Winnecke: Great.

Ann Ennis: Thank you.

<p>Resolution CO.R-09-11-011: A Resolution Approving an Amendment to the Lease with the EVCBA: Proposed Refinancing of Jail Bond</p>

President Winnecke: Next we'll move to, I'm going to skip around a little just in the interest of logistics and time. We'll get to the proposed refinancing of the jail bonds next. Resolution CO.R-09-11-011, this is a resolution approving the execution of an amendment to the lease with the Evansville-Vanderburgh County Building Authority. We've been advised that the county can save money by refinancing those bonds that are currently in existence for the existing jail. The net savings would be approximately one million dollars over the life of the bonds. On an annual basis that would mean a reduction in rent payments of about \$60,000 a year.

Ted C. Ziemer, Jr.: More than that.

President Winnecke: More than that now. Ted, would you like to—

Ted C. Ziemer, Jr.: Well, thank you. Yeah, you've essentially summarized my e-mail to you about this. We have today with us Tom Pitman from the firm of Barnes and Thornburg and Steve Meno from Fifth Third Investments who will speak to us more about the proposed refinancing of this bond issue. Gentlemen?

Steve Meno: Thank you, Commissioners. I'll kind of lead off. I'm Steve Meno, I'm Vice President of Fifth Third Securities. We had the pleasure of serving the county back in 2003 when the jail was originally constructed, and as so many of the debt issues you've done over the years, we keep track, look at them from time to time to

see if there's any refunding opportunities to save on interest rates. What Jay is passing out to you is just kind of a one page summary to give you kind of a snapshot of where we're at with the jail. It was originally issued for \$35 million back in 2003. Kind of showing you how much is outstanding, now it's \$28,985,000 is principal still to be paid. These bonds go out to 2028. So, the biggest part of the mortgage is still ahead of you, but, literally, just like a homeowner has a mortgage, the county has a mortgage with the jail. Without going through all of the public approval processes you had to go through back in 2003, this just requires a substitute and a new lower interest mortgage for the existing mortgage, and with that we can amend the lease that the county pays to the Building Authority as lessee on that facility, we can lower the payments by just taking advantage of these historically low rates. They're the lowest in almost 40 years right now. We're kind of showing you a side by side of the rates that currently the bonds are paying 3.375 to five and a quarter. Each maturity each year has a different interest rate on it. These are fixed rates, but there are provisions in the bond indenture and under IRS regulations where you can advance refund those right now to take advantage of what interest rates are. As Lloyd had mentioned to you, the savings are now approaching a million, just over a million dollars. Even though you've adopted a budget to make the payments for next year, what this refinancing will allow you to amend that budget and be able to cut your debt service rate as early as next year. That will continue every year until the remainder of the bond financing. So, what we're recommending is the county authorize this refunding. The Building Authority met earlier today and they unanimously approved it. You're the second of the three steps that we need to implement this. Then, hopefully, with your approval, we'll then go to the County Council to get their concurrence on it also. With me also is Tom Pitman from the firm Barnes and Thornburg. Tom served as the bond counsel in the original jail bonds. Tom has drafted a resolution for your consideration tonight that Ted has worked with Tom on in creating. Let's just let us pause there and give you an opportunity to answer any questions we could be of help to you.

President Winnecke: Steve, just real quickly, does, what about, does the life of the bonds, will they still be paid off in 2028?

Steve Meno: That's right. We're not changing the payment dates at all. We're just going to lower the payment.

President Winnecke: The term is not changing, just the rates? Okay. Any questions of Steve, Tom or Jay? This is one of those proverbial no brainers as our friend Paul Hatfield used to like to say.

Steve Meno: Politically, that's very correct. Why wouldn't you save money?

Commissioner Abell: Do you need a motion?

President Winnecke: I would entertain a motion to approve the resolution.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or further discussion? Hearing none, all in, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you very much.

Steve Meno: Thank you very much.

President Winnecke: A long drive for a brief performance.

Steve Meno: We'll proceed. I hope to be back to give you a good report when it's all done.

President Winnecke: Thanks.

Ted C. Ziemer, Jr.: Thank you very much, gentlemen.

City-County Electronic Communications Retention Policy

President Winnecke: Okay, next we have, Mr. Ziemer will discuss our county and City of Evansville electronic communications retention policy.

Ted C. Ziemer, Jr.: Yeah, thank you. Some time ago the City of Evansville determined that it wanted to try to develop such a policy. They engaged the firm of Bingham McHale to help develop a policy for them. That firm did that, and you have before you, I don't think you, unless you saw your packets earlier than today, you've not had a chance to really review this, but, it's called the Vanderburgh County-City of Evansville Electronic Communications Retention Policy. After it was prepared by Bingham and Hale, Bingham McHale, it was reviewed by Susie Kirk of the County Clerk's office and Jenny Collins of the City Controller's office, and was forwarded by the city for review by the Mayor and the City Attorney. All of those persons have indicated their approval of the policy, as it is written. Susie and Jenny have signed the original draft of this policy, which you would be asked to sign. I've reviewed it and I've compared it to similar policies adopted in, especially one in Ft. Wayne, and they're very similar. My one comment would be that it's pretty much legalese and therefore not going to be readily understood, perhaps, by some county employees who would be required to comply with this. So, we think maybe the first step would be to have the county and the city approve this, if you decide to do that. Then, following that, we would ask the IT Department of the city and county to draft a, what I call "user friendly" version of this, following this policy, which would be the official policy, but a more "user friendly" document to be forwarded to all the various city and county departments and their various employees for implementation. It is, I think, a sound policy, but that's to be determined by you. It's satisfactory for approval from a legal perspective. I think it touches all of the legal bases that are currently required.

So, it could be approved today, or if you want time to read this more thoroughly, it could be put off until the next meeting of the Commissioners.

President Winnecke: I've got one question. On e-mails, so, if we get an e-mail from a constituent that has a problem on a road issue or a drainage issue, what does this mean? I mean, how long do we have to retain that e-mail?

Ted C. Ziemer, Jr.: You wouldn't have to retain the e-mail from that party at all, but action, any e-mail would involve action by the Commissioners. So, if you sent an e-mail in response to that individual indicating your thoughts as a Commissioner, then that e-mail ought to be retained. The retention period is three years. After three years, you know, all of them could be destroyed, but that's the basic policy.

President Winnecke: I mean, I think it's probably a sound idea to have a policy—

Ted C. Ziemer, Jr.: Oh, no, it is, because if for any reason there was litigation involving the city or the county, involving matters that had been reviewed or discussed via e-mail, there would be requests for production of those e-mailed documents. It would be unfortunate if they had been destroyed.

President Winnecke: I guess, I would like to visit with Matt Arvay to understand, to have a better understanding of what kind of capacity the enterprise has to retain documents for a specific length of time.

Ted C. Ziemer, Jr.: Sure.

President Winnecke: I think we need to know that before we could vote. I assume it has the capacity, but I don't know.

Commissioner Abell: Not that I'm a computer whiz, but my understanding of this kind of data takes very little space on that. Gary Heck may know, because he's, aren't you the Data Board Chair, IT Board this year? Aren't you the Chair of that?

Gary Heck: I'm the Secretary of that committee.

Commissioner Abell: Oh, isn't it true that just blank text takes very little storage area as opposed to maps and other type things.

Gary Heck: It does. When you look at anything involving computers, the storage is about the cheapest thing you can get. So, the answer is yes.

Commissioner Abell: I would, I would be hesitant to think it's a problem.

President Winnecke: What's the pleasure? Would you like to read it over and consider it at the next meeting? I would probably be comfortable with that.

Commissioner Abell: Okay.

President Winnecke: Because I haven't reviewed it.

Commissioner Abell: This isn't documents. This is just simply e-mail. This isn't court records and that type thing?

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

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: This is e-mail documents and, but things that would be transmitted via e-mail, like a contract or a document, that, of course, would be included within this policy.

President Winnecke: So, how about a motion to defer this until our next meeting.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed?

(Motion approved 3-0)

President Winnecke: Okay, we'll—

Ted C. Ziemer, Jr.: That will be what, ten—

Commissioner Abell: Eleven.

Madelyn Grayson: October 11th.

Ted C. Ziemer, Jr.: October 11th, yeah, 10/11. Okay, good, thanks.

President Winnecke: Okay.

<p style="text-align: center;">Permission to Advertise Vote Center Legal Ad: 2011 General Election</p>

President Winnecke: Next, permission to advertise the vote centers for the November 11th election.¹

Ted C. Ziemer, Jr.: I have reviewed the form of advertisement prepared, initially by Madelyn, in compliance with the prior form, and we've changed it, of course, to be relative to vote centers rather than voting places and precincts. If you authorize advertisement, she is prepared to do that.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

¹This should be November 8th.

Commissioner Abell: I have a question, how much, is this pretty costly to do this?

Madelyn Grayson: This is quite a bit smaller than the previous ads. I don't recall the cost off the top of my head. I think it's less than a hundred dollars.

Commissioner Abell: Oh, I would like to, you know, I would like to see us really put it in a prominent place—

Ted C. Ziemer, Jr.: Well, Commissioner Abell, I think there's two considerations here. One is the legal publication, and that's what we would be doing here, meeting the legal requirement. After that, and I suggested this to Madelyn through the Commissioners, through the Clerk, the Election Board's office, we should have more notoriety in the newspapers as to where these places are so that people will know that. I would presume that the respective political parties will want to do that in terms of people voting on Election Day, but this is simply the required notice that the statute requires.

President Winnecke: Then, to Commissioner Abell's point, is this on our website yet?

Marissa Nichoalds: It will be.

President Winnecke: It will be. Good answer. Did we get a motion on that yet? I'm sorry. Okay, any other questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

<p>Reimbursement to Indiana Department of Homeland Security: Mobile Home Tie Down Grant</p>
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President Winnecke: Next, reimbursement to the Indiana Department of Homeland Security in connection with mobile home tie down grant. Building Commissioner, Benjamin Miller, and his mentor are here to discuss.

Ben Miller: We are.

President Winnecke: Is Mr. Groupe not here today?

Ben Miller: Not that I could see.

President Winnecke: Okay.

Ted C. Ziemer, Jr.: He is not really an essential party to it.

President Winnecke: I had asked him to be here though.

Ted C. Ziemer, Jr.: Oh, did you? That's fine. I'm just commenting that if he doesn't show up, these gentlemen are really the essential parties.

President Winnecke: You're on, Ben.

Ben Miller: Thank you. Following the tornado disaster in November of 2005, the County Commissioners entered into a grant agreement with the Indiana Department of Homeland Security on November 13th of 2007, really with the mission of anchoring manufactured homes. We did this, and over the grant period we accomplished 663 homes that were anchored. We found 500 of them that didn't need additional anchoring, and we still have about 800 more that we estimate still need anchoring. While going through the close out of the grant, it was determined that the amount of \$25,657.27 was reimbursed to owners for work that occurred in strapping down their homes prior to the grant period beginning. So, the work to strap down the home actually took place prior to the grant period starting. Because of this technicality, Homeland Security has required us to reimburse them the amount that we paid to those homeowners for that work.

President Winnecke: The amount is twenty five, seven what?

Ben Miller: \$25,657.27.

President Winnecke: 657?

Ben Miller: Twenty seven.

President Winnecke: Twenty seven.

Ben Miller: Yeah. That's after we went through all of the records and pulled all of this out. It took a very long time to get to that amount. The actual grant amount was \$312,000 and 215. \$312,215 was the actual grant amount. We spent \$252,894.15 of that amount.

Commissioner Abell: Are you going to have enough left to do the other 800 that need to be done?

Ben Miller: We are not. This grant is being closed because of the time restriction of the grant. It is, however, our wish to apply for a new grant, once we get this one closed out, to be able to do the rest of them. I think we're going to have to look at it for another, to write the grant for a different agency than the Building Commission to administrate it, because we just simply do not have the resources to do it, but it's something that we would partner with EMA and work on finding another agency that could administer that grant, and then we could finish the project. But, we have to get this closed out before we continue.

Ted C. Ziemer, Jr.: Who would be the other agency that might do that?

Ben Miller: It could be any non-profit organization is my understanding, that could partner with EMA, under the grant terms that could administrate it through Homeland Security.

Ted C. Ziemer, Jr.: But, the Building Commissioners office did administer–

Ben Miller: This particular–

Ted C. Ziemer, Jr.: –tie downs under this particular grant?

Ben Miller: That's correct.

Ted C. Ziemer, Jr.: Okay.

Ben Miller: I think, I mean, you know, if it's the county's wish that we would do that, we could look at how we could get that done to finish the project under the Building Commission. That is certainly something that we could look at.

President Winnecke: Roger, could you take us through sort of the play by play of what happened?

Roger Lehman: Yeah.

President Winnecke: And the timing, or one of you. Whoever is appropriate.

Ben Miller: Go for it.

Roger Lehman: Since I was there. Ben was there too, but he was new at that time. Of course, we all know what happened in November of 2005, or was it '06?

Ben Miller: '05.

Roger Lehman: Yeah, '05. The numbers kind of run together when you get old. But, we were with good intention wanting people to get their mobile homes strapped down quickly. We knew it would take time, we discussed getting a grant, there's always potential that you could get one, the potential that you might not be able to get one. So, we encouraged people to go ahead and not wait because we wanted to be safe, because this was right after this horrendous storm occurred. Having no idea, and there was no preliminary information available to us at the time that said anything about not being applicable to work done prior to the grant date. Now, in retrospect, you know, we found out two months ago, you know, that it was and that's a condition of this particular FEMA grant category. So, that's kind of where we got off track, but the intent was there. We required them to get permits, we required inspections, the Building Department went out and checked them to be sure they were done properly. So, everything went the way it should from all aspects, except for this technicality that we cannot apply money from the grant for work done prior to the grant. But, we told people that we would ahead of time. We said, don't wait, go ahead and do it, we'll reimburse you when the time comes.

President Winnecke: Any questions?

Commissioner Abell: Ted, is this, is there nothing that we can, is this pretty well the way it is?

Ted C. Ziemer, Jr.: Yes, as far as Homeland Security is concerned. We do have a fund in the Emergency Management office which can be used to pay this \$25,000. While that \$25,000 won't be reimbursed, there are other reimbursements that come in to that fund, through activities of the Department of Emergency Management, so

it's, I think there's about \$60,000 in that fund now. This would be \$25,000 of it. I'm advised by the Indiana Department of Homeland Security that on the correction of this technicality they will, in all respects, clear Vanderburgh County from any indication that the grant is other than closed down properly, and it will not affect any future applications of the county for grants.

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: If we didn't pay it, the reverse, I think, would be true.

Commissioner Abell: I would hate to think that we had to sit around and wait for those people to come in here and help us do stuff.

President Winnecke: Any other questions of these guys?

Commissioner Melcher: I'll move for approval.

Commissioner Abell: Second.

President Winnecke: Okay, there's a motion on the floor to approve the reimbursement to the Department of Homeland Security in the amount of \$25,657.27, and a second. Any further questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, gentlemen.

Ben Miller: Thank you.

Roger Lehman: Thank you very much. It's good to see you all.

President Winnecke: It's good to be seen.

**Health Dept: Childhood Lead Poisoning Grant Agreement
EMA: 2010 Homeland Security Sub-Grant Agreement
Interlocal Agreement with City: Oak Hill Cemetery Paving
Sheriff: Contract Pharmacy Services Agreement
Auditor: Nationwide Retirement Solutions Plan
Auditor: Aflac Group Plan Master Agreement & Employee Letter**

President Winnecke: Next, contracts. With the Health Department, Childhood Lead Poison prevention grant. This is an amendment that extends the grant from July 1st of this year to August 31st of 2011 for an additional amount of \$6,409. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, EMA 2010 Homeland Security Grant Program Sub-Grant agreement, EDS # C44P-2-057A. This is for a period of three years in the amount of \$80,000 for contracts and services to conduct automated critical assessment management system initial asset visits, wow, and the purchase of equipment to enhance prevention, protection and/or response capabilities. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, we have an interlocal agreement with the City of Evansville for the Oak Hill Cemetery paving project. Under this agreement the County Garage will provide asphalt paving services for the city in Oak Hill Cemetery. The compensation and reimbursement for the county is \$72,014. The interlocal agreement will be performed within 60 days from today. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, under the Sheriff, the pharmacy services agreement with Contract Pharmacy Services of Pennsylvania was the most responsible bidder, and its services were determined in writing to be the most responsive and responsible, and the responder offering the greatest opportunity for cost savings for the county. The Sheriff is in the audience if anyone has a question for him, otherwise, I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, from the County Auditor, Nationwide Retirement Solutions plan, due to certain changes in federal regs, Nationwide has requested that the county approve a revised agreement that meets the government's regulations to be a 457 governmental plan and trust. These changes are technical in nature and will not affect the pricing or provisions for the administration of the plan. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, Aflac group plan letter advising county employees of an audit that the county has authorized Aflac to perform beginning October 4th and running through October 28th with employees to have, then to have until November 11th to return any documentation as required as a result of the audit. Motion to approve?

Ted C. Ziemer, Jr.: Excuse me, I'm sorry.

President Winnecke: I'm sorry.

Ted C. Ziemer, Jr.: If I could just mention one additional thing. In addition to, what they've sent us is a letter which they want to go out over Commissioner, over your signature, Commissioner Winnecke, as President of the Commissioners, announcing to the county employees that the audit will be conducted. They indicate the various activities that will occur in connection with the audit, and when it was first sent to us the form of the letter was, I guess, maybe I'm going to say it was an

insurance form and it didn't appear, some aspects of it were kind of, I don't know, might appear over reaching or something for the county employees. So, I went through and made amendments to do what I thought could be done to make it more user friendly to the employees who are going to read this after they get it. With those changes it's satisfactory to Aflac and also to the Auditor's office. In addition, you note and you remember we approved this in August of this year. We approved that Aflac would come in on a voluntary basis and conduct the audit, in return for that they would be allowed to offer some additional insurance products to our employees. That's provided for in the letter. The additional insurance products would be offered as part of a group plan of the county if the employees elect to have this insurance. If not a sufficient number elect, there would be no plan and nothing would happen. Aflac is asking us to sign the application for the group plan, which is no more than that. It says that if there are sufficient numbers who sign, of employees who sign up for the plan, it will be eligible for group plan status by Vanderburgh County, and a payroll deduction would apply to it. They are asking that Commissioner Winnecke sign that as President of the Commissioners. So, there would really be two things, and my letter really only indicated one. We're approving the form of the letter announcing the audit, and then we're approving the signature on the group master application. I see no legal objection to you doing either one of those.

President Winnecke: So, I would entertain a motion to approve as Mr. Ziemer presented.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

County Engineer

President Winnecke: Okay, department head reports. John?

John Stoll: First I have a change order on the Evergreen Acres, Holly Hill and Berry Drive intersection reconstruction project. This is a change order that increases the contract amount by \$37,764.57. The reason for that increase was due to poor soil conditions. All of the poor soils were excavated and replaced with rock.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? John, just, how is that project running out there?

John Stoll: It's basically finished. We do have the one problem that I sent you an e-mail about where the inlets that had been added have been getting clogged repeatedly with leaves and pine needles. We added, I believe, five inlets that weren't out there before that we're still having water go over the top of the curb and erode next to a box culvert. We need to make those repairs, but other than that it's basically done.

President Winnecke: Okay, any other questions? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Next, I have a supplemental agreement with the Schneider Corporation for the Broadway Avenue and Johnson Lane bridge and culvert project. This has been on the books for quite some time. We've been trying to figure out ways to handle the deteriorating culvert that runs parallel to Broadway, and the bridge that's connected to the culvert there just east of Johnson. Long story short, this increases the contract amount by \$61,400, and this will provide the permits and the final design that we could finally bid the project. Assuming that we don't run into problems with easement acquisition or permitting problems, we would expect that we could probably get this out for bid next spring.

President Winnecke: What's the funding source for that?

John Stoll: Cumulative Bridge funds.

President Winnecke: Okay. Any questions of John? I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Next, I have a pipe acceptance request for Dawn Ridge Subdivision. This is for the storm sewer pipes that are located outside of street rights-of-way. This acceptance would be for 548 linear feet of storm sewers, and we've received the two dollar per linear foot fee from the developer. This subdivision is located at the southeast corner of Boehne Camp and Hogue. I would request acceptance of the pipes.

President Winnecke: I would entertain a motion.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: Next, I have another pipe acceptance request, this is for section four of Wynnfield Subdivision. Wynnfield's near the southeast corner of Kansas and Green River. This acceptance would cover 852 feet of pipe located outside of street rights-of-way.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: Next is a pipe acceptance request for section five of Wynnfield, and this is for 681 feet of storm pipes.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

President Winnecke: Okay.

(Motion approved 3-0)

John Stoll: Then, next I have a street acceptance request. This is 421 feet of Stellar Drive. Stellar Drive is located along the south side of Eagle Village Apartments out near the intersection of the Lloyd Expressway and Schutte Road. This is just an extension that's been constructed in two phases, and this will take the county acceptance all the way out to the dead end of the road.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: Then last, I have a request to award the Fickas Road culvert slope repairs to Allen Relleke Excavating for \$8,620. This is substantially less than the bids we have taken in the past. Since it's such a low price, we just received three price quotes from contractors on this work. We have eliminated the concrete wing walls for this project, and that's where the drastic cost difference comes into play. This would be just earth work, re-seeding, re-grading and then also some asphalt work on the approaches that have settled.

President Winnecke: Eight thousand—

John Stoll: \$8,620.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: That's all I have.

President Winnecke: That's all, John?

John Stoll: That's it. Thanks.

President Winnecke: Gary, did you or Doc Nicholson have anything for us?

Gary Heck: No, sir.

President Winnecke: Okay, thank you.

New Business

President Winnecke: Any new business to come before—

Ted C. Ziemer, Jr.: Only that you have another shadow who arrived late.

President Winnecke: Oh, we have another shadow. Well, let's get the other shadow, can you lean forward and state your name and the school you're representing.

Jessica Collins: I'm Jessica Collins and I go to Castle.

President Winnecke: Thank you for being here. Okay. Any new business?

Old Business

President Winnecke: Any old business?

Public Comment

President Winnecke: Any public comment?

Commissioner Abell: I have a public comment. I was at the City Council meeting last night. They passed the resolution, as did we, and that the consolidation effort, the Reorganization Plan will be put on the 2012 ballot.

Commissioner Melcher: I thought you was going to talk about the bus route.

Commissioner Abell: Oh, we can talk about that.

Commissioner Melcher: No, you led the charge on that.

Commissioner Abell: No, you were there.

Commissioner Melcher: We're basically starting a bus route, starting November 3rd—

President Winnecke: October 3rd.

Commissioner Melcher: October 3rd, you're right, October 3rd, I'm getting my months mixed up. But, anyway, it's basically going to be running from downtown out 41 and back, and it will just be temporary between now and the end of the year just to see how it's going to run. We know there might be some glitches, but we believe it's going to be okay. So, that's something we've been working with GAGE with for about the last year and a half, and Marsha, since she came on she's really worked close with them, and she knew she had the support from Lloyd and I. So, it pretty much worked out for everybody.

President Winnecke: Okay.

Commissioner Melcher: And, I do have one thing I wanted to bring up. I didn't know whether to bring it up under new business or public comment. I was going to bring it up at the last meeting, but we had the consolidation so I wavered on that that night. But, basically, I probably had the highest Vectren bill I've ever had in my life, and I paid it. Now, I've got to go on the monthly plan, I think, if it's going to stay like that, but I've noticed Vectren's came out now saying that they're willing to come to meetings. It was in the paper since then, and I wouldn't mind them coming to one of our Commissioner meetings. The reason why I would like them to do that is because at least it will be on t.v. and everybody can see it. Maybe we can have some business people here and some people wanting to talk about their bills and that. I know, as Commissioners, we don't have anything in that, but I think that's something we need to start looking at also so we're kind of working together. I also know, and I think it's the URC or something like that controls that, I've also believed for a long time that it might be time to change the people or how they're appointed. They're appointed by the Governor, and I think there's a lot of talk now about making them elected, and maybe all five of them from different, like all four corners of the State and one from Indy, and let them be elected people. Let them be on the ballot, at least their representing their area. They live in that area. It's not like we always have to go up to Indy for these meetings, everybody will have a chance to have one in their district. I think if we have elected people, I think that would, I think people will feel better. I know they feel better when they talk to us, and just having something done. So, that might be a resolution that we could maybe even talk about when this is, during this time.

President Winnecke: I'll be happy—

Commissioner Melcher: Any thoughts?

President Winnecke: I'll be happy to reach out to someone from Vectren and make that reply.

Commissioner Melcher: Their phone number is in the paper, but I didn't want to make it until we officially—

President Winnecke: Yeah, I'll reach out to them.

Commissioner Melcher: Yeah, I think it would be good if we just start that process, because I think we owe it to our community.

President Winnecke: Good point.

Commissioner Melcher: Thank you.

President Winnecke: Any other public comment? We usually don't get that much.

Consent Items

President Winnecke: I would consider a motion to approve the consent agenda items.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Madelyn, would you do that thing that you do so well?

Madelyn Grayson: The consent items for the September 27th meeting are as follows; approval of prior minutes, we have the September 13, 2011 Commission meeting minutes and the September 27, 2011 Executive Session summary minutes; employment changes for the Commissioners approval, we have one for Legal Aid, two for the Health Department, one for the County Highway, two for Burdette, and one for the Commissioners; Area Plan Commission has the Community Rating System annual recertification and the annual multi hazard mitigation report; the County Engineer has pay request number 136 in the amount of \$12,550.94 for TIF projects; the County Clerk has the August 2011 monthly report; Weights and Measures has the August 16th through September 15, 2011 monthly report; Commissioners have a notice to abutting owners at 1318 West Columbia, and there are department head reports from the County Engineer, Ozone Officer and Burdette Park.

President Winnecke: Any questions on the consent agenda? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Any other business to come before this Body? I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We are adjourned.

(The meeting was adjourned at 5:52 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the September 13, 2011 Commission Meeting Minutes.
Approval of the September 27, 2011 Executive Session Summary Minutes.
Notice to Abutting Property Owners: 1318 W. Columbia

Employment Changes:

Legal Aid (1)	Health Dept (2)	Burdette Park (2)
County Highway (1)	Commissioners (1)	Prosecutor (2)
Circuit Court (1)	Assessor (1)	Auditor (1)
Sheriff (5)	County Clerk (3)	

Area Plan Commission:

Community Rating System Annual Recertification Documentation.
Annual Multi-Hazard Mitigation Report.

County Engineer: Pay Request No. 136 for TIF Projects.

County Clerk: August 2011 Monthly Report.

Weights & Measures: 8/16-9/15/2011 Monthly Report.

Department Head Reports:

County Engineer	Ozone Officer	Burdette Park
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Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Alex Brizius	Amanda Steinbeck
Jessica Collins	Ann Ennis	Gary Heck
Ben Miller	Roger Lehman	Steve Meno
Tom Pitman	John Stoll	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
OCTOBER 11, 2011**

The Vanderburgh County Board of Commissioners met in session this 11th day of October, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the October 11th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Introduction of Teen Advisory Council Job Shadows

President Winnecke: Okay, before, we have a fairly short agenda, so, I will have the students who are here from Youth Resources identify themselves first. Introduce yourself and the school that you represent. Lana, you can begin.

Lana Dippel: Hi, I'm Lana Dippel. I go to Memorial and I'm a Sophomore.

Ellen Dippel: I'm Ellen Dippel. I go to Memorial and I'm a Senior.

Amanda Steinback: I'm Amanda Steinback. I go to Reitz High School and I'm a Senior.

McKenzie Battner: I'm McKenzie Battner. I'm a Junior at Memorial.

Alex Brizius: I'm Alex Brizius, and I'm a Sophomore at Signature School.

President Winnecke: Okay, very good. Thank you.

Announcement Concerning Lee Subdivision Drainage Plan

President Winnecke: First, I do, if anyone is in the audience to address the Lee Subdivision, if so, you could step out in the hall and meet with Keith Poff, who has raised his hand. Keith, it looks like there is no one here, but you might hang around for a minute or two just to make sure.

**County Retired Employees Insurance Agreement:
Medicare Supplement: Welborn Health Plans**

President Winnecke: We'll start with our action items, first contracts, we have before us the county retired employees insurance agreement. The county currently contracts with Humana to provide this service. That agreement expires the end of this year. The Commissioners have received proposals from Humana and Welborn Health Plans for this service in 2012. Based on the language in the Humana plan the Commissioners can only offer one of the two plans. Just a few of the highlights, under Humana the retirees would pay \$55 per month, that includes in addition a \$40 co-pay applies for in-network coverage until total payments equal \$5,000. Also applies for out-of-pocket, out-of-network coverage until payments equal a separate amount of \$2,500. For the Welborn Health Plans, it's a \$65 per month charge to the retiree, beyond that it's a \$20 co-pay, applies for both in-network and out-of-network coverage combined until the total payments equal \$3,400. Jane Laib is here. Jane, is there anything you would like to add or, I know you have a recommendation, maybe you just—

Jane Laib: Well, just—

President Winnecke: — based on your experience as the administrator of our insurance.

Jane Laib: —just by looking at both plans, and Missy Gottman is here from Welborn Health Plans also if there's any questions, but just the out-of-pocket alone and then the lower co-pays for the doctors visits. There's a couple of things that Humana is a little lower on, but pretty consistently Welborn seems to be lower. I know the Sheriff's Department just recently signed a contract with Welborn. The big ones, I guess, would be the \$1,600 difference of the out-of-pocket, which is an immediate savings. Then, for specialists, which as you get older a lot of the people do go to specialists, and it's a \$20 co-pay versus a \$40 co-pay. So, and, other than that, the emergency care is \$15 cheaper. There's some that are quite a bit more, and there's some that are just a little more and then there are some that are the same, but the nice thing about Welborn is that they are also local. So, if you have a problem you can go knock on their door or call them and not do the 1-800.

President Winnecke: Jane, there was a question about the timeliness of this and this being on the agenda for tonight. Could you explain why we need to do it tonight?

Jane Laib: We need to do it tonight because Humana's contract actually, they wanted it back in September, although they were late in getting it to us to begin with. So, it wasn't necessarily on the Welborn side, but also we have to allow Welborn to contact the employees, and is it a 60 day window? There was a 60 window, and the open enrollment period for changing Medicare plans is pretty much right now.

President Winnecke: Okay.

Commissioner Melcher: Well, I'm the one that was wondering about why it came to us when we just got it yesterday. How does this compare to what they have now? Is it increases? I know it's a different company, but is it not the same?

Jane Laib: Well, Humana has made quite a few changes actually. From the previous years it had stayed the same, they hadn't made a lot of changes, but this year, if you go out-of-network, with Welborn whether you're in-network or out-of-network it's getting paid at the same rate. But, with Humana they have it broken out in-network and out-of-network, if you go out-of-network you're going to be paying that additional \$2,500 before anything kicks in, plus they went from paying 80 percent to 70, so, that's huge.

Commissioner Melcher: I was just trying to get a comparison—

Jane Laib: Then all of the co-pays went from \$35 to \$40, whereas a lot of the Welborn's are \$20.

Commissioner Melcher: So, they were paying \$35 now?

Jane Laib: Right now, yes, this year.

Commissioner Melcher: See, that's what I'm trying to find out. I'm just acting like I'm one of these employees.

Jane Laib: It's going to \$40, right.

Commissioner Melcher: Usually I get to talk to somebody or something.

Jane Laib: Right, and, you know, Morgan Hataway is the rep from Humana, and I had tried to contact, and again that goes with the out of area, sometimes it's really hard to get a rep.

Commissioner Melcher: No, I'm okay, I would just like it a little sooner, and I would just like to have something to compare it to so I know what the retiree is going to be—

Jane Laib: I actually turned this in September 25th is initially when I did this. So, I'm not sure exactly what's what on the dates.

Joe Gries: President Winnecke? Sorry—

Ted C. Ziemer, Jr.: In any event, it did go out to the Commissioners on October the 5th.

Jane Laib: October the 5th?

Ted C. Ziemer, Jr.: So, I don't know, did you just get it yesterday?

Commissioner Melcher: I thought I got it yesterday.

Joe Gries: This information does come to the Auditor's office, we try to get it from the entities as soon as we need it, and then as soon as we get it we get it to the proper, you know, to Ted and everybody as well so. But, we will make sure that everybody is aware of any changes.

Commissioner Melcher: Okay.

President Winnecke: Any other questions of Jane? We also have a representative from Welborn Health Plans—

Jane Laib: Right.

President Winnecke: –if anyone has questions. Hearing none, I would entertain a motion.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Did you want to specify.

Commissioner Abell: That we take Jane's recommendation of Welborn.

President Winnecke: Okay, just for the record. A motion and a second, questions or further discussion? Hearing none, roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Jane. Thank you.

**Superior Court: Maximus Consulting Services Agreement
Sheriff: STOP Grant Agreement
OCH Lease Renewal: Durachta Pottery
Health Dept: Emerson Network Power 2012 Renewal
Health Dept: Childhood Lead Poisoning Grant Agreement
Health Dept: Vaxcare Corporation Agreement
Health Dept: Bioterrorism Preparedness Grant Agreement**

President Winnecke: Next, Superior Court, and agreement with Maximus to provide professional consulting services. Maximus will assist in filing claims to recover excess expenditures by the court under the Department of Child Services and the Federal Title IV-D expenditures. This agreement runs on a month-to-month rate of \$650 a month. It can be terminated with a 60 day notice to the company. A savings to be realized by the county from this could amount to approximately \$150,000 a year. If you'll recall, we've entered into a similar agreement with Maximus through the Auditor's office, and this is a way to recoup money.

Ted C. Ziemer, Jr.: I'll just comment—

President Winnecke: Judge Pigman is here if anyone has any questions.

Ted C. Ziemer, Jr.: Okay, maybe while Judge is coming up, I did contact Susie Kirk, the County Clerk, at the suggestion of Commissioner Abell, and she has no concerns at all, in fact thinks this might be a very good idea. So, she's not bothered by it.

Robert Pigman: I don't think it will impose any obligations on Susie at all.

President Winnecke: Any questions of the Judge?

Commissioner Abell: Where are we getting the \$650 a month?

President Winnecke: That is budgeted through—

Robert Pigman: That will come from our budget.

President Winnecke: Yeah, there's a line item, I believe there's a line item there.

Joe Gries: It will, and, actually the, in this plan if I'm not mistaken, Judge, Maximus can also bill and collect a reimbursement for that as well. The payment to Maximus.

Robert Pigman: Right, they actually get, right—

Joe Gries: Yeah, we get reimbursement for that as well.

Robert Pigman: We get back a portion of the fee we pay of the contract.

Joe Gries: Yes. So, it ends up actually costing the county even less than that.

President Winnecke: Any other questions? I would entertain a motion.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or further discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Judge.

Robert Pigman: Thank you.

President Winnecke: Next, under the Sheriff's Department, the STOP grant agreement. This is identical to one the Commissioners signed in October of 2010. The new grant amount is \$32,248, and the term runs from July 1, 2011 to June 30, 2012. The funds are made available under the Violence Against Women Act of 2004. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, from the Commissioners, the Old Courthouse lease renewal of suite B12 with Durachta Pottery. I hope I pronounced that correctly. The lease runs from October 1st of this year to September 30, 2012 at a rate of \$233.16 a month, which is a three percent increase over last year's price. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: It's a standard increase, isn't it?

President Winnecke: Yes. Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, under the Health Department, 2012 Emerson Network Power Liebert renewal. This provides battery back up power service for the freezers and refrigerators in the Health Department lab. The term of this agreement runs from December 8, 2011 to December 7, 2012 at a cost of \$5,635. This agreement is identical to last year's agreement, other than the new terms and a price increase of \$65. Gary Heck is here from the Health Department if we have questions, or, Gary, if you would like to offer any—

Gary Heck: Just answer questions.

President Winnecke: Okay.

Gary Heck: Don't want to prolong your meeting.

President Winnecke: In that case, I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: So moved. Second.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Two motions, two seconds. I think we've got it covered. Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: One vote, yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Also, from the Health Department, the Childhood Lead Poison prevention agreement amendment. This amends and extends the expiration date of the grant from June 30, 2012 to August 31, 2012 and revises the payment terms. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Also under the Health Department, an agreement with Vaxcare Corporation regarding a supply of vaccine and the compensation for those vaccines. Under this agreement Vaxcare will provide vaccines to the county, in return the Health Department administers those vaccines then provides Vaxcare with insurance information on the vaccinated parties. The Health Department will be paid ten dollars per vaccination once Vaxcare has been compensated by the vaccinated party's insurance. This eliminates the need for the Health Department to purchase vaccination from a private vendor based on an anticipated number of vaccination and also provides the Health Department with a fee for administering the vaccination, whereas the prior practice of administering vaccines did not. Gary, anything you would like to add on that?

Gary Heck: This is part of a pilot program. We're one of 12 counties that's participating. It's supposed to run through the end of the year, and if everything, well, through the end of April I believe it is altogether, but if we choose to opt out for whatever reason, if we're not satisfied with this we can quit at any time. This will allow us to serve insured individuals, where we weren't able to do that in the past. So, it will just offer us new markets, we'll have a bigger footprint in this area.

President Winnecke: Okay, any other, any questions of Gary? I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions, discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Finally, the Bioterrorism Preparedness grant agreement. This grant is a continuation of a prior grant that is required for public health emergency preparedness activities. The grant amount is \$11,000 and runs from August 10, 2011 to August 9, 2012. Gary, anything on that?

Gary Heck: This is actually an increase over previous years. It's been \$10,000 in a previous year. We'll have two priorities we'll be working on with one of the other districts in Indiana. We shouldn't have any problems with fulfilling the terms and drawing down the money and making sure that we're prepared to protect the public in this area.

President Winnecke: Questions? I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Gary Heck: Thank you.

President Winnecke: Thanks, Gary.

County Engineer

President Winnecke: Department heads, John?

John Stoll: The first item I have is a supplemental agreement with American Structurepoint for the construction inspection on the Green River Road project between Kansas and Millersburg. This project is projected to go to construction next summer or fall and this will provide the inspection services to oversee the entire project. The amount of the agreement is \$547,841. I went through the fee justification, it seems reasonable, and the County Attorney has reviewed and approved the agreement, so, I would request that it be approved.

President Winnecke: Questions of John?

Commissioner Melcher: Move for approval.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, second, I've got an agreement with CSX for the review of the design for the Maryland Street bridge rehab. This project is being designed by R.W. Armstrong, and in order to do the work on the west approach to the bridge we'll have to coordinate with CSX because the railroad tracks are just right off the bridge approach. In order to get CSX approval we have to pay for their review fees associated with their time to look over the Armstrong plans. So, that fee is \$15,000, and that agreement has also been reviewed by the County Attorney. So, I would request that it be approved as well.

President Winnecke: So, we pay the railroad to look at the plans?

John Stoll: Yes.

Commissioner Melcher: Can we use that fee to repair some of their tracks over the roads?

John Stoll: We could try, but as usual, I'm sure they won't listen.

Commissioner Melcher: It's amazing to me.

Commissioner Abell: That sounds like a good deal to me.

President Winnecke: In all seriousness, does it require their approval?

John Stoll: Yes. Armstrong has been trying to design the project to avoid CSX as much as possible, but there's such a short distance between the bridge and the railroad crossing on Maryland Street that there's really no way to avoid it. Part of their signals and gates actually sit right up on the bridge. So, there's really no way to totally cut them out of the project, even though we definitely would like to if we could, because when it goes to construction eventually we'll have another agreement where we'll have to make a big deposit for their flaggers to be out on the site for the duration of any work that's being done near their tracks at that point in time as well.

We dealt with that when Baseline was built a few years ago, and it's rather pricey. It would be several hundred dollars a day for the flaggers.

Commissioner Abell: How do you apply for that job?

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Next, I've got the street plans for Poet's Square Subdivision. This is the residential subdivision that's located east of the new North High School off of Peck Road. I've reviewed the plans, the consultant has made the changes that we've requested. So, I would request approval of the street plans. It will provide asphalt streets, concrete curbs, they will have alleys, but the alleys will be privately maintained. Other than that it's pretty straightforward. They don't call for any connections to Peck Road until Peck is improved at some future date. That will necessitate all of the traffic going through Kingsmont Subdivision until Peck is widened at some time in the future, but they've made everything we've asked for, so, I would request approval of the plans.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions, discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, next, I have a signature page for the bridge inspection report. The bridge inspection is being finalized by DLZ and one of the pages requires the Commissioners signatures. So, I would request that you authorize signing that and we'll get it submitted to DLZ.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, last, I just wanted to update all of you, I know I've talked to each of the Commissioners as of late about Kansas and 57 and the medians and the driveways and everything that's going on out there in conjunction with the development, and the airport's proposed revisions to those roads. I've been working with the developers of the Huck's site, and it looks like we can shorten the median to provide left turn access to their site and still have a functional design when it's all said and done. I did call the, I e-mailed the designers for the Huck's site to let them know that we would request that the median be shortened and we'll get that worked out and I let them know that I would be in touch with them tomorrow. So, I just wanted to update you that we are making progress on it and we'll get the rest of it taken care of.

President Winnecke: Okay. Anything else for John?

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

President Winnecke: Gary, did you have anything, or Doctor Nicholson?

Gary Heck: We don't have anything else for you.

President Winnecke: Okay. I see Mr. Bassemier in the audience, are you here just to—

Ed Bassemier: No, sir, there's a piece of property I'm trying to get on Columbia Street, I believe it's later on your agenda.

President Winnecke: Oh, okay. I'm sorry, yeah. I didn't look far enough down on the agenda. Sorry about that, Ed.

New Business

President Winnecke: Any new business to come before the Commissioners?

Old Business

President Winnecke: Any old business?

Public Comment

President Winnecke: Public comment?

Consent Items

President Winnecke: At this time I would entertain a motion to approve the consent agenda.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Madelyn, would you read them into the record?

Madelyn Grayson: The consent items for the October 11th meeting are as follows; approval of prior minutes, we have the September 27, 2011 Commission meeting minutes and the October 11, 2011 Executive Session summary minutes; employment changes for the Commissioners approval, there's one for the County Highway and two for Burdette Park; there are surplus requests from the County Treasurer for various office equipment and from the County Clerk and Election Office for various computer equipment; the County Auditor has the September 2011 A/P vouchers; the County Treasurer has the August 2011 monthly report; the County Engineer has pay request number 137 for TIF projects in the amount of \$219,300.06; the IBAP Gatekeeper has the August 31, 2011 report; Commissioners have sale of county owned property at 1318 West Columbia, a settlement agreement in Vanderburgh Circuit Court cause number 82C01-1012-CT-606, there's a transfer request; and department head report from the County Engineer.

President Winnecke: Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Rezoning Petition: First Reading: VC-5-2011
Petitioner: Robert L. & Patty A. Goodson
Address: 13900 N. St. Joseph Avenue
Request: Change from Ag to C-4 with UDC**

President Winnecke: Next the rezoning, first reading on VC-5-2011, Robert and Patty Goodson at 13900 North St. Joe, the change is from Ag to C-4 with a use and development commitment. This is the first reading to send it to the Area Plan Commission. Anyone here to speak to that? Hearing none, I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

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

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I'm just voting on it to send it to Area Plan. Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Lee Subdivision Drainage Plan Discussion

President Winnecke: I noticed we had some folks that came in late perhaps to talk to the Lee Subdivision?

James Ray: Yes.

President Winnecke: Would you like to come forward?

James Ray: We actually came here because of a drainage problem.

President Winnecke: Right.

James Ray: I understand it was held last night. The letter here says it's going to be on the 11th day of October, which I think is today at 5:30.

President Winnecke: We did, we changed the meeting and we asked Mr. Poff to hang around to visit with you.

James Ray: Got no notification whatsoever.

President Winnecke: Well, I apologize, it was advertised, but we're here today to listen to you. This is the, we make up the Drainage Board too.

James Ray: Okay, well, I've lived at 12th Avenue and Buena Vista for approximately 20 years. In that 20 years, during a rainy season it floods.

President Winnecke: I'm sorry, could you state your name for the record?

James Ray: James A. Ray, R-a-y.

President Winnecke: Thank you.

James Ray: I lives at 2224 West Buena Vista.

President Winnecke: Thank you.

James Ray: And, also at the intersection of Sheridan Road and 12th Avenue it also floods, it gets about 12 inches of rain in there. The roads, both Buena Vista and Sheridan, both are graded toward the west from the eastern part there at Skyway Airport. There's no drains in the road whatsoever until it gets down to 12th Avenue. Consequently we do get flooded out to the point to where, like I say, I get about 12 inches of rain in there. We feel like that any additional building in this subdivision over there, which could occur, would cause the flooding even more so. We feel like that the drainage ought to be improved before there's any further development.

President Winnecke: Keith, would you like to come up and address? I'm sorry, would you like to speak too?

Wendy McCormick: My name is Wendy J. McCormick and I live across the street from Jim at 3814 N. 12th Avenue. I've lived there almost, well, it will be two years now, in July it was two years. I've had to not stay at my house two times already since, in the two years because I can't get down my road because the flooding is so bad. I even had to miss work one day until the water would go down because I couldn't get my car out of my driveway. It actually runs into the front of my yard. They said, neighbors have told me it's made it all the way up to my porch before. I'm very concerned about it, because when I bought the house two years ago nothing was said about that at all.

President Winnecke: Keith, would you like to come up?

Keith Poff: Keith Poff, Sitecon, Incorporated. At this time there are no improvements planned for the subdivision. The purpose of the subdivision is to allow an ownership

transfer of a portion of the property. That property that the commercial adjoiner would like to buy, the subject property is not subdivided, therefore we have to go through a subdivision process in order to sell a portion of the property. So, we've asked the Drainage Board to allow the subdivision to continue to be heard Thursday, which is necessary for the subdivision commission approval. There are no improvements planned, any improvement on those lots would require going through a drainage plan preparation at the time of those improvements. They don't have any parking lots planned, they don't have anything planned at this time, just to sell the piece of the property. So, the commitment that we're willing to put onto the plat is that before any improvements are made to any of the lots that there has to be a drainage plan prepared in accordance with commercial site review. That's all standard, but the need for the drainage plan approval is caused by the subdivision procedure. So, we have not identified the existing systems out there, most of those are in the public roadway. Those are the systems that were installed years ago. I could tell you that if there are proposals for improvements greater than 10,000 square feet then there would be detention facilities incorporated into the design plans. That should alleviate what we can do on the subject property, but it does not address the rest of the area. That's about all I can offer right now.

President Winnecke: Does that—

Keith Poff: In other words, in the future, if there are improvements proposed on these lots and they exceed 10,000 square feet of impervious, detention facilities will have to be planned. That means we'll be holding back some of that storm water runoff.

President Winnecke: And you would have to come back before the Drainage Board for approval of a new drainage plan?

Keith Poff: There's a drainage plan requirement for the subdivision to be recorded. After that, the drainage plans would go through the site review process. It goes through the County Surveyor's office, but I don't believe they all go through the Drainage Board, commercial site.

President Winnecke: Right. Mr. Ray or Ms. McCormick, did you have any other questions?

James Ray: Well, I would like to just say further though that, you know, whether they build anything or not, I think that there needs to be some kind of review out there to see what can alleviate the flooding conditions that we have now. Locust Creek could be—

President Winnecke: Could you step to the microphone please?

James Ray: Oh, I'm sorry.

President Winnecke: That's alright.

James Ray: I say, Locust Creek could be dredged out some more to permit, to go off, you know, carry the water more. Last time they even had a problem at Mill Road and St. Joe because of that creek. It just wouldn't take the water. So, I think, really the whole thing needs to be looked at.

President Winnecke: We can request the Surveyor go out, along with the County Engineer's office, or County Highway Department go out and look at Locust Creek and see what improvements can be made there.

James Ray: Yeah.

President Winnecke: We will do that.

James Ray: Yeah, okay.

Wendy McCormick: We appreciate that.

President Winnecke: Okay, great. Thanks for coming in tonight.

Wendy McCormick: Thank you.

James Ray: Thank you.

President Winnecke: Keith, thank you for staying. I don't have anything else on my agenda. Ed?

Commissioner Abell: It was (Inaudible. Microphone not on.)

President Winnecke: Oh, it was the rezoning? I'm sorry, okay.

Ed Bassemier: It was 1318 West Columbia. I put in a bid (Inaudible. Not at mic.).

President Winnecke: Oh, okay. I'm sorry. Okay, I'm with you now. Sorry. Any other business to come before this Body? I would entertain a motion to adjourn.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: We are adjourned.

(The meeting was adjourned at 5:24 p.m.)

CONSENT ITEMS

Commissioners:

Approval of the September 27, 2011 Commission Meeting Minutes.
Approval of the October 11, 2011 Executive Session Summary Minutes.
IBAP Gatekeeper August 31, 2011 Report.
Quit Claim Deed: 1318 W. Columbia: Sale of County Owned Property.
Settlement Agreement: Cause No. 82C01-1012-CT-606.
Commissioners Transfer Request: Bond & Insurance to Legal Services.

Employment Changes:

Burdette Park (2)	County Highway (1)	Superior Court (2)
Sheriff (1)	County Clerk (4)	Coroner (1)
VCCC (1)	Prosecutor (1)	Assessor (1)

Surplus Request Letters:

County Treasurer: Various office equipment.
County Clerk/Election Office: Various computer equipment.

Auditor: September 2011 A/P Vouchers.

Treasurer: August 2011 Monthly Report.

County Engineer: Pay Request No. 137: TIF Projects.

Department Head Reports: County Engineer

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Jane Laib	Robert Pigman
Gary Heck	John Stoll	James Ray
Wendy McCormick	Keith Poff	Others Unidentified
Members of Media		

VANDEBURGH COUNTY BOARD OF COMMISSIONERS

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
OCTOBER 25, 2011**

The Vanderburgh County Board of Commissioners met in session this 25th day of October, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening. I would like to call to order the October 25th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

Introduction of Teen Advisory Council Job Shadows

President Winnecke: Okay, I thought I would begin with introductions from our Youth Resource visitors. So, just turn the microphone on and say your name and your year in school and the school you represent.

Lana Dippel: Hi, I'm Lana Dippel. I'm a Sophomore at Memorial.

Ellen Dippel: Hi, I'm Ellen Dippel. I'm a Senior at Memorial.

Amanda Steinback: I'm Amanda Steinback. I'm a Senior at Reitz.

McKenzie Batten: I'm McKenzie Batten. I'm a Junior at Memorial.

Jessica Collins: I'm Jessica Collins. I'm a Senior at Castle.

President Winnecke: Welcome everyone.

Independent Contractor Agreement: South Eville Community Outreach (2)
MOU: Superior Court and USI
Independent Contractor Agreement: Toy Widmer: Juvenile Court
Prosecutor/Drug Court: Byrne Grant Agreement
Auditor: Xerox Copier/Printer Lease Agreement
OCH Lease Agreement: New Visions Counseling
OCH Lease Agreement: David Miller and Toby Ellis
OCH Lease Agreement: Aids Resource Group
2012 Employee Health Insurance Contract (Deferred)
2012 Employee Dental Insurance Contract (Deferred)
Health Dept: Patterson Dental Clinic: Purchase Orders (3)

President Winnecke: Okay, first, we'll begin with, under action items our contracts, leases and agreements. First, from Superior Court, independent contractor agreement with South Evansville Community Outreach for space, use of space for support groups. This is to rent space at the community center at 756 Line Street to the Superior Court. This is for two weekly substance abuse support groups at a rent of \$1,500 for a six month period. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Also, a similar contract with Evansville, South Evansville Community Outreach for child care and meal services for the provision by this group for meals and babysitting for the bi-weekly support groups to which we just referred in return for a payment of \$346.66 per month. As in the other item, this is budgeted in the Superior Court budget. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next is a memorandum of understanding with the University of Southern Indiana for the purpose of providing research and reporting regarding the various Vanderburgh County treatment courts. USI will be compensated at the rate of \$5,000 for this service by payments of \$2,500 in April of 2012 and a final payment of \$2,500 in December of 2012. These payments will be made out of grant funds available to the court. I would consider a motion to approve the MOU.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have an independent contractor agreement with Toy Widmer for contractual services for the Juvenile Division of the Superior Court. It replaces two prior agreements between she and the court at a cost of \$1,300 per month. This comes out of the courts improvement grant, and the list of duties as assigned is on the contract that's before us. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, from the Prosecutors's Office, a Superior Court Byrne grant agreement. This grant runs for 12 months, beginning January 12, 2012 and is for federal funds in the amount of \$75,961 which will be matched by local funds in the same amount which are appropriated to the Superior Court for this purpose. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have the County Auditor Xerox copier lease agreement. I've lost my place here. I had all of that. I'm going from memory, does this replace, this replaces.... a two year term, and—

Ted C. Ziemer, Jr.: Five year. It's for a five year term, and it replaces 17 existing printers and copiers, and the cost of it for the three copiers will be \$222.54 per month. We should have savings of about \$2,500 over the five year life of the lease.

President Winnecke: I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote, please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, under the Commissioners, the Old Courthouse lease agreement with New Visions Counseling. This is for a two year term running from November 15, 2011 to November 14, 2013, and giving the tenant two options to extend the term for two years per each option. The rent will be \$7,800 per year. This is a new, private counseling service. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: The Old Courthouse also, a lease agreement with David Miller and Toby Ellis. These guys are actually moving to a new space in the basement, and the aforementioned New Visions Counseling is moving to their old, their current space, but they will be moving to, they will move to suite B4. Their rent will decrease from \$305.91 per month to \$300 per month, as the space is in the basement, as I mentioned. The lease is for one year beginning December 1 of this year through November 30, 2012. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, also with the Old Courthouse, a lease renewal with Aids Resource Group for one new year term, one new one year term from November 1, 2011 to October 31, 2012. The rent is increased from \$1,035.43 per month to \$1,038.55 per month. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: I just have a question about the Old Courthouse in general. How much full are we?

Marissa Nichoalds: Around 85 percent.

Commissioner Abell: 85?

Marissa Nichoalds: Uh-huh.

President Winnecke: Any other questions? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, 2012 employee health insurance contract. Commissioner Abell?

Commissioner Abell: We, the Commissioners have sent a memo out to all the county employees telling them that we were going to discuss this briefly tonight, and we will actually discuss it and vote on it next week. This is a renewal of our health insurance policy that we have with Welborn HMO. There have been, there are going to be a few minor changes. I can give you, this evening, some of the changes that I am aware of. To keep the premium within the amount that has been allotted to us by the County Council, which is about ten million dollars out of the General Fund, we will be making the minor changes, such as office visit co-pay is currently at ten dollars, the change will go to a \$20 co-pay for a General Practitioner, and a \$30 co-pay if you see a specialist. The urgent care currently is at a \$25 co-pay, it will go to a \$75 co-pay. The emergency room co-pay is currently \$50, it will go to \$200. In patient hospital co-pay is at \$100 and will stay at \$100. The prescription co-pay is at \$10 and will stay at \$10, which my understanding is that the prescription co-pays were the big concern of most employees. That's generic, the prescription brand name co-pay will go, is at \$20, will stay at \$20. I think those are the biggest changes, and it reflects a nine percent increase over last year's premium, but yet by increasing the co-pays to the amount we have, and we do have one other change I have neglected to mention was that the, right now we do not have a deductible on any of our policies, and there will be a \$250 deductible. So, you will be meeting, the employees will meet the first \$250 of their expenses, and after that the insurance will pay it. This will have a limit of \$1,000 per household. In other words, if you have eight children, you will not be meeting \$250 on every, all eight people, only on enough to reach \$1,000, and after that the insurance company pays the full amount. I know these are a little less coverage than what we have now, but this does keep us within our premium rates and we can continue to offer the insurance to our employees with us paying 92 percent and them paying eight percent. From the e-mails that I've gotten that seemed to be the biggest concern. That will be on our agenda next week.

President Winnecke: So, on the deductible, that is a new item entirely, \$250 per person, with a household cap of \$1,000. The office visit \$10 to \$20, and what was the specialist, it's \$20 and goes to \$30?

Commissioner Abell: Yes.

President Winnecke: And, the ER from \$50 to \$200, and what was the next one?

Commissioner Abell: The emergency room from \$50 to \$200, and urgent care from \$25 to \$75.

President Winnecke: No, the one after ER.

Commissioner Abell: Oh, that was the prescriptions, the generic prescriptions are at \$10 and will stay at \$10.

President Winnecke: What's the \$100 that will stay at \$100?

Commissioner Abell: Oh, the in-patient hospital.

President Winnecke: Oh, okay.

Commissioner Abell: I'm sorry.

President Winnecke: I couldn't read my writing.

Commissioner Abell: \$100 and stay at \$100, correct. Actually, one of the reasons we were able to keep that one at \$100 is because that doesn't get used as much, we don't have as many people in the hospital. We use, we saw the ones where we're getting the most use and that's where we had to make some changes.

President Winnecke: Any questions? Steve? Marissa, if you would, if you would summarize these changes and make sure we send an e-mail to all of the county employees outlining these changes, tell them that we're going to consider this plan at our meeting next week. Some people have provided e-mails to us, but if they would like to come and speak next week, they're welcome to, or if they would just like to provide additional commentary, that's fine too.

Commissioner Abell: I'll get with you on this.

President Winnecke: Okay, anything else on health insurance before we move on? Okay, next is the 2012 employee dental contract. This is a renewal of the dental health options for county employees. It requires no funding by the county, it's completely paid for by the employee payment of premiums. This year by adding a fourth tier of coverage, which is for a single parent with children, will result in a savings of \$34 a month. Otherwise, the premiums are increased over last year as follows; the employee only from \$26.78 to \$29.80, the employee plus spouse \$54.96 to \$62.30, employee plus family \$93.83 to \$102.50, and the new tier employee with dependents, \$68.50. Again, this is funded entirely by the employee. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Just as a point of discussion, I'm wondering if it makes sense to make the final vote on it along with the health insurance, just for consistency sake.

Ted C. Ziemer, Jr.: You certainly can do that, they're entirely different. I mean, they're with different groups, so, it doesn't hurt if you want to approve it tonight.

President Winnecke: What's the pleasure? I just thought of that after the motion was made.

Commissioner Abell: I'll be happy to withdraw this, in case people who come next week to talk about health insurance might have a question.

Commissioner Melcher: I'm okay with that.

President Winnecke: Okay. So, the motion and second are both withdrawn. Madelyn, or Marissa, sorry, you're Madelyn, Marissa, if you would also include in this e-mail the specifics on the dental. Then if people would like to comment or come and appear before to talk about that, that would be great. Okay, next, under Health Department, the customer order with Patterson Dental for digital x-ray equipment and software for the Community Dental Clinic. The Health Department has sought three quotes to supply this needed equipment for the clinic. The most responsible

and responsive and least expensive quote was received from Patterson Dental Supply, Inc, with a quote of \$17,314 for the sensor, \$6,145 for the software, and \$25,968 for the x-ray equipment. I believe this is funded through grant funding. Is that right, Marissa or Ted?

Ted C. Ziemer, Jr.: Yes, it is by the Health Department. It's actually from the Indiana Local Health Department Trust Account, which is maintained by the Indiana Department of Health.

President Winnecke: Okay. So, I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, department head reports?

New Business/Old Business

President Winnecke: Any new business to come before the Commissioners? Any old business to come before the Commissioners?

Public Comment

President Winnecke: Any public comment to come before the Commissioners?

Commissioner Melcher: Is Bill coming up?

President Winnecke: I think he's just wandering up here.

Commissioner Melcher: Have we had a chance to contact Vectren about coming?

President Winnecke: I have, they're getting some dates for me in November—

Commissioner Melcher: Okay.

President Winnecke: – I'm trying, we're just trying to work out a date.

Commissioner Melcher: Thank you.

Consent Items

President Winnecke: Consent agenda, I would consider a motion to approve the consent agenda.

Commissioner Melcher: I wanted to ask something about that before we went.

President Winnecke: Sure.

Commissioner Melcher: The automobiles came out, and I know I sent an e-mail back, and I think Marsha had sent one back too. Can we pull that out of the consent and just hear that individually?

President Winnecke: Sure, just make a motion to pull it out.

Commissioner Melcher: So, I'll make a motion to pull it out and hear it individually afterwards.

President Winnecke: That would be the Commissioners appropriation to fund vehicles for Superior Court.

Commissioner Abell: I'll second that motion.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed?

(Motion approved 3-0)

President Winnecke: Okay.

Commissioner Melcher: I'll make the motion to accept the consent agenda except that item.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Madelyn?

Madelyn Grayson: The consent items for the October 25th meeting are as follows; approval of the October 11, 2011 Commission meeting minutes, employment changes for the Commissioners approval this evening, there's only one for the Co-Op Extension, the County Engineer has pay request number 138 for TIF projects in the amount of \$54,437.94; the County Clerk has the September 2011 monthly report; Hillcrest Washington Youth Home third quarter fees for service; Weights and Measures September 16th through October 15, 2011 monthly report; the IBAP Gatekeeper September 2011 monthly report, and there are department head reports

from the County Engineer, the Ozone Officer and, let me see there was one more, Burdette Park.

President Winnecke: All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed?

(Motion approved 3-0)

President Winnecke: Steve?

Commissioner Melcher: I know in the past we've had different department heads come up and talk about vehicles and they've had to give us, you know, a couple different, pricing from a couple of dealerships. I didn't know if we had that or not. I think I forwarded it to you, Ted.

Ted C. Ziemer, Jr.: You did, Commissioner Melcher, and the law is that if the anticipated purchase price is under \$50,000, the purchasing agent, which in this case would be the Superior Court may make a purchase under the small purchase policies established by the purchasing agency, which would be the court, are under rules adopted by the governmental body. The governmental body has not adopted any rules, so that in as much as it's under \$50,000, the law does not require that they seek other quotes. They did not, however, they were granted a governmental deduction for both of the vehicles that they're purchasing.

Commissioner Melcher: So, that's individually \$50,000?

Ted C. Ziemer, Jr.: No, no, the total purchase, if that total purchase was anticipated to be over \$50,000, then you would have to seek quotes. In this case, the total purchase is, I don't know, it's just under \$48,000.

Commissioner Abell: For three vehicles?

Ted C. Ziemer, Jr.: Two vehicles, there were only two.

Commissioner Abell: I thought it was for three.

Commissioner Melcher: It was three.

Ted C. Ziemer, Jr.: Well, they do mention three, but then in the documentation, which Madelyn provided for us this afternoon, there's only two vehicles that they're actually purchasing at this time.

Commissioner Melcher: Because it was around \$75,000, that's why I was—

Ted C. Ziemer, Jr.: Yeah—

Commissioner Abell: (Inaudible. Microphone not on.)

Ted C. Ziemer, Jr.: Sure.

Bernie Faraone: I'm Bernie Faraone from Juvenile Court. I submitted the request. Juvenile Court was actually seeking the purchase of three vehicles at \$22,000 a piece, and we needed extra money to transfer the protective cages and decals and all the special equipment that are in the current vehicles. So, that's why we estimated it at \$75,000. I did have a chance today, I've only been in—

Ted C. Ziemer, Jr.: Excuse me, I just want to say, so I don't sound like a total idiot, I have the paperwork that Madelyn sent me and it only covers two vehicles and the purchase price for those two vehicles is \$21,950 for one of them and, let me see where the second one is here.

Bernie Faraone: They would have been the same.

Ted C. Ziemer, Jr.: Yeah, no, it was a different price for the second vehicle, and then there are two vehicle stickers that were supplied by the purchasing agency, and that's all that was mentioned in the documents that you sent, Madelyn. So, I don't know anything about the third vehicle.

Bernie Faraone: Yeah, that—

Ted C. Ziemer, Jr.: If it was over 75, if it was over \$50,000 you have to obtain quotes from two other agencies.

Bernie Faraone: Sure, what's attached there is when we initially investigated vehicles for replacement. We contacted, we wanted to see if we could piggy back on to the Police Department's system, which I believe our office has in the past. Then I was directed to the fleet manager at Town & Country Ford. I told them at that time that we wanted quotes for both the Crown Victoria 2011, which this is the last year that it's being sold and it's a police vehicle, and I also asked them for a quote on the other vehicle, which was like, a lot, \$27,000-\$28,000 with the reduced price. So, he gave us both of those, but in my discussing this matter with my boss, Judge Niemeier, he wanted us to go for the three cheapest vehicles to replace our oldest three vehicles, and they would all be like roughly \$22,000 a piece.

Ted C. Ziemer, Jr.: In that case, that would be \$66,000 which exceeds \$50,000—

Bernie Faraone: Yes.

Ted C. Ziemer, Jr.: — and you would have to seek three quotes—

Bernie Faraone: I didn't know that.

Ted C. Ziemer, Jr.: — I'm telling you.

Bernie Faraone: Sure.

Ted C. Ziemer, Jr.: You need three quotes from three different agencies, and you only got one from Hendrickson. I thought you were fine based on what Mrs. Grayson sent me, because it only described two vehicles, but since you're going for three, we'll need to seek quotes.

Bernie Faraone: Is there, with that knowledge and the Judge is out of the...with that knowledge and the Judge will return tomorrow, is there a chance we could still...I

initially submitted it the only way I knew how was to ask for it to be applied to the General Fund. I got notified that there's a CCD Fund.

Ted C. Ziemer, Jr.: Yeah, I think the thing is, the fund that you want to take the money out of is not a problem. There are sufficient funds available. The problem is that you are making a purchase which exceeds a total of \$50,000, and to do that you have to get quotes from three different agencies.

Bernie Faraone: Sure, my understanding is—

President Winnecke: I think the process is, and correct me if I'm wrong, we meet again next Tuesday night, if, in the course of the next week, you could get the three quotes, or the two additional quotes to get to three. We could consider the request of using CCD money—

Bernie Faraone: Okay.

President Winnecke: —which keeps the General Fund balance in tact, which was a goal of the, I think, a goal of the Commissioners and the Council, and then once we approve that, then you could take that approval to the County Council—

Bernie Faraone: In December.

President Winnecke: —at their December meeting, and they would then make the final approval on the expenditure of CCD funds. Is that accurate, Ted?

Ted C. Ziemer, Jr.: Yes.

Bernie Faraone: Then, I've got another question or two.

President Winnecke: Sure.

Bernie Faraone: My understanding I was going to come today to see that our request for the General Fund appropriation be withdrawn and have it put back on, which was for tomorrow, and have it be put back on for November for the CCD.

President Winnecke: We'll do that.

Bernie Faraone: Is there a chance that if I talk to the Judge, well, the Judge will return tomorrow, see if he wants us to get other quotes for three vehicles, or can we still withdraw—

President Winnecke: Here's what we'll do, we'll not take action on the request that's before us tonight—

Bernie Faraone: Sure.

President Winnecke: — we'll instruct Marissa to put on the agenda for next Tuesday consideration of purchase of three vehicles from, using CCD funds to do so.

Bernie Faraone: Okay.

President Winnecke: Then, we would, assuming that passes—

Bernie Faraone: Yes.

President Winnecke: –then you could take that to the County Council–

Bernie Faraone: Okay.

President Winnecke: –for their final blessing.

Bernie Faraone: Again, we need quotes from how many different sources?

President Winnecke: Three.

Ted C. Ziemer, Jr.: Three. You’ve got one from Hendrickson–

Bernie Faraone: Okay.

Ted C. Ziemer, Jr.: – so, you would have to get one from like Tri-State and one from, I don’t know, whoever, wherever you want to get them actually.

Bernie Faraone: Okay.

President Winnecke: But, if you got those to us, we’ll put you on the agenda next week.

Bernie Faraone: Okay, I just didn’t want to lose the opportunity because–

Ted C. Ziemer, Jr.: Excuse me, and I was going to make a comment about that. I see that there was something written in here in these materials that these things are not going to be available very long–

Bernie Faraone: Yes.

Ted C. Ziemer, Jr.: –and if you want to get them you need to get them. Once again, if you were only going to go for two vehicles, you’re okay as you are.

Bernie Faraone: Yes.

Ted C. Ziemer, Jr.: But, to go for three vehicles you’re going to have to get the quotes.

Bernie Faraone: Sure.

Ted C. Ziemer, Jr.: So, I think as Commissioner Winnecke has stated, if he does come back next Tuesday–

Bernie Faraone: Okay.

Ted C. Ziemer, Jr.: –we should be ready to–

Bernie Faraone: Okay, and I can provide this to the Judge tomorrow and see which course of action he wants me to take.

President Winnecke: Right.

Ted C. Ziemer, Jr.: Be sure and tell him, I did speak to him today, but it was about something else entirely—

Bernie Faraone: Yes.

Ted C. Ziemer, Jr.: — he's in Washington, I think, or wherever he was—

Bernie Faraone: Indianapolis.

Ted C. Ziemer, Jr.: —yeah, Indianapolis, but be sure he understands we could not decide to go two now and in a week decide we're going to go ahead and get the third one. It's either two now and then wait a year and then maybe decide to buy another one. Or three, in which case you'll need to get three quotes.

Bernie Faraone: Okay, thank you so much for that.

Ted C. Ziemer, Jr.: Yes, sir.

Commissioner Melcher: I've got one more question, you said you were going to spend some money also to transfer stuff off the old vehicles?

Bernie Faraone: Yes.

Commissioner Melcher: Do you have that dollar value? Because wouldn't he want to include that as a side, beside the three vehicles, if we're going to take it all out of the same fund?

Ted C. Ziemer, Jr.: I'm not sure I know what you mean.

Commissioner Melcher: Well--

President Winnecke: To equip the vehicles.

Commissioner Melcher: —to equip the vehicles.

Ted C. Ziemer, Jr.: Oh.

Commissioner Melcher: They were going to strip the old ones and put that, some of that equipment on the new ones.

Bernie Faraone: We included that in the, we didn't itemize it, but we figured three times 22 is 66, we asked for 75, and we thought the rest of it would be for to put new decals on the new cars and transfer the equipment and cages that protect the inmates from the employees in all of the vehicles.

President Winnecke: So, it's included in the \$75,000.

Commissioner Melcher: So, it's included in the \$75,000, okay. I just wanted to get it straight so you don't have to do this again.

Bernie Faraone: Sure, I appreciate it.

President Winnecke: No, I think, we'll get you on the agenda next week.

Bernie Faraone: Okay.

Ted C. Ziemer, Jr.: Then, I note you're getting a trade in value on top of it, so that price is going to go down a little—

Bernie Faraone: Yes.

Ted C. Ziemer, Jr.: —not much, but it will go down somewhat.

Commissioner Abell: I have a question.

Bernie Faraone: Sure.

Commissioner Abell: What is the policy for these vehicles? Do the employees that drive these vehicles take them home with them, or do they leave them here?

Bernie Faraone: No, there's one employee that's our, he's our policy officer assigned to the court, it's Rick Johnson, he does a number of different roles, but he's at 24 hour call. He serves our, the equivalent of adult arrest warrants, our pick up orders. He does our house arrests, our global positioning system programs, he does drug screenings, and he does a lot of transportation in town here. He's our liaison with the Police, Sheriff Departments and the School Corporation. He's the only one that has access to a car 24 hours, the others stay right outside our building, or the detention center which is located two blocks down the street allows us to park our vehicles there, the court cars there.

Commissioner Abell: Okay, so they don't take them home with them, they leave them here and use them as needed, and that type thing.

Bernie Faraone: Yes.

Commissioner Abell: Okay, and is three how many you have? Or do you have more than this?

Bernie Faraone: We have five.

Commissioner Abell: You have five vehicles.

Bernie Faraone: Yes.

Commissioner Abell: Thank you.

President Winnecke: Okay, we'll see you next week.

Bernie Faraone: Thank you very much.

President Winnecke: Thanks for staying with us. Any other business to come before the Commissioners? Hearing none, I would entertain a motion to adjourn.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: We stand adjourned.

(The meeting was adjourned at 5:29 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the October 11, 2011 Commission Meeting Minutes.

Hillcrest Washington Youth Home Third Quarter Fees for Services.

IBAP Gatekeeper: September 2011 Monthly Report.

Commissioners: Appropriation Request to Fund Vehicles: Superior Court (Deferred)

Employment Changes:

Co-Op Extension (1)

County Clerk (3)

Coroner (1)

VCCC (2)

Sheriff (2)

Superior Court (1)

Circuit Court (1)

Election Office (2)

County Engineer: Pay Request No. 138: TIF Projects.

County Clerk: September 2011 Monthly Report.

Weights & Measures: September 16-October 15, 2011 Monthly Report.

Department Head Reports:

County Engineer

Burdette Park

Ozone Office

Those in Attendance:

Lloyd Winnecke

Marsha Abell

Stephen Melcher

Brian Gerth

Ted C. Ziemer, Jr.

Marissa Nichoalds

Madelyn Grayson

Lana Dippel

Ellen Dippel

Amanda Steinback

McKenzie Batten

Jessica Collins

Bernie Faraone

Others Unidentified

Members of Media

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
NOVEMBER 1, 2011**

The Vanderburgh County Board of Commissioners met in session this 1st day of November, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good evening, I would like to call to order the November 1st meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: This evening we have Boy Scout Troop 327 from Holy Redeemer under their Scout Leadership, Tom Keith. This group has volunteered to lead us in our Pledge of Allegiance. So, if you young men would come forward in front of the podium. When you all are in position you could lead us in the Pledge of Allegiance.

Unidentified: Attention. Scout salute.

(The Pledge of Allegiance was given.)

President Winnecke: Before you are seated, if you could each state your name into the record. Push the, hey, Tom?

Tom Keith: Yes?

President Winnecke: If you'll push the button there on the microphone at the base—

Madelyn Grayson: It's already on.

President Winnecke: It's on?

Madelyn Grayson: Yeah.

President Winnecke: If you could just state your name and what grade you are in.

Tyler Lucas: Tyler Lucas, sixth grade.

President Winnecke: Okay.

Taylor Kempf: Taylor Kempf, sixth grade.

Reid Shanks: Reid Shanks, seventh grade.

Garrett Jones: Garrett Jones, sixth grade.

Ben Reising: Ben Reising, sixth grade.

Carson Crick: Carson Crick, sixth grade.

Chris Clements: Chris Clements, sixth grade.

Tom Keith: Mr. Keith, sixth grade.

President Winnecke: Thank you all for helping us out tonight, I appreciate it.

Introduction of Teen Advisory Council Job Shadows

President Winnecke: Okay, our first item of business, under action items, actually before we do that, lets introduce our Youth Resources young guests tonight. State your name and school.

Caitlyn Martin: I'm Caitlyn Martin, and I go to Memorial High School.

Kassidy Kinner: I'm Kassidy Kinner, and I go to Central.

Audrey Vincent: I'm Audrey Vincent, and I go to Reitz Memorial.

President Winnecke: Thank you, ladies.

2012 Employee Health Insurance Proposed Changes

President Winnecke: Okay, now we'll begin with our agenda. First on the agenda is an explanation of the 2012 health insurance benefits, and from Torian Hofmann Dillow and Flittner is Tony Flittner to make a presentation. I understand there may be a number of folks who would like to speak to that, to this issue tonight, so, after Tony's presentation and any questions by the Commissioners, we will be happy to take questions from the audience. Tony?

Tony Flittner: Okay, thank you. My name is Tony Flittner, I'm with Torian Hofmann Dillow and Flittner Insurance Agency. This is Andy Dillow, he, I brought my own computer guy. I am not very good with computers, and, hopefully, he's a lot a better than I am. We need to talk about, or want to talk about the matter of health insurance for the employees of Vanderburgh County. We've worked really long and hard in trying to develop a plan design that is as comprehensive as possible that meets with the budget of the county. We've been back and forth, we've asked for numerous plan designs, we've looked at a lot of different ways to construct the best plan design for the amount of premium dollars that you have to spend. We feel like we've come up with some pretty good solutions, and, hopefully, everyone else agrees with that. This is not an easy task. There are a lot of components that go into a health insurance plan, and, unfortunately, health insurance premiums across the country continue to skyrocket. Premiums go up considerably higher than the average rate of inflation. We've seen rates go up, health insurance rates go up eight, nine, ten,

12, 20 percent over the past ten years, while the inflation rate hovers somewhere around three percent. Consequently it constrains or puts a lot of employers in a bad place, because they want to be able to offer the best health insurance plans they can, but they need to be able to afford them as well. We have the same problem in our agency, we're faced with the same things. The county has four plans available to them right now. They are called plans one, two, three and four. Plans one and two contain the most enrollment, they have about 98 percent of the enrollment. Plan three has about, I don't know, 15 people enrolled in it, and plan four nobody is enrolled in it. It's a high deductible health insurance plan. I think once everybody sees all of the plan designs that are offered, they will probably continue to stay or want to stay in the plans that they're in. There's probably not going to be any reason to want to move from one plan to the other, necessarily. The plans that we have, what I want to do is I want to primarily talk about plans number one and two. I think we should focus on them, because that's where we have the most enrollment. What we've done is we've brought a spreadsheet tonight that will show up on here in a minute that will show the different plans, comparing the old coverage to the new coverage. Actually, this spreadsheet shows plans one, two and three, but most people are going to be focused on plans one and two. This year we were lucky, we worked hard to try and save one of the coverages and keep it the same, coverage that is used by most people. That's the prescription drug coverage. I think almost everybody throughout the year will end up taking a prescription drug. Most people will not end up in the hospital. Most people will not end up in the emergency room, they won't necessarily go to the urgent care facility. They may go to their doctor's office, and they will probably pick up a prescription drug, and then a lot of people will go to the pharmacy every month and pick up four or five or six or more prescription drugs. We were fortunate to be able to keep the prescription drug benefit the same. The co-pays for prescription drugs are \$10, \$20 and \$30 depending on what tier prescription you're taking. Okay, all of that stays the same. We were able to maintain a plan that has an office visit co-pay, so you can go to your primary care physician. You can go to a specialist. You make a co-pay, and then you have 100 percent coverage for that visit. We had to take the co-pay for office visits from a flat \$10 co-pay to \$20 for primary care, and \$30 for a specialist. These co-pays are what we are seeing to be more common in a lot of plans, in fact, we're seeing most plans to have minimum co-pays of \$30 and more, and higher, throughout. I'm not real good at talking and moving this stuff around. I think, maybe you can see what I'm talking about if you're able to view the screen, if everything is centered up enough. So, if you need to go to your doctor, if you need to pick up a prescription drug, you have flat co-pays that you will incur. If you need an ambulance, you have flat co-pays that you will incur. Those are the same co-pays that we had in the other plans. If you need to go to the urgent care facility, you have a co-pay. That co-pay was \$25 in plans one and two, it was raised to \$25, or to \$75. The co-pay for emergency room was \$50, it was raised to \$200. A \$50 emergency room co-pay is not a really good thing. It encourages people to use the emergency room when they should probably be using a regular physician in a lot of cases. If you go to the emergency room because it only costs \$50 and you want to take care of your sore throat on Sunday, you've just cost the plan a whole lot of claims dollars. What we need to start doing today, is we need to start focusing on how we're going to save claim dollars, because that's what drives insurance premiums. The higher the claims experience, the more premium dollars it takes to support those claims. Beyond the items that have co-pays, and by the way, the vision exam is still included in plans one and two and it has a \$10 co-pay, like it used to. Beyond those items, we've had to introduce a deductible. Now, if you talk to people who have a plan with no deductible, they'll tell you they don't want a deductible. Of course they don't, you know, it's a deductible, if they go in for a surgery, if they go into the hospital, or if

they have something bigger happen, they're going to incur that deductible, but, you know, I've got to tell you, this plan with Vanderburgh County is the only plan that I have that I'm the representative for that I have with any employer today, every other employer plan that I have in place has a deductible. I'm not the one making the decision on, you know, the deductibles and all that stuff. Those decisions are made by employers. The employers are telling me that in order to keep the plans affordable, they have to install deductibles and then co-insurance. Co-insurance is, that's an out-of-pocket item for the insured. If you have something that incurs your deductible, it will normally then incur your, it will normally incur co-insurance. In most cases, in these plans, the co-insurance amount is a 90-10 split. Okay, the insurance carrier is paying 90 cents on the dollar, the insured is paying ten cents on the dollar. That's still a pretty good deal. The nice thing is is that at some point in time all of that math ends and the insured is only on the hook for \$1,000 out-of-pocket per year, that's the maximum out-of-pocket for deductibles and co-insurance. Okay, deductibles and co-insurance are calendar year items. Once you've satisfied your deductible for the year, you've satisfied it. Once you've satisfied your co-insurance out-of-pocket for the year, it's satisfied. The nice thing about these plans is, is if you have a family, you have seven children like some guy I know over here, if they all end up in the hospital, they only have two out-of-pocket maximums, \$2,000. Okay, those are things that will cost people who have extenuating medical needs. You know, if it's something that goes beyond a regular primary care office visit, or a regular specialist office visit, or an urgent care facility use, or the emergency room, you're probably going to incur your deductible and co-insurance. The good news is that statistically speaking you have probably an 80 percent chance of maybe not incurring your deductible, because they say 80 percent of the people use, I'm sorry, 20 percent of the people use 80 percent of the benefits. So, 20 percent of the people are having extenuating medical concerns that sometimes push them into their deductibles and their co-insurance limitations.

President Winnecke: Tony, could I stop you for a minute?

Tony Flittner: Yes, sir.

President Winnecke: On the proposed deduction of \$250, that counts toward, just to clarify, it counts toward the \$1,000—

Tony Flittner: Yes, sir.

President Winnecke: —out-of-pocket annual expense?

Tony Flittner: That's right.

President Winnecke: So, it wouldn't be \$1,250, it's \$1,000?

Tony Flittner: Right.

President Winnecke: Okay.

Tony Flittner: That is correct. That's important to remember. A lot of people get that confused, but you do, you just have a \$250 deductible, and a deductible means that you're paying dollar for dollar for those charges, for those medical charges that you incurred. Okay, co-insurance means that you and the insurance company are splitting the charges after that, and you're only paying ten cents on the dollar. The insurance company is paying 90 cents on the dollar, until you've met the \$1,000 out

-of-pocket maximum. Okay, I was explaining this today to a group of people with Vanderburgh County and it kind of hit me, I was stumbling around and stammering and it hit me that I haven't explained a deductible and co-insurance to people for a long time. Everybody already has them, in most cases. A lot of cases they are higher, \$1,000 deductibles are not unheard of today. I'm not saying that that's where this is headed at all, but those kind of deductibles are in place today. Higher out-of-pocket limitations are in place today. Unfortunately, that's the nature of what we're dealing with. On the other hand, you know, we need to look at the benefits that we received. The maximum benefit for plans number one and two, well, all of the plans really went from \$1,000,000 per year up to \$1,250,000 per year. So, you have a higher amount of coverage every year. The lifetime maximum is unlimited. Believe me, some people try to push the limits when it comes to medical care, unfortunately, they have poor medical health and they end up with some really high claims that the insurance company pays. That's what this is all about. Trying to get the best insurance plan for the dollars that we can afford in premium. Another thing we need to remember is that every time a new procedure is approved for use in the United States, it's normally just automatically covered by the insurance carrier. So, you know, Welborn comes in and they set their prices today for the whole year, for all they know a new drug will come on the market, a blockbuster drug, it may cost them Lord knows how much money in claims. New technology can come onto the market, into the market, new diagnostic equipment, new procedures, all of these things are really nice, but they cost a lot of money. The more technical the care gets, the more money it costs. The insurance carrier is on the hook to pay for those things. They have a pretty tough job of trying to meet the margins. The way this works out, we've hopefully designed the best plans for everybody involved at rates that are affordable. Without putting you all to sleep, I think that's about all that I really have to say unless you want to—

President Winnecke: Tony, let me help start the discussion, what I would like to do before we open up to questions from the Commissioners and then to the audience, just sort of walk through, if you will, just it can be plan one just for demonstration purposes, under the proposed change, just walk us through so we make sure we understand what the deductible means, what the 90-10 means, what the \$1,000 means, just so we know, line by line—

Tony Flittner: Sure.

President Winnecke: – what it all means.

Tony Flittner: I'll be glad to do that. The deductible, of course, it's the amount where you pay dollar for dollar for medical charges. Okay, you don't pay a deductible if you go in for an office, a doctor's office visit. You don't pay a deductible if you go in for prescription drugs.

President Winnecke: So, my co-pay for my primary care doctor does not apply towards the \$250?

Tony Flittner: Does not apply toward the \$250 deductible.

President Winnecke: Okay.

Tony Flittner: Okay, so you can still go do those things, the doctor's office, prescription drugs, and a few other things that I mentioned and you have a flat dollar co-pay, and then 100 percent coverage after that. Okay, it's the bigger things that

will apply toward deductible. I don't know, I would say that most people in this room probably haven't incurred the full deductible, well, I mean haven't had charges that would apply toward a deductible in a long time. I know for myself I probably went 25 years and didn't have anything that would apply toward a deductible and then one year I maxed mine out. Mine is \$5,000, my deductible is. So, it's not one that you want to max out.

President Winnecke: Okay, so talk to me about 90-10 then.

Tony Flittner: Okay, after the deductible, for items that have that apply toward the deductible, for medical care that you have claims for that apply toward the deductible, after the deductible is satisfied for the calendar year, January 1st through December 31st, you go into a 90-10 split. The insurance carrier pays 90 cents on the dollar, the insured pays ten cents on the dollar.

President Winnecke: That's until I reach my \$1,000 out-of-pocket?

Tony Flittner: That's right. Since you've already spent \$250 for your deductible, you're going to spend another \$750, worse case scenario. Now, if you don't have that much in claims, you're not going to pay that much, right? It's only if your claims are high enough that your ten percent of the cost meets \$750. So, in other words, you would have to spend \$7,750 in claims to meet your \$1,000 maximum out-of-pocket.

Ted C. Ziemer, Jr.: Excuse me, Tony, you mentioned things that you would not have to pay toward the deductible. What's something that you would have to pay toward the deductible?

Tony Flittner: Out patient surgery, hospitalization.

Ted C. Ziemer, Jr.: Okay, so if you went in for an outpatient surgery, and say it was going to be \$5,000, you would have to pay the first \$250? Is that what that means?

Tony Flittner: Yes, sir, and then ten percent of the remaining balance, okay.

President Winnecke: Until you got to \$1,000.

Tony Flittner: Until you get to \$1,000 out-of-pocket maximum, per person—

Ted C. Ziemer, Jr.: And then after that what happens?

Tony Flittner: 100 percent coverage for covered items for the rest of the year.

Ted C. Ziemer, Jr.: Okay.

President Winnecke: Okay.

Tony Flittner: Okay?

President Winnecke: Okay, so the 90-10, once you reach your deductible, 90 percent paid by the insurance, ten percent by the employee until such time as you reach your maximum out-of-pocket.

Tony Flittner: That's correct.

President Winnecke: Okay. Let's move down the grid then, \$1,000, I think we've—

Tony Flittner: Okay, yeah, the \$1,000, of course the in-network and out-of-network things don't apply to plans one and two. That only applies to plan three, and, of course, we only have a very, there's just a handful of people in plan three.

President Winnecke: And, would you please reiterate how the family—

Tony Flittner: Yes.

President Winnecke: —how it works for a family for out-of-pocket maximum?

Tony Flittner: Yes, worst case scenario, no matter how many people in your family, you multiply the out-of-pocket limitation by two, that's your maximum out-of-pocket. If you're only incurring deductibles, you multiply that by two, that's your maximum out-of-pocket in the way of deductibles for a whole family.

President Winnecke: Okay.

Tony Flittner: It's, I've heard people say they're concerned about having to spend \$2,000 in a given year, and I can empathize with that. \$2,000 is a decent amount of money. It's pretty unlikely that two people in a family incur their deductible and co-insurance. It's pretty rare. So, you know, maybe, if people are really worried about that, a lot of times that's unnecessary concern. Okay, that doesn't normally happen.

President Winnecke: Let's move down the grid.

Tony Flittner: Moving down, we come to the office visit co-pay, today it's \$20 for a primary care physician, that means a general practitioner, family doctor and an internal medicine doctor. That's the guy with Welborn.

President Winnecke: What's the asterisk for next to the \$30.

Tony Flittner: The \$30 co-pay is for specialists. Let's say Mr. Winnecke you're at home on Friday and you fall down and you think you've broken your arm. You can choose to go to your family doctor or a general practitioner, or you can choose to go to an orthopedic doctor. Okay, the orthopedic specialist would cost you \$30.

President Winnecke: Okay.

Tony Flittner: You can go in for urgent care services and there's a \$75 co-pay.

Ted C. Ziemer, Jr.: Excuse me, on the \$30, if you go in and see your orthopedic surgeon the day of the fall, that's one \$30, and then he tells you to come back in a week, is that another \$30?

Tony Flittner: Another \$30.

Ted C. Ziemer, Jr.: Okay.

Tony Flittner: Yes. It's like having the air conditioner guy come out to your house. Another truck charge. Then, the emergency room you have a \$200 co-pay, and then 100 percent coverage, okay. This sheet is just a little bit longer, in-patient hospital

co-pay was \$100, with the new plan design that's proposed it would be \$100, plus the deductible and co-insurance.

President Winnecke: So, what does that mean?

Tony Flittner: Well, you would have a \$100 co-pay, and then you would satisfy your deductible and co-insurance.

Unidentified: Co-insurance?

Tony Flittner: Co-insurance would be the 90-10 split.

President Winnecke: Right.

Tony Flittner: Okay, so, again, you have your \$1,000 maximum out-of-pocket limitation, plus the co-pay of \$100.

President Winnecke: Okay.

Tony Flittner: We'll see down at the bottom that co-pays don't apply toward deductibles.

President Winnecke: Right.

Tony Flittner: Then you have your prescription drug benefit, and you have your tier one prescriptions are \$10, tier two are \$20, and tier three are \$30. That's just the same as they were before. We were also able to save the benefit where diabetic insulin supplies and asthma supplies are covered at 100 percent. It's a big thing for people.

President Winnecke: Okay.

Tony Flittner: In the footnotes you'll notice it explains the \$20 co-pay is for regular office visits, and \$30 co-pay is for specialist office visits. Deductible and co-insurance are annual calendar year. Co-insurance max includes the deductible, so where we put co-insurance maximum of \$1,000, that includes the deductible, and co-pays do not accumulate toward the deductible or co-insurance maximums.

President Winnecke: Okay, what I thought we would do now is ask the Commissioners if they have any questions for Tony, and then I think anyone who has a question, and I assume most of the questions will, about the technical changes will be directed to Tony. If you have comments about whether we should accept it or not, you're welcome to do so. So, I ask Tony to stand close to the podium when we open it up to the audience, but with that, I'll open it up to questions from the Commissioners to start.

Commissioner Melcher: I don't have any right now.

Commissioner Abell: I don't either.

President Winnecke: Okay, no questions to start, okay. Who would like to come up first? Susie Kirk can. If everyone would just state their name for the record so we have it.

Susan Kirk: Thank you very much. Susan Kirk, I'm the County Clerk. Well, we've had some, quite a few comments today about some of the changes, and I think one of my main concerns is, is that, and I mean, I know we all, we want to cut costs anywhere we can. Due to the pay cuts that several of the employees have taken, especially the new ones that come in, that was like \$5,000 less. I know Mr. Flittner will say only \$1,000, or only \$2,000, but when you're only making \$20,000 a year that's quite a bit of money. I mean, I've got some employees in my office they actually can get housing benefits because of the salary. I do have a slight problem with that. I know when I hire someone I tell them, you know, the salary's not very good, you could make as much working at McDonald's, but the benefits are good. We want to try to, obviously, keep good employees working here and be able to hire good employees. They haven't had a raise in several years, and that makes a big difference, it just seems like as time moves on we just keep paying more for things and getting less for them. I always refer back to the old days where it said, you know, the government used to pay \$220 for a toilet seat, sometimes I think when it's government we do get hit a little bit harder. I was a little concerned about, I noticed that it was said that the dental and the eye stayed the same, but yet we paid the broker \$10,000 percentage just for that. I mean, that seems like to me that ought to, shouldn't that change? I don't know why they would get a \$10,000 percentage on that. So, that might ought to be answered. I think if maybe we could see the difference, the actual figures, what are we saving compared to what we are going to be paying more for the insurance would probably help us understand it a little bit better. I know insurance is like, I don't know about you all, but you can read a policy and still when you get done you really don't know, we've got to go get Ted to figure out what the heck it even says or means. So, sometimes that gets to be a little bit confusing. I just wondered what we pay for this, what does the insurance cost and what do we pay the broker? How much did they get? Just, like I said, breaking down the cost so that all of the employees can understand where is the money going? How much do we pay Torian Hofmann Dillow? Maybe, how much did we pay as a comparison, Welborn before? Things like that, I think if they can see some of the figures it might help us a little bit better to understand what's going on, and maybe, you know, who knows, maybe we could add a little bit better coverage, or maybe cut something out if we had more to look at. So, if we could, you know, the wellness part of the policy, was that going to be 100 percent covered?

Tony Flittner: The wellness is covered 100 percent.

Susan Kirk: The wellness is covered 100 percent? Okay. So, I think if some of those questions could be answered to where we could actually see the figures and understand them, who knows we've got some, we've got some bright people sitting back here that might be able to help out a little bit. So, I would appreciate the Commissioners breaking that down, or having Mr. Flittner break it down to where it's more understandable to see who's getting what, and how much more this is going to cost us, just to see is everything going up?

President Winnecke: Tony?

Susan Kirk: Okay.

Tony Flittner: Yeah, thank you.

President Winnecke: Thanks, Susie.

Tony Flittner: First of all, let me state I'm not trying, I didn't mean to imply that \$1,000 was not much money. I think it's a lot of money. When it comes to brokerage commissions, the insurance carriers can either do all of the work themselves, or they can employ the brokerage community, like myself, agents, to do the work that they would have to do. That means going out and meeting with all of the employees to talk about plan designs, help them with claim problems, help them with plan design, understanding their plan designs, making sure that the carrier is paying all of the benefits that the plan design should be paying, doing all sorts of, all those sorts of things. The insurance carriers can, they can do things one of two ways, they can either do all the work themselves, or they can pay the brokers, like myself, a certain amount or a percentage or whatever the case may be. It's different with all different group sizes and carriers and the whole nine yards, and by the way, our commissions are being cut everyday. We're just like you guys, we're, you know, things are tight, the carriers are telling us, you know, we've got to cut back, we've got to cut back, so, we're getting cut too everyday. So, the employer, or the carriers have a choice, they can do it one of two ways. Welborn Health Plans chooses to use the brokerage community. If you look around at all of the other carriers, we represent Aetna, United Healthcare, Blue Cross Blue Shield of Indiana, Blue Cross Blue Shield of Illinois, and Blue Cross all over the country, and we represent a lot of different carriers, they all use the same model. So, in other words, they feel like they get it done through us cheaper than they can do it themselves. In fact, there was an exercise a number of years ago by Blue Cross Blue Shield of Indiana. They came in and they said we're not going to use the brokers anymore, we're going to do it all ourselves, and that's when the big building downtown was new, right on the riverfront, I can't remember what they call it, but they staffed that thing with all kinds of people that worked for Blue Cross Blue Shield, they pushed us to the curb, and they didn't use us anymore. They did that for about three years, they found that their costs were much higher, so they came back to us to employ us again. They find it to be cheaper using us. So, in other words, if, you know, if Welborn doesn't use us they have to staff up with their own people. That affects your rates. So, you know, rates, your rates are affected by claims and the costs to administer the plan. The carriers all choose to use the brokerage community. So, I would say we do it cheaper than they could do it, or they would do it the other way. All the carriers have a choice, they can employ their own people. If they're paying us too much, they could keep those profits for themselves, but they choose not to do that, because they get it done through us cheaper, okay.

President Winnecke: And, just to clarify, to one of Susie's questions, the cost to the county is roughly \$10,000,000, I think, is the budget that the County Council has given us to come under, us being the Commissioners, is that accurate? Would you state that for the record?

Tony Flittner: That's my understanding, yes, that the County Council—

President Winnecke: I'm sorry, that is accurate, just what is our total cost going to be with these changes then?

Tony Flittner: I didn't bring all that information to be honest with you.

Commissioner Abell: Maybe I can clarify it a little bit.

Tony Flittner: Okay.

President Winnecke: Sure, go ahead.

Commissioner Abell: Our total health insurance cost is around \$12,000,000, ten million coming out of the General Fund, which affects the people that we consider to be Civic Center employees. The two million covers the volunteer fire departments, and that's in their budgets, the volunteer fire departments, the township trustees, the auxiliary people that have now chosen to come under the county's umbrella for health insurance, but that's out of their budgets, but the total cost of the health insurance out of their budgets and our General Fund is about, it's 12 million and some change as I recall. The ten million is out of the General Fund.

Tony Flittner: I, right, I'm not sure how you all split that up.

Commissioner Abell: He doesn't know about our budgets.

President Winnecke: Okay, I just wanted to clarify the \$10,000,000. Okay, who else would like to speak tonight?

Cory Hadley-Hurt: Hello, my name is Cory Hadley-Hurt. Zero cost of living increase, even though Social Security estimates a 3.6 cost of living increase for 2012, increased benefit premiums, increased out-of-pocket costs for employees, up to \$1,000 per member. I'm here this evening to voice my concerns over the changes being proposed to the county employees health benefits. I have great concern that this change will affect county employees negatively since there are zero pay raises this year. I am well aware that in a difficult economy we all need to cut where we can, but I believe that cuts could be made elsewhere so that full time employees can maintain their benefit levels. It seems though Vanderburgh County employees are not valued and rewarded for years of services, as they are receiving no pay increase, substantially increased premiums, while benefit levels continue to decline every year. A few years ago Vanderburgh County moved from the option of two health plans to one plan being the only option. At the time the employees were informed that the new plan was exactly the same as their previous plan, just with a new company. I realize that this was an opportunity to save the county money, but coverage and benefits began to suffer. Once employees began using the plan, it became apparent that nothing could be further from the truth. Employees who had been on medications for years were pushed by the new insurer to try first line therapies again, even though they had been on medications for years. Bariatric benefits were also no longer covered, and those previously covered by the prior plan, which did cover bariatric benefits, were told that labs and any other services that were needed because of the bariatric procedure would not be covered. Furthermore, my family is in the 20 percent and we have experienced serious medical conditions that required us to travel to IU in Indianapolis as well as Mayo Clinic in Rochester, Maryland. ER co-pays would have sent us through the \$1,000 extremely quickly. In one year we were there eight times, not by our own choice. I have never had such difficulty with an insurance plan in getting charges covered by in-network doctors as I do with the current insurer. They pushed because they weren't the home network, but rather in the PHCS or multi-plan network. I literally had to walk through their website with them to show them that the providers were in-network and provide information from previous calls regarding these in-network providers before they would pay claims. Mind you, while I called these people, I also asked for case management for my husband, we received none in three years. Mind you, there are still outstanding claims over eight months old pending from Mayo Clinic that I get monthly reminders of. I work in the health care industry, and have a Masters in Health Services Administration, and if we have had such difficulty in dealing with this insurance, I can't imagine with those who do not have this experience behind them have had to face. If you are truly entrusted in cost saving

measures, why not start by looking at those employees who perform part time duties to the county, but receive the full benefits of the full time employees of Vanderburgh County.

(Applause)

Cory Hadley-Hurt: Many of these persons are not officeholders and have employment elsewhere that they are receiving benefits. It seemed important during the dependent review to determine if I or our children had other coverage, but those employees seem to ride freely on the taxpayer dollar. Based on information I have received thus far, I am concerned that the county employees are receiving no raise this year, yet premiums for benefits continue to increase, and now the out-of-pocket for these plans are increasing as well. Take, for example, a new employee who makes approximately \$21,000 a year or \$10 an hour, if this person had a medical condition that required them to meet their individual out-of-pocket for the year, this would require them to pay out more than seven percent of their take home pay for the year on certain plans. This could easily happen if a person had complications from a seemingly simple medical issue. In addition, office visit co-pays are increasing. This undermines the need and desire for a healthy workplace. People tend to put off what they don't see as important today, especially if it will cost them out-of-pocket expenses when times are tight. This in turn costs the insurance company more when employees are then faced with a much more serious situation, which then in turn drives premiums. Has the county looked into a clinic staffed by a nurse practitioner similar to the city, where employers could go without using insurance to stem both costs and increase employee health? Programs such as these around the country have decreased the costs for health insurance, increased employee productivity, and improved the health of those covered. In closing, I feel that increasing deductibles and out-of-pocket costs to employees only furthers the pinch that they feel to no increase in salary this year. Vanderburgh County employees deserve the benefits they receive now, as well as their pay. I have visited many county offices and have found the employees to be dedicated and extremely hard working. It seems as though they are not valued and rewarded for years of service, that they are receiving no pay increase, substantially increased premiums, while benefit levels continue to decline every year. Thank you.

President Winnecke: Thank you, Cory.

(Applause)

President Winnecke: Next.

Susan Taylor: Susan Taylor, County Clerk's office. First of all, I would like to commend Commissioner Winnecke, I know he's been working on this issue for a long time. Two things I would really like to know is, you guys had Old National Bank as our broker, so to speak, for the insurance, and you changed to Mr. Flittner's group here. We would like to know why you did that? The bottom line is, we just want to know, of the \$2 million, how much is the broker costing? Could we not do this in-house with some of our qualified employees in the Auditor's office and get them the tools and do it for a lot cheaper than we're paying?

President Winnecke: Who wants to start?

Commissioner Abell: I'll start.

President Winnecke: I would start with the last question first, I think it was the last question. I've been told by various people that bringing this in-house would be so laborious internally that we don't have the staffing, current staffing to do it. So, if someone could provide us a model that would show us that we could do it, and be able to afford to do it, I would certainly be open to it. No one has been able to do that to date. Joe, would you concur with that?

Joe Gries: I would. Currently we have one individual in our office that helps administer to 800 plus full time employees, works with Tony's group, works with the Commissioners. We're, you know, not in a position right now to handle anything further than what we're doing. So, if there is plans out there to change that, we would happy to be a part of it, and try to move forward with that, but I don't know of any such case.

President Winnecke: Not to put you on the spot, but if you were to guess if we wanted to bring the administration of this completely in-house, what—

Joe Gries: I wouldn't be able to guess, because I don't know a whole lot about the health insurance industry and what kind of people it would take to do open enrollment every year, to administer to 800 employees to work through all of the problems, as Cory stated, you know, going through and working with Welborn, you know, I've never experienced any of that. We would be happy to sit down and talk to people and look into that. That would be definitely something that we could do, but I just don't have the expertise really to answer that.

President Winnecke: You know, I suspect that's an exercise that's worth at least going, I mean, I think we ought to go down that road anyway.

Joe Gries: Sure.

President Winnecke: Say, you know, hey, if we brought it in-house to administer—

Joe Gries: Right.

President Winnecke: — you know, this is what we need from a staffing standpoint, at this expense, and this would be the potential costs saved.

Joe Gries: I always think that that's a good idea, to re-evaluate—

President Winnecke: Right.

Joe Gries: —to maybe think outside the box, possibly get a staff that, within the Commissioners and maybe the Auditor's office that would be able to answer employee questions, help with problems, and administer open enrollment and work through whatever we need to. I would be happy to do that.

President Winnecke: Thank you.

Susan Taylor: So, does anybody have a bottom line on what we paid ONB and now this group?

Commissioner Abell: Let me answer that, because I'm actually the one who's been working with Torian Hofmann Dillow and Flittner. It was pretty much a lateral move

as far as that's concerned. The reason that it was done was because so many of you contacted me—

Susan Taylor: Right.

Commissioner Abell: – and told me how unhappy you were with ONB. I heard it when I was running for this office. I heard it every time I walked into the Civic Center, that they don't answer our questions, they don't return our phone calls. So, that was when I talked to Torian Hofmann to see, if you can't answer their phone calls, if you're not going to return their calls, if you're not going to help them, you're not any better than what we've got and the employees are unhappy. Now, I know that there are several of you that know that you approached me about it, and you being one of them.

Susan Taylor: Right.

Commissioner Abell: That you were unhappy, that's why we changed, because the employees said we don't like what we've got. You might also remember, that in 2008, when the previous County Commissioners, none of which are sitting up here right now—

Susan Taylor: Right.

Commissioner Abell: – changed this insurance. I actually stood up in front of them and said don't do this, it's a mistake, you will regret it, it's going to hurt the employees.

Susan Taylor: I do remember that.

Commissioner Abell: They dismissed me from the room. We are tied into a five year contract with Welborn because of their decision made that night. We have very limited choices on what we can do here.

Susan Taylor: Right.

Commissioner Abell: We can't go out and look at Anthem again. We would love to. I would love to, because I don't like Welborn, but that's not one of the choices we have. We have to work within the box that this Commission was given.

Susan Taylor: Right.

Commissioner Abell: This Commission was given a five year contract, that I think started in 2009 and we'll complete in 2013. Then we can look at other carriers, and maybe be able to cut some of these costs. Welborn came back to us with a tremendous premium, and if you follow the County Council hearings, you heard Mr. Shetler even indicate we may have to go to a \$2,500 deductible.

Susan Taylor: Right.

Commissioner Abell: Which went through the Civic Center about as quickly as any disease could. I got phone calls on that from many of you who know me, and said, what is this all about? That was when I sat down with Torian Hofmann and said what is the least impact we can make on the employees and still get below the \$10 million that the Council has given us? We don't control what the Council gives us—

Susan Taylor: Right.

Commissioner Abell: –they gave us \$10 million, we had to fit something into it. Or, we could have said, we don't want to change the coverage, what's it going to be like at this? You would have had to pick up everything over \$10 million, because we only have \$10 million granted to us by the Council. So, we're working under constraints too, which is why we went really far out to try to find what's the least coverage used by the least number of people. There will be some people impacted, but out of the total number of people, it's the least impact that we could come up with.

Susan Taylor: I agree, I just want to know what the bottom line is, so that might help Mr. Gries of how much a year are we paying the brokers? No matter who they are. I haven't had any–

President Winnecke: Well, the county doesn't pay the broker anything.

Susan Taylor: Welborn does, so that is–

President Winnecke: The arrangement is, Mr. Flittner, I think I've understood you right, Welborn has the ability to either use a broker, in this case your firm, or they could administer it all in-house. They elect to use a broker, and that's negotiated between your firms. Our, meaning the county's, bill and premium is from, is through Welborn.

Tony Flittner: It's through Welborn.

President Winnecke: Not with your agency.

Susan Taylor: So, Welborn pays them?

President Winnecke: Welborn pays them.

Susan Taylor: Okay–

President Winnecke: As did Old National, or, that's how Old National was compensated also.

Susan Taylor: Right, okay–

President Winnecke: Not directly by the county.

Susan Taylor: The only other question is, is how are part time employees, Susie gets some part time employees in there, Marsha had them in there, that make \$10 an hour or whatever, they are not offered benefits, because they are considered whatever, but yet part time employees that work either for the Prosecutor's office or for the Public Defender's office are offered those benefits. I don't see anything in the county handbook that determines how those are, so, what I want to know is who decides who are offered those benefits?

President Winnecke: Well, I'm not sure of those inequities, but we'll look....I don't know. We'll look into that, and that's worth clarifying.

Susan Taylor: Okay, thank you guys very much. I appreciate you guys trying to keep it low.

Tiffany Brown: Hi, I'm Tiffany Brown from the Clerk's office. I had a question, they have all these changes and they're saying how much beneficial it is that I understand we had to have a cut, but it doesn't show, you said anything possibly that is over \$10,000,000 we could have paid. For all we know that that side of it could have been \$25 more a person, versus all of this big change. He made a comment about the emergency room and urgent care, I don't think with these type of people that we would just go do that just freely. I know I won't go to the emergency room unless I just know I have no other choice. That's a big, drastic change on that, for one. Then, as far as going to the doctor, you made a comment if you broke your foot, well, first of all, from experience you have to go to your doctor first, then they have to tell you to go to that other doctor, so that's two co-pays right there, the \$20, your \$30 and then, of course, most likely that other doctor for the foot is going to want to see you again. So, those changes right there are not beneficial to any of us, plus for ones with family, you can't assume that with a family rate that is going to be beneficial per person. That's like, most of that seems like it's double over what it was. Me from having cancer recently, those extra doctor visits, there's no way I would be able to do that. So, I won't be able to go to my regular treatments. Not speaking for others, but there are others who are, previously from cancer and other treatments that they still have to continue with those prices like that, we'll have to cut them out, completely. So, instead of going to the cancer doctor on my three months, I'm going to have to wait a year, because I wouldn't be able to afford each visit. So, did anyone, my question, did anyone see the cost of us paying a little extra, like we've been doing every year because of the cuts, we understand it has to be done, for one we're not able to get raises, fine, the insurance was going to go up, so, did anyone see if a price on that, instead of changing all of these added on to each employee would be easier on us? Since the economy is so bad and everything has gone up, has that even been thought about?

Commissioner Abell: My understanding that you're saying you would rather see us leave the coverage as it is and charge the employees more for their coverage?

Tiffany Brown: It might be a lot cheaper. Yeah, that's right, because we go paycheck to paycheck, it might say if you get a situation that could come up in any household, you're out \$1,000 that you don't have versus paying an extra \$25 a month on insurance.

President Winnecke: So, just, again, just to clarify, you're asking would we consider raising, changing the balance of the employer/employee premium from 92/8, 92 percent county, eight percent employee to something higher on the employee side?

Tiffany Brown: If it is a lot cheaper than this.

President Winnecke: I'm just asking if that's what you mean.

Tiffany Brown: Well, I mean, yeah, if I'm paying \$100, and it may be beneficial to raise it to \$125, instead of all these extra changes, it may be easier for an employee to do, yes.

President Winnecke: Okay.

Tiffany Brown: If we saw that next to each other and say that might be more doable for, you know, me as a person and other single people or families that have children, that's per person. That's extremely high.

President Winnecke: Okay, Tony, could you address sort of the economics of that?

Tony Flittner: Well, of course, we can look at that, but, you know, we've, and I think we've talked about this, you know, no pay raises, money's tight, I don't think the idea of more premium dollars out of the employee's pockets was real popular. You guys were kind of adamant, Tony, we've got to figure out how we don't cost them anymore money, in anyway that we can. Now, I know that these out-of-pocket limitations do cost money, but it's, there's so many components to all of this, we can easily leave the plan the way it is. That would be the easiest thing to do, the question is the money.

Tiffany Brown: (Inaudible) the plan as it is for them to do the things we need to do now. The changes of medication, any little thing we have problems with them now. So, even, you know, if this went through, trying to get things through and to deal with them, that would be even more, I think, harder, on all of us to do. I'm sure others may want to speak on that, but it would be simpler to me if I paid a little more than trying to go through all of these extra deductibles, because I have more than one person on my plan. If you look at it as a family point, having more than one person on the plan, this is unaffordable.

President Winnecke: Okay, thank you.

(Applause)

President Winnecke: Next, anyone else?

Karen Pickett: Karen Pickett. I just wanted to know what our monthly insurance premiums are going to be this coming up year coming out of our check? Is that what you were talking about, what's coming out of check? Not the 90/10, but what increase of what is coming out of our check each week, each bi-weekly instead of doing all that. We don't know what our premiums are going to be coming out. Are those going up too?

Tony Flittner: Okay, if you leave the plan design the way it was, the rate increase is nine percent, which, by the way, we negotiated down with Welborn Health Plans, and Welborn Health Plans was congenial in working with us on an extra two percent that they could have loaded into the increase. Anyway, it would be, the increase would be nine percent straight up, if you keep the plan design the way it is, or you change the plan designs and it raises the premiums just 3.3 percent.

Tiffany Brown: So, you're raising it twice this way. You've raised the premium, plus this.

Tony Flittner: Uh-huh.

Tiffany Brown: So, that's even more on us.

Tony Flittner: I understand. I understand, but, you know, if you look at all of the numbers, you look at the claims experience, the medical charges that are being processed and paid by Welborn Health Plans, it's all pretty simple math. I mean, they have to pay the claims, and as the claims go up, the premiums have to follow. There's just no way around it. There, everybody's already working on as low a margin as they can right now. So, it's being caught between a rock and a hard place.

President Winnecke: Okay, so just so everyone clarifies, with these proposed changes the rate increase is 3.3 percent–

Tony Flittner: For plans one and two.

President Winnecke: For plans one and two, correct, and if we made no changes to the plan, it would be nine percent–

Tony Flittner: Straight up nine percent.

President Winnecke: Straight up nine percent.

Tony Flittner: Uh-huh.

President Winnecke: Okay. Okay, who's next?

Mary Ann Weightman: Hi, I'm Mary Ann Weightman, County Clerk's office. The bottom line is, we would like to know how much is going to come out of our check? Right now, I think I pay \$110 a month for my husband and myself, what's my new premium going to be?

President Winnecke: He just said it's going to be 3.3 percent higher if we approve these changes.

Tony Flittner: If you have plan one or two, it's 3.3 percent. If you have plan number three, which again, only about 15 people out of 850 have plan three, that rate adjustment is 5.7 percent. If you're in plan four, which nobody is, the rate increase is nine percent. So, it depends on which plan you are in.

Mary Ann Weightman: Okay, so, if we change my, I'm going to pay like \$114?

President Winnecke: I'm sorry, could you speak a little louder?

Mary Ann Weightman: If we make this change, I'm going to pay \$114–

President Winnecke: Three percent–

Mary Ann Weightman: –instead of \$110? If we stay the way we are now, I'm going to pay \$120?

Tony Flittner: Essentially.

Mary Ann Weightman: So, you know–

Tony Flittner: But–

Mary Ann Weightman: – I think everyone would rather pay that extra \$10 a month and stay with what we have.

(Applause)

Mary Ann Weightman: I mean, \$10 a month is \$120 a year. It's a lot less than this. You have girls trying to support their children on \$10 an hour, that just came in working. They work really hard, we don't get raises. They're just trying to live.

President Winnecke: Okay, thank you.

Mary Ann Weightman: Thank you.

(Applause)

President Winnecke: Who's next? Would anyone else like to speak? You're welcome to.

Cory Hadley-Hurt: I just had a question.

President Winnecke: Hey, Cory, could you come up so we can get you on the record.

Cory Hadley-Hurt: Will this new plan coordinate benefits with other plans? I carry two insurance policies due to the fact that I did have bariatric surgery and now Welborn won't cover it because it's not on the new plan. My labs each year are approximately \$3,000, so I have to carry two plans. Will this coordinate benefits with my primary plan?

Tony Flittner: The answer is, this plan really is, it's the same model or the same chassis as your current plan. It is Welborn Health Plans, it's the same plan, it just incorporates some new components; deductibles, so, coordination of benefits and all those sorts of things will be the same thing. What, I would like to really encourage you to contact us and see how we can help you. We help people all the time with their, with problems, maybe a doctor files the claim incorrectly, maybe the insurance carrier thinks you have other coverage that you don't. There are a lot of different things that can happen that can make a claim maybe not get paid when it should be paid.

Cory Hadley-Hurt: I'm well aware of claims issues.

Tony Flittner: We would be glad to help you.

Cory Hadley-Hurt: I'm well aware of claims issues. I'm a process expert for the largest insurer in the country.

Tony Flittner: Okay.

Cory Hadley-Hurt: So, but this is going to cause us to essentially meet two out-of-pockets. We don't seem to have these problems, but Welborn does.

Cheryl Carlisle: Cheryl Carlisle. I would just like to ask, before you vote on it, if you could add on this sheet, which should have been done anyway, the rate that what it would be and what it was. So, like if, you know, we would go with the 9.9 if you are single, family, or whatever plan you have, what will it cost? Show us in black and white.

President Winnecke: I suspect we can get that for you very easily.

Cheryl Carlisle: Because, I mean, really today a lot of us were saying, well, what's the rate, you know?

President Winnecke: Tony, can you get that and then forward that to the Commissioners office so Marissa can send that out?

Tony Flittner: Yeah, we have, you know, we have the total rates, and, I think, Jane Laib in the Auditor's office does the calculations on what the employee cost is. So, that usually generates out of there. I'll coordinate with her and we'll get it done.

President Winnecke: Could that be distributed tomorrow to the employee group?

Tony Flittner: Sure.

President Winnecke: Okay.

Ted C. Ziemer, Jr.: I just, Tony, maybe I don't understand this, but for the young lady that was up there saying that her premium was \$110 a month, and the 3.3 percent of that is \$3.63, so, her monthly premium would go up from \$110 to \$113.63. If it went up nine percent instead, the \$110 would go up to \$119.90.

Tony Flittner: Right.

Ted C. Ziemer, Jr.: Are you saying that, if it were possible, that she paid \$119.90 a month instead of \$110 and everyone else did the same thing, the plan could stay exactly as it was in 2011?

Tony Flittner: Yes and no. Not everyone's premiums are the same. She may have single coverage, she may have family coverage. There's a wide disparity between those two coverages, the premium difference is large.

Ted C. Ziemer, Jr.: Okay, I'm sorry, I thought it was going to be kind of nine percent across the board.

President Winnecke: What you're saying—

Tony Flittner: It's nine—

President Winnecke: —the percentages would be equal across the board—

Tony Flittner: The percentage is equal, yes.

President Winnecke: —but, different plans would be—

Tony Flittner: Yeah, different people who have different family make-up, different dependents that they, levels of dependents that they cover, they're—

President Winnecke: If everyone would...shhhh.

Tony Flittner: —premium, you know, maybe one individual's premium costs for the employee is \$110 or whatever, maybe for others it's \$175. So, you know, does that person who's premium costs \$175 wants you to stack nine percent on top of theirs? And, can the county pay the nine percent stacked on top of the 92 percent of the premium? That's the question.

Commissioner Abell: See, that's the issue.

Tony Flittner: It was fine with me if you'd leave it the way it is.

Commissioner Abell: The big money is not the nine percent of the employee's eight percent. The big money is the nine percent of the 92 percent that the county pays.

Tony Flittner: That's the way I understand it.

Commissioner Abell: That's where the big numbers come in.

Tony Flittner: Right.

Commissioner Melcher: So, it's nine percent of (Inaudible)?

Commissioner Abell: So, what they would have to pick up to make this work would be their nine percent and the county's nine percent of 92 percent.

Tony Flittner: Right.

Commissioner Abell: Yeah, which is—

President Winnecke: A lot.

Commissioner Abell: —pretty substantial. But, we can look at the numbers.

Commissioner Melcher: So, it's a nine percent over the 100 percent of it?

Commissioner Abell: Yeah.

Tony Flittner: Take the total cost and add nine percent onto it, and then start dividing it up, what the county pays and what the employee pays.

Commissioner Melcher: Well, maybe that's the figure you ought to do.

Tony Flittner: We've shown that to you.

President Winnecke: We've seen that.

Tony Flittner: We've shown that to you .

Commissioner Melcher: Okay.

President Winnecke: Who else from the audience who has not spoken tonight about the insurance issue would like to? By the way, we're not going to vote on this tonight. Let me, just as you're thinking about whether you want to speak or not, we got this, these figures late before our meeting last Tuesday, and we opted to not vote on them in order to give all of the employees as much time as possible to learn as much as possible about it before we voted on it. Joe and his staff agreed to extend the open enrollment period, just so we could have, so people could learn, again, as much as possible. We have scheduled a meeting, and, you know, we could continue it or not continue it, it's the pleasure of this, I'm one of three, we have scheduled a special meeting to vote on it this Thursday at 4:30. So, there's not going to be a vote tonight on these proposed changes. Certainly, everyone's given us a lot to consider, and we may or may not move forward, we have to move forward quickly on something, because Joe and his team have to begin the open enrollment process.

They are under the gun for that. Tony can speak better to it, but this is just sort of the nature of how the insurance industry works, it's, we were up at the 11th hour last Tuesday and we thought best not to vote on it then.

Tony Flittner: That's right, you know, of course, there are time constraints. The insurance carrier would really like to have a longer period of time to collect claims numbers before they tell you January 1 what their rates are going to be. We asked them at the beginning of October to tell us what the rates are going to be for January 1. At the time, your claims experience is at one level and they base their numbers on that. I just got the claims experience for this month from Vanderburgh County and the percentage went up, your claims experience was running at about 96 or 98 percent of premium this month. So, they would have liked to have had a lot longer time to look at it than they had. So, you know, there are time constraints, and everybody's hurrying trying to do the best job that they can.

President Winnecke: Would anyone else like to speak before we move on in the agenda?

Vanessa Melton: Vanessa Melton, County Clerk's office. Marsha said that we were locked into Welborn for five years. So, what is there really to vote on? I mean, is this our only option to either keep this, what we have, or go with this? Is that the two options that there is to vote on? Because I've never had an HMO that had a deductible, that would have to change the name of that, right?

Commissioner Abell: Our only options are what Welborn will let us do. We don't have the option of moving out of the Welborn plan and going to somebody else. So, pretty much what we've shown you is what we can do. Or, if you want to pay more, we could do that. I think option, Mr. Ziemer's got some numbers on, maybe is not what you're going to want, but, you know, we were given, it's just like you go to the grocery store, if you've only got \$30, you can only buy \$30 worth of groceries. We've only got \$10 million. We've got to make something fit into that \$10 million. This was the best we could come up with that would fit into \$10 million.

Vanessa Melton: So, the nine percent increase to what we're paying out of our checks every time, it could stay the same as this, but that's going to put us over the \$10 million, is that what you're saying? So, it would be actually more than nine percent. It would maybe be 15 percent per person?

Commissioner Abell: Well, no, when they came and said your increase this year is going to be nine percent, the Council said we're not going to spend that kind of money. We will spend this amount of money, which ended up to be, they agreed to a three percent increase, which is why we had to work backwards then to find what fits in \$10 million. \$10 million is a little more than last year, but it's not anywhere near the nine percent increase that it was supposed to be. So, we had to fit something into that \$10 million, which includes a three percent increase, for us and for you, but a three percent increase for us is a lot. On \$10 million, you can imagine, in fact, Mr. Ziemer, why don't you, you did a few figures.

Ted C. Ziemer, Jr.: We were just, going back to the lady who spoke and said she had a \$110 premium, and hers would only, would go up \$9.90. Well, if her premium is \$110, the county's portion of that premium is, let's say, roughly \$900. So, nine percent of \$900 would be 90 whatever, you know, 81, \$81 that the county's premium would go up. That times all of the employees in the county is what gets us way above the limit that the County Council set. So, it's not as easy as going back and

just saying we're only going to increase the \$110 to \$119, because that wouldn't pay for it.

Vanessa Melton: Right. I understand that, I would, however, like to pay a little more out of my check than have to pay the \$1,000 deductible per person. There's no way I could afford that. I have insurance through my husband's work also, so this is supplemental for me, but I know for many of these people out here it's not, and they have no choice, they have to have insurance. I just don't see how it's affordable. I really don't.

President Winnecke: Thanks, Vanessa. Anyone else? Okay, before Susan, okay wait, anyone else who hasn't spoken yet? I'll let you speak, I just want....okay, go ahead, Susan.

Susan Taylor: Okay, if \$10 million is what you've got, can we also see figures that maybe we would have to pick up 15 percent? Whether we're only paying eight now, we get it, and then you guys get the higher thing, what if we helped with that cost? That might still be cheaper than this.

President Winnecke: I'll be honest with you, this is the first time anyone's asked to consider paying a higher premium. I mean, I'm not being a smart aleck. I just, no one's asked that of me.

Susan Taylor: Well, I mean, you know, if it's more cost effective for us, we're just looking at a bottom line. The county's been generous over these years of only making employees pay eight percent, but if we could help out and it would still save us to get us all to the same \$10 million goal, could we see those figures?

President Winnecke: Tony, is there anyway you could address....I mean, do you have that off the top of your head?

Tony Flittner: No, I don't. I don't have that, but it's going to be some pretty simple math. We just need to go back and look at the total numbers, and back it in and see how you get down to the numbers the county can afford. It's just going to shift more of the cost share of the premium onto all of the employees, and whether or not every employee thinks that's a good idea. I don't know.

Commissioner Abell: That's also going to be an issue. Not every employee is going to agree with you.

Susan Taylor: Right, right.

Commissioner Abell: Because there are a lot of employees that don't use their insurance at all. So, you know, they're not going to agree with you. So, you know, you've got to understand, we have to weigh both.

Susan Taylor: Right.

Commissioner Abell: Okay.

Susan Taylor: Thank you.

President Winnecke: Thanks. Anyone else before we move....Bill, are we to the Drainage Board already?

Bill Jeffers: Yeah. I was hoping I could get it in now and leave.

President Winnecke: So were we.

Bill Jeffers: Well, how much money are you all looking for over the \$10 million you've got?

Commissioner Abell: The rate came in, Ms. Deig, do you remember what the first insurance rate came in at?

Sandie Deig: No, I don't. The \$10 million is only the General Fund, it doesn't include the Highway, the Health Department—

Commissioner Abell: Right.

Sandie Deig: — or any townships or anything like that.

Commissioner Abell: So, it's actually more than \$10 million.

Bill Jeffers: But, I mean, nobody can give us the figure of how much you want from the employees.

President Winnecke: Well, we hadn't gone—

Bill Jeffers: Or the insured employees, how much do you want from us?

President Winnecke: Well, we hadn't gone down that path thinking we would keep the premiums the same.

Bill Jeffers: Right, because for every million dollars you need about \$1,175 a year. For every million dollars that you want us to, you know, kick in, you need \$1,175. So, that would be the increase. 850 into a million dollars is around \$1,175. So divided by 12 that's 90 something dollars a month that you're going to want, if you only need a million dollars. But, I mean, I've heard figures you need a million, I've heard figures you need two million. How much do you need?

Commissioner Abell: Well—

Ted C. Ziemer, Jr.: Do you mean to keep it the same?

Bill Jeffers: Yeah, to leave it the same, how much do you need? Can't this man tell us how much you need to leave it the same? How much more you need. Whether you pay it or we pay it. That's all I'm asking, because it's not going to be \$10 or \$20 a person. It's going to be 90 something dollars a person per million. So, that would be a starting point between now and Thursday. If that's what the employees want, if they want to pay the extra premium to keep it the same, then it's going to be 90 something dollars a million, more or less. But, I mean, you have to have those figures before—

President Winnecke: We'll work, we'll get them. We don't, like I said, this is—

Commissioner Melcher: We could have those figures for our meeting.

President Winnecke: Yeah, yeah. Anyone else that would like to address insurance before we move on? If not–

Commissioner Melcher: Well–

President Winnecke: I'm sorry, go ahead.

Commissioner Melcher: We need to remind them, we're going to have a meeting Thursday–

President Winnecke: Right, Thursday at 4:30.

Commissioner Melcher: – at 4:30.

President Winnecke: We'll probably be in room 307 instead of this room, because this room is already occupied. Stand by. Okay, hold on one second, you might be interested in this. Mr. Gries and Mr. Ziemer advise, since there's little time between Tuesday and Thursday, we could possibly hold off and vote at our, do it at our November 15th, or are you talking about having a special meeting a week from–

Joe Gries: The following Thursday.

Ted C. Ziemer, Jr.: I thought you thought we could do it on the 15th.

Joe Gries: Well, I mean, we'll get it done no matter what, definitely, but if you wanted to wait another week from this Thursday to then vote on it at a special meeting at that time.

Ted C. Ziemer, Jr.: My thought was, once the numbers are made available, then really, as someone pointed out already, people who don't use their insurance at all, are going to be in favor of the lower–

President Winnecke: Premiums.

Ted C. Ziemer, Jr.: –employee payment. People who use it a lot are going to want the higher employee payment. I don't know how you're going to judge, or find out which way to go on that, unless you survey the employees or something.

President Winnecke: I mean, I could, we could do it Thursday or a week from Thursday. I mean, I think we're just trying to make the most up-to-date information available to everyone before we make a decision. So, if it's going to take, you know, your office a little longer, if you get that information to us by midday tomorrow–

Joe Gries: We'll work through that, and then we'll get it out and make sure it's out to everybody.

Commissioner Melcher: I would rather meet Thursday, just to go through the numbers and that, because we already know what they're saying. That way if we had to pick another timeframe, I would rather have a calendar here so we could check what's happening on that Thursday.

President Winnecke: So, you're saying go ahead and meet Thursday, but maybe not vote?

Commissioner Melcher: Yeah, maybe not vote on that. I don't think we, I think we need to see what the figures are and look at it. But, I agree, there's going to be a lot of people that won't want to increase this, because we were trying to do that. I do agree with Marsha, when I came on this was already done, and everything I heard was get rid of ONB. Then when I met with both sides, I was more impressed by the company that we have now than I was ONB.

President Winnecke: Okay, just in the interest of moving this along, we'll meet again Thursday in a special meeting, we'll consider whatever new data we have, and we may, at that point, decide to vote on these changes, or, if we have additional feelings by this Body we could delay the final vote a week. I think beyond that puts your team really in a box, wouldn't it, Joe?

Joe Gries: It would be a little more, actually a lot more difficult to get it done, because you also want to offer the employees time to discuss it with their families—

President Winnecke: Sure.

Joe Gries: —to make their decisions, and the deadline is kind of the deadline, so, otherwise we're not going to be able to get the changes into our system to have the deductions for December to make our premium payment in January.

President Winnecke: Okay, thank you everyone. I appreciate your patience, and you're welcome to come back Thursday at 4:30. 4:30 Thursday and probably in room 307. Tony, thank you. Andy, thank you.

Unidentified: Somebody wanted to say something.

President Winnecke: Oh, who was that?

Unidentified: Jane. She said no.

President Winnecke: Okay, sorry. I asked a lot.

DADS Office Move to OCH Discussion

President Winnecke: Okay, next the DADS office move discussion. Kyle?

Deloris Koch: Deloris Koch with the Drug and Alcohol Deferral Service.

Kyle Bernhardt: Kyle Bernhardt with F.C. Tucker.

President Winnecke: Good evening.

Deloris Koch: Good evening.

President Winnecke: Kyle, do you want to start?

Kyle Bernhardt: Sure. What you guys have in front of you is just some numbers that were presented to us in reference to moving the DADS program from their existing facility into the Old Courthouse. The numbers that you guys have are an estimate based on the build out needs for the space that we've got available in the Old Courthouse that would fit their needs. It's on the second floor, and that was provided

to us by Danco Construction. They came in and did an estimate for what the DADS program would need to set up their office there, and then as well you have the information provided from John Staples about the Information Technology needs that the DADS program would have to have put in place to relocate into the Old Courthouse. What was presented to us, to myself from Deloris was that the County Council, I guess, was asking for them to go into a county owned building to eliminate paying an outside person rent—

President Winnecke: Right.

Kyle Bernhardt: – to try and save the county some money that way. They really stressed that they wanted to put them into the Old Courthouse if at all possible. So, what we're trying to do is just present you guys with some figures on what it would take to get them in there. The only space that we really have available now that would suit them, to see if there's any possible way to get any funding for that.

President Winnecke: Deloris, remind us, when is your lease up.

Deloris Koch: We're going month-to-month.

President Winnecke: Month-to-month, okay, and your annual rent payments, \$15,000?

Deloris Koch: It's \$1,275 a month. I think it comes out to \$15,300 a year, I believe.

President Winnecke: Okay. You know, I have no problems, in theory, of moving your operation to the Old Courthouse. I'll bet you, a dollar, that the County Council wasn't anticipating \$134,000 build out expense to move you in there.

Commissioner Abell: I won't take that bet.

President Winnecke: What I would propose doing is tabling this for the time being, so that we can sit down with the County Council and kind of get a feel for, you know, just how badly they want you in there. But, I suspect that they do not want to make that kind of investment to build it out. So, if it pleases this Board, I would....Ted, would we need a motion to table it?

Ted C. Ziemer, Jr.: Yes, but I just had one question. Are you, your landlord, who is your landlord?

Deloris Koch: It's Youth, Incorporated, a non-profit organization bought the building that we're in. We pay them directly.

Ted C. Ziemer, Jr.: Okay, and are they giving you any problem about continuing on a month-to-month basis at this point in time?

Deloris Koch: They're not complaining at this time.

Ted C. Ziemer, Jr.: Okay. Alright, thank you very much.

President Winnecke: I would...oh, Steve, go ahead.

Commissioner Melcher: I'll go ahead and make the motion that we table this, because when I seen that build out price, I thought maybe we need to think about this.

Commissioner Abell: I'll second that motion.

President Winnecke: A motion and a second to table. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

President Winnecke: Okay.

(Motion approved 3-0)

Commissioner Melcher: Then there's other costs to it.

President Winnecke: More to come.

Deloris Koch: Oh, there will be other costs.

Commissioner Melcher: There's going to be other costs.

Deloris Koch: The rent itself, for moving.

Commissioner Melcher: I agree.

President Winnecke: We'll be back in touch.

Deloris Koch: Okay.

Kyle Berhnardt: Thank you.

President Winnecke: Thanks for staying with us. I appreciate your patience.

Deloris Koch: Thank you.

Superior Court: CCD Appropriation Request for Vehicles

President Winnecke: Okay, Superior Court. Bernie, you're back.

Bernie Faraone: Yes, Bernie Faraone. I'm back. I came back, hopefully better prepared. I'm here representing the Juvenile Division of Superior Court. When I appeared last week and submitted our request to purchase three vehicles, I learned that the proper method, because of the overall amount that we were requesting exceeded \$50,000 that to purchase three vehicles costing over \$50,000 there was a requirement that we get three quotes from three different dealers on the vehicles we were asking for. I was able to do that, and got it in, I think, under the wire. I would appreciate it if you would accept those. At the same time, what we did is, our office took a look at what we were requesting and what would fit our needs and also fit the needs for county government, County Commissioners, each office's budget and see if we could reduce that. We've altered our request from a total amount requested from the Capital Cumulative Development Fund from \$75,000, we cut off almost

\$17,000 by changing the type of cars that we're asking for. We're asking for a couple of Ford Fusions, that saves, I think, almost \$6,000 per vehicle, and will get better gas mileage, and we could get along with those.

President Winnecke: The number is definitely going in the right direction.

Bernie Faraone: Yes, yes, I was hoping.

President Winnecke: Thank you, Bernie.

Commissioner Melcher: Not to drag this out, but I noticed they're in Bloomington Ford, and they've got the cheapest price? Did you actually go there?

Bernie Faraone: No, they're actually a few dollars over.

President Winnecke: Ford Town and Country is the lowest.

Commissioner Melcher: Oh, okay. Alright.

President Winnecke: By about \$300.

Commissioner Melcher: I guess it's my tri-focals now, but I just thought that was a little way to go, because we—

Bernie Faraone: Oh, I tried—

Commissioner Melcher: —I know where I work at we go back and forth with different companies, and it seems like it's Town and Country, the Ford dealership in Mt. Vernon, I mean, that's all local.

Bernie Faraone: I tried probably about ten different local and a couple in Kentucky in Henderson—

Commissioner Melcher: Okay.

Bernie Faraone: —the sticking point was, most Ford dealers don't have access to the Crown Vic model anymore.

Commissioner Melcher: Okay.

President Winnecke: Right, at this time I would entertain a motion to approve the expenditure of \$58,050 from the CCD account to purchase the three vehicles requested by the Vanderburgh Superior Court Juvenile Division.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or further discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: So, this will go to the County Council now for it's approval. Mr. Gries will see that that happens.

Bernie Faraone: That occurs when?

Joe Gries: The appropriation request will be put in by Marissa here shortly, and the Council will hear that in December.

Bernie Faraone: The December 1st meeting or something?

President Winnecke: The first Wednesday of the month.

Joe Gries: Yes, I think it's the 2nd.

Bernie Faraone: Okay, thank you very much.

President Winnecke: Thank you, Bernie. Thanks for your patience.

**Interstate Crossing Subdivision: Rexing Right-of-Way Agreement
Legal Services Agreement with Reed Schmitt
Superior Court: Agreement with Joshua Weber (Deferred)
Superior Court: Agreement with Christen Kelley (Deferred)
Sheriff: Sir Vend-A-Lot Contract**

President Winnecke: Okay, next, Interstate Crossing Subdivision, Rexing right-of-way agreement. Ted?

Ted C. Ziemer, Jr.: This is a, has to do with the development of Interstate Crossing Subdivision. To develop the subdivision it appears that there is a 16 foot wide roadway owned by the Rexing Family, which provides them access from their real estate east of this subdivision to Highway 41. To do the development the developer is asking the Rexing's to deed that property to the developers. The Rexing's are willing to do that, but that would put them without access from their property to Highway 41. The developer is putting in roadways in the subdivision that, if used by the Rexing's would provide them access from their property to Highway 41. That satisfies them. They're concerned however about the possibility that the county might, at some point in the future, vacate those roadways, and in the event of a vacation titled to the vacated real estate goes to abutting landowners. If that happened the Rexing's would again find themselves without any access from their property to Highway 41. So, what they, the developers have crafted with the Rexing's is an agreement that, in the event of the vacation of those roadways, the developers and their successors in title are agreeing that they would waive any right as abutting landowners to the vacated roadways, and have agreed to quit claim their

right, any right they might have in those vacated roadways to the Rexing's. To be super sure, the Rexing's are asking the county to also quit claim the vacated right-of-way to the Rexing's. Since, in the event of a vacation, the county has no interest in the vacated real estate anyway, it's my opinion that they'll have no interest to give the Rexing's. However, a quit claim deed is a document that conveys what you have, and no more. If you don't have anything it doesn't convey anything, so, if this gives comfort to the Rexing's, I see no problem with the Commissioners doing it. We recommend that to allow this to go forward that the Commissioners consider approving the agreement.

President Winnecke: I would entertain a motion to approve as presented by Mr. Ziemer.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Ted. Next we have before us a legal services agreement with Reed Schmitt. This is an agreement for services for Mr. Schmitt to perform legal services for Steve Owens in response to a Freedom of Information Act request of Mr. Owens in the Public Defender Agency. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, Superior Court, an independent contractor agreement with Joshua Weber for computer programming services at the rate of \$17.50 an hour. I would consider a motion to approve.

Commissioner Melcher: So moved.

President Winnecke: Second. There's a motion and a second. Questions or discussion?

Commissioner Abell: Yes, is there someone here to address this? Why are we doing any independent contracting agreement on computer services when we have a contract with MRC?

Ted C. Ziemer, Jr.: I can't answer that, Commissioner Abell. I don't know the nature of the services that this individual is going to provide, but what is it, how do they describe it?

President Winnecke: It talks about being paid for out of a grant, out of grant fund 137G.

Ted C. Ziemer, Jr.: Yeah, it isn't going to come out of the General Fund, but that's a good question. If those are services that our IT Department can provide, then...and that's only in the case of one, that's Joshua Weber. Perhaps you would want to consider maybe approving only the Christen Kelley agreement, and table the Joshua Weber agreement so that we can ask the court to provide more information on the nature of those services.

President Winnecke: You know, actually, since no one is here from the Court, I would be okay with tabling each of those until someone came back before us.

Commissioner Melcher: It was my understanding that the Courts didn't use him as much, MRC as much, they had their own.

Commissioner Abell: Well, they don't, and they do use him and they're going to have to use him more.

Commissioner Melcher: Okay.

President Winnecke: Madelyn, did we have a motion and a second?

Commissioner Melcher: Yes.

President Winnecke: I would entertain a motion to remove the motion.

Commissioner Melcher: I'll second that.

President Winnecke: No, you'd be okay with removing your motion?

Commissioner Melcher: Yes.

President Winnecke: Okay, and I'll remove my second. So, I would now entertain a motion to table each of these items until further notice.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Ted C. Ziemer, Jr.: I will advise the Court of your concerns and that you would like to have somebody be at the next meeting, November 15th.

President Winnecke: Next, we have a contract with Sir Vend-A-Lot for the provision of vending services for the Sheriff's Office. The vendor will provide vending machines and keep the machines stocked at no cost to the county, except for the vendor being able to keep the payments made into the vending machines. If the service is ever unsatisfactory, the county has the right to terminate for any reason at any time. Mr. Ziemer, did you have any other comment on that?

Ted C. Ziemer, Jr.: No, only to say that I thought that with a vendor name like Sir Vend-A-Lot you would almost have to approve it.

President Winnecke: Touche. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed?

(Motion approved 3-0)

President Winnecke: Thank you.

County Engineer

President Winnecke: Department head reports, John? Thanks for your patience tonight.

John Stoll: First I have two notice of termination letters for IDEM for Rule 5 coverage on the Baseline Road Bridge project and the University Parkway project, Phase II. These notice of termination letters are requirements of IDEM, they terminate the Rule 5 permit coverage, which is basically the erosion control aspect of the projects. University Parkway just finished up in the last couple of months and I just failed to submit the Baseline Road Bridge that should have been submitted some time ago.

President Winnecke: I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

John Stoll: The only reason it's coming to the Commissioners is that the Commissioners are listed as the project owner. Otherwise, I would have signed it and you wouldn't have had to deal with it. The other item that I have is a change order on the concrete repair of various roads project. This is an increase of \$32,955.43. The reason for the increase was in Greenbriar Estates Subdivision, as the areas that were planned to be patched were removed voids were found in the abutting sections of the road. So, the abutting sections of the road were removed, the voids were replaced with rock and then new concrete patching had to be done.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: John, anything else?

John Stoll: That's it.

President Winnecke: Thank you.

John Stoll: Thanks.

President Winnecke: Darren, did you have anything to say? Or just sitting back to observe? Swelling the crowds.

New Business/Old Business

President Winnecke: Any new or old business to come before the Commissioners?

Commissioner Melcher: I do have one thing. I think we might have just found out that I guess the, and I'm a member of this party, the Vanderburgh Democrat Party owes some money to a local group here in town about a fundraiser they had. Also, I understand they owe the Centre also. Since they owe the Centre, my understanding is they're making payments. I'm going to try and check on that tomorrow. So, Darren, I'll be getting with you. If you could get me a detailed spreadsheet on what the total was, how much we paid out, how much they're paying you, and how much they're behind. I understand this happens over there, and that might be something that the Commissioners might want to look into in the future. You've got other groups that they can't afford to pay it all at one time, maybe we ought to have another policy where they pay 50 percent down, and then so much before the date of the event. Because of that, I think it needs to be on record that we're going to look in to it. I'm very concerned about this. Thank you.

Public Comment

President Winnecke: Any other, any public comment to come before the Board this evening? Hearing none.

Consent Items

President Winnecke: I would consider approval, a motion to approve the consent agenda.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Madelyn?

Madelyn Grayson: The consent items for the November 1st meeting are as follows; approval of the October 25, 2011 Commission meeting minutes; employment changes for the Commissioners approval, there are two for Burdette Park and one for the County Highway; the Commissioners have the Centre December 31, 2010 financial report; the Commissioners have two appropriation requests both for PERF, one for account 1260 Drainage Board and one for account 1300 Commissioners; Evansville ARC has the September 2011 report of activities and meeting minutes; the Assessor has a waiver of Centre fees/not overtime for IAAO courses running from March 19-23, 2012 and October 15-19, 2012; the Sheriff has a request to surplus and dispose of a 2008 Crown Victoria and a 2000 Ford Taurus; the County Engineer has pay request number 139 for TIF projects in the amount of \$61,404.80; the Auditor has approval of the October 2011 A/P vouchers; and there are department head reports from Burdette Park and the County Engineer.

President Winnecke: Any comments or questions? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Madelyn.

**Rezoning Petitions: First Reading
VC-6-2011: Petitioner: County Rural Center, Inc.
Address: 201 E. Boonville-New Harmony Road
Request: Change from Ag to C-4 with UDC**

President Winnecke: Next, rezoning, first reading, consider a motion to approve VC-6-2011, the Vanderburgh County Rural Center, Incorporated at 201 East Boonville-New Harmony Road. It's a change from Ag to C-4 with a use and development commitment. This is a first reading, this is to send it to Area Plan Commission.

Commissioner Abell: I'll move.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Any other business to come before this Body? I would consider a motion to adjourn.

Commissioner Abell: So moved.

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
SPECIAL MEETING
NOVEMBER 3, 2011**

The Vanderburgh County Board of Commissioners met in special session this 3rd day of November, 2011 at 4:30 p.m. in room 307 of the Civic Center Complex with President Lloyd Winnecke presiding. The sole purpose of this meeting was to review, discuss and vote on the health plan and the dental plan for county employees for 2012.

Call to Order

President Winnecke: Good afternoon. I would like to call to order the special meeting of the Vanderburgh County Board of Commissioners on this November 3rd. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes, here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join me in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Review and Discussion of 2012 Health and Dental Plan Proposals

President Winnecke: Okay, this is a special meeting where, for us to consider the health employee, the county health employee benefits. We had a number of questions raised the other night, and we've asked Mr. Gries, our Auditor, to come up with some of the answers. I think he's got a presentation, I think probably enough copies for everyone that's here. We'll be glad to pass those out for everyone.

Madelyn Grayson: There's also an attendance sheet being passed around, if you would please make sure you sign in.

President Winnecke: Okay, Joe, anytime.

Joe Gries: Okay, as, Commissioner Winnecke, you asked us to kind of look at the plan, the health plan, as it was in 2011 moving forward to 2012 adding the nine percent increase that Welborn has, and Mr. Flittner has quoted as being what would be added for next year. The budgets have been set in—

Commissioner Abell: They say they can't hear you.

Joe Gries: The budgets have been set in by the Council, and what remains is, was asked of us is to come up with numbers that would show what employees would be paying monthly, and the differences in percentages that would fall with those changes. So, what we did was we added that nine percent and we came up with an amount that the employees would have to pay. The information that I used, basically, increased premiums by 66 percent. In essence, that means that—

President Winnecke: If everyone could remain quiet. I know this is, everyone wants to hear. It's a small room, if everyone could please be quiet as Joe is going through this it would be helpful, thanks.

Joe Gries: Just for, as an example, if were on plan one, tier four, which is the family plan, you would be paying an additional \$1,200 next year, that would be coming out of your paycheck. Tier three, plan one, \$776; tier two, \$816; tier one, which is just the employee only would be only about \$408. So, those are the types of increases that the employees would see if the plan remained the same, the nine percent was added to the premiums, and the employees had to take up the slack that was left because of the budget and the numbers in each of those. So, Mr. Flittner provided information from Welborn Health Plans, and it was very similar, the same kind of numbers, some of the types of, or scenarios that Welborn Health Plans came through with were even larger numbers than what we had. So, it just depends on the scenario you look at and how you go about trying to figure out, you know, who pays what. Those are the numbers that you come up with.

President Winnecke: So, it looks like, just kind of eyeballing this, at a minimum we're looking at a \$1,200 annual increase if we left every benefit as it were—

Joe Gries: Exactly the same.

President Winnecke: – and did not make any plan adjustments?

Joe Gries: That's exactly right, for the family plan that's a \$1,200 increase for people on that family plan next year.

President Winnecke: Okay. Questions of either of the Commissioners? We'll open this up for questions as we did the other night too. So, everyone will have a chance to....Steve or Marsha, would you like to say anything? You know, I think, Joe, one of the things I would like to, this is helpful....I think one of the changes that I would like to see made from the proposed changes, instead of adjusting the ER co-pay from \$50 to \$200, I would like to see us reduce that to \$100. That will only increase our cost by about \$29,000 annually. It's still an increase from \$50 to \$100, but I would think, I would hope that would be better than an increase from \$50 to \$200. That's one of the changes that I would like to see us make from the proposed plan that we had discussed on Tuesday.

Commissioner Melcher: So, do you want a motion for that?

President Winnecke: Well, let's get discussion first, and then we'll come back to that.

Commissioner Melcher: That's what I thought.

President Winnecke: Okay, who would like to speak? Brenda, if you would just state your name for the record. Oh, and by the way, I would like to acknowledge for, from

Z's office, the little petition. We have that, we'll enter that into the record. Thank you. Brenda?

Brenda Jeffers: Well, I don't, my name is Brenda Jeffers, and I'm an employee of Vanderburgh County. I can't speak for everyone, but I would rather pay more and keep our insurance the way it was. Okay, but, according to this plan, I have a concern about the urgent care, because, I mean, if it were like \$45, but someone without insurance can go into urgent care and they're charged \$60. After 5:00 you don't have a choice, they're only open till 10:00, and then the emergency room. I like that proposal to reduce that to \$100, then I think people wouldn't feel so apprehensive about taking a child that has the croup or an asthma attack, you know, or someone who is having chest pains. So, those two things really bothered me. I think maybe you should look at the urgent care amount also. Other than that, that was my two biggest concerns about the plan.

President Winnecke: Okay.

Brenda Jeffers: I mean, I'm not in favor of the 90-10 because someone who may not get a procedure that they need, and if it's \$2,500 they have to go to the billing department and pay the \$250 up front before they can have the procedure. So, for some people they won't have the money to do that.

President Winnecke: Thanks. Next, Tony?

Anthony Bushrod: I'm Anthony Bushrod. The question I've got, okay, Welborn Health Plans will be the provider, right? Where does the middle man come in at? I mean, can't we deal directly with Welborn Health Plans?

President Winnecke: We have an, they have hired, they have employed Torian Hofmann Dillow and Flittner as the broker. So, they are the broker with whom we deal, we don't deal directly with, as Mr. Flittner indicated the other night, there are two mechanisms by which Welborn Health Plans can operate. They can opt to work directly with an employer, or they can engage a broker, in this case they've engaged Torian Hofmann Dillow and Flittner, and they are the body with whom we work and with whom they work.

Anthony Bushrod: Okay, I mean, is there any reason why they've given us, working with the broker rather than directly with them?

President Winnecke: I'm sorry.

Anthony Bushrod: Was there a reason given that they're working with, that we have to go through a broker rather than working directly with them?

President Winnecke: Well, part of the issue is a workload issue for the Auditor's office. There is one person that works with, on insurance issues through the broker. At this point, we discussed this the other night also, and I think this is a good point for future discussion, I don't think we're going to solve that in this insurance discussion, but I do think it's worthy of examination whether the county can afford additional, what additional resources the county would need so that we wouldn't have to work with a broker in the future. But, I think that's to be determined, with input from the Auditor's office.

Anthony Bushrod: Okay, so, were you all given a choice of brokers? Or did Welborn say here's who's going to be working with you administering our plan?

President Winnecke: No, again, that was a decision made by the county earlier this year.

Anthony Bushrod: Okay. Does this broker, do they make any decisions on whether the services are needed or any of that stuff? I mean—

President Winnecke: The services?

Anthony Bushrod: Say if you it was something that you had to have pre-approved.

President Winnecke: No, that's an issue, as I understand it, and I don't want to speak for the insurance carrier, but that's strictly an issue handled by Welborn.

Anthony Bushrod: Okay. Okay, thank you.

President Winnecke: Yeah. Susie?

Susan Kirk: I haven't see the spreadsheet yet, but how much do we pay Torian Hofmann Dillow? Is Dillow still in there? Or is he gone and Flittner's there now? Okay, and Flittner, how much do we pay them? Man, I would have to have, somebody can have that back, I can't even read it.

Commissioner Melcher: I asked for magnifying glasses too when I came in.

Susan Kirk: I'm sorry, Steve?

Commissioner Melcher: I asked for a magnifying glasses.

President Winnecke: I'm sorry, Susie, I was distracted.

Susan Kirk: Okay.

President Winnecke: Sorry.

Susan Kirk: I want to know how much do we pay Torian Hofmann Dillow and Flittner to be our brokers?

President Winnecke: Yeah, we do not pay them anything. They are hired by, or they are appointed by Vanderburgh County and they are, they are paid by Welborn.

Susan Kirk: But, you don't know how much they are paid by Welborn?

President Winnecke: It's some sort of fee. We are trying to ascertain that, and we're not exactly sure as of this instant.

Susan Kirk: Okay, because I really want you guys to really look at that, because I know one of my employees had some difficulty, she had some back surgery issues and we actually met with Ted, but they had to bring somebody from Welborn to actually answer the questions. So, I even thought at that point, why do we have this middle man here when actually we need to talk to the insurance company? Because,

I bet you that the amount of money that that company is making, not that, and I mean I like the company, that's where I've got my stuff at, we could probably hire, I bet you two or three people easy to maybe be the middle man rather than that. I mean, I want to see the companies thrive and all of that kind of stuff, but not at the expense of the taxpayers. So, I would really appreciate it if you could find out from Welborn how much they are getting paid, and it would behoove us to maybe do a couple of, maybe hire a couple more people in the Auditor's office to where that figure would come down, because I think it would come down substantially. Maybe if we could do that, our employees would have, you know, good coverage—

President Winnecke: Right.

Susan Kirk: — and, so, if we hired somebody, we could say we've got good benefits.

President Winnecke: Right.

Susan Kirk: Okay. Thank you.

President Winnecke: Thanks, Susie. Who else?

Judy Ludwig: My name is Judy Ludwig. I work for the Clerk's office. Basically, I think what you saw here, this will be quick, last time we were here wasn't anger so much as it was just plain fear.

President Winnecke: Right.

Judy Ludwig: We're all grateful to have jobs, we're all grateful to have insurance, but I think the people are just afraid.

President Winnecke: Right, I can appreciate that. Thank you. Who else? No other questions? No one would like to make any other comments?

Vanessa Melton: Vanessa Melton, County Clerk's office. When Mr. Flittner was here before he said no one was in plan four. Could we not adapt this as plan four for the people who want this plan? Then have an increase in our insurance premium for the people who would like to keep it, the plan that we have now?

President Winnecke: Plan four, I think—

Vanessa Melton: He said we had no one in plan four.

President Winnecke: Isn't that...that's a Health Savings Account with a high, is it a \$2,500 deductible?

Vanessa Melton: I mean, eliminate that and make this new thing plan four, for those who want this. But, the ones who want to stay with the zero deductible, a real HMO that we have now, have an increase. Could that not offset some costs there somewhere? Also, he wanted to eliminate the emergency room visits, how about for those who don't use the emergency room, have an incentive plan and get a rebate at the end of the year, or those who don't use their insurance. You know, that would maybe make the increase, if we kept the same plan, be okay with them if, you know, they're not using the insurance, because a lot of people have to.

President Winnecke: Right.

Vanessa Melton: But, the ones that don't, could that not be an incentive?

President Winnecke: Joe, might correct me if I'm wrong, but on, to your first point, on plan four, since there's no one in there, there's no expense to us. So, just eliminating that and creating a new plan four, I don't think gets us to where we want to go.

Vanessa Melton: Okay.

President Winnecke: In terms of your ER question, Commissioner Abell had actually thrown out the idea of doing a, sort of a rebate, you know, make it \$100, make it \$200—

Vanessa Melton: Yeah, a wellness rebate or something.

President Winnecke: — and then if you go to the ER then you're rebated a hundred dollars at the end of the year. I'm fine with doing that. I think at the end, the net gain is the same, more or less, I suspect. That's why I said at the beginning we just reduce it from \$200 to \$100 and we eliminate paperwork for everybody involved.

Vanessa Melton: Right.

President Winnecke: But, you know, I think it's probably, my guess is that it's six of one, half a dozen of the other.

Vanessa Melton: Also, in terms of having the broker, I would nominate Wendy Bengert to do any numbers that you have. Thank you.

President Winnecke: Thanks, Vanessa.

Laura Elpers: Can I speak from back here?

President Winnecke: Except we can't, we need to get you...sorry, I apologize.

Laura Elpers: My name is Laura Elpers. I work for Legal Aid for Vanderburgh County. My supervisor asked me to ask a question. How will the spending be tracked as far as the deductibles? Who keeps track of that? Is it the patient or Welborn?

President Winnecke: Joe is mouthing Welborn.

Laura Elpers: It's Welborn?

Joe Gries: Everything is handled by Welborn. I mean, it's, their records dictate, you know, what the, each employee or each person that goes through the health coverage would be paying. They would work between the employee and Welborn.

Laura Elpers: Will we get a statement showing what's—

Joe Gries: As you do now, yes.

Laura Elpers: We don't get a statement.

Joe Gries: Explanation of benefits that come to people, you know, from Welborn after they go to the physician. I get them.

Laura Elpers: Okay, one other question.

President Winnecke: Sure. Shhh.

Laura Elpers: What is the bottom line, the difference between what we pay now per month compared to what you want to go to?

President Winnecke: We're basically looking at a two million dollar—

Laura Elpers: I mean per person?

President Winnecke: Well, it would be different based on which plan you're in. In the aggregate, in the total it's \$2 million. That's the gain we're trying to make up for.

Laura Elpers: Okay, that's not really what I wanted to hear.

President Winnecke: Well, I didn't understand the question then.

Laura Elpers: Well, I think we're just trying to figure out per person how much more is going to be taken out of our check.

Commissioner Abell: That's these figures.

President Winnecke: Well, that's what the figures are on the hand out.

Linda Freeman: They're kind of small.

President Winnecke: No, I understand. Sorry, I didn't make them. Basically, just to walk you through it, and, Joe, jump in here if I'm misrepresenting this. On plan one as an example, tier four, that's got the highest percentage of participants at 76 employees per plan. So, as your rate today if you're in that is \$155.16 a month, it would go, if we didn't make any adjustments to the plan, it would go to \$257.68, twenty eight cents per month. So, it would be, you know, a hundred, \$1,000 or \$1,200 a year, roughly, increase, if we made no changes to the plan.

Laura Elpers: Okay, the proposed—

Brenda Jeffers: That's being on the same plan we have now?

President Winnecke: Right.

Brenda Jeffers: Okay.

Laura Elpers: The proposal that you discussed Tuesday night, what would it be, that we would be paying per month?

President Winnecke: No, that's the—

Commissioner Abell: \$155.16 plus three percent.

President Winnecke: So, three percent, and I don't have that. Do you have a calculator. It would be a three percent increase of the \$155 and not the nine percent. So, I apologize, I don't have that handy, but \$155, three percent greater than that.

Laura Elpers: Okay, could we hear that once she figures it out?

President Winnecke: Sure, yeah,

Laura Elpers: Okay, thank you.

Commissioner Abell: \$4.65 extra.

President Winnecke: So, that, Vanessa, I mean, Laura—

Laura Elpers: Yes?

President Winnecke: She said, what was it?

Commissioner Abell: \$4.65 a month.

President Winnecke: \$4.65 a month versus \$100 if we made no changes. Is that right? Joe, is that right?

Joe Gries: That's correct, yes. The three percent is using the plan that was talked about—

President Winnecke: Shhhh.

Joe Gries: – Tuesday night, and the information here is without any changes and leaving the plan as it is, with a nine percent increase for 2012.

Brenda Jeffers: Okay, I'm confused. Alright, this plan, it's a three percent increase?

Joe Gries: To the monthly premium.

Brenda Jeffers: Right.

Joe Gries: Yes.

Brenda Jeffers: Okay, and the plan we have now, a nine percent increase?

Joe Gries: Yes, it's a nine percent increase from the total overall premium for what the county pays, what the employees pay and what the non-payroll, you know—

Brenda Jeffers: And those were the figures Lloyd gave us in the beginning?

Joe Gries: That's right.

Brenda Jeffers: Okay. Thank you.

Tiffany Brown: Tiffany Brown from the Clerk's office. I just had a question, I know, I wanted to know that since we were locked into this, and you had to go through them to Welborn, how do we know Welborn gave us the best that they could do since we're stuck in this plan? Did they really take time to give us the best benefit they could get? Since a lot of this across the board is being raised up, how do we know that they're giving us the best, that they can't go lower, how do we know that? Because we're locked in, we can't do anything anyway, that's one of my concerns. Can they actually do better than this? Like you mentioned dropping a few of these things to lower it, how do we know they can't lower some of this other, I mean, are they really doing –

Commissioner Abell: When we talk about lowering, all we're doing is changing a deductible to get a premium lower. How do we know that this is the best premium they can get us, the only way we know is Torian Hofmann attempts to compare it to other customers they have, because, quite frankly, we are locked into Welborn. We've lost all of our negotiating ability with them because of that. If we did not, if we were only on a one year annual renewal, we could put this thing out for Anthem, Blue Cross, anybody could bid on it and we could look at the coverage versus the premiums and then make a better decision. Well, we don't have that flexibility. The previous Commissioners signed a five year contract, and I have been told since making that statement that they also, before they left office signed a three year extension. And that the, and she just showed it to me, and that this policy will not expire until December 31, 2016.

Tiffany Brown: But, is there any possibility, as of tonight, with the things mentioned, any of this can be lowered? I mean, are we working towards that tonight?

President Winnecke: One of the–

Tiffany Brown: Or is this just locked in what they have on the paper?

President Winnecke: I'm sorry, Tiffany, one of the things I mentioned earlier, the one change that I would like to make tonight from what we discussed on Tuesday, is lowering the ER, you know, now it's, currently it's \$50 and we had proposed taking it to \$200, I'm saying we take it to \$100 instead of \$200. That's the only change that we've discussed making from the changes that we've proposed.

Tiffany Brown: Okay, thank you.

Brian Hurt: Brian Hurt with the Vanderburgh County Clerk's office. Thank you very much for giving us the time to speak, I really appreciate that. I do have a question, as far as the contract is concerned with Welborn, is it feasible at all to buy that out and then go with someone else like the Cubs bought out Epstein's contract with the Red Sox.

President Winnecke: Right.

Brian Hurt: It happens in sports all the time, is that something that we can look into?

President Winnecke: There, actually, someone looked into that a while back, there is a buy out clause, I don't remember off the top of my head, Brian, what it is, it's a pretty steep figure.

Commissioner Abell: It's big.

President Winnecke: I don't remember off the top of my head, but we have looked at it in the past.

Susan Taylor: Susan Taylor, Clerk's office. Could we not go through that Welborn contract, because our, I brought you that contract, and it says that all of the employees that are insured on that contract are full time employees, but that's not the case. So, the contract's already been broken by us, because the county handbook says that the only people that shall be insured are elected officials and employees that are paid 40 hours a week.

Commissioner Abell: We are all (Inaudible. Microphone not on.)

Susan Taylor: We're all..the Public Defenders and people in the Prosecutor's office are full time?

Commissioner Abell: Yes, they're paid for 40 hours based on a lesser hourly rate, but they're not paid a flat fee, so they are considered full time.

Susan Taylor: I see, so that's how they got around that.

Commissioner Abell: That's what PERF told me at the State of Indiana, because I called them and asked them about it. That's how PERF considers them to be full time employees also, is they divide out their salaries by 40 hours and that's what their hourly rate is.

Susan Taylor: One of the things too with that contract is it allows Welborn to make changes, but they give it to you guys and you have so many days to look at it and decide whether you agree with them or not, and it can go to arbitration. Is Mr. Flittner watching that and bringing that before you three to see when they've made these changes? Because they've done it on some of the levels of medications. Do you guys get a monthly, when Welborn makes any kind of change to ours, do you get to go yea or nay to it?

President Winnecke: I've not been given anything from Welborn. In the time as a Commissioner, I don't recall ever having seen anything like that. To your first point, and I don't know this to be fact, but my experience has always been, or generally has been that the greater number of participants, the lower, the better in terms of premiums—

Susan Taylor: Right.

President Winnecke: — and what not. So, you know, the fact that there are more participants who may be part time, to me, it may be more of a benefit to us, and Joe might be able to answer that, but that's been my general experience.

Susan Taylor: So, would you be in favor of offering insurance to part time employees that come into the Treasurer's office?

President Winnecke: Well, as I said the other night, we need to, I was unaware of that inequity, and I've not found that answer since, in the last day and a half, but, yeah, I'm very willing to look into that.

Susan Taylor: Okay, thank you.

President Winnecke: Thanks, Susan.

Cheryl Carlisle: Are the union employees getting the same insurance proposal?

President Winnecke: Yes, yes.

Cheryl Carlisle: Then my other thing is, maybe you guys should think about passing a regulation that if you're going out as a Commissioner you can't pass like a three year extension, or for anything. I mean, you know, if you know you're going out.

President Winnecke: Right. Who else?

Tiffany Brown: I'm sorry.

President Winnecke: That's alright.

Tiffany Brown: I wanted to let you all know that we had discussed that, they said the claims were up, I think that also needs to be brought attention to as far as the doctors and things. A lot of times we're asked to come into the office, you know, the doctor's office for test results that can be mailed to us or over the phone. Welborn needs to be aware of that too. That could probably drop a lot of things, and maybe help not for this to go up next year, or even brought down. If we've got unnecessary claims, it may not always be the person. It might be some of the things that they're, you know, doing in the doctor's office and going through that they may not be aware of. I really think that would be very helpful.

President Winnecke: Okay, thank you.

Cory Hadley-Hurt: Hello, again.

President Winnecke: Hello.

Cory Hadley-Hurt: I'm Cory Hadley-Hurt. I'm just a taxpayer. If there's no broker, are we still locked into the agreement with Welborn, even if there is no broker? Okay, have you guys looked into buying into the city clinic so that the county employees can go there and see the nurse practitioner? Because that has been, in the past, a way to lower premium costs, because they don't get the bill for that. Also, I'm sure that you guys do have a lot of people that are going to urgent care and going to the ER because a lot of these people that work with my husband are single mothers, they aren't thinking of themselves, they're thinking of their kids. They take their time for their kids, so that's where they go after hours, and that's why your claims prices are driving up, because those are the most expensive places to go. If they had somewhere to go during their lunch hour, you can't run to the doctor from here during your lunch hour. It's impossible. If they had somewhere in the building to go, you would cut your costs significantly.

President Winnecke: We have had some preliminary discussions with both Torian and the city, and, yeah, I would suspect that's something, I would suspect those discussions would continue and that something could happen on that in the future.

Cory Hadley-Hurt: Okay, and have you also had discussions with Welborn about them trying to control costs? I know that Torian Hofmann at the last meeting had said that what they pay out on claims is a pretty large portion of the premium dollar. I know from our experience, Welborn has not tried to control claim costs. Like I said the last time, we've been in and out of the ER eight, ten times, I begged for utilization management, begged for a case manager, I got nothing. Personally, on my health insurance, I was barely set foot in the door from the hospital, they had a case manager on me, you call me for anything you need, you spike a fever, you let me know. Your nose runs, you let me know, which was great for me, I didn't want to go back to the hospital, they don't want me to go back to the hospital, we have the same common interest there, but Welborn has done none of that. They do not seem to try to control the costs, I feel like they're not trying to control the costs, because they don't have to. They're just going to keep passing it on to the taxpayer.

(Applause)

President Winnecke: Thank you. Anyone else? Okay. So, at this time—

Unidentified: Someone else wants to speak.

President Winnecke: Oh, I'm sorry.

Karen Pickett: Hi, I'm Karen Pickett. I just wanted to know a couple of things. The money on the sheet, how is that going to come to vote? Do we get to vote on that, or do you guys just say it's going to be one way or the other? How does this come in to play?

President Winnecke: We will decide tonight.

Karen Pickett: You'll decide tonight whether we go to the higher nine percent or the three percent, that's going to come tonight, like now?

President Winnecke: Like now.

Karen Pickett: Okay.

President Winnecke: That's why I'm trying to give everyone a chance to speak before we vote.

Karen Pickett: Okay, I just have one thing to say about the broker. I think we're all intelligent enough to realize that the \$1 million or whatever it is that we pay the broker, Welborn doesn't pay that just to pay it for us. I think we all realize that we pay that. Whether we pay higher premiums to Welborn so that Welborn can pay Trockman, I think we know that, you know, it's not that we don't have to pay Trockman. It ultimately comes from us, right? The money to pay the broker comes from us, not from Welborn. So, looking at being able to do that in-house I think would be a really good idea.

President Winnecke: I think that's a point that was driven home loud and clear Tuesday night, and has been nicely reiterated tonight. So, I do, in all seriousness I do think that it's something, Joe and I have had two or three discussions in the last couple of days, and I do think it's something that we do need to investigate. He needs to tell us what kinds of resources he needs to bring this in-house, and then

we just have to determine if we, you know, if we can afford to do that, but I think it's worth investigation for sure.

Karen Pickett: The money, the nine percent, nothing else changes? If we go with the nine percent higher per what comes out of our check, then our insurance stays exactly the same? ER, prescriptions, everything.

President Winnecke: Right, your, again, using tier four as an example, just because it's the one I can see the best—

Karen Pickett: Instead of \$155, it would be \$257?

President Winnecke: It would be \$257, so your annual expense would go up roughly \$1,200.

Karen Pickett: So, that's every pay period, \$257—

President Winnecke: Correct.

Karen Pickett: —for a family of four.

President Winnecke: Correct.

Unidentified: Every month.

Karen Pickett: Thank you.

President Winnecke: Every month.

Karen Pickett: Every month, okay.

President Winnecke: Right, yeah. I knew what you meant. Anyone else before we take a vote? Linda?

Linda Freeman: Linda Freeman, Vanderburgh County Surveyor's office. So, you're saying the \$257 on tier four would be the cost, and that's keeping everything the same, including the ER thing, or are you saying the \$100 ER—

Commissioner Abell: It's still \$50.

Joe Gries: It's keeping the exact same plan that is in place in 2011 for 2012.

Linda Freeman: Okay, so, do you, you don't know what the numbers would be if we did bump to the \$100 ER plan?

Joe Gries: That's not played out in this information.

Linda Freeman: Okay.

Joe Gries: It's separate information.

Linda Freeman: Because I honestly do think that the \$100—

President Winnecke: That's coming down from \$200 to \$100, that's what we're proposing.

Linda Freeman: Oh, okay, but then that's in the \$257?

President Winnecke: No, no, in the changes that we talked about on Tuesday....shhhhh.

Linda Freeman: Right.

President Winnecke: In the changes we talked about Tuesday, we proposed, well, the proposal was going from \$50 to \$200, and what we're saying tonight is go from \$50 to \$100 instead.

Linda Freeman: Okay, so, but the \$257 is based on the status quo?

President Winnecke: Everything remaining....exactly, well, I wouldn't use that term, but yes.

Linda Freeman: Okay, sorry. That was the first thing, but what I'm asking then, is maybe if we did bump the \$50 up to \$100 that would also decrease some of the folks that maybe do use the ER for urgent care or something, you know, I bump my toe type of thing. I typically don't go to ER, I don't like sitting there, but if we bumped that up to the \$100, if that was one, if that was a change that we did make, would you—

Commissioner Abell: Are you saying leave everything else that it is in 2011 except changing the ER from \$50 to \$100?

Linda Freeman: Yeah.

Commissioner Abell: I don't think we would realize with \$30,000, and we're \$2 million short so that ain't going to help us much.

Linda Freeman: Well, but, I'm just saying that that might do a little bit, and then because you're also looking at some other, on your list you were probably looking at some other changes too, weren't you? Because you said something about urgent care.

President Winnecke: Well, urgent care is already accounted for, the \$25 to \$75. What, if I'm understanding you right, what, if we only, if we kept the plan exactly the same, except we increased—

Linda Freeman: The emergency room and the urgent care.

President Winnecke: The ER we know....shhhhh, we know the ER would save us about , no, it would cost us \$30,000 taking it from two to one, I can't answer your specific question, but I can tell you we're not going to get near to the number we need to get at.

Linda Freeman: Right, but I'm just kind of looking at maybe, you know, some small bumps that things, gradual, yeah, like a more gradual thing versus like getting whammed with all of this.

President Winnecke: Right, yeah, I—

Linda Freeman: An increase in premium and then, you know.

President Winnecke: No, I appreciate that, it's, you know, we're trying to get into a \$10 million budget and trying to find \$2 million, and it's, you know, we're trying to do the best we can with what we have. This is certainly not comfortable for any of us.

Linda Freeman: Right. You know, why are we towards the end of the year doing this?

President Winnecke: Well, this is how the insurance industry works, sadly. We literally got the information on these proposed changes an hour or an hour and a half before our meeting a week ago Tuesday, based on the data the insurance company provides us. We need to turn this around in short enough order so that Joe's team can go through the open enrollment process. So, the longer we delay this—

Linda Freeman: Yes.

President Winnecke: —the more challenging it is for Joe's folks. So, that's the time situation we're under.

Commissioner Melcher: Insurance companies, and I deal with this with the other company that I work for, they wait until the last minute because they want to get all the expenses. So, they don't want to give you something in June, not knowing what the next two or three months are going to be. If they had their way they would give it to us in December when we need to pass it in December.

Linda Freeman: Right.

Commissioner Melcher: But then we can't get it going.

Linda Freeman: Well, just, the biggest thing that was probably hard for most of us is that, you know, it's we got this thrown at us, then it's like okay, we're going to vote on this. I personally would have liked to have been able to input that, hey, I wouldn't mind paying \$100, \$200 more, or I would pay this, this or this if you could have given maybe a scenario that we maybe could have kind of—

Commissioner Melcher: And, that's why we didn't vote on it the first time.

Linda Freeman: Yes, and that's very nice.

Commissioner Melcher: When they threw the numbers at us that night, we knew we weren't going to pass it that night.

Linda Freeman: Right.

Commissioner Melcher: That's why we made it the next one, and we said we would even do this night, but we wanted plenty of input.

Linda Freeman: Well, thank you so much for that, because, you know, this is—

President Winnecke: The reason Mr. Flittner is not here tonight, we had asked, but he had already, last week we instructed him to schedule a series of employee meetings to walk through all of these proposed changes, and he had, I forgot where he is—

Commissioner Abell: He's at Perry Township.

President Winnecke: —Perry Township, so that's, we're making a good faith effort, I think, to get as much information out to folks as quickly as possible. That's the reason that we've delayed the vote from a week ago, from Tuesday, until tonight.

Commissioner Abell: He was here today.

President Winnecke: He was in the building today, I understand.

Linda Freeman: Well, thank you so much for letting us—

President Winnecke: Sure.

Linda Freeman: — you know, at least have an idea of what's going on. Thank you.

Brenda Jeffers: I've got one more question. I don't think it was answered Tuesday about lab tests. I know wellness was answered, a yearly examination and lab tests, but is lab tests considered the 90-10 in the proposed plan? Does anyone know?

Commissioner Abell: I will say that I was with Mr. Flittner today in the, when someone asked him that, them that question, and, I think the answer, I'm not positive, but I think the answer I heard the lady with him say to that person, was whatever, it the same as it is right now. I think it's 100 percent covered.

Brenda Jeffers: We don't pay any kind of—

Commissioner Abell: Yeah, that's what I say, it's 100 percent covered as your annual check up.

Brenda Jeffers: Right, but there's some people who—

Commissioner Abell: I think that's what it is.

Brenda Jeffers: — have to have them every three months. Some people every six months because of a pre-existing condition or whatever. So, my, I guess, my question is, we know the wellness, the yearly is covered, he said that was 100 percent covered on Tuesday, but we didn't address the—

President Winnecke: My suspicion is this, and, if you have a suspected gallbladder issue, and you're sent to have an ultrasound done, that would be not covered by normal lab work, but I think that would go toward your deductible.

Brenda Jeffers: Right.

President Winnecke: That's what I think—

Brenda Jeffers: Right, ultrasound and all that, but I'm just talking about just lab work.

President Winnecke: Oh, okay, well, okay.

Ted C. Ziemer, Jr.: Is it covered now?

Brenda Jeffers: Yes, 100 percent.

Ted C. Ziemer, Jr.: I think, whatever is 100 percent covered now will be 90-10 (Inaudible. Microphone not on.)

Brenda Jeffers: Except for the yearly wellness, he said that was 100 percent covered on Tuesday. That was my question, if you have to go have lab three times a year, is it 90-10 or 100 percent?

Ted C. Ziemer, Jr.: If it's 100 percent covered now, I think, and, you know (Inaudible. Microphone not on.)

Brenda Jeffers: That's my suspicion.

Ted C. Ziemer, Jr.: I'm not sure.

Brenda Jeffers: Yeah, that would be 90-10. Yeah, okay, that would be nice to know though. Alright, thank you.

Vanessa Melton: I just, I know you guys are getting ready to vote on this, and it's all up to you, but could we have a show of hands of the people who want the plan to stay the same and go up the nine something percent? Then who wants the \$1,000 deductible?

President Winnecke: It's a \$250 deductible, with a \$1,000 maximum annual.

Vanessa Melton: Right, I know.

President Winnecke: There's a difference.

Vanessa Melton: If I went and I had some work done on whatever, and my bill was like major things, like he said, that would, the major things would go towards that. If I have a \$1,000 deductible, and my bill is only \$880, they're not paying anything until it reaches \$1,000 and I've paid that. In the meantime, my doctor, because I can't pay that 800 and something dollars is going to drop me, therefore, I don't have a family physician, and guess where I'm going? The ER. So, I figured it out on my end that I would have to pay \$83 every paycheck more than what I pay now to equal out that \$1,000. So, really I want it to stay the way that it is with just an increase.

President Winnecke: But, you're, aren't you assuming that you're going to spend \$1,000 every year, when, in fact, many times you might not?

Vanessa Melton: Maybe so, but, in case I do, you know, just my opinion. I have one child on there, so, he's 12, he's a boy, he gets hurt a lot.

President Winnecke: Anyone else? Judy, or—

Trish Schnur: My name is Trish Schnur, Vanderburgh County Assessor's office. This has probably been eight, maybe ten years ago, but there's saying that

everything has to wait until the last minute. They did give us a choice and asked us, they send out a paperwork and said do you want the coverage to stay the same, with raising the premium, or we will start doing what you're doing now all at one time. You know, they weren't going to do as drastic as you're doing, they gave us that choice. Now, we don't even have that choice. I mean, they took out, they asked every county employee what was, which was did you prefer it, and they went with the majority. Then, you know, then my thing also on the prescriptions, does that go towards our \$250 deductible? See, that's awful. That's awful. I mean, why would it not, you're spending it out of your pocket. I mean, that's not right. Then, they need to start looking at some of the higher paying positions that are in the paper every January, it's getting out of control and it's coming down on us peons at the bottom.

(Applause)

President Winnecke: Okay, one more time?

Susan Taylor: One of the things I think everybody ought to think about in here. The County Council has made all of the new positions that they filled be \$10 an hour. I work with a young lady that sits next to me in Juvenile Court and she hauls rear end every day. She is getting ready to put her six year old on our insurance plan. So, her daycare is \$135 a week, and putting this on the, putting her in this position, either way really, but putting her in this position with this higher deductible, which I would choose, because I make more money than she does, is going to put her at the level that she qualifies for Section Eight, childcare vouchers, and food stamps. When the County Council is up there telling all the taxpayers that they want to save money for the taxpayers, all they've done to the taxpayers is shift them to a different trough. That's one message that I know the Commissioners don't have anything to do with, but it's a good thing for them to sit up there and play politics with some of the peon jobs, when the middle management jobs are the ones that maybe they ought to look at turning out. So, I, you know, I would ask you guys when you think about voting to think about some of these poor, young girls that are single moms out there making \$10 an hour.

President Winnecke: Thanks.

Susan Taylor: Thank you.

President Winnecke: Anyone else?

Judy Ludwig: I just have a real quick question again. Mr. Auditor, would you walk us through page two, I'm sorry, the percentage increase to monthly premium with no changes to the health plan? Would you kind of help me with that?

Joe Gries: So, you're looking at column three?

Judy Ludwig: Comot III?

Joe Gries: Percent of increase to employee monthly premium—

Judy Ludwig: Right, right, yes.

Joe Gries: –with no changes to the health plan. That’s the percent of increase that would come out of an employee’s check based on what plan they have, what tier they’re on, and that’s the increase from this year, 2011, to next year, 2012.

Judy Ludwig: It’s not actually nine percent as he said earlier?

Joe Gries: Again, the nine percent is an increase to the total premium.

Judy Ludwig: The total?

Joe Gries: The total premium, what the county pays, what the employees pay, everything. So, yeah.

President Winnecke: Judy, are you clear? Do you got it?

Judy Ludwig: I’m sorry?

President Winnecke: Did he answer it? I’m sorry, I was distracted. Anyone else?

Vote on the 2012 Employee Health Insurance Plan Changes
--

President Winnecke: Okay, at this time I would entertain a motion from the floor.

Commissioner Abell: I would make a motion that we accept the insurance from Welborn with the corrections that were made on the coverage, except that we would lower the \$200 deductible on emergency room to a \$100 deductible.

Commissioner Melcher: I’ll second that.

President Winnecke: Okay, there is a motion on the floor to accept the proposed changes in the Welborn Health proposed changes, Welborn Health Insurance, with the exception of the emergency room, taking that from a \$200 to \$100. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: The motion passes. The changes are made. I would just, I would ask that you make sure that you attend as many of the employee benefit meetings as possible so you can answer, get your specific questions taken care of.

Vote on the 2012 Employee Dental Plan Changes

President Winnecke: We need to do this too, if you want to make that motion.

Commissioner Melcher: So, we're going to talk about the dental now?

President Winnecke: Yeah, the other piece of business is to approve the renewal on the dental clinic options.

Commissioner Melcher: My understanding is that the dental plan is exactly the way it is right now.

President Winnecke: That's correct, right, Joe?

Joe Gries: I believe so, yes. Yes, it is.

Ted C. Ziemer, Jr.: Except for a three percent decrease in the commission.

President Winnecke: A three percent decrease in the commission. Okay, a motion to approve?

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Any other business to come before this special meeting of the Board of Commissioners? Hearing none, we stand adjourned.

(The meeting was adjourned at 5:20 p.m.)

**Vanderburgh County
Board of Commissioners
Special Meeting
November 3, 2011**

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Those in Attendance:

Lloyd Winnecke
Joe Gries
Brenda Jeffers
Judy Ludwig
Tiffany Brown
Cheryl Carlisle
Linda Freeman
Members of Media

Marsha Abell
Ted C. Ziemer, Jr.
Anthony Bushrod
Vanessa Melton
Brian Hurt
Cory Hadley-Hurt
Trish Schnur

Stephen Melcher
Madelyn Grayson
Susan Kirk
Laura Elpers
Susan Taylor
Karen Pickett
Others Unidentified

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
NOVEMBER 15, 2011**

The Vanderburgh County Board of Commissioners met in session this 15th day of November, 2011 at 5:04 p.m. in room 301 of the Civic Center Complex with Vice President Marsha Abell presiding.

Call to Order

Commissioner Abell: Good evening. I would like to call to order the November 15, 2011 meeting of the Vanderburgh County Commissioners. Could I have roll call please?

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Pledge of Allegiance

Commissioner Abell: Would you stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

**Permission to Open Quotes:
VC11-11-01: Bridge No. 1420 Maintenance of Number School, Number Six
School Road**

Commissioner Abell: I would entertain a motion for permission to open the quotes on VC11-11-01, bridge number 1420 maintenance of number school, Number Six School Road.

Commissioner Melcher: So moved.

Commissioner Abell: I'll second. Mr. Ziemer, would you like to open those?

Ted C. Ziemer, Jr.: I would, if I had them.

Commissioner Abell: You don't have them. Oh, well, that's a problem.

Commissioner Melcher: Well, let's still vote on it, and if they show up—

Ted C. Ziemer, Jr.: If they show, I'll do it.

Commissioner Melcher: — he can open them.

Commissioner Abell: Well, we'll just go on to the next item then.

Commissioner Melcher: Do you want to vote?

Ted C. Ziemer, Jr.: Here they come.

Commissioner Abell: Okay, we'll vote now. All in favor aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Since there's only two Commissioners here tonight, we'll probably do voice vote rather than roll call vote.

Road Race Request: St. Jude 5K "Give Hope Run"

Commissioner Abell: Under the action items, road race request, the 5K Give Hope Run for St. Jude Hospital. Katie Witsoe is here to answer any questions. The event is scheduled for April 28, 2012. Most of the race is within the Burdette Park, but some is on the county highways, and the organizers have been in contact with Steve Craig at Burdette who is here, and I understand Sheriff Williams has sent us an e-mail today that he has also reviewed this.

Katie Witsoe: Yes.

Commissioner Abell: So, go right ahead.

Katie Witsoe: So, last year we had the same race out at Burdette Park for St. Jude to raise money for the children's hospital. My son passed away of cancer and was a patient there, and they have walks across the country, and so we wanted to bring a run here to Evansville. I'm happy to say that last year it was the most successful race that St. Jude had was here in Evansville. So, that was pretty exciting, and we just wanted to kind of build off of that success and do it again next year in 2012.

Commissioner Abell: That's on April the 28th?

Katie Witsoe: The 28th of next year.

Commissioner Abell: Mr. Melcher, do you have a question?

Commissioner Melcher: No, I will just move for approval.

Commissioner Abell: And, I'll second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: It passes.

Katie Witsoe: Thank you.

Commissioner Abell: Thank you.

Introduction of Teen Advisory Council Job Shadows

Commissioner Abell: I would like to take a little diversion from the agenda here. We have some students with us and I would like for them to recognize, let us recognize them. Give me your name and your school. You can turn that, will you show her how to turn the microphone on?

Audrey Vincent: Audrey Vincent, Memorial High School.

Caitlyn Martin: Caitlyn Martin, Memorial High School.

Kassidy Kinner: Kassidy Kinner, Central High School.

Commissioner Abell: Thank you, ladies. Nice to have you with us this evening.

**Reising Son, LLC: Contract for OCH Door Repairs
Vanderburgh County Treatment Court: Amendment with IU Pilot Program
Superior Court: Independent Contractor Agreement: Joshua Weber
Superior Court: Independent Contractor Agreement: Christen Kelley
BLA Agreement for Mitigation Monitoring Services: Green River Road**

Commissioner Abell: Under contracts, agreements and leases, the agreement with Reising Son, LLC for new doors at Sycamore and Court Streets, the entrance to the Old Courthouse. This is to finish and install two new sets of double doors, entry to the Sycamore and Court side of the Old Courthouse. The total cost is \$22,650. The work will begin on November the 15th, the payment of one half of the contract amount is due on November the 30th, and work will be supervised by Dennis Au. Is Dennis here? I don't see anyone from the Old Courthouse here.

Commissioner Melcher: I'll move for approval.

Commissioner Abell: I'll second. Those in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Okay, Vanderburgh County Treatment Court, amendment to agreement with the Indiana University for participation in the pilot forensic problem gambling project. Extends the term of the agreement to June 30, 2012. IU pays \$275 per month for these services. Would you like to address? Any questions? I'll entertain a motion.

Commissioner Melcher: Yeah, I'll move for approval.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Superior Court Juvenile Division, both agreements were tabled from the November 1st meeting. Judge Niemeier has a grant from the State Supreme Court to fund these two limited time positions to do programming and data entry services for the Juvenile Division of Superior Court. It says Judge Niemeier is going to be here, but I'm assuming you're here to answer questions on behalf of Judge Niemeier.

Bernie Faraone: Yes, Bernie Faraone, Juvenile Court.

Commissioner Abell: My, I was the one who made an objection last time—

Bernie Faraone: That's what I understand.

Commissioner Abell: —because I was concerned that we were paying for something that we could have had done in-house.

Bernie Faraone: Yes.

Commissioner Abell: I understand now that this is being paid for out of a grant.

Bernie Faraone: Out of a grant, yes.

Commissioner Abell: This is what this grant is for, this type—

Bernie Faraone: Yes, it's at adult CHINS Drug Court, it's a special problem solving court. We get, we have to apply for a grant, and was awarded it, and on the one, the Joshua Weber grant, my understanding is there was a second concern other than it coming from the General Fund rather than a grant, the second concern was whether somebody in our computer offices could do that. We came up with that to try to keep somebody from having to do something extra out of their job with the county. In talking to Judge Niemeier about this here, he wanted, he informed me to inform the Body here is that that person uses a laptop with special software that we were provided with another grant, and so it's software that we don't have in our county computers right now.

Commissioner Abell: Okay.

Bernie Faraone: But, we hope that you would approve it.

Commissioner Abell: Okay. I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Abell: I'll second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: It passed.

Bernie Faraone: Thank you.

Commissioner Abell: Thank you. The County Engineer, an agreement with Bernardin Lochmueller Associates for mitigation monitoring services. This is for the Green River Road site. As part of the Green River Road improvement project, between Lynch and Millersburg Roads, this is over a five year period beginning the fall of 2011 and running through the spring of 2016. The cost is \$25,000. The payments will be made in proportion to the services completed. Before John talks I will inform, say that I called John today, because I didn't understand whether this was required or not, and this is evidently a requirement of the Indiana Department of Transportation.

John Stoll: It's required as part of our permits that the mitigation sites be monitored to determine if all the plants that were put in the mitigation sites are growing properly. If not, then we may be required, at a later date, to come back and put some additional trees and plants in, but, this is a permit requirement that we have to do these annual reports.

Commissioner Abell: Mr. Melcher, any questions?

Commissioner Melcher: No, move for approval.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Okay. Did you have something, Ted?

Ted C. Ziemer, Jr.: No, John?

Commissioner Abell: Evidently not.

County Engineer

Commissioner Abell: Department head reports. I see a few department heads in the audience, do any of you have a report that you would like to give this Body? No? Mr. Stoll may, I don't know. Do you have a department head report, Mr. Stoll?

John Stoll: Yes, I do. I've got a few things. First, I've got a street plan approval request for Section Three of Creekside Meadow Subdivision. This subdivision lies out between Petersburg Road and Green River Road back where Hornby Lane used to be located before the developer vacated the street. This subdivision was originally approved back in '05, but the developer wanted to make some changes to some lot configurations and that necessitated him going back to the Plan Commission which in turn resulted in the need for some amended street plans. That being said, the street plans have been reviewed, they've made the changes that I had requested, so I would recommend approval of the street plans.

Commissioner Melcher: So moved.

Commissioner Abell: Second. All in favor aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Okay.

John Stoll: Next, I have a sidewalk waiver request for that same subdivision. Once again, it has a previous sidewalk waiver. The first two sections of this subdivision don't have sidewalks, so, on that basis, I would recommend approval of the waiver.

Commissioner Melcher: I'm going to make the motion for approval, but it was brought up at Area Plan, they don't really like us using waivers. I didn't say it, but some other people said, well, there's different (Inaudible) to everything. So, just so you know, it was brought up that we shouldn't be waiving, but the rest of that project didn't have sidewalks, so why have that one?

John Stoll: In this case I would say it makes sense to go ahead and continue waiving the sidewalks, because the prior sections don't have that. I know that the Plan Commission staff has been looking into trying to revise the sidewalk waiver procedures, so that way there's some more consistency on how these things are addressed. Our problem has traditionally been getting the contractors to construct the sidewalks in compliance with ADA standards, and we've routinely waived the sidewalks, and I've made the Plan Commission folks aware of the fact that in order to prevent the liability issue associated with improper ADA sidewalks, we've just waived them.

Commissioner Melcher: I understand.

John Stoll: So, until we get a better procedure, then I'll continue to make that recommendation.

Commissioner Melcher: I made the motion to approve it.

Commissioner Abell: I'll second it. Is there, do we need to make some adjustments to our ordinances regarding sidewalks?

John Stoll: The Area Plan Commission staff is currently looking into that.

Commissioner Abell: Oh, okay.

John Stoll: One of the things that they were looking at was the possibility of having the waivers, waiver requests go to the Plan Commission, just like the subdivisions do, so that way their entire board could review the waivers and try to come up with some consistency on how they're done, as well as have the opportunity for public comment. Since the subdivision is there at the same time the sidewalk waiver would be there where any people opposed to it or in favor of the waiver could speak out at that Plan Commission meeting. So, that is in the works. I don't know of any time tables on when they may potentially have some drafts that could be presented to the Commissioners.

Commissioner Melcher: That could be a problem with me, because subdivisions, we don't really have a say in, with that with the State law.

John Stoll: Right.

Commissioner Melcher: If it meets all of the requirements and it's still bad, you still have to vote for it, even though I don't go by that, but most of them do. You know, but it's, they tell you you have to vote for it, they even say it in their speech in the beginning. So, anything that's automatic just because you've checked off ten requirements doesn't get it for me.

John Stoll: I think that they wanted the opportunity for getting additional comment on the waivers, once again, it's a work in progress. So, long before it goes into ordinance form, I'm sure you'll get the opportunity to look at it and so will I.

Commissioner Melcher: I will.

Commissioner Abell: We have a motion and a second on the floor. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

John Stoll: Next, I would like to request approval to go to County Council to make some transfers. I would like to transfer \$110,000 from Bridge Contractual to Broadway Avenue Bridge #271; transfer \$70,000 from the Fickas Road culvert project to Broadway Bridge 271; transfer \$10,000 from the Mann Road culvert to Broadway Bridge 271; and transfer \$2,000 from Road and Street Contractual to Legal Services. The reason for the Broadway Bridge transfers is to get some additional money in that account on the basis of a cost estimate we received for that project. It looks like the project could be as much as \$800,000 based on the most recent estimates, and we had in the neighborhood of, I believe it was \$450,000 in that account. So, by transferring these funds it will get us closer to the estimated project amount. I'll just request encumbering these funds over to 2012, and, hopefully the project will be ready to be bid sometime around spring to summer of 2012. Then, the Legal Services is we've pretty much exhausted all of our Legal Services Account in the Road and Street Fund.

Commissioner Melcher: So moved.

Commissioner Abell: Second. All in favor.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

John Stoll: Next, I have a change order on the Evergreen Acres project. It was contract number VC11-01-01. This is for an increase of \$3,720. This added two curb turn outs on Berry Drive south of Holly Hill. We had a problem where all of the new

inlets we had just installed are routinely getting plugged with pine needles and leaves, which in turn caused all of the water to flow down to one spot where we installed a new box culvert. The water would then run over the curb and erode all of the fill away from the back of the curb all the way down to the ditch elevation. So, this just basically provides a depressed curb where the water could flow out without causing any damage.

Commissioner Melcher: So moved.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

John Stoll: The last item I have is a street acceptance request for Section Two of Windham Hills Subdivision. This covers 1,074 feet of Baldwin Drive, 511 feet of Crimson Court, 511 feet of Scarlet Court¹, and 511 feet of Winsley Cove. We've inspected the streets and would recommend acceptance.

Commissioner Melcher: So moved.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

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

County Attorney

Commissioner Abell: Any other department heads?

Ted C. Ziemer, Jr.: Yes.

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: I have completed reviewing the bids, this is for bridge maintenance for bridge 1420. There were three bids, the first is from Adler Excavating for \$27,346.03; the second is from Koberstein Contracting for \$34,836; and the final one is from Jack Hahn Excavating for \$32,956.

Commissioner Melcher: I'll move to take those under advisement.

Commissioner Abell: Second. All in favor.

¹Should be Scarlet Hill.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Ted C. Ziemer, Jr.: In addition, we, the County Engineer's office has been negotiating with ATC Associates for a geo-technical engineering investigation in connection with the proposed replacement of Vanderburgh County bridge 1530, which is Old Boonville Highway crossing over Stockfleth Ditch. The original contract they sent did not have the now required e-Verify language regarding non-employment of illegal immigrants, and had the county essentially giving a blanket indemnity which would have caused us to lose our limited liability that's provided to us by Indiana law. I asked them to make those changes, they did that late today, which is why it's here late, however, the changes, they made exactly the changes that I requested, and the agreement is now satisfactory. It's for \$4,685 to do geo-technical engineering investigation. So, it's satisfactory for approval should you decide to do that.

Commissioner Melcher: Move to adopt.

Commissioner Abell: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Ted C. Ziemer, Jr.: Finally, in the same vein, a company called Paragon Seismic Engineering wants to do some seismic testing in Vanderburgh County, essentially along Old Henderson Road. They are asking for the county's permission to do that. Our, I've discussed this with John Stoll, our concern is that in the process of doing the seismic testing, while it's unlikely, it is possible that there would be some damage to the county roadway, that is Old Henderson Road. So, I've prepared the required information that I wanted included in their permit request, which included telling us exactly where the testing would be done, and they've submitted a map to us showing exactly where the testing will be done, asking them to tell us how long it will take and when it will start, they've now provided for that, and asking them to agree to provide us with liability insurance and provide us with a certificate of liability insurance in form satisfactory to our office, and they have done that. So, if you wish, and if, John Stoll, if you want to comment on this, from our point of view it is satisfactory for approval from a legal perspective.

Commissioner Melcher: Okay, John, if you don't have anything, I'll go ahead and make the motion to approve it.

Commissioner Abell: I'll second, but I have a question. Are they going to be like blasting?

Ted C. Ziemer, Jr.: No, they send, I don't understand it fully, maybe John does, but they send seismic vibrations down into the sub-strata, and the purpose of this is to find out whether there is the presence of oil. They're doing this for an oil company that wants to find out—

Commissioner Abell: Oh.

Ted C. Ziemer, Jr.: –whether there’s oil there or not. So, they won’t be actually pounding the roads, but it’s heavy trucks and they do seismic vibrations.

John Stoll: Like Ted said, it’s vibrations it’s not heavy impact on the roads. They sent me some DVD’s showing their process, it’s several large trucks, they end up putting sensors along side the road to get the readings that they need to get. So, like Ted said, there shouldn’t be any damage, and–

Ted C. Ziemer, Jr.: We just wanted to be sure in case there was that they’re going to pay for it.

Commissioner Abell: They’re not drilling holes?

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

Commissioner Abell: Okay. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

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

Commissioner Abell: Thank you.

New Business

Commissioner Abell: Is there any new business? I have something that I would like to bring to the County Attorney’s attention.

Ted C. Ziemer, Jr.: Yes?

Commissioner Abell: We have had a continuing, I won’t say problem, maybe issue with Soil and Water Department. They don’t seem to be able to find a place to call home and they’re all working out of their homes. Is this county, how long do we have to continue this before we just say, enough is enough? I mean, we have know...we’re, at this point it seems like it’s being very haphazardly run, and we don’t seem to get any, I have personally talked to them and I don’t get any satisfaction that they’re moving into any place. Other than they moved to Boonville at one time and we told them that was certainly unsatisfactory.

Ted C. Ziemer, Jr.: Right. Why don’t I, who is the person that’s at Soil and Water?

Commissioner Abell: Steven Helfrich is, I think maybe the President of their board, and Bonnie Bittner works at Soil and Water.

Ted C. Ziemer, Jr.: Alright let me just, Bonnie Bittner. What I wanted to suggest is that, let me get in contact with them tomorrow, find out what their status is, what they’re doing, what the Commissioners are interested in, as I understand your

remarks, is that we want them to be housed in a location certain here in Vanderburgh County from which they can do their work, instead of being operated in the more flexible informal manner that they're currently operating.

Commissioner Abell: Yeah, I think we've pretty well set a policy in the county that we're not going to allow people to work out of their homes.

Ted C. Ziemer, Jr.: We have done that.

Commissioner Abell: Yeah, but we don't seem to be adhering to that at this point.

Ted C. Ziemer, Jr.: Yeah, in their case.

Commissioner Abell: Yes.

Ted C. Ziemer, Jr.: Okay.

Commissioner Abell: Okay.

Ted C. Ziemer, Jr.: Alright, I'll look into that and report back.

Commissioner Abell: Appreciate that.

Old Business

Commissioner Abell: Any old business?

Public Comment

Commissioner Abell: Any public comment?

Consent Items

Commissioner Abell: Consent items, I'll move for approval of the consent items.

Commissioner Melcher: So moved.

Commissioner Abell: Second. Madelyn, would you like to read the consent items?

Madelyn Grayson: The consent items for the November 15th meeting are as follows; approval of prior minutes, we have the November 1, 2011 Commission meeting minutes and the November 3, 2011 special meeting minutes; employment changes for the Commissioners approval, we have one for the Co-Op Extension, two for the Health Department, and one for the County Highway; the Commissioners have a notice of sale of 321 Read Street; the Old Courthouse repair quote from ThyssenKrupp Elevator; boiler and chilled water pump repairs quote from J.E. Shekell; a settlement agreement; the Evansville ARC August 2011 meeting minutes; the Legal Aid Society September 2011 budget break down; Burdette Park comparison from January through September from 2010 to 2011; the Public Defender Agency request for reimbursement of the State Public Defender Commission for 7/1/11 through 9/30/11; we have department head reports from the County Engineer, Burdette Park and the Ozone Officer; and there's one additional

consent item, which is the authorization to increase settlement authority for a parcel needed for Millersburg Road project.

Commissioner Abell: All in favor of accepting the consent items say aye.

Commissioner Melcher: Aye.

Commissioner Abell: Aye. Opposed?

(Motion approved 2-0)

Commissioner Abell: Any other business to come before the Vanderburgh County Commissioners? I'll entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second. We are adjourned.

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

CONSENT ITEMS:

Commissioners:

Approval of the November 1, 2011 Commission Meeting Minutes

Approval of the November 3, 2011 Special Commission Meeting Minutes.

Notice of Sale of 321 Read Street.

Old Courthouse Repair Quote from ThyssenKrupp Elevator.

Boiler and Chilled Water Pump Repairs Quote from J. E. Shekell.

Settlement Agreement.

Evansville ARC August 2011 Meeting Minutes.

Legal Aid Society September 2011 Budget Breakdown.

Employment Changes:

Health Dept (2)

County Highway (1)

Co-Op Ext (1)

Sheriff (4)

Auditor (2)

Prosecutor (1)

County Clerk (1)

Burdette Park: Comparison: January-September 2010-2011.

Public Defender Agency: Third Quarter Reimbursement Request from State.

Department Head Reports:

County Engineer

Burdette Park

Ozone Officer

Those in Attendance:

Marsha Abell

Stephen Melcher

Joe Gries

Ted C. Ziemer, Jr.

Marissa Nichoalds

Madelyn Grayson

Audrey Vincent

Caitlyn Martin

Kassidy Kinner

Katie Witsoe

Bernie Faraone

John Stoll

Others Unidentified

Members of Media

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
DECEMBER 13, 2011**

The Vanderburgh County Board of Commissioners met in special session this 13th day of December, 2011 at 1:35 p.m. in room 307 of the Civic Center Complex with President Lloyd Winnecke presiding. This special meeting was conducted for the purposes of hearing and voting on all agenda items from the previously cancelled December 6, 2011 meeting due to a water main break in the Civic Center.

Call to Order

President Winnecke: Good afternoon. I would like to call to order the December 13th meeting of the Vanderburgh County Board of Commissioners. Let's begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Acknowledgment of Purpose of Special Meeting

President Winnecke: I would like to recognize for the record, this is a special meeting because the building was closed last week due to a water main break. We're grateful that it's open again and water is flowing again.

Road Race Request: Run This Whey 10 Mile Run: Swift Athletics

President Winnecke: We would like to welcome our County Attorney, Ted Ziemer, who has, may be on record for the fastest recovery of a complete knee replacement. However, he will not be participating, I'm sure, in the Swift Athletics 10 mile run, which happens to be the first thing on our agenda. Rebecca?

Rebecca Paxton: (Inaudible. Not at microphone.)

President Winnecke: Yes, just state your name for the record.

Rebecca Paxton: I'm Rebecca Paxton and this is Alexandra.

President Winnecke: Hi, Alexandra.

Rebecca Paxton: She's the reason that we put the race on. We're putting on a ten mile road race to benefit the Parents of Galactosemic Children, that's a genetic disorder that Alexandra has. We've done it the past two years, the first year we were able to send in \$1,500, and the second year we were able to send in \$1,700. Last year it was in that blizzard, it was on that Sunday where it was—

Alexandra Paxton: I want to talk.

Rebecca Paxton: – we still had 76 people out running.

Alexandra Paxton: We had 76 people.

Rebecca Paxton: Okay, let go.

President Winnecke: Well put, Alexandra.

Commissioner Melcher: Make sure that's in the minutes.

President Winnecke: For the record the date of the race is December 18th. Marissa, I understand that all of the permit is in order. Any questions of Rebecca before we go to a vote.

Alexandra Paxton: Mommy, don't hold it. I want to hold it. I want to say words.

Rebecca Paxton: I know you want to say words.

President Winnecke: Steve, do you have any questions? I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you very much and good luck with the race.

Rebecca Paxton: Thank you so much.

President Winnecke: Alexandra, I hope you have a Merry Christmas.

Rebecca Paxton: Can you say Merry Christmas?

Alexandra Paxton: No.

Rebecca Paxton: It's nap time.

President Winnecke: For me too.

Rebecca Paxton: We'll be going home and taking a nap. Thank you.

Commissioner Melcher: You need one more hand.

Rebecca Paxton: There we go. I do.

Commissioner Abell: Thank you for coming.

President Winnecke: Thanks, Rebecca.

<p>First Reading: CO..12-11-006:An Ordinance Amending Ch. 2.56: City-County Human Relations Commission</p>

President Winnecke: Next we'll consider on first reading CO.12-11-006, an ordinance amending chapter 2.56 entitled City-County Human Relations Commission. Diane, would you like to, or, David?

Diane Clements: Good afternoon, Diane Clements, Human Relations Commission Executive Director. We have presented an ordinance that has changes that would allow us to have enforcement in areas that we had, in a lot of ways, always assumed that we had enforcement, but because the language in the ordinance was silent, we had to insert that language to make it clear that we had enforcement in the area of public accommodations and in education. We have also added some definitions. We did change the definition from "handicapped" to "disability", we have also added the definition of "age", "sexual orientation", and "gender identity". Those being the most prominent changes, and, I will, if you would like to entertain any legal questions, David Kent, legal counsel for the commission is here to clarify anything that you would have. I will also be here if you have any additional questions from me.

Commissioner Melcher: Since this is first reading, can I get a copy of this with maybe the, I'm used to having red lines under the additions and changes.

Diane Clements: Okay.

Commissioner Melcher: Can you send me something like that? Do you have one? That works, and that way—

David Kent: The red is in, the green is out.

Commissioner Melcher: Okay, that kind of helps me when I'm trying to decide, because when I tell everybody it's kind of like the same as before, which I have voted on in the past, I would just like to make sure of what we're doing.

Diane Clements: Okay.

Commissioner Melcher: Thank you.

Diane Clements: Okay.

Ted C. Ziemer, Jr.: I just have a comment.

Diane Clements: Yes?

Ted C. Ziemer, Jr.: Since we sent this to the Commissioners we've made a couple of technical changes, and they are really technical, in Section One, Capital B, we put the "or" in front of the words "gender identity". In Section Three, we have added the language "or gender identity", which somehow, David, in the draft that you sent us that did not get included there and it should have been, so that's in there now. Then, finally, we've, of course, changed the date since this meeting changed and the dates of this now provide that it's having first reading today and second/third and final readings on December the 20th.

Diane Clements: Okay.

President Winnecke: Diane?

Diane Clements: Yes?

President Winnecke: Give us, from a high level overview, what this, what these amendments mean—

Diane Clements: Okay.

President Winnecke: —from your perspective, from an enforcement point of view, and maybe more broader, or from a broad perspective what it means for the community.

Diane Clements: Okay. I think that the commission, the Human Relations Commission is an agency that fosters intergroup relations and harmonious community. We have had testimony from groups that there has been mounting evidence of bias and discrimination against the LGBT community. We, when making changes to our ordinance we took that into consideration and wanted to present an ordinance where people felt included and that there was inclusion in public policy. That was really the spirit behind adding the "sexual orientation" and "gender identity". Age was also included because we are a community that our residents are aging and groups like AARP came into existence to address that very issue of discrimination amongst people based upon age. So, I think, the spirit behind these changes is to make our community a place that's welcoming to all people. Again, the addition to add "public accommodations" and "discrimination in education", we felt as though that that was always inherent in our jurisdiction, but because it was silent in our ordinance we had to make that clear. We were challenged on that where it was thought that we did not have jurisdiction in education and in public accommodations. So, it just made it clear, it strengthened our enforcement. The

whole purpose for having a Human Relations Commission is so people can come to a local agency without having to file a complaint with EEOC or the Indiana Civil Rights Commission, but having a local agency that knows the community, we have the ability to bring people to the table, to foster understanding and try and come to common solutions to issues that people may be having. We see this as a great service to the community. The Human Relations Commission started back in, there was a committee formed in 1948 to look at the problems intergroup relations mostly at that time around African Americans, and that started this commission. It went defunct for awhile and was reinvigorated in 1965 about, about a year after the passage of the 1964 Civil Rights Act. A lot of our enforcement, or pretty much our language in our ordinance is taken from the spirit of the 1964 Civil Rights Act, and since that time there have been other laws that have been on the books, there's the 1968 Civil Rights Act, which is the Fair Housing Act. In 1990 there was the Americans with Disabilities Act, so there are more groups that are coming to the table expressing their need for protections, and our local ordinance just sort of captures all of that and gives people a forum to address these issues on the local level.

President Winnecke: Any questions of Diane before we take other speakers? Anyone else that would like to speak? Bob or Wally or anyone?

Robert Simpkins: My name is Robert Simpkins—

President Winnecke: Could you come to the mic please.

Robert Simpkins: My name is Robert Simpkins, I'm an attorney. I'm getting out of my bailiwick here, but, I normally represent people hurt in car wrecks and stuff, so, but I am an allied attorney with the Alliance Defense Fund, and they just wanted to make sure that we were represented here today, and then any major issues or disagreements that they might have, after they read the ordinance, they may or may not, bring those forth on December 20th. So, I'm just sort of here to be a protection.

President Winnecke: Okay, thank you, sir.

Robert Simpkins: Thank you.

President Winnecke: Wally?

Wally Paynter: My name is Wally Paynter, I'm the president of the Tri-State Alliance, the local organization that advocates for civil rights. Would urge you to consider approving all of these changes. First and foremost it's the right thing to do, to take a stand about non-discrimination. Second, there are economic considerations as well, as you look at major corporations; UE, USI, Mead Johnson, Bristol Myers and other corporations that would consider coming here, they look at the atmosphere of the community, you know, is it a welcoming community when it comes to diversity issues? If you look at, you know, I think about a year ago it was economist Richard Florida spoke and he said that this is one of the main issues that new corporations look at when it comes to will this community welcome all of our employees. So, it's the right thing to do, it's always the right the thing to say that discrimination is wrong, you know, and it has some economic development issues, it has an impact on economic development as well. Thank you.

President Winnecke: Thanks, Wally. Anyone else?

Robert Dion: I'm Robert Dion from the Human Relations Commission. I won't make a long speech, but I want to thank the Vanderburgh County Commissioners for considering these changes. As Diane indicated, we've had a Human Relations Commission for a very long time, we were ahead of the curve in the State of Indiana, and we've always tried to keep an open door to all people. Our ordinance, as a result of being one of the oldest in the State is a little bit outmoded and outdated, and so a lot of the stuff that we're asking for in that redline version simply updates and modifies and improves and clarifies things we always thought was clear from the beginning. It provides, for example, a definition of what constitutes "retaliation", which we didn't have in there previously, but retaliation is the number one complaint that has gone before the EEOC in the last year. So, it's good for our local commission to be as clear as day and to be aligned with State and Federal law on those sort of mundane matters, but, I think, the thing that most people are interested in are the changes that are new, and that's "sexual orientation" and "gender identity". I think we're on the verge of doing something really wonderful in this community by taking a strong stand and sending a strong message. I said I wasn't going to speak long and I'm almost done. Earlier this year I had the chance to speak to the newly named chair of the U.S. Commission on Civil Rights, a guy from Chicago named Marty Castro, and he said something I was really impressed by, he said working in civil rights, of course, we're going to legislate and litigate, but we also need to educate and communicate. A lot of the heavy lifting happens on the latter end of that, the educating and communicating. So, when our local government takes a strong stand and sends a strong message that this, as Diane said, is an inclusive and a welcoming community to all people, where people can be judged on the basis of their performance and not on some other irrelevant characteristic, that sends a wonderful message on behalf of this community and this government that these are good people in this area. Most people most of the time are doing the right thing, but it's never a bad thing, it's never a bad time to enshrine that in the local law. The Human Relations Commission stands ready to enforce this to the fullest extent possible and to educate and promulgate and advance civil rights for all people so that we can be a 21st century community. I've learned a lot as I've read into this and thought about this, I was not aware that in many respects what we're proposing now is really what civil rights looks like in the 21st century. The first state ever to pass a transinclusive civil rights law was 1993, it was the state of Minnesota, that's not very long ago for a lot of us in this room. 1993 seems like yesterday, but the pace of change has been dramatic, so, since 1993, as of now, as we stand here today, 16 states and the District of Columbia have passed statewide civil rights laws that include sexual orientation and gender identity. That's what's being proposed here. Those states taken together make up 45 percent of the American population. So, almost half of Americans live in a state where the state's civil rights law protects on the basis of sexual orientation and gender identity. We don't have that in Indiana yet, but Evansville can take a stand, and Vanderburgh County can take a stand that this is a desirable thing, that all people deserve to be measured on the basis of their performance and be able to be treated with dignity and respect in the workplace and in the everyday lives that they lead. There's not a lot, I don't know if you noticed this, there's not a lot that we agree on these days, people disagree about a lot of stuff, it's a rancorous time, but Governor Mitch Daniels passed an executive order that covers all that we're asking for. It covers all State employees. Barack Obama did the same thing for all Federal employees. Business, most major businesses in America are behind this, and organized labor is behind this. Like I say, this is, this is what civil rights look like in the 21st century. In fact, it's hard to find a mainstream civil rights organization that would oppose what we're proposing to you today. I would urge to consider looking at the website for the leadership conference of civil rights for example. So, these are changes that I think put us on the cutting edge, advancing

civil rights in our community and sending a strong message to the world that Evansville is a welcoming and inclusive community. I applaud you guys for considering these changes and I look forward to getting this all done by the end of the year and sending a message to the world outside.

President Winnecke: Thanks, Bob.

Robert Dion: Thanks.

President Winnecke: Any questions? Anyone else that would like to speak to this? If not, I would entertain a motion to approve the amendments as presented.

Commissioner Abell: I'll make that motion. Does that also move this to second reading then?

President Winnecke: Right.

Commissioner Abell: I'll move.

Commissioner Melcher: Okay, I'm going to second it to move it to second and third reading.

President Winnecke: Okay, we have a motion and a second. Is there further discussion or questions? I would just comment, I think this is, as a couple of people have said, I do think this is the right thing to do, and it does put out, I think it does send a message from our community that we really are about inclusion and diversity and they're not just buzz words that we use rhetorically and politically. So, having said that, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Robert Simpkins: Can I interrupt please? Are you—

President Winnecke: I've just called for the vote.

Robert Simpkins: Okay, well—

President Winnecke: This is for the first reading.

Robert Simpkins: Okay.

President Winnecke: It comes back for a second and final reading next Tuesday at our regular meeting at 5:00.

Robert Simpkins: Sorry, but I thought that I understood that she wants to advance it to second reading now.

Commissioner Abell: No.

President Winnecke: No, no, we're advancing it by, we're voting, we'll vote today, assuming it is approved today on first reading, it will go to second and final reading next week, on the 20th at 5:00 p.m. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Again, this is just moving it to second reading on the 20th. So, I will vote aye to move it forward.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: And it does pass, so it will be considered for second and final reading next Tuesday at our regular meeting at 5:00 p.m. Thank you very much.

**Collective Bargaining Agreement: 2012-2014 (Teamsters)
Hamrick's Towing Agreement: Deferred
Interlocal Agreement with EVSC: Peck Road Improvements
Interlocal Agreement with City: Snow Removal
Health Dept: Verizon GSA Purchase Order
Health Dept: MCH Grant Agreement
Superior Court: Professional Services Agreement: Troy Hardin
Superior Court: Professional Services Agreement: Dion Wingerter
Superior Court: Professional Services Agreement: Michael Collins
County Assessor: DS Parker Family Assessor Services Agreement
County Engineer: Xerox Lease Agreement
VC-11-11-01: Adler Excavating: Bridge No. 1420 Maintenance Contract**

President Winnecke: Next, under contracts, agreements and leases, we have the collective bargaining agreement for the County Highway, the Centre, Burdette, Superintendent of County Buildings, Weights and Measures. This is for a period of three years beginning January 1, 2012 extending through December 31, 2014. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Are we going to table this? Do you want me to introduce it?

Commissioner Abell: Yeah.

President Winnecke: Okay. Next we have an agreement with Hamrick's Towing and Recovery LLC for towing services for the county. This is to renew the agreement for three years under the same terms as the present agreement. The renewal will run through December 31, 2014, again commencing in the new year.

Commissioner Abell: Mr. President?

President Winnecke: Yes.

Commissioner Abell: I would like to move that we table this vote until our December 20th meeting. I have had a couple questions posed to me that I am not able to answer at this time. If we could put this off until our next meeting I would have an opportunity to answer those questions and look into those comments.

Commissioner Melcher: I too, I'm okay with moving it to the next meeting. I also know that this is just, this is a service contract, and that I have been studying and keeping track of all the towing services in our community, because I've used probably every one at least two or three times.

President Winnecke: Sorry about that.

Commissioner Melcher: So, it's, not personally, but I work at a company that we do, but, basically, we just, and being a City Councilman of 17 years I've been involved in towing contracts before. So, that's fine with me, so I will second.

President Winnecke: Marsha, was that a motion to table?

Commissioner Abell: It was a motion.

President Winnecke: Okay, a motion and a second to table. All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed? Okay, thank you.

(Motion approved 3-0)

President Winnecke: Next we have the interlocal agreement for Peck Road improvements. This is an agreement between the county and the Evansville-Vanderburgh School Corporation for the county to provide services for the EVSC in terms of taking bids and entering into a contract with the successful bidder, subject to the budget limitations of the School Corporation, and then overseeing the work of making improvements to approximately 1,500 feet of Peck Road. John Stoll, our County Engineer is here if anyone has any questions relating to this. We've talked on and off about this for two or three months.

John Stoll: Right, this just covers the section of Peck Road from Old State Road up to the proposed entrance for the North High School. Beyond that, there aren't any

plans as of yet. The way Bernardin Lochmueller has designed the access point there on, into North High School, it will prohibit left turns out in an attempt to try and keep the traffic from being on the unimproved section of Peck north of the school entrance.

President Winnecke: Okay. Any questions of John? I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or further discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, John. Next we have an agreement between the city and county to swap certain routes for snow removal near jurisdictional boundaries. This agreement is for the City Garage to remove snow from certain county roads and for the County Garage to remove snow from certain city streets. This agreement has changed slightly, or some of the routes have changed slightly from past years. Mike Duckworth is here to fill in the details.

Mike Duckworth: Good afternoon, Commissioners. Mike Duckworth, Superintendent of County Highway Department. I've included a lot of information for you, but we're here today to, for your consideration on the memorandum of agreement between the city and county on certain routes of exchange for snow removal. I have gone through and measured, you will notice the mileage on the memorandum that I've provided to you. It is an efficiency situation to where we can stay on predominantly the north side of the county, and pick up some roads in that area for the city, and then they would basically pick up some mileage on the south and western ends of the county for us. I think this is a way that we eliminate more trips back to the salt barn, and it saves us on fuel and I think it's a smart thing to do. I've also included just some general information for you, in regards to some of our facts, for your information, total amount of bridges that we have to treat and keep clear and mow and do maintenance around and other duties that we administer. I would also have you notice at the end of the county highway general information that this year we've received 1,190 total work orders, we've completed 855. We work on those daily and we receive them daily. So, with that being said, I will point out to you that we've also included, just for your information, the different truck routes of how we have them scheduled for each driver, for each truck. We currently have a full barn of salt, full

storage units of beet juice, our vehicles have been double checked, triple checked so that we don't get in at 2:00 in the morning and have a maintenance problem. We have already pre-treated once due to low temperatures and glazing over the roads. We feel that we're as ready as we can be for any snow event that we might have.

President Winnecke: Thanks, Mike. Any questions of Mike?

Commissioner Abell: I have a question. On these roads that are the counties that the city will be taking care of in this agreement, so if we get a phone call from somebody and it's one of those do I call you or do I call the city?

Mike Duckworth: Well, here's the way we're going to handle this—

President Winnecke: Don't call the city.

Commissioner Melcher: Call Lloyd.

Commissioner Abell: Call the new Mayor.

President Winnecke: No, no. Mike Duckworth. 1-800-DUCK.

Mike Duckworth: Yeah. After this meeting, if you so approve, we will pass it on to the Works Board. Once it's approved by the Works Board then we will forward all of this information to the city and county police so they have the information, and, of course, Central Dispatch. We will also put it on our website and invite the city to do the same. These will be in stone. So, if a complaint comes in about Lynch Road, it's going to be the county's, not the city's. So, if we miss something, we'll take our medicine and we'll go out and do it, but if they miss it, I'll be on the phone to them.

President Winnecke: But, to Commissioner Abell's point—

Commissioner Abell: Who do I call?

President Winnecke: – can she pick up the phone and still call you—

Mike Duckworth: Yes.

President Winnecke: – versus trying to figure out who in the city to call?

Mike Duckworth: No, you call me. The Commissioners call me.

President Winnecke: Right.

Mike Duckworth: I will make sure that the city gets that information and gets out to take care of it.

President Winnecke: Great. Thanks.

Commissioner Melcher: Yeah, I think that would be a better...there's no sense in us calling the city, because they're not going to pay attention to us.

President Winnecke: Oh, yeah.

Mike Duckworth: No, my comments were in regards to the general public when they call in.

Commissioner Melcher: Right, they didn't do it when I was a Councilman, but, anyway—

President Winnecke: New Sheriff.

Commissioner Melcher: Yes, I guess, a question I would have, and especially snow, the city do they have now front load....no, so, how do you—

Mike Duckworth: I believe they have one. That's one of the reasons—

Commissioner Melcher: Is that the one that's going to be on the county, county roads?

Mike Duckworth: Yes, it will handle those.

Commissioner Melcher: Because there's going to be two different types of snow cleaning. It's not the Teamsters fault—

Mike Duckworth: No, no, not at all.

Commissioner Melcher: — it's the equipment.

Mike Duckworth: That's right.

Commissioner Melcher: They don't have the equipment like you have.

Mike Duckworth: Right. Well, I would just say to you that, of course, we'll monitor these situations and if something not's getting done to our satisfaction or the county residents satisfaction, of course, we'll be ready to make those alterations.

Commissioner Melcher: Because I think we might be getting calls, because I got calls.

Mike Duckworth: Well, as you know—

Commissioner Melcher: As you know, (Inaudible) something as a new incoming Mayor might want to look at some front load snow removal for the main roads.

Mike Duckworth: Not to take this where it doesn't need to go, but there are strategic decisions that have been made that need to be looked at on both sides, because it is a different animal to plow county roads, which of our 500 plus roads only 20 something are curbed streets, as opposed to doing them in the city with belly plows. So, and we pre-treat and they do not, which makes it easier to peel the snow. So, those are strategic decisions that are made to, for your discretion, to look at to see what you think works best. I think we, public opinion tells us one thing and we have to look at it and listen to it. So, we will, if something doesn't work out we'll be there to fix it. There are some areas out and about, small subdivisions and county residents are used to having subdivisions hit, because we have equipped smaller vehicles with front end plows, and we can do subdivisions. We have smaller trucks that pre-treat subdivisions, and frankly they are used to that and we'll continue to do that.

Commissioner Melcher: Well, that's good that we're going to continue to do that.

President Winnecke: Any other questions of Mike? Hearing none I would consider a motion to approve the memorandum of understanding between the city and the county.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or more discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Mike Duckworth: Thank you. I'll forward that to the city.

President Winnecke: Thanks, Duck. Next, the Health Department has an opportunity to upgrade its existing Verizon wireless equipment to take advantage of newer technology with faster speeds. The estimated monthly cost is \$1,200 for a total estimated annual cost of \$15,240. Gary Heck is here to answer our 3G and 4G questions about that.

Gary Heck: Gary Heck, Vanderburgh County Health Department. I would be happy to answer any questions, if you have any.

President Winnecke: Gary, is this a grant, paid for by grant? Or is this part of your budget?

Gary Heck: It's blended funding, part of it, it varies, some of it will come out of grant funding and some of it will come out of the Health Department.

President Winnecke: But there is allocated resources for this?

Gary Heck: There are allocated resources in place for all of this.

President Winnecke: Okay, any questions of Gary? I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have the Title V MCH Block Grant. This is in the amount of \$104,000 and for the purpose of providing pre-natal care coordination, and early pre-natal education services, with an emphasis being placed on child bearing women, infants, children and adolescents. The term of the grant is from October 1, 2011 to September 30, 2012.

Gary Heck: This is an extension grant that we just received from the State.

President Winnecke: I would entertain a motion.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thanks, Gary.

Gary Heck: Thank you.

President Winnecke: Superior Court, Home Verification Officer agreements for Deputy Troy Hardin, Deputy Dion Wingerter, and Deputy Michael Collins. There are existing agreements between the county and the respective deputies and that

terminate at the end of this year. The attached agreements are on the same terms and conditions, that is at \$29.14 per hour for services, and run from January 1, 2012 through December 31, 2012. I would entertain a motion to approve each of the three.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: Is anyone here to discuss this?

President Winnecke: No, I don't see anyone from Superior Court.

Commissioner Abell: What do these people do?

President Winnecke: They provide, they verify substance abuse, drug reporting, testing, make sure they go get their lab work and all of that.

Commissioner Abell: Are these deputies of the Sheriff's Department?

Rick Pace: Yes.

Commissioner Abell: Okay. Okay.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, under County Assessor, renewal of the agreement with DS Parker Family LLC for Assessor services. This agreement is identical to the current agreement between the company and the county. As under the current agreement, Parker will be paid \$37.50 per hour for services, up to a maximum fee of \$15,000. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next for the County Engineer, the Xerox copier lease agreement. This is for a new Xerox copier under the terms and conditions of a master Xerox lease agreement entered into between the county and Xerox on July 20, 2010. The lease is for five years with a minimum payment of \$226.25 per year.¹ John, anything to add to that? I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next we have permission to award VC11-11-01. This is bridge number 1420 maintenance. This is for the Number Six School Road to Adler Excavating for \$27,346.03. John, would you like to enlighten us?

John Stoll: It's—

President Winnecke: Turn the microphone on please.

John Stoll: As you said, it was on Number Six School Road. The problem we've got out there is the old abutments were left in place when the new bridge was put in, so we've got some erosion issues that have caused some stability issues next to the

¹Should be per month.

old abutments. This contract will address the erosion and hopefully prolong the life of the bridge.

President Winnecke: Okay, and can you comment on Adler's bid of \$27,346.03?

John Stoll: They provided the low bid on the project.

President Winnecke: Thank you very much. Questions or discussion? I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

County Engineer

President Winnecke: Department head reports. Doc? Gary?

Gary Heck: Nothing to add at this time, sir.

President Winnecke: Perfect. John?

John Stoll: I've got three items. First is a street plan approval request for Darmstadt West Subdivision II. This plan will provide a 20 foot wide privately maintained rock road that will run south off of Boonville-New Harmony. It's about 1,000 feet west of St. Joe Avenue. It's going to serve two lots, and we've viewed the plans, they've made the changes we've asked for, so I would recommend approval of the street plan.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call...oh, I'm sorry.

Commissioner Abell: Did you say they are going to maintain it? They're not expecting us to?

John Stoll: Yes.

Commissioner Abell: Okay.

John Stoll: There will be provisions on their plat stating that it's privately maintained. The rock road standard that was adopted by the Commissioners probably eight to ten years ago does require that any rock road would be privately maintained. So, it won't be ours.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then, next I've got two change orders on the Green River Road project. The first is change order number two. It's an increase of \$20,200.14. This covered the milling and resurfacing out in the Lynch Road intersection. That originally wasn't part of the project limits, and due to all of the rutting of the asphalt through the Lynch Road intersection. It provides a much better end product. We milled that out and resurfaced it. Then change order number three is for an increase of \$9,800. This covers the additional soil borings that were done at the northeast corner of the Pigeon Creek bridge.

President Winnecke: I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: Questions or discussion of John? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

John Stoll: Then one other item that I'd forgotten about when I sent you the e-mail earlier, Bernardin Lochmueller provided us the cover sheets for the Millersburg Road plans. I got the road plans in, the bridge plans that need your signatures. Hopefully we should be able to bid that project, I hope to start the bidding process at your first meeting in January. We're trying to finalize the mitigation parcel, and we are also trying to work out the utility agreements, but those are about the only two remaining unresolved issues at this point.

President Winnecke: We don't need to vote on anything tonight?

John Stoll: No, I just need your signatures.

President Winnecke: Okay.

John Stoll: Unless you've got any questions, Jeff Whitaker of Bernardin Lochmueller is here as well to help answer any questions about the project.

President Winnecke: Okay, thanks, John. Steve?

Steve Craig: I've got nothing.

President Winnecke: Good answer. Mike?

Mike Duckworth: No, sir.

President Winnecke: Okay. You've got all the beet juice and salt that you need? No, I don't want to ask that.

New Business

President Winnecke: New business. We need to vote on what will be your first meeting of 2012. I would entertain a motion to make it January 10th.

Commissioner Abell: So moved.

Commissioner Melcher: I'll go ahead and make the second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Melcher: Is, are we going to stick , now I can ask that question, are we going to stick to the second and fourth?

Commissioner Abell: I think we're going to try to. Certainly people are kind of used to it. Is that okay?

Commissioner Melcher: No, it's tough for me, because when we first started it was the first and third, and the second and fourth I put other meetings on and I haven't been able to go to some of them because of the second and fourth, and I thought well maybe it was the way the years fell out. Well, then, so, I thought I might bring

it up this time. But if it, I know my position here, so, basically, I'm okay, but, I mean, it would be easier for me the first and third.

Commissioner Abell: I have absolutely no objection to the first and third. That's fine, if you want to do it.

Commissioner Melcher: Why don't we just, for now, go ahead and make it January 10th, and when we get our new Commissioner we can schedule the year then. We're not scheduling the year right now are we?

President Winnecke: Sounds like a plan.

Commissioner Abell: That's fine.

President Winnecke: Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Any other new business to come before us?

Old Business

President Winnecke: Any old business?

Public Comment

President Winnecke: Any public comment?

Consent Items

President Winnecke: At this time I would entertain a motion to approve the consent agenda.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: We have a motion and a second. Madelyn, would you do that thing that you do oh so well.

Madelyn Grayson: The consent items for the December 13th meeting are as follows; approval of the November 15, 2011 Commission meeting minutes; employment changes for the Commissioners approval, there are two for the County Highway and two for the Health Department; the Evansville Police Department has a waiver of Centre fees/not overtime for training on February 27, 2012; the County Auditor has a request to surplus various office furniture and equipment and approval of the November 2011 A/P vouchers; the Commissioners have a notice to abutting owners of sale of 907 South Governor, the sale of 321 Read Street, and a request for proposals for grant management and administrative services related to the Bohannon Sewer project; Evansville ARC has the October 2011 report of activities; Weights and Measures has a monthly report for October 16 through November 15, 2011; the County Treasurer has the September 2011 monthly report; the County Clerk has the October 2011 monthly report; the County Engineer has pay request number 140 for TIF projects in the amount of \$33,769.79; and there are department head reports from the Burdette Park and the County Engineer.

President Winnecke: Questions or discussion? Roll call—

Commissioner Abell: Mr., I'm sorry.

President Winnecke: No, go ahead.

Commissioner Abell: I don't have anything on the consent items. I just didn't want you to adjourn.

President Winnecke: Oh, okay. Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Commissioner Abell: Mr. President.

President Winnecke: Yes.

Commissioner Abell: If I may?

President Winnecke: You may.

Commissioner Abell: We realize that you will have one more meeting in front of us, however, we also realize that there is a rather large agenda scheduled for December 20th, so, to make sure that we didn't let this pass—

President Winnecke: Oh.

Commissioner Abell: –we have a plaque for you for your service as a Vanderburgh County Commissioner, and certainly for your year as President of the Commission. We can't say we're sad because we are also very proud of you and very happy for you as you go across the hall and know that you'll still be available to talk to us when we need you, and we want to give this to you.

President Winnecke: Thank you very much.

(Applause)

President Winnecke: Thank you very much. Something to put in my new office. At this time I would consider a motion to adjourn.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: Okay, we are adjourned.

(The meeting was adjourned at 2:20 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the November 15, 2011 Commission Meeting Minutes.

EPD: Waiver of Centre Fee/Not Overtime: February 27, 2012.

Notice to Abutting Owners of 907 S. Governor.

Sale of 321 Read Street: Quit Claim and Sales Disclosure.

RFP's: Grant Management and Administrative Services: Bohannon Sewer Project.

Evansville ARC: October 2011 Report of Activities.

Employment Changes:

Health Dept (2)

County Highway (2)

Sheriff (5)

VCCC (1)

Prosecutor (1)

Superior Court (9)

County Clerk (3)

Auditor:

Request to Surplus Various Office Equipment and Furniture.

Approval of November 2011 A/P Vouchers.

Weights & Measures: Monthly Report: October 16-November 15, 2011.

Treasurer: September 2011 Monthly Report.

County Clerk: October 2011 Monthly Report.

County Engineer: Pay Request No. 140 for TIF Projects.

Department Head Reports: Burdette Park

County Engineer

Those in Attendance:

Lloyd Winnecke	Marsha Abell	Stephen Melcher
Joe Gries	Ted C. Ziemer, Jr.	Marissa Nichoalds
Madelyn Grayson	Rebecca Paxton	Alexandra Paxton
Robert Simpkins	David Kent	Wally Paynter
Robert Dion	John Stoll	Mike Duckworth
Diane Clements	Gary Heck	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY
BOARD OF COMMISSIONERS
DECEMBER 20, 2011**

The Vanderburgh County Board of Commissioners met in session this 20th day of December, 2011 at 5:00 p.m. in room 301 of the Civic Center Complex with President Lloyd Winnecke presiding.

Call to Order

President Winnecke: Good morning, or good evening, rather. Welcome to the December 20th meeting of the Vanderburgh County Board of Commissioners. We'll begin with attendance roll call please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Winnecke?

President Winnecke: Here.

Pledge of Allegiance

President Winnecke: Would you please stand and join us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

**Second/Final Reading of Ordinance CO.12-11-006:
Amending Ch. 2.56: City-County Human Relations Commission**

President Winnecke: Thank you and good evening. Happy Holidays and Merry Christmas. Our first action item tonight is the proposed second and final reading of CO.12-11-006. This is an ordinance amending chapter 2.56 entitled the City-County Human Relations Commission, second and final reading of the ordinance that adds protected classes of age, sexual orientation and gender identity to the county's existing ordinance. At this time I would open up to the Commissioners for discussion.

Commissioner Abell: Do you need a motion?

President Winnecke: If you would like a motion to get it to the floor, that's fine, or if you just want to discuss.

Commissioner Abell: Well, Mr. President, I....is my mic on?

President Winnecke: Yes, it is.

Commissioner Abell: I would like to make a motion that we table this ordinance this evening so that we can have more community/public discussion on this issue. Obviously, we have a full house here tonight, so it is an issue that many people are

interested in. We spent more time discussing redistricting than we have this issue, and I do not think it is fair to this community, either side of this issue, for us to take a vote on something tonight that I already have had questions posed to me today that I could not answer. I'm not in favor of voting on something when there are questions that I cannot answer when constituents call me, and, consequently, I would like to put, in the form of a motion, that we table this ordinance and set up meetings to further investigate it before we bring it back for a full vote.

President Winnecke: There's a motion on the floor.

Commissioner Melcher: I'll go ahead and second that motion, but we're going to have discussion, right?

President Winnecke: Right. Go ahead.

Commissioner Melcher: I just, I'll second the motion.

President Winnecke: Do you have a time table for when you would like to see it brought back before a public hearing?

Commissioner Abell: In January when the County Commissioners meet we will set up a schedule for public comment, which will not be on a Commissioners night. I would predict that it should be from possibly 3:00 one afternoon on into the evening so that everyone who wants to be here has an hour that they can come and talk to us on either side of this issue, and that also we will have an opportunity to submit questions to legal authorities for response to some of the questions that have been posed to me. I would say that we will, we can set that up on January the 10th at our meeting, we can schedule when we would have the hearing, have the date for the meetings after that. We will not have the meetings that night, but we could schedule the meetings that night.

Commissioner Melcher: So, basically, what you're planning on is having at least one meeting, two meetings or something prior before it comes back to the Commissioners?

Commissioner Abell: Yes, Mr. Melcher, and I want to be sure that we have our third Commissioner here. Mr. Winnecke, as everyone knows, will be the Mayor of the City of Evansville by then, and, consequently, we will have another Commissioner.

Commissioner Melcher: Well, I'm okay with doing that. I know a lot of people are here, but I know I had a couple questions, I think there will be at least one amendment in it about faith based organizations maybe being exempt. I understand it's in there, but I've never found it. So, I don't know if it's in there or not in there.

Ted C. Ziemer, Jr.: Is David Kent here?

Commissioner Melcher: Then we had a couple of other questions I think we need to cover. Then, after that, I think, but we need to hear from both sides. I did get an e-mail from a landlord, which is the head of the property management or landlords association, Monty Fetter, he ought to be able to have some input into this too. So, I think that's an issue that our community needs to come together on. We want to move forward on and without just rushing into a vote. I would just like to make sure that we all know what we're voting for when we vote on it.

Ted C. Ziemer, Jr.: Is David Kent here?

Commissioner Melcher: If you could answer that one for me right away, because I didn't see it. Because I don't want to force any organization to—

David Kent: Mr. Melcher, the, actually with regard to religious exemptions, it's actually held in the Indiana Civil Rights Act itself, which allows us to have a commission, which allows us to have an ordinance. That Act itself rules over all of it, and the exemption is contained in the Act.

Commissioner Melcher: Well, and that's some of my questions, some of my questions is exactly what you just said, I had some people ask me why we're even doing it if it's already covered under what you just said.

David Kent: In terms of?

Commissioner Melcher: Of the sexual orientation and all that.

David Kent: That is not contained in the Civil Rights Act.

Commissioner Melcher: Oh, that's not contained?

David Kent: No, it is not.

Commissioner Melcher: Okay, because I was told some of it did, some of it didn't.

David Kent: No, it is not contained in the Civil Rights Act.

Commissioner Melcher: Okay, but, basically, but we could have it in here if we want to. That's our choice.

David Kent: Under, the way this, the way it is written now, it is completely voluntary. There is no teeth to the ordinance.

Commissioner Melcher: No, I know that.

David Kent: Okay? There, we have talked with regard to it being HUD policy with regard to this matter. We believe that in terms of the legal end of it there was concerns with regard to would it be a conflict. It is not a conflict. In fact, we found some case law in regard that it's an expansion without entering into a realm that is not approved, because it's voluntary in nature. It is not a situation where we are saying, bang, this is discrimination and therefore you fall under our jurisdiction, therefore we have the ability to sanction you, make you go to hearings, those types of issues. That is not what we have here tonight. That is a, it is a purely voluntary in nature, and, in fact, to be quite honest, it's also a fact gathering information. In terms of is this in fact taking place, and is this something that should be addressed on a higher level, such as the Indiana Civil Rights Act, or in a Congressional Bill. But, this is purely informational in purposes to play to those people, to get them that information as to whether or not they should address that as a problem.

Ted C. Ziemer, Jr.: David, is it not true then that while sexual orientation and gender identity are not protected classes under the Indiana Civil Rights Act, we don't, we cannot expand the local Human Relations ordinance to make them protective classes?

David Kent: That is correct. That would be a conflict.

Ted C. Ziemer, Jr.: That would be a conflict. So, what we're doing is simply, or what the intention of the Human Relations Commission by this amendment, is to, I think, create a fact gathering opportunity. I think it would be important for the people of the community to understand, this does not create new, protected classes.

David Kent: That is correct.

Ted C. Ziemer, Jr.: So, regardless of the passage of this, or not, and if it is passed, there still will not be protected classes for sexual orientation or gender identity, because they're not under the Indiana Civil Rights Act.

David Kent: That is correct. As you and I discussed, Ted, the idea is you go back to section 21 where it is the voluntary nature of that portion of the Act, although, throughout our ordinance, sexual orientation and gender identity is listed in several different areas. As Ted's well aware, when you get into a statute or an ordinance, it's the more specific section that controls. In this case we have a very specific section that says this is voluntary in nature. All we have the power to do is collect the complaint, we can contact the respondent, the respondent doesn't even have to talk to us if they don't want to. They don't have to deal with any of it at all. They can come and talk to us and say, hey, we thought about this and maybe we would like to talk about it and see where we're going in this area, but from that aspect, that's it. We don't have any power to do anything as the ordinance is written. You know, as, don't ask me how, but Indianapolis' ordinance actually has some teeth to it. I don't know how they managed to do that, but our ordinance does not do that. We're in line with Bloomington's ordinance, there's a few other cities in Indiana that have this ordinance, but the idea behind it all though is it is voluntary in nature, it is not creating a new protected class.

Commissioner Melcher: Well, I think what would be good too then, if we could get copies of the Bloomington and Indianapolis, I think Michigan City was one, and I think there was one—

David Kent: Lafayette just recently passed one.

Commissioner Melcher: —Lafayette. That would be good for us to have, because I would like to find all of the facts out before I vote on something, you know, if I can, because I want to be able to give the correct answer when it comes to my time to vote. I would like to have that, because I want to protect it. I'm all in favor of people being discriminated against that, I don't think they should be. Nobody should be discriminated against in the United States of America, but I want to make sure that we're covered and the taxpayer is covered.

(Applause)

Commissioner Melcher: I want to make sure the taxpayer is covered also on, because we could be, like I would ask Ted, when this subject litigation, can it stand up? That's what I....but since it don't have any teeth in it, that won't happen then.

David Kent: There's no, actually with Indiana—

Commissioner Melcher: There's nothing to—

David Kent: – it would end up being, there's no way to challenge it. What it really comes down to is it's a lack of standing.

Commissioner Melcher: This dialogue we're just having now should have came out at the last meeting. It would have been better to know that up front, it's not your fault, I should have asked that right off the bat, but the more I started reading the ordinance and started going back and forth, a lot of these questions came up, and then we had a lot of good e-mails, some of the e-mails were just blanket copies of e-mails, which you don't even read after you read the first one. So, that's what I would like to find out. That's why I'm okay with tabling it tonight for this evening.

Commissioner Abell: The statement that you made is exactly why we want to table it, because, or I think Mr. Ziemer made it, that the community needs to know. The community doesn't know anything, that's the problem. They know nothing, because they haven't been informed, because this ran through the City Council so quickly that no one even was able to attend–

(Applause)

Commissioner Abell: – and we are not....this Commissioner has no intention of running through anything so quickly that the people that live and work in this community don't have an opportunity to call me or write me or come down and make testimony. So, that is why I've made the motion, and that's why I stand by my motion that we will table this until such time as we have an opportunity to have community forums where everyone will know what this is about.

(Applause)

President Winnecke: Anything else?

Commissioner Melcher: Uh-uh.

President Winnecke: Ted, do you have anything else? Anything else? Okay, there's a motion on the floor and a second to table the second and final reading of CO.12-11-006. Given the nature of the change of what is transpiring, I would open the floor for some discussion only related to the motion on the floor to table it versus the pros and cons of the ordinance, which will obviously be discussed at a lengthier session, as Commissioner Abell has suggested. So, if anyone would like to speak strictly to the motion of tabling this to a later time, I would be happy to hear from those people at this time. Yes, sir. Would you come to the podium and state your name and address for the record please.

Rob Kerney: Where is the podium at?

Unidentified: Straight ahead. You got it.

Rob Kerney: Rob Kerney, 1429 John Street, Chairman of the Advisory Board on Disability Services for the city and county. I just had a quick clarification question. You said age and all of that, but you did not mention disability. Is that in this ordinance? Because I was told it was, to, in order to allow the Human Relations Commission to actually investigate–

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

Rob Kerney: Okay, because we understand that is to allow them to do the investigation in-house, rather than send it to Indianapolis on counts of employment. So, that's the reason I wanted to make sure.

President Winnecke: Thanks, Rob. Any other comments or questions relating to the motion on the floor to table this until a later time? Okay, hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Again, I would like to say if we start these public hearings, if it takes more than one night, I'm not against having more than one night. With that I will vote yes to table it.

Madelyn Grayson: President Winnecke?

President Winnecke: Given the fact that I'm moving on, I will abstain from this vote.

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

President Winnecke: Okay, next on the agenda, the GAGE presentation. Debbie Dewey from GAGE.

(Applause)

GAGE Presentation

President Winnecke: You might wait a second to give everyone time to pull out.

Debbie Dewey: Okay.

President Winnecke: We're still pausing as the crowd disperses. Hey, Craig. Hey, Eric, could you kind of shut the doors and ask them to....thanks.

Debbie Dewey: They don't want to hear about GAGE?

President Winnecke: Okay, Debbie, thanks for your patience. Let's go ahead.

Debbie Dewey: For the record, I'm Debbie Dewey, President of the Growth Alliance for Greater Evansville. I'm here to report on the 2011 activities for GAGE, to be in compliant with the agreement that we have for the county, and also ask for your approval in supporting GAGE again for \$150,000 in 2012. I was here about a year ago and told you that we had reorganized GAGE, we changed the strategic focus, and what we were spending our resources on. What I wanted to do was report, just the highlights, you have been receiving quarterly reports from me by e-mail, and you will receive the annual report in January. The number one strategic area of focus for GAGE is business attraction/retention/expansion. So far in 2011 we've assisted 325 companies and entrepreneurs, and that's everything from somebody calling and saying how do I start a business, to major projects that we've gotten through the

State, to incubator clients for Innovation Pointe. We've worked on dozens of projects, and we've landed a few great ones. In fact, we've landed projects that will add over 970 jobs over the next five years in Evansville-Vanderburgh County. Those jobs will provide over \$100 million per year in economic impact, positive economic impact. That's just the direct economic impact, that doesn't include the trickle down jobs and economic impact that will happen with these people being employed. On any given day we work an average of 15 open projects. I think I've said before that you have to kiss a lot of frogs to find the prince, and we've found a few princes, but we have to keep that pipeline full. On any given day we have to be managing 15-20 projects just to try and land one. We also now are capable of economic impact modeling and project lead tracking, in fact, we can tell you that these jobs will provide \$100 million a year in economic impact because of the modeling software that we now have. We've also created new promotional materials for Evansville; Community Quick Fax, Why Do Business in Evansville, trade show handouts, a quality of life file. We even developed a flip book that is now online, and also we're doing an iPhone app that's targeted at the 25-35 year old young professionals that SS&C and certain companies are trying to attract, to tell them why they should live in Evansville and accept jobs here. We have obtained State shovel ready certification for our 50 acre property on North 41. We developed a business licensing and permitting guide that's available now online as well as in hard copy, and we were told that this was desperately needed so that entrepreneurs, existing businesses and businesses looking at coming here had some kind of road map on what they had to do and who they had to talk to to get their business going. We also have conducted, with USI, eight entrepreneur roundtables with attendance by anywhere from seven to ten entrepreneurs and businesses. We provide instruction there on how they should operate their businesses. We've developed a database to survey existing companies to help find out what it is they need to expand here in Vanderburgh County. We developed a flight service survey to provide support to the airport management, so when they're negotiating with airlines on how to attract more flight service in here they have real data from our existing companies. We partnered with USI and one of our board members to offer Koffman Foundation growth ventures training. This is training for companies that are five years or older and are ready for the next growth spurt. We've had 20 companies go through that so far. We've worked with companies to submit a couple of EDA revolving loan applications, and one of those loans have been made. We also are working with USI on a city branding initiative, where we're doing surveys across the community to find out what people think of Evansville in terms of its existing identity and what the ideal city identity should be, so that we can now use that to develop a brand for Evansville. The next strategic area of focus is technology transfer and commercialization, we, and tier one incubation. We developed a new strategy for tech transfer from the federal labs. We've had six companies engaged where we're trying to meet with the companies to find out what they need in term of technology from the federal labs to try and pull that technology out. As a result of that, we have one new product idea in development, one joint technology development agreement is being negotiated, we have two local companies who visited Crane and have been briefed on state of the are technologies that can help their businesses going forward, and we currently are researching available technologies for three more companies. With USI and SBDC we conducted an SBIR workshop for 15 companies locally where we were instructing them on how to go after federal funding for their innovation and technology research. We've engage a U of E engineering student to be our tech transfer intern to research those federal lab technologies for local businesses. We are currently working with USI to pair engineering and business students who can also work tech transfer and pair them with mentors who are retired engineers in the community, again to push the technology transfer. We've participated in intellectual

property mining events and commercial idea generation events with Crane patents, and we have continued to operate Innovation Pointe, not only as a small business incubator, but as a start up space for businesses that we're trying to attract, like SS&C Technologies. We're currently partnering with USI and Crane to develop plans for a new initiative that we like to call Indiana's Innovation Interstate, between here and Crane, in terms of I-69, and you'll hear more about that going forward. We've also continued to recognize our responsibility to commercial corridor promotion, especially with downtown Evansville, we developed a downtown walking map and distributed about 700 copies of that with the Ford Center opening, we also partnered with local high school art groups to come down and stage some of the empty store fronts on Main Street as to what businesses they would like to see and had that available for viewing during the arena opening event. We've maintained the Main Street USA and certified technology park certifications, we've co-chaired the bicentennial celebration planning committee and have administered the sister city program. We produced the Fourth of July fireworks for the city, we made marketing suggestions to the Franklin Street Merchants Association. We successfully transitioned a number of events to new event champions, the summer air show to the Shriners, the Jazz, Wine and Arts Festival to the Philharmonic, cruise ins to the Pony Express, and farmers market to a board of independent growers and artisans. With all of that I want to emphasize the 970 jobs to be added over the next five years. We hope you will give us a little slack for not having a rain date for the holiday parade. Having brought those kind of jobs and that kind of instruction to our local business people in terms of how to do technology transfer and things like that. So, we hope that you will continue to support GAGE in 2012.

President Winnecke: Thanks, Debbie. Boy, what a difference a year makes, or even two years. Is it, I'm not going to ask that, I appreciate what, any other questions of Debbie? Any questions, since I didn't ask that.

Commissioner Abell: Mr. President, I don't have any questions, but I was probably one of the biggest critics of GAGE last year. Very unhappy with the direction it was going. Very unhappy with the fact that it was called economic development and they were putting on festivals and doing things that were so far removed from economic development. I have been on the board there this year, as you know, Ms. Dewey, and I could not be more changed in my attitude toward GAGE.

Debbie Dewey: Thank you.

Commissioner Abell: I want to tell you, you have definitely brought it up to where it needs to be. We just need to get a few more businesses here, and I know you are working on some, because we've had those discussions.

Debbie Dewey: Right.

Commissioner Abell: I'm pleased to say that. Thank you.

Debbie Dewey: Thank you.

Commissioner Melcher: The only thing I have to say, I wanted to make sure that you get to us in a timely manner, I think it's around the end of March about all of the tax phase-ins.

Debbie Dewey: Yes.

Commissioner Melcher: It seems like every year I've got to ask for it, and I think it should just automatically come from GAGE.

Debbie Dewey: Well, we have been working with the County Auditor and Assessor's office, and we have been trying to go by their schedule. The forms that were supposed to come in from the individual companies were not due until May, and then almost all of them, or a big percentage were given extensions into June. So, when we met with the Auditor and Assessor's office, they told us it would be better for us to do it later when we had more actual data when we could come in and report compliance. So, that was the reason the timing was what it was.

Commissioner Melcher: So, then a lot of that has changed, I guess, over the years, but whatever the dates are, we need to know because we are the ones that have to take action on the tax phase-ins.

Debbie Dewey: Absolutely.

Commissioner Melcher: That's our goal, and if the companies aren't living up to their agreement, then we have to know why. If it's out of their hands, like the economy or something, that's one thing, but if it's something that they told us one thing and they're not doing it, I want to hold them reliable for it.

Debbie Dewey: I understand.

Commissioner Melcher: That's why there's a little page in there that says that you know when you sign this page, you know that if you don't live up to it, you could lose your tax abatement, or phase-in as they call it now.

Debbie Dewey: If I remember from the compliance, we had, I think, almost 100 percent compliance on the investment and near 96 percent compliance on the jobs, with some specific cases where certain recessionary impacts. But, as far as the schedule, what I'll do is make sure that I communicate that to the Commissioners as to the schedule that we're working with based on what the Auditor's and Assessor's office has to do.

Commissioner Melcher: Okay.

Commissioner Abell: Mr. Melcher, maybe we could even ask Marissa to be in touch with the Auditor and Assessor to put it on our agenda on the time, in their time frame.

Commissioner Melcher: Yeah, I just want to make sure that we get it, and we shouldn't have to ask for it.

Debbie Dewey: I understand.

Commissioner Melcher: Because that's part of the role of GAGE, when they took it they were going to do all of the tax phase-ins for the city and county.

Debbie Dewey: And we have done that. I apologize if that hasn't come across that way, we did do the compliance and have been working very closely with the Auditor and Assessor's office to make sure that we're doing that.

Commissioner Melcher: Okay, thank you.

President Winnecke: Any other questions of Debbie?

2012 GAGE Agreement

President Winnecke: While she's here, in the interest of her time, and in the spirit of the holiday season, let's go ahead and consider the request for the agreement of services for 2012, which is on page three of our agenda. This is an agreement identical to the 2011 agreement. GAGE provides services to the county for a one year period for a fee of \$150,000. This has been paid in previous years from our Economic Development line item, funded by the Riverboat Account. I would consider a motion to approve a new agreement for 2012.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, Debbie.

Debbie Dewey: Thank you.

President Winnecke: Merry Christmas.

Evansville ARC Update

President Winnecke: Next, Evansville ARC.

Deidra Conner: Good evening.

President Winnecke: Good evening, Deidra.

Deidra Conner: My name is Deidra Conner, I'm the President of Evansville ARC. Thank you for inviting us to attend tonight to do our bi-annual presentation. I have with me tonight a guest, Chris Brown, who is the parent of two children in our Child Life Center, and I know you get far more from hearing from our parents and our staff and our kiddos than you do from me. But, for the benefit of those folks who are not as familiar with Evansville ARC in the room, Evansville ARC is a non-profit

organization that has been around since 1954, actually 1957, it was started by a small group of families who had children with disabilities and those children did not have the opportunity to receive educational services in the public school system. Special education did not come into public law until the early 1970's. So, in essence, ARC started as a school for children in the basement of the Eastside Christian Church. Since then we've grown and evolved and changed to meet a wide variety of needs in the community for both children and adults with developmental disabilities, and today we serve approximately 750 individuals, most of those on a daily basis. We're going to focus, every time that we come we try to focus on a particular program or service. You receive a pretty comprehensive monthly report from us, and that details all of our programs and services. I believe that Madelyn shared with you a fact sheet tonight that we brought with us that is specific to the Child Life Center. For the benefit of everyone else in the room and who may be listening, the Child Life Center, we've served kiddos since 1957, but the Child Life Center was actually developed in 1993 as a child care facility. Prior to that we did a lot of developmental work with children, and only served children with special needs, but Evansville ARC has always kind of been the pioneer in our community and we recognized in 1993 that we needed to be the leader in inclusion in school services. So, we created what is now known as the Child Life Center, which is an inclusive childcare center for children with and without disabilities in the same classroom. We are a state licensed facility, we are accredited by NAEYC, the National Association for the Education of Young Children, which thanks to the benefit of a grant from the Welborn Baptist Foundation we have the resources and ability to achieve that accreditation which is a very unique and best of the best, best practices for early childhood development that very few childcares are able to achieve. We're on level four of the past equality program, which is the State Family and Social Services Administration rating scale, about five percent of the daycares in our region have that rating, and we take a lot of pride in being one of the best, and we do believe that we are one of the best facilities in Evansville, and in the region frankly. We have a long standing partnership with the EVSC, we provide their pre-school special education services. Under the federal law children are eligible for pre-school as early as three years of age. So, we do that for EVSC in our facility in an inclusive setting. That too is a long term relationship. We also like to share what we know and train others to do what we do. So, we do a lot of mentoring with other daycares, and we also open our facility to U of E, USI, Ivy Tech and allow students to get their practicum experience at Evansville ARC. You have lots of statistics and information in the sheet I gave you, but again, for the benefit of those in the room, we serve about, about half of our kiddos have a special need, or have developmental delays. So, about 50 percent of our children fall under that special needs category. About a third of our children would classify as low income, free and reduced meal, and about 20 percent of our kids qualify for the State voucher program. So, they get assistance from the State in paying their tuition. So, we have a very diverse group of children in every sense of the word. Now, Chris Brown here actually can tell you a little bit more personally. He has two children in our center, and did you bring their pictures?

Chris Brown: Right here.

Deidra Conner: We have Eli, who is two, and Olivia who is four. They joined our center recently. Chris can actually speak first hand to the benefits that the Child Life Center have brought to his family. So, I thought Chris might be able to tell you just a little bit about how long they've been at the center and how it has impacted his children and his family.

Chris Brown: Alrighty. Hello, good afternoon, everybody. I am Christopher Brown, Chris Brown, we're not picky. A little bit of background, of course, these are my munchkins that I just showed you, Olivia and Eli. Olivia will be four coming up on February 21st, Eli is two and a half, will be three coming up on July 28th. Had to think about that, he's a midnight baby. Anyway, a little background about what's going on with the babies, Olivia was born in 2008, and, of course, you know working parents, I was working the night shift, her mom was working day shift, you know, we were struggling for daycare, we found a daycare in the assistance of a place off of Pollack Avenue, a very cool place, very professional, and then, you know, so we were all set, you know, everything was good to go, then here comes Eli right here. Eli, my little pride and joy, he was, we were down in Natchez, Mississippi and she's like I'm pregnant, I'm like, oh really. I'm with my family, so, of course, you know, my family gets to see them once a year, they got a nice little, you know, surprise. I'm like okay another one, alright. So, anyway the time comes, July 28th, 12:05 a.m. here comes Eli, you know, he comes out, not a care in the world, screaming, kicking, you know, the usual baby stuff. We're like, okay, he's going to be fighter when he gets older right here, a little scrapper. Then that next day, I was sitting at work and I got a text message you need to get to the hospital now, there's something going on. This was when we found out, his doctor, one of the pediatric, or neo-natal intensive care unit doctors pretty much told us, said, hey, there's a 90 percent chance he has Downs, he has a lot of the signs, Downs Syndrome. We did the tests and sure enough he has the Trisomy 21, which is the most standard form of Downs Syndrome. We got into a bunch of networks from, the Smile on Downs Syndrome Network come in, they've helped us out a lot and got us a lot of the knowledge. This is where we move into our more current situation right here. Eli has had respiratory problems since age one minute on, essentially. It got to the point that this one daycare that we were having the issue of the liability factor, they didn't want the liability of something happening to my son, and I don't blame them one bit, you know, that's a scary, scary thing right there. Especially someone that's not your child, if something was to happen to them, definitely understand that. So, I pulled him out, I took a leave of absence from work for a few months until we got settled in. This is where we come into the Evansville ARC and Child Life Center. They took him in with open arms. They've been wonderful with him. He, and with the development and the training that they've been providing, it's been very, very nice. He was walking within about a year and a half, which is about three or four months, which is off of like normal pace from regular kids, you know, kids with, you know, normal statures and what not. Sorry, I'm kind of nervous, it's been awhile, anyway, a lot of the training they are doing, we do have non-stop therapy going through there once a week, the Evansville ARC does facilitate and host all of that with open arms as well. Eli is on pace, like I said, he's with a normal, his normal age range, you know, aside from therapy you wouldn't think there's anything wrong otherwise. He's participating in classes, he's coming in, he's, you know, they're doing participatory, like this morning, for example, we were sitting at the table, he comes in he does his little daddy thing runs to me I give him the hugs, you know, then he'll run back and go play do his thing, and we're sitting there okay let's get five monkeys, he's holding up five, what do they do, they pinch, he was doing the pinching. His awareness is very, very much to the norm of like, you know, regular children his age almost. He's probably a few months behind and his development is very, very on-point, and I want to thank the Evansville ARC for that. They have been very, very wonderful for facilitating both of my children's needs. Olivia too, she's been getting like massive, I mean, she's on the like age range of like six to eight years old. I mean, that's who she plays best with. You know, her imagination is through the roof. A lot of the work that the teachers are doing with her as well, they are putting her in a position of being beyond her age range and then some. My mom even says she was playing normal with eight to ten year olds

when they took her down south to Louisiana for a home visit pretty much. She'll put on skits at home, one of her most recent ones she was pretending to be an old lady, my mom's guy friend, she was walking with him, hey, Grandpa, I need my walker, I need my walker, then she would start hobbling on. Then she would go fall on her face. I'm like, okay, you know, it's part of the skit, you know, she's talking to my mom's guy friend, and he's just like what in the world just happened? Some other items, she's getting started with reading, she's writing her name, like I said, barely, well, not even four yet, where they're working with her on writing, the school is working with her on writing too. She's doing her name, you know, for the most part, it's you know three year olds, I'm trying to hurry up. I can't stop, I don't know.

Deidra Conner: So, Olivia is interacting with children with disabilities her age as well, correct?

Chris Brown: And, yes, that's what I was about to get into also, her interaction, this will bring me to her interaction with Eli. I've never seen a tighter unit right there. I mean, they, of course, unless Eli is jumping on her and trying to pound on her, which, you know, he's all boy pretty much. Essentially, Olivia, like I say, she loves her brother, she interacts with him perfectly. They play together, they run together, they, just, I mean, they fight together there all the time. Leave me alone, Bubby, and he'll run at her, aaahhh, and just, you know, point and yell at her, you know. I think a lot of it wouldn't be possible without the Evansville ARC and the Child Life Center working for them, because they have been so diligent in keeping up, you know, keeping their attention span up. You know, keeping, you know, intelligent like, you know, items going on throughout the Center and just being all around there for both of my children. I can applaud them for that, I mean, that's just totally awesome, you know. They are doing a great job and I can't commend them enough for the work they are doing and what they are putting in for my children.

Deidra Conner: I know they may have some questions for you. Chris is a great testimonial for us in many ways. He mentioned several things that we do, we serve, you've heard us say we serve adults that no one else will serve. That is also true with children. Very few centers, if any, will accommodate a child with an oxygen tank, with a feeding tube, a child that has extensive behavioral needs or even physical needs. You know, they may need hand over hand assistance at the age of four to get their noon time meals. That is part of our mission. Our goal is to help individuals with disabilities live as independently as possible, and it starts at early intervention. One of the outcomes that we see from that is from going through our center, of the children with special needs or who have developmental delays, half of those go into the school system without special ed, or with a reduction in service. So, your investment in dollars at the Child Life Center pays off. We could not do the kinds of things that we do for Olivia and her brother without support from great partners. We actually have several in the audience today, but you guys have been, the County Commissioners have been with us since the early 1960's as well. So, it's a long time partnership. It's an investment of time and resources that are helping parents work, who otherwise might not be able to maintain employment if they didn't have daycare, and making all kinds of incredible things happen for both the kids and the adults and the families that we serve. For people who don't know much about us, we have a lot of information on our website, www.evansvillearc.org. They're always welcome to call me, Deidra Conner, at 428-4500. We love to give tours and we love to talk about what we do, but I would like to give you an opportunity to ask Chris questions if you have any, or ask me questions.

President Winnecke: I don't have any questions, but I would say, Chris, I think there's probably not a not-for-profit organization in the community that has a better ambassador right now than you. So, congratulations.

Chris Brown: It's, I mean, like I said, they're the ones putting in the work and I can't commend them enough, you know. I mean, they've been putting in the manhours and my children are definitely expelling the benefits of it.

President Winnecke: You're a proud father—

Chris Brown: Oh, absolutely.

President Winnecke: – and I'm happy for you. I would just offer as an aside, if anyone is ever having a bad day and needs to be uplifted a little bit, go over to Virginia Street and visit Deidra and her team and you will feel uplifted from the moment you come in.

Deidra Conner: Thank you.

President Winnecke: Any questions of Deidra or Chris?

2012 Evansville ARC Grant Agreement
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President Winnecke: If not, also moving to page three, I would go ahead and entertain a motion to renew our annual grant agreement with Evansville ARC. This is in the amount of \$279,000. This is identical to prior agreements, and this is funded as part of the 2012 County Commissioners budget. I would consider that a motion.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and second. Questions or further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Deidra Conner: Well, that is a very nice Christmas gift. I end all my presentations to you by saying this, and it is very sincere, our successes are your successes. I hope that you truly do take pride in the work that we're doing at ARC, and I invite all of you to come visit anytime.

President Winnecke: Thanks. Merry Christmas.

Deidra Conner: Thank you. You too.

Chris Brown: Congratulations on the move right here.

President Winnecke: Thank you.

Rotary Club of Evansville: Proposed Canoe/Kayak Launch

President Winnecke: Brian, I didn't put you on the agenda, I forgot, but come on up.

Brian Williams: Mr. President, Brian Williams, with the Downtown Rotary of Evansville. We have some pictures if we need them, if there's a computer that can display them. I'm not sure if somebody can help me with that or not. Mr. President, we're here, the Rotary Club of Evansville, as you know, is the second largest Rotary Club in Evansville, or in the State of Indiana, with the downtown Indianapolis Rotary being the largest. We carry on various service project throughout the year, and one of the service projects that we have been attempting to fund and to move forward is a proposed canoe/kayak launch on the east side. As the Commissioners will know, the Heidelbach launch has existed across from the Evansville Country Club for many, many years on Pigeon Creek, there is only one access point though on that body of water. This would add a second access point approximately six miles upstream at the location of the new Pigeon Creek bridge across north Green River Road. We worked very closely with John Stoll, the County Surveyor¹, in terms of looking at locations. This is actually one of five locations that we considered. We wanted to carefully examine those. We can show you all five, if you really want to see them, but I suspect in the interest of time we'll avoid that, but if you are interested, you can certainly let us know. The, we have given to you two maps, we have worked very closely with Matt Wannemuehler of Bernardin Lochmueller, and also with Jeff Deig of Industrial Contractors to put these plans together and to put together our cost estimates, so you could see what those would entail. The first diagram I show you is what is out there currently, if you went to the Green River, the expanded Green River Road location at the Pigeon Creek bridge, you would actually see an exit off of there that is to the east. That pinkish version is a current gravel road that goes down towards the farmers property, it's actually there to assist the landowner gain access to farmland there. The blue line is the current boundary for the county. So, we're proposing that this be built on county property. The next one is what we propose, this one, the multi-colored one. Again, the red portion of that drive is currently there, and if we can call up the pictures we can probably show you those. The green is the pad that would be built, and it would be approximately \$119,000 and change, and you will see that itemization in the tri-fold that we have passed out to you. You see that it would have a number of parking spots and then a ramp, if you will, a launch for canoes or kayaks into the Pigeon Creek bridge. The, in this instance, the yellow is the current county property. We have already made arrangements to acquire the pink portion of the property from the adjoining landowner, which then Rotary would contribute, just donate to the county so that this could be constructed. The Rotary has worked closely with the Welborn Foundation, Kevin Bain, the Director of the Welborn Foundation, is here. We may also need to find other funding sources. As the Commissioners know, the Welborn Foundation

¹Should be County Engineer.

has a special emphasis in a movement project, getting us all to move and exercise. This would actually be the first blue trail that would exist within Vanderburgh County, and would be from this location, it's approximately six miles from this location down to the Heidelberg boat ramp. We also have with us here, Susan Hazelip from the Canoe Evansville. She's actually confessed to me, I hope I can say this in a public meeting, Susan, that she has slipped in with her canoe at that location and canoed there to the Heidelberg ramp, and she was very excited with the wildlife she saw, with the birds, with the deer, with the wild turkey and the things that actually exist within both the county and the City of Evansville from this blue trail that we would propose opening up. As Debbie said from GAGE, she's trying to inspire 25-35 year olds to stay here and bring business, and we think these kind of activities that encourage young people to stay active, as well as we think there's a possibility for some additional tourism, and frankly Wesselman's and the Tour Evansville know that people come in from out of town for that purpose. So, why we're here today is to simply answer any questions you may have, gain your approval to move forward with raising the funds that will be necessary to build this project. The Rotary Club of Evansville will raise approximately \$40,000 towards the \$120,000, and the remainder of it we anticipate fundraising, we're not asking you for that money, we are just asking you permission to move forward so that we can ask people like the Welborn Foundation and others for those funds to complete the fundraising and then move forward with the project. If we call up Celebration of Service, there are six slides, which may help refresh your recollection as to where it would be. To my right is Luke Yeager, Luke Yeager is with the Evansville Commerce Bank, he is second in charge, I guess, at the Evansville Commerce Bank behind Tom Osterman. He is also our Rotary Club Treasurer, who has worked very closely with this project, and as I think all of you know I'm an attorney at Kahn Dees Donovan and Kahn, the immediate past president for the Rotary Club, with Tom Osterman currently president of the Rotary Club.

Gary Heck: It's working it's way through.

Brian Williams: Okay. Are there any questions?

Commissioner Melcher: There we go.

Brian Williams: There we go. If you can blow that up, that is actually the entrance. If you look at your maps, the one, the multi-colored one, if you will, this is Green River Road, that's the entrance that you see depicted by the red on here. Go to slide show, up there at the top. I can drive it.

Gary Heck: A true Rotarian works his way through these things.

Brian Williams: There we go. That is the entrance that is off Green River Road. That's the drive that you see depicted, the gravel drive that is going down to Pigeon Creek. For those of you who recall this project, there was a temporary bridge that was constructed while they did the bridge, that is actually where this is going to be located. Should make permitting and a whole host of things that are necessary easier. Where you're looking now is where that temporary bridge used to be. That's why there won't be any vegetation removed, because the vegetation had to be removed for the temporary bridge. That's basically looking at the dirt area where you would put the canoe launch. That's another picture of it, the green portion of what I depict on here is where those parking lots, or where that parking lot and drive would be, and there is the last picture I would show you, which, of course, is where the pad would be that would enter Pigeon Creek.

President Winnecke: What's your time line?

Brian Williams: As soon as we can raise the money, we would like to do it as soon in 2012, as soon as we can in 2012. As the Commissioners can well imagine, spring rains will come, this will be flooded, it floods annually. In fact a few weeks ago when the water was high, it would have been flooded. So, it might have to wait until summer, depending upon, assuming we raise the money fairly quickly, we'll just have to see what the creek would do to us in terms of its level and when we could get started.

President Winnecke: So, Luke, I guess, Evansville Commerce Bank is going to write a big check for this?

Luke Yeager: Is no comment the phrase?

President Winnecke: Chicken. Any other questions for Brian or Luke?

Commissioner Abell: Brian, I'm assuming that you're just going to be using the water, you're not going to change anything with the water or anything like that? So, we're not going to have those issues.

Brian Williams: Not going to change the water at all. Other than, I guess, to the extent that there are some wake from canoes, canoe paddles or kayaks that would be in the Pigeon Creek.

Luke Yeager: That's going on anyway though.

Brian Williams: Right.

Commissioner Abell: Yeah. No, I think it's great. I was on it last year, and—

President Winnecke: We remember the picture with Mr. Jeffers.

Commissioner Abell: Yes, Mr. Jeffers was with me.

President Winnecke: Any other questions of Brian or Luke?

Commissioner Melcher: No, I think this is a great job. We've talked about it on the phone a lot. I'm all in favor of this.

President Winnecke: I would entertain a motion—

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: — to allow them to proceed as projected. All in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed?

(Motion approved 3-0)

President Winnecke: Thank you, gentlemen.

Brian Williams: Thank you, and we would wish all of you and the staff a very Merry Christmas and Happy Holiday.

President Winnecke: Likewise.

Juvenile Court Surplus Vehicles
--

President Winnecke: Okay, next, Juvenile Court, Bernie. Bernie has got some surplus vehicles, wanting to know if he should trade or have them sold at auction.

Bernie Faraone: Yes, sir. The problem was created by a nice problem, the Council approved monies to be used towards purchase of three vehicles. I think we're awaiting the State to approve the Council's approval, or the Commission's approval. So, my understanding is the transaction to purchase the three vehicles might occur within the next 30-45 days.

President Winnecke: My suspicion is, and Mr. Gries can correct me if, my suspicion is if you trade the surplus vehicles, whatever excess cash would be retained in a specific line item, versus them being sold at auction the money goes where, to the General Fund?

Joe Gries: Depending on how the vehicles are owned, through the county, if they are sold the money would go to the General Fund. The money that's being used to buy the new vehicles come out of the CCD Fund. So, there probably, yes, there would be a difference where that money would go.

President Winnecke: Do you have, as the Auditor, do you have a preference to which mechanism is used?

Joe Gries: Yes. The General Fund is always preferable to where money would go.

President Winnecke: So, you recommend selling them at auction?

Joe Gries: I would.

President Winnecke: Okay.

Bernie Faraone: Okay.

Commissioner Abell: I was going to say trade them in.

President Winnecke: Huh?

Commissioner Abell: I was just going to say trade them because I never like to have anything of ours that we sell, because something goes wrong and the next thing you know they're calling back here and saying you sold me a bum car. Regardless if they pay \$50 for it, they are still going to be unhappy about it. We trade it in, that's off our backs. We don't have to worry about it.

Bernie Faraone: Yes.

President Winnecke: Steve?

Commissioner Melcher: I don't have a problem with going to auction, because once it goes to auction it's buyer beware. They know that.

Commissioner Abell: I don't care. I mean, I don't really care.

President Winnecke: Do one of you want to make a motion?

Commissioner Melcher: Yeah, I'll make a motion that we go ahead and let them go to auction.

Commissioner Abell: Second.

President Winnecke: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Okay.

Bernie Faraone: Thank you very much.

President Winnecke: Thanks, Bernie. Merry Christmas.

Bernie Faraone: Merry Christmas.

Winterization of West Heights Trade School

President Winnecke: Okay, next, Sherman. Is Sherman here? Oh, there he is. This is a request to winterize the Western Heights Trade Schools. The EMA is requesting permission to proceed with winterization of one of the buildings on the ground that they use for storage. Sherman has submitted the plan for winterization and has \$7,000 in the EMA budget to cover this expense. Sherman?

Sherman Greer: Yes, we did some homework as far as looking at what we needed to do, like drain the boiler in the building, in the old school building, drain the sprinkler system with the appropriate channels that we have to go through as far as the Fire Department and Building Commission, and to drain the other water lines, that would be at no cost, and to seal some of the doors and things around there so that air wouldn't make it in so that we could maintain a bit of heat and everything in there to keep things from freezing up. We look at that at approximately about \$7,000 it would take us to do that.

President Winnecke: And just to confirm, you do have that amount budgeted in your 2012 budget?

Sherman Greer: No, we don't.

President Winnecke: It says you do.

Ted C. Ziemer, Jr.: I thought you indicated to me, Sherman, that you did have funds available to accomplish this.

Sherman Greer: I have funds available—

Ted C. Ziemer, Jr.: Well, that's what they're asking you.

Sherman Greer: Not in my budget and everything. I can use the funds from—

President Winnecke: Okay, well, could you clarify where you do have funds?

Sherman Greer: Yes, the funds would come from the 62 account that we have through the county in the Cash Card.

President Winnecke: Okay. Joe?

Joe Gries: Those funds aren't appropriated, correct?

Sherman Greer: They're not appropriated, no.

Joe Gries: No, they wouldn't have to be appropriated, as long as they are available, then those can be used, yes.

President Winnecke: Okay.

Commissioner Melcher: So, that means we're good?

President Winnecke: Yes. I would entertain a motion to move approval of the requested winterization of the pipes, etc, in the West Heights School Buildings for an amount not to exceed \$7,000.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Thank you, Sherman.

Sherman Greer: Okay.

President Winnecke: Merry Christmas.

Sherman Greer: Alright.

**2011 EMA Sub-Grant Agreement:
Multi-Time Zone Digital Clocks, Wireless PA & Recording System**

President Winnecke: Do we have anything else?

Sherman Greer: Yeah, there's another grant.

Commissioner Melcher: It's the (Inaudible).

President Winnecke: Okay. I didn't see it, I apologize. This is 2011 Emergency Management performance grant competitive sub-grant agreement. EDS # C44P-2-132A. This grant agreement with the Indiana Department of Homeland Security for the purpose of acquiring multi-time zone digital clocks, a wireless PA and a recording system for use by the local EMA Department. The grant runs for two years, and is in the amount of \$3,623.18. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

Sherman Greer: If I may say that this grant is an annual grant that we get, as long as we meet the grant scoring that we have for the Emergency Management Agency in the whole State, but in District 10, Evansville-Vanderburgh County was top scorer for getting points for this competitive grant. So, we're very proud of that and we're going to try to keep it up for the next year.

Commissioner Abell: Do you use this stuff?

Sherman Greer: Yes, Ma'am.

Commissioner Abell: Okay.

Sherman Greer: We're in the process right now of taking this stuff that we use them as far as the clocks and things, because I have two clocks in there, and they run off of batteries and one of them would be two minutes earlier than the other one and everything. So, by getting these type of clocks and everything, it will be, the time will be correct, and also we're looking at further expanding our emergency operations center. These clocks would be very vital for us to do that. A wireless system in there also would be very vital for us, because we have one portion of the room, or one portion of the building that you can't hear the people in the other portion of the building.

President Winnecke: Okay, thanks, Sherman. Merry Christmas.

Sherman Greer: Thank you.

Collective Bargaining Agreement: Sheriff Deputies (FOP)
Collective Bargaining Agreement: Confinement Officers/Civilians (Tabled)

President Winnecke: Okay, we're going to move the Sheriff's Deputies contract up, just to get these guys out of here. Not that I don't love you, but, we have a really long agenda. So, just as a courtesy to move you guys up. We have the collective bargaining agreement with the County Sheriff's Deputies. This is a renewal of the CBA with the Sheriff's Deputies. Sheriff Williams has reviewed this, as well as the County Attorney, and it's satisfactory for execution from a legal standpoint. I would tell you there was one major change, and I was privileged to be part of the negotiating team, along with Councilman James Raben for the County side, and that is we moved the Deputies, at their request, to the same longevity system as the rest of county employees. That was at their request, and was pleased that we were able to work through that. It was a little tedious, but I think at the end of the day will benefit the Deputies and the county as a whole. That is the major change in the contract, which is otherwise similar from the previous one. Any questions? I would consider a motion to approve.

Commissioner Melcher: I'll make the motion.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Any other questions, there were no questions. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes, I'm glad we'll be able to vote for the second time on your collective bargaining, and I'm glad that the Sheriff helped you with the longevity, and that everybody was able to work together, the Commissioners and the Sheriff and the Deputy Sheriffs. With that, I vote yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Thank you, gentlemen. The next one, this doesn't affect the Sheriff's Deputies, but it affects the Sheriff, the collective bargaining unit with the confinement officers is not ready. So, that will be on an agenda for a future meeting.

Sheriff: ICJI Grant Award Letter

President Winnecke: Okay, next, discussion of the Early Retiree Reinsurance Program reimbursement.

Commissioner Abell: (Inaudible. Microphone not on.)

President Winnecke: Oh, sure, we can go ahead and get rid of Eric in one fell swoop here. The Indiana Criminal Justice Institute grant letter STOP Violence Against Women grant that requires a local match of \$10,749 to the original grant amount of \$32,248. Sheriff Williams indicates the local match has been appropriated. He nods to confirm it. Any questions of the Sheriff?

Commissioner Melcher: I move for approval.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, all in favor say aye.

All Commissioners: Aye.

President Winnecke: Opposed?

(Motion approved 3-0)

President Winnecke: Okay, thank you.

Commissioner Abell: (Inaudible. Microphone not on.)

President Winnecke: Ted, we don't need a motion to table the confinement?

Ted C. Ziemer, Jr.: No, just take it off the agenda.

Commissioner Melcher: It's not ready.

President Winnecke: Okay.

Discussion of Early Retirement Reinsurance Program Reimbursement

President Winnecke: Okay, now the Early Retirement Reinsurance Program reimbursement. The county has received money from the federal government through a program that reimburses the county for offering retiree health coverage. The Commissioners entered into a contract with Welborn Health Plans to administer and submit the proper paperwork relating to the reimbursement for a fee of 15 percent of the reimbursed amount. The Auditor's office has been working with the County Attorney to see how the county can use these funds to offset the insurance costs. Welborn has submitted a notice about the Early Retiree Reinsurance Program, all that is required is for the Commissioners to approve the notice. Joe, would you have any color to add to that? Ted? Okay.

Commissioner Melcher: I would move that we approve the notice.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Resolution CO.R-12-11-014: Approving an Amendment to the
Plan for the U.S. 41-Baseline Rd Economic Development Area**

President Winnecke: Next, resolution CO.R-12-11-014, approving an amendment to the plan for the U.S. 41-Baseline Road economic development area. Three projects have been suggested for additions to the U.S. 41-Baseline economic development area. The County Redevelopment Commission and the Area Plan Commission have already adopted resolutions in support of this addition. The final step in this process is for the Commissioners to approve—

Ted C. Ziemer, Jr.: It's not the final step, it's the second to the final step. After this meeting, if the Commissioners approve this, there will then be a public hearing before the Vanderburgh County Redevelopment Commission, which is going to be advertised, and that would then be the final step in approval.

President Winnecke: Duly noted. At this time I would consider a motion to approve CO.R-12-11-014 to approve the amendment of the plan for the U.S. 41-Baseline Road economic development area by adding the three new projects. We talked about this at, I think at a previous meeting, but just as a reminder; project one is the upgrade of the PPG lift station and the force main in that area; project two is the upgrade of the Busler lift station and force main; and project three is to construct a ten inch sanitary sewer and 12 inch water main in that area. So, those are the projects. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

**Approval of Order Regarding Additional Information or Corrections
to the Precinct Boundaries and Submission of Corrected IEC-8 Forms**

President Winnecke: Next, approval of the 2011 redistricting maps. Precinct changes are required as a result of the 2010 census. Maps and other documents have been provided by the Surveyor's office.

Commissioner Abell: Motion to approve.

Commissioner Melcher: Second.

President Winnecke: A motion and a second on the proposed changes to both the County Council and County Commissioner districts as presented. Questions or discussion?

Commissioner Melcher: Do we need to read any of this into the record?

President Winnecke: We are going to present the written documentation. Bill, were you going to say anything, or were you just wandering up?

Bill Jeffers: Just wandering around. Are you all going to read this into the record?

Ted C. Ziemer, Jr.: Excuse me, now, read what into the record? I mean, we've got two things we're going to act on tonight, Bill. One is the precincts, and that's what they are dealing with right now. Then, later they will be dealing with the County Council and County Commissioner districts.

Bill Jeffers: Yeah, the precincts were sent to the State, reviewed by staff at the Indiana Election Commission, Michelle Brzycki, in particular, and she notified us today, this morning around 9:30 that they had been approved by the State, as shown on the documents that we presented.

Ted C. Ziemer, Jr.: Right, and she then sent an e-mail, which incorporated nine documents that will be approved if the Commissioners adopt this order tonight. We've had those documents printed and they are in a file that, here's the file that contains those nine documents, and by approving this order, those are the nine documents that you will be approving.

Bill Jeffers: That's correct. One of the documents is comprised of data from a Shape file that was then laid out into a map that is also laying over there. That's why those could not be opened by, I couldn't even open them on my computer. Linda Freeman is the only one that has a licensed computer in our office to open those. That's why, for example, your office couldn't open them. So, that's all over there.

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

Bill Jeffers: Approved by the State.

President Winnecke: So, Ted, what does the motion need to be?

Ted C. Ziemer, Jr.: It would be a motion to approve the order, which is before the Commissioners, relative to the nine documents referred to by Michelle Brzycki in her e-mail to, e-mail of this date.

Commissioner Melcher: And that's for the precincts?

Ted C. Ziemer, Jr.: Yes, that's for the precincts.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? We've been batting this around for a while. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Approval of 2011 County Council & County Commissioner Districts
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President Winnecke: Ted, do we need to make another—

Ted C. Ziemer, Jr.: No.

President Winnecke: That encompasses it all?

Ted C. Ziemer, Jr.: Well, no, that takes care of the precincts. We also have the Council and Commissioner boundaries. I suggest you continue with your agenda—

President Winnecke: Okay, we'll come back.

Ted C. Ziemer, Jr.: —and we'll circle back for that.

President Winnecke: Okay, good idea.

**Purdue Co-Op Ext.: Amendment No. 4: Contractual Services Agreement
JE Shekell Annual Maintenance Agreement for Old Courthouse
County Engineer: 2012 Old Courthouse Lease Agreement
Phoenix of Evansville Old Courthouse Lease Agreement
Mulberry Center 2012 Employee Assistance Program Agreement
WNIN 2012 Agreement for Televised Public Meetings
2012 Youth Resources Membership Agreement
2012 YMCA Membership Agreement
Hamrick's Towing & Recovery Contract Renewal (2012-2014)
2012 METS Elderly and Handicap Transportation Services Agreement
2012 METS-USI Transportation Services Agreement**

President Winnecke: Okay, next, under contracts, agreements and leases, Purdue Extension correct amendment number four to contractual services agreement. This is the annual agreement with Purdue Co-Op. The agreement runs for one year. It is funded at the same rate as 2011, and that amount is \$73,295. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Okay, next, J.E. Shekell annual maintenance agreement for the Old Courthouse. This agreement is for the maintenance to the boiler and chiller at the Courthouse. It is for one year. The contract term is \$2,989 paid semi-annually. This item is budgeted in the Superintendent of County Buildings budget. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, County Engineer Old Courthouse lease agreement. This lease renewal of suites 305, 306 and 307 in the Old Courthouse. The agreement is identical to last year's agreement, including the rent amount of \$15,489.49 for the year. I would consider a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, Phoenix of Evansville Old Courthouse lease renewal of suite B9 for a three month term. This lease renewal of suite B9 in the Old Courthouse for three months is to Mr. Pataki, and he can decide whether to continue to lease the space in the building. The lease will end March 31st. The rental amount is \$714 per month. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, Mulberry Center employee assistance service agreement. This agreement with Mulberry Center is to provide counseling services to county employees. The agreement is identical to the 2011 agreement. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Next we have the WNIN agreement for televising public meetings. The agreement with WNIN to broadcast the Commission meetings, the agreement is also identical to the 2011 agreement. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: Who's budget is this in? Is it in Rector's?

President Winnecke: I think it's in the Commissioners budget.

Commissioner Melcher: It's in ours.

Commissioner Abell: (Inaudible. Microphone not on.)

President Winnecke: All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Next, the Youth Resources agreement. This is the annual agreement with Youth Resources, this agreement is also identical to last year's and runs for one year at a rate of \$20,000. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Next, the YMCA membership agreement. The annual membership agreement for county employees with the YMCA. The county pays \$11.00 per employee towards the total membership cost. The agreement is identical to last year's agreement, except for a one dollar increase across all membership rate categories. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? All in favor say aye.

All Commissioners: Aye.

(Motion approved 3-0)

President Winnecke: Next, the agreement with Hamrick's Towing and Recovery LLC for towing services for the county. This agreement extends the contract with Hamrick's for towing services for three years, under the same terms. It is identical to the current agreement and will run through December 31, 2014. I would entertain a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: I'll second it.

President Winnecke: A motion and a second. Questions or discussion?

Commissioner Abell: I have a comment. We may be discussing this next year. As evidenced by the length of this meeting, all of our contracts expiring at the end of the calendar year seems to be pretty cumbersome. We may want to discuss changing some of these type contracts to extend beyond and expire at the end of January of the next year so that we are not sitting here at the end of every year doing the same thing. So, we are going to be looking at those things, but I just wanted to bring that up as we vote on this. Thank you.

President Winnecke: Any other comment or questions? Hearing none, roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Next, the METS Elderly and Handicap Transportation agreement. Again, this is an annual agreement with METS for transportation services for the elderly and disabled. The agreement is for one year, and the cost is \$151,263.23. It's a 6.75 percent increase over last year's price. This amount is appropriated in the 2012 Commissioners budget. I would consider a motion to approve.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

President Winnecke: Also, on the METS page, this is the west connect transportation agreement. This annual agreement with METS for transportation services to the University of Southern Indiana. The agreement is identical to the 2011 agreement. It's for one year at a cost of \$25,000. This amount is also appropriated to the 2012 Commissioners budget. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Approval of the 2011 County Council & County Commissioner Districts
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President Winnecke: Okay, Ted?

Ted C. Ziemer, Jr.: This is going to be just a little time consuming. I apologize, all of this developed from mid-morning to late this afternoon regarding the Commissioner and Council boundaries. However, you have an e-mail, and I'm going to read into the record, and this will be a correct statement of what you will vote on tonight, if you decide to do so, with regard to the Commissioner districts and the Council districts. Is that satisfactory with the Commissioners?

President Winnecke: Please proceed.

Commissioner Melcher: Yes.

Ted C. Ziemer, Jr.: Relative to the Commissioner districts; Commissioner District 1 will consist of; precincts 1-15 of Ward 1; precincts 1,2,3,5,6,7,8,9,10,11,12,13,14,15 and 16 of Ward 2; precincts 15 and 16 of Ward 3; precincts 3,5,8,12,13,15 and 16 of Ward 4; precinct 4 of Ward 5; precincts 1-4 of Knight; precinct 1 of Ward 3; and precinct 10 of Ward 5. Okay, that's what composes the Commissioner District 1. Alright, Commissioner District 2; precincts 1,2,3,5,6,8,9,11,12,13,14,15 and 16 of Ward 5; precinct 1 of Armstrong; precincts 1-15 of Center; precincts 1-7 of German; precincts 1-6 of Scott; and precinct 2 of Pigeon. Moving on, Commissioner District 3 will consist of; precincts 2,3,5,7,8,9,10,11,12,13 and 14 of Ward 3; precincts 1,2,4,6,9,11 and 17 of Ward 4; precinct 7 of Ward 5; precincts 1,2,3,4,7,8,9,11,12,13,14,14,15,16 and 17 of Ward 6, plus precinct zero of Ward 6; precincts 1-10 of Perry; precinct 1 of Pigeon; precinct 1 of Union; and precinct 3 of Pigeon. I'm going to hand this to Madelyn this, which has these notes on it, which are making the changes and the reason for my reading this, and then, Madelyn, I will want a copy of this because this is the only copy I've got. If you could get that back to me. Then, as to the Council, okay the Council districts. Council District 1 will consist of; precinct 1 of Armstrong; precincts 2 and 9 of Center; precincts 1-7 of German; precincts 1-10 of Perry; precinct 9 of Ward 5; precincts 1,2,4,7,8,9,11,12,13,14,15,16, and 17 of Ward 6, plus precinct zero of Ward 6; precincts 1 and 2 of Pigeon.

Bill Jeffers: (Inaudible. Microphone not on.)

Ted C. Ziemer, Jr.: What?

Bill Jeffers: (Inaudible. Microphone not on.)

Ted C. Ziemer, Jr.: Okay, did I not say that? Alright, if I didn't say it. I thought I read it all, but if I didn't, precinct one of Union is also included. If I said that twice, it's only once. Alright, moving on to Council District number 2; precincts 1,3,5,6,7,8,9,10,11,12,13, and 15 of Center; precincts 1,2,7,8,11,12,13,14,15 and 16 of Ward 5; precincts 1 through 6 of Scott; precincts 3,5,8,10 and 13 of Ward 3. Council District 3 consists of; precincts 1,2,3,4,5,6,8,9,11,12,13,15,16 and 17 of Ward 4; precinct 11 of Ward 1; precinct 3 of Pigeon; precincts 1,2,3,5,6,7 and 8 through 16 of Ward 2; precincts 2 and 12 of Ward 3; and precinct 3 of Ward 6. Council District 4 will consist of; precinct 4 of Center; precinct 14 of Center; precincts 3 through 6 of Ward 5 and precinct 10 of Ward 5; precincts 1 through 4 of Knight; precincts 1 through 15 of Ward 1; and precincts 7,9,11,14,15 and 16 of Ward 3, and precinct 1 of Ward 3. Madelyn, if you could take these. So, those would be the Commissioner districts and Council districts that you would be voting on.

President Winnecke: So, I would entertain a motion to approve the Commission and Council districts as presented by the County Attorney.²

Commissioner Melcher: So moved.

Commissioner Abell: Second.

President Winnecke: A motion and a second. Questions or discussion? Just a comment, Bill, thank you to you and Linda for your long hours on this. I appreciate it, and your patience, yes, thank you. Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Department Head Reports

President Winnecke: Okay, let me find our, department head reports, Gary, Doc? Eldon, do you have anything. Oh, Eldon, you're not a department head, okay.

New Business

President Winnecke: Any new business. Madam President? Or, I mean, a little slip, sorry.

² A correction to the Council district read into this record will be corrected at the 1/10/12 meeting.

Commissioner Abell: No, I don't have anything.

Old Business

President Winnecke: Any old business?

Commissioner Abell: Well, I don't know if this is old business or new business, I can't decide. But, last meeting which was not an official meeting, I mean it was an official meeting, but it was not at the regular time, we gave Mr. Winnecke his plaque and thanked him for his years of service. I would just like to ask everyone here who is present here tonight to thank Mr. Winnecke for his service and wish him good luck as he goes on to become Mayor of the City of Evansville.

(Applause)

President Winnecke: Thank you very much. I will need everyone's support.

Public Comment

President Winnecke: Public comment. Laura Hatfield?

Laura Hatfield: Hello.

President Winnecke: Good evening.

Laura Hatfield: I am the new director of the Substance Abuse Council of Vanderburgh County, and I have for approval of you tonight the 2012 grant funding for law enforcement, prevention, and treatment agencies in Evansville, and also our 2012 budget for the safety offices. The only change that has been made for the past couple years is this year we have collected a little bit more money in the Drug Free Communities fund through counter measure fees. Instead of funding \$200,000, we raised that to funding \$220,000. Each category will then receive \$55,000 instead of \$50,000 for this coming year.

Ted C. Ziemer, Jr.: I just have a question, did I, you presented two things to us, was one of them a grant agreement?

Laura Hatfield: No, it, the Substance Abuse Council funds grants from us.

Ted C. Ziemer, Jr.: Okay, I just, I don't whether this is an agreement to be approved by the Commissioners or not. If it is, it's not something I have seen. If not, that's fine. Okay, I just wasn't sure.

Laura Hatfield: No, you're fine.

President Winnecke: If you would, if you just repeated this, I apologize. On page one as an example—

Laura Hatfield: Yes.

President Winnecke: – what are we looking at exactly?

Laura Hatfield: On page one what you're looking at is law enforcement agencies in Vanderburgh County that have written grant applications to the Substance Abuse Council. We have met, our screening committee has met and agreed to fund these programs, these agencies. The project title is the program they requested funds for. At the very far right is what was requested. On law enforcement they have all been approved. In the past, this has been presented to the Commissioners and has been approved, from my understanding.

President Winnecke: So, for law enforcement, the amount is \$56,980?

Laura Hatfield: Correct. We will be withdrawing \$220,000 from the Drug Free Communities fund. We had \$8,060 in funds returned to the SAC in 2011, that money is then split between all three categories; law enforcement, prevention, and treatment, and that is then added to the grant funds.

President Winnecke: On the treatment page—

Laura Hatfield: Yes.

President Winnecke: – did any organization present a project to treat meth addicts?

Laura Hatfield: Not specifically. In treatment meth addiction is covered in all of these programs. On your last page, if you want to talk specifically about methamphetamines, this is the Substance Abuse Council's own budget, we receive \$55,000 of that \$220,000 being pulled, and we are going to be contracting sometime within the 2012 year to be doing a specific community awareness/training for methamphetamine specifically. What the community and professionals alike can look for. Who do they need to report things to, to get the community more involved with the meth problem we see in Evansville currently. That money will come from our program expenses.

President Winnecke: I would consider a motion to approve these as presented.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Other questions or discussion? Hearing none, roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Commissioner Melcher: I think in the future wouldn't it be better if she turned this in and we had a chance to look at it before the meeting?

President Winnecke: Good call.

Commissioner Melcher: That would be a lot better for us, because we like to be able to study some things, and there really isn't any header, all you've got is numbers. If you didn't say who you were from, I wouldn't know.

Laura Hatfield: Is that something where you would like to see the specific grant applications from the agencies?

Commissioner Melcher: No, we don't have to see that, but I think we ought to have your name on here.

Laura Hatfield: I will do that in the future.

President Winnecke: Just probably a little more, the information presented to us maybe a week before the meeting so we just have a little time to review it, and if we have questions we can contact you.

Laura Hatfield: Correct, I'll do that. Thank you. Have a good holiday.

President Winnecke: Thanks. Merry Christmas.

Consent Items

President Winnecke: Okay, next the consent agenda. I would consider a motion to present the consent agenda as presented.

Commissioner Abell: So moved.

Commissioner Melcher: Second.

President Winnecke: A motion and a second. Madelyn?

Madelyn Grayson: The consent items for the December 20th meeting are as follows; approval of the December 13, 2011 Commission meeting minutes; employment changes for the Commissioners approval, there are two for the County Highway, and three for the Health Department; the Public Defender has a request to fill full time deputy public defender vacancy; the Health Department has a request to waive fees/not overtime for the Centre on January 28, 2012 for Vanderburgh County Medical Reserve Corps Unit organizational meeting and a surplus request; the Sheriff has a request to surplus a 2002 Dodge Caravan; Burdette Park has a yearly comparison from January through November of 2010-2011; the Commissioners have the 2011 Old Courthouse Craft Show financial report and the holiday schedules for 2013, 2014 and 2015; the County Auditor has a vacation and departmental leave rollover request; the County Engineer has a request to surplus a PC and a printer, and pay request number 141 for \$6,830 for TIF projects; the County Treasurer has the October 2011 monthly report; the County Clerk has the November 2011 monthly report; GAGE has a request for waiver of fees/not overtime for use of the Centre; Weights and Measures monthly report November 16-December 15, 2011; and

department head reports from the Ozone Officer, Burdette Park and the County Engineer.

President Winnecke: Any questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Winnecke?

President Winnecke: Yes.

(Motion approved 3-0)

Closing Remarks by President Winnecke

President Winnecke: Before we entertain a motion to adjourn, I would just like to take a moment to thank everyone who's helped in my three years as Commissioner. Commissioner Abell, Commissioner Melcher you've been joys to work with, I appreciate everyone's professionalism. Commissioner Tornatta before he left. Marissa and Kristin in our office, thank you very much for doing all the things you do for all the Commissioners. Madelyn, you're All Conference, that's all I can say. Joe, all the support you provide this office, and Bill preceding you, very much appreciate it. Ted, everyone in your office and happy that you will be coming as our corporate counsel to the city. You'll do great work there, but I appreciate everyone's support over the years, and all of the department heads. It's just been a great three years.

Rob Kerney: Disability Advisory Board

President Winnecke: Rob, you've come back.

Rob Kerney: Yes, I would like to address the Commission just for a second, Mr. President.

President Winnecke: Okay.

Rob Kerney: Alright. I'm here officially on behalf of the Advisory Board this time. Back in September or October Diane Clements, the Human Relations Commission Executive Director and I attended a meeting with the Department of Transportation addressing the transition plan for the State, I mean, for the city and county. The Department of Justice is going to start paying close attention to make sure they are in compliance with ADA and different items. From what I heard from the people from the city and county, we have one, it might be on Pat Keepes' shelf somewhere. George Fithian was the ADA coordinator for the city, but we didn't have one for the county. So, it sounds like we really need to try to get some more organization to take a look at this and bring it up to date, because the Department of Justice is going to make sure that people are in compliance when it comes to federal grants and etcetera. This would include government buildings. So, I'm not expecting you to take

any action tonight, I just wanted to bring this before you all. I'm bringing it up now, Mr. President, so that you'll have a heads up for when you take over next month before I come bombard you with this idea, to take a look at this transition plan and get a little bit more organized on who's in charge and what they're supposed to be doing etcetera and maybe even dust it off to see if we are in compliance.

President Winnecke: Thank you.

Rob Kerney: Alright, thank you.

President Winnecke: Merry Christmas, Rob.

Rob Kerney: Merry Christmas.

Kurt Jourdan: Human Relations Ordinance Comments

President Winnecke: Okay, you guys missed your time under public comment.

Kurt Jourdan: I didn't know I had to sign up in advance.

President Winnecke: No, you don't have to sign up. It's just public comment.

Kurt Jourdan: I'm going to be out probably most of the next month when you guys have the discussion on the ordinance. I'm having surgery, unfortunately, at the beginning of the month, so I'll probably be out of commission. But, so, I would like to speak on the ordinance, if you don't mind, tonight. President Winnecke, Commissioner Abell, Commissioner Melcher, my fellow citizens of Vanderburgh County. Vanderburgh County is at a crossroads, we have a choice, we can continue to let hate and bigotry divide us, or we can set an example and say we will no longer tolerate discrimination of any form. In May of 2005 I was at a crossroads in my own life. Like many young, homosexual men I wondered why I was so different from everyone else. I had prayed every night that God would help me find the way to the normal lifestyle. I laid in bed until May 2005, tears streaming down my face, pleading with God to help me out of these thoughts of what everyone else said was sin. I thought about how my family would disown me, I thought about how my political interests and possible career might end. I wondered how many friends would stick by my side. I couldn't find the courage to be myself, and God wasn't leading me towards the right life. As the days passed, the burden grew, I felt rejected every time I heard someone close to me call someone else a fag, a queer or gay. I was convinced that the only way for me to not let my family and friends down was to take my own life. Had it not been for close friends that told me they loved me unconditionally and two lesbian cousins who held me close and dried my tears, I would not be standing before you tonight. I was lucky I had people to tell me that it does get better, but it didn't end there. I lost the support of my father for a short period of time. I will never forget the words he told me the day he found out about my sexuality, he said, as far as I'm concerned you're not my son anymore. Those words shattered what was left of my already weakened spirit, but more importantly my father realized that I am no different than I was before. I was the same young man that he worked tirelessly for in the primary election of 2002 for Vanderburgh County Council. He knew I was the same son that drove him across two states to buy his beloved '68 Chevelle. He knew that my sexuality did not change the fact that I am his son. He called me two weeks after he had said those hateful words and told me he loved me unconditionally. That is the point in my life that I will always regard

as the day I became a truly loved person. I, like many homosexual men and women have experienced discrimination in the workplace. It was September 2005 when I interviewed for a job with a very large company. My first interview had went so well that they even discussed pay and benefits in detail with me. They all but told me I had the job. I was very confident going into the second interview, even though I had all of the right answers, and gave one of the best interviews of my life, the interview seemed as though it was very awkward. The interviewer seemed as though she was judging me from the very moment I walked into her office. She literally looked across the desk and said to me, we are a very conservative company and I don't think you would be a good fit here. I've never heard back from that company and I didn't get the job. Now, imagine, if you will, walking into an interview, confident you have the skills for the position, dressed for success in a clean, pressed suit, and following all of the rules of presentation for an interview. The person interviewing you is a homosexual and you are not. The interviewer looks at you and says, we would prefer someone more like us, or we want to hire somebody from the lesbian, gay, bisexual or transgender community. How would you feel to have your dreams, your opportunities shattered? Not because you weren't the best candidate for the job, not because you didn't make a good first impression, not because your resume was lacking, but because you didn't love who they thought you should love. Please keep in mind that while the LGBT community is much more likely to be discriminated against than their heterosexual counterparts, this ordinance protects heterosexuals just as it does homosexuals. The current State law and county ordinance does not protect a straight man or a straight woman from being fired or denied employment on the basis of who they love. The ordinance protects all of us from discrimination. Voting for this change does not endorse homosexual, bisexual, or heterosexual lifestyles. It does not endorse gay marriage or civil unions. It doesn't give anyone special rights. It simply discourages discrimination on the basis of sexual orientation and sexual identity. Voting against this change signals to the LGBT community that you consider us second class citizens and unequal. A no vote tells the fragile youth of our community that they must continue to hide who they are, that they aren't wanted and they aren't welcome in this community. The decision that you will make in the coming months is not an easy one. People will judge you for whichever decision you make, but one thing is clear, there is only one fair decision. In making your decision I hope that you will think about the countless young people who have taken their lives this year because of hatred and bigotry that the current ordinance promotes. Take a stand with me and tell the LGBT youth of Vanderburgh County that you support them. Show them that they too have a voice. Show the bullies of that the Executive Branch of Vanderburgh County will no longer condone their malicious behavior. Anything less than a unanimous vote in the affirmative is bigotry. If the three of you, the ones that are supposed to be the leaders of Vanderburgh County don't stand up for the God given rights of all citizens of Vanderburgh County, what message will you send to the community? The time has come, will you be a leader or will you follow what you perceive is popular? I urge you to lead on this issue and vote yes unanimously.

President Winnecke: Thanks, Kurt. Any other business to come before the Council or Commission?

Commissioner Melcher: Yeah, I would like to just say that it's been a pleasure serving with you, Lloyd. Over the last three years, two years I was the majority and this year I was in the minority for the first time, but I think you've done a great job. You thoroughly do your homework, and if you do just as good as Mayor you're going to be an outstanding Mayor. I think you've led our area here really good. Ted, many,

many times I've said about you, you and John Hamilton are the best two attorneys I've worked with in my 20 year career. I wish you well.

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

Commissioner Melcher: Thank you.

President Winnecke: Thanks, Steve. I would entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Abell: Second.

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

CONSENT ITEMS:

Commissioners:

Approval of the December 13, 2011 Commission Meeting Minutes.

Public Defender: Request to Fill Full-Time Deputy Public Defender Vacancy.

2011 Old Courthouse Craft Show Financial Report.

Holiday Schedule: 2013, 2014 & 2015.

Employment Changes:

Health Dept (3)

County Highway (2)

Superior Court (2)

County Clerk (1)

Sheriff (4)

VCCC (1)

Public Defender (2)

Health Department:

Centre Fee Waiver Request: 1/28/2012: Medical Reserve Corp Unit Meeting.

Surplus Request Letter: Various Computer Equipment.

Sheriff: Surplus Request: 2002 Dodge Caravan.

Burdette Park: Yearly Comparison: January-November from 2010-2011.

Auditor: Vacation and Departmental Leave Rollover Request.

County Engineer:

Surplus Request Letter: PC and Printer.

Pay Request No. 141: TIF Projects.

Treasurer: October 2011 Monthly Report.

County Clerk: November 2011 Monthly Report.

Weights & Measures: Monthly Report: 11/16-12/15/11.

Department Head Reports:

Ozone Officer

Burdette Park

County Engineer

Those in Attendance:

Lloyd Winnecke
Joe Gries
Madelyn Grayson
Debbie Dewey
Brian Williams
Laura Hatfield
Members of Media

Marsha Abell
Ted C. Ziemer, Jr.
David Kent
Deidra Conner
Luke Yeager
Kurt Jourdan

Stephen Melcher
Marissa Nichoalds
Rob Kerney
Chris Brown
Sherman Greer
Others Unidentified

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

(Not in office when approved.)
Lloyd Winnecke, President

Marsha Abell, Vice President

Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)