

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
JANUARY 10, 2012**

The Vanderburgh County Board of Commissioners met in session this 10<sup>th</sup> day of January, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex.

**Call to Order**

Joe Gries: Alright. Good evening, everybody. I would like to welcome you to the January 10, 2012 Board of Commissioners meeting. I would like to ask for attendance roll call please, Madelyn.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Here.

**Pledge of Allegiance**

Joe Gries: Next on our agenda, if you could stand and join me in the Pledge of Allegiance please.

(The Pledge of Allegiance was given.)

**Election of Officers for 2012**

Joe Gries: Okay, next on the agenda is the election of officers. If I could have a motion for the President please.

Commissioner Kiefer: I would like to make a motion that Marsha Abell serve as President.

Commissioner Melcher: I'll second the motion.

Joe Gries: Okay, we have a motion for the nomination and the second. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: Commissioner Abell?

Commissioner Abell: Yes.

**(Motion approved 3-0)**

Joe Gries: Marsha, I will turn the meeting over to you.

Commissioner Melcher: Congratulations!

President Abell: Drafted or—

Commissioner Kiefer: Congratulations!

<b>Appointment of County Attorney</b>
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President Abell: I will entertain a motion for the appointment of the County Attorney for the Vanderburgh County Board of Commissioners for the year 2012.

Commissioner Melcher: We could do, we could do, he could still do that. Go ahead.

President Abell: We'll go ahead and do that.

Commissioner Kiefer: Do I make the motion?

Commissioner Melcher: Uh-huh.

Joe Gries: Oh, okay.

President Abell: Excuse us.

Commissioner Kiefer: This is my first meeting. I apologize.

President Abell: We need to make a motion for Vice President.

Commissioner Melcher: We can do that after. You've already said it.

President Abell: Yeah, let's go ahead and do the County Attorney. You can make the motion for the County Attorney if you would like.

Commissioner Kiefer: Yeah, I would like to make a motion for Joe Harrison, and do I need to say his law firm?

President Abell: No.

Commissioner Kiefer: Okay, Joe Harrison to be the County Attorney.

Commissioner Melcher: I'll second it.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: I think Mr. Harrison is in the audience. Would you come up and join us? I'm sure we're going to need some help up here.

Commissioner Melcher: We have to get our attorney up here early. You just never know. We had a board meeting with some of the department heads before we come in. So, we're running a little late.

President Abell: Yeah.

Joe Harrison, Jr.: Thank you very much. Appreciate it.

Commissioner Melcher: Congratulations!

Joe Harrison, Jr.: Thank you.

<b>Election of Vice President of Board of Commissioners for 2012</b>
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President Abell: Now going back to election of officers. I would entertain a motion for the election of the Vice President of the County Commissioners.

Commissioner Melcher: I'll move that the honorable Joe Kiefer be the Vice President.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Commissioner Kiefer: It's awkward seconding yourself.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Kiefer: Okay, thank you.

Commissioner Melcher: Congratulations!

President Abell: Congratulations, Joe!

Commissioner Kiefer: Appreciate that.

<b>Appointment of Insurance Agent of Record (Tabled)</b>
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President Abell: Okay, under action items, the first item of business is the insurance agent of record. We've had some changes that occurred, actually just about 3:00 this afternoon, that have made this not a possible item to act on today. I would entertain a motion to table this until our next meeting.

Commissioner Kiefer: I would like to make that motion that we table it to our next regular Commission meeting.

Commissioner Melcher: I'll second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>First/Final Reading of Ordinance CO.01-12-001: An Ordinance Concerning Meeting Dates for 2012</b>
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President Abell: First and final reading of CO.01-12-001, the County Commissioners 2012 meeting date ordinance. I need first a motion to waive the second reading, so that we can vote on this tonight.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Now I need a motion to approve the ordinance for our meeting dates which have been submitted to all Commissioners.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Superior Court MOU with Dawn Cimeley: Drug Treatment Court  
Auditor: ISI FASBE Support Services Agreement Extension  
METS-Highway 41 North Bus Route Agreement Extension  
Legal Services Agreement with Joe Harrison, Jr.  
Health Dept: Radon Gas Grant Agreement  
Health Dept: STD Grant Agreement**

President Abell: Contracts, agreements and leases; Superior Court MOU with Dawn Cimeley for administrative services. This is for the period of 180 days starting December 1, 2011 and ending June 1, 2012. Mrs. Cimeley is to paid a total of \$3,000 for her services as specifically outlined in the MOU. This is funded by a DOC grant. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: County Auditor, ISI FASBE support services agreement extension. This is a three month extension running from January 1, 2012 to March 31, 2012 of the support services agreement that expired December 31, 2011. The cost is \$4,950. The Auditor's Office encumbered funds from 2011 in their Contractual Services Account to cover this cost. I would entertain a motion to approve.

Commissioner Melcher: So moved.

President Abell: Do I hear a second?

Commissioner Kiefer: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Aye.

**(Motion approved 3-0)**

President Abell: Next, under the Commissioners business, the Highway 41 North bus route extension, agreement extension. We had an agreement with the METS system to provide services to the Highway 41 for the months of October, November and December. We are extending that bus route through the end of January. I would entertain a motion to approve the one month additional highway cost based on the same fee that we paid for a third of the total cost.

Commissioner Kiefer: I would make a motion that we approve that.

Commissioner Melcher: I'll second the motion, but we've got to have some discussion.

Commissioner Kiefer: Right, and I think there's probably people in the audience as well.

President Abell: Yeah, we are going to have discussion. Is that okay, is everything okay, Joe? Okay. Is there anyone here that would like to address this? Please come forward and state your name. For the record, you need to give your name and state your case.

Elliott Kavanaugh: Okay. My name is Elliott Kavanaugh. I serve as Co-Chair of the CAJE Transportation Committee, along with Linda Henzman. We have come here today to ask that the Highway 41 bus route trial be extended beyond just the month of January. Our research committee has consulted with a bus transportation expert, Director Michael Couture, of Straits Regional Transportation in Kalamazoo, Michigan. He explained to us that any trial route needs to run a minimum of 18 months, is what he suggested to know if it will be used and to develop accurate ridership figures. We recognize that this length of time for a trial is probably not possible here, but we're asking for an extension of three months. Employers along the Highway 41 route have shared with us that their employees are not yet confident in the bus route, and that's one reason they're not using it. There's no bus signs, no specific stop times, and no assurance that the route will continue to serve their employment needs. There's also the problem of the bus leaving the terminal in the morning before the transfers can get to the terminal. So, with those issues in mind, we're glad that Roger Krehsbach of Anchor Industries is here to speak with us about some of the concerns of such employees. Roger?

Roger Krehsbach: Good evening. I just wanted to make a statement for the record that Anchor Industries employs about 300 employees out on the Highway 41 corridor. I've spoken to a number of employees and I agree that there needs to be a little more confidence built up in the bus route, certainly it needs to be marked a little bit better. I have seen people riding it, but minimal ridership because of that, I think, lack of confidence that employees feel at this point. Again, the transfer issue, I think that's a real issue, employees have told me that it's, it doesn't make sense for them to go downtown, there's no place to park, the route that they need to ride is the first route, because our start time is at 6:30 a.m., and there's no transfers to, from where they live to the downtown terminal before that first route leaves. Thank you very much.

Elliott Kavanaugh: Thank you, Roger. I would like to add that last year the Commissioners were all in agreement that this route was an economic development tool worthy of receiving funds from the economic development fund. We understand that funds are available to continue the route for a three month extended trial. We came tonight to ask that during a three month extension we be included at the table to discuss adding new stops, dropping, removing low use stops and promoting the route properly through methods successful in other counties. We want to implement this way, or this route in a way that instills confidence in possible, in the employees and the possible riders of this. Our research with experts in this field has led us to several strategies that have not yet been tried here. We need to, we want to see a three month trial conducted in the most effective way possible, that gets people out here and employs some of these strategies. So, we look forward to working with city leadership, the Commission and the new METS leadership, Tony Kirkland and Todd Robertson, to make this route a success that our research has shown it to be. Finally, before I close, I just want to say thanks so much, Commissioner Abell, for working with us on this issue to this point. We want to continue working together in that kind of relationship, a positive manner, to make this work. Thank you.

Linda Henzman: I'm Linda Henzman. We did receive an e-mail from someone who road the route in the December. If you have enough time, I could read you parts of

that, if you prefer I can just give you a copy of this e-mail. It is with his permission from the gentleman who wrote it.

President Abell: You can read it.

Linda Henzman: This is from a Mr. Ted Miller, and he wrote on December 3<sup>rd</sup> that:

“I use the METS bus system and on Friday the second of December I rode the 41 bus for the first time and I was appalled at how it was set up. It appears to be set up to fail. The route seemed more like a race to get to Ameriqua and back in an hour than to serve the poor people who need employment. The bus does not have to get back in an hour, it can take over an hour. Possibly there could be two busses and have them transfer at say Boonville-New Harmony Road. There appears to have been no effort on the part of those who set this up to educate the public and the businesses along 41 to its existence and to work with those interested parties for its success. It deserves a second chance.”

Linda Henzman: So, that was from, again, Mr. Miller.

Madelyn Grayson: Linda, may I have that for the record?

Linda Henzman: Yes, you may.

President Abell: Is there anyone else in the audience that would like to address this issue? Then, I will open it up to fellow Commissioners. Are you finished? I'm sorry.

Linda Henzman: We're finished, unless you have questions for us.

President Abell: Okay. Mr. Kiefer, Mr. Melcher?

Commissioner Melcher: Yes, I, first I want to thank you, Marsha, for being able to take this a little further than what Lloyd and I was able to do. I think it's needed to have this extension. I do think that we need to be all working together on this. I think that with wintertime coming, especially now, it's, it definitely needs people...and I understand some people's been hired because of this bus route. I understand at least two has. I don't know what's going to happen to them two if this stops. I don't know where you put the price on a quality of life at, but I think it needs a little bit more research, and maybe with the new Mayor now and the new bus director, maybe we could all kind of work on this together and include CAJE, because I think you ought to be part of it. You ought to know what's happening, you ought to get some figures so that you know what's going on, and that way if you see it's not working then you need to come back, or we just need to all continue to work together to see that this thing works, because that's the only way it's going to be. I know when they started the route for Warrick County over here, that was free the first month or two. We didn't do that. So, and we couldn't afford to do that, but I think another month or two is not going to hurt us. I think 90 days will at least give us an idea, and, Joe, that way you'll get on board and kind of see what's happening too.

Commissioner Kiefer: Well, Commissioner Melcher, I know that we're not experts in the county on public transportation. So, it's a little bit disheartening, this is the first that I'd heard that the city, you know, that's why we hired METS, because they're the experts on public transportation. So, it was a little bit disappointing to hear that there was some issues there. I do have a lot of confidence in Tony, I know him, and I



think that he'll do a good job as the new METS Transportation Director. So, I would encourage you guys to get with METS again and really work to iron out some of these issues on the transfer and racing, you know, it doesn't serve the public if you're leaving your location too early. So, definitely I see some concerns there. I do think that with the new administration who was obviously very supportive of this project, there is probably some opportunities, but, I think for right now for us to do the one month is probably the most we can do at this point until we go back and evaluate, if we do do it further, where those funds are going to come from to do it further.

Linda Henzman: Can we ask, if you're extending it just until the end of January, that's really only allowing us a couple more weeks.

Commissioner Melcher: No, we would change that motion.

Linda Henzman: Okay.

Commissioner Melcher: If that's the will of the Commissioners.

Commissioner Kiefer: We're looking at some figures now. This is how tight county budgets are. We are having a look at the figures right now.

President Abell: For the months of October, November and December it cost the county \$46,665.36. One route wasn't used at all. I guess, there's a couple of things here, I really did try to get this to work, but there were, there are a couple of things that need to be clarified. One of you said that we didn't promote it, you know, I sat in those meetings with you all—

Linda Henzman: That was in the e-mail.

President Abell: — all of you said you were going to promote it.

Linda Henzman: And we did.

President Abell: Because we told you that we could not, that we did not have the expertise nor the time. We're part time employees, there was no way we were going to be able to promote it. So, I take exception with that. I take exception with Mr. Miller's letter regarding that the transfers are not available. We are at the mercy of, the bus system starts as early as it starts. We cannot afford in this county to run that bus system all night long. It starts at the hour it starts, if they can't take that first one, you know, we met and you were all there, well, not you, but these other two were there with the bus system, and there's no way that that can start any earlier than it does. For them to have a transfer earlier from downtown, they would have to go out in the city earlier, which means a good two hours earlier. We don't have that kind of money to pay METS to start two hours earlier everyday. One hour to get out there, one hour to get back to the downtown area. He said this was set up to fail, I, set up to fail was two years ago when everybody told you to go home and go away and not come back. That was set up to fail. I take exception with that it was set up to fail. It was not set up to fail, I wouldn't have spent almost \$50,000 of the county's money to set up something to fail. It can take, he said in his letter, the hour he thought was ridiculous that we could use two busses, we can't afford one bus, we sure can't afford two busses. There's no way we can put two busses out there at \$46,665 for three months and the highest ridership we had was 35 people in an entire week. Not 35 people in one day, like five people everyday, 35 people. We could buy them a

car for what this cost. I am not opposed to running it two more months, but I think we have to cut out one route, there was one route that wasn't even used. I've talked to the School Corporation and they're not the least bit interested in being involved in this, because they have their own busses that stay after school to keep their kids and bring them home. So, they don't need our bus system. I would be willing to run it January, February and March, eliminating the one unused route, and work it out with METS and talk with the Mayor, but after March if we don't have any pick up, there's no way this county can continue to pay this kind of money to take 35 people to work, especially when the employers that seem to want it haven't called me and said, hey, we would like to contribute. So, you know, feel free to tell them out at Anchor that if they want to contribute we're always in the business of taking money. You know, I will agree to do that because there's been a lot of time spent on this, it could be that we need to be looking at seeing about farming this out to a private bus company, instead of using METS. I will be discussing, I will discuss that with the Mayor. It might be that we might find a private bus company that could do this a lot cheaper, and, then, wouldn't be using the terminal downtown. Might want to use some other convenient location.

Commissioner Melcher: Well, that's where I was going to go next. I think there is a lot of possibility that we could get a smaller van maybe to do it, maybe there is some private people that can kind of do it, and we could still use the METS thing maybe. I think there's a lot of ways, but what I would like us to do is, if we can, is to get a hold of the Mayor and have the Mayor get a hold of Tony at METS now and say let's work with CAJE, CAJE is going to be asking you guys questions, let's see what we can do to make this. In other words, I don't want METS saying, well, go to the Commissioners. I want us all working together, the city, and METS, and the county. This is one time we could try to put it all together and come up with whatever we could come up with. I agree we can't just run a bus for less, but I'm willing to give it a chance, and that way at least people know. I do think that the businesses need to be putting some money in. We talked about that two years ago. I'm not trying to knock any businesses, but there was some people I thought that was going to go out there and talk to some of them.

Linda Henzman: I don't think they've ever been approached.

Commissioner Melcher: Well, and, maybe that needs to happen too, you know, so, with that said, I would, if you would let me, Madam President, I would like to amend my motion to—

Commissioner Kiefer: Do you want to amend it or just withdraw it and then we'll make a new motion?

Commissioner Melcher: It don't matter to me, whatever works.

Joe Harrison, Jr.: Whatever works. Whatever you want to do.

Commissioner Kiefer: Okay.

Commissioner Melcher: It's easier to just go ahead and amend it.

Commissioner Kiefer: Okay.

Commissioner Melcher: Joe did, so you've got to amend it.

Commissioner Kiefer: Yeah, so, I'll amend the motion then, but I want to make sure I've got this right, Steve, we're going to amend the motion to go—

Commissioner Melcher: Through the end of March.

Commissioner Kiefer: —through the end of March, and I would like to add to that that we cap the dollars spent at \$47,000 by the county. Then, that way, hopefully, they'll come up some other mechanism to reduce one of the routes, or whatever they do to tinker with it, so long as our dollar amount stays at \$47,000. Okay, clarify.

Commissioner Melcher: I'm okay with that.

Commissioner Kiefer: Okay, so, to clarify, the motion is to extend it through the month of March, and the county portion of the dollars paid will not exceed \$47,000.

Commissioner Melcher: I'll second that motion.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Kiefer: Congratulations!

President Abell: You have a lot of work to do.

Linda Henzman: Yeah, we thank you and we look forward to working with METS. We didn't really have the opportunity during the pilot to work with them, so we look forward to that.

Commissioner Melcher: I think you will be able to now, because I worked with Kirkland for years at CAPE, and Lloyd was pushing this also. So, I would think the new Mayor would be interested in this. So, I think everything should be better now.

Linda Henzman: Thank you very much.

Commissioner Melcher: Thank you.

President Abell: Legal services agreement with Joseph H. Harrison, Jr., an independent contractor agreement with Joseph H. Harrison, Jr. as the Vanderburgh County Attorney and Massey Law Offices acting under the direction of the Vanderburgh County Attorney for legal services. The agreement commences

January 1, 2012 and is for \$61,034 for the year 2012 to be paid from the Commissioners Legal Services line item. I will entertain a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Health Department, Radon grant agreement. The total amount of \$10,000 to be utilized by the Vanderburgh County Health Department for reimbursement of its costs associated with the Health Department's Radon Gas awareness activities. Gary?

Gary Heck: I believe this was reviewed by last year's County Attorney, and it was, it's just an extension of a previous agreement that we have. I would be happy to answer any questions, but I—

President Abell: Does anyone have any questions for Gary?

Commissioner Kiefer: No.

President Abell: I'll entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: STD grant agreement, the grant is a contribution, is a continuation from last year and is in the amount of \$75,000 for a grant period from January 1, 2012 to December 31, 2012. Gary, anything you want to tell on that?

Gary Heck: It's the same thing, only if you have questions.

President Abell: Okay.

Commissioner Melcher: Move for approval.

Commissioner Kiefer: Second.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

<b>County Engineer</b>
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President Abell: Department head reports. I see Mr. Stoll in the audience.

John Stoll: I've got a couple of items here about the Millersburg Road project. The first is I've got a cover sheet for the plans for the road project and the bridge project. This is for the reconstruction between Hedden Road and Green River Road. I know I brought you some cover sheets last month and the month before, but now that Commissioner Kiefer is on the Commission, I figured we would get the correct signatures on the cover sheets. So, I need your signatures on those plan sheets. Then, I also have a notice to bidders for that project. We would have, assuming you approve the advertising, it would advertise on January 20<sup>th</sup> and January 27<sup>th</sup>, and then the bids would be opened on February 7<sup>th</sup>. This would allow us to get the project awarded in February, which would still allow ample time for the contractor to do the tree removal before the deadlines associated with bat habitat restrictions.

Commissioner Melcher: I'll move for approval.

Commissioner Kiefer: Second.

President Abell: What are we approving? Are we approving John's report?

John Stoll: The notice to bidders.

Commissioner Melcher: The notice to bidders.

President Abell: (Inaudible. Microphone not on.)

Commissioner Melcher: I'm sorry.

President Abell: I just wanted to make sure...roll call vote, please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, the other item I have is to request approval to file a travel request with County Council for me to attend the Purdue Storm Water Conference in February.

President Abell: Is that road school?

John Stoll: Nope, that's not the road school.

Commissioner Melcher: Storm water.

Commissioner Kiefer: Yeah, well, I guess with all of the flooding that we get, it's probably a good thing. I'll move that we approve.

Commissioner Melcher: I'll second it.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

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

President Abell: Does Madelyn have the cover sheets for us to sign?

John Stoll: Yes.

President Abell: Okay. Sheriff, do you have anything? Mr. Duckworth?

Mike Duckworth: No, Ma'am.

President Abell: That's good. That means the roads are all clear.

Commissioner Kiefer: No snow yet.

Mike Duckworth: That's a four letter word.

President Abell: Am I missing any department head out there that would like to—

Commissioner Kiefer: Gary?

President Abell: Gary just did.

Commissioner Kiefer: Oh.

President Abell: That's okay.

<b>Board Appointments</b>
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President Abell: Board appointments, we have not got all of our board appointments ready for tonight, but we do have a few. I will read those. Commissioner Kiefer, you will be on the Domestic & Sexual Violence Board, the Mayor's Education Roundtable; I will be on the I-T-A-C Board, the ITAC Board, the Old Courthouse Foundation, the Economic Development Coalition. I have here that I'm going to be on Central Dispatch, but I believe we have used our appointment to give that back to the previous Executive Director, and I think she would like to, she knows a lot about it and she's a good appointee, unless my two Commissioners have a question about that.

Commissioner Kiefer: No.

President Abell: What's JoAnn's last name.

Commissioner Melcher: JoAnn Smith.

President Abell: JoAnn Smith, yes. Commissioner Melcher to Area Plan Commission, Community Corrections, the MPO, the Commission on Homelessness, the Public Defender and GAGE. Is that more than you want?

Commissioner Melcher: I could easily let somebody have Area Plan if they would like it.

Commissioner Kiefer: I wouldn't want to deprive you.

Commissioner Melcher: You know, I've been on it one year now, and I just thought you might want to try it.

Commissioner Kiefer: I remember back when you and I were on the City Council.

Commissioner Melcher: I understand.

President Abell: I thought you retired this year so you would have time to be on the Area Plan Commission.

Commissioner Melcher: No, Area Plan is at night. Okay.

President Abell: Okay, our other appointment to Area Plan is Bill Pedtke. The Building Authority Trustees is Kathy Briscoe; Convention and Visitors Bureau is John Montrastelle and Barbara McCarty. I would entertain a motion to approve these board appointments.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Well, I'm looking forward to my Area Plan meetings. So, I will vote aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>New Business</b>
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President Abell: New business, any new business to come before the Commissioners? I think we'll do the other under old business.

<b>Old Business</b>
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President Abell: Under old business, we had a meeting in December regarding an ordinance proposal from the Human Relations Commission, and we need to set dates for a public hearing. Mr. Melcher, do you have those dates that you want to set?



Commissioner Melcher: I don't have a calendar in front of me, but I was thinking when we were looking that we were going to skip the month of February and you was going to start with the month of March.

President Abell: The month of March.

Commissioner Melcher: These are going to be public hearings, and it's not going to be a Commissioner, it will be a Commissioner meeting, but it will be a public hearing. So, I believe we're looking at, I was trying to pick dates that the City Council met, so we thought we would do this on a Monday, that way we knew we could get this room. Let me see—

President Abell: Was it the 19<sup>th</sup>?

Commissioner Melcher: I was thinking the week of the 19<sup>th</sup>, oh, that's February, let me turn one more page. Okay, the 19<sup>th</sup> would be our first one.

President Abell: At 4:00 p.m.?

Commissioner Melcher: I think you said, Madam President, 4:00.

President Abell: Okay.

Commissioner Melcher: So, this is going to be a public hearing open to everybody. We thought we would go ahead and schedule a second meeting, just in case we needed it, and that would go into April.

President Abell: Would that be April the 9<sup>th</sup>?

Commissioner Melcher: That would be April 9<sup>th</sup>.

Commissioner Kiefer: Steve, 3/19, that's not during spring break is it?

Commissioner Melcher: No, it's not.

Commissioner Kiefer: Okay, I just wanted to double check.

Commissioner Melcher: No, spring break is the week after that.

Commissioner Kiefer: Okay.

Commissioner Melcher: That's what we were trying to find dates—

Commissioner Kiefer: What was the second date?

Commissioner Melcher: — we were looking—

Commissioner Kiefer: What was the second date, 3/19 and then April what?

President Abell: April 9<sup>th</sup>.

Commissioner Kiefer: April 9<sup>th</sup>.

Commissioner Melcher: That's if we need it.

President Abell: If we need it.

Commissioner Melcher: If we need it, but it's going to be at the same time, in this chamber.

Commissioner Kiefer: And that's at 4:00 p.m.?

Commissioner Melcher: 4:00 p.m.

Commissioner Kiefer: Gotcha.

Commissioner Melcher: Then we'll see what that night does and take it from there.

President Abell: Mr. Kent, I see you in the audience, would you so advise the Human Relations Commission?

David Kent: Yes.

Commissioner Kiefer: Do we need to send out public notice then?

Joe Harrison, Jr.: We will.

Commissioner Kiefer: Okay.

President Abell: Mr. Kent, if they, if Human Relations has a conflict or an issue, would you ask them to get a hold of me as soon as possible?

David Kent: Yes.

President Abell: Thank you. Corrections to the County Council districts read into the record on December 20, 2011. The changes to the districts were read incorrectly at the December 20<sup>th</sup> meeting. The following changes must be read into these minutes. For County Council, for the Council District 2, in the list of the preceding precincts in Center, precinct 9 should be deleted. For Council District 4, in the list of precincts in Ward 1, precinct 11 should be deleted. The School Board Districts will remain the same as the County Commission districts. Do I hear a motion to accept?

Commissioner Kiefer: A motion to accept? Yes.

President Abell: Approve.

Commissioner Kiefer: Approve, yes.

Commissioner Melcher: I'll second the motion.

President Abell: Is there any discussion regarding these changes? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes, I just wanted to clarify before my vote, that they were read incorrectly into the minutes, because if you remember the night, the ones that were here, it was kind of a rush job trying to get it done, because we had to get it done in the final. We were told by the State that we could go ahead and correct that tonight. So, with that, I will say aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Public Comment</b>
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President Abell: Is there anyone in the audience that would like to address this Body under public comment? I guess not.

<b>Consent Items</b>
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President Abell: Madelyn, would you read the consent items please.

Madelyn Grayson: The consent items for the January 10<sup>th</sup> meeting are as follows.

Commissioner Melcher: Wait a minute, before we do that, I'm sorry.

Madelyn Grayson: That's okay.

Commissioner Melcher: Can we go ahead and pull off the agenda the one for the Police Department? What they've got here, it says Evansville Police Department and it has various promotion ceremonies, Police Academy graduations, Police Academy classes, hiring ceremonies, board meetings and applicant events for 2012. We don't know those dates. I think it's hard for us to give a blanket. I think we ought to do those one on one as needed, because I hate to have the Centre book something and then all of a sudden the Police think that they're going in there at the same time. So, we don't have any problem, I don't think, but I would think that the thing to do is we'll take these as they're needed, so they need to follow—

Commissioner Kiefer: We need the dates on them.

Commissioner Melcher: We need the dates so we know what's going to happen, and that way SMG's got a chance to see what's happening also.

Joe Harrison, Jr.: Maybe they could get them to you all by the next meeting.

Commissioner Melcher: Yeah, so we could just pull it off tonight, and probably they don't even know the dates right now. They probably just sent that over.

President Abell: So, you don't want to vote on it based on dates, you want to pull it off and put it on next month's, next week's agenda?

Commissioner Melcher: Pull it off until the next—

President Abell: Okay.

Commissioner Melcher: – because I doubt if they've got anything going between now and then.

President Abell: That's fine.

Commissioner Kiefer: So–

President Abell: Would you put that in the form of a motion to table that until the next meeting.

Commissioner Melcher: Sure. We'll just table the Evansville Police Department for the Centre use because of no dates, until the next meeting.

Commissioner Kiefer: But the rest of the consent items as written?

Commissioner Melcher: Uh-huh.

Commissioner Kiefer: Okay, I second that.

President Abell: Roll call.

Madelyn Grayson: Do you want me to read them into the record?

President Abell: I think we need to vote on pulling this one off and then read the consent items and we'll vote on those.

Madelyn Grayson: Okay, so this is just a motion to withdraw?

Commissioner Melcher: To pull this one.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Now you can read the rest of the consent items.

Madelyn Grayson: Alright, the consent items for the January 10<sup>th</sup> meeting are as follows; approval of the December 20, 2011 Commission meeting minutes; employment changes for the Commissioners approval, there's one for the Drainage Board, two for the County Commissioners, two for the Health Department, and one for the Public Defender; the County Auditor has a request to surplus various printers, the covered bridge certification and the December 2011 A/P vouchers; the County Treasurer has the November 2011 monthly report, a request to surplus various office equipment and the November 30, 2011 year-to-date report; there is a request for

waiver of the Centre fees/not overtime for the County Assessor for the Manatron Indiana Pro-Val training class on February 8, 2012, and there's a department head report from the County Engineer.

President Abell: I would entertain a motion.

Commissioner Melcher: Move to approve.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Before we adjourn, I think the Commissioners would like to ask Marissa, we got a letter from the Arts Council asking to have \$15,000 taken from our budget and given to them. We would like to write them a letter and ask that they give us a copy of their financial report. We would like to know what their contributions are from other counties. Then we'll, upon receipt of that we could put it on our agenda for next week. Any more business to come before this County Commissioner? I would entertain a motion to adjourn.

Commissioner Kiefer: Move to adjourn.

Commissioner Melcher: Second.

President Abell: We are adjourned.

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

**CONSENT ITEMS:**

**Commissioners:**

Approval of the December 20, 2011 Commission Meeting Minutes.

**Employment Changes:**

Health Dept. (2)	Drainage Board (1)	Commissioners (2)
County Council (2)	Public Defender (1)	Prosecutor (4)
County Assessor (10)	Circuit Court (1)	Superior Court (4)
County Clerk (1)	Sheriff (1)	VCCC (2)

**County Engineer:** Pay Request No. 142 for TIF Projects.

**County Auditor:**

Request to Surplus Various Printers.  
Covered Bridge Certification.  
December 2011 A/P Vouchers.

**County Treasurer:**

November 2011 Monthly Report.  
Request to Surplus Various Office Equipment.  
November 30, 2011 Year-to-Date Report.

**County Assessor:** Request for Centre Waiver Fee/Not OT: 2/8/12: Manatron.

**Department Head Reports:** County Engineer

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Nichoalds
Madelyn Grayson	Elliott Kavanaugh	Linda Henzman
Roger Krehsbach	Gary Heck	John Stoll
Mike Duckworth	Others Unidentified	Members of Media

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
JANUARY 24, 2012**

The Vanderburgh County Board of Commissioners met in session this 24<sup>th</sup> day of January, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: Good evening. I would like to call to order the January 24, 2012 meeting of the Vanderburgh County Board of Commissioners. Roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Could we have the Pledge of Allegiance, and I would like to ask our intern who is with us tonight, Kyle, would you like to lead us in the Pledge of Allegiance?

Kyle Broxon: Sure.

(The Pledge of Allegiance was given.)

**Introduction of Teen Advisory Council Job Shadows**

President Abell: Before we get started with our business, I would like to again introduce Kyle, is it Broxon? Have a I pronounced it correctly? He is an intern with the County Commissioners this year. He's a junior at the University of Evansville and he's studying Political Science and History. So, we're happy to have you with us this evening. Thank you for coming. We also have with us this evening some students, I have their names, but why you don't you turn on the mics and give us your name and tell us what school you're from.

Sara Weinzapfel: I'm Sara Weinzapfel and I go to Reitz.

Emily Forchee: I'm Emily Forchee and I go to Castle.

Emily Evans: I'm Emily Evans and I go to Castle.

President Abell: Thank you, and thanks for joining us this evening.

**Trails Coalition Update**

President Abell: Under our action items this evening, we have a nice presentation, happy to have with us the Trails Coalition. Roberta Heiman, would you like to start your presentation?

Roberta Heiman: I would. Thank you. Commissioners, thank you for this opportunity to present a proposal that we have. As you know, Evansville has received some, our metropolitan area has received some unfortunate attention nationally lately because of our real crisis with obesity. We have had consultants recently tell us that our community doesn't show well, and, so, part of what I'm going to talk about addresses both of those issues. As the Trails Coalition...can we start our Power Point? We are a catalyst for active transportation and recreation. We, the next one, we're tax exempt, founded in 2009, and our mission is to make Evansville and Vanderburgh County a healthier, more vibrant community by promoting and helping fund the development, use and maintenance of trails and greenways for recreation and transportation. Now, in October I attended the Mid-America Trails and Greenways Conference in Fort Wayne, and was inspired. From all over the Midwest, people who are affiliated with non-profit groups like ours came and told their stories. Fort Wayne has 66 miles of paved, off-road trails connecting their neighborhoods with their parks, their schools, their work places. They're going for 100 miles. Kalamazoo, Michigan, the director of their Trails Coalition told us about getting a call from the Kellogg Foundation that wanted to give her two million dollars, not to build trails, but to sponsor activities on the trails to generate public support so that the community would really get involved in doing this. Our smaller neighbor, Owensboro, has a 13 mile off-road, paved greenway through its business and residential areas. This is happening all across the country, so, you think, well, we have, we'll soon have six and half miles of greenway here and we've been working on it 40 years. We, those communities are doing it, forming public-private partnerships with non-profit trails groups because they've found it's a real quality of life, quality of place issue that has a major impact on a community's health and it's economic development. By providing increased opportunity for physical activity, you give people a freeway to be healthier, to reduce this obesity crisis that we have. Those communities have learned that trails attract two specific demographic groups; one is the young, high tech workers who are really into running, walking, this young generation is very physically active and they want this kind of quality thing in their neighborhoods, and, two is healthy retirees who want places to walk their dogs, walk their spouses, go birding. It's real important to them, and so you attract these people to your community and city-county, the property values go up, city-county revenues go up. So, what we're here to talk with you about is, this, first of all, this is who the Coalition is, our hospitals, our universities, the Convention and Visitors Bureau, our Metropolitan Planning Organization, City and County government, organizations like the YMCA and United Neighborhoods, runners, walkers, bikers, about 20 organizations are involved in it. We're here to talk with you about a proposal to construct, as they're doing across the country, by volunteers, a trail extending from downtown Evansville to Angel Mounds State historic site. This would be a six and a half mile trail. It was first proposed in 1940 when the Corps of Engineers built the Ohio River levee, by federal law whenever the Corps builds a levee, the top of it has to be made available as a recreational trail. Well, the city never and our county never built that trail, and then the highway came along and built on top of a portion of the levee, but have given local government an agreement to use the right-of-way of that highway to build the trail. So, our, we have with us Greg Meyer, a local conservationist, who is kind of spearheading this effort and Bill Jagers is a member



of the steering committee. He is a retired Alcoa engineer who has kind of supervised construction of big aluminum plants all over the world. Greg?

Greg Meyer: Good evening. My name is Greg Meyer. The slide you see before you now shows on the red dotted line the location that we're proposing for this trail connection. It would run along, or from Sunrise Park along the existing levee, under the Highway 41 interchange, and then along the southern right-of-way of Interstate 64, essentially out to Angel Mounds to Pollack Avenue and the Lynn Road intersection. Roberta and I have both hiked this area, and we've hiked it with Brian Swenty, who's with the U of E Engineering Department, to try to get a preliminary determination of the feasibility. Here are some of the photographs. This is the top of the levee, there's yours truly. We'll just, I'll just go right through them. This is looking toward the 41 interchange going east. This is under the 41 interchange. That's Eagle Creek. This goes along some of the flood control structures, and now we're at Weinbach Avenue. We're going east past Mike Weimer's property. There's another flood control structure seen through the woods. We got to some farm fields and had the edges of farm fields available for potential trail sites. Now we're at, we're still at Weinbach actually. Now we've jumped down to Green River Road and the intersection with Green River Road, and another farm field that's available for trail location looking toward the trailer park at the corner of Lynn Road and Pollack Avenue. A little further along with the trailer park on the right. Then, do we have the steering committee make up? We've proposed a project, and we actually have reduced it to a memorandum of understanding. I've provided one to Mr. Harrison already for future review. I'll leave one with each of the Commissioners. This is a memorandum of understanding that we've designed after a template that they use in Fort Wayne between Wayne County, I mean between the county and the city and the citizens organizations that do the trail building up in that community. What we've designed it for is to address this one specific trail, not an on-going proposition, and we've set the project into six specific phases. Those phases are found on paragraph five on page two. The first is the study and master plan phase, and actually even though we haven't entered into this agreement, we've started working on that part of the phase. We've also started working on page, or phase three, which is the engineering phase, because we have U of E Engineering Department on board looking at this project as a potential project for their 2012-2013 class, senior engineering class. We've also started working on the funding phase, identifying sources of funding, private sources of funding that might be available to help us build this project. Each of those phases is more completely defined on the next page and a half, and I won't go through those in the interest of time, but we're looking at these six phases as getting us to construction in roughly two to two and a half years. Is the steering committee...yes. We also propose the appointment of a steering committee consisting of a chair and a vice chair, along with an engineer, fund raiser, field supervisor, volunteer coordinator, public relations and marketing, and government liaison. So, what we're proposing now is that the County Commissioners consider this memorandum of understanding so that we can create this public-private partnership to connect the existing greenway at Sunrise Park with Angel Mounds. You might be thinking, well, where are you going to go at Angel Mounds? Not by coincidence, the Newburgh greenway is actually designed and drawn and engineered to get to the front door of Angel Mounds. So, when we complete our connection, you'll be able to go from the boat ramp on Pigeon Creek that's currently, the canoe ramp I should say, all the way along Pigeon Creek, through downtown, along this new section that we're building, past Angel Mounds to Newburgh, through Newburgh and all the way to Newburgh Lock and Dam. So, from a regional and national standpoint this will be a very impressive facility when its completed. We're also looking at a natural surface for this trail, such as crushed stone, rather than

pavement, in order to save costs, because what we're really looking at is the best way to get this designed as quickly as possible and built as quickly as possible at as little cost as possible. One of the things that Roberta reported from the conference she went to in Fort Wayne is that a lot of communities are discovering that they can build their trails for less than the cost of the 20 percent match they would have to pay if they used federal money to build the same facility. So, we're looking at trying to construct this with funds and not using federal money or state money so that we can build it much less expensively than the existing greenway has built to date. Roberta?

Roberta Heiman: If I may, I would like to show you just a short video that we've prepared to promote trails in this community. You'll recognize some of the people in it.

(Trails video was shown)

Roberta Heiman: I think that makes people want to live here. I hope it does anyway. It shows some of the best scenery in our community and it kind of tells our story. So, I would be happy to answer any questions you might have. Thank you again, Marsha Abell, for being the star, one of the stars in it.

President Abell: I really like the effort, and I'll open it up to the Commissioners to ask you some questions.

Commissioner Kiefer: Roberta, so, has this been released, this video? I mean, can people find it on the website or the Internet?

Roberta Heiman: Well, I'm taking it to any group that will have me. It's on the Internet.

Commissioner Kiefer: So, the economic, all of our economic development groups, the Visitors and Convention Bureau you've reached out to them and they have it?

Roberta Heiman: Yes.

Commissioner Kiefer: Okay, great. Thank you. Nice video.

Roberta Heiman: I want to say that this was funded with a grant from the Welborn Baptist Foundation.

Commissioner Kiefer: Well done. Thank you.

Roberta Heiman: Thank you.

Commissioner Melcher: The only comment I was going to have, you had her in there, so I don't have to, Anne Audain. She's a world runner, and she tried to help us with the State Hospital, and she came up with a plan that worked perfect I thought, and then they went out and got consultants and almost came up with an identical plan and had to pay them. We've got people here in Evansville that can do that. So, and she talked about the soft surface is better for runners. She's ran all over the world, and they've all liked to run on softer surfaces.

Roberta Heiman: Brian Swenty, the Dean of Civil Engineering School at UE, he and his wife are bikers, and have biked all over this country on the Rails to Trails, which

are largely built by volunteers, and are like little bitty crushed stone things. They work, they're wonderful.

Greg Meyer: I think Andrea said it best in the video, we don't want to depend on the county government or the city government to do this for us. We want to get the citizens of Evansville and Vanderburgh County involved and work with the county to create a great project like this. One that's not just a recreational option, but also a transportation option, because this will connect downtown Newburgh to downtown Evansville and it will be accessible all along southern and eastern Vanderburgh County. So, anybody that wants to commute to either central city area or town area can do so on this trail off of the city streets.

Commissioner Kiefer: Thank you.

Greg Meyer: So, what we would like for you to do, I assume you want Mr. Harrison to review the proposal. Just consider it and possibly at the next meeting, hopefully approve it.

President Abell: Is that doable, Joe? Can you get it back for the next meeting?

Joe Harrison, Jr.: Yes.

President Abell: Okay.

Madelyn Grayson: Greg, do you have an extra MOU for the record by any chance?

Commissioner Melcher: You can have this one.

Greg Meyer: I've got one. Hold on.

President Abell: Roberta, thank you all for coming.

Roberta Heiman: Oh, thank you.

President Abell: Very nice to get to see the video.

<b>County Treasurer: Annual Board of Finance Meeting</b>
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President Abell: Now to more boring work. Not necessarily Rick, just that we have to get back to county work, which, unless you have a colorful video to show us tonight.

Rick Davis: I have a Power Point. Yeah, it's hard to follow Roberta Heiman. I used to work with Roberta, I had to follow her there too. Okay, there's not a lot of oohs and ahhs like the other presentation, but I do want to thank Anne Audain for those crushed stone running trails, because they are much better on your knees. That's my plug if you guys help out Roberta. The runners really like that type of surface. Okay, I'm here for—

President Abell: Our County Treasurer is a runner.

Rick Davis: Yes, Rick Davis. I'm the Vanderburgh County Treasurer. This is my fourth time to come before you for the annual finance meeting, believe it or not, and

it's the third different set of Commissioners that I've had to appear before. So, I would like to welcome Mr. Kiefer aboard, and I look forward to working with you.

Commissioner Kiefer: They keep getting better all the time.

Rick Davis: Yes, that's exactly right. I'm actually here 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. Historically the county uses this meeting to vote for a President and 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.

Commissioner Melcher: So, you need a motion by us?

Rick Davis: Yes, I'm told this is something you would make in the form of a motion.

Commissioner Melcher: Okay, I move that you be the President and our Auditor be the second.

Commissioner Kiefer: I second that.

President Abell: All in favor say aye.

All Commissioners: Aye.

President Abell: Any opposed?

**(Motion approved 3-0)**

President Abell: You got the job.

Rick Davis: Thank you.

Commissioner Kiefer: Congratulations!

Rick Davis: One down, one to go. I'll try not to make this too boring, Commissioner Abell. I've given you several exhibits, and the folks watching at home can follow as well. First of all we have several accounts with the County Commissioners, or the County Treasurer's office, in an effort to diversify the funds that we have. When I make investments I take it very seriously, because I feel like every dollar we can earn in interest income is a dollar that we do not have to tax, but, we've also had a very challenging investment climate the past four years, since the mortgage meltdown of 2008. It's been a very challenging and trying time, I'll explain that in a little bit, to be investing. Also, with banks closing, I believe there have been more than 300 banks since 2008 that have closed or been taken over by the FDIC. Because of that, I think I've done a very good job of diversifying the amount of money that we spend at different places. First of all, in 2009 we started what is called a Trust Indiana account. That is exhibit A that I've given you. We have roughly \$30 million invested in that account. The General Fund currently, as of today, has about \$3 million in it. The reason why we have sub-accounts, what we call, is, for instance you'll see the Bridge Fund, the last thing you want is for me to get a CD with Bridge money for a year and then have Mr. Stoll send me an \$800,000 invoice to pay for bridge repair and then we don't have the money to cover it. So, we've put this in the Trust Indiana account where we can put, basically, almost the entire amount, and

invest almost the entire amount and it's liquid where we can pay funds out of that account. It's very good. In the past the Treasurer would only invest about half of it for a quarterly basis. This way we can invest about 90 percent or more of it continually. Exhibit B, exhibit A was basically each of our sub-accounts and how much is in those accounts, including a rainy day fund of four and a half million dollars. Exhibit B shows you exactly how much was earned from January 1 through December 31<sup>st</sup> of this year, which totaled \$70,000. Trust in Indiana this year has been as high as a quarter of a percent and as low as .08 percent. Today's rate is .16. When I first started this account, the Trust Indiana rate was around one percent and it's been higher than that before. I'll explain why these rates have plummeted over the last four years in a moment. The Commissioners have two CD's that came from the Department of Metropolitan Development. I was instructed last year, I believe, or possibly the year before, to invest \$150,000 on a quarterly basis, and then \$300,000 on an annual basis. When those quarterly and annual CD's come up, I take the interest that's earned and re-invest it rather than not. So, exhibit C and D are the two CD's that the Commissioners have earned. I did not count this total in the amount of money that the Treasurer's office has earned, because it's completely separate. I am doing this because I'm an agent on behalf of the county in order to invest the county's funds. It's actually not my money, it's the County Commissioners money. The CD's average .35 of a percent in 2011. Now, I believe it was in 2010 the Commissioners allowed me to start investing with Morgan Stanley Smith Barney, they're a broker, and they do a very good job of buying agency securities, government paper that we cannot do as a county without this brokerage firm. As you can see from exhibit E, it's paid off. In 2010 we put about \$13.9 million in these agency securities, in 2011 we put in an additional \$3 million, and we earned an average rate of .59 and nearly \$90,000. We anticipate with the investment climate we have currently and what's coming down the pike, if it gets better it's going to get better very slowly and incrementally. It's not going to rebound quickly. We expect to earn about another \$90,000 next year. We have a checking account which pays our bills, including salaries, and we bid that out last year and part of the requirement that I put in the writing was that the county earn a minimum of a quarter of a percent. The reason why is when I took office in 2009 the first two years because of the prior agreement with the previous administration, under a different investment climate I promise, we earned zero percent. We did not earn a penny out of our checking account, which had about a five million dollar average balance in there. So, when we rebid the checking account out again with the county, I made sure that we were going to earn something. At the time a quarter of a percent sounded really lousy, but we've had bids for CD's this year that came in at .10 for several million for a year. So, .25 to have liquid funds it turned out to be a very good decision on behalf of the county to go with Old National....Old National Bank is who has our checking account. As you can see it earned more than \$43,000 in 2011. We have an account at Legence Bank that earned \$1,500, there's another miscellaneous thing here too. Totally we earned nearly \$45,000. Local bank CD's, that would be exhibit F, we didn't invest in a lot of bank CD's, because at one point, like I said, we were only getting ten basis points, and ten basis points is .10. It makes zero sense to tie up the county's money for six months, three months, a year when we can keep it in our checking account and earn two and a half times what we're bidding out for a CD. There have been times when, during this recovery, when the banks needed our money, and because of that, when we bid out, we actually received a pretty good percentage rate. As you'll see, right now we're an average of 1.15 percent. That's because I invested in CD's two years ago when the rates were higher for a longer term. When I first came in most of the county's investments were 30 to 45 days and 60 days, and the only way the county was going to make any money was if I lengthened that money out over time. It's paid off. In 2011 we had three CD's

mature, they were a total of five million dollars, and they earned \$107,000, but, again, these were CD's purchased two years ago when the rates were higher. In 2012 we have three CD's averaging only .37, but they are going to bring in \$25,000. In 2013 we have two CD's that will mature at .86, and those were the CD's that when the banks were wanting our money they bid higher, bringing in an additional \$35,000. So, here is the roster, total earned more than \$300,000. It's kind of sad when you look at what we were earning back in 2006 and prior we were earning two or three million a year. But, I want to remind you, back in those days we, the County Treasurer's office would actually have as little as an eight day investment for a County Option Income Tax revenues. We would invest it for eight days and we would get three percent off of that one eight day investment. Now, we have two year CD's that go out at less than one percent. I believe ten year treasuries are around two percent. So, that puts it in perspective the challenging environment. A lot of people ask me why, and the reason why is the money that the county has the banks don't want it, they don't need it right now. They're not loaning money out. If they don't need our money, there's no demand for our money. So, the interest goes low. What I have in front of you in exhibit G is very interesting. This is the amount of money that is on reserve with the banks throughout the country. It starts about 1984, and the grey pillars that are going up and down, that's a period of recession, and you'll see that the blue line that goes across horizontally, that's how much money the banks were holding in the Federal Reserve. You can see we've gone through, this is our third recession since this chart started. The '90 one I was in college, getting out of college during that time, it was pretty scary. Something happened in 2008 during the mortgage meltdown, during the middle of that recession, banks started holding on to their money with their fists clenched. As you can see, the total to your left is in billions. So, the blue represents trillions of dollars that are not being put to work, not being used by our economy, our businesses are not borrowing money, they're not expanding, they're not adding payroll, and the banks are holding on to it. A lot of it has to do with people's credit ratings, maybe they don't have the credit to buy a new house or a new car. The unemployment rate has a lot to do with it. If you don't have a job you can't buy a new refrigerator, a new car, etcetera. So, the wholesale economy is the reason why we have gone from earning three million a year to \$300,000 a year. That is all I have for this evening.

President Abell: I'll entertain questions from the Commissioners of the Treasurer. Well, Rick, you've done a great job in a very trying time.

Rick Davis: Yes.

President Abell: There's no question about it. All of us know it. We all have IRA's and we've seen the numbers.

Rick Davis: Yeah, I appreciate that. I've said before in front of the Commissioners and the County Council, I wish I could wave a magic wand over our county investments and make the interest rates go up, but it's really out of our hands. Again, our money, there's no demand for it. When there's a demand the interest rate will go up and the banks will want our money to loan out to folks, but right now they are flush with money and they just don't need it. Thank you for your time.

President Abell: Thank you for the report.

**Permission to Advertise 2011 Statement of Receipts & Expenditures**

President Abell: County Auditor?

Joe Gries: I think I'll let Madelyn handle this.

Madelyn Grayson: We just need permission to advertise our annual statement of receipts and expenditures for 2011.

Commissioner Kiefer: Okay, motion to advertise the 2011 Statement of Receipts and Expenditures.

Commissioner Melcher: Second.

President Abell: All in favor say aye.

All Commissioners: Aye.

President Abell: Opposed?

**(Motion approved 3-0)**

**Motion to Accept County Treasurer's Report**

Commissioner Kiefer: (Inaudible. Microphone not on.)

Joe Harrison, Jr.: It doesn't hurt to do it. You might as well.

Commissioner Kiefer: Okay, I'll make a motion to accept Rick's, or the County Treasurer's report.

President Abell: Do we have a second?

Commissioner Melcher: I'll second.

President Abell: All in favor of accepting the report from the County Treasurer say aye.

All Commissioners: Aye.

President Abell: Opposed?

**(Motion approved 3-0)**

**Co-Op Extension: SBM Equipment Service Agreement  
Superior Court: Juvenile Division: Counseling for Change Agreement  
Superior Court: Juvenile Division: 2012 CASA Agreement  
Ivie-Burns OCH Lease Agreement**

President Abell: Contracts, agreements and leases. Cooperative Extension Service renewal of the mail machine and electronic scale lease with Southern Business

Machines, Inc. This is a one year agreement in the amount of \$625. The Co-Op has funds appropriated for this. I'll entertain a motion to accept.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote, financial issue.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Juvenile Court, independent contractor agreement for Counseling for Change for space to conduct support meetings for the courts parents CHINS Drug Court. Agreement runs for the nine month period ending September 30, 2012 at a cost of \$250 per month. I'll entertain a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Does anyone know, do they have the money appropriated for this? Is anyone here from Juvenile Court?

Joe Harrison, Jr.: They do.

President Abell: They do?

Joe Harrison, Jr.: Yeah, I think it was grant funding through the end of September.

President Abell: Okay.

Commissioner Kiefer: Question please. So, where are they locating at? It says the space to conduct support meetings.

Joe Harrison, Jr.: Let me see if it says. I don't know if it actually even says.

President Abell: Are they on John Street?

Joe Harrison, Jr.: Here we go. I'm sorry, space within 1133 Lincoln Avenue.

Commissioner Melcher: It's on the second page.



Joe Harrison, Jr.: I think that's what it says, doesn't it?

Commissioner Melcher: Yes.

Commissioner Kiefer: Yeah, I see that now. Okay.

President Abell: Okay?

Commissioner Kiefer: Yeah, I mean, I was just bringing that up because, you know, we have space at other places.

President Abell: Right. I have a motion and a second on the floor. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: 2012 CASA, Inc. agreement for a one year period ending December 31, 2012 at a total cost of \$96,000. Juvenile Court has funds appropriated to cover this cost. I will entertain a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Under the Commissioners report, we have an Old Courthouse lease agreement with Erin Ivie and Trisha Burns. It's a one year lease for suite 111. Rent

payments will be made monthly to the county in the amount of \$549. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Marissa, is this in line with the other payments of rent?

Marissa Nichoalds: Yes.

President Abell: Thank you. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Well, anything to reduce the cost of operating the Old Courthouse. With that I'll vote aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Vanderburgh County local elected officials agreement. Jim Heck with the Grow Southwest Indiana Workforce is here to talk to us about this. Mr. Heck?

Jim Heck: Thank you. Good evening. I just want to, I won't take up a lot of your time, as you know we're Grow Southwest Indiana Regional Workforce Board is the workforce development arm of the State of Indiana for this region. We operate the Work One Centers in a nine county region in southwest Indiana. Our Work One in Evansville is over on Walnut Street and a lot of you have come over there. We just recently remodeled it, I think, and we had a nice, new reopening over there.

President Abell: Yes, you did.

Jim Heck: With, our board is made up of appointees from county government. Each county appoints one business person from their county to be on our board. So, we end up with a business person from all nine counties on our Regional Workforce Board. That appointee is made by a local, a chief elected official in each county. That chief elected official is elected by the County Commissioners and the Mayors of cities of 5,000 or larger. So, in Vanderburgh County that means the three of you and then Mayor Winnecke of Evansville. In the past, and the reason we're here with you tonight, in the past that local or chief elected official for Vanderburgh County had been Mayor Weinzapfel, when he chose not to run a new person has to be elected of those four members. That chief elected official would then appoint the business person to represent Vanderburgh County on the Regional Workforce Board. That chief elected official would then gather with the other eight chief elected officials in a meeting we will have in February to elect a chief elected official for the entire

region, for the nine county region. In the past that too was Mayor Weinzapfel, so, with his, him not running we have a vacancy there. We will fill that vacancy in February from the chief elected officials of the nine counties. I have not, we are meeting with Mayor Winnecke tomorrow, and it was just a scheduling issue, we didn't get to him before we got to you. I have not asked him if he was willing to serve in that position, but I would think that he would, but I don't want to put words in his mouth. Historically, the Mayor of Evansville has been the chief elected official for both the county and the region for a number of years.

President Abell: Commissioners?

Commissioner Kiefer: I'm okay for that to continue that way, unless—

Commissioner Melcher: It doesn't matter to me.

Commissioner Kiefer: I mean, I think that's fine, if he's willing, why don't you find out what he's willing to do, and if he decides not to do it then maybe come back to us, but otherwise, you know, obviously, he served here, on the County Council, he served on the County Commission, I think he understands the county.

President Abell: When is your February meeting?

Jim Heck: Well, we'll set that after we meet with the Mayor tomorrow. We want to make sure that he is available for the meeting. So, we'll set that, it will be mid to late February.

President Abell: If he doesn't, then we can appoint someone at our next meeting.

Commissioner Kiefer: Yeah, we could do it at our February 7<sup>th</sup> meeting. Yeah, that makes sense.

Jim Heck: Just to let you know, I will need you guys to make a motion and accept it, for that to be official. Because, you're the, you really have the votes for all of it, and when I go to the Mayor they don't have any official way of recording the vote. We have an agreement that must be signed by, in this case, Marsha you would sign it after the vote. So, I would be more than willing to come back at your February meeting to make that official, after we talk to Mayor Winnecke tomorrow.

Commissioner Kiefer: Yeah, that makes sense.

President Abell: Joe, is that fine?

Joe Harrison, Jr.: Now, do they need to select one of them to serve as well? Then—

Jim Heck: One of those four, the three Commissioners or the Mayor of Evansville, has to be the one that serves—

Joe Harrison, Jr.: Oh, or the Mayor.

Jim Heck: Yes.

Joe Harrison, Jr.: Okay. Well, as far as the concept's concerned, I'm sure they don't have a problem with that and can approve the agreement, and as far as who is going to be the one selected—

Commissioner Kiefer: You can let us know.

Joe Harrison, Jr.: Yeah, if the Mayor doesn't want to do it, then it will be one of them and we'll do it at the next meeting in February.

Jim Heck: Okay.

President Abell: If that's okay, I would appreciate you coming back, and then we can vote on it at our February meeting after you've spoken with Mr. Weinz...Mr. Winnecke to see if he, I'll get used to that--

Jim Heck: There's too many W's.

President Abell: If he will do it.

Jim Heck: Yeah, I would be happy to do that. I also have, well, Lindsey is going to give you our annual report. Each year at the close of June we produce an annual report so that everybody, you will know, and there's a page in there for each county that we represent so you will know what we're doing inside each county. We want you to understand that there is a lot of time and effort and money that goes into this county through workforce development and our offices. So, there will be a separate page in there for Vanderburgh County. There's a region roll up, so you'll see what we do inside the entire region, but then each county will have its own page. Most Commissioners find that helpful to see what's going on inside their county.

Commissioner Kiefer: Madam President?

President Abell: Yes?

Commissioner Kiefer: Jim, do you need us to vote on that contract tonight before you meet with the Mayor?

Jim Heck: No.

Commissioner Kiefer: Or do you want us to wait until the February 7<sup>th</sup> meeting?

Jim Heck: I would just as soon wait.

Commissioner Kiefer: Okay.

Jim Heck: As long as you guys are okay with Mayor Winnecke, I can tell him that tomorrow.

Commissioner Kiefer: Right, yes.

Jim Heck: Then he can let me know if he's willing or not, and then I can come back here at your February 7<sup>th</sup> meeting, and then we can make it official then, whether it's him or one of you.

Commissioner Kiefer: Sounds good to me.

President Abell: Me too.

Jim Heck: Okay? Well, thank you.

President Abell: Thank you. We have an agreement to add on for the Sheriff. Sheriff, would you like to talk about this?

Joe Harrison, Jr.: It's the Federal Equitable Sharing Agreement. It's the certification that the Sheriff sets forth on his use of federal grant monies for the year. It's just something that they have to do each year to continue getting grant money, is that basically the bottom line?

Eric Williams: It's a document from the Federal government that dictates how we use and how we, with forfeiture money. It's the standard document, it's the same that it's been for the last several years.

President Abell: So, I just need to have a motion to accept this document.

Commissioner Kiefer: I move that we accept it.

Commissioner Melcher: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you, Sheriff.

<b>Health Department</b>
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President Abell: Department head reports. I see Mr. Heck, do you have a report that you want to make tonight, Mr. Heck.

Gary Heck: We don't have anything official. I sent you an e-mail....Gary Heck, Vanderburgh County Health Department. There's an opportunity from the National Association of Counties under the prescription drug card program. If you want to continue the same way that the county's been operating then I don't think it requires any action at all. When they renegotiated the contract and renewed it with CVS/Caremark, there's an option that allows the county to receive transaction revenue from any of those sales. If you do wish to do that, then you have to take, you have to exercise that option. I sent it to the County Attorney. I didn't think you wanted to, would be in a position to do anything tonight with it, but I wanted to be sure that you all at least knew about it.

President Abell: Okay.

Gary Heck: That's really the only report that we have at this time. Thank you.

President Abell: Thank you.

<b>County Engineer</b>
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President Abell: Mr. Stoll?

John Stoll: First, I would like to request your approval on an agreement with Vectren for the relocation of their utility lines alongside the Millersburg Road project. This would take care of the relocation of their lines that are located in easements that Vectren currently owns. The amount of the agreement is \$150,473. Joe Harrison has reviewed the agreement. The changes that Joe had asked for have been changed, have been made.

Commissioner Melcher: Go ahead.

Commissioner Kiefer: I was just going to make a motion to approve.

Commissioner Melcher: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, second, is also in regard to the Millersburg Road project. I have a supplemental agreement with Bernardin Lochmueller and Associates for the construction inspection on the Millersburg project. This increases the contract amount by \$346,000. This would cover all of the construction supervision throughout the duration of the project. Once again, I've run it past the County Attorney, the changes that he had requested have been made. So, I request your approval.

Commissioner Kiefer: I move that we approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, next, I have a storm sewer acceptance request for Spring Lake Valley Subdivision. This is located off of Mohr Road, out next to the CSX tracks. This acceptance request covers 1,193 feet of storm sewers located outside of public rights-of-way, and by county ordinance the developer can request the two dollar a foot fee to be paid. So, in this case, the developer will be submitting \$2,386 to the county so that the county would accept the pipes. I would request your approval of the acceptance.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, the last item I have is requests for approval on right-of-way purchase offers on the Green River Road project between Millersburg and Kansas. I've got 17 of the parcels here this evening. I'll just read off the parcel number on the project, the property owners name, and then the offer amount. The first is parcel one, Shirley Melton, and the offer would be \$1,200; parcel 3, Jason Melton, \$4,825; parcel 5, Donald and Bethanne Brown, \$7,000; parcel 7, Angela Brooks, \$3625; parcel 20, David and Marry Shepard, \$4,050; parcel 31, Daniel and Melinda Hass, a \$2,000 offer; parcel 35, Sally Young, \$400; parcel 36, Christopher Heilman and Allison Jones, \$3,425; parcel 38, Steven and Whitney Markle, \$1,825; parcel 39, Gerry and Barbara Robinson, \$1,850; parcel 40, Adam, Arthur and Kay Gann, \$1,950; parcel 42, Robert Taylor, \$2,050; parcel 43, Aaron and Mellissa Meador, \$1,925; parcel 47, Jason Bradley, \$875; parcel 48, Elaine Head, \$5,575; parcel 51, Chad and Kari Ferguson, \$5,350; and Margaret Ann Jones, parcel 53 for \$350<sup>1</sup>.

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<sup>1</sup> Correct offer amount is \$400. Corrected on the record during 2/21/12 meeting.

These offer amounts are all based on appraisals that the county has had done through the consultant contracts. Once again, we've had the County Attorney review these and would request your approval to make offers on all of these parcels.

Commissioner Kiefer: I make that motion.

Commissioner Melcher: I'll second it. It's what you e-mailed us today, right?

John Stoll: Correct.

Commissioner Kiefer: That was a mouthful by the way.

John Stoll: Yes, the problem is, there's a lot more to come too.

President Abell: But, not tonight?

John Stoll: Right.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

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

President Abell: Thank you, John.

<b>Burdette Park</b>
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President Abell: Mr. Craig, Burdette Park?

Steve Craig: Steve Craig, the Manager of Burdette Park. The question I have tonight for the Commissioners is my appointment and some other people's appointment to the Greenway Advisory Board. We are, they are trying to have a meeting, and we have not got our okay on the appointments yet. Have they been approved? The Commissioners appointments.

President Abell: They may be on here, they are on here tonight.

Steve Craig: They are on the agenda?

President Abell: They are on the agenda for tonight.



Commissioner Melcher: Yes.

Steve Craig: They're not on mine.

President Abell: We just have board appointments on there.

Steve Craig: Okay, I had several phone calls today.

President Abell: We've got a lot of them to make.

Steve Craig: We're trying to get a meeting put up, and they was wanting to know if they was going to do it this evening. I had spoken to a couple of you, but I will get you an e-mail on the daycamp situation with an explanation of where we're sitting and where the EVSC is sitting with the new daycamps that they are proposing.

Commissioner Kiefer: Question, Steve. How is the implementation of the study that was done, your efficiency study, are you implementing some of those recommendations?

Steve Craig: Yes, we are. I actually have been sending e-mails back and forth, Herb the guy that did it, and would like to sit down with the Commissioners and go through some of the things that we can do. A lot of things that they proposed cost money to save money. So, we'll have to take a look at that too, because we don't have the money to begin with, but some of them we've already done. We're working on several of the projects, but we'll go through the whole thing. Have you read it?

Commissioner Kiefer: I've read it.

Steve Craig: Okay, well, if you want to sit down, I would like to discuss some of it, because some of the things in there need to be clarified.

Commissioner Kiefer: Sounds good, Steve.

Commissioner Melcher: Yes, I just wanted to ask you, I know at one time we had an Advisory, you had an Advisory Committee at Burdette. You and I talked about this probably two years ago or so. Is this something you believe you still need to have? Because I don't think it's been used for, since I've been a Commissioner.

Steve Craig: No, I actually got the Council's appointments last week, which last year we had two Council appointments, but the Commissioners never did appoint anybody for the Advisory Committee. That call would be up to you, you know, if you wanted to have the—

Commissioner Melcher: So, are you having meetings now?

Steve Craig: No.

Commissioner Melcher: Okay.

Steve Craig: We only have two appointees, and I only had two last year. We did not have any meetings. The Commissioners would appoint three appointees.

Commissioner Melcher: So, we need to find one, that would give you three, is that all of the members there is three?

Steve Craig: No, there are each, my understanding was that each Commissioner had an appointee. There was five people on my Advisory Board.

Commissioner Melcher: Okay.

Steve Craig: Each Commissioner had one, and then the Council had two, one for each party, I think.

Commissioner Kiefer: Can you submit some names of interested people?

Steve Craig: Yes, I could. I think I did last year, but I will do it again for you, yes.

Commissioner Kiefer: Okay, thanks.

President Abell: Thanks, Steve.

Steve Craig: Thank you.

President Abell: Any other department head have a report?

<b>Board Appointments</b>
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President Abell: Next are board appointments. We have several board appointments, I will read the board appointment that we have, there are a couple other changes that we're going to do on board appointments, and we'll get to that at the end, after we accept these board appointments. Alcoholic Beverage Commission appointee is Kurt Kiefer; the Board of Health is Mark Wohlford; the Board of Zoning Appeals is Mike Zehner and Jonathan Parkhurst; the Community Corrections Complex is Stephanie Terry, Chris Kiefer, Gerald Summers and Robert Hays; there are additional appointments needed to fill the ex-offender and private corrections positions and we'll make those at a later time. The Construction and Roofing Board, Jeff Happe, Ron Dauby and John Elpers; the Criminal Justice Planning Committee is Joe Kiefer; the Evansville ARC is Bill Nix; Economic Development Coalition is Mike Hinton; the Electrical Board, Randy Brievogel, Jerry Goedde and Don Beavin; Emergency Management Agency, Mark Merrill, Eric Williams and Randy Gentry; Human Relations Commission, Gregg Gerling and Kevin Axsom; HVAC, Bob Crow, John Wright, Brian Steinmetz; MWBE, Holli Sullivan, Tony Kirkland; Pigeon Creek Greenway, Ann Ennis, Lester Steinmetz, Steve Craig, Fred Padget, Blaine Oliver; Property Tax Assessment Board, we need to make a motion that we are waiving the Level II certification requirement for the appointees. The two that we have are Dan Humphrey and Joni Steinkamp. I will entertain a motion to waive the Level II certification.

Commissioner Kiefer: So moved.

Commissioner Melcher: I'll second it, because I believe you just have to have one person and that was already done.

President Abell: I think that's correct.

Commissioner Melcher: Okay.

President Abell: Roll call vote on that.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Redevelopment Authority, Jerry Lamb; Redevelopment Commission, Kirk Knight, Chuck Whobrey, Jim Will, Sr. and Chris Kiefer. I would entertain a motion to accept these board appointments.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: I need a motion from the County Commissioners to suspend temporarily the Polling Place Advisory Board. I had a discussion with the County Clerk and also with the registration office, the Voter Registration Office, neither of those entities feel they need this board at this time. Since we have gone from the many polling places we had to the few centers, and the centers have all been approved by all the requirements from the Polling Place Committee. So, there's not a need for it at this time. I don't want to disband it, because if they need it in the future they would like to call it back, but we would like to temporarily suspend it.

Commissioner Kiefer: I move that we temporarily suspend it until further notice.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: The other is, last week we made an appointment to the Public Defender Board of Steve Melcher, Stephen Melcher, our Commissioner here. That is, that position is going to be held by Marsha Abell. I would entertain a motion to make that correction.

Commissioner Kiefer: I make that motion.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: Marsha Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>New Business</b>
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President Abell: New business? Is there anything to come before this Commission under new business? Alberta Matlock, our City Clerk is here. Welcome to the county, Ms. City Clerk.

Alberta Matlock: Thank you, Ma'am. This gentleman has a very big problem, and he was sent to my office, so I'm bringing him here to you. Now, Charles, tell them.

Charles Lee Weathers, Jr.: Ladies and gentlemen, Commissioners, my name is Charles Lee Weathers, Jr. I would like to thank you for allowing me to come before you today to explain my dire situation. I am reading from what I have written so that I would not leave anything important out due to my nervousness. My parents' home at 1008 Jefferson Avenue became mine when my father died in 2010. Me as their only child, I was devastated to say the least. Unfamiliar with what all comes with being a homeowner, I allowed a situation to happen that I should have been on top

of, and that is back taxes. The taxes are only for, from since I have held the property. I have just now started to be able to go to our home since my father has passed two years ago. I have come and gone, he came, it has come and gone so quickly. The utilities have been shut off, the Post Office considers the home vacant, so sometimes the mail is delivered and sometimes it's not. It just depends on if my aunt feels like keeping it picked up or not. Obviously, back taxes have occurred and I have not been able to pay them. I am here today to ask for your help in saving my parents home. It's all I have left of them. Sincerely yours, Charles Lee Weathers, Jr.

President Abell: Do you know how much the amount of back taxes are, sir?

Charles Lee Weathers, Jr.: Yes, Ma'am. It is \$1,811.08.

Alberta Matlock: Madam Commissioner?

President Abell: Yes, yes.

Alberta Matlock: This gentleman came to my office by mistake, and so I offered to help him. He's come to see me several times. So, we, I thought maybe if we come here, that there would be some way that we could help this young man.

President Abell: Let me ask you, is someone living in the home now, or is it vacant at this time?

Charles Lee Weathers, Jr.: It is vacant at this time.

President Abell: Is it your intention to live in it at some point?

Charles Lee Weathers, Jr.: Yes, Ma'am.

Alberta Matlock: He's been trying to get different jobs...talk to them.

Charles Lee Weathers, Jr.: Well, I've been looking for a job. I've been around everywhere just trying to get a job so that I was able to pay these back taxes. I didn't find out, it wasn't that long ago when I found out. I didn't know that it was going to go up for sale or any of that, you know. I've never been a homeowner before, but I'm willing to do whatever it takes to pay the taxes.

Joe Harrison, Jr.: Just as a suggestion, the property is not in your name, obviously, it hadn't been transferred to you? I mean, you've inherited it, but it's still in your father's name, correct?

Charles Lee Weathers, Jr.: Yeah, I was the only child.

Joe Harrison, Jr.: But, it's still in your father's name?

Charles Lee Weathers, Jr.: Yes, sir.

Joe Harrison, Jr.: The tax bills would have gone to him.

Charles Lee Weathers, Jr.: Yes, sir.

Joe Harrison, Jr.: But, you never got them?

Charles Lee Weathers, Jr.: No.

Joe Harrison, Jr.: But, now you're aware of the fact?

Charles Lee Weathers, Jr.: Yes, sir.

Joe Harrison, Jr.: And, you're presently not employed?

Charles Lee Weathers, Jr.: No, sir.

Joe Harrison, Jr.: You know, what you may want to do is to seek, maybe you can go to Legal Aid or LSO, some, an attorney that handles those who don't have jobs, who don't have the income and maybe they can assist you with a request that could be made based upon the fact that the property is not in your name, and you're attempting to get it into your name. So, the property would have to be placed in your name and then to handle the taxes.

Charles Lee Weathers, Jr.: Yes, sir.

Joe Harrison, Jr.: But, I would suggest that you go see an attorney, maybe Legal Aid or LSO and see if they can help you with this situation, because you want to try and get the property into your name, but if you can't get the taxes paid, you may not want to do that.

Charles Lee Weathers, Jr.: Yes, sir.

Joe Harrison, Jr.: But, they're kind of both related, and I think, you know, the attorneys that help those who do not have income or jobs can assist you with this. They've seen this type of situation. Legal Aid is here in this building.

Charles Lee Weathers, Jr.: Yes, sir.

Joe Harrison, Jr.: And LSO is in another off-site location here in town, and maybe the City Clerk, Alberta Matlock can help you and direct you to them.

Charles Lee Weathers, Jr.: Yes, sir.

Commissioner Melcher: LSO is Legal Services.

Joe Harrison, Jr.: Yes.

Commissioner Melcher: So, one is in this building and one is not.

Joe Harrison, Jr.: Yeah, LSO is not in the building—

Commissioner Melcher: Right.

Joe Harrison, Jr.: —but Legal Aid is.

President Abell: Alberta, if you will help him find the Legal Aid office, you know where it is here.

Alberta Matlock: Yes, Ma'am.

President Abell: I will make a direct request tomorrow for them to help him. In the meantime, I would entertain a motion from this Commission to extend the payment of these taxes for six months to allow him an opportunity to make an arrangement to get legal assistance and get these taxes possibly waived and get this house in his name and get the things in order. I would entertain a motion to that effect.

Commissioner Kiefer: So moved, and I would like to say, hey, I appreciate the courage that you had today to come and talk to us about your concerns. I know it takes, you know, a lot to come in a public forum and do this. We're glad that we're able to guide you a little bit.

Charles Lee Weathers, Jr.: Thank you so very much.

Commissioner Melcher: I'll second the motion.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Alberta Matlock: If I may, I'll have him, I'll go and get him tomorrow, take him to Legal Aid and see what we can do for him.

President Abell: I'll call them first thing in the morning and ask them to assist him.

Commissioner Melcher: They're going to have to get all of the information—

Joe Harrison, Jr.: Yeah.

Commissioner Melcher: — how much is owed—

Alberta Matlock: Yes, do you have that information?

Commissioner Melcher: —if the house is—

Alberta Matlock: He has all of that information.

Commissioner Melcher: — paid off. If there's money owed on it.

Alberta Matlock: It's paid off. The only thing that's owed on it is taxes.

Commissioner Melcher: They're going to ask all of those questions, that's why I'm just trying to throw it out.

Alberta Matlock: Good.

President Abell: I'll ask them to expedite this if you'll get him there. Our County—

Commissioner Melcher: Did we get the address?

President Abell: Joe, did you have something you wanted to add?

Joe Gries: I would just add that we would help in, a lot of the information flows through the Auditor's Office. We'll be happy to provide anything that Legal Aid would need.

Alberta Matlock: Alright.

Joe Gries: One other thing to keep in mind here, the taxes will continue for the spring and fall of this year as well. So, that's something to keep in mind as well.

Alberta Matlock: Yes, this young man is trying very hard to find a job. He's pretty well alone in this world.

Joe Gries: President Abell? Sorry, one other thing, once the property also is transferred into his name, if he's living in the property, he would be able to file for those homestead exemptions. That would drastically reduce the amount of property taxes per year as well. So, that's a big key to add there.

Commissioner Kiefer: Madam President?

Alberta Matlock: So, if we could, if we come to you, that could help him?

Joe Gries: Absolutely.

Joe Harrison, Jr.: But, again, he's going to have to get some counsel to—

Alberta Matlock: He will have to get counsel.

Joe Harrison, Jr.: — to get the process going where it could even get in his name.

Alberta Matlock: Yes, well, maybe if I talk to, if we talk to Sue Hartig and see if Legal Aid can help this young man, he's a fine young man, and I've gotten to know him over the past few weeks and his problems and he is trying very, very hard.

Commissioner Kiefer: Alberta, I was just going to suggest, you know, there's also organizations that could help him with utilities. I know like St. Vincent DePaul and Salvation Army, there's other organizations out there that you could probably reach out to for some guidance and assistance. I'm sure there's, you know, various entities out there, organizations on helping with employment training and things.

Alberta Matlock: Well, he's going to need all of the help he can get, because he really doesn't have anybody. So, there's a couple of us going to step up to the plate and try to help him.

Charles Lee Weathers, Jr.: Thank you.

President Abell: Thank you for coming out.



Charles Lee Weathers, Jr.: Thank you very much.

President Abell: We'll do all we can for you.

Alberta Matlock: Thank you.

President Abell: Any other new business?

<b>Old Business</b>
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President Abell: Any old business? We do have the, do you have something other than the insurance?

Commissioner Kiefer: No.

President Abell: We do have the issue regarding our insurance. I would entertain a motion to accept the insurance agent of record for the current health insurance and the property and casualty insurance for the year 2012, that both, all coverage would be handled by the agency of Torian Hofmann Dillow and Flittner.

Commissioner Kiefer: I would like to make that a motion.

Commissioner Melcher: I'll second the motion.

President Abell: Roll call vote please.

Commissioner Melcher: Can we have discussion?

President Abell: Yes, I'm sorry. Go ahead.

Commissioner Melcher: Initially I was ready to, I thought we might have a separate vote on it tonight, to talk about ONB having the property, but then as we look at everything and the way things are going down, and being in the minority, you know, there's challenges, but also understand that the Torian Hofmann Dillow and Flittner has saved a lot of money for us, under the health. So, we're, I guess we're looking for some savings in the property also.

President Abell: This is just for 2012.

Commissioner Melcher: This is just for 2012.

Commissioner Kiefer: I would also like to add that, you know, we didn't evaluate this lightly. This is something we looked at very seriously and gave it a pretty stern look, and we feel like this is the organization that's going to save us, or has saved us some considerable monies. So, we're making this decision based upon, you know, numbers and savings to the county.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Public Comment</b>
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President Abell: Is there any public comment? I see our County Engineer, our County Surveyor, sorry about that.

Bill Jeffers: Yeah, Bill Jeffers, County Surveyor. One comment, while I'm sure that the insurance agent was able to save you a lot of money on your health insurance, I certainly hope when they come around to saving you all that money on your property that you're able to understand how they did it a little more easily than the employee's were able to understand how you saved money on their health insurance. But, the reason I am here to make public comment, in fact, is I've read the memorandum of understanding that was prepared for you by the Evansville Area Trails Coalition, I breezed through it, and I support the idea 100 percent. I think it would be a wonderful thing to have a connection from Dress Plaza to the Town of Newburgh's facility, but in scanning through this briefly I would very much caution the Board and their attorney to carefully consider the wording. For example, transferring ownership and control of the project to the county when complete, for the county to accept maintenance.

President Abell: We highlighted that.

Bill Jeffers: Yes. That's good. That the county representative shall be the County Engineer, who subsequently in the document will become responsible for quite a bit of work.

President Abell: Where did you...that we had highlighted, where did you find that?

Bill Jeffers: Page two, item two, the county representative shall be the County Engineer or other such person as assigned by the county periodically. But, I'm sure you'll rely on the County Engineer or his staff. Part of that would be to provide support to the Evansville Trails Coalition for application for any public funding. The word "any" public funding for the project, and to obtain necessary approvals for such public funding processes. When you go through public funding I would imagine there's going to be the possibility of American, or the ADA compliance of the surface of the track, because like, as Commissioner Abell said, trails are for everyone, all types of folks. There are folks who are affected by ADA, handicap accessible surfaces. Don't know if that will apply, and to what extent it would apply on crushed rock. There will also be environmental impact studies and environmental permitting from INDOT, Indiana Department of Natural Resources, Corps of Engineers, Indiana Department of Environmental Management and others, but, in particular, I want you to pay attention when they're running on top of the levee, the Levee Authority is going to have something to say about that. While they have already spoken with the Levee Authority Superintendent, I understand they're having a meeting with the

Levee Authority Board tomorrow. So, I guess, what I'm basically saying is, if they want you to act on this next week, and take up the responsibilities that they wish you to take up, acquire the necessary right-of-way, that's \$1,000 per parcel for appraisals, be responsible for coordinating and administering the right-of-way acquisition, agree to exercise your power of eminent domain to acquire right-of-way, provide necessary services in compliance with all laws, including coordinating utility relocations. You're talking about some utilities now, that can get expensive. I just hope that you allow time to, I would just caution you to allow time to study thoroughly the economic impact to your budget of assuming the responsibilities that this document appears to me to imply, again, in particular, long term maintenance. Because every time a high water event, anything that's flooded down there, when they get to the toe of the levee, is going to be like cleaning up Dress Plaza after a flood. There's a considerable amount of debris that will float up there, especially when they go underneath U.S. 41 alongside Eagle Slough. There may be other areas like that as well. I would also call to your attention what the Tree Board and the Levee Authority have had to deal with right there on Waterworks Road on the levee where the Corps of Engineers came in and discovered something that they didn't like, and has severely impacted the Levee Authority's budget with requirements for repairs. Again, I 100 percent support this idea, but in oh, say 20 to 25 years ago when some of us working in the county tried to get a bike trail on top of the levee, the Levee Authority told us no way, shape or form, would not happen. That was before they built I-164. If most of this goes along I-164, that might help, but when, their thing had to do with maintaining the levee with mowing equipment. So, I would say, you know, like if they put those tractors up on top of the crushed rock trail, you're responsible for the maintenance of the trail. Just an example. Again, I'm 100 percent in favor of it, but I would caution you with regard to the cost and the work load it will put on your County Engineer and Highway Department. Thank you for indulging me.

Commissioner Kiefer: Points well taken.

President Abell: We had not seen this either until tonight. That's why I looked at our County Attorney and asked if he could get it done in two weeks, because I hadn't seen it either.

Bill Jeffers: Well, I had more time, I wasn't doing anything so I could sit back here and read it.

Commissioner Melcher: I got through a page and a half. So, I thought I would just read the rest later, but that was, when he talked about was a Boy Scout trail, that was the Muskegan Trail. It left the museum, went all the way to Angel Mounds and back for 13 miles, because Pat Roll from Newburgh and I walked that ten times to get our merit badges. So, it's quite, it was quite a trail at that time.

President Abell: Is there anyone else that has any public comment?

<b>Consent Items</b>
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President Abell: Okay, under the consent items, I think, first we have a presentation from the Evansville City Police, is that correct? No?

Madelyn Grayson: There is a request in there for a waiver of Centre fees.

President Abell: I thought someone from the City Police was going to be here tonight to discuss all the fees, wanting us to waive the fees for the Centre for a whole year.

Marissa Nichoalds: I believe Debbie Baird is in the audience to answer questions that you all have regarding those fees and the use of the Centre for various events.

President Abell: You had some questions, didn't you, Steve?

Commissioner Melcher: We just, the questions we had that we talked about in the past is that opening it up for the whole year without dates, sometimes that's kind of hard. So, we just, maybe somebody needs to say something on that. You know, we just asked for dates is all we did, so that we would know the dates, but, also, I think our policy is that if we have an opportunity to rent something to make money, this is when SMG talked to me about this, they have that right and the FOP would take second place then. Is that the right understanding? Somebody might want to come to the microphone and say something.

Joyce Molinet: I'm Joyce Molinet, I'm the Director over Personnel and Training, and this is Debbie Baird, the Training Specialist. We were just asked to be here to answer any questions you had over this. Now, we are not with the FOP. This has nothing to do with the Fraternal Order of Police. This is just police personnel and training. We host a lot of training events, and I've been in my position all of one week as of today. That's why I asked Debbie to come with me. What was explained to me was that in the past, I think, Roberta our Personnel Specialist, just sent a letter, kind of a blanket letter like he mentioned for the year. I totally understand why you like dates, and we have no problem providing those. Some of them we do not have yet. We know we're going to have a specific event, we don't have the specific date yet. I think we sent a letter of what we anticipate, we got as specific as we could as of the date of the letter with events.

Joe Harrison, Jr.: Do you have any dates right now?

Joyce Molinet: Yes.

Joe Harrison, Jr.: What dates do you have?

Joyce Molinet: Do you have the letter of January 3<sup>rd</sup>.

Madelyn Grayson: Yes, there's quite a few. I don't know if they're in your packet or not.

Commissioner Melcher: Yes.

President Abell: We had them at one point.

Joyce Molinet: Then, I think, Debbie here sent an e-mail to Marissa on the 19<sup>th</sup> that had three other dates. Do you have that also?

Commissioner Melcher: This was in here tonight. This has got January, February, March, April, July, as of right now.

Joyce Molinet: Correct, and then Debbie sent one on the 19<sup>th</sup> for three different events; one June 3<sup>rd</sup>, starting June 3<sup>rd</sup>, one starting June 11<sup>th</sup> and then one in September.

Commissioner Melcher: Okay, yeah, they have to be during the day because we don't pay overtime.

Commissioner Kiefer: Okay, I have a question.

Debbie Baird: We have paid for the overtime costs when we do, we come in early or late. We understand that we have to pay for overtime.

Joyce Molinet: Correct.

Commissioner Kiefer: I have a question. So, you arrange the schedule then with SMG, they run the Centre, so it's not conflicting with a paying customer?

Debbie Baird: Right.

Commissioner Kiefer: So, if they happen to have a paying customer that says, boy, I need that date of the 19<sup>th</sup> and you're already booked for the 19<sup>th</sup>, then you get bumped or how does that work?

Debbie Baird: That's what we're asking for to be unchallenged, because some of this training that is being paid for is like \$100,000 training that we're getting for free that I'm trying to set up. We just did a training in December that was awesome and they loved the Centre, they couldn't say enough good things about it.

Commissioner Kiefer: How much space do you guys use when you use the Centre?

Debbie Baird: The exhibit hall.

Joyce Molinet: It depends. The memo Debbie sent mentioned the exhibit hall, but the one Roberta sent, it's not always the exhibit hall. It depends on what the event is.

Commissioner Kiefer: Well, I'm just curious how big of a space you need, because perhaps there's other venues that could be used, like the Victory, or, you know, other facilities, maybe the Ford Center. I mean, have you talked to the people at the Ford, at Venue Works and seen if there's opportunities to do it there? I guess, my concern is, I would say, yes, go ahead and use it as long as it doesn't conflict with a paying customer. Because, you know, we've got overhead and we have—

Joyce Molinet: I understand.

Commissioner Kiefer: — bond payments, we have a lot of things that we have to make. So, you don't want to lose a paying customer, but, then again, we want to cooperate and work with you. It's just—

Joyce Molinet: Right.

Commissioner Kiefer: — trying to find some flexibility.

Commissioner Melcher: We just had, we thought we were being told last year that once the Ford Center got up, you would probably be using it more, maybe even along with the Victory, because they've got a, you know, the back half of the Victory they've got a couple of nice floors where there's a lot of nice training that could go on.

Debbie Baird: Well, the thing is—

Joyce Molinet: We've used the Victory.

Debbie Baird: – with this Desert Snow, you bring in vehicles, actual cars. The officers go from station to station to station and actually get into these vehicles and search for drugs. So, they need this big area, because, I mean, in December we had five semi trucks in your exhibit hall that they trained on. So, we need a big, huge area to spread out, get the cars in there. If we can't get it unchallenged, I guess, we're just going to have to go someplace else, because I can't, you know, bring these people in here and not know for sure that they have a spot.

President Abell: If we do it unchallenged you would have to pay. I suspect that's not in your budget.

Debbie Baird: Right.

President Abell: You know, I don't want to sound like I'm being nasty here, but the city has a beautiful new facility across the street, and we are struggling to keep the Centre open. We can't turn down anyone who's going to pay us to rent that. There's no way, we would not be doing the taxpayers the kind of job that they hire us to do if we allowed them to continue to pick up the bill for a county facility for a city job, when the city sitting here with a facility across the street that could be used, that I'm sure vehicles could go in. They had a circus over there, I'm sure they could take vehicles in. We would be happy to consider allowing you to use the Centre if it's not used, and if it is, find a back up place, but I don't think we can guarantee you that at no cost we're going to be able to...because if we had somebody that was going to come in there and have a big event and pay us, we just can't turn them down. We just—

Joyce Molinet: I understand that.

President Abell: Maybe we could—

Debbie Baird: Sure.

President Abell: Maybe Roberts Stadium would be a good venue for something like this.

Debbie Baird: I tried, they wouldn't let me.

Commissioner Kiefer: Do we want to act on this as, not as an unchallenged one, but, you know, they can utilize it so long as it's not, they would have to work through SMG and if somebody else comes in and is willing to pay—

Commissioner Melcher: And that was SMG's understanding from day one when you started using it, that they're allowed to put somebody else in there, a paying customer. They've got great concerns over it. They do because we're on them about making money. If you use it 80 times out of 365 days, you know, that's a lot of the part of the year that they could be making money on it. So, I'm okay as long as we have dates and as long as you're okay to be bumped. You could be bumped to somewhere else in there. I don't know what to do about the large trucks though if they've got something scheduled in the big room, but, again, the new Ford Center

ought to be able to hold all of the trucks. I mean, that was the idea of building that so all of that could happen.

Commissioner Kiefer: The monster truck show was held over there. I guess, I'll make a motion then that we allow it only to the extent that they coordinate with SMG, and if SMG has another client that is paying for the use of that space, then they have the right to bump you or ask you not to hold the event, and you'll have to find a secondary or back up location. But, at least, you know, maybe like the one on January 19<sup>th</sup> coming up, it could be that, you know, they don't have anything for it and you're okay. That's my motion is that we do it, but with SMG having the ability to ask you not to hold the event if they've got a paying client.

Commissioner Melcher: I'll second it.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Melcher: And that was with the waiver of fees too and everything, right?

Commissioner Kiefer: Right.

Joyce Molinet: Thank you.

President Abell: Other consent, items on the consent agenda, Madelyn.

Madelyn Grayson: The consent items for the January 24<sup>th</sup> meeting are as follows; approval of the January 10, 2012 Commission meeting minutes and the January 24, 2012 Executive Session summary minutes; employment changes for the Commissioners approval, there are five for the Health Department, one for the County Highway and one for Weights and Measures; the County Auditor has an affidavit regarding certification of employment; the County Engineer has pay request number 143 for TIF projects in the amount of \$44,341.47; the Roberts Stadium Task Force waiver of Centre fees not overtime for public forums on January 19<sup>th</sup>, January 26<sup>th</sup> and February 1, 2012; the Sheriff has a request to trade in weapons; the County Treasurer and the County Clerk have December 2011 monthly reports; Hillcrest Washington Youth Home fourth quarter 2011 fee for services; Legal Aid December 2011 statistics; the Commissioners have two settlement agreements; and department head reports for the County Engineer and Burdette Park.

Commissioner Kiefer: I would like to request that we pull the Roberts Stadium Task Force waiver of Centre fees from that list and we'll hear it separately, if it's okay with the other two Commissioners. I would make a motion that we pull that out and accept the rest of these as submitted, or the rest of these and also, you know, less the Evansville Police Department.

Madelyn Grayson: I didn't read that one into the record.

Commissioner Kiefer: Okay, so my motion is to accept it with the removal of the Roberts Stadium Task Force to be heard separately.

Commissioner Melcher: I'll second it.

President Abell: Any further discussion? (Inaudible. Microphone not on.)

Commissioner Kiefer: Well, I mean, I'll discuss the Roberts Stadium Task Force separately.

Commissioner Melcher: We've go to vote on this one.

President Abell: Okay, we'll vote on the consent items minus—

Commissioner Melcher: The two.

Commissioner Kiefer: Right.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Kiefer: Okay, now I would like to make a separate motion for the Roberts Stadium Task Force that we allow the waiver of the Centre fees, not for overtime for public forums on January 19<sup>th</sup>, January 26<sup>th</sup> and February 1<sup>st</sup> with the same contingency that they work with SMG, and if SMG has a paying client that they have the flexibility to ask them to be removed from that meeting date so they can accept one from a paying client. That's my motion.

Commissioner Melcher: Second.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.



Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Any further business to come before the County Commissioners?  
Do we have a motion to adjourn?

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: We are adjourned.

(The meeting was adjourned at 6:38 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

January 10, 2012 Commission Meeting Minutes.

January 24, 2012 Executive Session Summary Minutes.

Hillcrest Washington Youth Home: 4<sup>th</sup> Quarter 2011 Fees for Service.

Settlement Agreements (2)

**Employment Changes:**

County Highway (1)

Weights & Measures (1)

Health Dept (5)

County Clerk (1)

Circuit Court (5)

Sheriff (5)

Auditor (1)

Assessor (1)

Prosecutor (3)

VCCC (1)

County Council (1)

Superior Ct. (3)

**Auditor:** Affidavit Regarding Certification of Employment.

**County Engineer:** TIF Project Pay Request No. 143.

**Centre Fee Waiver Requests/Not Overtime:**

City of Evansville: Police Department & Roberts Stadium Task Force. \* Approved contingent upon no other paying customer requiring the space.

**Sheriff:** Request to Trade in Weapons.

**County Treasurer:** December 2011 Monthly Report.

**Legal Aid:** December 2011 Statistics.

**County Clerk:** December 2011 Monthly Report.

**Department Head Reports:** County Engineer

Burdette Park

**Those in Attendance:**

Marsha Abell  
Joe Gries  
Madelyn Grayson  
Greg Meyer  
Gary Heck  
Alberta Matlock  
Joyce Molinet  
Emily Forchee  
Members of Media

Joe Kiefer  
Joe Harrison, Jr.  
Kyle Broxon  
Bill Jagers  
John Stoll  
Charles Lee Weathers, Jr.  
Debbie Baird  
Emily Evans

Stephen Melcher  
Marissa Nichoalds  
Roberta Heiman  
Rick Davis  
Jim Heck  
Steve Craig  
Sara Weinzapfel  
Others Unidentified

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
FEBRUARY 7, 2012**

The Vanderburgh County Board of Commissioners met in session this 7<sup>th</sup> day of February, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with Vice President Joe Kiefer presiding.

**Call to Order**

Commissioner Kiefer: I would like to call to order the Vanderburgh County Board of Commissioners for February 7, 2012. My name is Joe Kiefer and I'm acting as President tonight.

**Introduction of Teen Advisory Council Job Shadows**

Commissioner Kiefer: I would like to, first, before we do attendance, I would like to show that in the audience, I mean, up here tonight with us is Kayla, Emily, Emily, no, no, no, you're Kayla. We have Emily, Emily and Sara, they're here, and I just thought maybe you could just briefly introduce yourselves, what school you go to.

Kayla Hammelman: I'm Kayla Hammelman and I go to Mater Dei.

Emily Evans: I'm Emily Evans and I go to Castle.

Emily Forche: Hi, I'm Emily Forche and I go to Castle.

Sara Weinzapfel: I'm Sara Weinzapfel and I go to Reitz.

Commissioner Kiefer: Okay, thank you for being her tonight.

**Pledge of Allegiance**

Commissioner Kiefer: I was going to ask Kayla if she could lead us in the Pledge of Allegiance please.

(The Pledge of Allegiance was given.)

Commissioner Kiefer: Thank you, Kayla.

**Attendance Roll Call**

Commissioner Kiefer: If you could do the attendance please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here. So, with two here we have a quorum.

**Courts: Agreement for IT Support & Electronic Storage of Records**

Commissioner Kiefer: I would like to move on to the, what we're going to do is go a little bit out order from the agenda, because I understand the Judges need to be somewhere else tonight and have another engagement. So, we're just going to bounce right down to contracts, agreements and leases. We're going to address, the first one is agreements pertaining to information technology support and electronic storage of courts records. This is an agreement between the City-County and Vanderburgh Circuit and Superior courts that defines the roles and responsibilities of the parties concerning IT support and the electronic storage of the court records. Agreement may be terminated without cause by any party upon a 30 day prior written notice. Anyway, Judge if you would like to—

Rich D'Amour: Thank you, Commissioner Kiefer, Commissioner Melcher, Attorney Harrison. I want to thank you for putting us on the agenda today. My name is Rich D'Amour, I'm the most recently elected Superior Court Judge, elected January 1 of 2011. There are seven, as you know, there are seven Superior Court Judges, one Circuit Court Judge, who is Judge Heldt who is here today, due to the fact that I am the low person on the hierarchy, I was given the assignment of being the IT judge. I thought it was a great honor, and I still consider it a great honor. I have limited knowledge of IT, so I have brought Tim VanCleave, who is our IT person for the judges. I'll go very quickly, because I know you have a lot of things, but I think you need to understand the history that we're operating with under here. The court has always operated separately from the executive branch, as far as its systems, its servers, its storage and its hardware. As you both know, the judges are a separate branch from the executive, and I think it is fair to say that the relations between the two branches haven't always been what they should be. I'm not pointing fingers at anybody, but I think it's time to go forward with a new way and a new day. So, for the past year I have been working with Commissioner Abell, with attorney Ted Ziemer, Matt Arvay on behalf of the executives, and then myself, Judge Pigman and Tim VanCleave, and the goal was to see if we couldn't still recognize our separate spheres but protect court data under some administrative rules that we have to operate under and try to make the best use of taxpayer money. I think this document that you have in front of you does just that. Under this agreement we're going to merge some of our operation into your system. Excess storage that apparently you have, we're going to add some servers and some back ups that we'll have to fund ourselves, but we're basically going to join your platform. This could potentially save thousands of taxpayer dollars, and we understand how important that is by using your platform to the maximum. It recognizes the separate spheres that we are, the judicial and executive, and it keeps us in compliance with Administrative Rule 9 and 10. Those are the rules that govern data generated by the courts and how the judges oversee that. It also, this agreement, recognizes and respects our respective IT positions and people. Matt Arvay has been very beneficial and serves you well, Tim VanCleave and Steve Compton, our two IT persons, serve us very well. So, I think this is a good agreement, it's a fair agreement. Is it perfect? No. I know Mr. Arvay had some concerns. I know Mr. VanCleave has some concerns about the agreement, the nice thing about the agreement is if it's the worst idea since the Edsel, it's a 30 day notice and the agreement is over. I don't think that's going to happen. I had a good, long talk with Mr. Arvay today, and I think we're going to work very well. So, we're asking that you approve this document.

Commissioner Kiefer: Judge, I have a question.

Rich D'Amour: Yes?

Commissioner Kiefer: Have you explored the cost to integrate? Like what you're proposing, I understand that there is savings involved, but what is the upcharge or capital cost to make this integration?

Rich D'Amour: There will be some costs that I talked with Mr. Arvay about today. We will have to buy some more servers, one or more servers, and we estimate that the cost will be somewhere in the \$40,000-\$45,000 range. Then, there will be some back up system that we will have to have that will be somewhere in the \$10,000-\$13,000 range. Those numbers aren't hard, and they could change, hopefully downward. So, we're looking somewhere in the area of \$50,000, more or less, to bring us online with your platform.

Commissioner Kiefer: One of the questions I had was does then that give this, or the courts, then access to all of the other government IT, I mean, can you get into the computer system for every other department through out county and city government and vice versa? Can they then get into, I guess, the security mechanism here, what is the security, for example, can Tim then get into the city's system and look at things and vice versa?

Rich D'Amour: Alright, you're already starting to push my level of knowledge. Tim, would you mind coming up here please and addressing some of those things? You know, I talked about those things with Matt Arvay, for example, right now, the way I understand the physical plant is right now, we are in a room that the executive branch has access to. So, could Matt Arvay go in there and start pulling wires? I guess he could.

Commissioner Kiefer: Right.

Rich D'Amour: Obviously, he hasn't done that. Could Tim VanCleave perhaps go in there and start clipping wires on the executive side? Perhaps he could. Tim, could you answer that question perhaps better than I can in kind of plain English and not computer speak?

Tim VanCleave: I will do my best.

Rich D'Amour: Alright.

Tim VanCleave: Some of the details have not been worked out on that, in looking forward to how we were going to move forward, but in fundamentals we will not likely be able to get into that type of data. This is at a what's called a host level. It does not necessarily go into their data. We would still have separate servers, if you will, which would then facilitate our information being separate from other information. This would be mostly at the base level. If you were to think of it as the Civic Center, for example, there is the glass doors that the Sheriff monitors, and then there are doors that are on the inside, and then there are further doors that lead into chambers or the Mayor's office. We're not talking about giving keys to the Mayor's office or the Commissioner's office, but we would be working jointly on the doors that are in the hallway.

Commissioner Kiefer: I think, Tim, my concern is just strictly, you know, as much for the court system as it is for the other departments that the security won't be breached into, obviously, confidential documentation that the courts are going to

have. You know, you don't want somebody from another area of city government or county government having access or being able to breach that. So, I guess, what I'm asking to hear from you is, oh, no, we're going to make sure the system is secure so that way proprietary information isn't leaked out.

Tim VanCleave: Exactly. As soon as this agreement is signed, that will be one of the first tasks Matt and I will start tackling, is how to make sure all of this works correctly and protects everybody.

Commissioner Kiefer: Tim, could you state your name for the record just so we have that.

Tim VanCleave: Yes. Timothy VanCleave, I'm with Superior and Circuit Courts.

Commissioner Kiefer: Okay, thank you. Council, I mean, Commissioner Melcher?

Commissioner Melcher: I just know this has been going on for years about the court being separate, and coming together it has to be a savings. I think that security thing has always been a threat over the heads and that's why the courts didn't want to come on, but I wouldn't think you would be here now thinking there was a security threat, because that was one of the main things. The reason why they didn't want to come on is because it is separate. So, if we're combining them, then the only ones that's going to be separate then will be the Sheriff's Department.

Rich D'Amour: Right, right, and, you know, the Health Department has their HIPPA requirements, thus far there hasn't been any problem with them being on the system and people hacking into their system. Now, of course, I used the word "hackers", there are always hackers and we hear about that almost every night on the news. But, I think, Tim and Matt will work very hard together to protect both of our spheres so that we can save money, use the system to the best, but yet, you know, keep in compliance with the laws.

Commissioner Melcher: I agree with that.

Commissioner Kiefer: Judge? Thank you, Judge, it's just good to hear that in a public forum so the public obviously can feel good that this is something that's been addressed.

Commissioner Melcher: I'll move for approval.

Commissioner Kiefer: Okay, I'll second that. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: Okay, you have it approved.

Rich D'Amour: Very good.

Commissioner Kiefer: Congratulations!

Rich D'Amour: Thank you very much. We would ask, and if I need to do anything let me, someone can let me know, but we would like to be on the agenda in two weeks where we can discuss some of the financial aspects of how this is going to fly. I've already talked with Joe Gries regarding some of the issues that are involved here to get the financing going. So, I'll see you in two weeks.

Commissioner Kiefer: Thank you very much.

Rich D'Amour: Thank you very much. Appreciate your time.

<p><b>Circuit Court: Adult Probation: Professional Service Agreements for Probation Officer Security (5)</b></p>
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Commissioner Kiefer: Next on the agenda is Circuit Court, Adult Probation, Sheriff deputies contracts for probation officer security. Contracts with five off-duty Sheriff deputies to provide escort security for the Probation Officers making home visits at a cost of \$30 per hour. The estimated combined cost of the contract is \$9,660 for 2012 and is to be paid from Adult Probation User Fees. Judge, does that pretty much sum it up?

Carl Heldt: Yes. Carl Heldt, Circuit Court Judge. Mr. President, and Commissioner Melcher, this, that's exactly what it is. It's similar to contracts already in existence for Drug Court, where they have off-duty police officers act as security and go out and see the probationers. We want to start having off-duty officers with our Probation Officers who go out into the fields and have home visits. The money all comes from User Fees, so it has no impact on the taxpayer.

Commissioner Kiefer: That's very good.

Carl Heldt: Yeah.

Commissioner Kiefer: Thank you, Judge Heldt. Commissioner Melcher?

Commissioner Melcher: I don't have any questions. This has been done before.

Commissioner Kiefer: Okay, then would you like to make a motion?

Commissioner Melcher: I'll make a motion that we approve them.

Commissioner Kiefer: I second that. No further discussion? Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Carl Heldt: Thank you.

Commissioner Kiefer: Congratulations!

Carl Heldt: Thank you.

**Permission to Open Bids: VC12-02-01: Millersburg Road**

Commissioner Kiefer: Okay, now we're going to go back to our regularly scheduled agenda. We're back to number four on the agenda, permission to open bids, VC12-02-01, Millersburg Road.

Commissioner Melcher: I'll make the motion that we approve opening of bids at this time.

Commissioner Kiefer: I'll second that. Roll call?

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: Okay, so, Joe, if you will open those bids. Then, we'll—

Joe Harrison, Jr.: Read them later on?

Commissioner Kiefer: — read them later, yeah, we'll move on into the agenda, but then you can start opening them at your will. Okay, thank you.

**SMG: Centre 2011 Fiscal Year Update**

Commissioner Kiefer: Next on the agenda, under action items, Darren Stearns, the Centre here to give us a 2011 fiscal year update. I'm sure it's going to be all good news.

Darren Stearns: Good evening, Commissioners. Darren Stearns, General Manager for SMG Evansville and at the Centre. We're here to give you our 2011 year end report. To let you know that in 2011 the Centre hosted over 226 events in 359 event days, with attendance estimated at over 148,000 people. We hosted Broadway performances of Legally Blonde, Spamalot, South Pacific and three performances of Mama Mia. We also had performances by Don Williams, the Trans-Siberian Orchestra, Hinder, Max and Ruby, Allison Krauss and Union Station, Oak Ridge Boys, Straight No Chaser, Moscow Ballet and Vince Gill and Amy Grant, along with conventions of Illinois Oil and Gas Association and the Indiana NAACP, along with numerous dance recitals, meetings, conferences, etcetera. Revenues for the Centre totaled \$1.94 million in 2011. The Centre's fiscal year for 2011, we were under



budget by \$297,523. The event surveys we sent out to all users for 2011, grading on scales from one to five, with one being poor and five being excellent, the overall grading was 4.49. Our part time staff went through customer service training and were certified for serving alcoholic beverages through the State. We also had annual training for our ushers for emergency evacuations and show experience. The first quarter of 2012 we will have had, this is going to be through March, two bridal shows, a motorcycle show, a race car auction and trade show, the Illinois Oil and Gas Convention again this year, the Really Big Show, three centered on kids Broadway performances, Disney Live, Cirque Dreams Pop Goes the Rock, the Pink Floyd Experience, Gabriel Eglasius, Damn Yankees, Girls in Bloom, the Home Show, and then, of course, the numerous other meetings, receptions, etcetera. SMG continues to build upon the reoccurring annual events that we have at the Centre and increase finding new events to increase the usage at the building itself, as well as to bring quality entertainment to Evansville and Vanderburgh County. We would like to thank you, the Commissioners, for your support, and the community as a whole for their assistance over this past year, and we're looking forward to a good 2012.

Commissioner Kiefer: Thank you, Darren. I would like to ask you a question while I have you here.

Darren Stearns: Sure.

Commissioner Kiefer: As you know, the Evansville Police Department often times will use the Centre where we waive the fees, and one of the questions that came up last meeting was, you know, we could do that just so long as it doesn't interfere or prohibit you from booking something there. We don't want to lose out on revenues.

Darren Stearns: Correct.

Commissioner Kiefer: Have you found, or has it been a problem at all having them there where it conflicts with, you know, have you lost any potential business because of their use of the Centre?

Darren Stearns: No, no.

Commissioner Kiefer: Okay, that's what I was hoping you would say—

Darren Stearns: I mean, because—

Commissioner Kiefer: — but I wanted to check.

Darren Stearns: — we have the ability to do what we consider, or what we call “bump” them if something comes up with a paid event. The only thing is that if we don't have a paid event and let's say it's in the evening that they're doing whatever it is, or they're doing their training in the evening and we don't have anything in the building, we do have the utilities and everything on at a time that we would normally have it shut down.

Commissioner Kiefer: So, the only really extra cost to the county is—

Darren Stearns: The utilities.

Commissioner Kiefer: —the utilities? Okay.

Darren Stearns: Yeah, because we will plan them around, like you mentioned, the Teamster overtime, they plan around Teamster overtime, unless they're willing to pay it.

Commissioner Kiefer: Okay.

Commissioner Melcher: No, that was a big discussion last time. They were wanting to come in without that caveat. We told them that wasn't going to happen.

Darren Stearns: Right.

Commissioner Melcher: Because if you get something to come in big, you know, I think you told me they used it 80 days last year. That's a lot, if you consider 365 days. We're trying to support them too, because they are going to be there March 25<sup>th</sup>—

Darren Stearns: Right.

Commissioner Melcher: — it look likes tonight. So, we just want to make sure that we have the dates so we know what's going on.

Darren Stearns: Right, we—

Commissioner Melcher: We want to book something there, that's why I didn't think you was going to say yes on that question.

Darren Stearns: Yeah, no, we will either move them or, move them to another part of the building, or they will just get bumped in general if we have a paid customer.

Commissioner Melcher: We also brought up we've got the Victory Theater, we could move them, a lot of their meetings could be at the Victory Theater instead of here.

Darren Stearns: Yes, that's true. We do have space there too.

Commissioner Kiefer: Darren, one last question—

Darren Stearns: Yes?

Commissioner Kiefer: — can you tell us how the lack of hotel has affected your ability to bring in, I mean, this is a big issue, obviously, I know the city is wrestling with it and they're trying to work, I mean, I know they're working earnestly to get a hotel there, but I would like to know what your input is on that.

Darren Stearns: It's a struggle. Mainly because of the size of space that we have at the Centre, the groups that we're more than willing to go after, that we could fit in are used to being in either a facility that's a hotel with convention space, or a convention center with a hotel attached. They're not bigger conferences, or conventions where, you know, it's city-wide and they're staying four blocks away. So, it's been a little bit of a struggle at that. The CVB has been working with us on that, but it is a hard sell, a real hard sell.

Commissioner Kiefer: Okay, well—

Commissioner Melcher: I guess, when you've got the Home Show that you're going to have part of the Home Show and they're going to have part of the Home Show?

Darren Stearns: Yes.

Commissioner Melcher: That's why I was disappointed, I was in front of the Redevelopment Commission at least twice, if not more, asking to hook up the walkway. I thought it was coming, and I kept looking everyday and nothing was happening. So, it looks like our walkway goes to nowhere. I think that's sealed off now, isn't it?

Darren Stearns: Yes, it's sealed off.

Commissioner Melcher: Because you were telling me about the damage we were getting because they didn't seal it. That's why I was saying something to the other side. I think it's a shame that it didn't get hooked up to begin with. So, now if it's bad weather or something during the Home Show, people are going to be crossing the streets in the rain and everything.

Darren Stearns: Right. Locust Street is going to be closed that week, those three or four days, but, I think Martin Luther King is still going to be open.

Commissioner Melcher: And you've got to cross Martin Luther King.

Darren Stearns: Right.

Commissioner Melcher: Four lanes. So, the crosswalk really means something. I'm surprised they didn't do it. I think that hurt us all of somebody coming in and trying to use both sides. Thank you.

Commissioner Kiefer: Thank you.

Darren Stearns: Thank you.

Commissioner Kiefer: We don't need a motion to accept his report? Okay, thank you, Darren.

<p><b>Jim Heck: Grow Southwest Indiana Regional Workforce Board: Local Elected Officials Agreement</b></p>
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Commissioner Kiefer: Next on the agenda, Jim Heck, Grow Southwest Indiana Workforce. This is regarding the elected officials agreement. Welcome, Jim.

Jim Heck: Thank you.

Commissioner Kiefer: State your name for the record.

Jim Heck: I'm Jim Heck with Grow Southwest Indiana Regional Workforce Board. I was here at your last meeting concerning the chief elected official for Vanderburgh County. I talked to Mayor Winnecke, so it would have to be one of four people, either one of the Commissioners or the Mayor of Evansville to be that chief elected official. Mayor Winnecke has agreed that he would assume that position if that's the wishes of the Commissioners.

Commissioner Kiefer: I think that is the wishes of the Commissioners.  
Commissioner?

Commissioner Melcher: No, it was okay with me when it came up last time. I guess, technically we're supposed to be on it because we're the highest office in the county, but the Mayor could do it as Mayor of the city.

Jim Heck: That's correct, it's either or.

Commissioner Melcher: I know he was willing to do it, and that's why we passed since he was willing to get on it.

Commissioner Kiefer: Okay, well, we need a motion to accept the agreement.

Commissioner Melcher: I'll move we accept it.

Commissioner Kiefer: I second that. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: That's been approved.

Jim Heck: Thank you.

Commissioner Kiefer: Thank you, Jim. Appreciate the work you are doing.

Jim Heck: Thank you.

Commissioner Kiefer: Keep up the good work.

Jim Heck: I have agreements here that I need signed by Marsha. So, can I leave them with you?

Commissioner Kiefer: Yes.

Jim Heck: I would be glad to come back and pick them up, or however we need to do it.

Commissioner Melcher: You'll probably have to come back and pick them up.

Jim Heck: That's fine.

Commissioner Melcher: Is there a certain time that you've got to have them?

Jim Heck: No, sometime in the near future is fine.

Commissioner Melcher: Okay.

Jim Heck: I just want to know that whenever I can come back, I'll leave my card and you can just drop me an e-mail.

Commissioner Melcher: Do you want to get them?

Commissioner Kiefer: Okay.

Commissioner Melcher: Just give them to Marissa.

Jim Heck: Thank you. I appreciate it.

Commissioner Kiefer: Thank you, Jim.

**Resolution CO.R-01-12-002: Approving the Execution of Amendment  
to Lease with EVCBA: Refinancing of Jail Bonds**

Commissioner Kiefer: Next on the agenda is a resolution approving an amendment to the lease with the Evansville-Vanderburgh County Building Authority concerning the additional refinancing of 2003 jail bonds. Joe, if you could discuss that.

Joe Harrison, Jr.: Yes, briefly this is really the second phase of the refinancing of the jail bonds. I believe in October or November this came before the body the first time, and, I think the savings to the county at that time was around \$700,000 or so in interest. By refinancing this second phase, it's my understanding that there could be a savings in the neighborhood of a million this time. So, again, the payments made by the county on the jail bonds come from tax dollars, so this will certainly be a savings. The County Council has already approved a similar resolution, and so has the Building Authority. So, this is the final step for that process. So, I would ask that you consider approving this resolution so it can go forward.

Commissioner Melcher: This is an extra savings compared to what we had before?

Joe Harrison, Jr.: That's correct.

Commissioner Melcher: So, this is a second savings that we have?

Joe Harrison, Jr.: Right, it was I think around \$700,000-\$800,000 the first time, and then this would be, it's going to be in the neighborhood of a million or more. So, it's going to end up being about \$1.7 or so million.

Commissioner Kiefer: This is the easiest vote I can take in my career as a public servant.

Commissioner Melcher: Well, let me move to approve it, then second, then vote.

Commissioner Kiefer: Okay, so, you made the motion. I'll second it. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: And that is approved. Nice savings to the county, the taxpayer of upward to a million dollars, total of 1.7 all together. So, this is really great. There is some reason to applaud the low interest rates, I guess. Okay, we'll move right along.

**Bohannon Estates Sewer Project: OCRA Grant Application Documents**

Commissioner Kiefer: Next on the agenda, Bohannon Estates sewer project. We have Debbie Bennett-Steersman with us tonight to discuss the project.

Debbie Bennett-Steersman: Good evening. Thank you for allowing me to be here this evening. Again, I'm Debbie Bennett-Steersman with the Economic Development Coalition. As you know the Bohannon sewer project is a project in an unsewered area of Vanderburgh County that was eligible for grant funding from the Indiana Office of Community and Rural Affairs. This is HUD assistance or the Community Development Block Grant program. The application was submitted last October, and, unfortunately did not receive approval. There were 39 state-wide infrastructure projects and only ten of those projects were funded, and only one south of I-70 in the entire state of Indiana. The amount of money requested for this project was \$497,000, with a match of \$70,000 from the City of Evansville's utility department. We have encouraged the residents, and we're encouraging the county to re-submit the application again in this year's funding cycle with OCRA. In order to apply for the additional funding there are two more public hearings required. One of these public hearings has already been advertised and held. This was advertised on January 10<sup>th</sup> and was held on January 26<sup>th</sup> at 6:00 p.m. at the Bluegrass Church sanctuary on Petersburg Road in Vanderburgh County. The reason for this location was due to the convenience of the property owners that live out there to get public input on the project. There is a second public hearing that is going to be required sometime in May. The proposal is to be submitted February 10<sup>th</sup>, which is this Friday, and if the proposal passes threshold the application will be submitted June the 8<sup>th</sup> of this year. The minutes of the previous public hearing that was held on January 26<sup>th</sup>, the sign in sheet for the persons in attendance, and the publishers affidavit have been previously submitted to the county. In order to complete this proposal and submit the application, or the proposal to OCRA this Friday, we're asking that you sign two documents. Number one is a letter authorizing our firm to advertise and take minutes of the public hearing, which we already did, and the second is a citizens participation report that states the date of the public hearing, the publication of the notice of the hearing, where the hearing was advertised, posted and noting if there were adverse comments or complaints and stating that the county does not meet the thousand or five percent LEP person threshold for non-English speaking languages. So, those are the two documents that you have before you.

Commissioner Kiefer: Thank you very much, Debbie. I would like to ask for a motion to approve the letter.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second. Roll call please, Madelyn.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: So, approved.

Debbie Bennett-Stearsman: Okay, before I leave, I just wanted to tell you that a copy of the completed proposal will be available at the Commissioners office. I would also like to thank John Stoll, your County Engineer, because he's been very good at attending all of our meetings and helping us through this process, and also the City of Evansville and their utility department for giving the local match. We will have to go back and meet with them. They will also require an inter-local agreement between the two agencies regarding this project. The last thing is, we have a site visit scheduled for February 23<sup>rd</sup>, it's mandatory with the funding agency, and we do need a representative, if at all possible one of the Commissioners, to attend. The time and the place is open at your convenience right now, but it would really help the project a lot if one of the Commissioners could attend that.

Commissioner Kiefer: We'll make sure somebody's there.

Debbie Bennett-Stearsman: Okay, I'll send a reminder to you.

Commissioner Kiefer: Okay, we'll coordinate that through Marissa.

Debbie Bennett-Stearsman: Okay.

Madelyn Grayson: Debbie, Commissioner Kiefer, could you sign these documents so she could take them with her this evening?

Commissioner Kiefer: Sure, sure.

Debbie Bennett-Stearsman: Thank you.

Commissioner Melcher: Didn't we need a second motion on that one?

Madelyn Grayson: The motion was just for the letter?

Commissioner Melcher: Yep.

Commissioner Kiefer: Do we need a second one for this?

Commissioner Melcher: You did them separate, so we need a vote for that.

Commissioner Kiefer: Okay, well we're going to make a correction here, we're going to ask for another motion for the citizen participation document.

Commissioner Melcher: I'll move that we accept the citizen participation form.

Commissioner Kiefer: I will second that. Roll call.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: Okay, now it's official.

Debbie Bennett-Stearsman: Thank you so much.

Commissioner Kiefer: Thank you very much.

**Sheriff: WOW Cable Agreement for Confinement Center  
Legal Services Agreement with Jeffrey Ahlers & KDDK  
JWF Specialty Company Administrative Services Addendum  
RW Armstrong Supplemental No. 2: Virginia & Burkhardt  
Health Dept: Radon Gas Grant Agreement  
Health Dept: Dental Clinic Lease Renewal  
Health Dept: Aramark Agreement  
Burdette Park: Sandra Austill Lease Agreement  
Burdette Park: USI Pool Use Agreement  
Burdette Park: AT&T Yellow Pages Advertising Agreement**

Commissioner Kiefer: Okay, I would like to move along now, contracts, agreements and leases. What we're going to do is we're going to go through these individually and we'll vote on these then individually per the recommendation of our counsel, legal counsel. Sheriff, WOW cable agreement for confinement center. Internet and cable agreement is for the confinement center, jail and Sheriff's Office. It is a three year agreement at the rate of \$969.50 per month, which replaces a current contract for such services. Is to be paid from the Sheriff's comensary account.

Joe Harrison, Jr.: Commissary.

Commissioner Kiefer: Commissary, thank you. Motion to approve?

Commissioner Melcher: So moved.

Commissioner Kiefer: No discussion? I second. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?



Commissioner Kiefer: Yes. So approved.

**(Motion approved 2-0)**

Commissioner Kiefer: Next is the agreement for legal services with Jeffrey W. Ahlers and Kahn Dees Donovan and Kahn LLP for future legal services to be performed by Mr. Ahlers on behalf of the county relating to the second phase of the refinancing of the Building Authority jail bonds.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second. No discussion? Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: So approved. Addendum to the administrative claims services agreement with JWF Specialty Company. Old National Insurance agent of record agreement with the county ended on January 31, 2012, Torian Hofmann Dillow and Flittner have negotiated a two month arrangement with Old National Insurance for third party claims administration services to enable a smooth transition of the claim files from Old National Insurance to Torian. Fees for these services are to be paid to JWF Specialty Company will be \$10,540, this is not any extra money to the county, it's what, the same dollar amounts we would have paid, but it does make the transition smoother. Joe, I don't know if you want to make any other comment.

Joe Harrison, Jr.: It's essentially \$5,200 or so a month, and it's possible that the agreement could be shorter than that, but on the high end it's a two month agreement.

Commissioner Kiefer: Discussion?

Commissioner Melcher: I'll move for approval.

Commissioner Kiefer: I second that. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye. So approved.

**(Motion approved 2-0)**

Commissioner Kiefer: Supplemental agreement number two with W, or R.W. Armstrong for consulting services at Virginia and Burkhardt Road improvement project. Fees for services shall not exceed \$43,800. Funding is in place for this agreement, and, additionally, I would like to just comment that this is the same, R.W. Armstrong is the same firm that's been involved in this project for a number of years, and it makes the most sense to continue using them since they've already been working on this and they have all of the information to make it easier to complete it. I would like to ask for a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: Old Courthouse lease renewal with Fosse and Associates Architects. Three year renewal for suites 100 and 101, rent will be paid to the county at a rate of \$1,066.48 per month. I ask for a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second. Roll call.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes. So approved.

**(Motion approved 2-0)**

Commissioner Kiefer: We've already done the agreement pertaining to information technology and support. So, we'll move down to Health Department indoor radon gas grant agreement. The State of Indiana indoor radon gas grant agreement for the sum of \$5,000 for the use by the county Health Department between January 15, 2012 and December 31, 2012. The grant funds are to be used by the Health Department providing radon gas awareness activities to the local public. I see Gary Heck is here anxious to make a comment.

Gary Heck: Only if you have any questions. Gary Heck, Vanderburgh County Health Department. I'll be happy to answer them if you have any.

Commissioner Kiefer: No, I mean, it's a grant.

Gary Heck: It's a pretty straight forward grant agreement. It's just a renewal.

Commissioner Kiefer: Yes, I think it looks pretty easy. I ask for a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: See, Gary, that was easy.

Gary Heck: Yes, sir.

Commissioner Kiefer: Okay, next, the dental clinic lease renewal. The county Health Department's intent to exercise the final option to renew the period in connection with the community dental clinic at 612 Southeast Fourth Street. It is for two years, running until February 14, 2014. The annual cost for the rental under the renewal will be \$14,186. Just under discussion, I think this seems like a pretty easy vote, but, you know, it's always tough when trying to decide what to do with county departments and county operated, operations such as the dental clinic when we have vacant space in the Civic Center and potentially vacant space other places, but with this place already being improved as a dental clinic, formerly it was a dental office, the expense to relocate probably would be more than we want to bear at this time. Really the actual cost for the rent is very, very low, but I'll open it up for Commissioner Melcher if you have any comments.

Commissioner Melcher: Well, I had some, but I asked some questions, got some answered. I wasn't happy with a two year lease, I was kind of liking a one year lease, but the one they signed originally only gave us the option of a two year. You know, we're constantly looking for somewhere to move to to save money, and I think we've got some places sought out where we can save some money. That's the reason why I wanted a one year lease, but by the time we would get that one running it would probably be close to two years anyway. So, I really would like to see it a one year lease, but I don't think, I think we're here. So, with that, I'll just make the motion to accept it this time.

Commissioner Kiefer: Okay, and just under discussion I would like to add that this two year lease pretty much lines up with the lease termination, not exactly to the month, but pretty close to the termination of the Health Department lease. So, if we do decide to make a change, we'll be able to do that, because we can probably change the Health Department and the dental clinic at the same time if we need to. If that's the will of the Commissioners at that time, but with that I'll second the motion and ask for a roll call.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Melcher: Gary, while you're still there, when is the, isn't it the end of the year '13—

Gary Heck: For the Health Department?

Commissioner Melcher: Yes.

Gary Heck: It's actually September 30, 2014. So, this lease agreement with the dental clinic would be February 14, 2014.

Commissioner Melcher: Okay.

Gary Heck: It will be in the same year—

Commissioner Melcher: So, it's '14 instead of '13?

Gary Heck: That's correct.

Commissioner Kiefer: Yeah, so we could potentially go month-to-month or something with them at that time, or come up with some kind of arrangement.

Gary Heck: The original lease agreement was signed in 2003, but because of the build out of the building, we didn't actually take possession until October of 2004, yes, 2004, and ten years from that point is when it commenced.

Commissioner Melcher: Okay. Thank you.

Commissioner Kiefer: Okay, next is the Aramark agreement, service agreement for lab coats for the Health Department and bio-medical bags for the community dental clinic. The agreement replaces two previous agreements and will run for 140 weeks at an estimated weekly cost of \$52.12, instead of the average cost of \$148.57. So, this is really a reduction on the total cost. With that I ask for a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes. So approved.

**(Motion approved 2-0)**

Gary Heck: Thank you.

Commissioner Kiefer: Thank you, Mr. Heck, appreciate it. Next is Burdette Park agreement with Sandra Austill for lease of additional parking space for Burdette Park. Annual lease agreement between the county and Sandra Austill regarding a strip of ground along Nurrenburn Road which the county uses for additional parking at Burdette Park at a cost of \$400 for one year. Sounds like a pretty fair price to me for a whole year's worth of use of parking. Look for a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: I'll second that. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: Agreement, next is an agreement with USI for pool use for lifeguard testing. Agreement with USI for the use of swimming pool on May 5<sup>th</sup> and 6<sup>th</sup>, 2012 for testing for lifeguards who will be working at Burdette Park. Gary, I mean, Steve, is this pretty much standard practice to use USI, or is this something new?

Steve Craig: Steve Craig, Manager of Burdette Park. No, we've been doing this for years. At that time of the year, the weather is very unpredictable, it can be too cold to give the testing the way we want to. I think for the last ten to 12 years we've leased USI for those two days. For the cost, they actually give us the pool free, we just have to pay for the lifeguards.

Commissioner Kiefer: Right, that sounds like a very generous offering from USI.

Steve Craig: Yes, it is.

Commissioner Kiefer: I ask for a motion to approve.

Commissioner Melcher: I'll move for approval.

Commissioner Kiefer: Second. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: Next is AT&T yellow pages advertising agreement for advertisement for Burdette in the yellow pages. The cost is \$285 per month for 12 months. This is paid out of the County Commissioners Communications line item. Question, Steve, is this something you're finding necessary? Do people still use the phone book, yellow pages? Or, you know, I mean, we're not talking about a lot of money, but, I mean, I'm just curious if more people are using the Internet?

Steve Craig: I don't know. I do, but I don't know nowadays I think maybe the younger generation they just take their phone out and look stuff up, but I think there's probably still a need. It may not be as great as what it used to be, but I think there is—

Commissioner Kiefer: But, Burdette Park, you know, if they wanted to find it, they could easily find it on the Internet.

Steve Craig: But, I think a lot of our patrons are, how do I put it nicely, older than the majority of the kids—

Commissioner Kiefer: Seasoned citizens.

Steve Craig: Yeah, we have seasoned veteran patrons that come to the park. I think it may be easier for them to find a telephone book than it would be to get on a computer and look up Burdette.

Commissioner Kiefer: Okay. Discussion?

Commissioner Melcher: No, I'll just move for approval.

Commissioner Kiefer: I second that. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes. So, approved.

**(Motion approved 2-0)**

Commissioner Kiefer: That wasn't too bad, was it, Steve?

Steve Craig: No, thank you very much.

Commissioner Kiefer: Okay, we've already done the Circuit Court Adult Probation. So, we can move on from that. Next is, I guess we can go back to the bid openings.

Commissioner Melcher: That would be under department head reports.

Commissioner Kiefer: That would be under department head reports, which is where we're at.

Commissioner Melcher: Right.

**County Attorney**

Commissioner Kiefer: So, why don't we do the County Attorney report on the bid openings.

Joe Harrison, Jr.: I'll go ahead and do that. I guess, this would be County Engineer, John Stoll, this would be under your heading, I suppose. There were three bids submitted with regard to the Millersburg Road project. The first bid that was submitted was by Deig Brothers of Evansville, their bid was \$2,980,269. So, that's two nine eight zero two six nine. The second bid was from Blankenberger Brothers out of Cynthiana, their bid is \$2,557,940.82. Two thousand, two million, five five seven, nine four zero, 82. The last bid is from Ragle, Inc. out of Newburgh, and their bid is \$2,521,808.43. Two five twenty-one, eight oh eight, 43. Those are the bids and I would ask that, I suppose the County Engineer wants us to take those under advisement so we can review these bids.

Commissioner Melcher: Yes, I'll make a motion that we take those under advisement.

Commissioner Kiefer: I second that. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye.

**(Motion approved 2-0)**

Commissioner Kiefer: Okay.

**County Engineer**

Commissioner Kiefer: Next, under department head reports, County Engineer anything else? John, do you want to—

John Stoll: I've got three other items that I need to bring up this evening. The first is I want to request approval to file a travel request to go to IDEM's storm water meeting. This is in Indianapolis. It will be on May 17<sup>th</sup>.

Commissioner Kiefer: Okay.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye. There you go.

**(Motion approved 2-0)**

John Stoll: Then, next, I have an administrative settlement for the mitigation site for the Millersburg Road project. This is parcel one owned by Christian Fellowship Church. The original offer was \$11,700, and I'm requesting the increase to \$12,735.

The reason for the change is, at the property owners request they asked us to move the mitigation site to the opposite side of Furlick Creek. That slightly changed the acreage. So, we took the value of the property, on the basis of the appraisal, and adjusted upwards to account for the extra acreage. That's when we came up with the \$12,735.

Commissioner Kiefer: Okay, motion to accept?

Commissioner Melcher: Yeah, I'll move for approval.

Commissioner Kiefer: I second that. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye.

**(Motion approved 2-0)**

John Stoll: Then, last I have a number of right-of-way purchase offers for section five of Green River Road. This, the parcel number, the property owners name and the offer amounts are as follows; parcel two, McMichael, \$3,650; parcel four, Pride, \$22,050; parcel nine, Jordan, \$6,200; parcel 17, Coby, \$20,050; parcel 41, Alexander, \$2,100; parcel 49, Whitaker, \$400; parcel 50, Georges, \$400; parcel 52, Marshall, \$400; parcel 54, Baywood Homes LLC, \$5,175; parcel 55, Osborne, \$450; parcel 56, Baywood Development LLC, \$2,300; parcel 11, Carver, \$39,900; parcel 21, Monroe, \$5,000; parcel 23, Tate, \$4,700; parcel 25, Robert and Edna Fischer, Trustees, \$35,100; parcel 27, Hobgood, \$5,100; parcel 28, Alexander, \$10,100; parcel 29, David Rueger and Dorothy Rueger, Co-Trustees, \$10,500; and parcel 32, Staples Properties LLC, \$22,700. I would just request approval to make offers on all of those properties.

Commissioner Melcher: Move for approval.

Commissioner Kiefer: I second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye.

**(Motion approved 2-0)**

John Stoll: That's all I have.

Commissioner Kiefer: Congratulations!

John Stoll: Thanks.

Commissioner Kiefer: Thanks. Anything else, John? That's it? Okay.



**Board Appointments**

Commissioner Kiefer: Okay, there's no board appointments that we're going to address, although there is a vacancy that's come, but we'll have to deal with that later.

**New Business/Old Business**

Commissioner Kiefer: Any new business? No, old business.

**Public Comment**

Commissioner Kiefer: Public comment, anybody in the public that would like to make a comment?

**Consent Items**

Commissioner Kiefer: Okay, we'll go to consent items. Madelyn will read the consent items into the record, and then we'll make a motion to accept all of those.

Madelyn Grayson: The consent items for the February 7<sup>th</sup> meeting are as follows; approval of the January 24, 2012 meeting minutes; employment changes for the Commissioners approval, there are four for the Health Department, two for Legal Aid, and three for Burdette Park; the County Highway has a request for extended leave of absence without pay for employee; the Evansville Police Department has a waiver of Centre fees/not overtime for May 23<sup>rd</sup>, May 25<sup>th</sup>, and April 12<sup>th</sup>, 13<sup>th</sup> and the 16<sup>th</sup> through the 20<sup>th</sup>, and waiver of rental fees for the Old Courthouse Ballroom on February 28<sup>th</sup>; the Auditor has the January 2012 A/P vouchers and a request to surplus various office equipment; the Engineer has pay request number 144 for TIF projects in the amount of \$12,887.08; Burdette Park has a yearly comparison from January through December from 2010 to 2011; Soil and Water Conservation District has the November 2011 meeting minutes; Evansville ARC has the November and December report of activities; Weights and Measures has the monthly report from December 16, 2011 through January 15, 2012; we have 2012 Township Trustee standards for Center Township, German Township, Knight Township, Perry Township, Pigeon Township and Union Township; and the Commissioners have a notice to bidders regarding 1303 South Linwood; and there are department head reports from Burdette Park and the County Engineer.

Commissioner Melcher: I just wanted to say that this is the first time that I know that we're letting the Old Courthouse Ballroom go for the Evansville Police Department without any, with a waiver. So, I just hope that they don't ask to come back there again, because this is kind of different. We're not trying to waive it for anybody, because we're trying to make the Courthouse a place where we can have money so we can keep that Courthouse going.

Commissioner Kiefer: Perhaps what we need to do is at least have some kind of minimal fee to cover the utilities.

Commissioner Melcher: I just think it sets a bad precedent, because I don't remember allowing very many other people, if we have, on this room. This room

was remodeled with a big expense, and the room rental, you know, is kind of helping to pay it back. Then, also I'm glad to see that we did all of the Township Trustees easier this time, because last year we had to do this, it kind of went back and forth for awhile. With that, I'll make the motion to accept them.

Commissioner Kiefer: Okay, I'll second that. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye.

**(Motion approved 2-0)**

Commissioner Kiefer: Okay, I would like to get a, if there's no other business I would like to get a motion to adjourn then.

Commissioner Melcher: So moved.

Commissioner Kiefer: We are adjourned.

(The meeting was adjourned at 5:50 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the January 24, 2012 Commission Meeting Minutes.

SWCD: November 2011 Meeting Minutes.

Evansville ARC: November & December 2011 Report of Activities.

2012 Township Poor Standards: Center, German, Knight, Perry, Pigeon & Union

Notice to Bidders of County Owned Property: 1303 S. Linwood.

**Employment Changes:**

Health Department (4)

Legal Aid (2)

Burdette Park (3)

County Clerk (1)

Sheriff (5)

Auditor (1)

Assessor (1)

Circuit Court (1)

**County Highway:** Request for Extended Leave of Absence for Employee.

**Fee Waiver Requests:**

Evansville Police Dept: Centre Fee Waiver/Not OT: April & May Events.

Evansville Police Dept: OCH Ballroom Fee Waiver/Not OT: February 28, 2012.

**County Auditor:**

January 2012 A/P Vouchers.

Request to surplus various office equipment.

**County Engineer:** Pay Request No. 144: TIF Projects.

**Burdette Park:** Yearly Comparison: January-December from 2010-2011.

**Weights & Measures:** Monthly Report 12/16/2011-1/15/2012.

**Department Head Reports:**

County Engineer

Burdette Park

Those in Attendance:

Joe Kiefer	Stephen Melcher	Joe Gries
Joe Harrison, Jr.	Marissa Nichoalds	Madelyn Grayson
Rich D’Amour	Tim VanCleave	Darren Stearns
Jim Heck	Debbie Bennett-Stearsman	Gary Heck
Steve Craig	John Stoll	Kayla Hammelman
Emily Forche	Emily Evans	Sara Weinzapfel
Others Unidentified	Members of Media	

VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS

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Joe Kiefer, Vice President

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Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
FEBRUARY 21, 2012**

The Vanderburgh County Board of Commissioners met in session this 21<sup>st</sup> day of February, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with Vice President Joe Kiefer presiding.

**Call to Order**

Commissioner Kiefer: I would like to call to order the Vanderburgh County Board of Commissioners for February 21, 2012. If you could do roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here. Okay, we have a quorum, so we can move ahead.

**Pledge of Allegiance**

Commissioner Kiefer: I would like to ask Emily Evans to lead us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

Commissioner Kiefer: Thank you, Emily.

**Introduction of Teen Advisory Council Job Shadows**

Commissioner Kiefer: Again, I would like to allow the students to re-introduce themselves, again, shadowing us here in the Commissioners.

Emily Forche: Hi, I'm Emily Forche, and I'm from Castle.

Emily Evans: I'm Emily Evans and I'm from Castle.

Commissioner Kiefer: Okay, good. Next time you're here we'll ask you to give a report. Just kidding.

**Appointment of Joe Harrison as Hearing Officer for 2012 for Trustees**

Commissioner Kiefer: Next is, under action items, appointment of Joe Harrison as hearing officer for Trustee appeal.

Commissioner Melcher: I have, the only question I have, I want to make sure, is this for the whole year?

Joe Harrison, Jr.: Yeah, I think that would be good.

Commissioner Melcher: Well, because, I know at one time it was per case, and we decided a year or so ago that we would do it for the whole year—

Joe Harrison, Jr.: Yeah, I think that's good.

Commissioner Melcher: – so you wouldn't, because sometimes you might have to do it ahead of time, before our next meeting. So, I'll make the motion to appoint Joe Harrison as our hearing officer for the County Trustees for the year of 2012.

Commissioner Kiefer: I second that. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye. That's unanimously approved.

**(Motion approved 2-0)**

Commissioner Kiefer: Okay, good. Congratulations, Joe.

Joe Harrison, Jr.: Thank you.

<p><b>Southern Indiana Classic Marathon: Road Closure Request &amp; Sheriff Reimbursement Agreement</b></p>
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Commissioner Kiefer: Road closure requests, Southern Indiana Classic Marathon and Half Marathon, reimbursement agreement with the Sheriff's Office for event security. Jim Gehlhausen with SIC will be here to discuss–

Joe Harrison, Jr.: Jill.

Commissioner Kiefer: Oh, I'm sorry, Jill, my reading is not as good as it used to be.

Jill Gehlhausen: That's okay.

Commissioner Kiefer: Sheriff Williams will be able to answer questions about the reimbursement of the agreement, or his representative.

Commissioner Melcher: I was going to say, I don't think that was him.

Commissioner Kiefer: Okay, Jill.

Jill Gehlhausen: Hi.

Commissioner Kiefer: You can state your name for the record.

Jill Gehlhausen: My name is Jill Gehlhausen. I'm with the Southern Indiana Classic Marathon/Half Marathon and new 8K. I have a document for each of you, so do you care if I give you a stack and just pass them down?

Commissioner Kiefer: Sure, go ahead.

Jill Gehlhausen: Okay. This is the second, the third year for the event, and the past two years we've had just a marathon and half marathon. This year, because of requests for a shorter distance, we're adding an 8K, which is 4.97 miles. We're excited because we already have a lot of youths signed up for that. So, it looks like we're going to get even more folks from the community to get motivated to get fit this

spring. This weather has been perfect. So, all signs are pointing to a great spring on April 14<sup>th</sup>. It's the week after Easter. The changes for this year to be aware of are, first of all, it's a Saturday instead of Sunday. We've been meeting with the Sheriff's Office since the fall, early fall, and we are doing everything it takes to talk to all of the residents and all of the businesses to make sure they're aware of the changes that will occur from switching from a Sunday event to a Saturday instead. The other two changes are, with adding the 8K you'll notice on your map we've made a black and white type of map so that you can see the difference in each of the courses. The start and finish is down here at the Vanderburgh County 4-H Center. This solid black line is the 8K course, the part that's solid just by itself is the only section that is brand new, and those will be residents that will receive our letter for the first time as having the roads closed in front of their home. We send the letter out to every single individual resident in March. They have received letters before because the access to their home has been shut off, however, the road in front of their home was not closed. So, this year it will be closed. We have over 100 residents that we personally call if we are using the space directly in front of their house for anything from a water station, an entertainment location, that can just be a band or a group of cheerleaders, etcetera, a place where a port-a-potty goes, we call and get permission from every single resident, and we ask them if they have any specific requests for us to honor. We have had great success this year with residents that we've called. It really seems that they're ready for it this year, and a very positive response. The second page in your packet is actually turn by turn directions, and the third page tells you the same information as last year, when the first participant is expected to pass at each mile marker and when the last participant is. The fourth page is our new 8K information. The race will start and finish at the exact same times as last year. It started at 7:00 a.m. and it ends about 1:30 p.m. One, the third new thing for this year is we think we're ready to have one section of road open after the main part of runners come through, and that's on St. Joe. So, on your map where you see the section that they go up, the dotted line and the dashed line together, the full marathoners will keep going up towards 64, and when they come back they go back down through that area, and we feel comfortable in working with the Sheriff's Office in actually opening up one of those roads. That's a big deal, because before we had to close it completely for over six hours. This year we feel like as soon as they get past mile five, which at the most will be about an hour in. So, by 8:00 a.m. we should have St. Joe back open instead of waiting until mile 21 to open it. We'll just have one side closed off with cones, and we're going to heavily secure that with the Sheriff's Office, and we're going to use cones. We feel better about one of the nurseries that's located in that area getting access then, with it being spring. We will be calling those businesses to go over that with them too and offer them some advertising too at the event. We are also having a two day bierstube and family friendly festival with live music. It starts during packet pick up on Friday night, April 13<sup>th</sup>, and then we also have it starting right after the race on Saturday. We have, because of the, I think it was the office here when we turned in our permit request, told us that we needed to go ahead and have an agreement to reimburse costs with the Sheriff's Office prior to approaching you today. So, we were so thankful that this got turned around so quickly. It was amazing. We have it all ready. Thank you to Mr. Harrison. I don't know if I just need to hand it to you to sign or.

Commissioner Kiefer: No, I think we have a copy of that agreement here.

Jill Gehlhausen: Okay, do I need to sign my portion on it? Okay.

Joe Harrison, Jr.: We'll wait until after it's hopefully approved.

Jill Gehlhausen: Okay, and then do I just come down to the office to sign it this year?

Joe Harrison, Jr.: Probably come to the desk in a few minutes.

Jill Gehlhausen: Oh, okay, great.

Commissioner Kiefer: We'll have Deputy Martin just make a few comments.

Jill Gehlhausen: Okay, great.

Commissioner Melcher: I just wanted to make sure that we have had, we do get complaints, because they're going to call us, you know, as Commissioners. We have had complaints about not being able to get to their house, or not blocking their driveway, and since you've got this new route, which I would really emphasize getting to everybody there, you know, because that's something really, I don't want any, we don't need any problems. I like that we're going to be opening up St. Joe, because St. Joe is a busy street.

Jill Gehlhausen: Right.

Commissioner Melcher: Without the Sheriff's consent, I'm not voting for any race. So, I just want to make sure, because he's the one in charge of safety, and I follow the Sheriff's lead.

Jill Gehlhausen: We also, I forgot to mention this earlier, we do pay for the services for our private dispatcher for that day. So, there is a number that all calls go into that dispatcher, and then if anybody needs out of their driveway we have really been thankful for the services of the Sheriff's Office, because they do their best effort to let them out within about the time limit of a stoplight or two. So, it's really not been a long wait in the past, and if there's been one specific concern they're happy to address it with a personal phone call in the past.

Commissioner Melcher: It's going to be interesting to see what happens on a Saturday versus a Sunday. That's all.

Jim Martin: My name's Jim Martin, I'm a Lieutenant with the Sheriff's Office. Sheriff Williams wishes he could be here this evening, so he apologizes for that. He is in support of the course that they've selected. We have the agreement, the figures jive with what our needs would be that day. This is our third year, I believe, with the Southern Indiana Classic, each year we are able to fine tune the things that we've seen from the years before. To answer your question about the Sunday and Saturday, I think our initial response is going to be we're not going to affect church traffic.

Commissioner Melcher: Right.

Jim Martin: That's been the key thing in the past. They've done a great job of notifying those people. We have great support from EMS and fire, getting those who need treatment on the roadways as well. They are escorted off of the race path very quickly and getting the need, the needed treatment that they need. So, we think this is a good plan. The Sheriff supports it, we're ready to move forward with it, and I think it's going to be a great event. I think Saturday is actually going to work out better for them.

Commissioner Kiefer: Okay, that's great. Appreciate what you're doing. I think, hopefully, this could be good for Evansville and economic development and these people, whoever is running this race will shop here in Evansville and do some things like that as well.

Commissioner Melcher: So, since the funding is in place and everything, I'll make a motion to approve.

Commissioner Kiefer: Well, why don't we do, Steve, if it's okay, we'll do one motion for the road closure, and then we'll do a second motion for the, to approve the contract.

Commissioner Melcher: Okay.

Commissioner Kiefer: So, you're making the motion—

Commissioner Melcher: We'll do it for the road closure.

Commissioner Kiefer: Okay, I second that. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye. It's unanimously approved.

**(Motion approved 2-0)**

Commissioner Kiefer: Congratulations on that. Now, we're going to—

Commissioner Melcher: I'll make the motion to accept the contract.

Commissioner Kiefer: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye. You're approved unanimously. Thank you.

**(Motion approved 2-0)**

Jill Gehlhausen: Thank you so much.

Commissioner Melcher: Where's the bierstube? You said that there's going to be a bierstube, if people are watching—

Jill Gehlhausen: It's at the Vanderburgh County 4-H Center.

Commissioner Melcher: Okay, because people are watching and they might want to come.

Jill Gehlhausen: Sure. It's Friday night, you can go to [sicmarathon.com](http://sicmarathon.com) for more details.

Commissioner Melcher: Okay.



Jill Gehlhausen: We added a new brand this year, because proceeds are going to Rolling Thunder, Incorporated, a military appreciation organization. So, we have Budweiser and Michelob Ultra this year.

Commissioner Melcher: Okay, thank you.

Jill Gehlhausen: Thank you.

Commissioner Kiefer: Jill, do you have a website that you're posting things on? Okay, and you'll have the routes and everything on the website?

Jill Gehlhausen: Yes, all of those are on the website.

Commissioner Kiefer: Okay, thank you.

**Greater Evansville Runners & Walkers Club:  
Hot Dog Run Road Closure Request**

Commissioner Kiefer: Okay, next on the agenda is, sticking with runs, we'll look at the Hot Dog Run. I think is the fifth year for this race, put on by the Greater Evansville Runners and Walker Club, taking place at Burdette Park on March 31<sup>st</sup>.

Bill Hussman: Correct, I'm Bill Hussman one of the board members. I'm here today to answer any questions. It's pretty straightforward. The run takes place almost entirely within the Burdette Park confines. There's a short amount of out and back on Nurrenbern Road that we need to have closed for a maximum one hour, parts of one hour while the various speed people get there, but it's been pretty straightforward. I have talked with Lieutenant Preston who has given us the okay, as he has in the past years to get the Sheriff's okay on this. It is a short term situation. We will be hiring one or two Sheriff's Deputies, whatever Lieutenant Preston says we need, we'll have them out there, along with our volunteers and our other crowd control.

Commissioner Kiefer: Okay, thank you. Discussion?

Commissioner Melcher: As long as we've got the Sheriff's okay and whatever finance it is, I'm alright with it. I just want to make sure that our Sheriff and that's alright with it. So, I'll make the motion to approve this race as long as the Sheriff and everybody's agrees to it.

Commissioner Kiefer: Okay, and this is for the road closure. I second that. Oh, I see, for discussion, Steve would like to say something.

Steve Craig: Steve Craig, I'm the Manager of Burdette. The one thing, I love this race you have and that and everything's good with it, but when they do close the road off I would like some signage to tell people how to still get to Burdette. Because there's, it's not even what a half mile at the most that it's closed, but once the people get to about Dove Chapel they will have to take a short detour to get to Burdette by going down to Old Henderson Road to Bayou Creek back to Graff Road. If they're leaving the park and it's closed, they will have to take the same short detour. I would like to have them have some signs, Mike Duckworth said that he would furnish barricades from the County Garage if we needed them. I think I have some, but we would, it would help if we put a short...because we will have people coming to the

park for events other than the run, and they'll be wanting to get into the buildings and other activities. So, it's no more than three or four signs that would show how to get there without being inconvenienced with this closed part.

Commissioner Kiefer: Judge Hussman, would you then, will your group work with Steve on this, coordinating the signage and all of that?

Bill Hussman: Certainly.

Commissioner Kiefer: You're okay doing that?

Bill Hussman: Certainly. Yes, if you want us to report back we'll be glad to do that. Is there a particular date by which you want it?

Commissioner Kiefer: No, I just think as long as you're working with Steve that's good for us.

Bill Hussman: Yeah, great.

Commissioner Kiefer: Okay, thank you. We've had a motion, first and a second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye. So approved.

**(Motion approved 2-0)**

Bill Hussman: Thanks very much.

Commissioner Kiefer: Thank you.

<p><b>EMA: Transfer of Law Enforcement Trailer from Gibson County to Vanderburgh County</b></p>
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Commissioner Kiefer: Okay, next is the EMA transfer of law enforcement trailer from Gibson County to Vanderburgh County. This will need to be licensed and insured to Vanderburgh County. Sherman Greer and Deputy Martin is here to discuss this. I believe, if I'm correct, this is something that is just being moved down here because it's in our district?

Sherman Greer: Right, this is a district asset that will be used for any type of a deployment or anything that we have to go on. We usually take force protection for us, with us, excuse my voice.

Commissioner Kiefer: Could you state your name for the record.

Sherman Greer: My name is Sherman Greer.

Commissioner Kiefer: Thanks.

Sherman Greer: This is, I have the titles to the vehicles for the transfer, so that we can get the transfer of the plates for Vanderburgh County. I also have two titles for

two ATV's that go along with that trailer, and other equipment on board there that Deputy Martin could be able to tell you about.

Jim Martin: Lieutenant Jim Martin, Vanderburgh County Sheriff's Office. The equipment on this trailer, we've been compiling it for about the last two to three years. You know, the State of Indiana is divided up into ten districts, ours being the southern twelve. I've been involved in the law enforcement component of it for the last two years and served as their group law enforcement coordinator. To brag on our district for just a second, as we are being a leader of the State as they're developing their law enforcement, EMS and fire capabilities. So, that speaks very highly of what we're doing down here. This trailer will certainly benefit law enforcement agencies in our community, not just Vanderburgh County, but throughout our entire district. Coincidentally, the items that are on there could easily be used during the Southern Indiana Classic. It's got barricades and signage and pylons and the ATV's that Sherman spoke about. So, this is equipment paid by federal grants, issued by other law enforcement agencies in our area, that can benefit our community. I think it's a wonderful asset for us to have close to us, being that we're, you know, one of the biggest populations in the district. You know, again, the Sheriff would like to see that placed in our county to where, you know, we can maintain control of that. We have a good itemization of all of the equipment that's on there, we have good control of who's in and out of that trailer. So, I like that idea very much.

Commissioner Melcher: So, my understanding is that, maybe you ought to tell us where this came from to begin with. How did Gibson County get it? Or was it through District 10 funding, or from the State?

Jim Martin: Well, I think the easiest way to answer that, and, Sherman, correct me, what's his name? Terry Hight? Terry Hedges is a retired State Police officer, he's very involved in the district as well, in fact, I believe he serves as the President of the DPC right now.

Sherman Greer: No, he's not, but he's the EMA Director for Gibson County.

Jim Martin: The EMA Director for Gibson County, he helped, you know, start the filling of the trailer through grant assets. So, as he phased out a little bit and I took on more responsibilities, we started developing more things that were placed on it. So, that's how Vanderburgh County kind of got involved in it. It's all good law enforcement equipment. It includes misconduct action items, shields and helmets and ballistic things for law enforcement officers and things of that nature as well.

Commissioner Kiefer: So, did you say where it would be stored at?

Sherman Greer: It's going to be over on Harmony Way, in the old, you know where the old trade school used to be over there.

Commissioner Kiefer: Okay.

Sherman Greer: West Heights.

Commissioner Kiefer: Okay.

Sherman Greer: It's stored over there. We've got about four, five trailers over there right now. Two of them are logistic trailers that we're moving out to Perry, one of

them is going out to Perry County, as soon as we get them all loaded up with the equipment that they need.

Commissioner Kiefer: Okay, thank you. Sure, Joe, go ahead.

Joe Harrison, Jr.: As far as the insurance is concerned, have you communicated yet, or will you communicate in the next few days on, I guess you've got to have the assets insured?

Sherman Greer: Yes, yes we do. These, we will have to fill out fixed assets forms for these and everything—

Joe Harrison, Jr.: Okay.

Sherman Greer: – so that these will be insured and everything by the county.

Joe Harrison, Jr.: And that will, you'll be able to get that done within the next week or so, two weeks, whatever?

Sherman Greer: Yes, sir. I'll start working on it as soon it's approved today.

Joe Harrison, Jr.: When would we have the trailer after it's approved this evening?

Sherman Greer: We already have it in hand right now.

Joe Harrison, Jr.: Okay.

Sherman Greer: They had it stored up at Gibson County when Toyota wasn't working, after the tsunami, and once they went back to work, the warehouse spacing they lost it. So, they had to move it somewhere else.

Joe Harrison, Jr.: Okay, thank you.

Commissioner Melcher: So, basically, we just have to initial this paperwork that we've approved it.

Joe Harrison, Jr.: Just make a motion to approve it.

Sherman Greer: Just make a motion to approve it, yeah.

Commissioner Melcher: Then you're going to get the insurance to our insurance agent?

Sherman Greer: I've got the insurance and the titles of each to be changed over to Vanderburgh County.

Commissioner Melcher: Okay, I'll make the motion to accept the transfer of all of this equipment to our county.

Commissioner Kiefer: Second. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye. Approved. Thank you.

**(Motion approved 2-0)**

Commissioner Kiefer: Appreciate that.

Sherman Greer: Thank you.

**Auditor: KRONOS Annual Support Services Agreement  
Superior Court: Hewlett Packard Lease-Purchase Agreement  
Commissioners: ONB Wealth Management Investment Proposal  
EMA: District 10: Homeland Security Agreement**

Commissioner Kiefer: Why don't we just move right on down to contracts, agreements and leases. First is the County Auditor, annual KRONOS support services agreement, timekeeping software support services to be provided to the Auditor's office in connection with the county's timekeeping system, running from 5/25/12 through 5/24/13. Joe, if you want to make a few comments.

Joe Gries: The only comment maybe that I would have is the money available to pay this contract has already been approved and is in the budget for the Computer Services. So, it's there and ready to go. It's the same agreement as we've had in the past, and many of our departments use this timekeeping system then report their information to us for payroll purposes.

Commissioner Kiefer: Okay, thank you very much.

Commissioner Melcher: Seeing none, I'll make a motion to approve the contract.

Commissioner Kiefer: I second that. Roll call please, Madelyn.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: So approved. Okay, next, Superior Court the Hewlett Packard computer lease agreement. This is for the new computer hardware and software desktop package for Circuit Court, Superior Court, Prosecutor, County Clerk, Public Defender, Probation Departments, courtrooms and other related offices. Annual lease payments of \$104,431.72 will be made to HP for a period of five years, after which the computer equipment will belong to the county. The total cost of the HP computer system package is \$508,307.22. It is my understanding that this is coming out of the Computer Technology Fund that's budgeted. Judge?

Rich D'Amour: Yes. I'm Rich D'Amour, one of the seven Superior Court judges, and the technology judge. Commissioner Kiefer, I think you've basically summarized the terms of the lease. I also have Tim VanCleave, our Chief Information Officer, with us here to answer any questions. He knows far more about this, having been in this position as CIO for five years. Our last acquisition of computer equipment was five

years ago, it was February of '07, our plan had called for us to replace our equipment after four years, but given the financial constraints that were going on after the great recession, we have stretched things out to five years, but I can tell you we're at the point where we really do need some new equipment. We had some massive failures last year, of monitors. I understand the monitors are the cheapest part of the system, but over 100 monitors failed. Fortunately, between Tim and Steve Compton, they were able to cannibalize from a lot of other monitors that were around. We've lost some of the big CPU units also, but they've been able to save some of those. What we're proposing is approximately 362 new computers will need to be purchased. 262 of those will be what are called the all in one design, I presume you've seen some of those, it is the computer in the screen, all in one. There is not the separate CPU unit that we bang our feet into and kick and do things like that. It is, I've seen the units, are these going to be HP units? HP units, very attractive, very nice, a nice thing about these units is they use far less electricity than the traditional desktops. We are purchasing additional desktops of 46, and then 54 notebooks. The notebooks are being primarily requested by the Prosecutor's office. As you may or may not know, we now have wireless throughout the court building over there, and the Prosecutor wants to do more and more of that with notebooks. It's a five year lease, Mr. VanCleave was able to reduce the interest rate from over two point, what was it initially, 2.3 percent, two point what?

Tim VanCleave: 2.99.

Rich D'Amour: 2.99 down to 1.36. So, I think we've got a very good interest rate. The Council has already given us the money. We have the monies allocated. We need your sign off on it because it is a lease, a five year lease. So, that's what we're requesting. Mr. VanCleave is here, or myself, to answer any of your questions.

Commissioner Melcher: It's basically just going to be five payments over five years?

Rich D'Amour: That is correct. Even though it's called a lease, Tim was just telling me it's a very loose lease, it's essentially our property at the end. Generally these computers are considered worthless at the end of the lease period. So, I guess, we're renting to own.

Commissioner Kiefer: Okay, I think you gave a very thorough explanation. I appreciate it. Any further discussion? I look for a motion to—

Commissioner Melcher: I'll make the motion to approve the lease.

Commissioner Kiefer: I will second that. If you could do roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: So approved.

Rich D'Amour: Thank you.

Commissioner Kiefer: Thank you very much.

Rich D'Amour: We'll get the documentation to you. Thank you very much. Appreciate your time.

Commissioner Kiefer: Thank you, Judge. Next, Old National Wealth Management investment proposal. This proposal contemplates that Old National Wealth Management, as the current trustee of the funds, will invest a portion of the debt service reserve funds and certificates of deposit as detailed in the investment proposal. Barnes and Thornburg, the county's bond counsel regarding the Burkhardt Road TIF project has determined that the investment proposal is fine and has recommended that it be accepted by the county. Any discussion?

Commissioner Melcher: Does, Joe, do you have anything to say on it?

Joe Gries: Not necessarily. The, Old National came to our office, or the Auditor's office and asked that this proposal be put in place. We ask that the Commissioners sign off because this is the county's money. It's reserve funds, it's money that isn't used unless something happens where we can't pay off our bonds.

Commissioner Kiefer: What's the dollar amount, total dollar amount? Do you know?

Joe Gries: I believe it's upwards of two and half, maybe three million dollars.

Commissioner Kiefer: Okay.

Joe Harrison, Jr.: These are all CD's, I beleive.

Commissioner Kiefer: Right, no, I understand.

Joe Gries: Right, safe investments, we'll be getting some money back on our monies.

Commissioner Kiefer: No, that's good. I think it helps. Okay—

Commissioner Melcher: So, I make the motion to accept.

Commissioner Kiefer: I second it. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: So approved. Okay, finally, EMA District 10 Homeland Security agreement. For the past several years, Maddison Seib has been serving as the district administrator for District 10 pursuant to a similar annual agreement

approved by Vanderburgh County as the fiscal agent for the district. This is a 12 month agreement, and Ms. Seib is to receive \$50,000 for her services paid through grant funds.

Sherman Greer: Yes.

Commissioner Kiefer: Sherman, would you like to, any other further explanation?

Sherman Greer: No, that about covers it and everything. Mrs. Seib's went without a contract last year for some time period for the simple reason we were in the middle of floods, tornados, wind and everything else and it was just overlooked by the DPC, the District Planning Council. So, we're trying to get all this back into shape the way it's supposed to be.

Commissioner Kiefer: Okay, discussion? Okay, call for a motion to approve the District 10 Homeland Security agreement.

Commissioner Melcher: I so moved.

Commissioner Kiefer: Okay. I second that. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: We'll sign this document so that you can get that.

Sherman Greer: I appreciate it, so we can get that up to the DPC meeting tonight at 6:00.

Commissioner Melcher: You're early.

Sherman Greer: It's in Lynnville. I'll make it.

Commissioner Kiefer: As soon as we get that signed we'll go to department head reports.

<b>County Engineer</b>
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Commissioner Kiefer: Are there any department head reports? John?

John Stoll: The first item I have is a request to award the Millersburg Road reconstruction contract to Ragle, Incorporated for the amount of \$2,521,808.43. They provided the low bid on the project.

Commissioner Kiefer: Okay, so we'll need a motion to accept this report then?



John Stoll: The bid.

Commissioner Kiefer: Or bid.

John Stoll: Award the contract.

Commissioner Melcher: So, you're okay with this?

John Stoll: They were the low bidder. I'm hoping that all of the problems that we were told about repeatedly during the public hearing, we'll have to fight through those potentially again, but, that's....I've had Joe review the DBE information, I had Debbie Spalding review it, they provided the applicable paperwork. So, their low bid was \$36,000 less than the next lowest bidder, so, while I'm not—

Commissioner Melcher: No, I'm just asking because I know the past.

John Stoll: Yeah, we had some problems.

Commissioner Melcher: Sometimes I'm just wondering, can't we do RFP's on these instead of a bid?

Joe Harrison, Jr.: Usually, no, not on a road construction project. The thing is we do have a project manager on this—

John Stoll: Bernardin Lochmueller will be overseeing it.

Joe Harrison, Jr.: —Bernardin Lochmueller is being compensated to watch over the project.

Commissioner Melcher: Well, then, I'm going to be okay with it, but I'm just saying I want to make sure it's done right and we don't have to....just because it's the low bid, sometimes it don't turn out to be the low bid if you've got to go back and redo it.

John Stoll: Right, and that's stuff that we'll work with—

Commissioner Melcher: And then we end up with all of the phone calls, you know, and we know what happened on the last time, the last project.

John Stoll: Right.

Commissioner Melcher: Okay, I make a motion that we accept them.

Commissioner Kiefer: Okay, under discussion, John, so have you talked to the contractor after this, or you haven't talked to them yet?

John Stoll: I have not spoken to them yet.

Commissioner Kiefer: Okay.

John Stoll: As far as anything other than making them aware that they were the low bidder on the project.

Commissioner Kiefer: Right, okay, just be sure to express to them the Commissioners concerns about previous problems and that, you know, we, you know, obviously expect a high quality work performance.

John Stoll: You weren't in attendance last year, obviously, at the public hearings, but Commissioner Melcher and Commissioner Abell and I heard a lot about the Green River-Millersburg project and some of the problems out there. So, that's what led to the complaints that Steve was talking about, and what we're going to try and avoid this time.

Commissioner Kiefer: Okay, alrighty, thank you. Just, I wanted you to express that we did have concern about this.

John Stoll: Yes, I will.

Commissioner Kiefer: Okay.

Commissioner Melcher: You need to second it.

Commissioner Kiefer: I'll second it. Then, if you could do roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Again, I want to make sure that we ride this project from the beginning to the end. If that means Bernardin Lochmueller is going to do that, I trust that company to do it, but I think we need to do it in-house also to make sure that this is getting done right the first time. I vote aye.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: I will echo Commissioner Melcher's concerns and vote aye. So approved.

**(Motion approved 2-0)**

John Stoll: Okay, we'll work with Bernardin Lochmueller.

Commissioner Melcher: Because I'm sure if Marsha was here she would be saying the same thing.

John Stoll: Based on the public hearing comments I would say so.

Commissioner Kiefer: Okay, are there other things there, John?

John Stoll: Yes. Next I have a notice to bidders for the reconstruction of Peck Road. This would be approval to bid the project and advertise the project. This consists of about a 1,500 foot stretch of Peck, from Old State Road to the proposed entrance to North High School. The, actually the drive approach will be built in conjunction with this project. This is part of an interlocal agreement where the School Corporation provides the funding for the reconstruction of the road.

Commissioner Melcher: That was going to be my question, because you know where I'm at on this. So, they're going to pay for it?

John Stoll: Correct.

Commissioner Melcher: Out of their funds, not our TIF funds?

John Stoll: Correct.

Joe Harrison, Jr.: It's a notice to bid.

John Stoll: Yes.

Joe Harrison, Jr.: So, it will be coming back when? I'm sorry, when will it be coming back?

John Stoll: The bids will be opened on March 13<sup>th</sup>.

Commissioner Kiefer: Okay.

Commissioner Melcher: I'll make the motion to accept it.

Commissioner Kiefer: I'll second that. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes. Okay, so approved.

**(Motion approved 2-0)**

John Stoll: Then, also in conjunction with that, I have the cover sheet for the plans. If I could get your signatures on that as well, then we'll have it ready for bidding this Friday.

Commissioner Kiefer: Okay, Steve, would you make a motion to approve?

Commissioner Melcher: To approve signing the plans?

Commissioner Kiefer: Yes.

Commissioner Melcher: Yes, I'll make the motion we approve to sign the plans.

Commissioner Kiefer: I second that. All in favor say aye.

Commissioner Melcher: Aye.

Commissioner Kiefer: Aye.

**(Motion approved 2-0)**

Commissioner Kiefer: Okay.

John Stoll: Next, I would like approval to file a travel request for me and for Pat Seib to attend Purdue Road School on March 6<sup>th</sup>.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Aye.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Aye.

**(Motion approved 2-0)**

John Stoll: Next, I have three more right-of-way offers for the Green River Road project between Millersburg and Kansas. The parcel number, owners name and the offer amounts are as follows; parcel six, Nicholas and Kindra Mangarella, \$9,550; parcel 15, Paul and Gloria Prow, \$11,600; parcel 60, Trust of David Niels Georgesen, \$19,700. That's a total of \$40,850, and I would like your approval to proceed with making those offers.

Commissioner Melcher: How close are we to finishing getting–

John Stoll: We probably have another ten or 15–

Commissioner Melcher: And that's it then?

John Stoll: – that would be my ballpark guess.

Commissioner Melcher: Okay.

John Stoll: There were about 60 total.

Commissioner Melcher: I just know we've been doing a little at a time, but we did a lot two weeks ago.

John Stoll: I've just been bringing them to the meeting as we've been getting the appraisals in.

Commissioner Melcher: Well, that's good. I'll make the motion to accept them.

Commissioner Kiefer: Second. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes. Approved.

**(Motion approved 2-0)**

John Stoll: Then, also on that same project, back on January 24<sup>th</sup> I incorrectly stated an offer amount for parcel number 53 owned by Margaret Ann Jones. I requested that you authorize a \$350 offer and the correct amount is \$400. So, I would just like your approval to revise the offer amount to \$400.

Commissioner Kiefer: For the correction, okay.

Commissioner Melcher: I'll move to correct it from \$350 to \$400.

Commissioner Kiefer: Second. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: You got your extra \$50.

Commissioner Melcher: For lot number 53.

Commissioner Kiefer: For lot number 53.

John Stoll: That's right. The last item I have is a street plan approval request for section A of Jacob's Village. This is for the development out off Vienna Road and Diamond Avenue. The street extension covered by these plans is about 450 feet long. It will be an asphalt street, curb and gutter, and it will be privately maintained upon its completion. I recommend that you approve the plans.

Commissioner Melcher: So moved.

Commissioner Kiefer: Okay, second. Roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

John Stoll: That's all I have.

Commissioner Kiefer: You got everything you wanted. Congratulations!

Commissioner Melcher: There wasn't nothing left on the sheet.

Commissioner Kiefer: I know. Any other, that's it on the department head reports.

**New Business/Old Business**

Commissioner Kiefer: No board appointments, no new business. Old business? Public, no, wait a second, hold off on that.

**Consent Items**

Commissioner Kiefer: Consent items, Madelyn, do you want to read that?

Madelyn Grayson: The consent items for the February 21<sup>st</sup> meeting are as follows; approval of the February 7, 2012 meeting minutes; employment changes for the Commissioners approval, there are two for Burdette Park and one for the County Highway; the County Engineer has pay request number 145 for TIF projects in the amount of \$1,640.68; the Commissioners have the Westside Improvement Association Neighborhood Association registration; we have surplus requests from Sheriff, Superior Court and Health Department, the Sheriff has a Smart Trailer, the Superior Court has six laptops and the Health Department has various medical equipment, those are all for disposal; the Evansville Police Department has a request for waiver of the Centre fees, not overtime for February 26<sup>th</sup> through the 29<sup>th</sup> and March 3<sup>rd</sup> for law enforcement interviews, March 4<sup>th</sup> through the 24<sup>th</sup> for law enforcement interviews, September 10<sup>th</sup> through 12<sup>th</sup>, and then they've got a change, they previously requested from September 17<sup>th</sup> through 24<sup>th</sup>, and now they are changing that to September 24<sup>th</sup> through the 28<sup>th</sup> for law enforcement training also; the Prosecutor's Office has the Drug Task Force equitable sharing agreement and the Prosecutor's Office equitable sharing agreement; the Public Defender has the State Public Defender Commission request for reimbursement; the County Treasurer has the January 31, 2012 year-to-date report; the County Clerk has the January 2012 monthly report and a request for extended Family Medical Leave; Weights and Measures has the January 16<sup>th</sup> through February 15, 2012 monthly report; and we have department head reports from Burdette Park, the County Engineer and the Ozone Officer.

Commissioner Melcher: The only thing I will say before I make the motion is, we've been approving these Police Department reports, and I would like to get a combined one, up-to-date. In other words, if we're going to keep adding on maybe they need to send us an update on, unless they've already been passed, those dates. If we could try to get that from them, because all of a sudden we're going to have 80 more, you know, before it's over. We just need to know how much, and make sure that they know that if we get somebody come in that's going to pay us, then they override their dates. With that, I make the motion to accept the consent agenda.

Commissioner Kiefer: I will second that, and agree with your comments that we do need to make sure we don't want to lose revenues or a potential client, a paying customer that is. Anyway, I seconded that, and if you could do a roll call please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

**(Motion approved 2-0)**

Commissioner Kiefer: So approved.

<b>Public Comment</b>
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Commissioner Kiefer: Is there any public comment? Any other business before the Commissioners? Then I would ask for a motion to adjourn.

Commissioner Melcher: Move to adjourn.

Commissioner Kiefer: We are adjourned.

(The meeting was adjourned at 5:42 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the February 7, 2012 Commission Meeting Minutes.  
West Side Improvement Association Neighborhood Association Registration.  
EPD: Waiver of Centre Fee/Not OT.

**Employment Changes:**

County Highway (1)	Burdette Park (2)	Sheriff (5)
Auditor (2)	County Clerk (1)	Circuit Court (1)

**County Engineer:** Pay Request No. 145: TIF Projects.

**Surplus Requests:**

Sheriff: 1998 Smart Trailer.  
Superior Court: (6) laptop computers.  
Health Department: Various medical equipment.

**Prosecutor:** Drug Task Force & Prosecutor's Office: Equitable Sharing Agreements.

**Public Defender:** State Public Defender Commission Reimbursement Request.

**Treasurer:** January 31, 2012 Year-to-Date Report.

**County Clerk:**

January 2012 Monthly Report.  
Request for Extended Family Medical Leave.

**Weights & Measures:** January 16-February 15, 2012 Monthly Report.

**Department Head Reports:**

Burdette Park	County Engineer	Ozone Officer
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**Those in Attendance:**

Joe Kiefer  
Joe Harrison, Jr.  
Emily Forche  
Jim Martin  
Rich D'Amour  
Members of Media

Stephen Melcher  
Marissa Nichoalds  
Emily Evans  
Bill Hussman  
John Stoll

Joe Gries  
Madelyn Grayson  
Jill Gehlhausen  
Steve Craig  
Others Unidentified

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)



**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
MARCH 13, 2012**

The Vanderburgh County Board of Commissioners met in session this 13<sup>th</sup> day of March, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I will call to order the meeting of the Vanderburgh County Board of Commissioners, March 13, 2012. Attendance roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Jeffrey, would you like to lead us in the Pledge of Allegiance? I understand it's your birthday today. Jeffrey is the son of Sherman Greer, and this is his birthday today.

Commissioner Kiefer: Happy Birthday!

Commissioner Melcher: Yes.

(The Pledge of Allegiance was given.)

President Abell: Thank you. Would you like to divulge to us how old you are today?

Jeffrey Greer: Nine.

President Abell: Nine years old. Well, I'm a couple years older than you.

Commissioner Kiefer: Not much though.

President Abell: Not much. Thank you, Jeffrey.

**Permission to Open Bids: VC12-03-02: Peck Road Reconstruction**

President Abell: We need, I need a motion to, for permission to open bids on VC12-03-03<sup>1</sup>, Peck Road reconstruction.

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<sup>1</sup> Actual bid number should be VC12-03-02.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Do you want to open those, Joe?

Joe Harrison, Jr.: Yes, I'll go ahead and open them and then, do you want me to open them now—

President Abell: You can open them while we're doing other things.

Joe Harrison, Jr.: That's fine. I'll report back later on.

President Abell: Thank you.

<p><b>Building Authority: 2012 Centre Capital Improvement Projects (CIP) &amp; Approval of Expenditure from Joint EVCBA-Commissioners Fund</b></p>
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President Abell: Under action items, the first item is Mr. Rector, I think he needs to get out of here and go to the Aces game or something.

Dave Rector: That's right. Good afternoon, Dave Rector, Building Authority. I actually have two things I would like address. The one is the CIP for the Centre, and then the first thing I would like to talk about is the build-out of the empty space we have out at the jail. The Sheriff is here to address any particular questions, but we would like to go ahead and spend not-to-exceed \$60,000 from our joint fund that we have between the Building Authority and the Commissioners to get the design and specifications for that going, so that when everything else is in place we'll be ready to bid it out. As I said, the Sheriff is here to address particularly what he's wanting to try to do out there.

President Abell: Sheriff, do you just want, I know what you're doing, and I suspect both of my fellow Commissioners do, but why don't you give us a little brief discussion about it.

Eric Williams: Basically we have the unencumbered space at the confinement center, which is the open square footage in the administration area. The thing that we've been talking about for the last few years is creating a disaster recovery place for city-county government. We don't have a fall back location for our Central Dispatch center currently. We would like to create a mini dispatch fall back center there, just a very small replica that we could put live if we ever had a disaster and it took out our dispatch center, or we were overrun. The other thing that we were talking about, and Sherman's here also, and he's very aware of this, one of the things that we would like to do is move the EMA's operations into that building and put them into the disaster recovery area and get out of that street level place that we have on Stanley Avenue for the EMA. We would also create some space there to restore government services in the case of a disaster. If this building should, something should happen to that so that we could put city and county government back to work fairly quickly, create a back up center for a lot of the things that happen in this building. The space is already bought and paid for there, it just needs to be fitted.

President Abell: Commissioners, any questions?

Commissioner Melcher: Yeah, when is the lease up on the EMA on Stanley?

Sherman Greer: Next November of '13.

Commissioner Melcher: So, we have time to do all of this by then?

Sherman Greer: Yes.

Commissioner Melcher: Okay.

Eric Williams: I think we're on a, you know, obviously the budget is going to be the ultimate issue on whether this is the direction that we're going to go, but it's very difficult to price out what we're doing until we have somebody really come in and design the working space and see what the HVAC and those kinds of costs are going to be. But, so far we've met with, you know, everybody, this is something we needed to do. Of all of the locations in our community that's probably the most hardened building to run a disaster operation and to recover government. We've got 24 hour food service, 24 hour medical service on hand, so it seems like if we're going to have to have people working around the clock to put our community back together again, that would be a good place to work from.

Commissioner Melcher: I would agree with that.

President Abell: Well, and I think that's pretty much in keeping with County Council is really working hard to try to get all government offices under our roof that we already pay for. Mr. Greer?

Sherman Greer: We're really interested in the security aspect of it.

President Abell: You want the protection of the Sheriff.

Sherman Greer: I want the protection of the Sheriff, yes.

Commissioner Melcher: So, David, you're going to be handling this then, as the Building Authority?

Dave Rector: Yeah, we'll go ahead and contract with architects and engineers to get the design done, and then, of course, we'll show you the floor plan. Sherm's seen preliminary floor plans, Sheriff has, but we'll involve all of you through the process and then get bids for it so that then the Sheriff is going to be better addressed of what the cost is actually going to be, instead of a budget.

Commissioner Kiefer: I would like to make a motion to approve the joint funding so they can move ahead on this.

Commissioner Melcher: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Dave Rector: Thank you.

President Abell: Then, I guess—

Dave Rector: The other item is—

President Abell: Go ahead.

Dave Rector: -- the CIP for 2012--

President Abell: Right.

Dave Rector: -- the capital improvement program, plan, projects, whatever we want to call it. Harry Cochran and Darren Stearns are here from SMG to address any specifics maybe you have on that, in addition to what I've got. You've seen this over the last few years. Since the construction and the change of the use of Food and Beverage with the Ford Center, we've tried to really cut back and only ask what we think we're going to need over there, instead of some nice likes and desires in the past that were more cosmetic. These are more needs of equipment, small wares, building needs. So, it's still \$208,000, but we've tried to scale back to something reasonable. Joe tells me that we've got \$1.7, a little over \$1.7 million in that fund now.

President Abell: Well, you know, obviously if you don't keep these things up you're not going to rent the Centre out. So, I mean, it's not, it doesn't seem like to me it's much of a thing you have to really worry about. You have to do it.

Dave Rector: Again, the building things are like any building, it's building maintenance above and beyond what we do on a daily basis. As I said, the other things were things for SMG that helps be able to run that building and attract business into it.

President Abell: Okay. Commissioners, any questions? I'll entertain a motion.

Commissioner Kiefer: I would like to make the motion to approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Dave Rector: Thank you, Commissioners.

President Abell: Thank you, Mr. Rector.

**Treasurer: SBM Maintenance Contract Renewal  
Health Dept: Kleindorfer & Diehl Consulting Contracts  
County Attorney: Waiver of Conflict of Interest (Dirck Stahl)  
EMA: Revised District 10 Administrator Agreement  
CBA: Detention/Correction Officers & Sheriff Office Civilians  
Alternative Service Concepts (ASC) Claims Service Contract**

President Abell: Contracts, agreements and leases, County Treasurer. I don't know if the County Treasurer is here.

Misty Hart: I'm Misty Hart, I'm Second Deputy for the Vanderburgh County Treasurer.

President Abell: Okay.

Misty Hart: We're just asking to renew our maintenance contract with Southern Business Machines. Our amount of \$5,995 is included in our yearly budget.

President Abell: Any questions, Commissioners?

Commissioner Melcher: No, I'll make a motion to approve it.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you. Health Department, consulting agreements with Kathy Kleindorfer and Dan Diehl. Consulting agreements for services to be provided to the Health Department for the development of a future vision and strategic plan to comply with the state and national requirements, and to enable the Health Department to seek national accreditation. Both consulting agreements will be for a term of two years. Kleindorfer will be \$250 an hour for services not to exceed \$10,000, Diehl will be paid \$75 an hour not to exceed the total sum of \$6,900. Funding will come from grants provided to the Health Department. Mr. Heck?

Gary Heck: I would be happy to answer any questions, if you have them.

Commissioner Kiefer: I have a question, Madam President.

President Abell: Yes, go ahead.

Commissioner Kiefer: Gary, I guess, you know, I got a little heartburn over this \$250 an hour consulting service. That seems kind of high. I mean, I know we don't pay our attorneys that much. There's a lot of groups we don't pay \$250 an hour. Have you scouted around, checked around for other (Inaudible) pricing?

Gary Heck: The board has. Yes, sir, the board has, and the \$250 an hour for strategic planning, leadership development, executive coaching, it's all within the same ballpark. There's a lot of work that's done in preparation that's not billed at that time.

Commissioner Kiefer: Okay, so, that's just the time that she's there with the Health Department?

Gary Heck: Yes, we're only going to get billed for the, and it could be somewhere, it was estimated to be between three to five days. That's how we arrived at the not to exceed the \$10,000 amount.

Commissioner Kiefer: Okay.

Gary Heck: It could be much less than that if we're able to get it done in a shorter period of time.

Commissioner Kiefer: It just seemed like a high per hour price for these consulting services, that's all.

Gary Heck: It's not.

Commissioner Kiefer: Okay, I know, a lot of times people say, well, it's grant money. Well, to me it's still taxpayer dollars.

Gary Heck: I understand, and I certainly wouldn't say that it's just coming from another source.

Commissioner Kiefer: Yeah.

Gary Heck: I get the same questions a lot about other professions too.

Commissioner Kiefer: Okay.

President Abell: Any other questions? Motion to approve?

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: I'll vote on this, but knowing that you said that they're doing other work behind the scenes not included in that hourly rate, I'll vote yes.

Gary Heck: Thank you, sir.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: Mr. Heck, I have a question, Gary.

Gary Heck: Yes, Ma'am.

President Abell: How are we coming on getting that schedule of services provided to Vanderburgh County residents and services provided to non-Vanderburgh County residents on things.

Gary Heck: It's in the fee ordinance updates that will be coming later under this County Attorney. I'm looking at probably an April or early May time frame.

President Abell: Okay.

Gary Heck: Because it's, we're reviewing every clinic, every service—

President Abell: Good.

Gary Heck: — that we have at the same time. It was provided to the previous County Attorney, and it was in the works, I just don't think it got....they ran out of time last year with your all's agendas. It just didn't get in there is all I can tell you.

President Abell: Okay, well, we'll work on it, because I am, I seriously think that's something we need to look at.

Gary Heck: No, we certainly understand, and the language is really fairly simple to include. It won't take much, but since we're doing the entire fee ordinance, it was just going to get included all at that time, if that's okay.

President Abell: That will be fine.

Gary Heck: Thank you so much.

President Abell: Thank you. Mr. Harrison, you're on next. Do you, are you, can you take a break? This is about the waiver of the conflict of interest with Dirck Stahl.

Joe Harrison, Jr.: Yes, this is, what is before you is a waiver of conflict of interest. For many years I represented the Area Plan Commission, probably 11 years. There's a particular case that I was involved with that the county is a party as well. So, the Ziemer firm represents the county, I represent the Area Plan Commission. It's a lawsuit, it's Rollett Family Farms vs. the Area Plan Commission and Vanderburgh County. What this is doing is, if you approve it, you would allow me to step into the shoes of the county and represent the county, and the Ziemer firm that now represents the Area Plan Commission can represent the Area Plan Commission. Dirck Stahl is the attorney now for the Area Plan Commission, so we would just be switching roles, even though we were wearing different hats before, you're waiving any conflict that may have been out there, but we were both defendants in the case. So, it's just something to, we think is necessary to have on file. So, I would appreciate it if you would approve this and allow Dirck to represent the Area Plan Commission, and I can represent the county in that case going forward.

President Abell: Okay. Any questions?

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

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Emergency Management, revised District 10 Homeland Security agreement for work performed by Maddison Seib, Homeland Security District 10 Administrator, from February 28, 2011 to February 21, 2012. An agreement with Ms. Seib was approved at the February 22<sup>nd</sup> Commissioners meeting, however there was an error in the term, and we are asked to consider a new agreement in place.

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<sup>2</sup> Actual date of the Commission meeting was February 21, 2012.



Sherman Greer: Sherman Greer, Emergency Management Director. We worked up a new agreement with the changes that the Indiana Department of Homeland Security wanted us to make. So, working with Mr. Gries and also with Mr. Harrison and everything, I think everything is in order.

President Abell: Okay.

Joe Harrison, Jr.: Essentially what it does is really cover her for last year.

Sherman Greer: Right.

Joe Harrison, Jr.: For her time last year.

President Abell: Oh.

Joe Harrison, Jr.: That's what had to be put in the agreement.

President Abell: Okay.

Joe Harrison, Jr.: Because she hasn't been paid for what she worked then.

President Abell: Okay.

Joe Harrison, Jr.: Is that correct?

Sherman Greer: Right.

President Abell: I need a motion to approve.

Commissioner Kiefer: Well, since I think she needs to be paid for what work she's already done, I'll make a motion to approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: While you're standing in front of the microphone, I would like to tell you that I'm the one who sits on those meetings that you have, and I did try to call in at the last one, but they had technical difficulties.

Sherman Greer: They did, they did.

President Abell: I couldn't get my computer to pull it up.

Sherman Greer: Okay.

President Abell: I couldn't get on it, so.

Sherman Greer: I think they've got one coming up, and we'll get the information out to you.

President Abell: Because I know, I want to make sure we get credit for—

Sherman Greer: Yeah, and that call in is working well for all of us, because not everybody can break and go to Jasper for one of those meetings.

President Abell: Right.

Sherman Greer: Okay, thank you.

President Abell: Thank you. The Commissioners agenda we have a collective bargaining agreement with the Vanderburgh County Sheriff's office for the Detention Officers, Correction Officers and Civilian Support Staff. I need a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Any questions or discussion? Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Under the Commissioners, Alternative Service Concepts, LLC, claims service contract. This contract is identical to the former contract with JWF Specialty for handling county claims. The contract amount is \$56,623. The term is from April 1, 2012 to January 31, 2013. ASC will also manage the county's OSHA records for an additional \$750 a year. This is virtually a company that handles our insurance claims, correct?

Joe Harrison, Jr.: Yes, they're the third party administrator—

President Abell: Right.

Joe Harrison, Jr.: –and they’re, they would be starting April 1.

President Abell: We have a company now that is going to continue through until April 1<sup>st</sup>?

Joe Harrison, Jr.: Until April 1<sup>st</sup>, that’s correct.

President Abell: So, this will just replace them. Commissioners, any questions or discussion?

Commissioner Kiefer: None.

Commissioner Melcher: None, I’ll make a motion to approve.

Commissioner Kiefer: I’ll second it.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>County Engineer</b>
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President Abell: Department head reports, County Engineer. Mr. Stoll, I see you out there.

John Stoll: I’ve got a few items here. First, I’ve got the cover sheets for the Kansas Road and Oak Hill Road bridge plans for the airport project. This is the cover sheets for the plans for the two bridges that will be built in conjunction with that project. I just need the Commissioners signatures on those cover sheets.

President Abell: Okay.

Commissioner Kiefer: Does that require a vote?

Commissioner Melcher: Yes.

Joe Harrison, Jr.: Yes.

President Abell: That’s it, that’s all you need. Okay, we’ll need a motion.

Commissioner Melcher: Is this handled by the School Corporation?

John Stoll: No, this is for the realignment of Oak Hill in conjunction with the airport project.

Commissioner Melcher: This is us? Okay.

John Stoll: It's all going to be funded through the airport.

President Abell: Yeah.

John Stoll: There aren't any county dollars involved, but there will be two new bridges that the county will maintain upon completion of the project.

Commissioner Melcher: I guess, that's where I was going, there isn't any money. Okay.

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

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The second item I have is a settlement agreement with the Johnston's for the Millersburg right-of-way. This is for the amount of \$83,000. This settles the last right-of-way parcel that we were requiring for the Millersburg Road project. This has been an on-going negotiation that was started with Ted Ziemer's firm, and now it's being finalized. Joe's seen the final version of the agreement, and everybody is okay with it. So, I would request your approval.

President Abell: Okay. Questions?

Commissioner Kiefer: I move to approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: That is funded through the Burkhardt Road TIF district—

President Abell: Right.

John Stoll: —so there is sufficient funding to cover that. The next item I have is a supplemental agreement for Cripe Engineers and Architects for the Burdette bike path inspection. This is the construction inspection of the third phase of the bike path project. Due to the fact the project didn't get completed in 2011, the basis for the fees in the Cripe agreement only ran through the end of 2011. So, as a result, since the project is still on-going, there's been additional costs incurred. This supplemental agreement is for an amount of \$41,600, and I would request approval. We will try to get federal participation in this, but it also looks like we may have hit our federal cap. So, we may not be able to get any additional money, that would in turn make this \$41,000 entirely county funded, but we will pursue it.

President Abell: Now, is that project finished now?

John Stoll: There are a few miscellaneous items.

President Abell: Okay.

John Stoll: I haven't talked to the inspector in a couple of weeks, but there were some signs that still needed to be installed. It was very minor, but it is virtually complete.

President Abell: Okay. I will entertain a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The last item I have is some additional right-of-way purchase offers for the Green River Road project between Millersburg and Kansas. The parcel number, owner name and amounts are as follows; parcel eight, Meredith, \$9,600; parcel ten, Bethel, \$14,100; parcel 12, Jesop, \$24,225; parcel 16, Riddle Living Trust, \$22,225; parcel 18, Highland, \$7,700; parcel 19, Hargrave, \$31,200; parcel 22, Pham, \$65,250; parcel 24, Lantaff, \$7,100; parcel 26, Cooper, \$4,100; parcel 31, Hass, \$2,200; parcel 34, Wolf, \$13,250; parcel 37, Causey, \$1,750; parcel 44, Swanson, \$2,600; parcel 45, Gann, \$18,500; parcel 46, Roth, \$22,000. The total of all of those 15 appraisals is \$245,800. Once again, that will be funded through the Burkhardt Road TIF district.

President Abell: Are those all negotiated comparably?

John Stoll: These are appraisals that have been done by Bartlett and Associates.

President Abell: Okay.

John Stoll: So, a licensed real estate appraiser.

President Abell: So, we're not overpaying for somebody and underpaying for somebody else?

John Stoll: Right.

President Abell: Okay.

Joe Harrison, Jr.: Well, this is how we start. So, they have to do the appraisals first, and then the offers are made—

President Abell: Oh, these are, you haven't made the offers yet?

John Stoll: This is the approval on the initial offer amount.

President Abell: Okay, to make the offer?

Joe Harrison, Jr.: Yes.

John Stoll: Correct.

President Abell: Okay.

Joe Harrison, Jr.: And these are the appraisal numbers.

Commissioner Kiefer: I don't think the offer can exceed the appraisal amount.

Joe Harrison, Jr.: Not the initial offer.

Commissioner Kiefer: Right.

John Stoll: So, when the right-of-way buyers go out and make the offers it will be for the amounts that you authorize here, assuming that you approve this.

President Abell: Okay.

Commissioner Kiefer: I'll move to approve.

Commissioner Melcher: Second.

President Abell: Roll call.

Commissioner Melcher: I do have one more question.

President Abell: Oh, go ahead.

Commissioner Melcher: Number 31, Hass, says revised. Was there a problem with that one?

John Stoll: There was a slight error in the original one. I think that one was a \$200 difference.

Commissioner Melcher: Okay, thank you.

John Stoll: Sorry, I forgot to clarify that.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: That's all I have.

President Abell: Thank you, John.

John Stoll: Thanks.

Commissioner Kiefer: John, good job on that, because I know from my own experience how difficult it is to do some of these right-of-ways.

John Stoll: I was going to say, I think we probably have about a dozen more. So, we're getting close to the end.

Commissioner Kiefer: Alright, thanks.

President Abell: County Highway, Mr. Duckworth.

Mike Duckworth: I'll do mine under new business, if that's alright.

President Abell: I'm sorry?

Mike Duckworth: I'm just going to handle all of mine under new business, if that's alright.

President Abell: Oh, you're going to handle it all under the road hearing?

Mike Duckworth: Yes, Ma'am.

President Abell: Okay, we'll get back to you then.

<b>Burdette Park</b>
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President Abell: Burdette Park, Steve Craig.

Steve Craig: Steve Craig, Manager of Burdette Park. The first thing I would like to do is get permission for Debbie Spalding and myself to pursue prices for our concessions this summer. Debbie and I will send quotes for the stuff that we will sell at our concessions. I was just wanting permission from the Commissioners to pursue that. I don't know, do you vote on that?

President Abell: Yeah, we do.

Commissioner Kiefer: I'll move that it's approved for you to pursue pricing.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Steve Craig: Okay, and then I would like to make everyone aware of upcoming events at Burdette Park. On March 31<sup>st</sup>, the Greater Evansville Runners Club is having their Hot Dog Run, and you can contact Chris Thomas at 618-7380, or Bill Hussman at 534-6430 if you have any questions on that. April 28<sup>th</sup> is the St. Jude Run and Walk at Burdette. You can contact Katie Witsoe at 624-0173 if you have any questions on the St. Jude Run and Walk. On May 5<sup>th</sup> we have the Energy for Life Walk and Run, the contact person on that is Lori Meyer or Nicole Shanter, and you can contact them at 1-888-317-8633. On May 19<sup>th</sup> we have the sixth annual



Wurst Bicycle Ride at Burdette. It is sponsored by Vanderburgh County and Burdette Park. All of the food and refreshments will be donated by Dan's Comp and RC. If you have any questions on the Wurst Bicycle Ride you can contact Burdette Park at 535-5602<sup>3</sup>. That's four of the events that we have coming up. Another point of interest that I have been pursuing is that on November 2<sup>nd</sup> and 3<sup>rd</sup> we are trying to have the first State Trail Advisory Board Seminar here in Evansville. It will be the first annual state-wide meeting, and I'm trying to bring them to Burdette for at least part of it to have it at the trail head at the Discovery Lodge. It will be seminars on trail building, funding, designing, multi-use, safety and maintenance of trails. It could have several hundred people attend it if we can get it here in Evansville. I've been at two meetings and they're going to get back with us to tell us what the logistics are on this.

President Abell: Okay.

Steve Craig: Other than that, that's pretty well it. We're just trying to get the park ready for the summer.

President Abell: I might take this opportunity to let the other two fellow Commissioners know that I met today with the, Mark Caverin, I think, he was out at Burdette Park this morning my understanding is–

Steve Craig: Yes, Ma'am.

President Abell: – and he's the federal person with Soil and Water locally, and he is looking at helping us get some funding to take care of your problems out there that you have with flooding. I'm real optimistic that that's going to be a good project for us.

Steve Craig: Yeah, and what got us started, we was working it in on that 30 acres that we had acquired several years ago, and one of the solutions to our flooding thing was to own that property so that we could dam some of the valleys up and have retention lakes that would allow the water to release more slowly than what it does when we have heavy rains now. We had a great meeting, we walked all over and he got a pretty good grasp of what the problems were. Very intelligent person that knew what, you know, looked at it and could tell what we needed to do. We had a good meeting.

President Abell: That would be a real plus for Burdette. I hope that comes to pass.

Steve Craig: Well, thank you.

President Abell: Good. Thank you. Anybody else? Thank you, Steve.

Steve Craig: Thank you.

### **Board Appointments**

President Abell: We have some board appointments we have to make. The Electrical Board appointing Mark Schnur, is that, did I pronounce his name properly, I hope.

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<sup>3</sup>The correct number is 435-5602.

Commissioner Melcher: Yes.

President Abell: Commission on Homelessness is Stephen Ralph, and Burdette Park, Steve, we are appointing your board for Burdette Park; Fred Padget, Steve Provost and Deanna Outlaw. I understand, I think all three of those people are active with the Westside Improvement Association.

Steve Craig: I don't think Steve Provost is, but Deanna and Fred are either President and Vice President, I don't know if they switched this year or not, but I know they were last year.

President Abell: Okay. I assume you'll contact them and you all are going to start getting your meetings set up.

Steve Craig: Yes, Ma'am.

President Abell: Good, thank you.

Commissioner Kiefer: I'll make a motion to approve all of the board appointments as read.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>New Business</b>
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President Abell: Under new business, Mr. Duckworth.

Mike Duckworth: Good afternoon. Mike Duckworth, the County Highway Department. President Abell, members of the Commission, I'm here this evening in regards to our annual road hearing. This is an opportunity for residents to contact our office and to let us know about the conditions of their county roads. In the past we've done that at kind of a satellite location. We've had sparse participation at best. In the effort to expedite this, we do get regular calls and I have sent some of my supervisors out to take pictures already this year, so we're compiling a list of concerns that citizens have, but we would ask that the Commissioners have this year's road hearing on April 3<sup>rd</sup>, after the County Commissioner meeting here in these chambers.

President Abell: Commissioners, does anybody have a problem with that.

Commissioner Kiefer: No, I think that's a good idea.

Commissioner Melcher: As long as we can get the advertising out of what we're doing, because the first two years I was Commissioner we had a pretty good turnout. Then last year was the worst one.

Mike Duckworth: We have a tendency to have folks come from particular areas about the same problems, as we did with Evergreen and Melody Hills and some of those areas. Of course, we're in constant contact, we will advertise this on our website and ask the Commissioners to do the same, as well as put a release out closer to the event. So, I'll make a motion to approve that date and time.

Commissioner Melcher: I'll second that, but we need to do it a few times on press releases. We need to, we probably need to say it at every one of our meetings too.

President Abell: We will. Marissa, will you take care of putting it on our webpage? Okay. Do I have a second to the motion?

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Mike Duckworth: In addition, I would, and after speaking with Commissioner Abell today and trying to coordinate this with the City Department of Transportation, each year we also have a pothole blitz where we target our staff and our resources toward making up for what is normally the freeze and thaw season. Although we haven't had a lot of freezing, we every year do have road conditions that worsen in certain areas. So, this year April 2<sup>nd</sup> through the 5<sup>th</sup> we would take the calls from area residents. Of course, we take them at any time, but we would designate that time to be the start of the pothole blitz. Then from April 9<sup>th</sup> through the 12<sup>th</sup> we would actually send our crews out to blitz these areas and get the winter cracking and potholes taken care of. I would just remind the Commissioners that this is all in part with our four day work week which is also on the consent items this evening. That's in conjunction with the collective bargaining agreement. We have noticed Teamster's Local 215, their organization, that our plan is to start our four day work week April 16<sup>th</sup><sup>4</sup>. That will

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<sup>4</sup> For payroll purposes the start date is 4/13/12. The first actual work day is 4/16/12.

go until probably, I believe it's about the second week in November. I would tell the Commissioners that this has served the county very well. Not only is it an efficiency, an attempt at efficiency in one day a week not having our lights and gas and utilities running, it's also a way to keep our gasoline in check because, of course, of the cost of putting our trucks and our equipment on the road. I would also say to you that because this extends our day during daylight savings time, is that we've been able to attack and basically complete more work orders in a four day, ten hour day, rather than a five day, eight hour day, because we're not staging equipment up and down as much. So, we feel very comfortable with this, and we would ask for your permission on the pothole blitz and ten hour day at this time.

Commissioner Melcher: I have no problem with it, because I was talking to other Commissioners even last week, a lot of counties do that because at the end of the summer you pick up an extra two or three weeks worth of work, you know, and it don't cost you any more money because of the tearing down and starting over and cleaning up of equipment. So, with that I'll make the motion to approve it.

Commissioner Kiefer: And I'll second it.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Mike Duckworth: On a final note, I just say that we're in great shape as far as salt is concerned.

Commissioner Kiefer: I was going to ask about that.

Mike Duckworth: We like it, but I still, I still, I don't trust happiness. So, I'm still looking over my shoulder. We still have our spreaders and our plows on just in case and we'll do that for a little while and kind of wean those down.

Commissioner Kiefer: 75 degrees out today, it's hard to think about it.

Mike Duckworth: It's great. It's great, you know in our office snow is a four letter word, and we try not to say it very much, but I will tell you that what this does is it enables us to store some material and to, hopefully, help us realize a savings for the citizens in the next fiscal year. So, thank you.

**Old Business**

President Abell: Before, is there old business? Is there any more new business to come before the Council, the Commissioners? Any old business?

Commissioner Kiefer: I've got a question. Talking about the website, what's the status on getting our website updated. I know that was some work we were going to have accomplished, right?

President Abell: They are going to be here the first week in April, I think, for three days to train us.

Commissioner Kiefer: Oh, okay.

President Abell: I think Marissa is going to attend and Joe's going to attend and I'm going to attend.

Commissioner Kiefer: Okay.

Commissioner Melcher: Well, that's good.

Commissioner Kiefer: No, I appreciate the work, Marsha, that you did on getting that website started, getting that work done.

President Abell: Yeah, it's long overdue. Our website's not very friendly and it's going to be much better for the constituents to be able to view things on our webpage.

**Reading of Bids for VC12-03-02: Peck Road Reconstruction**

President Abell: Before we get to the consent items, Mr. Harrison, would you want to tell us the results of the bids that you opened?

Joe Harrison, Jr.: Yes, the Peck Road Reconstruction project, there were six bids that were submitted by six local construction, road construction companies. The first is Deig Brothers Lumber and Construction, and that bid amount was \$615,213, six fifteen, two thirteen. The second one was Blankenberger Brothers, Inc, that bid amount is \$498,540.93, four ninety eight, five forty, ninety three. The third one, Koberstein Contracting, Inc, \$499,425.97, four ninety nine, four twenty five, ninety seven. The fourth one, JBI Construction, Inc., their bid amount, \$531,061.56, again, five thirty one, zero sixty one, fifty six. The fifth bid is from J.H. Rudolph and Company, their bid amount is \$557,669, that's five fifty seven, six sixty nine. The last bid, the sixth bid is from Ragle, Inc, their bid amount is \$628,099.20, six twenty eight, ninety nine, twenty. Those are the six bids and I would ask that you take those under advisement and let the Engineer, the County Engineer take a look at them and get back with us at the next meeting.

Commissioner Melcher: I make a motion to do that.

Commissioner Kiefer: I'll second that.

President Abell: John, our next meeting is like next Tuesday. Is that not enough time for you, would you rather do it three weeks from today? We normally meet every other week, but next week we move it.

John Stoll: Assuming that the review can be done by Purchasing, I think we can make it work. Ideally, I would like to try to get it moving ahead.

President Abell: By next Tuesday, okay.

John Stoll: So, as long as the Purchasing Department can complete the MBE/WBE review, I would say we would be okay.

President Abell: Okay, we'll put it on the agenda for next week then.

John Stoll: Thanks.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

#### **Introduction of Teen Advisory Council Job Shadows**

President Abell: Madelyn, before you do the consent items, we have some students here, I can see them at the end of the circle. Would you turn on your microphone and tell us who you are and what school you represent?

Heather Wolf: I'm Heather Wolf, and I represent Mater Dei High School.

Brandon Wolf: I'm Brandon Wolf, and I go to Central High School.

President Abell: Thank you.

Commissioner Kiefer: I would like to congratulate Mater Dei, because the girls won the State Championship in the 2A basketball. I went up there to Terre Haute to watch that and it was a lot of fun. So, congratulations to the Wildcats.

#### **Consent Items**

President Abell: Madelyn, the consent items.

Madelyn Grayson: The consent items for the March 13<sup>th</sup> meeting are as follows; approval of prior minutes, we have the February 21, 2012 Commission meeting minutes, and the March 13, 2012 Executive Session summary minutes; employment changes for the Commissioners approval, there are two for the County Highway, one for the Health Department and two for Burdette Park; the County Commissioners have sale of county owned property at 1303 Linwood Avenue to Habitat for Humanity, and a notice to bidders for 903 N. Elliott, 1406 Southeast Second, and 1003 Adams; the City of Evansville has a fee waiver request for the Centre, excluding overtime, for Roberts Stadium Task Force meetings on February 15<sup>th</sup> at 5:30 p.m. and March 14<sup>th</sup> at 5:30 p.m.; the County Auditor has approval of February 2012 A/P vouchers; the County Highway Department has approval of the four day work week beginning April 13, 2012; the County Treasurer has the January 2012 monthly report; Soil and Water Conservation District January meeting minutes; Burdette Park has a yearly comparison from 2011 to 2012; the County Clerk has the February 2012 monthly report; Evansville ARC January 2012 report of activities; County Engineer has pay request number 146 for TIF projects in the amount of \$79,915.11; Commissioners have the Johnston settlement agreement, and department head reports from the County Engineer and the Ozone Officer.

President Abell: I would entertain a motion to accept the consent items.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**First Reading of Rezoning Ordinance VC-1-2012  
Petitioner: Evansville-Vanderburgh School Corporation  
Address: 15325 N. U.S. Hwy. 41 North  
Request: Change from Ag to C-2 with UDC**

President Abell: The next item is a rezoning, first reading of VC-1-2012. Evansville-Vanderburgh School Corporation, 15325 North U.S. Highway 41 North. It's a rezoning to change from Ag to C-2 with a use and development. I'm assuming this comes from Area Plan.

Joe Harrison, Jr.: Well, it was. No, this is first reading, it's going to go to Area Plan.

President Abell: Oh, it's going to go to Area Plan.

Joe Harrison, Jr.: This was filed by the Evansville-Vanderburgh School Corporation, I'm assuming for the North High School.

President Abell: It's the land up there by North High School? Okay, so it will go to Area Plan and then it will come back to us.

Joe Harrison, Jr.: So, you all need to consider first reading approval, then it will go to Area Plan.

President Abell: I'll entertain a motion to send it to Area Plan.

Commissioner Kiefer: I would like to make that motion.

Commissioner Melcher: I'll second it. It looks like it's going to be some signage and stuff.

President Abell: Yeah. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Melcher: As your Area Plan representative, I'll do my duty.

President Abell: I know how much you enjoy your Area Plan meetings, Mr. Melcher.

Commissioner Kiefer: Steve, I remember when I was on City Council. So, payback.

<b>Public Comment</b>
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President Abell: We do have one person under public comment, before we get to that is there anybody else under public comment? Okay, seeing no hands, is Jerri Johnson here? You're under public comment. Would you like to come to the microphone?

Jerri Johnson: First, let me thank you all for getting me on the agenda on short notice. I'm here today because on February 22<sup>nd</sup> my son lost his life on St. Joe Avenue. I know all of your families, all, someone in each of these families in this room travel that road everyday. The road is not safe. We have a McCutchanville fire station on that road. Those fire trucks go up and down that road thousands of times a week. Putting them aside, your family members, school busses, someone at some



point travels St. Joe Avenue. There is no room for error, and as a human I know that I have error. If, when you look at the fire truck coming down the road, the wheel is on the line, the wheel is on the line, there's no room for error. Is my son's life because of the road? Absolutely. If the road, whether it be expanding the road, whether it be making, filling in the ditch and making a shoulder, whether it be putting up a guardrail, something's got to be done. I spoke with BFI, they've had numerous wrecks near the same spot. I've spoke, I went door-to-door, people have said, I just wrecked there, you know, I've had other accidents there. McCutchanville has responded to accidents there. I feel that what's it going to take to get it fixed? So, until it's fixed I'm on a mission. I have to, you know, for my son I've got to get the road fixed. There's no other option. So, I would like you to consider getting the road fixed.

President Abell: Commissioners, does anyone have anything they wanted to ask Ms. Johnson?

Commissioner Kiefer: Nothing I wanted to ask, I just wanted to express our condolences and thank your son for his service to the community.

Jerri Johnson: Thank you.

President Abell: We will turn all of that over to the proper people in the county. Any other business to come before the County Commissioners? We stand adjourned.

(The meeting was adjourned at 5:50 p.m.)

#### **CONSENT ITEMS:**

##### **Commissioners:**

Approval of February 21, 2012 Commission Meeting Minutes.  
Approval of March 13, 2012 Executive Session Summary Minutes.  
Sale of County Owned Property at 1303 S. Linwood to Habitat for Humanity.  
Notice to Bidders: 903 N. Elliott, 1406 SE Second and 1003 Adams.  
City of Evansville: Centre Fee Waiver Request (Not OT) 2/15/12 & 3/14/12.  
SWCD January Meeting Minutes.  
Burdette Park Year-to-Date Comparison: 2011-2012.  
Evansville ARC January 2012 Report of Activities.  
Johnston Settlement Agreement.

##### **Employment Changes:**

Burdette Park (2)	County Highway (2)	Health Dept (1)
County Clerk (3)	County Assessor (5)	Sheriff (2)
Election Office (1)		

**Auditor:** Approval of February 2012 A/P Vouchers.

**County Highway:** Approval of 4 Day Work Week: Beginning 4/13/12.

**Treasurer:** January 2012 Monthly Report.

**County Clerk:** February 2012 Monthly Report.

**County Engineer:** Pay Request No. 146: TIF Projects.

**Those in Attendance:**

Marsha Abell	Joe Kiefer
Joe Gries	Joe Harrison, Jr.
Madelyn Grayson	Dave Rector
Eric Williams	Misty Hart
John Stoll	Mike Duckworth
Brandon Wolf	Heather Wolf
Others Unidentified	Members of Media

Stephen Melcher  
Marissa Nichoalds  
Sherman Greer  
Gary Heck  
Steve Craig  
Jerri Johnson

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
HUMAN RELATIONS ORDINANCE PUBLIC HEARING  
MARCH 19, 2012**

The Vanderburgh County Board of Commissioners held a public hearing on Monday, March 19, 2012 at 4:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding. The purpose of the public hearing was to hear public comment concerning the proposed amendments to Chapter 2.56 of the Vanderburgh County Code of Ordinances entitled City-County Human Relations Commission.

**Call to Order**

President Abell: Good afternoon. I would like to call to order the public hearing on the ordinance amending Chapter 2.56 of the City-County Human Relations Commission. We would like to have the Pledge of Allegiance first.

(The Pledge of Allegiance was given.)

**Attendance Roll Call**

President Abell: Madelyn, would you call the roll please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Overview of Meeting Format**

President Abell: Before we get started, we need to determine exactly how this is going to be handled. So, I want to give you some instructions. Those of you who are out in the hall, you can either still come in, or I understand they have the loud speaker turned on outside, and they also have the televisions going if you would be more comfortable out there, but you are certainly welcome to come in and stand on the side of the room if you want to. As you know, you have signed in if you wish to address this body. We had two different sign in sheets going around, one in favor of the ordinance and one opposed to the ordinance. The reason for that is that we are going to take a few of the ordinances that are in favor, a few speakers in front of the ordinance first, and then switch over to a few opposed and go back to a few in favor so that no one group dominates the entire conversation this evening. Your talks should be limited to three minutes. We will not be so rude as to cut you off, however, at five minutes we will be rude enough to cut you off. We would ask that you hold your applause and booing to a minimum. It just takes time out of the testimony. We have a lot of people that want to speak here this evening, and we do have a limited amount of time, so, it would expedite things if you would not show your pleasure or displeasure, because it really doesn't affect the way the three Commissioners address this issue anyway. So, it would be a waste of your time. We are going to

start with having the Human Relations Commission give us a brief description of the ordinance. They are here, the Director, Diane Clements, Diane, do you want to raise your hand up so they'll know you're here. She has a board member with her, she also has, their attorney is here. They can answer questions for you. We are not here to answer questions. We, those of us up here, we didn't write the ordinance, and we feel they're more capable of answering any questions you may have. You will be allowed to address questions, if you have those. With that, I will turn it over, Mr. Dion, are you going to handle this first? Okay. Please when you go to the microphone, give your name for our record. Thank you. Oh, and I would also like to know if you're a Vanderburgh County resident.

<b>Human Relations Commission Overview of Ordinance Amendment</b>
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Robert Dion: Robert Dion, I live at 3839 Hartford Place, live in Vanderburgh County. Good afternoon, Commissioners and good afternoon everyone. Pardon my back. I would like to start out by thanking President Abell for having this forum. It's always a good thing when government leaders hear from their constituents, and when citizens know what decisions are being made by their government. We welcome this opportunity to explain exactly what it is that we're proposing to you, and we look forward to clearing the air somewhat about what it will and will not do. It's our hope that we can dispel some of the rumors that have been circulating about these proposed changes to the county ordinance, because my guess is that there are people on both sides of this issue who have something of an incomplete understanding of exactly what this proposed ordinance can and cannot do. Now, I know that the main idea this afternoon is for you members of the County Commissioners to hear from concerned members of the community, but my hope is that we can do a little more than that today. I hope that we can all take this opportunity to really listen to each other and try to understand the concerns being expressed here by both sides. As I look around this room I don't see enemies or adversaries, I see neighbors, people who live in the same community. We may have a different outlook on all kinds of things, but we're all just trying to make our way in this world. In the end, we really have so much more in common than anyone might imagine. Just a little bit of sensitivity and compassion, especially for people we disagree with, can go a long way in making this a better place for all of us to live. In fact, that's essentially what the Human Relations Commission is all about, trying to promote harmonious relationships between all of the groups in our community. We were formed in 1948 for this very purpose, and our work continues today. I've been asked by President Abell to say a few quick words about the Human Relations Commission, and I'm glad to do so today. There are 11 of us in all, and we are all citizens of Vanderburgh County. We are appointed by the Mayor, the City Council, the County Commissioners and the County Council, and we serve at their pleasure. We come from all different backgrounds, male and female, city and county, black and white, gay and straight, Republican and Democrat, older and younger, Catholic and Protestant, but we all share one, common purpose, advancing the idea that all citizens deserve to be treated with fairness and dignity and respect. I'm very proud to have served on this Commission and to serve with my fellow commissioners. They are to a person dedicated, conscientious and good-hearted, and they take their positions very seriously. All of our meetings are open to the public, in this building, usually on the second floor, and any person can obtain copies of the minutes of our meetings. We pride ourselves on being scrupulously fair in all of our proceedings. If you have been the victim of discrimination, we will go to bat for you to see to it that your civil rights are protected to the fullest extent under the law. If you have been

unfairly accused of discriminating, we will defend your good reputation to the very best of our ability. I know that some people are here today because they're worried that the Human Relations Commission is going to infringe upon religious liberty in the county, but let me make this clear, we don't have the power to infringe upon religious liberty. We've never had the power to infringe upon religious liberty, and we don't seek the power to do so. If anything, the Human Relations Commission is your very best friend when it comes to protecting your religious liberty. If you believe yourself to have been the victim of discrimination, stop by our office on the second floor, and we will do everything in our power to help you. If your goal in coming here today to this public forum was to stop the Human Relations Commission from infringing on religious freedom, you've already gotten your wish. We can't do that, and we would never want to do that. Last year the City Council unanimously adopted some changes to the Human Relations ordinance that added "age", "disability", "sexual orientation" and "gender identity" to our civil right code. When they did this, Evansville joined Indianapolis, Ft. Wayne, Bloomington, Michigan City, Lafayette, West Lafayette, along with Marion County, Monroe County and Tippecanoe County in passing a more expansive and inclusive civil rights ordinance. The vote in the City of Evansville last November was a bi-partisan one, and that was exactly as it should be. Civil rights should never be a matter of party politics, they are a matter of human dignity and fairness. Just like here in Evansville, when West Lafayette amended its ordinance in 2010, it was because the Republican Mayor was working closely with the Democratic President of the City Council there. In fact, there's not much that Barack Obama and Governor Mitch Daniels agree on, but Mitch Daniels in 2005 issued an executive order protecting all State employees on the basis of sexual orientation and gender identity, and one of the first things Barack Obama did as President in 2009 was to do the same kind of executive order for all Federal employees. We don't see enough of that kind of cooperation and agreement these days, but I think it's something to be applauded. What we're asking for here is a very modest, but meaningful step forward for this community. I know that some of the things that we're talking about may sound unfamiliar or worrisome to some people, but there's really nothing to worry about. Other cities in Indiana have already adopted similar language in their ordinances, and some of them have done this almost 20 years ago, and they haven't disappeared from the Earth or descended into anarchy. In fact, there are currently 16 states that have passed state-wide civil rights laws protected both sexual orientation and gender identity, and taken together these 16 states represent 45 percent of the American population. Indiana is not one of those states, but almost half of Americans already live under a state-wide civil rights law that does more than what we're asking for here today. The first city to ever pass an ordinance protecting people on the basis of gender identity passed it in 1975, for heavens sake, so, we have a long history of settled law and best practices to help our commission in implementing this. We have a staff of trained investigators and mediators. We're not making it up as we go along. Because we're not perfect, which is obviously true, in the event that we do get it wrong, in one case or another, there is always the fail safe that every single one of our judgements can be appealed in court. You will get a fair hearing. I teach American Government for a living, and one of the things that I love about America is that we have made great strides over the years toward recognizing the worth of every person and promoting greater tolerance and understanding, and respecting the right of each individual to be free from discrimination. I talked to my mother about this, because I've been thinking about this forum for awhile. My mother's not very old, she's in her 60's, but we used to live in Alabama and she remembers when there were water fountains intended for "colored people" and "white people". It was as recent as 1967 that the last laws outlawing interracial marriage were overturned. It was as recent as 1975, which

always surprises me that the Supreme Court finally decided that it was unconstitutional for a state to exclude women from jury duty in 1975. It took us awhile in America, but we ended all of those discriminatory practices, and when we did it was good news for those who had been victims of discrimination, but it was also good news for everyone else, because we all benefit when people are given a chance to be the very best that they can be and be judged based on their merits without any arbitrary impediments. When the time comes for you to vote on these proposed changes to the ordinance, I hope that our County Commissioners will continue this forward progress and open the door to freedom just a little bit wider, as other communities in Indiana have done before us. We on the Human Relations Commission believe deeply that it's the right thing to do and it's the right time to do it. That's all I have to say for now, but right now I would like to yield the floor to a very dedicated, professional of whom I'm proud to work with, Executive Director of the Human Relations Commission. As President Abell said, we'll both be here for the duration of this forum, along with our attorney, David Kent. So, in the event that there are questions, specific legal questions, we're more than happy to address those. Thank you very much for your attention.

Diane Clements: Good afternoon. Well, I think he's just about said everything. I guess that's the risk of coming after a college professor that does this for an hour without taking a breather. We did attempt to make changes in the Human Relations Commission ordinance to strengthen our enforcement in the area of public accommodations, employment, housing and education. We did add definitions just to make those changes, or the enforcement that we thought we already had, more evident. We did fashion those changes after the Ft. Wayne Human Relations Commission ordinance, in large part, but as Dr. Dion did state, we do follow Bloomington, Ft. Wayne, Lafayette and Indianapolis. Indianapolis, as he did indicate, has a more expansive ordinance, where our ordinance is, in essence, voluntary investigation and voluntary mediation. Indianapolis does not have that option. So, they do actually implement the most expansive type of civil rights law in Indiana currently, and they have not ever been challenged. But, I just would like to say, again, we are here to promote equal opportunity in public life, and this effort to include gender identity and sexual orientation, of course, has been the most, I guess, controversial of the changes that we have here, but this did not start with my tenure here. These changes pre-dated me, I remember actually reading about it in the news, but, I think, that there have been commissioners that have tried to bring these protections into the Human Relations Commission ordinance for some time. Just to give you just a brief history of the Human Relations Commission, we go back, again, to 1948 under Mayor Dress, and became defunct until about 1965 under Frank McDonald, Sr. It was the year after the passing of the 1964 Civil Rights Act, and also it was some concern about an inactive Human Relations Commission. It's been said, I think, the pastor of Liberty Baptist Church, the Reverend Charles King, who was also the second president of the Indiana, I'm sorry, the International Association for Official Human Rights Agencies, helped to move that forward or advance having human relations, or human rights on the local level. The first director was also hired in 1965, and each director it seems as though different things have been added to the enforcement. The first director was Joan Byers in 1965. The second director was Janet Walker, and that was then staff was added. The third director was Donald McNary, under his tenure the commission obtained enforcement and subpoena power. The fourth director was Jacqueline LaGrone, under her leadership jurisdiction was obtained in the county. The fifth director was Floyd Edwards, under his direction was the expansion of the fair housing awareness campaign. I happen to be the sixth director, and under my tenure we've been able

to obtain funding through the Equal Employment Opportunity Commission and also HUD. We are a FEPA agency, as well as receive certification to become a substantial equivalent agency in terms of investigating housing complaints. So, this work continues to move on and advance. We also provide administrative support to the Commission on the Social Status of Black Males, as well as the Evansville Advisory Board on Disability Services. But, back to this didn't begin with this, my office particularly, but I think it's in the spirit of being welcoming and being inclusive to all people. The Human Relations Commission is also a member of the International Association of Official Human Rights Agencies, and the mission is to foster human and inter-group relations, enhance human rights practices under the law, promote civil and human rights around the world. During those trainings or conferences that both Dr. Dion and I generally attend annually, there are numerous trainings and resolutions offered by an aura that promote non-discrimination for sexual minorities in public policy. The Human Relations Commission is also a member of the Indiana Consortium of Civil Rights Organizations, which is a professional civil rights organization in which the mission is to promote equal opportunity, non-discrimination and good human relations with regard to race, color, sex, religion, national origin, ancestry, age, familial status, sexual orientation, gender identity, sexual, I'm sorry, socioeconomic status, disability and other immutable characteristics. It's also worth noting that in January of 2012, HUD Secretary, Shawn Donovan, announced new regulations to ensure equal access to housing for all Americans, regardless of sexual orientation and gender identity, and that final rule is available, and also very much a reason why we thought that this was a very topical thing to do. The U.S. Commission on Civil Rights just recently published a report focusing on government efforts to enforce civil rights laws with respect to peer-to-peer violence faced by students and made the recommendation that the U.S. Departments of Education and Justice should track complaints that they receive regarding harassment based solely on sexual orientation that are closed for jurisdiction otherwise. So, again, this is new frontier in the area of civil rights and human rights that I think that most civil rights organizations have already made this amendment to their missions, and, therefore, we think that it's something that we need to do on the local level as well. Again, it's also important to say that we do recognize that there are religious freedoms, being able to express your religions that respect any type of change that we're making here today. I think that the law anticipated that and some of the frameworks that are set up to make sure that there are checks and balances and that people's religious rights can be expounded upon at any time during this public hearing to ensure that people's religious freedoms are going to be respected, however, there is also that tenet that you have to respect other people's beliefs or the belief, not to believe, that is a belief as well. So, we have to co-exist in this community, and I think that's why we're here today. I think that it's great that all people feel, the Human Relations Commission doesn't often get audience, so we're a little bit excited about it so people can hear a little bit about what we do. I think in the final analysis we have to co-exist in this community and learn how to work together in the spirit of inclusion. I'm here to answer any questions.

President Abell: Thank you, Diane. Since you'll both be around for questions, I don't think the Commissioners have any questions right now. We're doing to let the general public speak, and if we have questions we'll address them at the end, okay.

**Public Comment**

President Abell: I'm going to take three speakers from each side. First we'll start with the opposition side, Robert Jones. Mr. Jones, I would like to remind you that we would like to have you speak about three minutes.

Robert Jones: Not 20 like—

President Abell: I'm sorry?

Robert Jones: Sorry. Thank you.

President Abell: Please give you're name and address.

Robert Jones: Yes, I'm Bob Jones, and I'm Executive Director of Fresh Word Ministries, operating office at 5425 Oak Grove Road, 47715. I do live in Vanderburgh County. I want to thank you for saying the Pledge of Allegiance. One thing that touches my heart, you did "Under God", and that's what my testimony here and statement is. I'm a veteran of the Navy, and I was a store manager for a major tire corporation for 11 years, 25 years as an insurance and investments, and presently started this ministry 11 years ago. I work with over 1,200 sexually and relationally broken people and their spouses for over 11 years, and I'm a 501C3, not-for-profit organization on this faith-based ministry that I draw no income from. I live my life as a born again Christian. I believe the Bible is the inerrant and uncompromised Word of God, and to my best I imitate Christ in all that I do. I personally feel that every person the Lord God created has value and worth. We are to judge those actions, as well as our own, as clean or unclean, righteous or unrighteous, but only the Lord will judge our heart and soul as well as everyone else's, according to Revelation 19:2. God's law is a higher law than the law of the land. The Bible states that the Lord God made man and woman in His image in Genesis 1:26 and 28, and commanded them to be fruitful and multiple, Genesis 24, pardon me, Genesis 2:24 says that a man shall leave his mother and father and cleave to his wife and they shall be of one flesh. That's what we call the marriage bed in the Christian community. One man-one woman and that God's law, which is perfect and clean. That's where we Christians are to live our life, clean and righteous, in and through Christ. We are to be imitators of Christ, outwardly and behind closed doors. People need to realize what the agenda is of the Evansville gay community's intent. It is to capture the young and the old into a lifestyle or an acceptance of their identity. Nationwide they are attempting to capture, all the way down to kindergarten and pre-school, grooming these beautiful, innocent young children into same sex lifestyles. California is a great example, following Massachusetts, Oregon, New Jersey. Locally this gay community's actions we should evaluate here. Is it headed towards clean or unclean, righteousness or unrighteousness actions? We Christians stand on our Lord God's law. Here's some of the activities according to the webpage supporting and aiding residents dealing with HIV afflictions. That sounds very kind-hearted and compassionate. This same organization is handing out free safe sex kits to people that have same sex activities. Is that clean or unclean? But, according to the Center of Disease Control scientific proof shows that a very high degree of failures of condoms as STD's penetrate the pinholes and pass STD's potentially. Science proves that the safest is abstinence to prevent the HIV, not promotion of same sex activities. I ask you to judge their actions. Again, every person has value and worth, and we are to judge these actions. According to Leviticus 18:22, though shall not lie



with mankind as with womankind. It is an abomination. The activity is an abomination, not the individual, but the activity is an abomination according to God. Leviticus 20:13, if a man also lie with mankind as he lieth with a woman, and that's what we Christians refer to as homosexuality, both of them have committed an abomination and they shall surely be put to death.

President Abell: You have 30 seconds, sir.

Robert Jones: The blood shall be upon their head, and we Christians understand that that is unclean, unrighteous actions, but God will judge their soul and their spirit. Furthermore, in the Evansville gay community offers, the organization have Saturday night pizza parties and games for school age youth, recruiting them to assemble, the safe sex kits that have condoms in them, and they give those condoms to these youth.

President Abell: Mr. Jones, that's five minutes. I'm sorry.

Robert Jones: Okay, Beverly Holt, I believe is yielding her time to me.

President Abell: No, sir. I'm controlling this meeting, not you. I'm sorry, that's it. No one yields their time. This isn't Congress. I'm sorry. You're finished. Martha—

Robert Jones: May I give you a copy of the rest of this?

President Abell: You may, yes. Martha Stout is the next speaker.

Martha Stout: Martha Stout, Vanderburgh County, 1318 East Boonville-New Harmony Road. I'm not a public speaker, so I'm gonna have to have notes. I'm sure this is going to be an emotional evening, but for myself I don't think we should base our laws or ordinances on emotion. We must think whenever we do a mandate, how is this going to affect this side, how is it going to affect this side? Then we might hear, oh, but we're doing it for the good of the community. Where do we hear that in history? About the petition, when I was reading through it, and on my page when I printed it out it was page four, gender identity, it states, a person actual or perceived gender related attributes, self image, etcetera, etcetera, you can read that. I thought that was rather odd. I mean who gets to decide whether it is perceived or actual? Am I supposed to make the perceiving? Is the other person making the perceiving? I can't imagine why the lawyers let that kind of verbiage go by, but, I think, and as the gentleman said before me, the real truth here is not a campaign for equal treatment in society. This is an agenda to eventually force society to accept homosexuality as a normal and acceptable behavior. Let me give you a direct quote from The Overhauling of Straight America, by Marshall Kirk and Erastes Pill.

“Our campaign should not demand direct support for homosexual activity, but should instead use anti-discrimination as its theme.”

Our society has been played on by the use of anti-discrimination to silence Christians or anyone that expresses concern over homosexual behavior. Another argument I hear about gender identity is if you support civil rights you should support homosexual rights, because they're the same thing. Voters and government officials are buying into the idea that the sexual preference of homosexuals deserve the same legal protection and support as the political rights of racial minorities and religious groups. The error in this thinking is that homosexuality does not meet any

of the three basic criteria for legally protected minority status; immutable characteristics, economic hardship and political powerlessness are those three. Homosexuality is a matter of behavior, not genetics. I had old figures for per capita income, in 1991 it showed that actually the homosexual household might be more. Then I ran in, the latest I found was 2008, and it said that that playing field was more or less equal now, but still if it is equal they cannot complain economic hardship. As for political powerlessness, the homosexual lobby is currently one of the most powerful in Washington, D.C. Then I had a thing on the Human Relations Council, I went into the website, and you find very little there, you don't even find the people listed that are serving on the commission. I did call the phone number and the lady there was very kind and she gave me the name of the people on the board, or commission, but one thing that was disturbing is she said there's a two year appointment, but they can be appointed over and over and over. I think that is something that needs to be addressed. I mean, that can be a power base, or anyone that has an agenda can stay on that board. I was told that, well, if I looked under the Mayor's office I might be able to find more about the Human Relations Commission. If that's true, it should be on the Human Commission's website. So, I am strongly urging you to oppose adding sexual orientation and gender identity. Thank you.

President Abell: Thank you. The next speaker is Berniece.

Berniece Tirmenstein: Berniece Tirmenstein, 1636 East Blackford Avenue. I am opposed to the proposed ordinance. I have a big issue when the Human Relations Commission has so much power when they are not an elected body, they are appointed.

President Abell: Thank you. The next speaker will be from the, those people speaking in favor of the proposed ordinance. The first speaker is Kelley Coures.

Kelley Coures: Greetings. I'm usually here begging for money for the Old Courthouse, which I will be doing shortly because the scales of justice fell off one of the sculptures. Just to let you know that that's coming, and, put to death, really?

Commissioner Melcher: Can we go ahead and fix the flag pole too so we can hang a flag?

Kelley Coures: Yeah, there's several things that I'm going to need money for. So, I need you to go ahead and like look at the checkbook and see what you have extra out there.

Commissioner Melcher: Sure.

President Abell: That would be zero. Would you give your name and address please.

Kelley Coures: Kelley Coures, I live in Vanderburgh County, 12320 Kenai Drive. Luckily, I've known every one, almost everyone at this table for many, many years. Marsha Abell I've known, well, I'm not going to tell you how many years that we go back, but I am probably the luckiest person in Evansville. I'm probably the luckiest person in Evansville. I'm very lucky because I've had friends like Marsha Abell, and Joe Kiefer and Joe Harrison, Jr., and Steve Melcher in my life, all of my life. I'm probably the most visible, other than Wally, probably the most visible gay person in Evansville. I write the On and About Town column in the Courier and Press every

Sunday. I'm so lucky that I have that job, because I get to meet everybody in town, whether it's someone who would like me or someone who doesn't like me, whether it's a visitor to Evansville, whether it's a newcomer. I get to meet everybody, and that's a wonderful, wonderful thing. It's a wonderful opportunity that I have. I love it. Someone asked me one time when you guys appointed me to the Old Courthouse, as President of the Old Courthouse Foundation, they said, well, did they know you were gay when they did that? I said, well, unless they've all had lobotomies in the last six months, yeah, I guess they do. But, of course, I support this ordinance, I supported it when the City Council was considering it, I support it now for a variety of reasons. I support it, you know, the City of Evansville, you know, and you talk about, you mentioned the youth group, gay and lesbian teens are five times as likely to take their own lives, because of pressure, because of condemnation, because of bigotry and hatred and bullying. They are five times as likely as other teens. We see it over and over and over. That youth group was started and managed by adult facilitators who are screened very, very carefully, those kids are wonderful. A lot of my kids, one of my kids are here tonight. Where are you? A lot of my children are here, and I call them my children, because I love every one of them. The City of Evansville now recognizes GLBT people in their ordinance. It's unenforceable at this time, but it's still recognized. That's a good thing, because it recognizes their humanity. It recognizes their humanity. Civil law recognizes their humanity. Even though it's unenforceable, it's a ray of hope. It's a ray of hope for these young people that the government, their politicians, the people that are elected to office recognize they exist as humans in the community. One of the things that happens to a gay teenager who's facing all that pressure and all that...I'm the luckiest person in the world because Marsha knew, Marsha knew my stepfather, my late stepfather. She knew him, she worked for him. Her first job in Evansville was for him. I was raised by the most compassionate, wonderful people that you could ever have in your life. When school, when bussing first started, when racial bussing first started, my mother who is in a nursing home now with Alzheimer's, my mother rode those busses every morning, because white parents were throwing rocks at the school busses as they came east with the black children to the east side. My mother and several other mothers went downtown every morning and stood in those school bus doors to stop people from throwing rocks. My parents never put that kind of pressure on me. They let me develop into the person that I am today, for good or bad, whatever you want to think. My mother's first husband, his father was a Jew. As a Jew he could not have bought the house that I grew up in on the east side of Evansville. I was born in 1959, and until 1964 the deed to that house would have prevented him, a Jew, from buying that property. It said in that deed, no person, and I still have it, no person, not of the Caucasian race or the Christian faith can buy this property. It says that right in the deed. So, religious freedom has its price. My grandfather came to the United States from Europe in 1935, he just barely escaped, barely escaped sure annihilation with my father as a seven year old child. I see the great diversity of this city, and I love Evansville. I love every crazy person in it, some who want to put me to death, if that, so be it. I was asked by several friends to pass along their comments as well, the first one is; "I believe the greatest gift we can give one another in this life is the opportunity to earn a living wage, to work and live as equals. Please support the Human Relations Commission changes tonight, so that areas in the county will match the progress made in the city." That's from Gail Riecken, State Representative, District 77. "Our rabbis teach us that we are to behave toward others as we wish them to behave toward us, all being equal, no matter race, age, abilities or orientation. There is no room for bigotry in a civilized society." Rabbi Helen Bar-Yaacov, Temple Adath B'nai Israel.

Commissioner Abell: Kelley, you've only got ten seconds.

Kelley Coures: Susie Kirk, please add my name to the list of citizens who support the county adopting the same Human Relations Commission ordinance, a good Republican. I thank you.

Commissioner Abell: Thank you, Kelley.

Lindsey Fehribach: Hello, my name is Lindsey Fehribach. I live at 5123 Chadwich Road in Evansville, Indiana. I am a current resident. What I want to say to you today is I am in favor of this ordinance, because I am a student, I am spiritual, and I am gay. I am all of these things, but not everybody accepts me for that. That's okay, but I think they should. I'm really nervous right now, I'm sorry.

Commissioner Melcher: Just take your time.

Lindsey Fehribach: Okay, and I have been very much treated as an outsider during my entire life, and I think that should stop. Thank you.

Commissioner Kiefer: I just want to congratulate her on having the courage. I know, I could see she was a little bit nervous. Appreciate you coming up and making your comments.

President Abell: Thank you. We are now going back to the next three--

Unidentified: (Inaudible. Microphone not on.)

President Abell: No, I'm sorry.

Unidentified: (Inaudible. Microphone not on.)

President Abell: I skipped over you?

Commissioner Melcher: You only had two on that one.

President Abell: Oh, I see, somebody had scratched your name out, or Michael Harris was in there and you wrote over it.

Unidentified: (Inaudible. Microphone not on.)

President Abell: He isn't here, but he signed himself in?

Unidentified: (Inaudible. Microphone not on.)

President Abell: Okay, Jon Barrell.

Jon Barrell: I should have gone before Kelley, because he's actually 14 days younger than I am. I just wanted to say thank you for saying the Pledge of Allegiance at the very beginning too, because without God and a belief in Christ and my church family, I would never have been able to live my life as I choose. I've had the pleasure of going to the Human Rights Commission, and because gender identity and sexual orientation is not included in the county, or the city at that time, all they could do was just make note of it. At that time that I wanted to file a

complaint about being discriminated against, I had to go to Indianapolis, but, as a good commission they were willing to listen to me and listen to what I had to say and what happened and make due note of it, but could not do anything to help provide me the protection of being discriminated against. I've been out and proud for over 39 years. I first found hatred when I was 18 years old and a senior in high school. That's kind of why to me that the youth group is very important. I've been a foot soldier for the, for gay rights and civil rights for over 39 years. Why? I was beaten, along with two other people just because, in Vanderburgh County I happened to be in an area that was frequented by homosexuals. What happened after I got beaten, along with the other two people? I was lucky that I didn't have to go to the hospital, the other two ended up with stitches and cracked ribs. Five individuals who were my age or a little bit older decided they needed baseball bats and needed tire irons in order to say that we didn't need to be in the area that we were. I completely lost a beautiful 1963 baby blue Ford Galaxy in the process of that because they busted out every piece of glass and tail light and head light that was in there. What happened right after that? Without the help of a stranger who didn't know me who opened their car door, because the other two people had already ran away bloodied, they opened up their back car door and allowed me to hop in the car. Where did I go? I went to a place that I knew an officer in uniform was standing there. Oh, I'm sorry, they were private duty. I was told by that officer as I stood there all bloodied, that there wasn't anything they could do for me. That all I had to do was go over to the pay phone and call for help. Well, of course, I was shaking so bad and was so upset that somebody else who was standing there went over and called on the pay phone. An hour later when the officers arrived there was nobody around that they could arrest. I'm still here today, but the reason I was there was because I was a gay youth. I was going where I could be with other people who were my allies and that were just like me. Today, thanks to the Tri-State Alliance, we provide a safe environment for gay youth, lesbian, transgender, bisexual and their allies a safe environment, that they can feel safe without getting beaten or called names or abused. I also had the opportunity to be discriminated by a business here in town. That business chose to record me out of the paper because I was at an AIDS candlelight memorial service on the front page, and chose to take that, and when we did the original for the youth group, did the original news media event telling people that there was going to be a safe event, they copied that and sent copies of it to my employer. Now the Vice President of Operations of the company came and asked me about it. I asked him, why are you asking me? I said, are you asking as a concerned Christian that I know you are? Or are you asking me because you're afraid I have AIDS and you're worried about the assets of the company? Of course, Jack said as a concerned Christian that he was. I honestly told him who I was and what I stood for. I'm not ashamed. I've lived a great life, I've raised five children, I've had a partner of many years, and I would just like to see myself treated equal as all of those around us are treated. They talk about providing condoms, I work in a business that provides condoms for the community, and, you know, probably 50 percent of those condoms, those safe sex kits that go out, that keep people from having diseases, or contracting HIV, go to our allies that are in the community. They pick them up as they go out the door because they want to use them as a form of birth control. Well, thank goodness somebody is providing those. One of the nice things that I learned early in my life with my church family, who has always supported me, that one of the first things that you've got to do when you live your life is to understand forgiveness. I just want you to know that any hatred you want to give towards me, that I now forgive you and always will. Thank you, of course, I do support the ordinance.

President Abell: Okay. The next speaker is Brenda Bergwitz.

Brenda Bergwitz: My name is Brenda Bergwitz. I live in St. Joe in the county. I wasn't really going to talk, I was going to yield, but I've been sitting there and thinking, I am against this, but, yet, at the same time, I want to tell you people that I'm a child of God just like each and every one of you are.

President Abell: Brenda, you need to speak into the microphone, we're recording this.

Brenda Bergwitz: I'm sorry, but, anyway, I'm a child of God and I love every one of them unconditionally, I just do not approve of it. I've got friends that are gay, lesbian or whatever, but I'm still against it, and that's all I have to say. Thank you.

President Abell: Betty Polk.

Betty Polk: Betty Polk, I live in the county, in the north side, 414 Hunters Green. I'm opposed to this ordinance because I'm concerned, why do we need a special ordinance when we already have a discrimination ordinance?

President Abell: Thank you. Steven Walker.

Steven Walker: I'm Steven Walker, United States Navy retired, honor to have served, proud to be American and Hoosier. I live at 1111 Cherry Street in Evansville. I come before this council today as a former school teacher and as an advocate for the protection of the school children in Vanderburgh County. First, I believe the passing of this ordinance would place our community's children at harm during their developmental years while they attend at their particular school. Potentially, the boys and girls will have the choice of using the bathroom of either gender at school. This would violate the privacy of many students who do not want to share the facilities with anyone of the opposite gender. Further, it would stimulate confusion to many youngsters as to what their own gender identity actually is. This is an intrusion by our government in an area of any child's development that must be the sole responsibility of the child's parents or guardian. The council must reject this ordinance, or be guilty of violating the gender development of every child in the local schools. In my opinion it is a crime against our children from the passage of this ordinance, and forever, potentially causing adverse behavior in all future adult generations. Inter-gender bathroom usage would also provide for and promote promiscuous activity of our children in the school setting. This could result in criminal prosecution of students, juvenile pregnancy and litigation against the Evansville, or rather Vanderburgh County Council, or Commissioners. In answer to these anticipated problems if this ordinance is adopted would be to abrogate the usage of the gang bathrooms for the boys and girls in every school. To do this would require the construction of individual, private bathrooms in every classroom to ensure privacy and to prevent opportunities for promiscuity. This, of course, would be an exorbitant, unnecessary cost, which I don't believe the School Board could easily absorb, nor could our taxpayers easily afford this horrible offense to the children of Evansville. Please be careful in considering the passage of this ordinance. Not only would it be necessary to spend a fortune to accommodate a group of people who are not a special class of citizens, nor are they a minority, but only a group of people who have chosen this particular lifestyle. Generations of children would adversely be affected for life. Please protect our children and the county taxpayers by rejecting this ordinance. Thank you.

President Abell: Thank you. Wally Paynter.

Wally Paynter: My name is Wally Paynter. I live at 620 North Main Street, downtown Evansville. I am a gay man, originally from Carmi, Illinois. My parents are straight, my brothers and sisters are straight, my neighbors were straight. You know, it was suggested that people are taught homosexuality, I knew in third grade that something was different about me. I didn't have the internet or anything else, so I couldn't quite figure it out. As time went on I figured out that gay people existed, and luckily I come from a family that accepts me for who I am. That's important. I work here in the county, I'm President of the Tri-State Alliance Board of Directors, I am an active member and a committee chair at First Presbyterian Church. I don't think anyone here speaks for all Christians. So far, what I've heard, people don't speak for me. I do oppose the death penalty for gay folks, just to come out on that one. You know, this ordinance is important, the city has already passed it. Some people have said all of these horrible things would happen if the city passed it. Well, I've done some research, I've gone to UE basketball games and some Icemen games, you know, and to answer the bathroom question, even though it passed in the city, I can tell you that when I looked at the bathrooms, you know, that the men still knew to go to the men's bathroom and women knew to go to the women's bathroom. There was no chaos, it all worked. I hope when people say things that I think, you know, I think they're ridiculous, I hope it comes from their heart and I hope they're not just stirring a smokescreen just to stir a smokescreen. The bathroom, I think, is a smokescreen. I spend half of my time living in Evansville, I spend half my time in Carmi, Illinois. My mom has Muscular Dystrophy, you know, and when she's not doing well, my little sister takes care of her during the day, and I take care of her during the nights. Illinois has this law. In Illinois it's enforceable. When I go to something in Illinois people still know what bathroom to go to, and that problem doesn't happen. When I cross, when I spend the night in Illinois and I cross the New Harmony bridge and I lose my rights, I hit Vanderburgh County, still no rights. When I hit Evansville I have some token rights. I asked Dan McGinn, a friend of mine, you know, what should I say tonight? His suggestion was, you know, since this is unenforceable, you know, since there's compulsory laws and not compulsory, you know, the worst thing that's going to happen if a complaint is filed against you is the Human Relations Commission is going to call saying there was a complaint, someone would like some mediation, do you want to accept the mediation or not? That's the toughest thing that's going to happen. You know, this covers straight people too. It covers straight people if you are perceived to be gay or lesbian, and you're not, it says, no, you shouldn't be fired either. A friend of mine who went to my church, Meg Blair, used to own Research Systems Corporation, she was an out lesbian, before this ordinance passed she had the right to ask people are you straight and she could have fired them. She's a smart business woman, she didn't do that, you know, but, currently that's what can be done. You know, when we talk sexual orientation people think just gay, straight is a sexual orientation as well. You know, so this protects straight people just like it protects gay folks. You don't have to approve of us, you just can't fire us. People talk about what qualifies as minority and what should be covered. Well, I am a Christian, I go to First Presbyterian Church, and that's a choice. My religion is a choice. I grew up in religion, but I had a choice whether or not to stay religious. Religion is covered. Churches are exempt from this. A minister can say anything they want against gay folks or against straight folks or anybody else, they're not going to be arrested, churches won't be closed down, First Pres I think is one of the more liberal churches in town, but it's established. It was the first church in Evansville, you know, and there's no fear, you know, of our minister being arrested for anything he says, or our church being closed down. You know, churches and religious folks are exempt, it just says you can't fire people. I think discrimination is wrong. The city passed this unanimously, Mayor

Lloyd Winnecke supports this. Evansville has not come to an end, and I don't think Vanderburgh County will come to an end. I think it will say something progressive about us, that discrimination is wrong and we value all of our citizens. Thank you.

President Abell: Thank you, Wally. Phil Hoy.

Phil Hoy: My name is Phil Hoy. I live in Evansville at 217 Cherry Street. I want to thank you all for holding this hearing. I have sat in those chairs for 12 years as a County Councilman, and it takes great patience to sit there and listen. I understand that, so, thank you very much. I've been kind of amazed so far that the only part of this ordinance that's been mentioned is, there's only two parts, sexual orientation and gender identity. It also includes age and disability, in my understanding of it. I just wanted to insert that into the comment tonight, because I'm old and I have lots of good friends who have disabilities they deal with. I'm currently in my ninth year as pastor of a church in Henderson, Kentucky, which back in 1994 said we will consciously be open to GLBT persons. They've taken a lot of flack for that, but they also have grown from that. A third of our membership comes from Evansville because they wanted to find a church where they felt welcome. By the way, many of those folks from Evansville are like me, they're straight, not gay, and married, most of them, and they just want to be affiliated with a church that is open. This ordinance is not going to have a negative effect on religion, as has already been pointed out. Nothing is going to happen. Nobody's going to go in and arrest a minister who is up there railing against, you know, homosexuality, citing Leviticus. I wish that first speaker had cited the whole Leviticus code, because it talks about piercings and tattoos. It talks about if your kids disobey, in the holiness code, you can kill them. I mean, I just, you know, and it's contrary to the ten commandments, which we all like to post places, you know, thou shalt not kill. That is ancient scripture, and I don't know many people who abide by it anymore, except when they want to oppose an ordinance such as this. Churches are interesting, churches accept all of the benefits of our taxes. If the church catches on fire, you call the fire department. The church doesn't pay taxes for that. Somebody breaks into a church, you call the police. They don't pay taxes for that either. If the river rises, they don't pay taxes for the levee, they don't pay taxes for the street paved in front of them, and on and on and on. It's kind of interesting the tax breaks that we give to religion in this country. I'm not opposed to that, but it's something that churches need to be reminded of, and religious folks need to be reminded of is that they're getting a real, real tax break. Going back to the issue of gay and lesbian people, when I ran for the legislature one year I was called into a meeting at one of our largest African American churches, where my credentials were being questioned running for that particular seat because I'm a white man. It was interesting, I was the only white man in the room. After two legislators, African American legislators came down and said we want this guy, we know his civil rights record, then someone in the back of the room said well, what about your stand on gays? I'll never forget the pastor of one of the largest African American churches stood up and said, that is not an issue, they sing in our choirs, they play instruments in our services and all of that, and it's just not an issue and it went away. Now, I know that to talk about gay people as musicians and artists and all is a caricature that is not true across the board, by any means, but I thought it was interesting how that put the caboche on that whole discussion. I did get elected, and then when I went to the legislature, talking about Governor Daniels, I remember when that horrible marriage ordinance, marriage amendment came up, Daniels office was filled with people from Eli Lilly, from Cummins Diesel and other companies as big as those companies are saying, please do not do this because you will hurt our recruiting nationally and we will look like



fools, because they wanted to hire people who were gay or lesbian or transgender or bisexual, because they had the skills to fill those jobs, and to do the research sometimes that will provide a medicine that will save my life or yours. We need to move into the 21<sup>st</sup> century. In my denomination we wear this little comma, we say that don't put a period where God put has put a comma. God is still speaking. I think we're going to learn in the near future that gay people and GLBT people, all of them are simply genetically programmed that way, and we're going to have to admit that we made a mistake. The psychological and psychiatric community have already eliminated this from the diagnostic and statistical manual that they go by. So, I hope that you all will vote the right way on this and include these things in the ordinance, and don't postpone it. As the theologian, Harvey Cox, once said, "Not to decide is to decide". Thank you very much.

President Abell: Thank you, Phil. Alex Kessler.

Alex Kessler: My name is Alex Kessler, 1818 Rachelle Lane, Vanderburgh County. I'm going to show off my college student abilities, because this is how good I am at writing papers, because I just wrote my speech while sitting. What this ordinance means to me, all my life I've had to advocate for myself. I've been told that I can't do things, because, not based on my ability, but because based of who I am. Nobody has ever looked at my abilities, they've just told me you can't do this because of who you are. Just recently, you know, I've made a decision that I'm going to transition from female to male. I've known since I was two who I am, but before then, like, I was two and stuff, and I also was afraid, but I'm not afraid anymore. I don't believe that this, my decision or my transition affects my jobs in any way, and that I'm not able to perform them any less or any better, but I would also say that I think it helps me perform my jobs, because I'm not distracted with my own repressed feelings, so, I'm able to think clearer and do my job that is laid in front of me. Also, I would say that I'm a harder worker, because I have to prove to people that I can do the same job as them, because they don't believe me because of who I am. I've been told that I'm hard to qualify, because I don't fit in with the norm. So, sorry, usually I'm not nervous, but if you could have told me that I was going to talk in front of the County Commissioners today I would have told you anything but that. You know, throughout this journey I've told people, you know, I'm very open about my transition, and I'm not afraid of what's out there. You know, it's sad to say that I'm used to everything that I've heard so far being said. You know, I can't tell you that I haven't heard this, and, you know, it's sad that I'm only 21 and I've heard more than most people my age. I'm also here not to advocate just for myself, but for others that don't feel like they can say, get up here and say what they feel. I know what it's like to be silenced and I won't be silenced anymore. What happened to don't judge or live to let be? I would have to argue with Kelley as he said before that he feels like he's the luckiest person in Evansville. I would have to say that I think that I am the luckiest person in Evansville, even though he's a tad bit older than I am. I'm from a town five hours away from here, and I chose Evansville because this is where I wanted to go to school. I attend the University of Southern Indiana, and honestly it's the best decision that I've ever made. I haven't made, you know, that many decisions in my lifetime, but definitely coming down here to Evansville has helped me out. In fact, I can be honest and I can look each and every one of you in the eyes right now and tell you that if I wasn't here, I don't think I would still be alive. It was the people here that I met that saved my life. The people that I met that have helped me come into myself, the people that, you know, have made me a better person. I wouldn't have gotten that if I was still at home.

President Abell: You've only got a few more seconds.

Alex Kessler: Okay, as stated in the Pledge, you know, justice for all, just not justice for people in certain categories.

President Abell: Thank you. Jeff Day.

Robin Radcliff: I'm Robin Radcliff and I'm going to be taking his place. He has left. He's ill.

President Abell: Well, we don't, we haven't allowed anyone to do that.

Robin Radcliff: Okay. So, is there a list that I need to get on?

President Abell: This one.

Robin Radcliff: Okay.

President Abell: There's some more of them there. Rod Murray.

Rob Murray: Thank you for allowing me to come and speak. I live at 5801 Shelbourne Road here in the city. I guess I'm a little stunned by the point. When I consider the amendment to the ordinance, I'm concerned most about the issue that seems to be least discussed, and that is the health issue. I run an organization that takes care of youth and teens and young adults. I've had to sit with young men dying of AIDS, people who are sick with venereal diseases, and help them get treatment. I guess, what I'm concerned about is whenever we endorse behavior that is inherently destructive we have a whole lot of consequences we have to face. The U.S. Center for Disease Control, addressing the issue of sexual deviant behavior, said that sexual deviancy adds to the already overburdened health care dilemma while encouraging risky and unsafe behavior that causes a myriad of health issues from STD's to AIDS to physical abuse, rectal damage, colon and rectal cancer, hepatitis and myriad of other health and social issues, costing Americans millions in higher insurance premiums due to the reflection of sexually risky behavior that's reflected in the premiums. According to the CDC, 82 percent of all known sexually transmitted AIDS cases were the result of male to male sexual contact. Gay and bisexual men account for more than 60 percent of all syphilis cases, shortens the life span of homosexuals by eight to 20 years, depending on which study you are looking at, spreads diseases to innocent people who never engage in sexual deviant conduct. The CDC reports nearly 10,000 cases of AIDS that were spread by secondary contact, blood transfusions or bisexual acts to unaware spouses who were the victims of infidelity. The Gay and Lesbian Medical Association reports, lesbians have the richest concentration of risk factor for breast cancer than any subset of women in the world. They have the highest risk for cervical cancer and are more likely to be obese. They use more tobacco, alcohol and illicit drugs, experience higher rates of bacteria vaginosis and Hepatitis C, have more than twice the number of male partners than heterosexual women, only seven percent who identify themselves as lesbians never had sex with men. They are 4.5 times more likely to have 50 or more sexual partners in a lifetime, three to five times more likely to have sex with men who are at high risk for HIV, homo, bisexual and IV drug users as well. They are six times more likely to abuse drugs intravenously. The average number, according to the Gay and Lesbian Medical Association, the average number of sexual partners in a lifetime for the heterosexual is four, for the homosexual, 50. The

University of Chicago's survey, "Sex in America", found that monogamy among heterosexuals in 83 percent, but among homosexuals less than two percent. Of the more moderate surveys found, an infidelity of 62 percent among gay couples. This fact led researchers in the Journal of Family Psychology to write, "The practice of sexual non-monogamy among some gay couples is one variable that differentiates gays and heterosexual couples." There is, I believe, at the heart of this debate a serious moral issue that undermines the very fabric of society, regardless of one's religious views. Since we understand how legislation and ordinances enacted by government agencies on every level lends validation and normalization to certain types of behavior, both positive and negative, and we understand that we have a responsibility to our children to protect and ensure that they have every means necessary to enjoy the best and healthiest lifestyle possible. Knowing that they, of all people, are the most easily influenced by our decisions and the precedents that we set here. We recognize that our children have already been exposed to a flood of filth and degradation in our society as a whole, unlike any in human history. Teen pregnancy and promiscuity at all time highs. We understand that with shocking results of this type of behavior, record high levels of STD's, one in five of our teens carrying incurable herpes, teen pregnancy and uncontrolled promiscuity unlike anything in modern history. I understand and we believe that sexual behavior is not a minority status, not a handicap or disability, it is a decision, and our children pay the price with each successive generation building on the last. The question before us today is not how will our children be affected by ordinances that endorse destructive behavioral patterns, but rather how will our grandchildren and their children be affected, specifically the amendment before you now regarding this code and the amendments in the ordinance. Once we open this Pandora's Box, how do we close it? When do we say no more? What if other sexual deviant minorities seeking to force legislation upon our society that will legitimize their behavior? I implore this council to conscientiously consider striking down any ordinance or legislation that would compel us to endorse that which we know is potentially harmful and fundamentally destructive to our community and our society at large. Thank you for your time.

President Abell: Thank you. Kari Barron. Kari Barron? Robert Barron?

Unidentified: Oh, here she is.

Kari Barron: Kari Barron is here.

President Abell: Kari Barron?

Kari Barron: My name is Kari Barron. I live at 4536 Arrowridge Drive in Vanderburgh County. Like everyone else, I'm standing up here nervous as well. I think that the consensus, for most people, and their belief, their incorrect belief, is that as a born again Christian that we are the epitome of hate. This has nothing to do with hate. What this has to do with, is that as a born again Christian, we, if you are a born again Christian, a person that is sold out and in love with Jesus Christ, you love your neighbor as yourself, but like Jesus Christ we will never, ever advocate sin. We will love the sinner, but hate the sin. I come from a biracial family with a sister that's biracial that's 38 years old, I grew up in the 70's in a biracial family in Iowa where there weren't any biracial families. I think I was the only one. I grew up with a brother that lives as homosexual man, so, I am no stranger to living, I have never lived in a box is what I'm trying to say. What I did find out by reading the Word of God, Jesus Christ's inerrant Word, is that God never made anyone anything. That we are born

into a sinful state, but that we have the freedom of choice, always, every soul on this planet has the freedom of choice to choose Jesus Christ, and He alone will set us free from sin. I'm not isolating homosexual sin as a worse sin than anything else, because if you know the Word of God, He says that lying, or any sin is sin. What I'm trying to express, and I am not an educated woman, I left home at 17 years old and I didn't pursue an education, so, I feel uncomfortable speaking up here as well. What I can tell you is that I'm no stranger to adversity, I'm no stranger to pain, that I had my own obstacles as a human being to overcome, and that, in fact, I will add that I had, I didn't have parents, I left home at 15 years old, actually went into the Coast Guard at 17, and I, until my father died, he was never in my life as well, I have a mother that's still not in my life. So, I understand being alone, I understand feeling isolated and different, I have an understanding of all of the things that the homosexual community has an understanding of. What I want to tell you, that I didn't learn from parents, and that I didn't learn from society is this, I learned from the Word of God that he seeks every soul, that every soul no matter homosexual or straight or whatever your plight is, is perishing without, if you are not born again in Jesus, and that the only freedom from all pain and from everything, even though we will have tribulation, is being born again in Jesus Christ. So, my heart is with you. My husband and I preach the Gospel everywhere we go, and we, in fact, we took a boy into our home that lived as a gay man, and he won't be the first, but what we did with him was we told him the love of Jesus and the freedom in Jesus Christ, and that he can be free in Jesus Christ. That none of us on this planet has the, I'm not saying monopoly, no one has a monopoly here, no one has, everyone has the freedom to choose whatever they want to choose in this life, but I'll tell you the only freedom that is worth anything is being free in Jesus Christ, because any obstacle or anything in your life that you need to overcome, the only power that you'll be able to overcome it with is with the love of Jesus, and that's by being born again, and that's by saying no to sin and yes to Jesus. No matter what it is, only Jesus Christ can free us, and I'm telling you, the Word of God, if you know the Word of God you know that we are in the season of His close return. He is coming sooner than we all expect, and there's only one way to God, that's through Jesus Christ. I know also that He says this, that His Word is foolishness to those who are perishing, and I would beg you in the name of Jesus to choose Jesus Christ and be born again, and say no to sin and yes to Jesus.

President Abell: Ma'am, that's your five minutes. Thank you.

(Applause)

President Abell: Please do not applaud.

(Gavel)

President Abell: We are not applauding or booing. Robert Barron.

Unidentified: He's not here. I'm sorry.

President Abell: Charlene Braker.

Commissioner Melcher: I would suggest that when you're up at the microphone you don't have to try to turn around to see anybody, because sometimes when you're doing that it won't get on our tape. We're recording this. It's also being televised, and there's a camera here that's picking you up and picking up all of the audience at the

same time. So, it would be clearer on our tape and everything if you would just face this way and talk, and everybody would be able to see it. Thank you.

Charlene Braker: Thank you. My name is Charlene Braker, 1700 East Blackford, and I am from Vanderburgh County. I hope I'm not on a secondary plane, because I don't personally know Marsha, I mean, I know you, but not personally. I know Joe, I know Steve, but I don't know you all personally, and I'm not running for any political office. So, I hope that puts me on a level plane with everybody else, but I also want to say that I forgive everybody too. I mean, I believe Jesus is the judge, not me. Homosexuals are not an issue at the church I attend, they're just invited to know Jesus as their Savior. So, I've never been to a church that that's been an issue. I think that's out of the question. I agree, I do not see enemies or adversaries here, I just see my neighbors, but my children and my grandchildren also needed to be able to be treated as themselves, with dignity and respect, therefore, I oppose this ordinance on religious convictions. Please maintain private male and female bathrooms, that's going to be an issue no matter what anybody says, if this would go through. Please don't remove this moral stop sign. Thank you.

President Abell: Caitlin Woolsey.

Caitlin Woolsey: My name is Caitlin Woolsey, I live at 6201 Twickingham Drive, Evansville. I just came here to tell you that I am in favor of the ordinance. I think it's not a question, people keep bringing up sexual orientation and gender identity, but it's not, the ordinance is not just covering those things. It's covering disabilities, whether physical or developmental, and it's covering age as well, and I think that's an important thing to keep in mind, that it's not just one issue, there are four things that are being voted on. I'm a devout Catholic, I was raised that. I have a conviction in that. I was raised about the love of God, the forgiveness of God, not the fear of God. I think that's important that everyone realizes it's about love and forgiveness, not judgement. That's it. Thank you.

President Abell: Thank you. Eliot Colin.

Eliot Colin: Hello, my name is Eliot Colin, I live at 327 Southeast Second, Evansville, Vanderburgh. Contrary to popular, to the assumption, let me start over. A lot of people have the false assumption that I was born and have always been female. I am not. For the past five years I have been living full time as male, and in that time I have used many a men's restroom and never had a problem. That said, I work at the Evansville State Hospital, so, I am a State employee, and I am up here speaking because I can, because I can come out as being transgender and know that my job is not at risk, because I am protected, because Mitch Daniels says I am. I feel like if it is good enough for Mitch, then Vanderburgh is good enough too. Thanks.

President Abell: Thank you. Amie McKibban.

Amie McKibban: Amie McKibban, 1210 Corregidor Circle, Vanderburgh County. Good afternoon, Commissioners. First and foremost I want to thank you for taking the time to hear our stories of support today. I'm going to start by introducing myself and explaining my role in this community, as well as the tri-state at large. Again, my name is Amie McKibban, an assistant professor of psychology at USI, and an activist with and for our gay, lesbian, bisexual and transgender community. As part of that role, I have founded and directed a tri-state-wide safe zone program, with a vision of fostering a socially just community through support, visibility and activism. I have

trained over 250 people in this area, as well as led several activities on our campus. It is within this role I hear stories. I hear lots of stories from individuals from the gay, lesbian, bisexual and transgender community. I hear stories of male couples being refused to be served at restaurants. I hear stories of lesbian couples being openly made fun of at hospitals when going in to get treated. I've heard stories of verbal harassment at local establishments, stories of discrimination on the job while transitioning genders. I've heard stories of name calling and neglect at the hands of law enforcement, and stories of assault. I've heard stories of strength and courage. I've heard stories of support and love, but it isn't the details of these stories I want to tell you about today, Commissioners, I want to remind you and the community at large that rights and protections of people should not be at the discretion of the mood of the day. Nor the whim of pop culture. The civil rights and protections of a minority group should not be at the whim of the voters, and I'm glad this is not the case today. It is to that end that I want to remind you, Commissioners, that the vote, excuse me, that the role of a democratic government is to protect the common good of it's people. The freedom to file complaints of discrimination based on age, disability, sexual orientation and gender identity is essential to that common good, and, we, Commissioners, are your people. Thank you.

President Abell: Thank you. Molly Greene.

Molly Greene: My name is Molly Greene. I live at 1311 N. Elliott, Evansville, Indiana. I am opposed to this ordinance based on my, not religious convictions, but my relationship with God. I know there's other issues in here, the age, but the homosexuality, that's what I'm against. According to God's Word, a little leaveneth the whole lump. So, thank you.

President Abell: Thank you. Keith Hoeffle.

Keith Hoeffle: Commissioners, thank you very much for this time. I had a dream—

President Abell: You need to give me your name and address.

Keith Hoeffle: Address? 2104 Bayard Park Drive, zip, 47714. I had a dream, I really did. I actually had this dream the other night that geographic names were changed. Lake so and so was now called April Hendricks Bay, and the question rolls in the dream, now, how will people know where they are? Then I woke thinking, there are many Hispanics moving to the area, as a gesture of friendship to them we could change all the street and building names to Hispanic names, but then that would confuse everyone. People would all wonder where they were, even the Hispanics who have been here awhile. Do the renamers really realize what they're doing? I was actually hoping there might be several times to come up to the microphone, so I had three little particles written. I really would like to answer a couple of people here, but maybe we'll have time. The Jewish scriptures are particularly strong in calling for kindness to the alien and the stranger among you, quote, unquote. The reason, as is always stated, goes because you were strangers in the land of Egypt. Widows and orphans, the alien and stranger all continue to be important in God's Word, but all of them always are yet required to conform to God's law, never the other way around. God's law never conformed to fit the stranger and his ways. I encountered a series of molestation episodes as a boy, age four to 14. It stirred sexual images that continue to arise and threaten my peace even to this day, but the nature of the experience, if pursued, there's suddenly and increasingly addictive. In being practiced, they're destructive for men, even if not practiced promiscuously,

because of the nature of anal sex and the tearing of the bowel and resultant blood related diseases that shorten promising lives. I never want to see such sexual practices promoted and normalized in our society, not for our grandchildren and not for anyone of the little ones in our society who will be struggling or are now, whatever the age, with tremendous threats to their peace. Nor does God want, the God who loves all of us, including all of the categories addressed by this amendment; age, disability, the whole works. Nor does the God want it who loves us enough to come into this mortal flesh of ours and give Himself to break us free from what in this flesh of ours destroys. Thank you very much for the time.

President Abell: Thank you. Mary Ellen Van Dyke.

Mary Ellen Van Dyke: Hello, Commissioners. My name is Mary Ellen Van Dyke. I am, I live at 8100 Fairview Drive in Newburgh. I'm a former Vanderburgh County resident, however, I worship here in Vanderburgh County, I am employed, and I do most of my business here. I oppose this ordinance. I respect the human dignity of every person, but I do not accept behaviors that violate my conscience and my faith. I believe that all people are protected under existing law, so, I feel that this ordinance is not needed. I want to talk to you as a mom. I've heard very many people speak and very eloquently on both sides of this issue. However, I want you to know that on a recent shopping trip to the mall with my daughter, a man came into the dressing room where my daughter was changing. I politely asked that man to leave, but if you pass this ordinance, will I have the right to ask that man to leave? If that man presents himself as a woman, I will not. I think I have the right to protect my daughters, and I think you would want to protect your daughters too. I think most people in the county and across this part, across the country want the right to protect their daughters. This ordinance is government intrusion into people's lives. I respectfully urge you to vote no on this ordinance.

President Abell: Thank you.

Commissioner Melcher: Mary? Mary? We're keeping track, do you live in Warrick County?

Mary Ellen Van Dyke: Yes.

Commissioner Melcher: Okay, thank you.

President Abell: We actually, that was my fault, I thought this was, I thought the address was a Vanderburgh County address. We're taking Vanderburgh County testimony first. So, if any of you live in another city or another county, since this is a county ordinance, we are taking Vanderburgh County testimony first. Ashley Summers.

Ashley Summers: Hi, my name is Ashley Summers. I am not really comfortable giving my address, since I've been threatened to be stoned to death, but I do live in Vanderburgh County and I have lived here for a number of years. I've been a resident of the State of Indiana for my entire life, and I was born here at Deaconess Hospital. I hear a lot of talk about the bathrooms issue, and that men will use it as an excuse to come into the bathroom and look at their daughters and that sort of thing. The majority in the audience behind me probably perceives me as a woman, but I was born a man. I don't get that on a daily basis. This ordinance will help in case someone does decide that I'm not, that they're not comfortable with me in the

bathroom, that I can still be safe. I'm not in the bathroom to ogle at your daughters. I'm in the bathroom to use the bathroom. My sexual preference has no bearing on that. People say that this is a choice. I would say to that, who would choose a life of persecution? Who would choose a life of discrimination? I've been discriminated against at work, in my home, by my family, by my friends, and by my community just for being who I need to be. I was in a very dark place before I changed myself to Ashley Summers. I contemplated suicide at several points in my life. That's a growing problem within the transgender community, that one out of every two of us will commit suicide in their lifetime. It's a 50 percent suicide rate in the small, one percentage of the population that is considered transgender. A lot of people here today will say things like they don't believe that an ordinance should pass based on their religious views, and the Word of God is higher than the law of man. Thankfully, we live in a country where that isn't the case. The law of man overrules any religious beliefs that you may have. The freedom of religion is also the freedom from religion. So, anyone who says that because they don't believe that God agrees with what my side may be doing, it doesn't mean that we, as a community, have to. I feel like I am an upstanding member of the community. I help in any way that I can. I'm an activist for my cause. I'm a fairly friendly person. If a normal person were to meet me on the street, they would have no idea. Yet, at the same time if I were to come up to them and tell them, well, I'm a transsexual, I'll be looked at as an entirely different person. I had that at work, I worked at a local business here, and I worked there for a number of years and I was a very valued employee. Then when I decided to transition, I became a less than valued employee and was consistently persecuted against until eventually I was fired. I have been unemployed since last June. I haven't been able to find work here in the county. Anytime that someone brings up a background check on me, it pops up two names and they move on. So, personally this ordinance affects me living in Vanderburgh County, I know that there's an ordinance here in the city, unfortunately this ordinance has no teeth. All I can do is go down and say to the HR or the Human Relations Committee that, and file a complaint. You won't be held liable if you don't hire me, you won't be subject to litigation, you won't be subject to arrest or anything like that. So, there's really no teeth to this, but at the same time it does make me feel a little better that there's that little thing, that little complaint, you know, so many complaints, people might choose not to go there, things like that. I wish we lived in a place with teeth, because I probably wouldn't have been fired and I probably would have found a job by now. Unfortunately, people judge me based on what my perceived sexual preferences are, and not my personal abilities. Another thing that comes up a lot is things like infidelity and anal sex and things like that. I know plenty of straight, heterosexual men who enjoy doing anal sex with their wives. It's just a part of sexuality. I don't think that we should limit anything like that, just based on our beliefs religiously. I don't think that that's of any merit. I also think that the fact that only gays receive, or that produce AIDS and spread venereal diseases is also a lie. Straight people can get AIDS too, and not just from having sex with gay men. It's not a gay epidemic that's only through the gay relationship. A lot of why I believe the AIDS epidemic started so hard in the gay community is because, at the time, we hadn't really, we weren't really big on contraceptives, because essentially a gay man and a gay man can't become pregnant. So, that was just not a concern. As time has grown on, we've gone to use things like condoms and contraceptives and that sort of thing, and they've helped tremendously. I'm not comfortable with sharing the amount of sexual partners I have, but I can assure you it's less than 50. It's less than 10. In fact, it's probably less than five. I'm 26 years old, I turn 27 this year, so, I've been out and proud for a few years, and before that I had been engaged to a woman. I try to live my life the best that I can. Contraceptives help people, not just contraceptives, but



condoms and things, help to prevent the spread of disease. Anyone who says otherwise is hurting society more than saying that contraceptives are good for the society. That's all of no consequence, of course, to this ordinance. Sorry, I'm really nervous up here and I'm kind of—

President Abell: Your five minutes are up.

Ashley Summers: Okay, well, thanks guys.

President Abell: Thank you. John Radez. I may have mispronounced your name.

John Radez: Good afternoon. I'm John Radez, 21 East Powell. I'm a professor at USI and UE, and I'm a lecturer in Islamic Metaphysics at IU Bloomington. I support this measure, because as we started we all took an allegiance and a pledge for liberty and justice for all, and that pledge isn't conditional. It doesn't say liberty and justice if. It's not exclusive, saying liberty and justice for some. I just think that we all ought to keep that in mind. Thank you.

President Abell: Thank you. Rick Barter.

Rick Barter: Hello, Commissioners. I've known all of you for quite some time. My name is Rick Barter. I live at the corner of Delaware and Elsas. I have been an out gay man all of my life. At age three I suspected that there was something strange about my attraction. It was genetic, it was not learned. No one ever tried to teach me anything. I fought it. I went to church. I prayed to be overcome, the feeling that I had, and it didn't work. So, I've been a successful business person, a successful leader in my community, and now I'm 65 years old, so, I need you to pass this ordinance to protect gay people, old people, and now I'm becoming handicapped. So, I would encourage you to vote for it. I suspect that you all have family and friends who would be covered by this ordinance when you pass it. So, please, please do that. I encourage you. I want to tell you that I know that God created us all in His own image, seven to ten percent of all human beings are attracted to the same sex. It's not a learned thing. It's a genetic thing, and to judge people who are born this way, you are judging God's work and you are condemning it if you are talking about some of the things that people have here. I think we've heard way too much about sexual issues today, but I would encourage you to give this equal rights to all people in our county. Thank you, Commissioners.

President Abell: Thank you. Katie Francis.

Cathie Francis: Good afternoon. My name is Cathie Francis. I live at 10 North Alvord Boulevard in Evansville, a resident of Vanderburgh County. I'm here today because I do oppose this ordinance. I am a born again Christian, and I do have a personal relationship with God, and I do believe what God's Word teaches. When I became a Christian the Holy Spirit came to live in my heart, and the Holy Spirit is what convicts me every day of wrong doing and right doing. I do personally believe that this ordinance will only enhance activity that is opposed to God's Word. So, I strongly urge you to please consider opposing this ordinance. Thank you.

President Abell: Thank you. Jennifer Pitt. Jennifer Pitt?

Unidentified: She left.

President Abell: Eric Tillman. Eric Tillman? Brittney Blane?

Brittney Blane: My name is Brittney Blane. I live at 6108 Richmond Court. I'm a Vanderburgh County resident. I'm just going to make this short. I didn't write nothing, but I am opposed to this, and I don't say it with any hate in my heart. I love each and every single one of you. This is not about hate. This about my personal relationship with God, and that's why I'm opposed to this ordinance. Thank you.

President Abell: Thank you. Mike Pfohl.

Mike Pfohl: Thank you for this opportunity to address the Vanderburgh County Commissioners. My name is Mike Pfohl. I am a resident of Vanderburgh County and the pastor of Destiny of Faith Community Church. The purpose of this meeting is one of vital interest to the safety and well being of our community. Whether you believe sexual orientation, gender identity is a matter of choice or genetic predisposition is a topic for discussion another day and another time. However, I would like to address two areas of concern. The first area of concern is as a grandfather of four lovely children, young girls, two of which are biological and two who have been adopted. One is Asian descent, the other one is African American. With a racially diverse family I hope that you can see that my remarks are not based on prejudice or bigotry, but rather on a genuine concern for the well being of our community. If the changes to this ordinance were to pass as currently written, I would find it very uncomfortable to take my grandchildren to a public restaurant, or for that matter to a public facility. With the ordinance allowing access to public restroom facilities to any person who's sexual orientation or gender identity, and to quote the code, "whether or not such characteristics differ from those traditionally associated with the person's assigned sex at birth", would open the door for violent crimes against young children. By that, I am not saying that the persons with these issues would necessarily be the perpetrator, but that it would be very easy for a person given to pedophilia to cross dress and wait for an opportune time to molest a child. The second area of concern is as a minister. We are fortunate to live in the greatest country the world has ever known. Our Creator, not the state has given us rights, privileges, rights and privileges according to the Constitution. From the beginning of our Nation we have been a people willing to lay down our life and limb to protect the rights of the downtrodden, the weak and the disadvantaged. Unfortunately, some on the other side of this issue feel it is their responsibility to deny those same rights to others by imposing their desires on the community as a whole. Once again, whether you personally believe these issues are genetic or a matter of a choice is not the crux of the matter. The essence is actions, not predispositions. Just as it would not be acceptable for a person choosing to live with a member of the opposite sex outside the sacrament of marriage is to remain a position within the church, it would be equally unacceptable for a person choosing to openly participate in this lifestyle to remain, by force, in the employ of any ministry. This ordinance would effectively eliminate the establishment and maintenance of any code of conduct for our church and for our ministry employees. As a church, there are certain standards and mores to which we must be able to hold our employees and ourselves in order to maintain faithful to the integrity of our message. This ordinance as written, would require a church to maintain the employment of an individual whose actions are contrary to those standards and mores. In my humble opinion, that action would be in direct violation of the First Amendment of the Constitution, as it would be prohibiting the free exercise of our religions, standards and mores. It is for these reasons that I respectfully encourage the County Commission to vote no on the proposed

amendments to chapter 2.56 of the Code of Ordinances of Vanderburgh County.  
Thank you.

President Abell: Thank you.

Robert Dion: President Abell? I don't want to interrupt the sequence, but is there a way perhaps that our attorney could address the suggestion that this is going to force churches to do things? It might allay some fears of people in the room.

President Abell: Yes, he can, but not right now.

Robert Dion: Okay, sorry.

President Abell: We're going to try to get through some of this list, before I go forward, Kristin, would you let me see how many have signed up since. Here we are, let's see what we've got here. Can you tell me which, how many are on each list? Just the numbers.

Kristin Comer: There's eleven additional.

President Abell: I'm sorry, how many?

Kristin Comer: Eleven.

President Abell: Eleven, and that's all, just eleven more?

Kristin Comer: Yep.

President Abell: On either list? Commissioners, I'm going to leave this up to you, we have 11 more people over here to hear from, we have it looks like 13 left on one list, and 20 left on the other. We're going to go till 6:30. Dr., I'll let, I will let Mr. Kent speak, how much time does Mr. Kent need to answer?

Robert Dion: One minute.

President Abell: Okay, at 6:25, Mr. Kent, I will let you speak. At 6:30 we will adjourn this public hearing, we will reconvene for those who have not had an opportunity to speak and allow further testimony at another time, but we cannot stay here much past 6:30 this evening. With that said, we're not, are you okay if we don't take a break, Mr. Melcher?

Commissioner Melcher: I don't need a break.

President Abell: Okay. Our next speaker is Katie Griffin.

Katie Griffin: Hello, my name is Katie Griffin. I live at 8635 Greendale Drive in Vanderburgh County. So, as many other, or several other people rather have suggested today that, you know, in our pledge we conclude the pledge by saying with liberty and justice for all. We know that that is something that not just we believe, but it's something that is at the very heart of our nation. For all, it's not just for certain groups of people, or people who, you know, agree with everyone and everything. But, it's for everyone who lives in this nation. I ask that you remember that. I would also like to mention that I have been called into the ministry by God,

and because of that I support this, because of that and because of other reasons as well, I support this ordinance. You know, there are many people in the church who think that because I am a woman that I do not have something to say, that God does not call me to the ministry, but I think that I have a voice and I think I have something to say, and because of that I feel called to the ministry. I would like to just conclude shortly by asking you, you know, when you decided that you were straight, if homosexuality is a choice, then so is heterosexuality. I am a straight woman, and I think back to my childhood and I never made a decision that I would be straight, because I just knew that that's who I was. Just as the color of hair on my head and the fact that I'm a woman and my blue eyes, that is part of who I am. So, we shouldn't discriminate against people because of who they are. Thank you.

President Abell: Thank you. Marian Yoder.

Marian Yoder: Hello, my name is Marian Yoder. I live at 451 Vann Avenue. I actually own a house here, and I am only 21 years old. First, I was not actually planning to speak today, I kind of thought the people who would speak for this would be people who could be affected by it. I am not afraid to be discriminated against. I don't think I will be discriminated against when trying to find a job, but I do think that it is important to stand up and show my support. I don't think anyone should be discriminated against, and I think it's pretty well established that discrimination is a bad thing. I just don't understand why anyone would be able to fight to be able to discriminate. I would like to say to you guys that you should check statistics, I know some statistics have been thrown out today about sexually transmitted diseases and sex partners. I would encourage you to look into that information and not just believe what people have been saying. I would also like to say that Evansville has already passed this in the city, and nothing crazy has happened yet. So, I don't think that adding it to the county will make any difference. I also am very concerned with the way that God has been thrown out. I mean, I think it's pretty well established that people on both sides are Christian, people on both sides have faith, and I don't think that we should be saying, oh, God's on my side or God's on the other side. I think that that's really frustrating. I think, sorry, I wasn't really prepared to talk today, but I think the biggest thing I have to say is that nobody should have to feel like they might be discriminated against. Nobody should be discriminated against. I don't see any reason why we shouldn't add age, disability, gender identity and sexual orientation to the civil rights ordinance. Thank you.

President Abell: Thank you. Ryan Beal?

Ryan Baker: Hi, my name is Ryan Baker. I live at 847 Douglas Drive in Evansville. I'm a citizen of Vanderburgh County. I'm a former member of the Tri-State Alliance, and the only reason I'm not a member anymore is because I'm too old to be. The opposing side kind of knocks that organization a little bit. I grew up in a, let's say conservative town, Jasper, about an hour away from here. I moved down to Evansville because the gay community down here was very strong. I didn't really have that at home. A very good friend of mine took me to the TSA meetings and I found friendship when I needed to move on with my life. I've been living here for three years now. So, I'm in favor of this ordinance. Thank you for allowing me to speak.

President Abell: Thank you. Ed Filbert. Glen Kissel.

Glen Kissel: Thank you members of the Board of Commissioners of Vanderburgh County. You need to tell the members of the members of the Human Relations Commission that their little game is over. We, the citizens of Vanderburgh County are tired of being pawns in this illbegotten nonsense churned out by that Human Relations Commission, including this discriminatory ordinance. On December 13<sup>th</sup> you were told one story about this ordinance. Then on December 20<sup>th</sup> you were told a different story about the ordinance. You've had to rely on the good citizens of Vanderburgh County to give you the straight story about the ordinance. Should that surprise us? After all, it was this same Human Relations Commission that dragged the Girl Scouts and St. Mary's Medical Center to court a year and half ago, even though they had no jurisdiction to do so against these non-profit organizations. The Vanderburgh Superior Court judge ruled against the Human Relations Commission in the St. Mary's case precisely because the Human Relations Commission had no authority in the matter. Only then was the case against the Girl Scouts dropped. You would think that after being slapped down by the Vanderburgh Superior Court judge they would come back to you with an amendment to bring their own ordinance in line with the Indiana Civil Rights Act. But, no, did they do that? No, they're playing the same game again. This time instead of trying to manipulate the courts, they're trying to manipulate you. They're trying to force your hand to pass an amendment for which you have absolutely no authority, under State or Federal law, an ordinance that will illegally impact our schools, our businesses and our places of worship. The Human Relations Commission didn't even have the courage to go in front of the parents of our local schools and tell them that the distinction between men and women's restrooms would be obliterated by this ordinance. The Human Relations Commission did not have the time to go before property owners or small businesses and service providers and tell them that their freedom of association and freedom of conscience were to be violated by this ordinance, and, again, the distinction between men's and women's restrooms would be obliterated. Members of this Commission, you know that has already occurred within the city limits of Evansville. Neither did the Human Relations Commission even have the good courtesy to go before countless churches and faith based organizations in the county and announce to them that their freedom of association and freedom of religion was to be ripped to shreds by this ordinance. But, the Human Relations Commission did have the time, by a majority vote, to spend \$10,000 to bring in Angela Davis as the keynote speaker at its annual banquet this year. Yes, that's the Angela Davis who believes that all minorities should be released from prison, and the Angela Davis who funneled arms to the Black Panthers in 1970, and those arms were subsequently used to murder a Federal judge. Only because of subsequent opposition was this speaking invitation rescinded. Yes, County Commissioners, it would be this Human Relations Commission that would administer this newly amended ordinance, if it passed, the same Human Relations Commission that violated its own jurisdiction by dragging non-profits to court. The same Human Relations Commission that gave you one story on December 13<sup>th</sup> and a different story on December 20<sup>th</sup>. The same Human Relations Commission that hasn't had the courage or sense to explain to the citizenry that their freedom of association and freedom of conscience would be obliterated by this ordinance, and, yes, the same Human Relations Commission that voted to spend \$10,000 to bring the racist, Angela Davis, in as their keynote speaker. Members of the Board of Commissioners of Vanderburgh County, this citizen will not be a pawn of this Human Relations Commission. Members of the Board of Commissioners of Vanderburgh County, it is time for you, on behalf of the citizens of this county, once and for all, to tell this Human Relations Commission the game is over.

(Applause) (Booing)

President Abell: Thank you. Jim Braker.

Jim Braker: Good evening, Commissioners. Thanks for having us here. My name is Jim Braker. I live at 1700 East Blackford, here in the city and Vanderburgh County. I'm against this ordinance. The proponents of this ordinance say there is only limited enforcement. Even though limited enforcement available is an ordinance, or that it's voluntary compliance. What good is voluntary compliance? Why would it be necessary? Why do we need this ordinance? We already have an ordinance, we already have the Civil Rights Act of Indiana, which covers this. It only helps a privileged group, that's all it helps is a privileged group. Furthermore, the Indiana Civil Rights Act has exemptions for employees who are non-profit, religious or educational organizations. These exemptions are not included in this present or proposed ordinance. Also, I would like to say, you know, in God's Word He says, man to lie with a man or a woman to lie with a woman is an abomination. If He said that, He said My Word is the same yesterday, today and tomorrow. So, if He said that yesterday, He meant it today and tomorrow. So, it is an abomination. I'm a born again Christian and I'm against this because it is against God's law. Thank you.

President Abell: Thank you. David Peterson.

David Peterson: David Peterson, 14134 Darmstadt Road. I am a resident of Vanderburgh County. I hate to be against an ordinance that's supposedly for human rights, but what I see here going on is you have two groups here, both with bound consciences. You have a group of people saying that their scriptures tell them that sexual behavior is to be between one man and one woman. They're not only bound by those scriptures, but they look at biology and they see that one man and one woman form a biological unit. They are a complete unit. They say this biology, the fact of nature tells them this is the purpose, one man, one woman are a unit. That's the whole basis of even limiting marriage. Why limit marriage if it's just for love? But, we limit marriage because we say one man and one woman form a unit. The other side says there are different types of sexualities. We should affirm them. This ordinance would criminalize one of those views. It would criminalize the view that says it's between one man and one woman, because it says it's unlawful for a person which caters or offers its services or facilities or goods to the general public to discriminate because of sexual orientation. It defines "sexual orientation" as male or female homosexuality or bisexuality, real or perceived by orientation or practice. What it says is, I wonder, I would like to hear from the attorney, does this say to the counselor who is just acting as a counselor, not as a religious counselor, but as a counselor if someone comes to you and says I want sex advice for my homosexual relationship and they say that goes against my conscience. I believe it's between one man and one woman, would it mean that that person says if I want to refer you to another person who can do that because they feel like they can do that, but it goes against my conscience. If that counselor then criminalized? Or is it unlawful for that counselor, as a counselor... a person in Michigan was, actually had a court case on that, all the way up to where they were tried in the court. Would it be unlawful then for an adoption agency, founded by someone who believes in marriage between one man and one woman, would it be criminal for them to say I only adopt to married people, or celibate single people? That is the case in Massachusetts. It is criminal for the Catholic church, or any adoption agency in Massachusetts to adopt only to married people. Would that be the case here? If it's not a so called religious place, if it's just run by a person of conscience. Would it be illegal here,

criminal, for someone to have a foster service that only fosters out to male and female married couples? It's now illegal in Illinois to not include people who are not homosexual. Would it be illegal here for someone to have a (tape flip) that is only for heterosexual couples. E-Harmony was told in California it was illegal for them, and they were forced to open their services, even though E-Harmony was founded by a Christian man, he was forced to open his services to homosexual people. What is going on here is beyond tolerance of both views, to saying this is forced affirmation of one view. It's taking one moral position and saying this is the moral position that we're affirming as a county. We're going to tell the thousands of people here, you've just heard a sampling of the thousands of people here who have a bound conscience, bound by scripture and by the biological fact that one man and one woman form a biological unit, and telling them that your view is unlawful and it is criminal. It is unlawful for you to discriminate based on sexual orientation, orientation or practice. Practice is in there, saying you cannot discriminate on that practice if you have an adoption agency and you're just a person doing that, not a religious organization. Or you're a counselor and you're just acting as a counselor and you only counsel sexual cases where it's male or female, or you have a dating service, or whatever it may be. Criminalizing the deeply held beliefs of traditional religious people, who believe sex is to be reserved to the marriage of one man or one woman, is unfair and unjust, and therefore I think it must be opposed. Thank you.

President Abell: Thank you. Joshua Claspell.

Joshua Claspell: Hello, my name is Joshua Claspell. I live at 409 Lodge Avenue. I'm a current Vanderburgh County resident. I am openly gay teenager at Bosse High School. I am 17, and throughout my school life I have been harassed, bullied, told to kill myself and among other hurtful things. I haven't had many friends in my school life for that reason. I look at our country, I look at my city, and I see a country such as Canada, South Africa and people that are gay, lesbian, bi and transgender have more rights there than they do in their own, what is supposed to be the melting pot of the world. I just ask that, you know, you look at what you're doing to the young generation. I am not spiritual, unlike many of you here today, and I have my reasons, because I've gone to church and they have turned me away for who I am. I believe that if I want the right to have a job without being discriminated, I should have that right. I should not be in fear of being fired for a person that is gay. I should not be fired or turned away at a restaurant or a business for simply loving another man. I should be allowed to have the same things any other heterosexual couple, or heterosexual person out there can have. I am young, I believe the same way you do, and I see the world just like you all do. I want to be able to grow up without being discriminated against, without being judged and live freely as the person I am. I am in favor of this ordinance. Thank you.

President Abell: Thank you. Joshua, excuse me, Jessica Jones.

Jessica Jones: Hello, my name is Jessica Jones. I live at 707 West Buena Vista, here in Vanderburgh County. I've heard very many things thrown around today. I've heard Leviticus quoted twice, but I haven't heard the part where it's mentioned that it's also an abomination to eat shrimp or touch the skin of a dead pig, which is also known as leather. So, those are just a couple things that, you know, our society has chosen to forget about, but we still continue to focus on a man laying with another man being an abomination. Also, earlier, someone spoke about how, and there was quite some disdain to it whenever it was mentioned that, you know, these are man's laws we don't follow a certain set of God's laws in this country. I think that's really a

good thing. I think it's a good thing for everybody, because while most people in this room that have spoken out have been of the Christian faith so far, we are currently in the majority in this country, they might not be so happy that we don't have religious freedom if another religion is in the majority. So, I think, restricting freedoms on any front and discriminating against another set of people is just not a good road to go down, no matter what we're going to do. Another thing I heard was parents being scared for their children, well, I don't want my children to grow up in a world where discrimination is the norm. I want them to grow up thinking that who they are, and what they can do is based on the content of their character, not based on whether they're gay, whether they're straight, whether they're old, disabled, black, white, Muslim, Jew, whatever. So, I'm in favor of this ordinance.

President Abell: Thank you. Tim Thompson.

Tim Thompson: Hi, I'm Tim Thompson. I live at 2063 East Gum, here in Evansville, Vanderburgh County resident. I'm a registered, straight Christian who is for the ordinance, for a number of reasons. I have gay friends, co-workers, I've seen the discrimination. I have daughters who have disabilities. I remember a time when they were going into elementary school when the school principal, the building principal said we have schools for people like that. She wasn't supposed to go our neighborhood school with the children she grew up with in the neighborhood. She was supposed to go to a different school across town where they dealt with people with her issues. We kind of fought that. She ended up having a successful elementary school career. I've heard a lot of passion on both sides, a lot of things that I think are irrational fears, the whole restroom issue kind of boggles my mind. I think back, I'm old enough that I remember the women's rights movement and that was one of the issues that was argued then, if we gave women rights, then they could go in men's restrooms too, and people were up in arms about that. That there would be no delineation anymore. Everybody would use the same restroom and that's why, you know, women shouldn't have equal pay for equal jobs and that kind of thing. So, I'm just against discrimination in general, and for that reason I am for the ordinance. Thank you.

President Abell: Thank you. Andrew Brown. Andrew Brown? Is that Brown? It could be like Andrew Bunner? Is there an Andrew here that signed in to speak? Well, then, I guess it doesn't make any difference. Wayne Miller. Wayne Miller? Tommy Shutt.

Commissioner Melcher: Tommy was here.

President Abell: Joseph Willis. David Schwambach. Kevin Dozier.

Commissioner Melcher: David is coming.

President Abell: Oh.

David Schwambach: I'm Dave Schwambach. I live at 430 South Hebron, 47714 here in Vanderburgh County. I too am opposed. As written, obeying this ordinance, as we understand it, would require our churches, schools and Christ centered businesses to ignore specific Biblical standards in hiring and retaining those charged with carrying out our Christian mission. You can appreciate that this would place us in a very unhappy position. On one hand we desire to teach our families, students and congregations the Biblical commands to obey the laws of the land. On the other



hand, we would be required to remind them that the Bible also teaches that when a man's laws conflict with God's, we must obey God rather than man. We do not believe it is necessary for our County Commissioners to put Bible respecting citizens of our community in such a win-lose position. Clearly, whenever such potential conflicts have arisen, our country has made religion freedom of conscience a foundational guiding principle. We suggest a win-win solution that exempts all faith based institutions from the portions of this ordinance that are in violation of Biblical standards. We respect the fact that you have the responsibility to do what is right for all of the citizens of Vanderburgh County. Please be assured that we have absolutely no interest in forcing those who disagree with the teachings of the scripture to adhere to our Biblical standards. However, as fellow citizens, we ask the Commissioners to respect the right not to be forced to adhere to theirs. Surely this is the solution that allows all citizens of Vanderburgh County to continue to live in mutually respectful harmony with one another. As Commissioners you have been given a position of high and holy trust for such a time as this. God holds each of us, and all of us, and you as our Commissioners, personally responsible for the votes you cast on this ordinance. We pledge to pray for you during this time of decision. We are confident that as you sincerely seek His help, He will provide you with the wisdom that you require. I too am so grateful for this open dialogue. What great wisdom to open the floor. Thank you very much.

President Abell: Thank you, Pastor. I've gotten a note that Andrew is in—

Andrew Ozete: I'm Andrew Ozete, I'm not Andrew Brown. I don't know where I was on the list that I signed in on.

President Abell: Oh, you're down further. It was a different Andrew.

Andrew Ozete: Thank you. I'm sorry, Commissioner.

President Abell: As a matter of fact, you're not too many more away. Levon Dozier.

Levon Dozier: Levon Dozier.

President Abell: Levon Dozier, I'm sorry. I can't read everybody's handwriting.

Levon Dozier: Levon Dozier, 5615 Kiowa Circle, Evansville, Indiana. I am a resident of Vanderburgh County. Good evening, Commissioners, and to the public. Expressing my opposition to the portion of the ordinance about sexual identification and gender orientation. As a pastor in this community I serve in this community in that regard to minister the tenets and the principles and the truths that are found in the scripture, more specifically the Holy Bible. The majority of the demographic at my church are young adults, college age and young married couples. There's not a week that goes by that I am counseling individuals who have gender confusion or same sex attraction. I understand the torment and the turmoil that an individual may go through with wrestling against these particular desires. But, currently, under the current ordination, the way it is written, the ordinance will force us to affirm a behavior, alright. I want to bring distinction between the person and the behavior. In Christianity the Bible teaches us about sins, and it outlines what sins are. As ministers of the faith, senior leaders, pastors, we're committed not only to affirm those things that are considered strengths, but those things that work against us as pre-determined by God. The question is, what brings in the question am I attacking a person by disagreeing, or am I disagreeing with the behavior? We're here to say

that to disagree with a behavior doesn't mean that we hate the individual. We all have shortcomings that we had to come from, and according to scripture we understand that this behavior is not something that we can condone or affirm, but it's not to say we hate the individual. That is not the verbiage, that is not what we're saying. I stand here and I ask the Commissioners, on behalf of anyone that says that they are Christian that have written you hateful e-mails, distasteful letters, on behalf of the true character of Christ that you forgive us, because that's not His character. He did not, He said I did not come into the world to condemn it, but that the world might be saved through Me. So, we have that responsibility. The individual can choose what they want to choose, but under this current ordinance it will force us to affirm. Now, I have youth ministers, I have youth ministers that have a college campus ministry that we do, and if that youth minister comes to me and says, you know, I've decided to be a homosexual, I cannot, by Biblical standards, condone that behavior and keep him in that position of oversight. But, under this current ordinance it forces my hand, if I am to obey this ordinance that I would have to allow that to take place, because if he doesn't, he has the power and the ability to file a discrimination. Which is unfair according to scripture. So, I stand here today, not saying that we hate, we minister to people who are struggling with gender confusion, same sex attraction and many can tell you how they've overcome that desire. So, we are not saying that we're hate filled, we're bigoted. No, we're just here to say that, under this ordinance, we cannot affirm this. An ordinance itself is a regulation that we have to obey, but it also comes from a stronger word called "ordain", and that word, when you trace it's definition, is determined by something higher than us. So, for us to submit to obey this ordinance is saying that we have to affirm something that is contrary to the fundamental principles of a society. So, we're here, and to the homosexual community, the bisexual community, we're here to say we do not hate, we do not discriminate, but under the definition of what scripture teaches, we cannot affirm the behavior. The behavior has nothing to do with the individuals personality. I was born black, I cannot do anything about that. So, to equate this with civil rights, we cannot do that. We were discriminated because of the color of our skin. I did not negotiate with God about what color I was going to be. This is the way I was born. I was born a male. Under this ordinance it blurs the definition of maleness and femaleness, which we were all pre-determined, it was pre-determined by God Himself. Thank you for your time.

President Abell: Thank you. Mr. Kent, I will give you your time.

David Kent: Thank you, Commissioners. Madam President, fellow Commissioners, just, first off, my name is David Kent, I'm the attorney for the Human Relations Commission. Just a few things to clean up in terms of listening to what's been brought before you. Number one, with regard to religious exemption, not-for-profits, religion, fraternal and social organizations, under Indiana Code 22-9 et seq, they're already exempt. They're not listed in our ordinance because they're already in the statute which enables us to have an ordinance to begin with. If the Commission would like, and it's never been in our ordinance. If the Commission would like us to amend to add that specific section so that people hold it and read it, we'll be happy to add it, okay. But, I want to make that very clear that those organizations are exempt under our ordinance, under every part of our ordinance, not just what we're amending here. I want to be very clear about that. Specifically, there was some concern with regard to criminalizing, this is not a criminal statute. This is an ordinance that is non-compulsory in nature. It is consistent with other ordinances in our State, in fact, ours is one of the least, us and Ft. Wayne are the only non-compulsory, option-oriented type of ordinances. Indianapolis, Lafayette, Bloomington

theirs have teeth, they can actually go ahead and fine people for these types of issues, but that's not what we're doing here, that's not what I was asked to draw up. What I was asked to draw up was to draw up an amendment to an ordinance. Now, there are some other things in this ordinance that were done, specifically, "disability" was put in and the word "handicap" was taken out. These were things that were brought to us back in '09 when the code services went through our ordinances and made suggested changes. So, those things are necessary to move forward. There has been some concern with regard to our ability to do this. I want to go ahead and address that now, if you would like me to, specifically, Indiana Code 36-1-3-3, the Home Rule statute, states that; "any doubt as the existence of a power of unit shall be resolved in favor of its existence". Now, you have to play that with our enabling ordinance, which is 22-9-1 et seq., the whole Indiana Civil Rights ordinance, which gives us the ability to have an ordinance. The big thing here is, these amendments are not in conflict with the Indiana Civil Rights Act. In conflict mean, diametrically opposed. This is an expansion. This is not in conflict. If we were to take our ordinance and say religion is not exempted, religion is not protected, race is not protected, that would be in conflict. What I have been asked to do here is not in conflict with the enabling statute from the Indiana Civil Rights Act. I'll be happy to answer any other questions that you have at this time. I know that we're going to end up coming back, I believe you scheduled for April 9<sup>th</sup>, I believe was out, that's what we said in January when we set both of these dates.

Commissioner Melcher: Was it the 9<sup>th</sup>?

President Abell: Yeah, I think you're correct, Mr. Kent. I think it is April the 9<sup>th</sup>. You will be available to be here that night?

David Kent: I will be available on that date as well.

President Abell: Okay. Thank you. It could be that Mr. Harrison may want to talk to you.

David Kent: Sure.

Commissioner Melcher: So, the date is April 9<sup>th</sup>, not the 2<sup>nd</sup>?

President Abell: It is the 9<sup>th</sup>. We have numerous people left that want to speak, in fact, what I have here is, I don't know, we have 26, Commissioners, we have 26 people left here to speak. If everyone takes five minutes, and everyone so far has, almost, that would put us here probably another couple hours. What's your pleasure.

Commissioner Kiefer: We're still going to meet again, regardless, on the 9<sup>th</sup>, right?

Commissioner Melcher: Are we clear, do we got the room on the 9<sup>th</sup>? Okay.

Commissioner Kiefer: I mean, I would ask, I mean, you know, unless there's, I mean, how many of these people are going to have new information? I mean, it seems like we're getting a lot of the same stories over and over and over again. You know, if it's new information, but I don't want to keep people from their right to talk either. But, otherwise I could say we could pick up where we left off on the 9<sup>th</sup>. Steve, how do you, what's your opinion, what's your feeling?

Commissioner Melcher: It's okay with me, but I might not be here the 9<sup>th</sup>, because I had the 2<sup>nd</sup>.

Commissioner Melcher: Well, then, whatever you want to do, Steve.

Commissioner Melcher: I thought we had it marked the 2<sup>nd</sup>, but I'm probably going to be gone the 9<sup>th</sup>.

President Abell: What do you want to do?

Commissioner Kiefer: I mean, do you think we can get through everybody tonight? I mean, can't, I mean—

Commissioner Melcher: Well, there's probably some people that's not going to be able to be at the next one either. So, I'm just saying whatever we can do. I don't mind staying.

Commissioner Kiefer: It's up to you guys, whatever, I mean, I'm already here.

President Abell: You've already spoken.

Unidentified: I know, I just want to ask a question (Inaudible. Not at microphone.)

President Abell: We are really trying to get through this.

Unidentified: Okay, thank you.

President Abell: Thank you. I'm sorry, but you spoke and we're just trying to give other people the opportunity to speak that haven't spoken yet.

Commissioner Kiefer: Okay.

President Abell: Are you okay to stay?

Commissioner Kiefer: Yeah.

President Abell: We will stay for a little while longer, but please limit your comments, and if we've already heard what you have to say, be respectful, saying it again, we really are smart people. We get it the first time. We don't have to be told many, many times. It will give everybody the opportunity to speak and we will get out of here. Okay, the next person is Donald Dockery. Donald Dockery? Shirley Dockery? Andy Ozete?

Andy Ozete: Close. Thank you, Commissioners. My name is Andy Ozete. I'm a resident of Vanderburgh County. I live at 5700 Creekstone here in the county. My concern is that I think that what you are attempting to do, through ordinance, is something that would be properly done through resolution. I differ, with all due respect, from Mr. Kent, in that I do not believe that you have the power under the Home Rule statute to enact this proposed ordinance. The Indiana statute is very clear on what are protected classes, and you are indeed expanding that and going beyond the scope of the statute. So, I do believe it conflicts. For example, the statute prescribes as to utilities, certain things utilities can do. You are prohibited from regulating those utilities. You might say, but I'm just adding to that, I'm just adding

a new requirement for utilities in Vanderburgh County. You can't do that, because it's against the Home Rule statute. I think that's very similar here. I asked why was this necessary, because what I am told consistently is don't worry, there's no teeth. Why is this necessary then? What I was told was, we need to gather information. We need to figure out what's going on in our community. You could have, you could commission a study today, you could gather information on your own without, in fact, making something criminal. I'm a little frustrated by the rhetoric that says we're not criminalizing anything. You say it is unlawful to. That is criminal. It is unlawful to. So, I think that's what is really frustrating me. If you wanted to, by resolution, say we think that having everyone have equal rights is a good thing, great, so be it. But, I'm very concerned that you are exceeding your Constitutional mandate. I'm also concerned when I'm told don't worry about the churches that are already exempt. I'm also concerned about that, because the very Human Rights Commission who will be entrusted with overseeing this regulation, does not have a good history in that regard. So, since we have bad behavior by the organization who's seeking additional authority, I think that has to enter into your analysis, as to do you give them additional authority or not. When we have, we're told government get out of the way, don't hurt business, don't add new regulations. You're adding new regulations. I'm also told, don't worry, there's no teeth, but if I want to have a contract with the county, I must include this in my, I must have a non-discrimination policy. I don't know if Mr. Harrison, your firm, has one, but you're required to now. You're requiring all vendors to have this policy. I'm not sure then if I want to rent the Ford Center because I want to have a religious service, you might say that's not a good idea, but do I have to have this policy? The county says we cannot hire you unless you have this policy. So, there are economic teeth to this, and I'm not, by the way I'm not arguing that you don't have the power to do it, but there are, and that's a different issue, frankly, about a contract, than it is about criminalization. But, there are economic teeth to the resolution as it sits forward today. I don't want to take up your time with talking about points that have been said. Thank you for your time and consideration.

President Abell: Thank you. Kaitlin Thomspson.

Kaitlin Thompson: Yes, Ma'am. Commissioners, thank you very much for your time and consideration in having this public meeting. My name is Kaitlin Thompson. I am a resident of Vanderburgh County, 2063 East Gum Street. I am in favor of this ordinance because it protects persons with disabilities, along with persons who fall under the LGBT community. As a person with a disability I've faced discrimination my entire life. I have faced discrimination in school, in communities not being able to access restaurants, places of public accommodation, etcetera. I'll tell you why this is important and why you need to enact this ordinance now. If I were, or any of the people impacted by this ordinance were to file a complaint today, we would have to travel to Indianapolis, which is, which places an undue burden on people with disabilities who do not have access to transportation and to anyone else who may not have access to transportation. I'm here not only for myself, but for others with disabilities and the elderly and those in the LGBT community. We don't want extra protections, we want to be able to seek mediation and remediation for things that have happened to us over these years and things that will continue to happen. We're not asking for anything extra, we're just asking for our voices to be heard. Discrimination and other prejudices are very painful and get at the very core of our human existence. Whether we're Christian or non-Christian, straight, gay, disabled or not disabled, we want our voices heard, and we want an ability to stand up for our rights and the rights of our neighbors. Thank you very much.

President Abell: Thank you.

(Applause)

President Abell: Lisa Mueller.

Lisa Mueller: I'll make this very brief. I am Lisa Mueller. I live at 3720 East Mulberry in Evansville, Indiana. We moved to Evansville about ten years ago from Warrick County, and we love it here. I want to believe in Evansville's warm heart and their open hands and their good neighbors. I am gratified by the civility that we've encountered here tonight. When I hear the young man, Alex, who says that moving to Evansville saved his life, when I hear the young man, Josh, who wants to live in Evansville, who wants to stay in Evansville, who wants to be a part of this community, this is what I want for Evansville. I want it to be a warm and welcoming place, fair to every citizen, and, I, again, go back to the Pledge of Allegiance, justice for all. Thank you.

President Abell: Thank you. Bill Mueller.

Bill Mueller: My name is Bill Mueller, 3720 East Mulberry Street, Evansville, Vanderburgh County resident. That was my spouse there. We thank you for your time, your consideration, and I also am grateful for the civility of this process. We do respect both sides. I do want to ask that you vote in favor of this ordinance for the fairness, respect and human dignity of all of our citizens. Thank you.

President Abell: Thank you. Tamara Evans. How about Ms. Evans who lives on Hoosier Avenue? Okay. Felicia Simmons. Alan Leibunguth.

Alan Leibunguth: Alan Leibunguth, 5206 Lincoln, Evansville. Thank you to Mr. Kiefer, Ms. Abell and Mr. Melcher for allowing us to speak tonight. I rise in opposition, and I do so with the full knowledge, as you are aware, there's a protection of our First Amendment rights, our freedom of expression, of religion, and how we view each of our protections that way. This ordinance seems to cause forced affirmation of a particular viewpoint. I do ask you to strike down this amendment and to severely curtail the abilities of the Human Relations Commission to operate in the manner in which they are doing. I think that's caused some aggravation in the community. If that's not possible, then I think there's some vague wording in the amendment that needs to be challenged. On the third page, paragraph 18, subparagraph A, on what constitutes "failure to grant", and what constitutes "equal opportunity", on who is allowed to determine those two things. I'll follow that and close with page five, section three, paragraph 21, with respect to complaints, with respect to accepting complaints, notifying respondents, challenging in the terms of voluntary investigation and voluntary mediation, I would recommend that the Board of Commissioners severely restrict the Human Relations Commission, and that any challenges that they take to the community must come through you people for verification and approval. That they are not allowed to go into the community without your permission. Thank you for your time.

President Abell: Thank you. Sherry Burdette. Sherry Burdette?

Sherry Burdette: My name is Sherry Burdette, 2217 West Virginia Street, Vanderburgh County. I am opposed to this. When I was young, very young, I had a dream. If you want something different, I will give you something different. I had

a dream, and in this dream I saw men and women using the same restrooms, going in and out. It was a nightmare to me. I'm talking 40 years ago I saw this, and today, I thought maybe I might get through this life without seeing this happen, but it looks like to me it could be something that we're looking at in the future. I'm just saying, I am against this because I know God's against this, because I know this dream come from the Lord. I'm just telling you we're all born with faults. Every one of us have a fault, or many faults, and we have to work out these faults with fear and trembling. The Bible says we have to work these things out. Now, I was born a female. I didn't have to, you know, this sexual orientation, I don't believe that's a truth. I didn't have to ask what I was. It was obvious, I'm white, I'm a female, and that's just the way it is. If I have a problem with lying, I have to deal with that. If I have a problem with stealing, I have to deal with that. I have to deal with who I am. I can't say I'm not who I am. I am, whether I like it or not. Now, I'm just saying I'm against trying to change definitions of what things are. I'm just one for the truth. Thank you.

President Abell: Thank you. Ethan Thomas Falls. Ethan Thomas Falls? Summer Springer. Mary Jo Bennett.

Mary Bennett: I'm Mary Bennett.

President Abell: Mary Jo Bennett on Plaza Drive. Gordon Bennett. Mary Bennett on Monroe Avenue.

Commissioner Melcher: That's her.

President Abell: Bingo.

Mary Bennett: Mary Bennett, 5908 Monroe, Vanderburgh County. Thank you for having this forum, as many other people have said. I'm speaking and asking you to approve this ordinance. I think it's very important that we are a community that looks at all of its citizens equally. I've been a physical therapist for over 40 years, I've dealt with many people with disabilities, and have seen them discriminated against. I've seen the struggles that they've had when they're using wheelchairs and using other devices, and that is simply not right. The word handicap, I think, was said maybe by David Kent, is no longer acceptable, disability is the right word. I'm closer to 70 than I am to 65, so I think the age bit is also important for me, as it is for many other of us. Certainly, I don't feel like I'm very old, but those years are going on. Also, I have many friends in the gay community, I've had friends who are gay or lesbian for all of my life, and I'm straight. My husband couldn't be here this evening, but they've never tried to convince me to be gay. They accept me as being straight. So, I think that's something that we don't have to worry about. I think that we need to look on them as people. I think, people from both sides of this, I've heard people who are opposing the ordinance say that they love these individuals, and if they loved them, then let's just give them the same rights as everyone else. Thank you very much.

(Applause)

President Abell: Thank you. Marcia Ballard. Marcia Ballard? Gary May.

Gary May: This is the special microphone, huh? My name is Gary May, 2699 Briarcliff, Newburgh, Warrick County, Indiana.

President Abell: Mr. May, we ask that the Vanderburgh County people speak first. We don't have very many more, if you want to stay around.

Gary May: A Warrick County person testified earlier.

President Abell: And, we didn't know it was a Warrick County person and I made that announcement then. This is a Vanderburgh County ordinance and consequently Vanderburgh County people need to be heard first.

Gary May: I understand.

President Abell: Clark Field. Clark Field? Garret Merriam.

Garrett Merriam: I want to thank all of the members of the Commission for staying late. I appreciate the opportunity to speak. My name is Garret Merriam, I live at 152 Avenida Las Brisas, Evansville. I'm a professor of philosophy at USI, and I talk to thousands of students every year about moral and social issues such as these. Martin Luther King, Jr. once said, that the moral arc of the universe is long, but bends towards justice. I ask my students to think about that quote when I ask them to imagine what they would say to members of this community 50 or 100 or 150 years ago as to what moral and social issues they would ask them to rethink. If they had the chance to implore those people to reimagine the history of this country, how would they try to push people in the right moral direction. The two things which inevitably come up when I ask them about this is discrimination against women and discrimination against racial minorities. Then I ask them to turn it around the other way, I ask them to imagine that their children or their grandchildren or their great grandchildren are talking to them from 50 or 100 or 150 years in the future and try to imagine what they would say to them about what moral issues and what social issues they wish we had done things different on. Now, my students have an incredible range of opinions on all sorts of different things; abortion, capital punishment, euthanasia, they are all across the board, but the one thing in which there is near consensus on is gay rights. The rights of lesbian, gay, transgendered individuals. This is something where, everytime I teach it I am amazed that there is very little in the way of dissent from my students as we have seen there. Today we have seen much balance, very little balance in my classrooms. It's not because I'm pushing them one way or the other, this is how they are coming to me. So, I ask the members of the Commission and everyone present here today to think about how history will judge you, about how they will look back on us. How your grandchildren will judge you, because the arguments that we have heard here today against this ordinance are precisely the same arguments, to the letter, that we have heard against civil rights legislation at every single step of the way. People say, white children would be in danger if they have to share bathrooms or dressing rooms with black children. It's unclean for black people to drink from the water fountains as white people. Interracial marriage is a choice, so it's okay to discriminate against people in such marriages. It's a threat to our schools, our businesses and our churches to pass civil rights laws. It's unbiblical for the racist to (Inaudible), but this is not about hate, this is about my right not to be subject to their deviant lifestyle. It is a threat to the freedom of religion and a violation of the First Amendment because God tells me that these people are not human beings, they are an abomination. I firmly believe that if Dr. King were here today he would tell everyone that no human being is an abomination. Gay people, no less than black people are human beings, as are lesbians, bisexuals, transgendered people, disabled people, elderly people and all of the people that this ordinance protects. They are human beings, their



rights are my rights. They are your rights. They are your children's rights, they are the rights of your brothers and sisters. You do not want to go down in history as being against human rights, because when you do so you strike fear and anger and pain into the hearts of your brothers and sisters. The moral arc of history is long, but it does bend towards justice, and away from bigotry and hate. It's time for Vanderburgh County to bend with it. Thank you.

(Applause)

President Abell: Thank you. Noonie Adams.

Noonie Adams: Noonie. Hello. I'm a little nervous. I don't do speaking. So, my name is Noonie Adams. I live at 707 Southeast Third. I'm a downtowner. I'm a formal, excuse me, a former Boonville resident, so I can really sympathize with the close mindedness that goes on in here. I can understand it. Reading books and venturing out is scary. So, let's see, I'm for the ordinance, and I've been hearing a lot of people talking about God, and I'm a big believer in God. I give my ten percent of my belongings, every week. I donate, I give money, I also give my time in helping with others. I practice unlicensed therapy for free. I also do a little bit of performance child and adult. So, being a God fearing person, a person who loves God, I do believe that God has created us in God's image, and it's kind of disheartening to hear so many males speak on God's behalf where the word God itself comes from the word Elohim which has dual powers as he and she. That's actually a fact, so, for you all that practice Christianity and Judaism that don't look back to its history and linguistics, sorry, I'm nervous, it's just like you need to think it's a he, or a lot of us thinks he's like a white man, but actually you're worshipping something closely to a Siamese shem. Which is fine, because there's a lot of Siamese people here. One out of 100 people born are intersexed, or what some of us call hermaphrodites or shems. So, that is in God's image. Also, I hope that there's no elderly, disabled, gays here, that would really suck for them. Let's see, no, and I understand like the fear to the health fear of gays spreading disease, spreading AIDS, and it's common knowledge now that most gays are riddled with AIDS, just like how it's common knowledge to say every Caucasian here has probably heard that AIDS has come from an African having a sex with a chimpanzee. So, that was common knowledge then, but now it's all the gays that have it. I wonder what tomorrow who it will be. Oh, and my last thing, fear with the bathrooms, I understand that fear. I have never heard of the Human Resource group, is that what they're called?

Robert Dion: Human Relations.

Noonie Adams: Relations, sorry.

President Abell: Ma'am, would you please address your comments into the microphone?

Noonie Adams: Oh, yes, sorry. Human Relations group, so I've never heard of them until today, but I've had like a really confusing, scary incident one time in California, by the way, I went to like a nice diner and when I had to use the ladies room, both doors were labeled "robots" and "aliens". So, my fear had come true. Guys I want to thank you. God Bless.

President Abell: Thank you. Robert Kirkpatrick.

Robert Kirkpatrick: Good evening. My name is Robert Kirkpatrick. I live at 219 North Rotherwood Avenue, Vanderburgh County, Evansville, Indiana. The first thing I want to address is I was once married, I was straight, but coming from a family that's divided, Catholics on one side, Baptists on the other, I was disowned by my Baptist parents. They told me, quote unquote, from their own mouths I would burn in hell because of the lifestyle I live. My stepmom and my dad, who are devout Catholics, love me and they love my boyfriend with all of their might. All they want out of us, out of their two kids, me and my sister both, who are gay and we're very proud of it, is to be happy. For somebody to tell me that I can't be happy in my own job, which I was sexually discriminated against in my former job and I did file a complaint with the Evansville Human Rights Commission, and it was taken straight to the jobs. I got fired for standing up for my rights, and it was not right. I fought for this country for four years in the United States Air Force, and I think if I quote, we did take an oath to defend this country no matter what the cost was. There was no divided line, and in the Pledge of Allegiance it does say indivisible, okay, this country is not divided anymore. This is not the Civil War. The last time I was taught by my father, who also is a Veteran, 14 years in the Air Force, you love people for who they are, not who you want them to be. You know, before I got with my boyfriend I was weak. I had no backbone. I wasn't in with the community. I was very close minded, very sheltered. Since I've met him I've stood up for myself time and time again. You know, every time I get called a faggot to my face, I just shrug it off, because of how he's taught me and how my grandparents taught me, and they are very old fashioned. For somebody to sit there and say that they don't want this bill to be passed, it's ludicrous. You know, yeah, it does state in the Bible that a man should lay with a woman, but it's up to the person to decide whether or not that's what they want to do. Society today is still trying to cram it down people's throats that you should live a certain way and be close minded. That's why my mom and my stepdad told me that if my boyfriend ever came down with me, they would shoot him on the spot. That's in Texas, a state far bigger than Indiana. I'm not, for one thing, you know, I'm just kind of, I guess, frustrated at the same time that, you know, everywhere I go I hear people getting discriminated against. You know, if we're going to move into a modern century, we need to put the past behind us and move on, become adults, not feebling little kids fighting over like a little piece of candy. For the elderly, I've got, my grandparents were discriminated against because of that stuff. My stepmom, a cancer survivor, she's discriminated against because of the cancer. So, was my stepdad. He's got congestive heart failure, people discriminate against him because of his obesity and the fact of his health. It ticks me off to the point to where I just feel like I want to scream at the people, but I don't, because I am a better person. For people to sit there and belittle somebody or throw the Bible in their face, to me that is judging. They shouldn't be judge, they should let God do the judging. Thank you.

President Abell: Thank you. Chuck Meny. Chuck Meny?

Chuck Meny: Chuck Meny. My name is Chuck Meny. I live at 11229 Seib Road, Vanderburgh County. How long, how long, how long will it take until this human race gets over all of this horrible, horrible discrimination? We have had in the history of the human race nothing but war and the destruction of all kinds of people, every ethnic group is put under a microscope, and if they have a little bit something out of order, they're subject to killing. I'm going to go into the religious thing a bit, because I'm a lifelong student of religion, I was raised in the Catholic faith, and I served in the Catholic faith for 20 years as a priest, and the Catholic church, using the Bible that everybody is quoting, killed millions of people with the inquisition and the burning of

witches. This thing about the Bible and religion, people have no idea what's in there. Very few Christians have any notion of who Jesus of Nazareth was, and supposedly He's the founder of it all. Jesus sought out, Jesus sought out prostitutes, and the most marginalized people in His country. They were His close friends. The marginalized person, for example, the toll collector, the most marginalized people in His time, and when the toll collector and the Pharisee went up to the temple to pray, Jesus said the Pharisee, the poor guy who stood at the back of the church and was afraid to raise his head, he went away justified, the Pharisee who was the leading religious person of the day did not. All I'm saying is we live in a secular country, it has taken years and years and years and years to fight for the rights of different ethnic groups, of women, of blacks. We now have the Muslim thing going crazy in this country. It is time that we learn to live together. That means we've got to get rid of all this crazy stuff that is brought up, finding every possible way to disagree with our neighbor and to put somebody down because they don't do what I do. Enough. Let's pass the ordinance and get it done.

(Applause)

President Abell: Robin Ratcliff.

Robin Ratcliff: I'm Robin Ratcliff. I live at 1312 Parrett Street. I'll make this sweet, short and sweet. I'm pro-child, pro-family, and I am against this ordinance. Thank you.

President Abell: Erika Taylor.

Erika Taylor: Good evening. I would like to also thank you for allowing this open dialogue. My name is Erika Taylor, my address is 10336 Driver Drive. I'm a member of the Human Relations Commission that proposed the ordinance you are considering here today. I'm also the CEO of a local non-profit, and my husband and I own a business in Vanderburgh County. I consider myself an ally to the LGBT community, and an overall advocate for social justice. But, today I come before you as a mother to two wonderful children, a daughter age 7 and a son age 9, who wants to guarantee that they are protected and valued by the county in which we choose to raise them. I would like to think that I'm raising my children in a community where they will be treated equally, regardless of their skin color, age, gender or sexual preference. I'm sad to say that this is simply not the case. Racism, hatred, discrimination and sexism do exist in Vanderburgh County. This ordinance revision will allow the HRC to investigate those injustices when they relate to employment or housing discrimination based on sexual preference or identity, among other categories. As you know, the process will not be mandatory for the employer, so, some may ask why then should we pursue this revision? I would tell them that the mere fact the ordinance includes sexual orientation and gender identity sends a message to me and all mothers. As a mother, I would know that if my daughter were someday denied employment because of her sexual orientation, or if my son were someday unable to secure housing because of his actual or perceived sexual orientation, Vanderburgh County cared enough to consider my children worthy of protection and consideration. The truth of the matter is, that everyday in America, and right here in Evansville, people are discriminated against in housing or employment simply because of their sexual orientation or gender identity. This ordinance revision sends a message that prejudice and injustice will not be tolerated in Vanderburgh County. It shows that we value all of our citizens, not just those that may fit a certain ideal or norm. I'm going to skip all of my statistics because you

guys want to go home and eat and so do I. No one should be evicted, be kept from living in certain areas, or pay rent simply because of who they are. Nor should anyone have to lie about who they are in order to find safe housing. For all of these reasons, the Fair Housing Act was recently amended to ban discrimination on the basis of sexual orientation and gender identity. As you know, the Human Relations Commission receives funding from HUD to investigate local housing discrimination claims. Just based on the comments here this evening, I just want to remind everybody, we're not making a judgement call on to whether one's sexual orientation is correct, or whether you agree with it, we're simply guaranteeing that there is equal rights for all of Vanderburgh County's citizens. So, please, I ask that you choose to be on the right side of history. It's time for Vanderburgh County to pass this ordinance that confirms who we are as a community. Send the message that we are a community that will not tolerate discrimination, and that we're a community where all residents are simply equal. Thank you.

President Abell: Thank you.

(Applause)

President Abell: Please hold your applause. We're trying to get through this and get out of here tonight. Jamie Morris. Matthew Paul Shepard. Anne McKim. Oh, are you here? Okay.

Matthew Paul Shepard: Hello. I'm Matthew Paul Shepard. A resident of 4724 Penfold Street, Vanderburgh County. I'm 18 years old. I'm a senior of Signature High School, just behind us. I've attended there all four years of my high school career. Before that I attended ten years at St. Benedict Cathedral School. I am a practicing Catholic, I have been for all 18 years of my life, an active member in the choir. However, I have faced a lot of discrimination in my 18 years of life. In my time in middle school, right as I was coming to terms with my own sexual orientation, I was bullied. I was discriminated against simply because I didn't act like the typical guys should. I'm sure you can, or sure you know what I mean by the other "f" word. I was called that multiple times a day, every day of my 7<sup>th</sup> grade year, simply because I acted a little effeminate, a little too different. However, things did get better a little for me. Currently, I am employed with two businesses here in Evansville, and luckily I have not had to face discrimination because of my sexual orientation. I am gay, and I'm proud of that. Like I said, I have not had to face discrimination against that, because the employers that I have are very understanding and very accepting. However, I do know that there are people out there, that are like me, who are my age, a little older, even younger, that are going to be entering the workforce that will have to face the fear that they will be discriminated against, simply because they act a little different. I ask that you pass this ordinance to ensure that those people, those younger people who will be entering this workforce in the coming years, as the economy, or, yes, as the economy continues to recover, will not have to worry that they will be denied a job simply because of their sexual orientation. I have two nephews, twin boys, they are seven years old. I love them dearly. I don't want them to grow up in a city where they have to fear that if they are, if they turn out to be gay, that they will have to fear that they will be denied employment or that they will be fired if it is revealed that they are gay. So, I ask that you pass this ordinance for future generations. Thank you.

President Abell: Thank you. Anne McKim.

Anne McKim: I'm Anne McKim. I live at 314 South Barker. I have no notes, I'll be brief. I'm here tonight because every single thing that I do, I do with my children in mind. They are three and one, and I want to tell them some day that I stood up with a group of people who deserved equal rights and added my voice. If I didn't, I wouldn't be able to respect myself. I just ask you, Commissioners, I ask you to do that too. There's nothing that I can do to change what you do, but I ask you to do the right thing. Thank you.

President Abell: Thank you. Sarah Underwood. Evan Phillips and then Gary May.

Evan Phillips: Evan Phillips, 611 West Berkely Avenue. As a homosexual man, I've been living out for four years, but before then, I was raised Catholic, deeply devoted to my faith, and was actually planning on going to the monastery, and I dealt and I prayed so hard for Him to change me, but it's not a choice. I've attempted suicide countless times to fix myself. My freshmen year of high school I realized that I liked boys, and when I came out of the closet I told myself I would never be discriminated against in my life. Of course, I can't change the laws, but that's why I'm here, to show you my support for the laws. I want to change the future, to make it better for the people. Sorry, I refuse to be discriminated against, even though it happens to me every single day, I can't....like I've been called the "f" word, by my own family members too, but I refuse, and, I mean, just because I like guys why should I be different than any of my heterosexual peers?

President Abell: Thank you. Our last speaker is Gary May. Thank you for waiting, Gary.

Gary May: Thank you. I appreciate the opportunity to speak to you. My name is Gary May, again, 2699 Briarcliff Drive, Newburgh, Indiana. Next month, on the 12<sup>th</sup> actually, will mark the 44<sup>th</sup> year that I've been a person with a disability. I'm a retired Marine, having been placed on the permanent disability retirement list in October of 1968 after encountering a land mine in Vietnam. Since that time, I have experienced untold episodes of discrimination that have nothing at all to do with overt hatred toward me. As far as I know, have nothing to do with somebody's understanding of the Bible, or have anything to do with anything else of the likes of which we've heard a lot about today. I think, most of the episodes of discrimination that I faced in those 44 years is because of ignorance and lack of awareness. I think this ordinance, even though it has major flaws, can strike a big blow for awareness. As some of the speakers have said, they, it's consistent with the kind of community that they envision living in or raising their children in. That's not to be taken lightly, I don't think. Back in 1990 when the debate was underway about the Americans with Disabilities Act, many of the same concerns that we've heard today had been expressed. What's this going to mean? Who's exempt? Who's included? What if it bankrupts a company? It all had to do with fear mongering and unreasonable myths that were offered by people who opposed this new level of awareness. Certainly there are many flaws with the ADA as well. When I served in Vietnam, and when I paid the price I paid in Vietnam, it was not for me to return to this country and watch people continue to be discriminated against, or to be discriminated against myself. It was not for the shrinkage of rights and opportunities, it was for a minimum, the sustaining of rights and opportunities, and ideally the expansion. I see this as an opportunity for the county to speak and to speak powerfully and effectively, if largely symbolically, on behalf of historically disenfranchised populations that live and work and play and want to be happy and not messed with in this county. Thank you all very much, I appreciate it.

President Abell: Thank you. Commissioners, before we adjourn, a couple of housekeeping duties. We have a stack of letters here, some in favor of the ordinance, some against. I would like, Madelyn, for you to make these a part of the permanent record.

Commissioner Melcher: Are these new letters? Are these new?

President Abell: These are all of the letters we've gotten.

Commissioner Melcher: All during the time?

President Abell: Yeah.

Commissioner Melcher: Okay, so, that's counting e-mails and everything?

President Abell: Most of us have already seen these letters. They will be made a part of the permanent record. Commissioners, what is your pleasure about the meeting on April the 9<sup>th</sup>?

Commissioner Kiefer: Madam President, I mean, I think we originally stated that, you know, if it was, we would have that meeting if it was necessary, or if it was needed. I feel like I got a pretty good sampling of how people feel about this issue, both for and against. You know, the only thing I would think, if, you know, if we need anything else it would be just if there was an attorney representing each group or something that they wanted to address the Commissioners at maybe one of our Commissioners meetings or something. But, I mean, I don't know if we need it unless you think that there's people who weren't able to get here tonight, but, I feel like, personally, I got a good sampling of how people feel about this issue, what the pros are, what the cons are, what people feel and what they don't feel on it. But, you know, obviously it's, you know, I'm only one person.

President Abell: Mr. Melcher?

Commissioner Melcher: I just want to make sure we're inclusive and transparent out here. I'm not against coming back for another meeting, because there might be some people that couldn't make this one, but if you make it on the 9<sup>th</sup>, I would rather start at 3:00.

President Abell: Can you be here at 3:00?

Commissioner Melcher: I can be here at 3:00.

Commissioner Kiefer: I'm okay with that. I have no—

Commissioner Melcher: I think it would, in fairness to everybody, because I know there's some people who told me they couldn't be here, and one of them is the person that's over the apartment consortium or something. He wanted to be here, but he's out of town today. So, I said, well, you can just speak at the next meeting then, but I told him the second. So, we'll have to get back with him. If it's the 9<sup>th</sup>, if we can start at 3:00 and make it 3:00 to 5:00—

President Abell: Okay.

Commissioner Melcher: – so, you can't close this meeting, you've just got to recess this meeting.

President Abell: Yes, we would just be recessing this. Any of you who would like to come back on the 9<sup>th</sup>, you may come back to hear what we will be discussing. Since we three Commissioners are not allowed to talk to one another outside of a public forum, it may be that most of that discussion on the 9<sup>th</sup> will be from people we, as a matter of fact it will probably likely be from people we have not heard from yet, and the three Commissioners, because it will be our opportunity to ask questions of Mr. Kent and the Human Relations Commission without violating the Open Door Law. So, we will recess until 3:00 p.m. on April 9<sup>th</sup>, at which time we will hear further testimony....just a moment, and we will have a discussion with our attorney and Mr. Kent will both be here. Yes, Mr. Kiefer?

Commissioner Kiefer: Just to make it clear, before we recess, we're not soliciting, I mean, people that have already spoken tonight won't need to speak again.

President Abell: No, they shouldn't be here to speak again. You can come listen, but this is for people who could not be here tonight, who had already been notified that we would have two meetings, so they are anticipating that they will speak on the 9<sup>th</sup>. So, that's who will speak that night, and, again, it will be the perfect forum for us to have discussion among ourselves.

Commissioner Melcher: So, that would be like from 3:00 to 5:00?

President Abell: 3:00 to 5:00. We will end it by 5:00 p.m.

Commissioner Kiefer: That sounds good to me.

President Abell: Okay, we recess until April the 9<sup>th</sup> at 3:00 p.m.

(The meeting was recessed at 7:00 p.m.)

Those in Attendance:

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Harrison, Jr.	Marissa Nichoalds	Madelyn Grayson
Robert Dion	Diane Clements	Robert Jones
Berniece Tirmenstein	Martha Stout	Kelley Coures
Linsdey Fehribach	Jon Barrell	Brenda Bergwitz
Betty Polk	Steven Walker	Wally Paynter
Phil Hoy	Alex Kessler	Rod Murray
Kari Barron	Charlene Braker	Caitlin Woolsey
Eliot Colin	Amie McKibban	Molly Greene
Mary Ellen Van Dyke	Keith Hoeffle	Ashley Summers
John Radez	Rick Barter	Cathie Francis
Brittney Blane	Mike Pfohl	Katie Griffin
Marian Yoder	Ryan Baker	Glen Kissel
Jim Braker	David Peterson	Joshua Claspell
Jessica Jones	Tim Thompson	Dave Schwambach
Levon Dozier	David Kent	Andy Ozete
Kaitlin Thompson	Lisa Mueller	Bill Mueller
Alan Leibunguth	Sherry Burdette	Mary Bennett
Gary May	Garret Merriam	Noonie Adams
Chuck Meny	Robin Ratcliff	Erika Taylor
Matthew Paul Shepard	Anne McKim	Evan Phillips
Robert Kirkpatrick	Others Unidentified	Members of Media

VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS

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Marsha Abell, President

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Joe Kiefer, Vice President

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Stephen Melcher, Member

(Recorded and transcribed by Madelyn Grayson.)



**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
MARCH 20, 2012**

The Vanderburgh County Board of Commissioners met in session this 20<sup>th</sup> day of March, 2012 at 5:05 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the meeting of the Board of Commissioners, March 20, 2012. Could we have roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: 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 Abell: Thank you. I noticed that we have some students here. If you would push the little red button on the microphone in front of you, that will turn your microphone on and you can give us your name and tell us what school you attend.

Ellen Kendall: I'm Ellen Kendall from North High School.

Brandon Wolf: I'm Brandon Wolf from Central High School.

Heather Wolf: I'm Heather Wolf from Mater Dei High School.

Kaylee Housman: I'm Kaylee Housman from Central High School.

President Abell: Thank you. We're glad to have you with us this evening.

**First Reading of Ordinance CO.10-11-005:  
Amending Chapter 8.16: Weed & Noxious Plants**

President Abell: Our first piece of business is the first reading of CO.10-11-005, an ordinance amending the weed and noxious plants ordinance. Mr. Duckworth?

Mike Duckworth: Good evening, President Abell, members of the Commission, ladies and gentlemen. Mike Duckworth, Superintendent of the County Highway Department. What's before you this evening is an ordinance amending the current weed ordinance that we have in the county. It would bring it in concert with, basically, what the city is doing. It would decrease the inches that the weeds would be allowed from 12 to nine inches. It would also add fines. It would allow us to notify these folks by first class mail rather than certified, which would expedite our operation, make us, I believe, a little more efficient. I believe it will be more cost effective for us. It would also add penalties to allowing their property to get in this condition so that we have to pull our crews off of county workload to handle these kinds of situations. The fines and costs are included within the ordinance. I would ask you to pass this, because last year we dealt with about 180 lots, and it is quite draining of our manpower and resources. I think we're going to have to do something in the county that, basically, shows the folks that we're very serious about the use of our resources.

President Abell: Thank you. I worked with Mike a little on this, and so I'm kind of aware that it was coming up tonight. This does get us in line with the city's ordinance. It does not affect farming.

Mike Duckworth: That's right.

President Abell: Because, obviously, corn grows much taller than nine inches.

Mike Duckworth: Well, we hope that it does, yes.

President Abell: Are there any questions from my fellow Commissioners?

Commissioner Kiefer: I think it's a great idea. I know I've seen, you know, how long it takes to respond, you know, nine inches starts out and in a week's time it's 12 inches. So, I'm in favor of it.

Mike Duckworth: Well, and it has, the wear and tear on the equipment that we use, last year we had to replace a \$2,800 mower. Now, it was 12 years old, but, you know, it does take wear and tear and depreciate the equipment that we have. So, we ask folks to, you know, pay special attention to their yards. We want a clean environment. We want a good looking environment for economic development reasons and have people to want to come and live and work and play here. So, I think it's a good thing for the community, and, of course, I work very closely with the governmental affairs group from Operation City Beautiful, and they're, of course, very much in favor of this.

Commissioner Melcher: I'm okay with it too. I haven't read it all, do we have to send certified letters?

Mike Duckworth: No, sir, what we've done—

Commissioner Melcher: Because the city has changed theirs now.

Mike Duckworth: Yes, the county used to send certified letters. By the time the turnaround came we were almost 30 days out—

Commissioner Melcher: No, because at one time all you had to do was cut your grass twice during the summer then you were in compliance by the time it went through all of the bureaucracy.

Mike Duckworth: Well, this says that we only have to send a first class letter and post the property, which we can do from the right-of-way. So, we won't be going on the property to post it, we can post it from the right-of-way. That is the notice that they get. After ten days then we'll go on and take care of it.

Commissioner Kiefer: Mike, when you say post do you mean you've got a little—

Mike Duckworth: Yes, a stake with a notice tag on it.

Commissioner Kiefer: Well, that's good, because that will put a little peer pressure on them from their neighbors and everybody else letting them know that they're posted. So, no, that's great. Thanks.

President Abell: If their weeds are nine inches they don't care very much about their neighbors.

Commissioner Kiefer: Well, yeah.

Mike Duckworth: Well, the sign is higher than nine inches you understand, so they can see it.

Commissioner Kiefer: Yeah.

President Abell: I don't think they're too neighbor conscious.

Commissioner Kiefer: Yeah.

Commissioner Melcher: The only thing I would like to throw out too is that I know the first couple of years that I was a Commissioner here, we were getting more and more houses from the city, and by the time we get them and all of the paperwork there could be three feet of grass in that front yard and all of a sudden it's the county's responsibility. So, the past attorney was going to work on some stuff to make sure that when we took over property, that DMD and all of them had the grass cut up to date, so the very next day....the last one I got called on with the news media, it wasn't even in our name yet, but they were blaming us, and it was up about that high. So, the County Highway did cut it for us, but we need to make sure that we know what it is so that we have a fighting chance to get it cut before it gets up high.

President Abell: (Inaudible. Microphone not on.)

Mike Duckworth: I'm sure that goes into the farm area.

Commissioner Melcher: That's a whole nother ordinance.

President Abell: Well, we use beet juice, I thought we could have goats.

Commissioner Kiefer: I'll make a motion that we approve the first reading of this ordinance.

Commissioner Melcher: I'll second it.

President Abell: Is there any public comment regarding this ordinance? Yes, Mr. Jeffers.

Bill Jeffers: Good evening, Bill Jeffers. Of course, I agree with what you're trying to do, because it's a struggle to maintain the good looks of our community, with litter, weeds, etcetera. However, I don't think that this ordinance goes far enough to define certain things and exempt certain things. You apparently have exempted agriculture, so I'm assuming that exempts erosion control channels, grassy waterways, even though those aren't corn, wheat, soybeans, whatever, that is grass. Your ordinance restricts grass being higher than nine inches, and a grassy waterway is left to grow to maturity. So, I'm assuming that that's an agricultural planting.

Commissioner Kiefer: Isn't that covered in other ordinances, Bill, like your drainage control and things like that?

Bill Jeffers: No.

Commissioner Kiefer: It's not? Okay.

Bill Jeffers: No, it just says, in your ordinance here agricultural plants cultivated in an orderly manner for the purpose of producing food or other agricultural products. Well, there are agricultural plantings of grassy waterways, that's an NRCS practice that should be exempted because those grasses are left to grow to full maturity. If you just would exempt all agriculture it would probably take care of that. All agricultural plantings. I'm just saying, you know, when you get down to defining weeds, I don't agree that it's gone far enough towards exemptions. Rank vegetation is a matter of interpretation. Somebody's raspberries or blackberries might be considered rank vegetation by one person, and a garden by another. Rain gardens, we're starting to encourage people to have rain gardens at their home, that would be interpreted by many people as rank vegetation, because those are wetland, that's wetland vegetation that grows substantially high and it's growing in a residential yard. We have programs that are encouraging rain gardens and the type of plants they tell you you have to plant to be a certified rain garden are, could be interpreted as rank vegetation under this ordinance's language. Just pointing that out. A green roof, like Oak Hill Branch Library, they have a green roof, as you know. It's in the city, of course, but if that were a practice used somewhere in the county, that could be interpreted as rank vegetation under these definitions, as could a wildflower planting. There are wildflower plantings that, in fact, are on your rights-of-way and your properties, say at Burdette Park. I just think someone should go through here and maybe discuss some of these things with NRCS, SWCD, the County Engineer who is your MS4 Operator, he may be telling, Mike Wathen may be telling a contractor I want you to plant such and such type of grass cover on this disturbed area and I want you to let it get to this level of maturity before you mow it. That would be on a construction site for example. So, you might want to take a look at some of those things, along with the fact that I think it's somewhat humorous that Mr. Duckworth is saying that he's going to post a sign in a right-of-way in front of a domicile telling them that their weeds can't get over nine inches tall when the right-of-way weeds are, well, I'll just stop there.

President Abell: That's a good time to stop.

Bill Jeffers: You might want to mow the right-of-way before you post the sign.

Mike Duckworth: I guess, the only way I would respond is that we're giving these folks ten days to respond to us. If they think their, you know, cultivating a rain forest or whatever they're doing, they can contact us and we'll come out and work it out with them. We do this, we answer to these ordinances because of complaints from neighbors. About 98 percent of this has to do with subdivisions where one piece of property has grown up over your head. That's what we're after.

President Abell: Yeah, I actually don't think that Mr. Jeffers was saying it to cause a problem going in and that they can call you in ten days. I think, the reason and this is what I get from this is that you want to make sure it's not a subjective thing, rather that you go out and say, oh, well, yeah, I guess that is a rain forest, okay. I mean, I think I kind of like it pretty specific myself, that way nobody is making a judgement call. It is or it isn't. The ordinance covers it or the ordinance excludes it. So, maybe we need to have Joe look, Joe Harrison, our attorney, Mr. Harrison, look at, we could do a little amendment, tweaking this a little bit—

Mike Duckworth: That's fine.

President Abell: — and vote on it again, because, you know this is just first reading.

Mike Duckworth: That's fine, that's fine. I have no problem with getting it right.

President Abell: Well, I think what we want to do is make sure that ten years from now somebody doesn't have to decide what we meant by this, we have it pretty well specific. So, that, and maybe Mr. Jeffers would talk to Mr. Harrison and we could put a little tweaking on it. Would that be acceptable?

Joe Harrison, Jr.: Whatever you want me to do.

Commissioner Kiefer: We wouldn't need to redo another first reading would we?

Commissioner Melcher: No, no, we could pass—

President Abell: No, we can amend it.

Commissioner Melcher: — this tonight—

President Abell: Yeah.

Commissioner Melcher: — and amend it in the second and final reading.

Commissioner Kiefer: Okay, I just wouldn't want to delay Mike from—

Commissioner Melcher: I agree.

President Abell: We wouldn't, just say as amended.

Commissioner Kiefer: Okay, great.

Commissioner Melcher: More might come between now and then.

Commissioner Kiefer: Okay, sounds good.

President Abell: Just add a couple little things.

Mike Duckworth: That's fine.

Commissioner Kiefer: So, I think we have a first and a second.

President Abell: I have a motion and a second. I'm sorry, yes, go ahead. Please give your name at the microphone.

Bruce Blackford: Bruce Blackford, Vanderburgh County Farm Bureau. Since agriculture was listed as row crops, we just wanted to mention, like Mr. Jeffers did on the erosion control and things like that, but pastures and people grow hay in the county and that's grass or fescue and other type of products that aren't really row, they're just more broadcast seeded and they would be sort of considered noxious weeds in this proposal. We just ask that you would eliminate agriculture or put something in that agriculture is excluded from this, because as people move out they may be next to a 20 acre field and they go, well, I don't like those tall weeds out there, the grass, you know, and they moved to where the farm was, and now they're supposed to be mowing it and keeping it down below nine inches. That sort of eliminates the farmers income. So, we would just request that all agriculture be excluded from this proposal.

President Abell: I think that's exactly what we want to do. We're not here to try to put the farmers out of business. We're just trying to clean up some of the housing areas.

Bruce Blackford: And 98 percent is what he's talking about, but there's always going to be that two percent or somebody that says, you know, can get carried away sometimes.

Commissioner Melcher: I think we're going to have that all of the time, but what we're getting at with all of these new subdivisions, that's where we're getting all of the complaints. We're not really getting them from the farm houses.

Bruce Blackford: We understand and we agree completely.

Commissioner Melcher: But, it could, so we need to eliminate it.

Joe Harrison, Jr.: One thing I may want to mention, and it is clearly in the ordinance. It does say that weeds and rank vegetation do not include agricultural crops such as hay or pasture.

Bruce Blackford: Okay, I didn't have a chance to read it so that's the reason—

Joe Harrison, Jr.: I mean, I think we're probably covered.

Bruce Blackford: Okay.

Joe Harrison, Jr.: But, I'll get with Bill and if we need to, you know, modify it in some fashion we'll do that.

Bruce Blackford: Okay, thank you.

Commissioner Melcher: We could get you a copy. Bill, he could have that copy?

President Abell: Thank you. Any other comment? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: That ordinance now moves to second reading.

<p><b>First Reading of Ordinance CO.03-12-002: Amending Chapter 17: Vanderburgh County Zoning Code</b></p>
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President Abell: The next order of business, first reading of CO.03-12-002, an ordinance amending the Vanderburgh County zoning code.

Janet Greenwell: Good evening. I'm Janet Greenwell with the Area Plan Commission. Our ordinance is very straightforward. We're making an attempt to expedite rezonings. Anything that's changed at Plan Commission or after Plan Commission to make a petition more restrictive can come forward to this body and not have to go back to Plan Commission for rehearing. Right now we're playing the back and forth, it takes six weeks, two months. The other items that were included in the ordinance change were clean up items that probably should have been addressed previously, but they have been gone over carefully by Mr. Harrison, our attorney, Mr. Stahl, and the City Attorney, John Hamilton, and I think, I feel like we're doing a good thing. We're cutting some months, in some instances, off of the length of time it takes to get a rezoning through.

Commissioner Kiefer: I like this ordinance because, you know, how often times in a rezoning hearing, you know, in order to get something accomplished the developer or somebody that's wanting the rezoning will offer a more restrictive use and this saves time, and I think is conducive to economic development. So, I'm in favor of this.

Janet Greenwell: We did put some safeguards in. Everything that you vote on should be in writing. You should not be asked to vote on anything that's changed on the floor. That was a suggestion from the City Attorney, but, I think, Mr. Harrison agreed that it was a really good idea. You don't want to rely on the word, right, but it still would not come back to Plan Commission, it would come to your next meeting.

Commissioner Melcher: Once, the Plan Commission is not going to vote on any changes, they are going to vote on what's presented in front of them.

Janet Greenwell: Exactly.

Commissioner Melcher: We will pass it or fail it or whatever on the Planning Commission, and then that gives them the opportunity between coming to us or the

City Council to get what the neighbors and remonstrators and even the clean up from Area Plan, gives them a chance to get it done as long as it's stiffer, right?

Janet Greenwell: As long as it's more restrictive.

Commissioner Melcher: As long as it's more restrictive. Then when it comes to us, we would have to vote that amendment, right?

Janet Greenwell: You would vote on the ordinance as amended.

Commissioner Melcher: We would amend it at our meeting, or the City Council would amend it at their meeting, and then that saves the time from starting all over again and costing everybody more money. Some of these projects with developers have to happen quicker.

Janet Greenwell: Yes.

Commissioner Kiefer: And it probably gives them a chance to have it as a restricted use instead of a private covenant, which it's hard to enforce those private covenants.

Janet Greenwell: This was one of the main—

Commissioner Melcher: That's the main reason.

Janet Greenwell: — reasons that we did this, because we need, the general public has a misconception that when private covenants are entered into that we can enforce them, and we cannot. We need it in a use and development commitment, we need it to be part of the ordinance if you want a government agency to be able to enforce it. That was the purpose, that was the intent. So, far we haven't heard anything negative about it. So, we're hoping to move forward and get it done in a timely fashion.

Commissioner Melcher: Yeah, when you have neighbors just making a covenant with a developer, they have, 20 years from now those neighbors are going to be gone and somebody else is going to be there, they have to come up with the money. So, this I never cared for that, I never ever wanted to have those neighbor covenants. It's better to go with the title or the deed or with the ordinance.

Janet Greenwell: Absolutely.

Commissioner Kiefer: I move that we approve this on first reading.

Commissioner Melcher: I'll second it.

President Abell: Is there any public comment? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.



Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: This ordinance moves to second reading.

<b>Approval of the 2012 Vote Center Locations</b>
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President Abell: Approval of the 2012 vote centers. I don't see Susan Kirk here, but I have talked to her on the phone about it. I don't see anything wrong with the ones, we had to, we're moving one to the County Garage, because there was a problem with insurance at the Steamfitters and, the Steamfitters union, I can't remember what it was. At any rate, other than that, I think they're pretty much the same as they were.

Commissioner Melcher: Is there a new copy of--

President Abell: I'm looking.

Commissioner Melcher: I didn't have a new copy, and I thought it was going to be presented tonight.

President Abell: Did Ms. Kirk present us with a new copy of the vote centers? I don't think we have...oh, you have them? Okay.

Joe Harrison, Jr.: Why don't you name them off.

President Abell: Madelyn, you read them off.

Commissioner Melcher: Madelyn will read them.

Madelyn Grayson: Okay, we've got the 4-H Fair Auditorium; Bethel United Church of Christ at 3029 North Green River Road; Bethlehem United Church of Christ at 6400 Oak Hill Road; Bluegrass Church Community at 14240 Old Petersburg Road<sup>1</sup>; Calvary Temple Assembly of God, 5050 North First Avenue; Fairlawn United Methodist Church at 2001 Parker Drive; Grace Baptist Church at 1200 North Garvin Street; McCutchanville Community Church, 9505 Petersburg Road; Memorial Baptist Church, 605 Canal Street; Methodist Temple, 2109 Lincoln Avenue; Nativity Catholic Church, 3635 Pollack Avenue; New Bethel Southern Baptist, 4301 Broadway Avenue; Northeast Park Baptist Church at 1215 North Boeke Road; Old North United Methodist Church at 4201 Stringtown Road; Salvation Army at 1040 North Fulton Avenue; the Southern Indiana Career and Technical Center on Lynch Road; St. James United Methodist at 3111 Hillcrest Terrace; St. Paul's United Church at 8701 Big Cynthiana Road; St. John's East United Church, 7000 Lincoln Avenue; the Vanderburgh County Highway Garage; Washington Square Mall; Westside Christian Church at 1200 North Red Bank Road and Zion Church Education Building at 1800 South Governor Street.

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<sup>1</sup>Should be 14240 Petersburg Road.

President Abell: Do you have some comments, Steve?

Commissioner Melcher: Yes, I also heard that we had changed a couple because we moved out of some because of, I never got a reason, I don't know if it was because they didn't want it or things didn't work out as well. I was kind of hoping to find out which ones those were too. So, maybe here during the meeting if we could get copies of this for us, and then we could look at last year's and see which ones have changed. We need to know that too.

President Abell: Well, of course, last year's were city and these are going to be county.

Commissioner Melcher: I understand, but some of them were the ones that changed, and we vote on all of them.

Joe Harrison, Jr.: Yeah, we vote on all of them.

President Abell: Oh, I understand that.

Joe Harrison, Jr.: Even those in the city.

Commissioner Melcher: Yeah, but I'm just saying I think a couple in the city—

President Abell: I mean, it would be different from last year, because last year was the city.

Joe Harrison, Jr.: Yeah, because there are some county in there now.

President Abell: Do you have last year's?

Commissioner Melcher: I don't know which ones they are.

President Abell: Could you take this, Marissa, get us all a copy of this, and get us all a copy of last year's. We'll put this—

Commissioner Melcher: And maybe if you could even see the differences for us.

President Abell: We can vote on this after while. Do we want to go on?

Commissioner Melcher: No, let's just go ahead and vote on it.

President Abell: Are you okay with that?

Commissioner Melcher: Because they were already set in, but I just, we need to know. I'll make the motion that we accept it.

Commissioner Kiefer: Second.

President Abell: Roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Health Dept: Business Associate Agreement with Purdue  
Health Dept: Technical Assistance Agreement with Purdue  
Health Dept: 2012 STD Grant Agreement  
Superior Court: Addendum to MRDC Detention Agreement (Cedarbridge)**

President Abell: Contracts, agreements and leases, Health Department, Purdue University business associate agreement, and Purdue University technical assistance agreement. The agreements are for the technical and administrative staff assistance to be provided by Purdue University to the Vanderburgh County Health Department in connection with the meaningful use of electronic health records in the State of Indiana. Funding for this program is by the way of grant funds. The term of the agreement will end 12/31/12, or upon stage one of meaningful use, whichever is earliest. Mr. Heck?

Gary Heck: Gary Heck, Vanderburgh County Health Department. Meaningful use incentive is an opportunity to go to an electronic health record, which all health providers will have to do by a certain date, health departments it's 2017. The incentive would allow us to receive federal funds to help pay for those software applications, if you will, from 100 percent compliant vendors who have been certified by the federal government that their products meet this meaningful, well, the meaningful use is a certain percentage of your clients. In our case, 30 percent of our immunization clinic clients. Purdue has the technical assistance to help us go through the phasing to do this. It's, and for the amount of money involved with the contract, it certainly would be very helpful for the Health Department to have their expertise involved with it. So, we certainly would hope that you could approve this contract for us.

President Abell: Is your hardware adequate to handle this software project?

Gary Heck: Our hardware is certainly, is adequate. It's the new software that you have to purchase.

President Abell: Okay.

Commissioner Kiefer: So, this is geared toward HIPPA compliance?

Gary Heck: It's geared for being able to keep records and charge Medicare/Medicaid, is what it amounts, that's what it's involved with.

Commissioner Kiefer: Okay, so it doesn't have anything to do with HIPPA?

Gary Heck: Well, HIPPA's involved with everything the Health Department does when there's protected health information.

Commissioner Kiefer: Okay.

Gary Heck: But, these products would all meet that requirement as well.

Commissioner Kiefer: Okay, thank you.

President Abell: Gary, will this require help from Matt Arvay's office?

Gary Heck: Eventually, when we, if we were to purchase the new software, and they will be involved with us when we get to that part, yes.

President Abell: Okay. I'll entertain a motion to approve?

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Then, next is the 2012 STD grant agreement. This is for \$75,000 for use by the County Health Department in connection with its sexually transmitted training program. It runs from 1/1/2012 to 12/31/2012.

Gary Heck: We just received it from the State Department of Health. It's a grant that we've had for many years and this is just a continuation grant. They are a little slow in getting it out in a timely manner.

President Abell: Commissioners, any questions?

Commissioner Melcher: Move for approval.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: Thank you, Gary. Superior Court, addendum to detention agreement with MRDC between the county and Cedarbridge Treatment Centers of Muncie, Indiana regarding a price change on the cost of a daily bed for juveniles which are sent to such facility by the Juvenile Court. Last year the cost to house a juvenile at such a facility was \$89 a day pursuant to the addendum. The cost will be \$99 a day starting May 6, 2012. This price amount will be in effect for 12 months.

Bernie Faraone: Bernie Faraone with Juvenile Court. Basically we're asking that the Commission renew the contract. It was a great deal that they offered us last year for \$89, just on used beds, with no requirement, we don't have to fill so many beds or they don't charge us for unused beds. This charge is \$99, in May they'll charge us \$99 per juvenile per night. A lot of the other similar detention facilities that we use usually charge the county \$139 or \$149 per night. So, we're grateful that they offer their, they're offering us another, apparently, good deal.

President Abell: Yeah, I think it's still an excellent deal at \$99 a night.

Bernie Faraone: Yes.

President Abell: How many people do we send up there? I mean, I know you probably don't have that at your fingertips. I just thought you might know.

Bernie Faraone: No, I could get that for you. It fluctuates.

President Abell: Yeah, I'm sure it does.

Bernie Faraone: Yeah, but they do a great job. Part of the contract is they also do most of the transporting for us.

President Abell: Oh, do they?

Bernie Faraone: They'll come get the kid—

Commissioner Kiefer: Yeah, that's what I was going to say.

Bernie Faraone: —they'll bring them back.

President Abell: Oh, that's wonderful.

Bernie Faraone: Yeah, and some of our kids we move to another location and they'll do the driving for us, with their manpower.

Commissioner Kiefer: And, I understand the program is a really good program for juveniles that are hard, especially difficult to deal with, and that the program is pretty exceptional. I know that Judge Niemeier had high remarks for that program up there.

Bernie Faraone: Yes.

Commissioner Kiefer: I would move that we approve this.

Commissioner Melcher: I'll second it.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Bernie Faraone: Okay, Juvenile Court thanks you.

President Abell: Thank you.

<b>County Engineer</b>
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President Abell: Department head reports. Mr. Stoll?

John Stoll: The first item I have is a request for approval of a supplemental agreement for the Millersburg Road design. This is an increase of \$9,300. This contract was with Bernardin Lochmueller and Associates. The reason for this increase was the permit, the hydraulic modeling for the new bridge on Millersburg Road. It was originally set up as an independent hydraulic model separate from the airport project's hydraulic model. Since the two projects were adjacent to one another, DNR required that the two models be combined, and this extra cost is associated with redoing the model that Bernardin Lochmueller had originally prepared to get the permits for that project.

President Abell: Questions of John?

Commissioner Melcher: No, I'll make a motion to approve.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next, I would like to request that you award the Peck Road Reconstruction project to Blankenberger Brothers for the amount of \$498,545.43. They were the low bidder on the project. We had Purchasing do the MBE/WBE review, all the other paperwork was in order. This is a slightly different amount than what was read in the record last week. It's \$5.50 higher, but the low bidder did not change. So, I would request that you proceed with making that award. This project will be overseen by the county, but it will be reimbursed through the School Corporation.

President Abell: Would you, for the benefit of those watching, and so many people are interested in Peck Road, would you just quickly tell us what this is going to do to Peck Road.

John Stoll: This will reconstruct Peck Road from Old State Road to the new entrance that will be constructed to North High School on Peck Road. That's about 1,500 feet north of Old State. The way the entrance is being designed is to try to prevent right turns, southbound right turns into the new driveway, and eastbound to northbound left turns out of the driveway, simply because that will be a section of road from the entrance north of Baseline that won't be reconstructed. So, the intent is all of the school traffic will come in from the south and then exit back to the south. When Peck Road is eventually widened at some point in the future, the islands that are forcing the turns, prohibiting the turns and trying to make it, keep the traffic off the north segment of Baseline, that would all be removed and the drive for North High School would be full access. In the meantime, the intent is to keep all of the traffic between the drive and Old State Road, nothing going north. That's primarily because Peck Road is not passable for two way traffic in a couple of spots, and we just don't need to increase traffic in that area.

Commissioner Kiefer: John, that's egress only? I mean, people cannot enter, even driving north on Peck, they can't enter?

John Stoll: Yes, they will be, the northbound left turn into the school will be allowed.

Commissioner Kiefer: Oh, okay, I was thinking that was only dumping out traffic.

John Stoll: A northbound left will be allowed. The eastbound to southbound right from the driveway onto Peck would be allowed—

Commissioner Kiefer: Okay.

John Stoll: —the eastbound to northbound left turn out of the drive to head north on Baseline would be prohibited, and then a really small radius has been provided for

the southbound right turn from Peck Road into the school entrance. That, there wasn't a really good way to—

Commissioner Kiefer: They'll have appropriate signage, I'm sure—

John Stoll: Yes.

Commissioner Kiefer: —directing that.

John Stoll: Yes.

Commissioner Kiefer: Okay, thank you.

John Stoll: The project plans do call for all the signs to try and show which turns are allowed and which ones are prohibited.

President Abell: What about traffic leaving Poet's Subdivision, will they be, how is that going to work into this?

John Stoll: That is probably about 1,000 feet north of this project. So, it's in the section that isn't part of the reconstruction—

President Abell: Okay.

John Stoll: — so, it won't have access initially. I believe that was one of the conditions that was placed on the subdivision when it went through Area Plan Commission, that no access for Poet's Square would be allowed until Peck Road is improved along the Poet Square (Inaudible).

Commissioner Kiefer: They take a right onto Peck Road, take a left on Baseline and they're right there. Right?

John Stoll: For which?

Commissioner Kiefer: For the subdivision coming out. They could just, they'll just go north on Peck.

John Stoll: They won't have any access initially.

Commissioner Kiefer: Oh, they won't even have access?

President Abell: Yeah.

Commissioner Kiefer: Okay.

John Stoll: They'll end up, right now, initially going through Kingsmont Subdivision, which is between Old State Road and Scott School, up through the existing subdivision will be how you will have to access Poet's Square until such time as the rest of Peck can be reconstructed.

Commissioner Kiefer: Okay, thank you.

President Abell: Any other questions? Any further comment? Motion to approve?



Commissioner Kiefer: I'll move....oh, go ahead.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next, I have two more right-of-way purchase offers that need approved for Green River Road. The first one is parcel three, owned by Melton, and the offer amount is \$6,325. This is a revision from an amount that you had previously approved. The appraiser went back and increased this offer amount by \$1,500 to account for five trees that were in the right-of-way take. Then, also parcel 59 owned by Kimbrough, and that offer amount would be \$14,100.

President Abell: Questions? We can approve them both at the same time, I think, can't we? We don't have to approve them individually?

Joe Harrison, Jr.: Yes.

President Abell: Okay. I would entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, last I've got a time extension request from Adler Excavating for the Number Six School Road bridge repair project. The work that they were doing was supposed to have been done yesterday, but due to high water in the channel they weren't able to get down into the channel and do all of the work that was required, so they are asking for a time extension through the end of the week. I would recommend that be approved.

President Abell: Motion to approve?

Commissioner Kiefer: I move that we approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

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

President Abell: Thank you, John. Mr. Heck, did you have anything further?

Gary Heck: No, Ma'am.

<b>County Attorney</b>
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President Abell: I think the County Attorney has something under department head reports.

Joe Harrison, Jr.: Yes, I do. I have, I think in front of you, an amendment to the Coliseum lease agreement between the Veterans Council and the county. The amendment in front of you relates to the insurance provisions in the lease agreement that was entered into back in, I think, 1971. It's a 99 year lease, and over time there's been, obviously, changes regarding the responsibility for coverage to be maintained by governmental entities with respect to torts and things like that. So, there's a need for the coverage to be increased, but also the provision in the lease required the Veterans Council to insure the building itself, and the better way to do it would be for the county to insure the building against fire or other loss and for the Veterans Council to, obviously, insure with respect to events that it has there, single limit public liability coverage up to a million dollars. So, the amendment is requiring

the Veterans Council to have a million dollars public liability coverage. Also, the Veterans Council will be insuring the improvements that they have made to the kitchen equipment, since it's their equipment they will be required to maintain coverage on their own equipment within the Coliseum. So, that is included in the amendment. Then, the county will be responsible for insuring the building, which for one reason or another they've been doing for many years anyway. So, it's just to kind of put the proper language in the lease through an amendment to the lease so that both parties are able to carry sufficient insurance coverage regarding their respective obligations and needs, and so that it complies with the terms of the lease. This amendment will do that. So, I would ask that you consider approving the amendment to the lease, and this particular insurance requirement then would go into effect March 26<sup>th</sup>.

Commissioner Melcher: I could add a little to that, being on the Veterans Council. We've been trying to do this for a couple of years, because I think under Ted Ziemer he said we needed to make some changes also. What's happened, since that lease is so old, they don't write insurance the way that lease is written. So, it was hard to find insurance carriers, plus it said \$100,000 worth of liability, and now we're going to raise it to a million. Well, the Veterans already raised it to a million, because you can't buy \$100,000. So, that's one of the main reasons why I do it, and there's no sense in two or three different people insuring the building, because the county is going to get it. So, to us, it's that, and with that, since I am Commander of the Veterans Council, it would be better and that way there won't be any perception here, that I'm going to abstain from the vote on this issue.

President Abell: Okay. I need a motion to approve.

Commissioner Kiefer: I will move that we approve.

President Abell: Since Mr. Melcher has already acknowledged that he is going to abstain, I will second the motion. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Abstain.

Madelyn Grayson: President Abell?

President Abell: Yes.

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

President Abell: Thank you, Mr. Harrison. Do you have anything else?

Commissioner Melcher: I do want to thank Mr. Harrison and the insurance people. They were putting all of this together, and Bob Dillow was the one that really helped with this.

President Abell: Good.

Commissioner Melcher: He worked a long time on this, trying to help us, because he had the county insurance so he knew what was going on.

Joe Harrison, Jr.: Thank you.

President Abell: Thank you, Joe. Are there any other department heads?

<b>New Business/Old Business</b>
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President Abell: Any new business to come before the Commission? Any old business?

<b>Public Comment</b>
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President Abell: Public comment, I believe there is someone that wanted to...are you the gentleman that I spoke to, or got a text from? Okay, come forward. Please state your name for the record and then tell us your issue.

Michael Gottman: My name is Michael Gottman, Vanderburgh County resident. I recently had a situation that impacted our family on March 1<sup>st</sup>. Investigating that situation I spoke with Monica Freeman, Animal Control, on March 2<sup>nd</sup>, and determined that the Vanderburgh County ordinance/rule/law/regulation, whatever you call it, chapter 6.05 does not have a lot of provisions for the safety of families. We have a situation where this ordinance states that the third and any subsequent violation of this ordinance by the same person, you simply repeat step “c”, which is a ten day quarantine of an animal and a fine. As I’ve investigated this situation, we have a family that has six incidences on file with Animal Control around the family and the dogs. My wife was the second person to be bitten in the past less than six months. My neighbors dog was attacked, and there are three or four other incidences on file. I simply ask for your time and consideration to look at chapter 6.05, an ordinance to establish provisions for animal control, and find out if there isn’t something more we can do about this. In my discussions with Monica Freeman, she states that the city has quite detailed steps that she can follow, but with the county, her hands are tied, and she will simply release the dog to the owners after ten days, time and time again. So, my concern is, how many times does somebody get bitten before we do something? We’ve had to take it upon ourselves to hire an attorney, get a court order to extend the quarantine, and that is where we are at at this moment. We meet with Judge Trockman on Friday of this week to find out what our next steps are. I’m not after putting the dog to sleep or any other kind of things, but we don’t want the dog returned in its current environment, it’s not a safe situation. So, I’m just asking for your time and consideration to look at this ordinance and see if better provisions can be made for situations of unpredictable, aggressive dogs with exceptionally repeatable offenses.

President Abell: I think we have, Mr. Kiefer, did you, was it you or Mr. Melcher had talked to Mr. Harrison about this?

Commissioner Melcher: No, I sent an e-mail–

President Abell: Okay.

Commissioner Melcher: –to Mr. Harrison earlier today, because I agree with you wholeheartedly. I always run everything through the legal side, so we know what we

can do, because these ordinances are written by them. So, I already sent him something, he's already even started on it, but we haven't gotten very far since we just got this.

Michael Gottman: I understand, I just sent you the e-mails today.

Commissioner Melcher: But, I agree with you, I was involved with the City Council, a long time ago this issue came up and that's why we made it tougher. Since I've been a Commissioner, and this is going on my fourth year, this is the first time that anything in Animal Control has come up. So, unfortunately, that's what it takes to get some of these updated.

Commissioner Kiefer: Well, plus with like you had said earlier, Commissioner Melcher, with all of the new subdivisions out there, you're more likely to have an incident than you were before.

Commissioner Melcher: That's exactly right. So, we're going to be, I believe we're going to be looking into it.

Joe Harrison, Jr.: Yes, I'm going to take a look at it. I've got a copy of the city ordinance, and I've looked at that so we can see if we can do something along the same lines, if that's what this body wants to do, which I'm sure they will.

Commissioner Kiefer: I'm agreeable with it. I think it's a good idea.

Michael Gottman: I appreciate your time and consideration. You have my e-mail if you need information from me or want to have another conversation.

President Abell: Well, I think that all three of us are pretty much in agreement. I happen to be a pet owner myself and my animals are always under my control. They're either on a leash or they're locked up in my house. So, I don't think any one should allow their animals to be out of control. I think Mr. Melcher and Mr. Kiefer feel very similar. So, we will work hard on getting something changed.

Michael Gottman: Thank you very much.

President Abell: Appreciate you bringing this to our attention, sorry that your wife had to get bitten for it to happen.

Michael Gottman: Me too.

Commissioner Melcher: Thank you.

Michael Gottman: Thank you very much for your time.

President Abell: Thank you. Is there anyone else that would like to comment in the public?

<b>Consent Items</b>
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President Abell: Okay, Madelyn, do you want to do the consent agenda?

Madelyn Grayson: The consent items for the March 20<sup>th</sup> meeting are as follows; approval of the March 13, 2012 meeting minutes; employment changes for the Commissioners approval, there are four for Burdette Park; the Commissioners have a Phoenix of Evansville one month lease extension for Old Courthouse suite B9; a Right to Life proclamation; a request of waiver of Centre fees/not overtime for the Back to School Unity Fest; the County Engineer has pay request number 147 for TIF projects in the amount of \$86,605; the County Coroner has a surplus request for various office furniture and equipment; Weights and Measures has a monthly report from February 16-March 15, 2012; the County Clerk has a request for additional leave for employee; and the department head reports, there is one from the County Engineer.

Commissioner Melcher: I'll make a motion to accept the consent agenda as written and stated.

President Abell: What is the, what is the employee in the Clerk's office that has asked for additional leave? I don't know that I know about that. Is there something in here that I can look at?

Commissioner Melcher: I remember seeing an e-mail on it.

President Abell: I saw an e-mail on it, but I've read a million e-mails since then. Did you see this? Okay, I'm satisfied.

Commissioner Melcher: Okay, I'll just repeat the motion to accept the consent agenda as stated and written.

President Abell: Okay.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Anyone else have any business to come before the County Commissioners? I'll entertain a motion to adjourn.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: We are adjourned.

(The meeting was adjourned at 5:52 p.m.)

**CONSENT ITEMS**

**Commissioners:**

Approval of the March 13, 2012 Commission Meeting Minutes.

Phoenix of Evansville: OCH Lease of Suite B9: One Month Lease Extension.

Right to Life Proclamation.

Centre Waiver Fee/Not OT: Back 2 School Unity Fest.

**Employment Changes:**                      Burdette Park (4)                      Prosecutor (1)

**County Engineer:** Pay Request No. 147: TIF Projects.

**County Coroner:** Surplus Request: Various Office Equipment and Furniture.

**Weights & Measures:** Monthly Report: February 16-March 15, 2012.

**County Clerk:** Approval of Request for Additional Leave for Employee.

**Department Head Reports:**    County Engineer

**Those in Attendance:**

Marsha Abell

Joe Gries

Madelyn Grayson

Heather Wolf

Bill Jeffers

Gary Heck

Michael Gottman

Joe Kiefer

Joe Harrison, Jr.

Ellen Kendall

Kaylee Housman

Bruce Blackford

Bernie Faraone

Others Unidentified

Stephen Melcher

Marissa Nichoalds

Brandon Wolf

Mike Duckworth

Janet Greenwell

John Stoll

Members of Media

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
APRIL 3, 2012**

The Vanderburgh County Board of Commissioners met in session this 3<sup>rd</sup> day of April, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the May 3, 2012<sup>1</sup> meeting of the Vanderburgh County Commissioners.

**Introduction of Teen Advisory Council Job Shadows**

President Abell: We have some students with us this evening. Would you turn on the microphone and give me your name and your school?

Brandon Wolf: I'm Brandon Wolf and I go to Central.

Heather Wolf: Heather Wolf and I go to Mater Dei.

Kaylee Housman: Kaylee Housman and I go to Central.

**Pledge of Allegiance**

President Abell: Brandon, would you like to lead us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

**Attendance Roll Call**

President Abell: Madelyn, would you call the roll?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

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<sup>1</sup>Should be April 3, 2012.



**Second/Final Reading of Ordinance CO.10-11-005:  
Amending Ch. 8.16: Weeds and Noxious Plants**

President Abell: The first order of business is the second and final reading of CO.10-11-005, an ordinance amending chapter 8.16 regarding weeds and noxious plants. I need a motion to approve. I'll have discussion.

Commissioner Melcher: Isn't this the one that's got the amendment to it?

President Abell: Yes.

Commissioner Melcher: So, I'll make the motion to accept it with the amendment.

Commissioner Kiefer: Second.

President Abell: Discussion? Mr. Duckworth, do you want to come forward? Or, Mr. Harrison, you might want to tell us about the amendment.

Mike Duckworth: Good afternoon, Mike Duckworth, Superintendent of the Vanderburgh County Highway Department. As the record will show, I was here at the last meeting regarding the first reading of this ordinance, and there were some concerns about whether or not this would affect the agriculture side of the community and their growth. At that time I was under the impression, and still am, that this exempts any participation with that regard. I would just like to say for the record, to my knowledge, since my involvement with this department, which has been segmented from five years previous to now, I don't know that we've ever had a problem with complaints from any farmers or anyone with agricultural concerns. So, you know, the main focus of this is to be more efficient, to be out when they're not four foot high and it's tearing up our equipment, and it's not taking us an extended amount of time for our manpower and our equipment. So, I think this ordinance accomplishes that, and we're anxious to get a pass so we can start the process.

Joe Harrison, Jr.: Yes, the changes that were made, just to kind of clarify that the ordinance would not apply to such things as; certified rain gardens, wildflower plantings, green roofs, back yard habitats, shade gardens and agricultural products and practices, and soil and water resources in accordance with recommendations and guidelines provided by federal, state and local regulatory agencies. So, I think we've got it all covered now, and we put that in the ordinance, so, I think we're good to go.

President Abell: Would Farm Bureau like to make a question or comment? I saw you coming forward.

Bruce Blackford: Good afternoon. Bruce Blackford, Vanderburgh County Farm Bureau. We like the changes that were made, just a couple of concerns that we have. Where they define, "weeds", it says and agriculture planted and cultivated in an orderly manner. Who determines "orderly manner"? I mean, that's sort of vague. I know, last time at the meeting you said you like when somebody reads it they know exactly what you meant from ten years ago. So, "orderly manner" sort of is vague, and who determines that? The only other thing that we have that is really a concern, it say, in A on page three, "The Department or its contractor shall not be responsible for the removal of any trees, bushes, shrubs, ornamental plants, or agricultural

plants cultivated in an orderly manner for the purposes of producing food.” So, if they accidentally go to the wrong place and disk up or mow the wrong fields, they’re not responsible for paying the landowner for destroying their crops or trees?

President Abell: (Inaudible. Microphone not on.)

Joe Harrison, Jr.: Well, if something like that would happen, they have all sorts of remedies by law that they could pursue. The bottom line is, as I indicated in the definition, the ordinance will not apply to agricultural products and practices, and soil and water resources in accordance with recommendations and guidelines provided by pertinent federal, state and local regulatory agencies. So, as long as you’re complying with the general practices of planting, I don’t see any issues.

Bruce Blackford: That I understood, I was just that they weren’t held reliable, responsible or liable for doing any damage.

Joe Harrison, Jr.: We’re saying the contractors, yes.

Bruce Blackford: Right, if they went out and removed somebody’s tree and they got the guy on the wrong side of the street.

Joe Harrison, Jr.: That’s what the ordinance says. That’s what it says.

Bruce Blackford: That they wouldn’t be responsible?

Joe Harrison, Jr.: That’s what it says, correct.

Bruce Blackford: It seems like if you went—

Joe Harrison, Jr.: But, they are going to be bonded, and they are going to have to have insurance if they’re going to do work for the county. If it’s something that there’s an issue that may come up down the road, it may be different, but that’s the way the ordinance is, and that’s the way it’s going to be.

Bruce Blackford: Okay, well, that was just a concern, because it seems a little vague that—

Joe Harrison, Jr.: Sure.

Bruce Blackford: — if they accidentally tear something up they’re not responsible for it. Because if I tore something up, I would be held responsible.

President Abell: I actually have a question. Oh, so, we’re saying that we’re granting a contractor the immunity to—

Joe Harrison, Jr.: We’re saying the contractor would not be liable, but that doesn’t mean the county might not be liable.

President Abell: Well, I would be more concerned about the county not being liable if we’re paying that contractor, I think he should be liable.

Joe Harrison, Jr.: Well, again—

Commissioner Kiefer: Well, he’s not liable for the authorized work he is to do—

Joe Harrison, Jr.: He's doing what he's told.

President Abell: Oh.

Commissioner Kiefer: –but if he's doing unauthorized work–

Joe Harrison, Jr.: That's a whole different ball game.

Commissioner Kiefer: – and he goes onto the wrong property–

Joe Harrison, Jr.: That's a whole different ball game.

Commissioner Kiefer: Yeah.

Joe Harrison, Jr.: But, he's doing what we tell him to do.

President Abell: Oh, do you see what....now, that makes sense.

Bruce Blackford: That makes sense, yes.

President Abell: In other words, if our people say go over there and cut that tree down, and he cuts that tree down, he's not responsible to the owner of that tree, but we are. But, if he goes over there and does it on his own, it's his own insurance and his own problem, because we didn't tell him to do it. Is that correct?

Joe Harrison, Jr.: That's correct.

President Abell: Yeah, that makes more sense. I was afraid we were giving him freedom to just cut down trees.

Joe Harrison, Jr.: No, no.

Bruce Blackford: Well, that was our concern that they might tear something up. Okay, I appreciate it, but besides that, everything else looked okay.

President Abell: Thank you.

Bruce Blackford: Thanks.

Commissioner Kiefer: Thank you.

President Abell: Thanks for contacting me. Does anyone else have a comment or question about this ordinance? Yes.

Cynthia Maasberg: My name is Cynthia Maasberg and I live out in Armstrong Township. My husband and I farm, so this is very important to us. I would just like further explanation on a couple of the areas that really are a concern for us, that areas are not being taken care of. Those two things are railroads and the property that they own, and then also the right-of-way along all the county roads. We have a railroad going through our property, and there's not been a train down it for 40 years or more. There are trees, there is very obnoxious weeds growing along it. They never come along and spray. We tried to do some of it, but you can't, you can only do so much, because of the expense. Then, also, on the county roads, you know, they do a good job of cutting the first five feet off of the pavement, but I believe

they've got more of a right-of-way than five feet. So, are they going to extend that and cut all of their right-of-way?

President Abell: Mr. Harrison? Oh, Mr. Duckworth, would you like to address part of that? I think Mr. Harrison you might address the railroad part.

Mike Duckworth: Yeah, there's not anything we can do about the railroads, because—

President Abell: They won't let us.

Mike Duckworth: — they cite us. We have a railroad that runs right along side our property, and we've gone out there and cut it and we got our hands slapped. We did it because of the sight problems with cars coming up and not being able to see the trains. With regards to the right-of-way, right-of-way changes throughout this county. There's 540 miles of roadway in this community, and where off of one roadway it may be 12 feet, it may two off of another. So, I would be more than happy to address any concern about right-of-way mowing and look into any of those concerns that you all would want to share with me, so that we make sure that those areas are cut up to the edge of the right-of-way and handled accordingly. That's all I can do.

President Abell: You can do them on a case by case basis?

Mike Duckworth: Yes.

President Abell: Okay.

Mike Duckworth: We have a schedule, and if they're missing Armstrong, I will take care of that.

President Abell: Okay.

Commissioner Melcher: So, all she's got to do is just call you then, right, Mike?

Mike Duckworth: Yes.

Commissioner Melcher: You'll check the right-of-way, and then you'll cut it if it's—

Mike Duckworth: That's right.

President Abell: Okay.

Commissioner Melcher: Then, as far as the railroads, I've been fighting them for 21 years. They were, they have federal immunity.

President Abell: Yeah.

Commissioner Melcher: They'll do, they can do anything that they want to do, and you can't do anything about it. They leave those old rails and we can't touch them.

President Abell: I wish we could.

Cynthia Maasberg: Do you think that should be stated that railroads are excluded in this ordinance?

Joe Harrison, Jr.: No, because that's the way the law is anyway.

Commissioner Melcher: That's the way the federal law is for railroads.

President Abell: Besides that, maybe someday they won't be, and then we can. I still have a bent wheel in my garage from three years ago going over a railroad track that I've been keeping.

Commissioner Melcher: If you follow our tracks here in Evansville, and you get to different intersections, like Willow Road, they don't cut that. Neighbors will spray and cut, you know, just to make it look halfway decent, but they don't cut it but maybe once a year. The State only cuts twice a year, down here.

Joe Harrison, Jr.: Yeah, there are similar issues with roadways, you know, obviously that go over the tracks, and we've got to stay out of those areas.

Cynthia Maasberg: When you mention the State, will this ordinance apply to the State, like the sides of the roads, the State highways?

Joe Harrison, Jr.: Well, they are responsible for mowing along the State roads, right, Mike?

Mike Duckworth: That's right.

Joe Harrison, Jr.: That's their obligation.

Cynthia Maasberg: We have an intersection that there's a bank at that intersection, and that property, that bank—

Joe Harrison, Jr.: Is State property?

Cynthia Maasberg: — is owned by the State, but it's a hindrance —

Joe Harrison, Jr.: Well, maybe Mike can—

Cynthia Maasberg: — to traffic.

Mike Duckworth: Just forward your concerns to me.

Joe Harrison, Jr.: Yeah.

Commissioner Melcher: But, I tell you, we met with the State earlier, two or three years now, and they're only cutting this part of the State twice. So, they'll cut it, you know, once it gets four feet high, then they'll come back and cut it again and that's it. They said they don't have any more money.

Cynthia Maasberg: One of the weeds that you all may not be familiar, but it's called poison hemlock, it's taking over the concern of Johnson grass, which you all probably have heard of. Poison hemlock can be two inches tall this week, and in four weeks it's going to be over my head with seeds that the wind blows. It's, a lot of people don't even know what it is, but if you just drive along the highway, once you've seen it, it almost looks like a fern when it starts out, but it's becoming a real problem in the rural areas. So, you know, we would like to see the State also do something on that. So, any advice on that we would appreciate it.

President Abell: If you have a place where you know it's a State highway and it's a problem, get it to Mr. Duckworth, he can put it on county stationery and send it to the State. They'll probably throw it in the trash can, but maybe they'll not and maybe we'll get something done.

Cynthia Maasberg: We can try it.

President Abell: Yeah, we can try it. It never hurts to try.

Mike Duckworth: Just one last thing, she mentioned spraying, and we are implementing a trial and effort, or a trial effort this year to use a weed retardant in some areas. Now, that won't kill the grass, because you don't want a bunch of brown grass out there around these neighborhoods and right-of-ways, but it should reduce the amount of times that we have to go out.

President Abell: It's a retardant?

Mike Duckworth: Yes, it's a retardant that it keeps it from growing so fast. So, there are certain things that we are trying to do to help us get back around for that second mow and that third mow, and we continue to mow as long as the grass is growing. We don't do it twice a year and forget it. We continue to mow, but we'll get—

Cynthia Maasberg: Well, this particular weed, the poison hemlock, Round Up, most of you know Round Up, will not even kill it. So, it takes a special chemical to kill it.

Mike Duckworth: And, I would say about those chemicals, you have to have licensed people to spray those chemicals. That's not anything that we, right now, can afford to have someone sent off for a few days and get that training, and then come back, you know, the investment in most chemicals is extreme. So, we do the best we can with what we've got, and as, hopefully, the purse strings get a little better down the road, maybe we can have someone qualified to go out in those specific areas, but we'll do what we can to get it up.

President Abell: You know, this is a first step. We may be able to, as the years go by, tighten this up and really get, you know, this is our baby step toward getting the weeds under control.

Cynthia Maasberg: Well, I know that ,Mr. Duckworth, you'll get a call about some poison hemlock, because it's—

Mike Duckworth: There's a lot of people in this community that would like for me to drink some of that, but I'm not going to try it.

President Abell: Thank you.

Mike Duckworth: One of the main purposes is, we get called to many subdivisions about a particular lot that's grown up. That's really what we've had to combat, and this ordinance allows us to get out quicker, to be more efficient, not spend as much time on those properties, but it also adds fines. So, there's an advantage to people cutting their yards and keeping them neat and clean for the community.

President Abell: Right. Thank you. Mr. Harrison, do you have anything else?

Joe Harrison, Jr.: No, nothing else. Thank you.

President Abell: Any other questions or comments regarding the weed ordinance? I have a motion and a second, roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Second/Final Reading of Ordinance CO.03-12-002:  
An Ordinance Amending Ch. 17: Zoning Code**

President Abell: The next order of business, the second and final reading of CO.03-12-002, an ordinance amending the Vanderburgh County zoning code. I think I see someone here.

Janet Greenwell: Janet Greenwell with the Area Plan Commission. As I told you at first reading, we've heard nothing but good things about this ordinance. We do hope that you consider approving it. We have had no input on any changes. Everybody seems to like it. It's going to expedite the zonings on those issues that need use commitments, and it will take the responsibility away from the homeowners to enforce commitments and put it in the government's hands.

President Abell: For the benefit of our audience that's watching on television that may not have caught our last meeting, do you want to just give us a little quickie of what this is about?

Janet Greenwell: Sure. It's, there are changes in the ordinance that, number one, clarify the procedure. It was a little vague, we had a lot of people they stumbled through the instructions. We made an attempt to clarify the instructions, and the most important change is that we removed the responsibility of refile and starting over, if you change a use and development commitment after Plan Commission. If you change it to make it less restrictive, you will go back through the existing procedure just as you do now, but, if you change the, if it goes to Plan Commission and it's recommended for approval or denial, either one, we're a recommending body, we send it forward to the legislative body for final hearing. If they decide between Plan Commission and County Commission that they want to address the concerns of the neighbors or concerns of the Commission, they have that opportunity to amend and not have to go back and start over. It will come forward to the legislative body for final hearing.

Commissioner Melcher: I think it's important to say it has to be in writing.

Janet Greenwell: It must be in writing.

Commissioner Melcher: It must be in writing.

Commissioner Kiefer: And it has to be more restrictive.

Janet Greenwell: More restrictive, in writing, and enforceable.

Commissioner Kiefer: I think this is a good deal. I think it will help promote economic development to move projects along more quickly. I'm in favor of it.

Commissioner Melcher: I'll make the motion to accept it.

Commissioner Kiefer: Second.

President Abell: Any public comment regarding this? Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Permission to Advertise 2012 Vote Centers for Primary Election</b>
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President Abell: The County Auditor has permission to advertise 2012 vote centers for the May 8, 2012 primary election. You should have seen the list of voting places. I'll entertain a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: I'll second it, and we're going to advertise it in The Courier & Press and the Our Times.

President Abell: Is that correct? I think we should.

Madelyn Grayson: That's up to the Commissioners.

President Abell: I think we should. It's a recognized newspaper.

Commissioner Kiefer: It's \$238.

Commissioner Melcher: We've done it before.

Commissioner Kiefer: I'm agreeable to that.

President Abell: Yeah.



Commissioner Kiefer: That's part of the motion.

President Abell: Any comments? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Burdette Park: 2013 Rates &amp; 2014 Discovery Lodge Rates</b>
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President Abell: Burdette Park, 2013 proposed rates. Mr. Craig, would you like to come forward?

Steve Craig: Steve Craig, Manager of Burdette Park.

President Abell: Burdette is in the back of your book.

Commissioner Kiefer: Madam President, may I?

President Abell: Yes, go ahead.

Commissioner Kiefer: Steve, on the proposed rates, can you tell me, like how did you come up with and develop the rates that you're proposing? Was this something you went out and got comparables from competing venues? Or did you just, you know, kind of have numbers you pulled out of the air? I mean, how did you develop the rates, I guess?

Steve Craig: Well, first of all they're from, you know, over the years as we go, changes have been made. The rates, my idea probably has changed a little bit after our meeting that we had yesterday with the County Council, that we may need to maybe sit back and take a look at them. The rates, originally on the Discovery Lodge and that, we went to every place that was a similar venue in the tri-state area and found out what their prices was, and we priced it accordingly. As the years go by, they raised a little bit as inflation and the cost of utilities and that went up we made adjustments. I think in 2011 when we okayed the 2012, we actually lowered a couple of them because the rates were not what I would call equivalent, because some of the smaller buildings were more expensive. Some of the larger buildings, some of them we put inside restrooms and that has made the cost of the building go up a little bit. We did our homework on all of them. We would compare them to local rentals in town and we try to keep competitive with them, while paying the bills.

Commissioner Kiefer: So, the 2012 rates—

Steve Craig: The 2012 rates and the suggested rates that I have were identical.

Commissioner Kiefer: Okay.

Steve Craig: And that was before we went to the meeting yesterday, and that's why I said we may want to sit back and take a look at it. You know, as you know, utilities are going up every year and don't stop. So, a lot of times if you don't change your rate for a couple years you're actually going backwards because your bills are going up, and you're not taking any more income in. This is for the year 2013 and for the Discovery Lodge—

Commissioner Kiefer: So, it's approximately a three percent increase across the board then?

Steve Craig: That was the one that I gave you to look at, and then the other one was to just keep the rates the same. It's approximate, just because we rounded it up or rounded it down to the closest dollar, but they're all right at three percent. 2014 would be the one that you would, for the Discovery Lodge, we do that two years in advance.

Commissioner Kiefer: Okay, I just wanted to make sure that when you developed these rates that we weren't pricing it out of the market.

Steve Craig: That's a concern.

Commissioner Kiefer: It's very competitive.

Steve Craig: Like I said, as we've added amenities, we've added wet bars to buildings, we've added handicap restrooms and that, that would reflect the cost of the building going up a little bit as we made improvements to them. Buildings that haven't had improvements made to them in seven or eight years, they've not went up that much compared to buildings that's got new restrooms, and, you know, new wet bars and other amenities that we've put in our buildings.

President Abell: Do you have the figures on....do we have the figures on like what it costs for one day of renting the Discovery Lodge?

Steve Craig: Yes, Ma'am.

President Abell: I don't seem to see that. Oh, okay. It's in narrative form, okay. So, the Discovery Lodge for the pavilion is \$850 for a day, is that correct?

Steve Craig: Right now, for the 2012 rates, the Discover Lodge, Monday through Thursday is \$850 a day. Then Friday, Saturday and Sunday it's \$1,600 for a weekend rental.

President Abell: For instance, I'm assuming that you do pretty well on the weekends, because people do have a lot of weddings out there, I know.

Steve Craig: Yes, Ma'am.

President Abell: Is that comparable to say like the Bauer House and other places that—

Steve Craig: It's hard to compare it, you know, to the Bauer House, because I think they have a rate that includes the food and that. We allow people—

President Abell: Oh, yeah, true.

Steve Craig: — you know, you get in—

President Abell: Right.

Steve Craig: — we went through all of this, you get into the fact that we allow them to have their own caterer. They take care of that and we give them the opportunity to use whoever they want, and we stay out of the catering business. The other buildings that we compared it to, it's very, you know, competitive. It's not too low and it's not too high. It's just, like I said, we've tweaked it over the years. It's went up, it's actually went down before. We had it a little bit higher and saw a dip in the rates, so they've kind of leveled out.

Commissioner Kiefer: So, you're not going to lose rentals based upon the increases? Because it's a modest, three percent.

Steve Craig: It's a modest three percent, but to say that, you know, money's hard for everybody. I mean, you know, I can't say that we wouldn't lose it. I can see it being—

Commissioner Kiefer: A major factor?

Steve Craig: —a major factor, but, I mean, for some people it may be the deal breaker, you know, that they don't want to pay the extra three percent.

President Abell: What kind of occupancy rate, not just, a ballpark, do you have on the chalets? Pretty good?

Steve Craig: Yes, Ma'am. Yes, you know, from now, you know, every Friday, Saturday and Sunday we're, you know, pretty well booked. As the summer gets in we're booked all through the week and that. You know, Thanksgiving weekend, everyday is done, the Christmas holidays. We have really, really good rental rates, or capacity on the chalets.

President Abell: Well, I looked at the chalet costs and I don't think that they're exorbitant when you figure the number of people that can share the cost and rent a place that has a kitchen.

Steve Craig: No, Ma'am, I don't think....I think it's—

Commissioner Kiefer: It's been a number, I mean, it's not like you've increased every year.

Steve Craig: No.

Commissioner Kiefer: You've had a number of years, so three percent seems fairly modest over the number of years that it's been.

Steve Craig: The last couple of years we've been very tight on raising them just because of the way the economy and that's been. We have not made any drastic rates, and like I said, we even had a couple of them that the rates somehow were

out of whack, and we adjusted them down a few dollars to make them all equal. If you have 125 people and you have the same amenities, all of your buildings should have, you know, they should be priced the same. That's what we ended up doing the last couple of years.

President Abell: Okay, Commissioners, what's your pleasure?

Commissioner Kiefer: I think, I'm comfortable going ahead and approving it.

President Abell: I need a motion.

Commissioner Kiefer: I'll move that we approve the amended rates as recommended.

Steve Craig: For the three percent?

Commissioner Kiefer: For 2013, with the three percent increase.

Steve Craig: And that's 2014 for the Discovery Lodge.

Commissioner Kiefer: Right.

Commissioner Melcher: I'll second it.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Steve Craig: Thank you.

President Abell: Thank you.

<p><b>Road Race Request: Junior League of Evansville Evansville Morning Rotary Rockin' River City Ride</b></p>
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President Abell: Road race request, Junior League of Evansville and the Evansville Morning Rotary Rockin' River City Ride. Lisa Vaughn with the Junior League.

Lisa Vaughn: Good evening. Lisa Vaughn with the Junior League Board of Directors. I did want to clarify, this is not a race, it is a ride. We are not requesting any roads to be closed, we're simply seeking permission, so therefore the Sheriff can be

supportive and send out a press release to let the county know that the ride is taking place. I do have a packet together, with the new route, that is not the route that's been attached. I worked with the Sheriff over the weekend and yesterday to make a little couple adjustments that he suggested.

President Abell: And this doesn't require any road closures?

Lisa Vaughn: No road closings whatsoever, Ma'am.

President Abell: Okay.

Lisa Vaughn: We're simply doing this as a bicentennial event and a fundraiser for the Junior League. The Junior League has been around for 85 years, and we try to do major projects in the city to develop our city in a more productive way.

President Abell: When is your race, or your ride.

Lisa Vaughn: Our ride is April 21, 2012.

President Abell: Is it bicycles?

Lisa Vaughn: It is a bike ride, and there is also a five and 10K walk, completely on the greenway to promote the Greenway Passage that we now have. We're going to have opening ceremonies with Mayor Winnecke present, and we're closing out our event with a Battle of the Bands to announce who is the best band in the tri-state at the Casino. So, I do have a little informational package with our ride safety plans, and the entire day of events.

President Abell: Okay, do you have enough for all of us, or do you just have one?

Lisa Vaughn: I only brought one.

President Abell: That's okay. Marissa, could you make sure that all of the Commissioners get a copy?

Lisa Vaughn: Who should I give this to?

President Abell: Marissa. I know the Sheriff's here, Sheriff Williams, are you okay with this? You are? Make note that the Sheriff is shaking his head yes.

Eric Williams: (Inaudible. Microphone not on.)

President Abell: Thank you.

Lisa Vaughn: We also have our—

Commissioner Melcher: Yes, we also have an e-mail.

Lisa Vaughn: — I'm sorry, we also have our permit from the city and we've been working with the Evansville Police Department, Lieutenant Molinet, and we have alerted all of the Fire Departments in the area as well.

President Abell: Thank you. You've done a good job. Thank you.

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

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Superior Court/Juvenile: Agreement with James Akin  
Computer Services: Microsoft Licensing Agreement  
Computer Services: AT&T Centrex Telephone Agreement City/County**

President Abell: Contracts, Juvenile Court, independent contractor agreement with James Akin. Mr. Akin will be paid \$500 a month from grant funds to supervise the substance abuse support group and coordinate related juvenile drug court services, as well as attend juvenile court hearings and meetings concerning such juvenile cases.

Bernie Faraone: Bernie Faraone, supervisor with Juvenile Court, a division of the Superior Court. We're asking, the court submits a grant application annually, we have been for the past ten years, to support a model problem solving court called the adult CHINS drug court. The court has submitted a grant for this year, and it was awarded. This position has been funded and approved, we just finally got an able bodied person to agree to this contract. It will be taken out of the grant money and nothing from the general budget or from the county. We just ask that you approve James Akin to work for our drug court.

President Abell: Okay, do I have a motion?

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Just for a little clarification, I'm not that able body that you have hired.

Bernie Faraone: My apology—

President Abell: Any further discussion?

Bernie Faraone: — Madam President.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you.

Bernie Faraone: Thank you, Madam.

President Abell: Chief Information Officer. Mr. Arvay, do you want to come forward? Microsoft licensing agreement renewal for software programs for the county for an additional five years at the rate of \$38,196.15 a year at zero percent financing. Funding is in place for this year's payment. The five year total payout amount will be \$190,980.75. According to John Staples and Matt Arvay, this renewal licensing agreement will result in a savings of \$60,000 to the county.

Matt Arvay: Matt Arvay, Computer Services. Those numbers are just a little off. Those were the original numbers where they were going to be spread over the five years. Basically, we have now a three year contract with Dell and Microsoft agreement, and it went up from the \$38,000 to \$44,175.52. The total cost will be the same, they just front loaded the first three years at the \$44,175.52, and then with optional renewals for years four and beyond at \$27,947.93. The funding is available. I did meet with Auditor Gries on that adjustment, and he said financing is available.

Joe Harrison, Jr.: So, the total amount is still the same, it's just—

Matt Arvay: It's front loaded in the first three, drops years four and five, versus being evenly spread over a five year period.

Joe Harrison, Jr.: And that was just changed yesterday, right?

Matt Arvay: That was changed when they originally wanted us to meet the March 28<sup>th</sup> deadline and we could not accommodate.

President Abell: Does our contract reflect these changes, or will we have to do another one? The one we're going to sign.

Joe Harrison, Jr.: No, the pricing schedule that they sent is revised.

President Abell: Okay.

Joe Harrison, Jr.: The total amount is the same.

Matt Arvay: Yes.

President Abell: So, the contract we'll sign tonight is okay.

Joe Harrison, Jr.: But, when I sent out, when you guys were notified originally–

President Abell: Right.

Joe Harrison, Jr.: –that pricing per year was different, but the total amount is still the same. Still \$60,000 in savings.

President Abell: Okay.

Commissioner Melcher: And this is technically really over a five year period?

Matt Arvay: Right.

Commissioner Melcher: Those four, years four and five, you know, those are renewals, that's still included in the \$190,000?

Matt Arvay: Yes.

Commissioner Melcher: Okay, I just wanted to make sure everybody understood that. I make a motion to accept.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)<sup>2</sup>**

President Abell: The next one is the city-county Centrex telephone agreement with AT&T. A revised three year renewal with AT&T for the city-county Centrex phone system, as well as the AT&T master agreement. The monthly payment under the contract is \$3,348.25. The county is responsible for half of this amount. The County Council has budgeted sufficient funds.

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<sup>2</sup>Microsoft notified the County after approval that the contract pricing approved 4/3/12 was incorrect. Will be resubmitted at a future meeting.



Matt Arvay: Yes, this contract takes care of our old legacy phone lines that have not been migrated over to the voice over IP. This is a minimum of 350 Centrex lines that have to remain active. It's split between the city-county. These finances are budgeted usually between, in the Commissioners budget and the City Controller. If this body approves this tonight, this would then go to the Board of Public Works on the city side to gain their approval also.

President Abell: Does this get everybody on board?

Matt Arvay: This is still the old Centrex lines that have not moved over to the new voice over IP system.

President Abell: Oh.

Matt Arvay: But, some of these have to do with some old fax machines, maybe alarm systems, locations that we just can't get to with the new phone system, things of that nature.

President Abell: Okay. I'll entertain a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Matt Arvay: Thank you.

President Abell: Thank you, Mr. Arvay.

<b>County Engineer</b>
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President Abell: Department head reports. I know Mr. Stoll is in the audience.

John Stoll: I've got four items this evening. The first is a sidewalk waiver request for Heckel Road Commercial Park Subdivision. This is a commercial subdivision located at the northwest corner of Heckel and Green River, it's just immediately south of the soccer park. There aren't any other sidewalks in the vicinity of this project, so I would recommend approval of the sidewalk waiver.

President Abell: Gentlemen? One moment, I think we're having a conference.

Commissioner Melcher: Joe, some things we've been talking about is the government has come down on the ADA requirements. We're going to be included in that eventually. So, what we're trying to decide, I guess, which subdivisions not to have, which I know when there are hills and all that, you can't, but the ones that are flat maybe we should. I didn't, I got this e-mail this morning, I guess I pulled it down, so I didn't get a chance to go out there. Is this flat land?

John Stoll: It's flat terrain. The biggest problem we've typically run into is the sidewalks don't meet ADA requirements where there are connections at the driveways. They'll warp across the slope of the sidewalk to where it matches the driveway slope, so, to meet ADA requirements the sidewalk has to have a two percent slope across the sidewalk, which is basically only a one inch difference across a four foot sidewalk. The problem is, is the driveways are constructed, the sidewalks are tilted to match the driveway slope, which at that connection then it's no longer compliant with ADA. So, that's the biggest problem we've had, even in subdivisions that are flat terrain, like this one is. So, to avoid that problem, that's why I've usually recommended approval of the sidewalk waivers.

Commissioner Melcher: Well, I'm okay, I'm just trying to think about what we're going to do with the federal government.

President Abell: Yeah.

Commissioner Melcher: Maybe when they build the subdivisions can't they somehow get the sidewalks and the streets and the yards the same level?

John Stoll: We've had some discussions with the Plan Commission and the Building Commission to try and figure out exactly how to make that all work, but, as it stands right now, there really isn't a final inspection on sidewalks. So, that's the problem we're dealing with at this point. Until there's a final inspection, we don't have any way of ensuring that the sidewalks are built to the proper cross slope. So, until we get some better ordinances and procedures, there's no way to really make that happen.

Commissioner Melcher: Well, I think we probably ought to start looking at them.

President Abell: Yeah.

Commissioner Melcher: Because we don't want the federal government to come in here all of a sudden and say we've got to do....I think the city's under, like \$50 million worth of improvements. I don't know what we would do if they did that to the county.

John Stoll: To try and remain in compliance too, as we've done sidewalk, as we've done street repairs, concrete street repairs, we've gone in and put in new ADA compliant curb ramps at the intersections. We just haven't addressed the sidewalks in between the curb ramps. So, we're trying to do what we can to get in compliance, but we're still in the early stages.

Commissioner Melcher: So, we're making a good faith effort at it.

John Stoll: So far, depending on what the—

Commissioner Melcher: So, I'll go ahead and make a motion to approve this one, but I would like us to start moving pretty quick on the other. If you could go back to Area Plan and that.

John Stoll: We have been putting together inventories of the sidewalks that exist in the county, and inventorying the curb ramps at the intersections on which ones meet current ADA standards. We're listing sidewalks that we feel aren't necessarily in ADA compliance, but we're working on that inventory, because of the situation like you said.

Commissioner Melcher: Well, I'm glad you're doing that, because they're going to ask us for that inventory.

John Stoll: Right.

Commissioner Melcher: I would rather be proactive and say, here.

President Abell: We'll be getting you a little assistance on that. We're going to be appointing an ADA person.

John Stoll: Coordinator.

President Abell: Yes. She doesn't know it yet.

Commissioner Kiefer: I'm going to abstain from this.

President Abell: I'll second. Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Abstain.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0. Commissioner Kiefer abstained.)**

John Stoll: The next item I have is a street acceptance request for Proficient Court in Daylight Industrial Park. This is located off the west side of Green River Road, just south of Boonville-New Harmony. This is one that should have been accepted for maintenance back in 2007 when we released the letter of credit for the street, but just found the error that I never followed up and brought it to the Commissioners for acceptance. So, I would request county acceptance of that road.

Commissioner Melcher: Okay. So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, next, I've got a change order on the Number Six School Road bridge repair contract. This is for an increase of \$1,259.90. The contract is with Adler Excavating LLC. This addresses increases and decreases on a total of six items in the contract, but the primary reason for the increase is due to some increases in the amount of stone needed due to the soil conditions. I would request approval of this change order.

Commissioner Kiefer: I move that we approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, the last item I have is a DNR Construction in a Floodway permit for the canoe launch that the Rotary Club wants to build out on Green River Road at Pigeon Creek. This is an application that's being submitted in the Commissioners name since the objective of the Rotary project is that the county would maintain the canoe launch once it's completed. So, it just needs your signatures, and then Bernardin Lochmueller can proceed to file the application.

President Abell: I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Discussion?

Commissioner Kiefer: I guess, the Rotary feels like this is something that's going to be utilized quite a bit.

President Abell: They're going to pay to do it, but we're supposed to take it over. So, what is involved in maintaining a canoe launch?

John Stoll: Primarily, I would say cleaning the mud off every time it gets inundated with Pigeon Creek floodwaters. They are going to pave it, so that way—

President Abell: It will be paved?

John Stoll: Yes.

President Abell: I guess, that would be Mr. Duckworth that would be down there cleaning that off.

John Stoll: Right.

Commissioner Melcher: You didn't think Burdette ought to clean it off? I seen you pointing fingers.

Mike Duckworth: I make the motion that (Inaudible. Microphone not on.).

President Abell: John, you don't want to do it, do you?

John Stoll: I'll call Mike.

President Abell: Okay. I have a motion and a second. Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

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

President Abell: Thank you, John. Mr. Heck, do you have anything for this body tonight?

Gary Heck: Not tonight, thank you.

President Abell: You're just observing? Okay. Is there any other department heads? Steve's already spoken. Sheriff, do you have anything? Okay.

**New Business/Old Business**

President Abell: Is there any new business to come before the Commissioners? Is there any old business?

**Consent Items**

President Abell: Madelyn, consent agenda.

Madelyn Grayson: The consent items for the April 3<sup>rd</sup> meeting are as follows; approval of the March 20, 2012 Commission meeting minutes; employment changes for the Commissioners approval, there are two for the Health Department, one for the Commissioners, one for the County Highway, and one for Burdette; the Commissioners have a lease termination letter for Old Courthouse suite B9 for Phoenix of Evansville; waiver requests for Centre fees/not OT from the Evansville Police Department for April 25<sup>th</sup> through 27<sup>th</sup>, May 1<sup>st</sup> through 5<sup>th</sup>, May 9<sup>th</sup>, May 21<sup>st</sup> through 24<sup>th</sup>, the Indiana Minority Supplier Development Council Southern District Business Opportunity Fair on September 19<sup>th</sup> and 20<sup>th</sup>, 2012<sup>3</sup>, the Sheriff for April 16, 2012 recognition and swearing in ceremony, and the County Clerk for April 24<sup>th</sup>, 26<sup>th</sup> and 28<sup>th</sup> for poll worker training; we have sale of county owned property for 903 North Elliott Street, 1406 Southeast Second Street, 907 South Governor and a notice to abutting property owners of sale of 115 West Maryland Street; the County Auditor has approval of March 2012 A/P vouchers, an insurance certificate for Diversified Lenders agreement from 2011, a 911 services certification letter; there are surplus requests from the County Assessor for various filing cabinets, for the Sheriff for various office supplies, furniture and equipment to auction, along with seized, found and recovered items from investigations; Burdette Park has two Chevy trucks to be auctioned; the Treasurer has the February 29, 2012 year-to-date report; the County Engineer has pay request number 148 in the amount of \$101,653.73; Evansville ARC has the January and February 2012 meeting minutes and the February 2012 report of activities; Burdette Park has a yearly comparison from March of 2011 to March of 2012, and the 2011 year end cost analysis; and there are department head reports from the County Engineer.

President Abell: I'll entertain a motion to accept the consent items.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

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<sup>3</sup>This Centre fee waiver was denied at the 4/17/12 Commission meeting.

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**First Reading: Rezoning Petition VC-2-2012**

**Petitioner: Deaconess Hospital, Inc.**

**Address: 8600 North Kentucky Avenue**

**Request: Change from M-2 to M-1**

**First Reading of Rezoning Petition VC-3-2012**

**Petitioner: 2400 Green River Road Investments, LLC**

**Address: 2400-2430 South Green River Road**

**Request: Change from Ag to PUD with UDC**

President Abell: We have rezoning, two rezonings this morning, this afternoon. The first reading of VC-2-2012, Deaconess Hospital, Inc. at 8600 North Kentucky Avenue, change from M-2 to M-1, and the first reading of VC-3-2012, 2400 Green River Road Investments, LLC, 2400-2430 South Green River Road, change from A-g, Ag to Planned Unit Development with Use and Development Commitment.

Joe Harrison, Jr.: Take them separately.

President Abell: Take them separate? I'll entertain a motion to accept the first reading of VC-2-2012.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: I'll entertain a motion to accept the first reading of VC-3-2012.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Public Comment</b>
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President Abell: Is there anyone in the audience that has something to come before the County Commissioners meeting?

Eldon Maasberg: My name is Eldon Maasberg. I'm sorry I missed the weed part--

President Abell: Oh, okay.

Eldon Maasberg: I've got two letters here from a neighbor who was complaining about us spraying our fields. I don't mow in front of her house for that very reason. Second, are you guys planning on putting more mowers out there, because, correct me if I'm wrong, but when the State bought I-64, they also brought Frontage Road. There's 15 feet between the edge of the road and the fence. Shouldn't that be the county's job now to mow it? Because didn't that Frontage Road get turned over to the county? So, are you guys planning on buying mowers to mow more than four foot along the highway, and going on 41 to your State highways? They only mow about twice, three times a year. If this thing goes to say, six inches, you're going to have to get mowing more often, the State highways too. It don't seem right to pass something like you did, and now are you planning on buying more mowers so that you can keep your end up too? Because even the county roads, most of them are 30 feet, you're only mowing four feet of it, and your highway is probably 20 feet wide, ten foot for each side. Who's picking up the difference? It either don't get done or the county does it? Or, I mean, the farmer does it, not the county. Thank you.

President Abell: Would someone like to address that for me? I don't think anyone has an answer for that.

Eldon Maasberg: I didn't figure you did have.

President Abell: Well, but I'll tell you what I told them earlier, this is our baby step, this is our first step toward taking care of a problem. Maybe we will expand it as we see problems that arise, but right now we're doing the best we can.



Eldon Maasberg: A farmer, when he mows it, I've got a nine foot mower, I don't mow in the bottom part of the ditch, I mow the top where it looks level, but that's more than the county does, because mine's nine foot, theirs is only four foot.

President Abell: Well, we'll see as time goes by what we can do.

Eldon Maasberg: I mean, and like I said, there's 15 feet between the blacktop and the fence, where the concrete marker there's probably another 15 feet on Frontage Road, it's never been mowed unless the farmer does it outside the four foot. Over on the east side of St. Joe Avenue, there's trees as big as my arm out there that's growing, and there's concrete, what do you call it, to keep it from washing, they're out there with bushhogs trying to mow it up, but they're chopping it this high off the top. They really need a chain saw to cut it off and put some stump removal on it. Thank you.

President Abell: Okay, thank you. Seeing no further business to come before the County Commissioners. We are adjourned.

(The meeting was adjourned at 5:50 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the March 20, 2012 Commission Meeting Minutes.  
Lease Termination Letter for OCH Suite B-9: Phoenix of Evansville.  
Waiver of Centre Fees/Not OT: EPD, IN Minority Supplier Development Council  
Southern District Business Opportunity Fair, Sheriff, County Clerk.  
Quit Claim Deeds: 903 N. Elliott, 1406 SE Second & 907 S. Governor.  
Notice to Abutting Property Owner: 115 W. Maryland.  
Evansville ARC: Jan-Feb, 2012 Meeting Minutes & Feb 2012 Report of Activities.

**Employment Changes:**

County Highway (1)	Burdette Park (1)	County Commission (1)
Health Dept (2)	Prosecutor (1)	Assessor (1)
Auditor (1)	County Clerk (3)	Superior Court (1)
Sheriff & VCCC (7)		

**Auditor:**

Approval of March 2012 A/P Vouchers.  
Insurance Certificate for Diversified Lenders Agreement from 2011.  
911 Services Certification Letter.

**Surplus Requests:**

County Assessor: various filing cabinets.  
Sheriff: office supplies, furniture & equipment for auction.  
Burdette Park: two Chevy trucks for auction.

**Treasurer:** February 29, 2012 Year-to-Date Report.

**County Engineer:** TIF Pay Request Number 148: \$101,653.73

**Burdette Park:**

Yearly Comparison March 2011- March 2012.  
2011 Year End Cost Analysis.

**Department Head Reports:** County Engineer

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Nichoalds
Madelyn Grayson	Mike Duckworth	Bruce Blackford
Cynthia Maasberg	Janet Greenwell	Steve Craig
Lisa Vaughn	Bernie Faraone	Matt Arvay
John Stoll	Gary Heck	Eric Williams
Eldon Maasberg	Others Unidentified	Members of Media

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
ROAD HEARING  
APRIL 3, 2012**

The Vanderburgh County Board of Commissioners held a public hearing on the 3<sup>rd</sup> day of April, 2012, in room 301 of the Civic Center Complex for purpose of hearing public comments and gathering information regarding potential road maintenance and improvements for Vanderburgh County. The meeting was called to order by Commissioner President Marsha Abell at 6:00 p.m.

**Call to Order**

Madelyn Grayson: President Abell, do you want the speakers to sign, or people who intend to speak at the road hearing? We're going to pass around--

President Abell: We're going into the road hearing. I'm assuming that everyone that is here now is here for the road hearing. They are going to pass around the list.

**Bernardin Lochmueller: Pavement Management System Presentation**

President Abell: Before we start on hearing from the audience, we have a presentation from Bernardin Lochmueller and Associates regarding an inventory of our roads. Mr. Melcher, would you like to do the preliminary?

Commissioner Melcher: Yes, pretty much, what Lochmueller, Bernardin Lochmueller and them are going to show us is kind of like a pavement management system. It's been done in other counties, and over a period of ten or 15 years it's saved lots of money. It's a little costly up front, but it is something that works and saves money. If you are proactive and take care of your roads, they don't fall apart as quick. This is something that the State of Michigan is big in. I seen this at road school, up at Purdue, about a month or so ago. So, what we're asking, they've already got a program, so we've asked them to come and show us their program and then we're looking into it. So, Mr. Lochmueller, would you like to go ahead and state your name and tell us what's happening?

Keith Lochmueller: Well, first I want to say, good afternoon to Commissioner Abell, Commissioner Melcher and Commissioner Kiefer and the County Attorney, Mr. Harrison. When Commissioner Melcher returned from road school, after seeing a lecture on pavement management, he asked Bernardin Lochmueller and Associates to come to the Board of Commissioners to talk about pavement management. Thank you for the opportunity to discuss the concept of pavement maintenance and pavement management. At this time I would like to hand out to (Inaudible. Not at microphone.). We will be talking about a system, with few words on that, but the main thing we're wanting to talk about is a concept. I don't care who's system it is. The concept, if you would open your folders and go to that page, I'm going to just read a little of that, and then I'll get into the presentation. Every, even in this time of diminishing funds and rising costs for fuel and construction materials, what if there was a way that you could improve the ridablitiy and quality of your roads? Improve the value of service you provide to your taxpayers and demonstrate it through a better accountability of expenditures; decrease the amount of money you need for road maintenance and repair; decrease the number of complaints you receive about road conditions. With preventive maintenance, you can. Most of us wouldn't dream of driving our cars without changing oil, or checking tire pressure regularly. Yet, did you know you can apply the concept of preventive maintenance to extend the life of

the roadway components just as it extends the life of your car. (Tape flip) You have those slides in your folder. The first one that I would like to talk about would be this slide here. Now as you see you have a deterioration curve there, if you do nothing. You don't do any routine maintenance, you don't do any preventive maintenance, you don't do any deferred action, or rehabilitation, or reconstruction, normally what would happen over ten years, you can see the curve starting to go down. As time goes by you're going to be, in the 15 year mark, you're going to be to the point that you're going to have to have major rehabilitation or major reconstruction. We're talking about a lot of money at that point in time. What we're saying, preventive maintenance is really the way to go. Now, next side.

Mike Hinton: Don't I look like Vanna White?

Commissioner Kiefer: Not quite.

Keith Lochmueller: Okay. As you see before you with these graphs, you can see that at 40 percent of the age of the pavement, you're now getting to the point where you do preventive maintenance. A dollar that is spent there, if you don't spend that dollar there and you let it go on down to new construction, we're talking about 20:1, in most cases. Then, you'll also see 60 percent of the time that would be getting to rehabilitation. So, I just wanted to mention that. Now we'll move on to the next slide, this is, to me, really, really important, and I'll point it out to you all. As you see here, the yellow line or the orange line, let's say we've got a good road, and we do nothing, we don't do anything to it, and over time as you're starting to see, that curve goes down. You can see that we're getting stresses and we're starting to get problems. Once you get to the red, you're seeing major rehabilitation. That's about eight or ten dollars, eight times if you were doing preventive maintenance. Some counties, this county isn't the case, but some counties will simply, as you go down they just let it deteriorate, then they go back, it's the worst first, they go back and then rehab it, and then it will do the same thing. They just put that road in and don't maintain it. Well, what we're seeing, on yours it would be the little green line. You all can't see that, but what we're saying is as soon as you start to see distress, whether it's hairline cracking or what have you, you say, okay, what do I, do I do some overlay? In fact, at that point in time you wouldn't be doing that, it would be some spot asphalt on it or you would seal the road. So, as you see, when you do that you bring that road back up, it's life back up. You just look along there, that is so important, that I really wanted to tell you that doing preventive maintenance...and I would say in asphalt we're talking about crack sealing, skip patch, and pothole filling, those types of things in preventive maintenance. I want to give you a little example, it's on the back of your hand out, but—

President Abell: Keith, let me ask you a question. So, the green line is saying that if we do the maintenance, that makes this green line stay where it's....that keeps us at good?

Keith Lochmueller: Yeah, that keeps you from going on down the line where all of a sudden now you're paying four or five or six times to repair it. It goes back to the guy who puts oil in his car and doesn't have to buy a new engine.

President Abell: Okay.

Keith Lochmueller: If he doesn't put oil in his car. So, that's basically a point I hope you all remember, and I'm sure your Superintendent thinks that way also, that

preventive maintenance is just so important. I don't care what system you've got, preventive maintenance, that concept, and I hope we all have that concept. The concept is if you do the little things when you are starting to see....I hear people complain, you know, you see a real good road, and all of a sudden you see a little bit of cracking, or you have just basically small cracking. You need to go out and take care of that now, put sealer on it, take, or crack sealer or what have you. If you wait for it, and you will get phone calls saying why are you doing that, my road is falling in. Okay, you need, and I'll say later you need pots of money, you need some for preventive maintenance, you need some for reconstruction, but when you put the money in preventive maintenance that has a lot more value than if it's not in preventive maintenance.

Commissioner Kiefer: Keith, may I ask you a question?

Keith Lochmueller: Yes, any time.

Commissioner Kiefer: Okay, under the time grid in years, you're saying that a road could last up to, it looks like 40 years if properly maintained?

Keith Lochmueller: In there you would have some preventive maintenance that would be two inch asphalt.

Commissioner Kiefer: Okay.

Keith Lochmueller: So, you wouldn't be doing the four inches or anything like that.

Commissioner Kiefer: Oh, okay, so you may, it may involve a resurface or something?

Keith Lochmueller: You're going to have some more expense than the crack sealing.

Commissioner Kiefer: Okay.

Keith Lochmueller: You can see that on your curve, a couple of those, it goes down quite a bit further, which means what they're doing is they're doing improvements that's a little more costly, but not as costly as if you're totally reconstructing it. That's my whole point.

Commissioner Kiefer: Is that the dashed orange line? The dashed vertical orange line?

Keith Lochmueller: Yes.

Mike Hinton: That's your cost if you don't maintain it.

Keith Lochmueller: That's your cost if you don't maintain.

Mike Hinton: (Inaudible. Microphone not on.)

Commissioner Kiefer: Okay.

Mike Hinton: The green line represents (Inaudible. Microphone not on.)

Commissioner Kiefer: Oh, I've got ya. So, the dashed green lines are the maintenance program costs.

Keith Lochmueller: I'm sorry I didn't get that through.

Commissioner Kiefer: That's fine. I just wanted to make sure.

Commissioner Melcher: I could jump in here. Michigan says that, the consultant that was from Michigan said that their roads could last up to about 28 years. Now, they get tougher winters than we do. Maybe that's why they get 28 years.

Keith Lochmueller: Yeah, but they have freezes and it just stays frozen. Where here, you have, as you can ask these guys, you'll have freezes....we didn't have any this year, or very little.

Mike Duckworth: We don't like to talk about that.

Keith Lochmueller: Okay, I'll not talk about that. Then, I want to move on to the next page, which would be the pavement management part. To develop a pavement management maintenance plan, the first thing you would have to do is inventory the existing roads. In inventorying the roads and doing the condition, if we were doing it, we would have an expert individual who would know pavement. He has to know pavement. So, what's happening here in road condition, they will give a rating from zero to ten, but also what the system is doing, not only are they giving a rating, because a lot of systems give ratings, there's just so many things that you can do in maintenance of roads. So, the next thing that would happen would be that they're giving a pavement, I'm moving too far ahead, let me go back to one other item in there is drainage. Now, in a lot of the county roads, and I'm not sure you have that many roads in that condition, but I've seen many county roads that would let berm, or dirt, come up on the side of the road about two inches and they've got a ditch. Well, how does the water get to the ditch? So, also in the program what it would be doing is saying, hey, here's work items that we need to be doing, you need to clean the berm off the road, we need to clean the ditch. A next item is, and if you've got any questions while I'm talking, just say it. You've got traffic counts. Now, in traffic counts, I know the county has a whole series of traffic counts, there would be some updates of probably about 100 counts, and these counts would be used for cost per vehicle mile, which I'll tell you about that in just a second. While the guy is driving the vehicle he is rating the pavement condition. Of course, that's going into the computer, and when he's rating the pavement condition he's also determining a strategy. When I say strategy he will be saying there's a list that you have back there, a whole list. If for instance your at a score of six, you might be patching, you might have a full (Inaudible) patch, that's all determined by the guy who's making that rating. So, after determining that, this is all computerized, you've got a computer in there, and with GPS you're locating that spot where the problem is. You're also, if you have to take a photograph, the photograph would go in. Then I want to talk about cost will be developed then. You would have some average costs for each of these type of improvements, and basically would be using the cost, if the county would have those costs we would use those, or we would develop costs. Now, the next point I want to talk about is cost per vehicle mile. Now, you have this page, and I wish you would look at that. I'm going to give three scenarios here on strategy, the same strategy. Let's say the formula is cost of strategy, you know, whether it's skip patching or whatever, divided by the length of the road, times daily traffic. That's cost per vehicle mile. I gave a case here of, let's say we're doing

crack sealing, the road is two miles long, and it's costing \$10,000, and it's got a cost, I mean, it's got a vehicle count of 1,000. The cost per vehicle mile is five dollars. Okay? We've got another one who has exactly that same problem, the cost is \$10,000, same price, two miles, but 100 vehicles. The cost per vehicle mile is \$50. Then, I've got Susie down here who has been complaining to you all the time about not fixing her road, and she has the same thing, \$10,000 for two miles of crack sealing and ten vehicles. That is \$500 per vehicle mile. So, what you see here is that you do have an answer for her. Yes, I will pave your road, but it's pretty difficult for me to pave that road when this other road has a thousand cars. That's when all of the costs are equal. I really wanted to get that point across, because that's so important. That helps you then, I know other items come in, but that helps you then prioritize. Then, of course, after that prioritization would occur. Then, a pavement management plan would be developed, and then a capital improvement program would then be developed. At this point I am opening it up for questions.

Commissioner Melcher: You might explain, and I think you're going to do the same thing, I didn't ask you this, when they're driving the road, what Michigan had was some kind of a sensor on the mirror that was shining down on the road or something. Some kind of an infrared...is that what you're talking about?

Keith Lochmueller: No, we're not using, in this case, we're not using that sensor, we're using...see what they're getting is they're getting a pavement condition.

Commissioner Melcher: Is that what they're getting?

Keith Lochmueller: They're not getting solutions.

Commissioner Melcher: Okay.

Keith Lochmueller: We're getting a pavement condition, but that pavement condition is coming from an expert who's been out there and knows what's wrong with the road.

Commissioner Melcher: Okay.

Keith Lochmueller: He's giving the condition, but he's also then saying, hey, this needs this activity. Most of the condition survey is just a condition survey. We're moving quickly into how do you solve the problem. Well, we know what our problem is, how do we solve it? They say, well, with this activity. Any other questions?

Commissioner Kiefer: No question, but a comment. I first want to thank Commissioner Melcher for bringing this to your attention so that you could present this. I think this is really interesting, and looks like a very creative way for us to save tax dollars and people money and improve the roads at the same time. So, I'm appreciative of that, and, you know. I think the presentation is really enticing.

President Abell: I'm assuming Warrick County must use this. I'm reading a testimonial from there that they say they saved \$12 million.

Keith Lochmueller: They are the one, if you remember, if you're looking at that, that's the example, they did a study many years ago and that condition was seven, I mean, was five point two or whatever there, which is bad. Most of their roads were just in bad condition. They had \$14 million worth of needs. CEDIT, a tax, they, at that time



we got involved with them, and they put in CEDIT tax. Okay? Then they bonded, and ten years later, actually nine years later, that, again we looked at the needs and now instead of \$14 million it was \$2 million, because what they were doing is they were using these principles of pavement management, preserving the pavement. Now, I can tell you, and I get disturbed sometimes when you see, see I'm thinking in ranges of 20 and 30 years, but you're going to have a lot of political changes and that you will have to worry about at times you. One group might be just doing it perfectly, and then ten years later all of a sudden a group comes in and says, well, it's a good old buddy system, in some county's. Here it is not, and I know that, but this system is a good system and that's what they did in Warrick County. They were able to, how do I say this, extend the amount of money much further, to many more miles by doing preventive maintenance.

Commissioner Kiefer: What's the up front cost on a program like this? It probably varies depending on—

Keith Lochmueller: It varies, we've never done an inventory, it varies on the number of miles. I think you told me the miles is around 543 or something like that. If you're basically getting the one system and not putting a lot of neat things on it, which basically does exactly what I'm telling here, is around a little over \$100,000.

Commissioner Kiefer: And that includes the, is that just for the technology?

Keith Lochmueller: No.

Commissioner Kiefer: Do you still have labor?

Keith Lochmueller: No, no, no, that is a plan.

Commissioner Kiefer: Oh, that's the plan.

Keith Lochmueller: That's everything.

Commissioner Kiefer: Okay.

Keith Lochmueller: That's everything.

Commissioner Kiefer: Okay.

Keith Lochmueller: But, I haven't looked at it in great detail for Evansville—

President Abell: Right.

Keith Lochmueller: —because what we're, for Vanderburgh County, because what we were doing, after I talked to Councilman Melcher, I said, boy this is an opportunity to talk about preventive maintenance. That's important. I'm not saying, I'm sure you're doing some of that, but, boy, it is important. It's important for the public to know that. That you would actually have answers, you're going to have a whole list of a lot of problems with the system. Some little, some big. You're not going to have the money for it, but when Susie comes in to say to you why aren't you fixing my road, well, we will fix your road. Here's where you're on the list because of these reasons. If it's safety, excuse me, that goes over everything.

President Abell: Yeah.

Keith Lochmueller: You could be at the bottom of the list and if you've got a safety problem, then you have to handle that.

President Abell: But, this helps us whittle on it year by year.

Commissioner Kiefer: Well, plus it's a tracking mechanism.

Keith Lochmueller: There you are.

Commissioner Kiefer: So, it's not just, you know, you're getting phone calls from people you actually know, because you're tracking it.

Keith Lochmueller: You're right. That's the other thing is it is a tracking system. Also, it's a work system. I mean, it would help you, I'm sure you're already doing it, but if you have berm on the side of the road, which I don't know if you do or not, if you have berm on the side of the road, you need the ditch cleaned, then you start looking at traffic volume and you start saying, okay, or if it's flooding, you know, you need to take care of it. So, it is a good list to help the Commissioners.

President Abell: Mr. Stoll, Mr. Duckworth, do either one of you have any questions?

Mike Duckworth: I don't have any questions, but I would just like to make the comment that, you know, any new practices, any new technology that's out there we've tried to tap into. Everything from, you know, when we went back to doing preventative spraying of our roads for snow removal, that was a practice to get out ahead of these storms so that it was easier to peel so it dissipated some of those half inch and one inch snows. I think one of the things that is interesting about this is the fact that as Mr. Lochmueller alluded to, there's a number of practices here that we're already utilizing. We do crack seal to prevent any further damage to roads, and we do it on roads that aren't necessarily real bad, because we want those to extend the life of the roadway. We also do, and I think you'll remember that this governmental agency was the first to do a pothole blitz, and the first to do road hearings. We do respect and get input from the community because they're our eyes and ears out there, and we are concerned about the safety aspect of the roads as well. So, I think a combination of both of those, with this system would be, of course, very much welcome on our regard, but, like anything else, it's whether we can fit it into our budget and how we can do that.

Commissioner Melcher: Well, I think that's something we can discuss down the road, because there's a lot of different ways that we could look at this, but the way I see it is, what I understood in this meeting and this meeting was packed from different people, it really cuts down on the neighbors calling and complaining because they see them coming out there and taking care of it. They know what's going on, and just like when I first became a Commissioner a few years ago, we've had a lot of people come to road hearings, and some of them, and John remembers one subdivision hadn't had anything done for 40 years, and I think we thought we could do it over a three year period, because we didn't have a lot of money, but we ended up doing it in two. I think what happened then, the neighbors out there were happy, at least they knew they were going to get part of it, they knew they were going to get the rest of it. The other subdivision knew they weren't getting it, but they would get it the following year. I think as long as people know that we're working towards a

goal, that's the thing to do. We need to be proactive. If we can save money, then ten years from now, you know, we might not be here, but if we could have something in place where they have to follow it, it's going to make everybody's life easier, it's going to make our residents happy that are in the county because they know their roads are being maintained. Now, there's going to be slips, there's going to be things not done, there's going to be a river come up and take a road away. So, we'll have to handle all of that. I think, like Mr. Lochmueller said, we're going to have to have two or three pots, you know, one for doing the repairs that are emergency, one to do the ones that come in in the complaints, and that, and then one that does the maintenance. So, I think it's a win-win if we could come up with the money. I just wanted to get it out here so everybody understands it, and everybody understands where they could be.

Mike Duckworth: I think it's a good program, and the other point that I would like to make is, that unlike many county road departments, we do our own paving—

Commissioner Melcher: Right, that would save us—

Mike Duckworth: —there's a paramount savings to us having the investment in the equipment, we maintain that equipment and try to extend the life of that equipment as long as we can with the general maintenance of that equipment, but, that keeps the cost down as well.

Keith Lochmueller: Yes.

Mike Duckworth: We do it in house, as opposed to having the cost of a contractor doing it for us. So, it helps.

Mike Hinton: Just one point.

Commissioner Melcher: You'll have to get on the microphone.

Mike Hinton: I'm on one right here.

Commissioner Melcher: I'm sorry, I didn't see it.

Madelyn Grayson: Can you state your name also?

Mike Hinton: I'm Mike Hinton, with Bernardin Lochmueller and Associates. The system only really makes sense where you have good County Highway Departments that will actually use it, understand its practices, the benefits of it, and can do the kind of work that you guys got going on here in Vanderburgh County. Otherwise, it just becomes a paper tool that doesn't do a thing.

President Abell: Well, I think the one thing that it really does do for elected officials is that it removes my brother-in-law asking to have his road paved when it doesn't need to be paved and all of a sudden it gets paved.

Mike Hinton: (Inaudible. Microphone not on.)

President Abell: Yeah, to me that is the thing that restores the faith in government from the general public that we do it on a systematic, fair basis, not based on who

you may know or may not know in county government. I appreciate you gentlemen coming in this evening. Thank you.

**County Engineer & County Highway Presentation**

President Abell: Mr. Stoll and Mr. Duckworth? Mr. Stoll is the County Engineer and Mr. Duckworth is the Superintendent of the County Highway, they will make their presentation, and then we will have people make their presentations regarding their particular roads.

Mike Duckworth: President Abell, Commissioners, my name is Mike Duckworth. I'm here tonight for the 2012 highway road paving projects. This road hearing was established back, I believe, in the early to mid 2000's because we wanted to hear what residents had to say in regards to their concerns, and it enabled us to have more eyes on the projects and the needs of the community. What we have established is a practice to where we take these complaints, not only up to tonight, but here at the hearing we have some roads that we've already inspected, but we will add to those and we will bring a list of those roads, their conditions, how they were graded for the Commissioners to adopt a paving list for the year. I'm going to go slowly through these and just describe where they are, and the distance, and then we'll go through these slides. Folks in the audience, they may see their road on this list. All the fact that it's on this list says is that we've been out, we've measured it, we've rated the condition of the road, and it was serious enough that we thought that the Commissioners needed to see it, or a portion of it and understand why it's on there. We may get ten additions, I had three today that I didn't get a chance to put on here, but at a later time we'll get you pictures and our recommendations, through working with Mr. Stoll and the Engineering Department on the roads, according to how we think we can do them, according to our budget. The first road is Baseline Road, from Highway 57 to the Warrick County line. It is a .20 mile stretch of roadway, and as you can see we have had to put several band-aids on it and we have some allegating and cracking. Because it's first on the list, these are alphabetical, doesn't mean that it's being rated any better or any worse. It's just the first road. Second, is Boehne Camp Road, from Hogue Road to Upper Mt. Vernon. The mileage is .5 miles. Next is Day Road, Mesker Park Drive to the dead end, mileage .36 miles. Next is Emge Road from Buente Road to St. Wendel Road. It is a 1.5 mile stretch. Next Kneer Road, and it runs off of Mohr Road to the dead end. It is a .38 mile stretch. Next is Kelli Lane, it runs from Stephanie Lane to the dead end, and it is a short .06 mile stretch. Next is Kristopher Court, from Hogue Road to the dead end. The mileage is .1 mile. Next is Marx Road, from University Parkway to New Harmony Road. The mileage is 1.75 miles. Next is Melody Lane at Red Bank Road. We have some issues here with the fact that it's been overlaid, Red Bank has been overlaid so much that it's created a pretty good hump for cars, especially low profile vehicles to get up and over. We need to do some assessment of this road, and depend on the engineer's to let us know how we can make this a more smoother transition. There are some, I believe, according to Mr. Stoll some, maybe some right-of-way issues. So, we do have a little more work in this area, that's been, I believe, during my last tenure with the county we did some paving in that area, and I don't know that the actual completion of this job has been completed at this time. Moss Creek Court, I've been contacted by several folks regarding this subdivision. There are, I think, four small stretches of roadway in this subdivision that are deteriorating very quickly. This stretch of Moss Creek Court is .05 miles. Next is Moss Creek Place, from Moss Creek Road to the dead end, .12 miles. Next is Moss

Creek Road, it runs from Number Six School Road to the dead end. The mileage is .43 miles. Then Moss Creek Way, Moss Creek Road to the dead end, and it is .16 miles. That entire subdivision needs a lot of attention.

President Abell: Mr. Duckworth, do you know how old that subdivision is?

Mike Duckworth: I'm sure Mr. (Inaudible. Turned away from microphone.)

Unidentified: (Inaudible. Not at microphone.)

President Abell: Mr. Stoll, do you know who the developer was?

Unidentified: (Inaudible. Not at microphone.)

Mike Duckworth: Next is New Harmony Road from Koressel to Posey County Line. It is a 1.8 mile stretch. Outer Darmstadt Road, from Baseline to Schillinger Road, mileage .50 miles. Peck Road, which is from Baseline Road to the North High School exit from the rear or the east portion of the property. The School Corporation and the county is improving it from that point to Old State. This is the remaining amount of road that needs to be resurfaced to match up against that. We are coordinating that with the School Corporation.

Commissioner Melcher: Mike, I've got a question.

Mike Duckworth: Yes, sir.

Commissioner Melcher: Is that the part that's got the bridge in it that needs replaced or widened or something?

Mike Duckworth: I'll let John comment on that one.

Commissioner Melcher: Because I get—

John Stoll: Yes, this is the part that has the culvert. I haven't looked at the condition of the culvert—

Commissioner Melcher: Or a culvert, but—

John Stoll: — it is narrow.

Commissioner Melcher: The neighbors are calling it a bridge.

John Stoll: Yeah, it's a large diameter culvert, and that is one of the more narrow portions of the entire road.

Commissioner Melcher: So, if we did this, I'm not saying we're doing it, but if we did this project and the School Corporation does their project, then Peck would be all done?

Mike Duckworth: No, well, the problem is—

Commissioner Melcher: Of where the problems are.

Mike Duckworth: – it's in such bad shape right now that we need to go ahead and resurface it at this time and have it match up with the new surface that the School Corporation is having to put in. Eventually what needs to happen, in my estimation, it needs to be widened.

Commissioner Melcher: Is the School Corporation widening theirs?

Mike Duckworth: Yes.

Commissioner Melcher: So, we're going to have a widened one coming into a narrow one?

John Stoll: Right, the School Corporation project widens Peck, and I've got a slide up here that shows that as well, but it's about the southernmost 1,500 feet of Peck, down by Old State. Once you get out of the portion they're reconstructing with this current project, it tapers back down to the existing, and like Mike said, that's the condition of the existing pavement. So, it would resurface the existing road at it's existing substandard width.

Commissioner Melcher: Okay, if you can, I wouldn't mind seeing maybe both. I mean, we're talking about some other things there on Peck. Maybe get the price of what you're saying, and maybe if we could match it up, what that would cost, and how much more that would cost. Because I thought it was going to be a lot more higher than that. I'm not sure now.

John Stoll: Just roughing the costs in my head, that 1,500 foot segment that the School Corporation is doing is right at a half a million dollars. So, this .63 of a mile would probably be a million dollars or more for construction, plus design, plus right-of-way costs.

Commissioner Melcher: Okay.

Mike Duckworth: Next we have Ridgewood Drive, from Oak Hill to Clover Drive, it's .07 miles. St. Joe Road, from New Harmony Road to S.R. 66, the mileage is .6 miles. Schaeffer Road, from Mohr Road to Orchard Road, the mileage is 2.3 miles. Stephanie Lane, from Hogue Road to the dead end, it's .11 mile. Warrick County Line Road, from Millersburg Road to the dead end, the mileage is .75 miles. Woodland Lane, from Boonville-New Harmony Road to the dead end, it's .7 miles. Daffodil Court, from Periwinkle Drive to the dead end, it's .07 miles. This slide is basically a total of the mileage that we have been contacted on, not only because of excessive calls about potholes or complaints about the roads, or just recently with the advertisement of the road hearings. We've compiled about 12.63 miles. As you can see, most of these are under a half a mile. So, they're small stretches of county roads, they're within some subdivisions requests for repaving. John is going to allude about the major projects and concrete street repair that has been requested, and then I would say that we could open it up to the public and we'll take notes. Then, at some point in time we'll get a list of the roads, with pictures, to you. I would also say that we would want to put this online so folks would have access to see that as well. We will continue to not only take calls or requests, of course, this is a working document, we're going to be working on it until you advise us to come back to nail it down. Just before I forget it, we're taking calls now on just the potholes, or maybe the crack sealing that's needed. We'll be doing those small repairs starting

April 9<sup>th</sup>. So, unless you have any questions of me, I'll ask John to go ahead and take over from here.

Commissioner Melcher: When you're doing the potholes you might find other roads too that you're going to have to have.

Mike Duckworth: That may very well be. Yes, that's right.

Commissioner Melcher: Okay.

Mike Duckworth: Thank you.

John Stoll: Before I jump into the projects for this year that are proposed, I would just put in a few slides for the major projects that were completed by the county last year. The first one was the completion of the University Parkway from Upper Mt. Vernon to Marx. That's been a long time in coming, but we're finally getting to the point where we're getting that finished. That part opened last April. Green River Road, which was under construction for about two years, we finished that and got that open last summer. It was about a \$25 million project. So, that was the largest project that the county's ever done, whether it's federal or local monies. Then the third project was what Commissioner Melcher was discussing earlier, which was the completion of the Evergreen Acres improvements. The first year we did a lot of milling and patching, and then the Highway Department crews came back and resurfaced it, but this one intersection at Holly and Berry was so torn up that it had to be totally reconstructed. We got that finished last year as well. So, like Commissioner Melcher said, rather than three years, we got it done in two. Some of the larger projects that are already under way for 2012, we've got the completion of Burdette Park-USI bike path. That's winding down, they really only have a few signs to install and then that project will be finished. That will complete the entire project between Burdette Park and the USI campus. That is about a million dollar project, and it was federally funded, so the county's construction cost was about \$200,000. This is a project that's just getting underway, it's the reconstruction of Millersburg, from Hedden Road to Green River Road. The west end of this project will tie into all of the reconstruction work that the airport's doing with the realignment of Oak Hill Road. In conjunction with this, as you can see in the left photo, the road currently gets under water, like it was last April and May. The road will be elevated so where it's above the 100 year flood elevation. So, that way, like Green River Road, it will be passable during flood events. The bridge area is actually the first phase of that project, and I don't have an exact date as of yet. We're expecting that road closure to start and the bridge construction to begin in the next week some time. We'll send out a media notice to let everybody know when that closure will take place. Like we discussed earlier, this is the reconstruction of Peck Road that the county is working with EVSC on. This will rebuild about 1,500 feet of the road. Like we discussed when the project was, the bids were taken on the project, the intent is to allow left turns into the school from Peck Road, and right turns out, but we're trying to prohibit the left turn out of the school in order to try and keep people off the narrower portion of Peck Road, which is the portion that Mike was discussing as far as the County Highway Department paving project. So, the intent is, as much as possible, we're trying to keep traffic from the school off the narrow section until some future date whenever it can be widened. University Parkway, this is the final segment up to Diamond Avenue. This will complete the first five miles. Right now, we're estimating that that project will be finished in June, which would be well ahead of the schedule. The contract doesn't call for the project to be open until October. They were

estimating they had about eight weeks worth of work left, and they plan to get started on that either this week or next. So, we're hoping for a June completion date on that. Here's a list of the projects, the road repair requests that we've received so far. We end up contracting out the projects that Mike's crews can't do because they're either too large, or they just don't have the manpower to take care of it. Which usually ends up being larger scale asphalt projects that involve milling, or large scale concrete patching contracts. We have roughly a half a million dollars to do these contract projects. This is one that we've been made aware of. Actually it won't involve road reconstruction, but it requires major ditch reconstruction. That ditch is probably about ten feet deep, and you can see where the ditch has eroded right up under the edge of the pavement. So, we're in the process of surveying that to try and figure out what's an appropriate solution. If it involves moving the ditch, it will be a fairly costly earth work project, even though we won't get into the pavement.

President Abell: John, where is that?

John Stoll: It's up in the northwest part of the county.

President Abell: Armstrong?

John Stoll: Yeah. The next project that we've received a request on is on Championship Drive in Eagle Crossing Subdivision. You can see on the left photo, there's a depression in the pavement that ends up collecting water. We've seen, I'm not sure why this one piece has settled, but to fix this we're going to have to go out and saw cut out the pavement and then pour a new curb and replace the asphalt. In the right photo you can see all the water that collects out there. It's just an isolated dip that's formed in the road, and there's really no signs of any other problems like that. That would require new curbs, new asphalt pavement. Here's another project that, while the County Highway crews have, can take care of paving, with St. Joe being four and five lanes wide, it's a larger job than their crews could undertake. This was last milled and resurfaced back in the mid 90's. So, it's held up well, but it's starting to show signs of wear, with all of the cracking and with, I know Mike's crews have had to do some spot patching out there as well. So, it's starting to show it's age, and it's going to need some more work. This is the start of some of the concrete street requests that we've gotten. This is in Edinborough and Fox Hollow Subdivisions. This is near the intersection of Baumgart and Heinlein. These pictures are just an indication of the type of damage that we've seen throughout the entire subdivision. Once again it's a larger scale repair project, that while Mike's crews could do it, it would keep them occupied way too long and they wouldn't be able to do their asphalt paving. Willow Creek, this is out off of, in the Streuh-Hendricks- County Line West area. The same thing, just concrete street failures that need patched. This is Five Oaks Subdivision, this is located off Hedden Road just south of Kansas. This area that's failed here is just an isolated area. Most of the rest of the street is in pretty good shape, but there is that one area that's going to need a total concrete replacement. Eagle Crossing Subdivision, this is located between Petersburg Road and Seib Road, south of Boonville-New Harmony. We, once again, have concrete streets that have failed, along the lines of what Bernardin-Lochmueller was discussing earlier, when we do these concrete street patching projects, we try to go out and make sure that we get all the joints sealed, whether we've patched the concrete or not, just to try and make sure we don't see water get back underneath the pavement and it result in more failures. West Summit Estates, this is also in the neighborhood of Streuh-Hendricks out on the west side. The same problem, just random street patching needed. This is Ascot Drive in McCutchan Estates, this is



an area where joint sealant, the joints have failed, the water got in the joints, went under the street, and you can't see it here, but down here at the curb inlets you can see where the mud from underneath the street was being washed out and collected down the storm inlets because of either the street failures or the joints not being properly sealed. So, we'll have to go out there, remove some of the bad areas, like where this barricade is, and see how far the voids run and see how much concrete would actually need to be replaced. If we're lucky, we wouldn't have extensive replacements, but until you start opening those up, we just don't know for certain. Once that's all done, then we would turn around and seal all of the joints to try and prevent that from reoccurring. Rather than just continue to show the same type of slides over and over again with the concrete failures, we just put a list together of all of the ones that we've received repair requests on. For carry overs from previous years, like I said, we roughly get about a half a million dollars a year for the concrete street patching, and unfortunately that doesn't go far. So, our carry over list is always pretty large from year to year. This is just what we've compiled so far. Like Mike said, we're still getting requests, so that list could be expanded further. Our inspectors have been out looking for bad areas, and continue to add to the list. Then we will prioritize things and develop the final repair list for this year, and then turn around and get a contract put out for bid. That's all I had, unless you have questions.

Mike Duckworth: Commissioner Abell, I would like to read into the record, we did receive some calls today, and our crews haven't had the opportunity to go out and look at some of these, some they have. St. George Road, from Ward to Oak Hill. Roesner Road, which is a gravel road, which we do have several gravel roads in the county. I'm not sure if this is county accepted, and, if it's not, of course, that's something we cannot do, but we'll check out the complaint. Aspen Drive and Schmuck Road and Swinging Way. There's, I think, part of what you're going to hear this evening from some of the folks in these subdivisions where there have been, the concrete streets have buckled or they have depressions in them. Because of a lack of funding in our concrete street repair funds, we have had to go out and do some patch work, which doesn't look very good, I understand, but to keep the road from completely falling in, we've put asphalt in some of these areas, with the understanding that, hopefully, when we come back it will be at a time when we can repair them, go in and put a new subsurface in and build that up with concrete. So, at this time, this is the complaints that we've received, other than, of course, potholes and those kinds of things and we're compiling that list. That brings us to this point where we would also, you know, ask the public to come forward with any other concerns that they have.

President Abell: Thank you, Mr. Stoll and Mr. Duckworth. I would challenge the two of you to help us a little bit by, I would personally like to know when some of these subdivisions were built, and how long these streets have been here before they start showing these signs of failure. We've had some incidences lately where we've been concerned about whether or not we were even going to accept a road. I think that before we put a road on the back of the county taxpayers, we want to make sure it was at least going to hold up long enough for, you know, for us to get on to something else. I think some of these subdivisions seem pretty new and shouldn't be having these kinds of failures.

**Public Comment**

President Abell: The way that we're going to handle this, I am just going to call your name, as you signed in, if you do not wish to speak, that's fine, you signed in and that's why I'm calling your name. If you have something you wish to speak on, even if it's one of these that you saw, we're happy to hear your testimony on it. I would ask you to keep it to about three minutes. We do have a long, several people here and we do have a limited amount of time tonight. The first person that signed up was Gary and Carol Sisney.

Gary Sisney: Good evening. I'm here with my wife representing Stephanie Lane. Our neighbors Dick and Lucy Schenk are representing Kelli Lane. My wife, 15 months ago, had sent documentation and pictures of the condition of our road to the City Engineer, and that information was passed on to Mike, I believe, and on to Mr. Melcher. Sixteen years ago we were at a meeting just like this one, with our condition of our road being bad at that time, and the county was good enough to repave our road and we appreciate it greatly. Our condition of our road today is much like it was back then. I brought a little show and tell with me tonight, this is a chunk out of our road. The road is fracturing, and the picture tonight didn't really do justice. They came out and patched a big hole, this is what it looked like, you probably can't see it from here, but anyway the hole was patched and now this chunk come out of the patching. So, the road is breaking up. We realize the constraints that you have on budgeting, and we would greatly appreciate the Board considering repaving our road now rather than later as the road deteriorates and will cost more at that time. Our subdivision is small, 565 feet of roadway. The subdivision was built in 1978.

President Abell: One of the older subdivisions. About how many people live in there, do you know?

Gary Sisney: There are ten homes.

President Abell: Ten homes?

Gary Sisney: Yeah, all of the lots are an acre or an acre plus. Thank you.

President Abell: Richard and Lucy Schenk.

Richard Schenk: We're with Gary.

President Abell: You're with him, and he covered it? Okay. Glen Agler.

Glen Agler: I'll pass, there's another neighbor (Inaudible. Not at microphone.)

President Abell: Okay. Who's the other neighbor? Who is it?

Glen Agler: Eric Norrenbrock.

President Abell: Do you want to take his time then? Please give your name when you go to the microphone for our records.

Eric Norrenbrock: Hi, my name is Eric Norrenbrock. I represent the Green River Estates III Homeowners Association. I have, can they put this disc–

President Abell: I don't know if we have that capability?

Eric Norrenbrock: Just for photos.

President Abell: What happened to Matt Arvay? We have that on our screens, we're not ignoring you.

Eric Norrenbrock: Okay. Green River Estates III is a fairly large neighborhood. We have approximately 200 homes in the neighborhood. When Bernardin Lochmueller spoke about preventative maintenance, it kind of caught my attention, because that's something that hasn't really been done in Green River Estates III, specifically. I can't speak for the other two, I know I saw on your list Green River Estates on there as a generic subdivision, but there's three sections. The third section, which is what we're representing this evening was built, started in the mid 80's. So, it's an aging neighborhood. They're all concrete roads, as you can see some of these culverts and storm drains are caving in. It's causing some drainage issues. Neighbors are good about trying to clean those out with leaves and things of that nature as they get trapped. Me personally, I have patched in front of my house the actual curb with concrete on two different occasions when I had other projects going on. It just hasn't held. We're looking, there has been, this section here, that large section that just passed is on the main entrance, Huntington Way, and as Mr. Duckworth said that they're trying to patch, band-aid, the problems that we're having out there. It's just not holding real well. I assume as more rain comes through it's going to deteriorate even more, because that is the main entrance. There's only one way in and one way out to the subdivision. So, this is going to be, our subdivision is adjacent to the Green River Road extension, this next phase, which will be going out north to Kansas Road, so that will affect the entrance to the neighborhood, but there's really not much of an issue there, other than the actual entrance curb, and that's all going to be replaced as they do this new project. So, anyway, that's what we wanted to bring to the attention to the Commissioners, and hopefully we can get on the list. I was kind of surprised to hear that \$500,000 is the annual budget, that doesn't go very far for concrete work. So, hopefully, maybe in the future that, I understand that first come, first served or most needed or for safety and things of that nature, but we're very concerned about some of these drainage areas, these culverts and storm sewers as they're starting to sink. I don't know if you can tell on some of these pictures, but the sinkage is significant, two to three inches in some instances.

President Abell: We'll try to get a little contribution from the Sewer Department here.

Eric Norrenbrock: That's a great idea.

President Abell: Mr. Stoll and Mr. Duckworth, do you either one have any idea how much we're talking about here, a mile, two miles, half a mile?

John Stoll: With the way it's just spot patching throughout, without going out and measuring up these areas shown in these pictures, I really couldn't tell you what kind of quantity we would be looking at. But, for us to get a dollar figure to give to you, that's what we'll have to do is go out and send inspectors out to just take a look at it, measure it up and then try and assign a dollar figure based on last year's prices.

Off the top of my head I just don't even remember what the mileage is throughout Green River Estates, much less what would be necessary for the repair work.

President Abell: Okay.

Eric Norrenbrock: And I have no idea either, but like you said, it's not where we have to have entire streets done—

President Abell: Right.

Eric Norrenbrock: — it's sections, squares, things like that.

Mike Duckworth: The other problem you run into there, once you dig it out, you find the voids and you can see where the next section is not going to last if you don't go ahead and remove it and replace it.

President Abell: That was the problems we had, I think, in Evergreen Acres—

Mike Duckworth: That's exactly right.

President Abell: — was, you know, as we dug it up we found many voids where the water had gotten under there over the years and washed it away.

Eric Norrenbrock: I have photos here, with addresses written on the back that I can leave with you. Would that make it a little easier.

President Abell: Give those to Mr. Stoll or Mr. Duckworth.

Eric Norrenbrock: Thank you for your time.

President Abell: Thank you.

Commissioner Melcher: Thank you.

President Abell: Jerri Johnson.

Jerri Johnson: I know I was here at the last meeting.

President Abell: Would you give your name for the record please?

Jerri Johnson: Jerri Johnson. I want to bring attention to St. Joseph Avenue again. I know I seen it on there, but it wasn't the four lane section, it's the two lane section. I noticed that in a lot of these pictures there's a white line on the road, that white line is no longer on that section of St. Joe, because it's dropped off in the ditch. So, there is a need there. I know we were going to send out the Engineer to check it out, I don't know what has come of that. I want to make sure at every meeting I just bring it to your attention that the road is dangerous there. I watch, I'm out there everyday, I watch trucks, BFI, firetrucks, they come down, they actually tip. To me that's unacceptable. I mean, they know what they're looking for, so, of course, they move over to the middle of the road. Well, if you're in the other lane, that's even more dangerous. But, like I said, the white line's even gone in that section, so, I just think that we need to make sure that we're, I'm a little better to talk this day, we need to make sure we're focused on it. I mean, I know there's a lot of roads in the county

that need fixed. This is a two lane section of St. Joe. Everybody in here probably has a family member that travels that road. I mean, everybody in here is human, there's always, and that road has no room for human error. We just need to get it fixed. That's my goal.

President Abell: We have had people out looking at it, and we have some more scheduled, I think, to take a look at it.

Jerri Johnson: Okay. I just wanted to make sure that you knew the white line was gone. I went out and took pictures myself, which I will get to Mr. Duckworth's office and drop them off, and I actually took pictures of the trucks coming down the road so that you could see there is no room for the firetrucks. McCutchanville, German, Scott, I spoke with a guy from Evansville, they go up and down that road for different reasons, and we just, these guys are going out and saving our lives, and we just need to make sure that they're safe while doing it. If we have a road that's not making them safe, to me that's unacceptable. Thank you.

Mike Duckworth: Just for the record—

President Abell: Thank you.

Mike Duckworth: – I do want you to know that I took Commissioner Abell out that way the other day and we looked at it as well, and I think Mr. Stoll has made some comments in regards to the right-of-way issue. So, it's not just a quick fix type situation. It's something that has to be investigated and we have to have someone of John's expertise and others to look at it to see what we can do.

Jerri Johnson: The fire department has offered anyone that would like to ride in the truck to just go up and down that road, to actually feel the dip, because it actually, the truck actually turns. When you're in a tanker and you've got 10,000 gallons of water, and that water, when the truck tips, that water sometimes there's no correction. BFI has trouble too, so, we just need to make sure that our entire community is safe, not just the fireman, but, you know, everyone's got someone that travels that road. But, thank you.

President Abell: Thank you. Does Morgan want to speak, or did she just sign in?

Morgan Tighe: I want to speak. Hi, I'm Morgan Tighe, and I'm here to fix St. Joseph Avenue, because I know that nobody here wants to be scared to travel down the road. I know that some people are scared to travel down that road, because they know that anytime of day when they try to travel down that road, no matter if it's sunny or rainy or anything, they can get into a deathly accident. We don't want that to happen. We don't want that to happen to anybody, but it can happen. That's why I want this road fixed.

President Abell: Thank you. I'm sorry I cannot read the next name, but the address is Old Boonville Highway. It may be Ed Wunderlich.

Ed Wunderlich: I do not want to speak.

President Abell: Oh, you do not want to speak? Okay, thank you. Cynthia Maasberg.

Cynthia Maasberg: I'm Cynthia Maasberg. Actually I probably have a question for Mr. Duckworth to begin with, I don't really know the correct term, but out on Baseline Road at the intersection of Armstrong Road and also at the intersection of Bender Road, there has been some maintenance to allow traffic coming out of, I call them the side road, Armstrong and Bender to have a bigger turn area. Does that practice have a name?

Mike Duckworth: I'm not real sure what you're talking about to be very honest with you.

Cynthia Maasberg: Well, I didn't quite know how to describe it. That's why I'm referring to those two—

Mike Duckworth: Is it coming off the fields?

Cynthia Maasberg: No.

Mike Duckworth: Or is it coming around the—

Cynthia Maasberg: It's widening Baseline Road at the intersection where Armstrong, where you turn into Armstrong and also at Bender.

Mike Duckworth: Okay, I'm not sure if there was a drop off there coming off the road, where we had to come out and do repair to the shoulder of the road or what the case may be. Does that sound right?

Cynthia Maasberg: The problem is that Baseline is not wide enough to allow the large implements and also semis, any large truck, a fuel truck to make those turns. I would ask that the intersection of Maasberg Road and Baseline be treated the same as Armstrong and Bender have been. When we turn out of Maasberg Road with our semi, the front wheel drops off of the pavement, and it is a decline, it drops down about a foot. It's a pretty scary situation. So, and we saw those two and would like to just ask that, we're right in the middle of the other two roads, and if we could—

Mike Duckworth: I'll come out so you can show me.

Cynthia Maasberg: That would be great.

Mike Duckworth: Alright, thank you.

Cynthia Maasberg: Okay, thanks.

President Abell: Eldon. We all know who Eldon is.

Eldon Maasberg: My name is Eldon Maasberg. I'm back again. What she's talking about, I helped get done on Armstrong Road, Scott done the work. I can't think of his last name, but—

Mike Duckworth: (Inaudible. Microphone not on.)

Eldon Maasberg: Yes. Anyway, semis can't make the corner which is what she's talking about. What I really come up, I seen Sunday when I was going out to see, do some mowing, I was on University Road, and I seen them talking about drainage,

and Bill told me he didn't want it at his meeting, he wanted me to hand it to Duckworth's lap. I was crossing on University Road, looking way down in the hole, you see four beaver crosses backing water up. So, I presume Duckworth is going to have a job going down there to clean them out.

Mike Duckworth: Well, wrestling beavers isn't in my job description, but—

Eldon Maasberg: Well, the ditches though, need to be cleaned.

President Abell: You can call Mike Wathen.

Mike Duckworth: Yeah, there you go. We'll sure check it out.

Eldon Maasberg: It will be on the northwest corner there at the railroad tracks where it goes over, it's the overpass there. If you look down in there you can see one dam after another. Thank you.

Commissioner Melcher: Bill's not here.

President Abell: Thank you, Eldon. Yeah, Bill Jeffers needs to know about this. Dewey Colter.

Eldon Maasberg: He's the one that told me to drop it in his lap.

President Abell: Yeah, he would.

Commissioner Melcher: I know, I heard him tell you that's not Drainage Board. I didn't know what he was talking about. Now we know.

President Abell: Dewey Colter.

Dewey Colter: President Abell, other members of the Commission, the item I'm going to address I've already shared with the Highway Department, but I wanted to get it on the radar screen for future preventative maintenance. I live on Lindauer Lane, a subdivision that was started in the late 90's, yet serves about 20 homes and has one access point which crosses a creek, culvert that was constructed from an old tank car, and still survives to this day. The development of University Place Subdivisions I & II (Tape flip), plus new developments that are ongoing now on the Posey County side of County Line Road are increasing the amount of water that is flowing into this area. The tube itself is starting to be eroded around the exterior. In addition to that, the increase in water flow is coming back across the county line, or starting to erode some of the ditch ways along Lindauer. At such time that Mike's staff can come out and take a look at that, I know they're planning on taking a look at the culvert tube, that is the only access point in and out, but, again, that's only to get it on the radar screen for future preventative work.

President Abell: Mr. Duckworth, I have been out to that particular location, and there are times that it looks like a river on that road. I would appreciate you taking a look at that. Maybe we, as Commissioners, need to in the future think about development, the more we pave on the top side of the hill, the more water runs down to the people below, and that does cause major problems, and see if we can do something about that.

Dewey Colter: I will say, this is going to be unique because there have been two houses built on the Posey County side of County Line Road, and a subdivision has just opened up, I think, for eight additional lots. So, you can expect to see more water coming back into our favorite county and then passing right back out again downstream. I appreciate the attention that your giving to the issues of subdivision developments, particularly in the area of street construction. I was shocked to hear that in previous years there was not the standards established that would have precluded what you've seen today and having to pay for. It's an up-front cost that I think would be best taken then, than waiting now. I think I've been to four of these hearings, and it's pretty much continual that you have to face, and it's a lot of funds that you really don't have to expend. So, thank you for taking that initiative.

President Abell: Thank you. David Dillingham. Rose Dillingham. Dan Schenk.

Mike Duckworth: Commissioner Abell, while--

President Abell: I'm Ms, I'm not Mr. Abell, that's okay.

Mike Duckworth: Commissioner Abell, while Dr. Schenk is coming to the podium, I do want to point out that I have Jeff Byrd, my paving foreman with me here this evening, and I'll be sharing these notes with him, and we will go out and check these situations out. That's part of our process of getting the information back to you, but I wanted you to know that Jeff's here.

Dan Schenk: Thank you, President Abell, Commissioner Kiefer, it's a pleasure being here tonight and taking in one of your meetings. I don't get here very often, but good evening and thank you for your service to our county. You have great work to be done. I'm a resident in Moss Creek Subdivision. We built there in '88 and '89, moved in in '89. Earlier, I guess I should say last month, Mr. Duckworth had his crew come out and replace the culvert between Number Six School Road and the subdivision entry way, which I think is an indication of the length of time that that culvert's been in and the asphalt's been in place. The subdivision is located about a half a mile west of 65, Cynthiana Highway, and it's back in the subdivision itself. It's a 67 acre subdivision, there are 27 lots, 27 homes, all are occupied. The annual taxes paid by those 27 homeowners is somewhere in the \$50,000 plus range per year. If we were to look at the total assessed value of the property in the subdivision, it's over \$7 million. Again, the initial asphalt was laid at the entryway, and that's probably 22-25 years of age. The general asphalt in the subdivision is about 22 years old. It's not received any attention since then. I do have additional pictures that I could leave with you, if you like, and some additional information. Each member of the subdivision has signed a letter of support, and we really are encouraging you to do all four of the Moss Creek roads, to get Road, Way, Place and Court together. It would not make sense to come in and do some of that and not all of it. All of it's really in need of repair. We believe that the project that we're looking at is on the lower right hand corner of the graph we saw earlier in terms of deterioration of a road. We are concerned, there are a lot of walkers back in this area. It's beginning to chunk out. I didn't bring a show and tell piece, I should have been that thoughtful, but did not tonight, but there are chunks of the road coming out and people walking by. If a car hit that just right, there could be an injury in that area. Madam President, you asked who developed the subdivision, it was Dr. Phil Kline, and, again, he was going to build himself on the 67 acres, and later decided to subdivide himself. The statement of support that each of the subdivision owners signed reads; "I strongly encourage Vanderburgh County to resurface all of the roads in our subdivision." There's



additional information included on the support statement that they signed. We have that for all 27 if you would like to see that, but they're basically saying, as I said before, we would like to do all sections of the subdivision at one time. If it's further delayed, obviously we're concerned about property values. If it's not fixed soon it's going to be more expensive later. Some of the base probably is already eroding and will need attention. Again, the cost will increase over time. So, again, we realize you have a lot of projects on your list. Appreciate the fact that we've received some attention with a culvert at the front end of the subdivision, that's, at a minimum, going to need to be asphalted over pretty quickly with the 53 base rock that's in there is beginning to work it's way out. So, we know you've got a lot of heavy decisions to make on the projects coming your way, but we certainly would appreciate your support for Moss Creek Subdivision on behalf of the 27 homeowners who live in there. With me tonight is my wife, the Dillingham's were here, and they needed to leave, so that's the reason that I wanted to make note of that. Questions? Comments? Thank you so much.

Commissioner Kiefer: I was just going to, thank you Dr. Schenk for coming out today and spending time to share your concerns with us. Appreciate it.

Dan Schenk: Thanks again.

President Abell: Shirley Woods. Please give your name in the microphone.

Shirley Woods: My name is Shirley Woods. I live at 15051 Peck Road. I'm not sure that any of my concerns can be addressed right at this time, but I'm wondering if there is a time line for the initial upgrade of Peck Road? Do you know?

John Stoll: Do you mean the section that we discussed as far as the EVSC's project?

Shirley Woods: Yeah, especially the south half of Peck Road.

John Stoll: Yeah, that contract was just awarded. I don't have a start date as of yet from the contractor, but they're kind of on hold right now waiting to get the schedules for the utility relocations. As it stands now, the contract has an August completion date, if I remember correctly, but if the utilities don't get cleared, that will probably push that off. But, that, if things went as planned it would be finished by August from Old State Road up to the high school entrance.

Shirley Woods: Okay. I just need to mention some of my concerns. I was wondering if there's any way for limited access onto and off of Peck Road at this time?

John Stoll: As far as everybody's driveways out there right now, we can't deny people access. So, the best we can do is try to limit which direction the students can turn—

Shirley Woods: Okay.

John Stoll: — when the new driveway is constructed. There are concrete islands that have been set up to try and prohibit the left turn from the school out to head north on Peck Road. We're just trying to keep them off that narrow section. So, that's really the only access limitation we have out there at this point.

Shirley Woods: Okay, because people that live out there are pretty familiar with places that they can pull off. Because if I meet a school bus on the south end of Peck Road, they're going this way and I'm going this way, there's no way we can pass each other. So, those of us that live out there know where there are safe areas that we can pull off. I don't know if there's more signs that could be put out there warning people. It's especially bad after the activities in the evenings of the school, where people think they're going to make Peck Road a short cut, and they're not familiar with it and they're coming up a dark road at night and have no idea what they're going to run into. That's one of my main concerns. Also, the increased deterioration with the construction vehicles that come in and out of an already compromised road is a concern too. I don't know if anything can be done or not, but anyway those are my concerns. Do you have any questions?

President Abell: Thank you. Harold Mitchell.

Harold Michael: Michael.

President Abell: Michael, I'm sorry.

Harold Michael: I'll pass. I was with Eric here.

President Abell: Okay, that's fine. Shane Gray.

Shane Gray: I live at 4134 Weathersfield Drive, again, that's part of Green River Estates III. Eric's done a very good job of taking pictures of the major damage or breakage in the road in the subdivision. I don't think the pictures really show the depth of some of the settlement and holes. Another concern I had, we've been a resident of the subdivision for six years now. Whether the picture was up there or I just didn't recognize it due to the perspective of the picture, some of the patches at the corner of Weathersfield and Newberry Road, it's an L corner that's been made into a big cul-de-sac, has been patched in there with asphalt, and it's not a nice patch job. It's just thrown in there and left. It's been that way for approximately six years now, or as long as I've been there.

Mike Duckworth: I'm sorry could you give me that location again, please?

Shane Gray: At the corner of Newberry and Weathersfield Drive. That is not a square corner, it's a big cul-de-sac where there's several driveways on it. It's been patched before and there hasn't been any more attention to that, I know, in the last six years that we've been in the subdivision. The other concern that I do have with what's going on with the streets, that's only a small majority of the cracks, that's the, I would guess I would call that the priority things that need to be taken care of, but there is so much more damage on every street in there that needs to be addressed, you could literally set up a mailbox out there to repair everything that needs to be repaired. Again, the subdivision is 20 plus years old, and there hasn't been anything more than just some asphalt thrown in a patch. The big asphalt patch that was shown in the picture, I was calling in on that thing since last Thanksgiving weekend, or the week after Thanksgiving is when I called, and it was just repaired in the last three to four weeks, and at that, somebody just came out, threw some asphalt in it, raked it out. I don't think it was ever compacted in where you can see some of the asphalt is already spreading out down the curb and the gutter lines already. It's holding up right now, but, again, that's not going to last. That was so deteriorated underneath there that I just didn't understand why asphalt fixed that. It was, you

know, not even a band-aid patch for that, it was that bad. So, I don't anticipate that holding very long. I'm surprised it's got along as it did now. The other thing in the subdivision, we have a large blend of people in that subdivision from young people to a lot of older people that are retired, no sidewalks, so they get out, it's a very active subdivision, they all walk. I know, there are a lot of kids on the bikes they're just now running, in front of my house alone I've seen a couple of kids take a tumble, and some of the divots that are there on there bikes as well, scrape up their hands. So far there's no huge injuries other than a scraped knee or something like that, but it's more than just what the pictures show. It's a pretty aggressive deterioration all the way through the subdivision. I would be more than happy, on one of my days off, to meet somebody out there and just drive the whole subdivision with them. It's just not what we showed you in the pictures, it's much greater than that. As far as the money goes, you know, the limited budget that you guys have to work from for the concrete repairs, is there anything, emergency funding that can be made available to get some of this stuff fixed?

President Abell: I can tell you that we had an emergency financial meeting yesterday, in this building, the County Council called it, and we have no money. We're \$1.5 million into our reserves right now.

Shane Gray: Right.

President Abell: That's like borrowing it from your IRA. We can't continue to do that.

Shane Gray: Right, and I understand that. I just, I would hate to see some of these larger areas that are deteriorated be on the six year plan to just get asphalt thrown in them, especially with the amount of people that we have out there walking. It's going to be a certain time before somebody's gonna fall into one of those things and really get hurt. I mean, it got to the point where you couldn't drive across a couple of these areas. So, anyway, that's my concern, I would like to, you know, I appreciate your guys attention to what we have already, but, again, it's I think a little bit more severe than what the pictures actually show.

President Abell: Mr. Duckwork, you'll get out there?

Mike Duckworth: Yes.

John Stoll: One thing too, on subdivisions like that, it's routine, because of our limited funds that they do carry over for several years. Not the answer that you want to hear, but that's been—

Shane Gray: Carrying over and being forgot about is two different things.

John Stoll: Right.

Shane Gray: I just want to make sure we don't forgot about again.

John Stoll: I understand.

Shane Gray: Thank you for your time.

Mike Duckworth: Thank you.

President Abell: Fred Padget. He left, didn't he?

Mike Duckworth: I think he left.

President Abell: I think he did too. Clarence Weber.

Clarence Weber: I'm Clarence Weber, and I live at 930 Schutte Road. I've lived on Schutte, well, even before it was Schutte Road. I was born on there in 1932. Well, the main thing is, Schutte Road didn't go all the way through until 1937. The WPA put it all the way through. We ended up with ten cars a day. Man that was good. Well, things have changed. Can I approach the bench?

President Abell: If you get too far away from the microphone we won't be able to pick up what you say, but you can come, certainly.

Commissioner Melcher: I think he wants to hand us something.

President Abell: Are these for us to keep, sir? These are for us to keep? We can keep these?

Clarence Weber: Yes, you can keep them. The last page that I handed out to you (Inaudible. Not at microphone.) Well, I called Carol McClintock when she was in charge of the Commissioners, and we wanted some road improvements. Well, you don't have enough traffic. Well, I talked to Bettye Lou Jerrell, she says we got spending all of our money on Burkhardt Road. I said, well, we've got a university out there, and we have got traffic. Now, the road is fine, there's no problem with the road, there just ain't enough of it, wide enough. Well, the Eagle Village took care of about 500 feet of it, and made it halfway decent. Now, if the county can come up with another 1,200 feet and get back to Clark Lane, it would help a whole lot. There is the original petition and the original signers on there. There's five pages of signers. Then there's four pages of traffic counts. I have made personal traffic counts, and if anybody wants to dispute them counts, they can come out and sit beside of me in my front yard and count with me. But, anyway, I forget what the rest of it, but anyway, here's something for John.

Commissioner Melcher: I couldn't draw that good.

Clarence Weber: But, anyway, there's a copy of the utilities, and there wasn't no utilities when I moved there, so I know where they're at. Also, now USI is a problem, and until you get two entrances, or two lanes going into USI, I've seen traffic backed up to Red Bank, and three rear ends, whatever. But, anyway, I don't know, John, it's going to be tight. I mean, it's awful tight, especially on the University side, but you have to consider that eventually there are going to be big trucks. But, anyway, I thought I would try and get the thing in the process. Since we brought a petition that was signed ten years ago, I thought it was time to bring it back up.

President Abell: John, do you know exactly where he's talking about?

John Stoll: Yes, it's the section between basically Clark Lane up to the Lloyd Expressway. Like he said, there was a small piece where an extra lane was added in conjunction with the apartments, but that stops, what, probably around Mahrenholz?

Clarence Weber: Actually, the improvements that Eagle Village put in is about 500 feet and you've got about 1,200 from the end of theirs to Clark Lane. One problem at Clark Lane now, there's a hump. If you do anything at all you're going to have to take a little off that hump. I mean, we get all kind of speeders out there, and this and that, and that's okay, but we've been able to live with it. If a car breaks down, he blocks one lane, and when you get ten cars a minute, or twelve cars a minute coming down back and forth, I mean, you've got problems. So, I thought I would bring it up and let you think it over.

President Abell: Appreciate your coming out tonight. Thank you.

Clarence Weber: Thank you much.

Commissioner Melcher: Thank you.

Clarence Weber: Thank you for listening.

Commissioner Melcher: You drew a lot better than what I could have done. This looks good.

President Abell: As a matter of fact, if John needs, if you need a couple days off, I think we might be able to hire him.

Clarence Weber: I'm a construction architect, but, I mean, that there's not to scale, John can probably handle that a lot better.

President Abell: Thank you. That was our last person that had any comments to make. Mr. Stoll, Mr. Duckworth, I think you both have your work cut out for you. Maybe we could consider that; you could both report back to us in, you know, at a future meeting soon as to what you think, what you've done between then and now and what you come up with.

Mike Duckworth: We'll start doing some preliminary, have some preliminary meetings, get together and when we see that we're ready to make our recommendations to you, we'll send the information out, you all can take a look at it, send it back, tweak it however you want to, and then we'll come back for another meeting to give the final approval.

President Abell: That sounds good.

Commissioner Melcher: I got an e-mail, and I think everybody got it, and I don't remember seeing it tonight, but I could have. It's supposedly on St. George and Kansas, was that mentioned tonight?

John Stoll: I got that e-mail, and I was going to try and summarize a response saying exactly how the traffic will be reconfigured once the airport project is done.

Commissioner Melcher: Yeah, it's all about Kansas Road and everything.

President Abell: I think I did get it. I was kind of looking through here trying to find them a minute ago.

Commissioner Melcher: Since you read those for the record, I thought I'd better, this is one I got. So, I thought we'd better mention it anyway.

Mike Duckworth: I don't know that I got that, but--

Commissioner Melcher: I'll give you this one.

John Stoll: I was going to say, Kansas Road is not one of the TIF district projects out there. The intent of everything that's being done out there with the airport project, we're anticipating that traffic would head east off of 57 down Kansas, go through the roundabout intersection, head south on the realigned Oak Hill, and then curve around and hit our new Millersburg project. Now, that remains to be seen if that's what the traffic actually ends up doing, but based on the geometry of the roads, that's what we were expecting. So, as it stands now Kansas wasn't part of that TIF district project, whether or not that could ever be added remains to be seen, but just like everything else, there's really no money to address Kansas if TIF dollars weren't available. So, I can respond to the gentleman who sent the e-mail.

President Abell: Thank you, John.

Commissioner Melcher: Okay.

President Abell: Marissa, would you make a copy of this and make sure that Mr. Stoll and Mr. Duckworth get it, and make this a part of the record. Is there anything else that anyone.....Commissioners? That will conclude the road hearing. Thank you, gentlemen.

Mike Duckworth: Thank you.

(The meeting was adjourned at 7:35 p.m.)

**Those in Attendance:**

Marsha Abell

Joe Gries

Madelyn Grayson

Keith Lochmueller

Eric Norrenbrock

Cynthia Maasberg

Dan Schenk

Clarence Weber

Joe Kiefer

Joe Harrison, Jr.

Mike Duckworth

Mike Hinton

Jerri Johnson

Eldon Maasberg

Shirley Woods

Others Unidentified

Stephen Melcher

Marissa Nichoalds

John Stoll

Gary Sisney

Morgan Tighe

Dewey Colter

Shane Gray

Members of Media

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
HUMAN RELATIONS ORDINANCE PUBLIC HEARING  
APRIL 9, 2012**

The Vanderburgh County Board of Commissioners held a public hearing on Monday, April 9, 2012 at 3:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding. This was a continuation of a previously recessed public hearing held March 19, 2012. The purpose of the public hearing was to hear public comment concerning the proposed amendments to Chapter 2.56 of the Vanderburgh County Code of Ordinances.

**Call to Order**

Madelyn Grayson: Excuse me, we have two sign in sheets up here, for those of you who have come in late, there's one in favor of the ordinance, if you want to speak in favor, the other one is in opposition to the ordinance. You must sign in. The Commissioners are only hearing new speakers this week. The people that spoke last time will not be speaking tonight.

President Abell: Also, we only have this room until 5:00 p.m. So there will not be any time for lengthy speaking. So, if you cannot keep your comments to like three minutes, you might want to write them down and leave them with us, because we do not, we have City Council meeting here tonight and we have to vacate this room. Are we ready? I'll call to order the public hearing of the Human Relations Commission.

**Pledge of Allegiance**

President Abell: We will begin with the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

**Attendance Roll Call**

President Abell: Attendance roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Overview of Meeting Format**

President Abell: We are going to follow the same format that we had several weeks ago. We're going to begin with the attorney for the Vanderburgh County Human Relations Commission, Mr. Kent. Could you make your comments in around five to



ten minutes? Afterwards, we have an attorney, Mr. Bryan Beauman, that's going to speak for the same length of time, and then we'll take public testimony.

**Human Relations Commission Counsel Presentation**

David Kent: Ms. Abell, I will keep my comments brief. As we discussed last time—

President Abell: Is your microphone on?

David Kent: As we discussed last time, it is our legal opinion that the ordinance, as presented, is valid. There has been substantial concerns with regard to the sexual orientation and gender identity portions of the amended ordinance. Under Indiana's Home Rule statute, we do not believe that we are in conflict with the State statute, which provides us the authority to have an ordinance and have a local Human Relations Commission. Because of that, we do not believe that this is conflict in any way, shape or form. As we noted earlier, there are several Indiana cities that have more stringent statutes in this same area than we do. Our ordinance is voluntary, it is purely an optional situation for a party that has been charged. They do not have to answer the complaint, they do not have to participate in the process in any way, shape or form unless they desire to. Under our communications with HUD, who provides funding to us, under their personal, not their personal, their departmental regulations with regard to these areas that they follow, but we are not subject to, however, they have communicated to us that in going forward with this amendment, it would be an opportunity to provide statistical information to them as to whether or not a problem in this area exists, thus necessitating our view in making this part of the statute voluntary, our ordinance voluntary. There are several Indiana cities, specifically we did this after Ft. Wayne. Ft. Wayne's is a voluntary statute, or ordinance. For example, Indianapolis is not voluntary. They can go forward on a complaint for discrimination based on sexual orientation or gender identity. In fact, Indianapolis, Lafayette, South Bend and Tippecanoe County can all proceed to public hearing and fact finding on a basis of discrimination for sexual orientation or gender identity. That is not what we have here today. This is purely a voluntary process. Ourselves, Bloomington and Ft. Wayne's ordinance is voluntary in nature. We do not have the ability to fine anyone in this area. In fact, Lafayette and South Bend actually have the ability to fine someone should they find, make a finding of discrimination based on sexual orientation and gender identity. These are not where we are in our proposed amended ordinance. I cannot stress enough to the Commissioners that when I was asked to put this together and we went through the process, the voluntary aspect of it became very important in terms of determining whether or not a problem exists. To solve any problem, one must know if the problem exists. Those who do not wish to know that the problem exists will never know that a problem is there. I think we, I want to really keep it at that, because the focal point that I have seen through the last public hearing has been with regard to is this Commission condoning a different sexual orientation or gender identity by passing this ordinance. I don't believe that you are condoning anything. That would be akin to saying, well, we tax cigarettes so we're condoning smoking. No one condones smoking. So, however you feel about sexual orientation or gender identity, the Human Relations Commission would ask you not to fall in the trap of saying you're condoning something. You're not. You're looking to find out if there is a problem here. If there is a problem, people should not be discriminated against based on that problem. That is the view of our commission. That is the view that they have brought to me in terms of crafting this ordinance the way it is written. That's

why we followed Ft. Wayne and went with the voluntary aspect, rather than going after a situation where it was enforceable, as it is in other cities. I'll note to the Commissioners that the ordinances that are enforceable, meaning they are not voluntary, Indianapolis, Lafayette, South Bend, Tippecanoe County, no one's challenged any of those ordinances. They just haven't been challenged. So, as we sit here today, we know that other cities have taken the lead and said, yes, we believe we can expand our statute, we're not bringing it in, we're not conflicting with the State statute, we're expanding it, but we're expanding it in such a fashion that, you know, to be brutally honest, is palatable, because we need to know if there is or is not a problem before you go to a situation where it becomes should we go down the road and say we need this to be enforceable, we need some teeth in this ordinance in these areas.

President Abell: Commissioners, anything for Mr. Kent? Okay, thank you, Mr. Kent.

Joe Harrison, Jr.: Can I ask him one question?

President Abell: Yes, you may ask him anything, Mr. Harrison.

Joe Harrison, Jr.: Did Allen, Allen County did not pass such an ordinance?

David Kent: No, it is the city of Ft. Wayne, it is not Allen County.

Joe Harrison, Jr.: Right, and are there any other counties that have passed gender identity discrimination ordinances in the State.

President Abell: Two.

Joe Harrison, Jr.: No?

David Kent: Well, Tippecanoe County has.

Joe Harrison, Jr.: Okay, is that the only one?

David Kent: That's the only county that I know of right now, in terms of county-wide.

Joe Harrison, Jr.: Okay.

President Abell: Not Marion? Monroe?

David Kent: Indianapolis basically, no, it's not Marion County.

Joe Harrison, Jr.: It's the City of Indianapolis.

President Abell: Monroe County, but not Marion County. Monroe County—

David Kent: Monroe County has, along with Bloomington.

President Abell: — theirs indicates on the basis of race, religion, color, sex, national origin, ancestry, sexual orientation, or disability. The one from Tippecanoe County reads; race, sex, religion, color, age, sexual orientation, disability, marital status, familial status, national origin, ancestry and status as veteran. Those are the two counties.

David Kent: Correct.

President Abell: The rest of them are cities. The City of Evansville has already passed this.

David Kent: That is correct.

President Abell: Thank you.

**Alliance Defense Fund Counsel Presentation**

President Abell: Mr. Beaman. Please state your name for the record, sir.

Bryan Beaman: Thank you, Commissioner Abell, Commissioner Melcher, Commissioner Kiefer. I'm Bryan Beaman, I'm an attorney with the Alliance Defense Fund. I'm based in Paris, Kentucky. The Alliance Defense Fund, just by way of introduction, is a not-for-profit legal alliance of approximately 2,100 like minded attorneys and organizations that defend the right of American citizens to freely live out their faith. If I may, I want to address three issues with you today. The first is the discussion about Home Rule, the second is the impact that we know and we have seen and we have litigated that ordinances and statutes like these have on religious liberty throughout the country, and third to just briefly touch on the gender identity implications, because that is unique in this ordinance compared to many of your others. I'm pleased to hear that the Human Relations Commission recognizes that they're very limited in what they can do in order to confine within Home Rule. Of course, you all know what the Home Rule statute is, and I'm not going to repeat that, but, if I may, this is where I will take small issue, legally, with Mr. Kent. If you'll pull out your ordinance and look at it briefly with me, I want to highlight some things for you, because what we're told is that the ordinance is voluntary. That this is voluntary for people to comply with. I would submit to you that that's a misnomer, probably inadvertently made. When you look at what will be the new section 15, dealing with places of discrimination and public accommodations, it reads; "it shall be unlawful". Then it goes on and addresses the categories. When you look at section 16, which is discrimination in education, it says; "it shall be unlawful for any person, establishment, governmental agency". For number 17, under other unlawful practices, which, and then 18 which brings in employment and others, "it shall be unlawful". That is how it starts. That is not voluntary. What they mean by voluntary is when a complaint is made, that is when you can voluntarily defend yourself. Well, let me tell you briefly about Hands On Originals. This has been in the news in the last two weeks. Hands On Originals is a t-shirt manufacturer and printing service in Lexington, Kentucky. Lexington adopted an ordinance like this several years ago. The local gay and lesbian support organization approached Hands On Originals asking for t-shirts to be made in support of the local Pride Festival upcoming in the next few months. Hands On Originals is a Christian based business. Most of their work are for churches and church camps. In fact, they have a division called Hands On Originals Christian Outfitters. When they heard that the shirts were for the Pride Festival, which would be celebrating homosexual behavior, they declined the order, but said, we will find another vendor to match our prices. Well, a complaint was filed by the GLSO, under the ordinance, and before the time to respond had even been made, if that were Vanderburgh County, before the opportunity even came where they wanted to voluntarily defend themselves, the Human Rights Commission was quoted in the press, the members were quoted, their executive director was quoted,

the Mayor was quoted, claiming that discrimination like this shouldn't exist in Lexington. Some of their largest clients, some of which were publicly entities, fired Hands On Originals, before they even had the opportunity to decide whether to defend themselves. So, I would submit to you, the ordinance is not voluntary. When the county says, "it shall be unlawful" to do "x", shall means mandatory. You don't pass ordinances hoping people comply. What is voluntary is whether a defendant in these actions is going to defend themselves or not. I submit to you that that's a trap that no business or any individual should be put in. But, second, the other part to this ordinance is a contract revision that you all have inserted. I don't think this has anything to do with the Human Relations Commission. What that says is that any party to a contract with the county must have in place a non-discrimination policy on the basis of sexual orientation and gender identity. That provision is not voluntary. If anyone wants to use any of your facilities, be any of your vendors, they must write that policy in. Let me move on, and let me give you some examples of what we know that ordinances and statutes like this and how they impact people and businesses. These aren't fantasy situations that we come with, these are real life cases. First, let me start with interactions regarding families and relationships, such as counselors, and doctors and lawyers and psychologists. Marsha Walden was a licensed counselor in Georgia holding religious beliefs about homosexual behavior, and these beliefs prohibited her from using her skills as a counselor to affirm same sex relationships. A client approaches her one day seeking that counseling, she politely declines, the client who came in immediately got counseling from someone else, but complained. Marsha was initially suspended and then fired by her employer because of requirements like this. Under a similar law in New Mexico, a wedding photographer company was accused of engaging in sexual orientation discrimination when it refused, for religious purposes, not to photograph a same sex commitment ceremony. That tribunal ruled against the photographer, issued a fine of over \$6,000 against her. In Vermont a same sex couple that owned a small family inn expressed some reluctance about hosting a couple's wedding ceremony and they were sued. In Virginia Bono Fillman Video declined to reproduce two documentaries promoting homosexual behavior on their religious beliefs, they were sued. I told you about Hands On Originals in Lexington, which had a complaint filed against it two weeks ago. But, beyond expression and events services, it also stifles religious liberties of businesses whose owners work on family relationship issues. Adoption placement agencies whose owners religious beliefs prevent them from placing children in same sex households have come under attack from these ordinances. We've heard recently about Illinois and Catholic Charities and the decision that they were forced to make because they would not comply with that State statute. Dating services come under attack, E-Harmony was sued in California. E-Harmony is a Christian based dating service, and they refused to place ads for people seeking same sex relationships, and they were sued. In Des Moines, Iowa, the YMCA had a complaint filed against it because it chose not to offer family discounts for same sex households. Any business in Vanderburgh County which offers family discounts will fall under attack and have to change their ways of thinking in this ordinance. Physicians and hospitals may be forced to provide elective fertility procedures or sex change operations. These aren't whimsical notions, it happened to Northcoast Women's Care Medical Group in California and the Catholic hospital there. Licensed counselors and counseling students fall under attack. One last example that just happened last week was in Miami University in Ohio, in Oxford. There a female student who professes a male gender identity has made an internal complaint against the school because she was denied permission to be an RA in the male dormitory. Now, I know what you heard last time, and you may hear more, is that a vote in favor of this ordinance is a vote against discrimination. As much as the

proponents wish that were true, you can't divide that clear of a line. What happens is a vote for this may address sexual orientation and gender identity concerns, but what it also does is impacts, frankly, a much larger segment of your community, and that is people who for matters of faith and their beliefs oppose being forced to condone this type of behavior. When your ordinance declares those beliefs unlawful, you do force people to alter their religious beliefs simply to choose to make a living in this community. I thank you for your generous time this afternoon.

President Abell: Commissioners, do you have any questions?

**Public Comment**

President Abell: We are going to have some public testimony. I can tell you that all of you are not going to be able to get in because we don't have that much time, and this was actually addressed as a meeting for the Commissioners to pose our questions. So, the last part of this is going to be reserved for the Commissioners. Everyone did get to speak at the last meeting, we stayed late to get that to happen, so, you have to understand that we have a limited amount of time in this building. Monte Fetter, did you wish to speak?

Monte Fetter: My name is Monte Fetter. My wife and I own Fetter Properties Management Corporation. I'm also President of the Property Owners and Managers Association of Evansville. We're a group of local landlords, approximately 100 strong. We represent about 4,500 different rental units. I would say that we are against discrimination in housing, however, in this instance we stand opposed to this ordinance. There are always unintended consequences to any law, ordinance or anything that's passed. In 1968 when the Civil Rights Act was passed, until that time we were innocent in any court in the land until proven guilty, and at that time we became guilty, if charged, and had to prove our innocence on housing related issues. It's very difficult to prove that you did not do something. The Human Relations Commission has said, that the only way we can do that, is to write our rules down and to even apply them across the board to everybody that comes in. That's the only way we have to prove our innocence if we are charged. So, that's what we must do. Given the manner in which the federal government has said that we must do this, every citizen in the United States has equal rights, because if I don't equally apply my rules, I lose my proof, and I stand guilty. If somebody does bring a charge, they will come to my office and ask to see my rules. That's the very first question I will be asked, is do you apply these evenly across the board? I better be able to say yes. Now, I previously said that I was against housing discrimination. We started 26 years ago downtown in an historic area when First Street wasn't near as gentile as it is now. We have rented to these folks all this time, and there are great people and there are bad people. There's not, I can't tell any difference to tell you the truth. If they're good people we want to rent to them. If they're not, we want nothing to do with them. It's that simple. If we do rent to them, they want to know that they're going to have a good neighbor next door. Evansville has a lot of distressed houses, a lot of rundown properties, landlords have been pretty much underground for the last 20 years. We're trying to change that, we're trying to work with the city and different commissions and groups to get these buildings repaired, to get some insulation and houses retrofitted with windows, to update our stock and keep these properties on the tax paying rolls and keeps them in production. We need tools to screen with. We don't need less tools. We don't need restriction on how we screen people. We need to be able to have a drug offenders website in the

county. We need to be able to go online to court records and see who these problem people are. If we want better housing, then we've got to be able to find the better tenants. The good folks of this class aren't the issue that I have with this ordinance, it's the abusers. The ones that will stand there and hide behind it. The ones that haven't paid me rent, the ones that need to be evicted, the ones that are being a problem to all of their neighbors and nuisance and then hide behind this ordinance. These are the issues that we face. My group is more than happy to sit down and talk to anybody about housing issues in Evansville. If there are housing issues and problems, we would be glad to do that. Personally I think it's foolish for any business man to discriminate on any reason. Why in the world would you want to cut out a sector of the public that is your client. I see no problem with these folks. I have no problem renting to them. There's good and there's bad, but don't tie our hands, and don't make it harder for us to find good tenants. For that I ask you to vote this down. Thank you.

President Abell: Michael Harris, Murris?

Michael Harris: My name is Michael Harris. I'm a student, a senior at USI. I'm nearly complete to teach here. I was born here, raised here, and I love it here. I really can't wait to go back to Harrison to teach. My former teachers ask me everyday when are you going to be done, when are you going to be done? I said, well, it's coming up, and I'm really excited to teach right next to you. But, when this ordinance came up I had to pause for a moment and really think if this is where I wanted to stay. Merely because if I go teach, it strikes me as very odd that I could be fired because I'm gay. Not because of the quality of how I teach. I'm also a gay youth advisor here, and it really hurts me as a future educator to have to tell the youth who really, you know, don't really keep up, who automatically think that their rights are implicit, that they are there. The pain I see on their faces is profound. It really hurts me. I never really understood why it hurt me so much, until I really thought about that face. I'm biracial, my mother is white, my father is black. It's the same pain that mother had in her face when she told me stories of way back in the day when my father and her were walking down the street and a group of individuals in a car began to throw bricks at her and my father. My father just told her to run, and she didn't see him for about, I think it was three days, until the hospital called and he was there. Fine, thank goodness, but he was there. I think about who could do such a thing? During that time, as I look back, because I'm an historian, it wasn't okay by law's standards, but it was what wasn't there that they thought that they could do such a thing to someone who just loved another, only because of the color of their skin. If I could go back and time and shake the hands of the Commissioners then who passed ordinances to protect my mom and dad, I would just shake their hands and say thank you. Thank you. But, the same, it's the parties of hate who stand up against civil rights then who stand up against it today is what disturbs me the most. But, I am optimistic because I see the make up of this group. I mean, as I said, I'm an historian so I understand the adversity that you have to go through, Marsha, to be in a group of men, dominated by men, and to see you sit there strong and proud. It makes me proud. You understand it all too well, Stephen. That's why I'm optimistic, because I see you all up here today, you understand that civil rights is for everybody. It is not to be voluntary. Civil rights is for everyone. Thank you.

(Applause)

President Abell: Clapping takes away from our time. Glyn Pfohl.

Glyn Pfohl: Good afternoon. My name is Glyn Pfohl. I am a resident of Vanderburgh County, Evansville, Indiana. I was born here, March 26, 1943, on Herndon Avenue, Herndon Drive near Fendrich Golf Course. I was raised here. I was educated here, Scott Township Grade School, Reitz High School, Evansville College. My wife and I of over 50 years have five children, four of them were born here, one was adopted. We have 11 grandchildren, all of them are from Southwest Indiana, except one who lives in Colorado, and we have three great-grandchildren that also live in southern Indiana. I said all of that to say that I have a vested interest in the future of our city, probably as much as anyone in this room. It concerns me greatly that this ordinance is even being considered. Not that I am a person of discrimination, because I'm not. Two meetings ago Mr. Melcher made the statement that I whole heartedly agree with, he said, in Evansville we are against any form of discrimination. I agree with you sir, but the truth is, there's no one in this room that has not been discriminated against. I've listened to both sides, I've been to every meeting, I've heard emotional appeals on both sides, like the one you just heard, throwing bricks. No one in this room has been free from discrimination our entire life, but I also say that no one in this room has not been guilty of discrimination. We've all been guilty. In fact, I pastor a church in this town also, we have had homosexuals and lesbians that have attended, and hopefully they've sensed the love of Jesus when they came. We might still have some attending, I don't know, that's not my position. My position is to present Christ and the love of Christ to everybody that walks through the doors. I'm reminded of a story in the Bible where some men with stones in their hands brought a lady and threw her at the feet of Jesus and said the law of Moses says that she should be stoned. Jesus reached down and wrote something in the sand, I assume he was writing their sins, he said, "The one that's without sin, let them cast the first stone.", and one by one they dropped their stones and disappeared. He picked her up and said, "Where are your accusers?", and she said, "None, my Lord.", and he says, "Neither do I condemn thee.". He didn't stop there, he said, "Go and sin no more.". You can't legislate love. It's a matter of the heart. We need laws to help us and guide us in the right directions, of course. I have prayed about this, earnestly, I've prayed for both sides, I've prayed for you folks, and I believe I have the mind of God, as far as I'm concerned. I have an advantage over you, I have no political agenda, I don't have to worry about reelection and such as that. My decisions in life are based on, number one, what would Jesus do? And, number two, what is best for our community? What would be best for my children, my grandchildren, my great-grandchildren, their families and on after me? Now, the attorney has stated several times in the past meetings that this amendment has no teeth. Well, my concern is if it has no teeth, then why is wasting hundreds of hours of our time, meeting after meeting, and all of these people that are here? If it has no teeth then do away with it and let's get on with something with teeth. My concern there is simply this, it might not appear to have teeth, but there's a hidden agenda. Everybody that is in control in decision making today won't be there next year, or the year after, or the year after that. Someone behind you will come in with a different interpretation of what this is supposed to be, and once it's on the books it is a law, and to violate that amendment or ordinance, then we are guilty. So, make a decision please, based on what's best for my grandkids and my great-grandkids, and not for a small group of people that have come in to go to college here. My kids graduated, several of them graduated from USI. I have others that have graduated from Oakland City—

President Abell: Sir, your time is almost over.

Glyn Pfohl: —okay, I just want to mention one thing. In my prayer for you folks, and earnestly have prayed, more than once, that God would give you His heartbeat and

help you to make a courageous decision, not based on the emotional appeals of all of these people, but what's right before God.

President Abell: Thank you, sir.

Glyn Pfohl: Thank you.

President Abell: Rob Kerney. Please hold your applause and your booing. Rob Kerney. Mr. Kerney, we're trying to keep our comments below five minutes. I've got a long list of people here that want to speak.

Rob Kerney: Am I in the right place here? I'll try to make mine quick, Madam President. At the age of four I developed what was then called diabetic onset diabetes, which is now Type 1. Through my teenage years I didn't pay attention to what the doctors said and eventually it caused me to go blind. I grew up in a very conservative family that told me that if you were being discriminated against, you just weren't working hard enough, and you've just got to try harder. After going blind I found out this was not right and that there was discrimination out there. For the last 21 years, since I went blind at 24, I've been advocating for people with disabilities against discrimination in employment, education, etcetera. This gives more teeth to it. Employment is still a problem, even with the Americans with Disabilities Act, due to the fact that it has no teeth. You have to go to civil court and prove your case. So, I've decided, or learned since that there is disability, that I am against any kind of disability. It hurts me, the fact that we have to have an ordinance to get rid of disability in this great country of ours. That it's not widely accepted, but we have to do what we have to in order to get the right thing done. So, in that case, like I said, I'm against discrimination. This involves people with disabilities, it seems not to be making the news media or any of the public speech, but people with disabilities need people to stand up for them too, because we need our fair share. Thank you so much.

President Abell: Thank you, Mr. Kerney. Jim Bratten.

Jim Bratten: Good afternoon, Commissioners and visitors. My name is Jim Bratten. I'm a resident of Evansville and Vanderburgh County. We heard at the testimony today and at the prior meeting a lot of stories about personal difficulty and trials and tribulations, difficulties that people go through everyday. Everybody has their case or has their story of some type of discomfort, or some type of discrimination. Everybody discriminates in some areas. As attorney Beauman mentioned earlier, the problem with this ordinance is the word voluntary, because voluntary eventually becomes involuntary. Just like the old adage that nothing is so permanent as that which is temporary. That's the way ordinances and laws tend. They start out in a mild form and they decompose into something that a lot of people hadn't intended in the first place. We already have a law in the State of Indiana called the Indiana Civil Rights Act, and it's all inclusive. It protects race, religion, color, sex, disability, national origin and ancestry. Several recent court cases have reinforced the tenets in this Act. This ordinance does nothing more than seek to subdivide citizens in this county into ever more political divisions, specific groups of victims. When can we expect further subdivisions is my questions to the people here in the Commission of the county? When can we expect for the subdivisions, based on height, weight, eye color, whether you're right or left handed? The job of government is not to micro manage society. It's not to push society in certain different directions, and to try to mold reality into an artificial thing that it's never intended to be. In my opinion, the



ordinance is unnecessary. We here terms all the time that are inventions. Human rights is one of them. Humanity is a group, it's a species, it's a subset. It has nothing to do with individual rights. Every individual has rights given to them by their Creator. A group doesn't have rights. But, everything we see nowadays is defined as being part of a group. It's subdivided, it's segregated, it's divided into something it wasn't intended to be. Human is a classification. We're all human beings, but as humans we don't have rights, we have rights as individuals. I'm free to make distinctions in my life based on what my preferences are, and that can be based on faith, economics, it can be based on a number of things. That's my decision to make as a free individual in a Constitutional Republic. When you have things happen which are assaults on somebody's individuality, there are laws to protect against that, and they should be pursued. That's one reason I have a big problem with hate laws. Because if you murder someone, it's because you murdered them. You took somebody's life. It doesn't matter what your intent was psychologically. You did the act. The act is what the law deals with. Here in this ordinance we have something that deals with intent, with what you think I believed, or my intent was, or what my decision making capacity was on any given day. That can't be codified. So, all I ask you is to reconsider what you're doing and what you're building. We have a nation of laws not of men, that's true, but the weight and the depth and the breadth of the laws we are creating is crushing society. It makes it harder to do business in certain counties and towns and states. It makes it harder for individuals to get to know one another. It does a lot of things that the laws weren't originally intended to do, but that's what they end up doing. So, consider intent and what the law is supposed to be, and then take a look historically at what laws ended up to do, especially the ones that never had that intent in the first place. Thank you.

President Abell: Thank you. Clark Field.

Clark Field: Good afternoon. I was a Human Relations Specialist for the city-county here for 15 years. I investigated up to 1,000 complaints, mainly employment, probably 95 percent employment through those years. It was always a problem with people who came in with a disability, because we could not investigate them if they were local. We would have to send the charge to Indianapolis. It is very hard for somebody here to have somebody in Indianapolis to investigate their charge. So, it was really a hardship. Age, at that time, was the fastest growing discrimination in the State, and yet we could not investigate it locally. So, that was a real, real hardship. When it came to sexual orientation or gender identification, yes, somebody asked is there a problem? Yes, there is. I can vouch for that. We always had a continual group of people that came in that felt like, and from what they told us they were discriminated against because of their gender identification or especially their sexual orientation. I mean, the word was out that they were not covered. They were not protected from discrimination. So it was very heart rending to hear their stories and to tell them that there's no recourse for you. We cannot help you because you're not protected. So, as far as I'm concerned, there's an urgent, urgent need for the county to follow the city and to pass this ordinance. I was here last time, and I was here today, there's a lot of confusion over this ordinance, because I've heard people both times talk about their moral feelings or their church identification and they didn't agree with this lifestyle, or they didn't agree with whatever. That has nothing to do with it. My moral, you know, my moral code, my conscience only affects me. I can't go up to somebody else and say, you know, you're not behaving right and I don't think you should be protected. That's absurd. So, I think there's an awful lot of confusion. Our friend from Kentucky today jumped all over the United States giving examples, he was mixing oranges with apples. We're talking about discrimination

because of all the different things, but, today, as you know, we're covering those that aren't covered, especially this sexual orientation. People are concerned about their own feeling, their own conscience. We're talking about somebody losing their job, or not being hired because they have a different sexual orientation. My personal feelings, or my moral feelings have absolutely nothing to do with that. If I'm an employer and I don't agree with divorce, does that mean I can't hire somebody or I fire somebody because they get a divorce. That's absurd, you know. It might be my conscience, but what's that have to do with it? The law says, we're talking about people being discriminated against, turned out of a job, not hired, not allowed to have a home, not allowed to have a good education because of their personal preference or their orientation or whatever, you know. If a judge doesn't believe in a divorce, does that mean he shouldn't hear a case, a divorce case, or an attorney, if they don't believe in somebody's religion or they disagree with it, does that mean they can't represent that person? That's absurd. So, I think there's, I'm not attacking people who think that, but there's terrific confusion here. We're talking about, do we in Vanderburgh County, the State of Indiana, want to have a certain group of people that have no protection under the law? That they can be discriminated against, they can be fired, they can not be hired, they can be thrown out of their house or whatever. I don't think we want that, and that's what we're talking about, not all this other junk that people are bringing up. I'm sorry to use that word, but I feel very strongly about this, and I did have pretty much experience for 15 years.

President Abell: Do you have a question?

Commissioner Kiefer: Mr. Field?

(Applause)

President Abell: Please.

Commissioner Kiefer: I've got a question, you said 15 years you had numerous—

Clark Field: Not numerous, no, I wouldn't say numerous because people knew that they weren't really covered, but they still came in. We had people during those 15 years come in and say what happened to them because of their sexual orientation.

Commissioner Kiefer: I heard earlier a testimony at our previous public hearing that people that we're talking about today of different sexual orientation or gender identity actually have a higher income level per capita, and then also their employment rate is higher than the city, state and national average is.

Clark Field: That would surprise me, but I don't have those statistics.

Commissioner Kiefer: Okay, I was just curious if you had statistics.

Clark Field: That might be the ones that are hired.

Commissioner Kiefer: Yeah.

Clark Field: But, I don't know, taking the percentage wise, you know, if might be people that have the jobs are exceptionally smart and talented, which seems to be true very often. As far as if you take the percentage I would doubt that.

Commissioner Kiefer: Okay, thank you.

Clark Field: Yeah, okay.

President Abell: Mr. Field, what years did you work in this business please?

Clark Field: '84 to '99. I left, I was hired in April and I left shortly, it was a little over 15 years.

President Abell: You worked here for the Human Relations Commission in Vanderburgh County?

Clark Field: City-County, yeah.

President Abell: Thank you.

Clark Field: Thank you all.

President Abell: Mr. Melcher? Jeanie Downey.

Jennie Downey: Good afternoon, Commissioners. I'll be brief. Everybody is talking about the sexual orientation, gay, lesbian, transgender identity, but there's a huge part of our community that are disabled that are also included in this. Whether you guys realize it or not, you currently are discriminating in the way of public transportation against those with disabilities. The unemployment and underemployment rate nationally for people with disabilities is about 75 percent, compared to those that are working. You currently don't run the Mobility, the METS Mobility is a prime example. It doesn't run after 4:00, Monday through Friday in the county, and it doesn't run at all on Saturday. If we can find a business willing to hire us, we can't really go in and say, well, we can't work on Saturday because there's no public transportation, we can't work after 4:00 because they're not going to hire us that way. We have more businesses coming into the county which gives us the opportunity with those businesses to possibly get hired, but without the ability to, and accessibility to those jobs, to their education. Even coming from the county to an event downtown, if it's in the evening you can't go to the Ford Center if you live in the county, because heaven forbid we should actually want to spend our money and be tax paying members of society. We need to be included now, not, well, when we get the money, only if it's, public transit is not a financial money maker, but it does put people back in the community where they're paying taxes into the county. They're spending money, they're spending resources. Affordable housing, which is also the disability accessible housing, a lot of us are moving out to the county, but you have to be able to get to the basic amenities, to your doctor's offices. Unfortunately, the county would see fit to run a regular route all the way up to Ameriqua where there's able bodied workers, as opposed to the areas increasing the numbers of mobility vans and disability routes so people can actually get there. So, I urge you to pass this ordinance and include everybody, including those with disability who want to be a part of our community, who want to be included now.

President Abell: Thank you.

(Applause)

President Abell: Shiloh Ditzer:

Shiloh Ditzer: My name is Shiloh Ditzer. I was born two months premature with cerebral palsy on an Apache reservation in Arizona. I'm also biracial. My mother was full blooded Apache, and my father is white, and finally I'm bisexual. There's a lot going against me in this world for sure, but it doesn't matter. We each have to play the cards we're dealt in life and make the best of it. The opposing side brought up an interesting point during the last meeting. This is a quote from the previous meeting that I would like to read to you. "Homosexuals have committed an abomination and they shall surely be put to death." Seems very matter of fact, don't you think? Let me offer some dissenting viewpoints regarding the above statement. Leviticus, a book contained within in the Bible appears to be quite direct on homosexuality. In the King James version, chapter 18, verse 22 is translated, "Thou shall not lie with mankind as with womankind. It is an abomination." Yet, in chapter 11, verse 10, it also forbids the eating of shellfish, stating, "But whatever is in the seas and in the rivers that does not have fins and scales, among all the teeming life of the water, and among all the living creatures that are in the water, they are detestable things to you." Chapter 11 also bans the consumption of several other animals as well. Now, I would like to ask you how many of you have ever eaten at Captain D's or Long John Silver's? Does that mean because you ate at Captain D's you're going to go to hell? I certainly hope not, that seems a bit harsh. I personally love their country style fish myself, but, anyway, shifting gears for a moment, I would like to tell you a bit about my Native American heritage. A few hundred years ago members of the tribe who were considered to part of the homosexual community were not looked down upon. Instead they were often respected and treated as special. Sometimes they were given the name "Two Spirits", because they embraced both their masculine and feminine sides and were not judged, but exalted. This next issue is very serious, so I'll choose my words with as much respect and tact as possible. There was a time in my life when I tried conversion therapy and to "pray the gay away". Let's say, hypothetically speaking of course, that someone in this very room used to be a pedophile and molest teenage boys. Does that mean now because they have claimed to have "have found Jesus and be forgiven", that they shouldn't be punished to the full extent of the law. Victims of pedophilia often have repercussions of their abuse for years to come, often seeking medical treatment and counseling long after the abuse has stopped. Under the current laws, this pedophile would be afforded equal protection, but I would not. Does this seem right? I'm not saying once a pedophile, always a pedophile. What I am saying is this, a pedophile, even if reformed, should be held accountable for their past crimes against children. Perhaps someday they will be, when they stand before their higher power on judgement day. I want the LGBT youth of today to know they are loved, and it does get better. I've been there on the verge on the suicide for years, because I couldn't rectify my religious upbringing with my sexuality. I had to come to a place within myself of self acceptance instead of self hatred. I don't believe that my Lord and Savior, Jesus Christ, would rather see me dead or sent to hell simply because I play for both teams. My God teaches love and only love. As long as your heart desires to spread His message of love and salvation, that's all He wants from you, to love and follow Him. Thank you.

President Abell: Thank you.

(Applause)

President Abell: Dick Connolly:

Dick Connolly: Thank you for allowing me to speak this afternoon. My name is Dr. Dick Connolly. I'm a 40 year resident of the City of Evansville and Vanderburgh County. I'm also a professor at the University of Evansville, and a member of the University's Faculty Senate. This past week the Faculty Senate passed the following resolution in support of the proposed ordinance before you. The ordinance was passed on April 3, 2012, which was this week.

"The Faculty Senate of the University of Evansville wishes to express its support for adding age, disability, sexual orientation and gender identity to the Vanderburgh County Human Relations Ordinance. Non-discrimination on the basis of all these categories is already the long-standing policy at the University of Evansville. We are an institution of higher learning that believes that questions of diversity and inclusion are not problems to be managed, they are essential components of our success. We all are enriched when each of us is given a chance to be the best that we can be, without facing any arbitrary impediments. We urge the members of the Vanderburgh County Board of Commissioners to join the City of Evansville in passing these modest, but meaningful changes to the county anti-discrimination ordinance. Doing so would send a strong message that this community stands firmly against discrimination that harms our neighbors and our fellow citizens."

I would like to add two personal notes to this statement. While he was a graduate student, my son's graduate school advisor at Stanford University, a distinguished biological scientist, went through a sex change. His, now her, decision was a very difficult one. However, her decision was made less traumatic because of the support she received from her church, and especially her students and colleagues at Stanford. Of particular note is the support she received from the university administration, committed as it was to protecting her rights and her distinguished career. That she was provide proper support and counseling was due, in no small measure to the role of then Provost of Stanford, Dr. Condoleeza Rice. My uncle, long dead, was gay, and struggled with his sexual orientation his whole life. While in many ways he left a blessed and successful life as a banker, father of two adopted daughters, and community leader, his struggle was not made easier by the ignorance and intolerance of those times. You can imagine how old I am, so guess how many years ago that was for my uncle. Please don't, people don't choose their sexual orientation, or their sex, or their gender identity. It is a basic principle of justice that we not discriminate against persons for conditions over which they have no control, especially when those conditions have no bearing on their abilities to perform their jobs or execute their duties and rights of full citizenship. Hoosier values should not be ignorance and intolerance. Thank you.

President Abell: Thank you.

(Applause)

President Abell: Sandra Hoy:

Sandra Hoy: My name is Sandra Hoy. I too was born and grew up in Evansville, and now live in downtown Evansville. My husband and I have 19 grandchildren, 16 of whom live in Vanderburgh County. So, we also have a vested interest in the future of this community. During the Reverend Phil Hoy's testimony at your first hearing, he said what is generally accepted by the scientific and medical communities, that

we are born with our individual sexual orientation and gender identity. That it is not a choice that can be altered at will. The next morning I read in the newspaper that a man in the audience protested, "No, God doesn't make mistakes." How do those who oppose the changes to Vanderburgh County's civil rights ordinance explain children who are born neither male, nor female. I would like to testify today about something that hasn't been discussed in any length before in these hearings, and which might help people understand that sexual preference and gender identity depend on multiple genetic factors. A good friend has given me permission to tell the story of her niece who was born looking perfectly female. It was not until she developed a hernia and has surgery at age two that it was discovered she actually had an undescended testes. On further investigation it was found that she had XY chromosomes, the normal male chromosomes. She also had a vagina, but no uterus. This condition is now called androgen insufficiency syndrome. Children born this way are of the male sex, but their gender identity is female. Many of these girls are not even diagnosed until puberty when they don't develop female secondary characteristics. They are usually given female hormones at this time. They are never able to bear children, but they normally get married to men and have normal female sex lives, although they are chromosomal males. There are other children born with sexual characteristics that can't be determined, and the doctor delivering the child has to tell the parents, I'm sorry, I can't tell you if you have a boy or a girl. These children have to undergo chromosomal and hormonal studies before a correct sex can be determined for them. Many of these children require surgery to try to adapt their appearance to the sex which it has been decided they most closely resemble. These children may have partial androgen insufficiency syndrome, or other sexual anomalies. They were described in medical journals as long ago as the 1830's. These people didn't choose to be born with a different gender identity from their sex. It is now known that sex is on a continuum, without a definite division between male and female, and that gender identity is not the same as sex. Numerous studies have been done that conclusively demonstrate a genetic link. I won't go into all of those and watch your eyes glaze over and my time disappear, however, anyone who is not blinded by bigotry should acknowledge that our sexual orientation and gender identity are determined at birth. I am not saying that science proves God makes mistakes. I would never call, my gay, lesbian and transgender friends mistakes. What I do say is that God loves all of us, gay, straight or transgender. God expects us to love one another as we love ourselves, and in my religion love is shown by how we treat other people. The least we can do for our GLBT friends, whom the people who oppose this ordinance have claimed over and over again to love, is to give them the same rights the rest of us enjoy. The very least we can do is make this symbolic gesture, because the most this ordinance will allow the Commission to do is to start a conversation about this issue, and perhaps appeal to the conscience of the respondents. I am now appealing to your collective consciences, as well as well as your intelligence in weighing the scientific evidence about how we become the people we are. Please vote to include sexual orientation and gender identity with age and disability in Vanderburgh County's civil rights ordinance. Thank you.

President Abell: Thank you.

(Applause)

President Abell: The next person is Mary Jo Bennett, but Ms. Bennett, I note that you spoke last time, so we are going on to Chris Brace. Is there a Chris Brace? Chris Brane?

Chris Brace: My name is Chris Brace. I am a junior at USI and I am also gay. The way I see it, if you don't like me because of that reason, that's fine. That's probably your problem, not mine. That shouldn't be a reason for an equally qualified or less qualified person to get a job over me when I'm out trying to find one, after I've worked four years to get a degree and build up my credentials, and, you know, be everything that I can be so that I can support myself. That's it. That's all I have to say.

President Abell: Thank you.

(Applause)

President Abell: Adam Schaaf. Please hold your applause. We are really trying to get out of here by 5:00 for a City Council meeting. Thank you.

Adam Schaaf: Good evening, Honorable Commissioners, and members of the general public. My name is Adam Schaaf, and I am a resident of the City of Evansville at 319 Adams Avenue. I would like to begin first by reading the text of a letter that I wrote to each of you last week, for the benefit of the general public.

"Good day. Let me begin with a quote from American film legend, Paul Newman. "I'm a supporter of gay rights, and not a closet supporter either. From the time I was a kid I have never been able to understand attacks upon the gay community. There are so many qualities making up a human being, by the time I get through will all of the things I admire about people, the list is so long, what they do with their private parts is the least relevant." With that said, I am writing to you to urge your support for the proposed amendment to Vanderburgh County's civil rights ordinance, which would include the addition of protections for age, disability, gender identity and sexual orientation. It is with great conviction that I ask you to vote yes on this ordinance. It is vital to the success of our city, our county, our state and our nation, and not to mention the world, that we love and support one another, not divide and discriminate. The Vanderburgh Commission is on the precipice of history. Our time is now to include protection for all Vanderburgh County residents from injustices of prejudice. In the end we are all human, we are all Hoosiers. We all feel pain, pleasure, fear and conviction. However, not all of us face discrimination. Therefore, it is time to add protections for those of us that do. I fully believe it is a vital function of our government to protect its citizenry, and now is the time to stand at the forefront of our county's great storied history, to do what is right, and to do what is just."

Should you have any questions, well, you know how the letter ends. Now with that said, it is clear the most controversial of the above protections are for sexual orientation and gender identity. There are those in the audience tonight who may believe such issues need not be included in such an ordinance. There are those in the audience who may believe that for one reason or another; such issues are not deserving of equal protections, perhaps because they believe they are abominations of nature, or abominations of one religious code or another. I am here to remind you that this great nation was founded on a freedom of religious beliefs. This great nation, this great state, and our great county were founded as a democracy, not a theocracy. To that end, it is my deepest hope that you will indeed cast an aye vote

for this ordinance and the above listed protections. On a final note, I did hear someone earlier speak about the agenda of our movement. I would like to touch on that for a moment and what that means to me. The agenda we are perpetrating is that of; tea at noon, redecorating at one, and "Will and Grace" at three.

(Laughter)

Adam Schaaf: Again, thank you for your time and attention and for allowing me to speak on this issue.

President Abell: Thank you.

(Applause)

President Abell: Neal Biggers. I just don't take this as lightly as everybody else. This is serious.

Neal Biggers: My name is Neal Biggers, a nearly 30 year resident of Evansville and Vanderburgh County. I'm here to speak in favor of including gay, lesbian people, transgender people in this ordinance. I don't mean to discount the disability or the age issue, I'm sure there is discrimination there, but I haven't heard anyone stand up here and say that we should have the right to discriminate against disabled people or older people. I do regularly hear people say that we should be able to discriminate against gay people if we feel we need to, if our religious beliefs lead us to do so. I believe this is really not the place to debate religious beliefs, since our government should not take stands based on religious arguments, especially when those arguments are controversial, even within religious groups. I would point out that a growing number of religious people, churches and denominations are coming to understand the discrimination against gay and lesbian people is not acceptable according to reasonable interpretations and applications of their sacred traditions. Most mainline Christian denominations have adopted policies that do not discriminate against gay and lesbian people in employment or leadership roles, even as pastors or as other congregational teachers or leaders. Yes, even religious understanding and practices adapt to new knowledge about human life and about the world we live in. Our civil laws and ordinances must also adapt to new insights and new realities within the communities that these laws are meant to serve. I ask that we bring Vanderburgh County into the realities of the 21<sup>st</sup> century and help to put an end to discrimination against our gay, lesbian and transgender neighbors, friends and family members. Ending discrimination only makes our community stronger and safer for all people. Thank you.

President Abell: Sabrina Stewart-Thomas.

Sabrina Stewart-Thomas: Good afternoon, Commissioners. My name is Sabrina Stewart-Thomas, and I'm representing Delta Sigma Theta Sorority, the Evansville Alumnae Chapter, located here in Evansville. I'm here to read a resolution, but first I would like to give you just a brief (Tape flip) chapter. Delta Sigma Theta Sorority is a private, non-profit organization who's purpose is to provide assistance and support through established programs in local communities throughout the world. A sisterhood of more than 200,000, predominantly black, college educated women, the sorority currently has over 900 chapters located in the United States, England, Japan, Tokyo, Germany, the Virgin Islands, Bermuda, the Bahamas, and the Republic of Korea, and, yes, here in Evansville. The major programs of our sorority



are based upon the organizations five point programmatic thrust. They are economic development, educational development, international awareness and involvement, physical and mental health, and political awareness and involvement. That's why I stand here. The Evansville Alumnae Chapter has been incorporated for 33 years. We've worked tirelessly in the community, we volunteer, we raise money for scholarships, and we contribute our time and talents to the betterment of the community. Our members are employed throughout the city and work as teachers, physicians, attorneys, politicians, business executives, and business owners. We are a sisterhood called to serve, transform lives and impact communities. Today, on behalf of the women of the Evansville Alumnae Chapter, we are 22 members strong, and you see us throughout the community, I would like to read a resolution. It was passed on March 3, 2012.

"A resolution of the Evansville Alumnae Chapter of Delta Sigma Theta Sorority, Incorporated in support of human rights and equal opportunity for all people. Whereas, the Evansville Alumnae Chapter of Delta Sigma Theta Sorority, Incorporated recognizes the fundamental equality of all individuals, and thus strives to ensure equality of opportunity for all. Whereas, the Evansville Alumnae Chapter of Delta Sigma Theta Sorority, Incorporated continues to proactively uphold an environment of respect, dignity and mutual understanding among diverse groups and individuals, via education, dialogue and community activities. Whereas the Evansville community supports a standard of equitable practices and fair treatment toward every individual, regardless of demographic characteristic or background. Whereas the Evansville community strives to be as inclusive as possible, and supports the Evansville-Vanderburgh County Human Relations Commission's ordinance, passed by the Evansville City Council, to include not only race, sex, color, religion, national origin, but also disability, age, sexual orientation and gender identity. Whereas, the revised ordinance was passed reflecting Evansville and its civic leaders progressive path to equality for all. Be it further resolved, that the Evansville Alumnae Chapter of Delta Sigma Theta Sorority, Incorporated promotes human rights and equal opportunity and welcomes all people and values their contributions to the community of Evansville, Indiana."

It is signed with our president, myself, our vice-president, all of the executive committee, as well as the members, and I would like to present this to you. Thank you.

President Abell: Thank you. Jeff Wilhite.

Jeff Wilhite: I'm Jeff Wilhite. I'm a lawyer and I represent, my practice is limited now to representing the larger, multi-family apartments. I represent most of the larger ones in town. So, I do a lot of fair housing defense, not only in Evansville, and I teach fair housing regionally and now starting to teach nationally. I'm here really just with a couple of questions for you all to think about and get back with us later. Actually, it's not founded on sexual orientation or gender identity. My first question for you to think about is on age. The ordinance, the proposed ordinance, as written, in five or six places clearly states that you are making age a new protected class in housing, which may be your wish. I get the sense from some other discussions that in housing that may or may not have been the intent. So, I would just encourage you to talk

about whether there was any difference in your mind between employment or housing, or talk to staff or David Kent there, because as written it clearly applies to housing also, which may be your intent. But, if it is, to clarify that, because when there was news of the city ordinance, I got lots of clients calling me telling me that they would then need to end their senior discounts. So, one quick teaching point would be, if there's a protected variable, like religion, for example, then in housing you can't use that as a variable good or bad. You cannot have a community of all atheists. Or, if your family status, whether you have kids or not is a protected variable, then, you know, I advise my clients all the time, you couldn't have a community where you have only kids. So, the issue to think about later is, in housing, is age a variable that you want a landlord to consider or not? Which may be your intent, but that's one question that a lot of my clients are asking. A second change I saw in your proposed ordinance, is the current county ordinance says that if a prospective tenant, or a current tenant falls within one of these protected classes, like their religion, or sex or national origin, we cannot consider that as a factor at all. So, if I had eight good reasons to deny someone to live in my apartment, but one, seven were great reasons, like, you know, felonies and bad credit and all that, but if one of those eight reasons was their religion, that would be a violation of the current ordinance. The proposed ordinance changes that, and says that it's only a violation if the protected variable is solely the reason. Which would invite, so, I'm not sure this is the intent, but it would invite the argument that if I had eight good reasons to deny somebody, and only one of them was an improper reason, so, the distinction between the current law, which is we cannot discriminate if it's any factor at all is changing in this ordinance, that it's only, it would only now be illegal, even for the current protected classes like religion and sex and all that, as currently drafted, as I read it, now in the local ordinance it would only be illegal if that's the only reason. My last just FYI, on the issue of sexual orientation and gender identity, there's a new HUD rule that's only been a permanent rule for a matter of several weeks. This is not a Fair Housing law, but it's a close cousin. For any property, including in Vanderburgh County, that has any HUD monies at all, so there is a new LGBT rule. It's not a Fair Housing rule, but it's a program compliance issue. So, many landlords that either receive Section Eight vouchers would be covered, we have tax credit properties, any property that has a HUD federal insured loan is now governed by this new rule. It's only a few weeks old, and the new rule says that if you have any of that HUD involvement at all, that now you cannot discriminate based on sexual orientation, gender identity, and it actually adds marital status. Just as an FYI.

President Abell: Thank you. Kurt Jourdan.

Kurt Jourdan: My name is Kurt Jourdan. I live on the west side, have my whole life, or most of it. So, I also have a vested interest, and so does my dog. I don't have any kids, and he's for the ordinance by the way. I just have a few things that, personal things that I've encountered. First is that I volunteered my time for a year for this community to work on the consolidation proposal that's going on the ballot this year, and my sexual orientation never played a role in my work there. Every day in my full time career at Central Dispatch my sexual orientation never plays a role there. I do work every day to protect and serve the citizens of this community, and all I ask for in return is to be treated with respect and for you to help protect my God given rights. Thank you.

President Abell: Thank you. Jordan Whitledge.

Jordan Whitley: Good evening, Commissioners. My name is Jordan Whitley, and I'm the President of the student body at the University of Southern Indiana. In that role I get to represent the 10,820 students there. Our Student Government Association legislative body actually passed a resolution in support of the county amendment. It reads:

"Whereas the Student Government Association represents all of the students at the University of Southern Indiana. Whereas the USI student code of conduct states, "as a student right each student has the right to be free of discrimination, including harassment on the basis of sex, religion, age, disability, national orientation and sexual orientation." Whereas the Vanderburgh County Board of Commissioners is considering an amendment to the county code to protect against age, disability, sexual orientation and gender identity discrimination. Whereas the City Council of Evansville passed a similar amendment to the city code at the end of 2011. Whereas discrimination is never an acceptable practice. Now, therefore, be it resolved the Student Government Association at the University of Southern Indiana supports this amendment, and resolves that the Student Government Association calls for the Commissioners of Vanderburgh County to stand with their constituents and protect their rights."

There should have been a copy sent in the mail. I hope you all received it. If not, I brought extra copies with me today that I can distribute to you. Being an elected official, the citizens of Vanderburgh County bestow upon you the obligation to protect their rights, be it whether gay, straight, however old they are, anything. In any situation it is not bad to further their rights. So, I ask that you support this amendment. Thank you for your time..

President Abell: Would you leave a copy with the secretary please? Stephanie Day.

Stephanie Deig: I just want to thank you all for your time first. I know it's a long couple of meetings for you, and I really appreciate you taking the time to listen to all of us. I'm sorry, my name is Stephanie Deig, and I live in Vanderburgh County, 4024 Rose Avenue, Evansville, Indiana. I am in support of this amendment. It is easy for the voice of a majority to drown out the voice of a minority. It is your job as County Commissioners to protect all citizens and their right to exist equally, regardless of yours or others personal belief systems. This is a quote from John Adams, which I feel like is quite relevant in this situation. So, I would just like to read it to you; "Government is instituted for the common good, for the protection, safety, prosperity and happiness of the people, and not for profit, honor, or private interest of any one man, family, or class of men. Therefore, the people alone have an incontestable, unalienable, and indefeasible right to institute government, and to reform, alter or totally change the same when their protection, safety, prosperity and happiness require it." Everyone in this room has something to gain from creating an anti-discrimination code which is more inclusive. Point in case, please look at the demographics of this room. Not to be offensive, but you guys are really old.

(Laughter)

President Abell: Ma'am you can keep your personal jabs at us to yourself please.

(Laughter)

Stephanie Deig: It's not personal.

President Abell: We're here for a serious meeting. Thank you.

Stephanie Deig: Okay. I do apologize if you were offended by that. It was a joke. Please use this moment to guide our county in the right direction. The future prosperity and development of the city, county and state depend on it. Do not allow injustice to prevail and others civil rights to be infringed upon. Thank you.

President Abell: Thank you. Della Sandage.

Della Sandage: Hello, my name is Della Sandage. I am a full time student here in Evansville. I'm at Ivy Tech, and I'm actually a student of Rob Kerney's. I want to speak on behalf of not only just the gay and lesbian community, but I would like to speak on behalf of the elderly and the disabled. It's not so much as that it may or may not be inappropriate to give special consideration to these sub-groups or minorities, it's a simple fact of history that the sub-groups and minorities within this country have been denied a fair shake. It's, St. Augustine said that, an unjust law is no law at all. Therefore, it is my right, if not my duty to rebel and to protest and to speak on behalf of the cause. A lot of people, you know, forget that from 1946 to 1964 were the baby boomers that brought about 70 million American citizens. At this point, the earlier end of the spectrum, they are becoming our elderly. They do make up, or did make up 70 million births in a 20 year span. They need consideration. The disabled need consideration. They need someone to give them a voice, to give them power, to make them feel welcome. The gays, and the transgender, the LGBT community, they need to know that our treatment and our cause and our dedication to this community actually matters. Thank you.

President Abell: Thank you. Kirstin Ethridge.

Kirstin Ethridge: Hello, thank you for letting me speak. My name is Kirstin Ethridge. I'm 17 years old. I go to Mater Dei High School, I'm a senior. Once I graduate I plan on attending the University of Evansville. I love Evansville. I want to stay here. I want to work here. I want to give what I can to this community. I have a vested interest here. I plan on having a family here, but if I am discriminated against in the work force, in my education, I will not be able to stay here, and I want to. I want to be a functioning member of this society, but I have rights. I refuse to have my rights refused, if that makes any sense. See, a lot of people have been discriminated against, back in Martin Luther King, Jr.'s day it was because of race, and now the major focus is on the LGBT community, of which I am a member. I am intelligent, I have a high GPA, I will be taking difficult courses at the University of Evansville. I have a lot to give to this community, and so do so many of my friends, but, unless we are protected, unless we get the same education, the same right to work as our relatives and friends who are not LGBT, then what's the point of living in Evansville? It's a wonderful community. I don't want to leave, but I need my rights, and so do my friends. Thank you.

President Abell: Erica Fahlender.

Erica Fahlender: My name is Erica Fahlender. I live in Vanderburgh County on 1407 Howard Street. I would like to thank you for your time. I know these meetings can be drawn out, so I'll try to make it quick. I would like to remind this congregation that it is not just sexual orientation, or gender identity that is the issue here today. It's

also disability and age. I ask how secure would you feel in your job, at your age, no matter what your age is, mind you? If you lost your ability to walk, see or hear otherwise, where would you look for work? There's no one in this room for whom this ordinance wouldn't cover. We will all be old eventually, no matter who we are. I have a friend of differing gender identity who has been raped, but didn't go to the authorities about it because they were afraid to be mocked for who they are. Thanks to that type of discrimination there are rapists walking free on the streets. I could be next, your children could be next, anyone in this room could be next. Can anyone be sure that that man didn't kill the next person he violated? How would one sleep at night knowing they could have just allowed the death of an innocent person because they sided with discrimination, knowing it could have been prevented. I would also like to address the gay agenda argument. I would like to ask where that leaves people who are born intersexed, that this nice lady brought up recently. There are at least 30 different types of intersex, people born just the way God made them. Where does that leave them? In closing, I would also like to thank the people who quoted that gays should be put to death, I would like to thank him for being an example of why this is necessary. The right to pursue happiness should be everyone's right. Thank you very much.

President Abell: Thank you. Melinda York.

Melinda York: Hello, my name is Dr. Melinda Roberts-York. I am a criminal justice professor at the University of Southern Indiana. I want to thank you, County Commissioners, for allowing me to speak today. I speak to you today from a place of deep concern. If you choose not to make these amendments to the county's Human Relations ordinance, you very well may create a new type of relationship between the government and individuals. If you choose to state that certain individuals are unworthy to be treated fairly, and that it is perfectly acceptable to discriminate against them, especially in regard to sexual orientation and gender identity, this will not only promote individuals to withdraw their participation in the community, but it only serves to perpetuate our failed obligations to one another as human beings. We should be fostering a community of inclusion. Congress defines a hate crime as one in which the defendant intentionally selects a victim because of his or her actual or perceived race, color, national origin, ethnicity, gender, disability, or sexual orientation. A study conducted by the UCLA School of Law reports that people are discriminated against based on sexual orientation and gender identity just as much as those discriminated against because of race and gender. In my own personal research I've determined that there are, on average, five reported crimes that could be classified as hate crimes due to sexual orientation in Vanderburgh County each year. But, I am confident that there is a much higher rate than this that simply goes unreported but I have not yet been able to research. Furthermore, people are discriminated against in terms of employment, and I think when we look at this ordinance we have to look at the definitions and "perceived" is an important word in this ordinance as well, because many arguments that I attended the last meeting and heard referenced the Bible and stated that homosexuality is a sin and so forth, however, this ordinance also protects the Christian heterosexual person who's denied a job because someone perceives them to be homosexual, because a female is just a little bit too masculine, or a man is just a bit too effeminate. People should be judged based on the quality of their education, their experience or their work abilities, not on whether or not they don't think men should be wearing pink shirts or listening to Elton John. We need to be a little bit careful about that. Many people have spoken today that they oppose the ordinance because they don't discriminate already, but I think that kind of makes their point moot. The U.S.

Supreme Court Justice Kennedy concluded in the writing of the majority opinion in *Roamer v. Evans*, and I quote, “ If the Constitutional conception of equal protection of the laws means anything, it must be at the very least mean that there is a bare desire to harm a politically unpopular group cannot constitute a legitimate governmental interest.” Therefore, this urges me to ask you not to harm these groups, but to protect them from discrimination. Thank you.

President Abell: We have five additional people who came in late. We are going to allow you to speak, but you only have two minutes each, because that’s as much time as we can give you. Aaron Mauck.

Mary Jo Bennett: Madam President?

President Abell: Yes.

Mary Jo Bennett: Also, I think you said I spoke last time, but I had my name on the list, but I had to leave before (Inaudible). Mary Jo Bennett.

President Abell: We’ll allow you two minutes. We are running out of time.

Mary Jo Bennett: Thank you.

President Abell: If you have something, if you don’t have something new to offer, you might want to reconsider, because we have some questions we have to ask. Go ahead.

Aaron Mauck: Hi, my name is Aaron Mauck. I would first like to thank you for giving me the time. I did write a speech that was supposed to be five minutes long, so, I’ll just shorten it and basically thank you. I’m a supporter of civil rights across the board. I actually applauded you, Ms. Abell, whenever you initially addressed the crowd at the meeting in December that you wouldn’t allow any law to be passed without hearing from both sides. It didn’t bide well with the people that I was with, but I nonetheless agree that whatever conclusion is reached will be met with greater validation this way. So, I appreciate you giving the time for people to speak. You know, it doesn’t matter what the issue is, to me, I’m a heterosexual, white, male, American who believes that nobody, whether you’re African American, Asian American, female, lesbian, gay, transgender, we’re all citizens in this community. I do believe that we all bear the same rights to any civil treatment, and I think we should be protected, as is your job to do so, as elected officials. Like I said, I had a lot to speak about, but I’m going to go ahead and cut it off at this point just to say that I’ve said my piece.

President Abell: If you would like to leave that with the secretary—

Commissioner Melcher: Yeah, I was going to say, since you’ve wrote it out we could take it.

President Abell: Thank you. Julie Evey-Johnson.

Julie Evey-Johnson: Hello, I’m Julie Evey-Johnson. I’m a full time faculty member at the University of Southern Indiana in the Department of Psychology. Very quickly, I find myself disappointed that in the year 2012 we even continue to discuss whether discrimination is acceptable behavior, but, at the same time, I am very encouraged

that the City Council, after deliberation, passed a similar measure, and that you're gathered here to consider doing the same thing. As an educator in this community, and a parent, I simply cannot understand how we can allow such blatant discrimination to continue. I hope you have the courage to make the right decision. American law should never be based on an individual's moral or religious beliefs. The foundation of American law is justice, fairness and tolerance. That is not the homosexual agenda, that is the American agenda. We need to speak up when we see injustice, because it affects all of us. Such injustice forces us to raise our children in a biased and bigoted society. It tells our children that such behavior is acceptable. It certainly is not. The decision made should be about what is right and what is fair. Thank you.

President Abell: Thank you. Julie Pyle.

Julie Pyle: Hi, my name is Julie Pyle. I'm a resident of Evansville. Homophobia is like racism and anti-Semitism and other forms of bigotry in that it seeks to dehumanize a large group of people to deny their humanity, their dignity and personhood. This sets the stage for further repression and violence that spread all too easily to victimize the next minority group. I wish I could claim those words as my own, but I can't. I'm simply borrowing them, because Coretta Scott-King spoke so eloquently on this topic that there's really no room for improvement. Honestly, I don't like the term homophobic, it seems to give a free pass to those who subscribe to it. Phobic makes it seem like they are simply afraid, and not hateful, but it really is hate. Homophobia is the last safe refuge, the last politically correct outlet for this type of persecution. The truth is these bigots have every right to hate homosexuals, but they should not, however, have the right to act on that hate, by actually persecuting members of the LGBT community. Unfortunately, this is what happens, and that is why this ordinance is needed, and needs to include sexual orientation and gender identification as protected groups. Even if you want to deny science, which seems to be trendy these days, and believe that homosexuality is a choice, it doesn't matter. Religion is a choice and everyone is protected from discrimination based on their choice, or choice to opt out of religion, as it should be. So, should it be for sexual orientation and gender identification. There is no secular reason to deny equal protection against discrimination to members of the LGBT community. Thank God we are not in a theocracy. If we are to deny legal protection due to someone's interpretation or misinterpretation of religious texts, we will have to deny that same protection to those who choose to eat pork or cut their hair on the sides of their head. It is absolutely shameful that in the year 2012 we have to debate if human rights extend to all people. If equality, justice and freedom can be given or taken away based on the whims of the majority, then none of us can really know equality or justice or freedom. Those who are lesbian, gay, bisexual and transsexual contribute to our community every day. They work, pay their bills, pay their taxes, fall in love, care for their families and friends, raise their children and volunteer. Yet they do so without the protection against discrimination that the rest of us enjoy without a second thought. We should think about it, because freedom taken for granted can be easily lost. Finally, to those in the so called Christian community who believe they speak for all of us in their crusade against the gays, please stop. You don't speak for all Christians. There are others like me who choose to be Christian, yet choose to not misuse our faith as a weapon of mass discrimination. I am fortunate to have found an open and affirmative church where all people are valued, and my heart fills with joy at the love that God has for all of us. A love that is visible through acts of kindness and inclusion—

President Abell: That's two minutes.

Julie Pyle: I feel pride when we recite the affirmation of diversity. Thank you. I hope you'll do the right thing.

President Abell: Thank you.. Marjorie Kough.

Marjorie Kough: Thank you. You got it right, my name is Marjorie Kough. I live at 901 Jobe's Lane, Evansville. I also prepared a five minute presentation, which I would be happy to leave with you. I'm going to skip some of this though in terms of time. We've heard a lot that has been very emotional in nature about this, and one of the things that I came away with from the last session, at which I did not speak, was that there was a lot of concern about children. I think that we will probably see a lot more parents accompanying opposite sex children into restrooms for their protection if this is passed. But, I just want to also say that there were some confusions over whether or not religious organizations are exempt from this, from discrimination or standards that are different that these ordinances would be addressing. One of the concerns I have is that specifically, as to whether or not the Human Rights Commission can take action against organizations of a religious nature. I have suggested some wording, is changing to address that, so it specifically says in the ordinances that religious organizations are exempt. Finally, the one thing that I would like to say is that the, in the proposed amendment to section 2.56.070, limits the Human Relations Commission's authority in respect to complaints of discrimination based on sexual orientation or gender identity to accepting complaints, notifying respondents, and attempting voluntary investigation and mediation. My question is, why adopt changes to any ordinance without the intent to enforce them? Why waste taxpayer's money on something—

President Abell: Your two minutes are up.

Marjorie Kough: – not backed by the courage of conviction. From my skeptical point of view, the only reason I can see for such a limitation, is so that later when the heat is off another amendment can be quietly drafted and passed that gives enforcement powers. To me assurances that the proposed changes will not be enforced is like the fox telling the farmer to go back to sleep—

President Abell: Ma'am, that's two minutes.

Marjorie Kough: –so that the fox can be trusted not to watch his chickens.

President Abell: Thank you.

Marjorie Kough: Thank you.

Commissioner Melcher: Do you want to drop that off right up here?

President Abell: Wayne Harris. Who was that other woman that was wanting to come up to speak?

Commissioner Melcher: Mary Jo Bennett.

President Abell: Then, Mary Jo, you can come up for two minutes when he finishes. Go ahead.



Wayne Harris: My name is Wayne Harris, I live at 5088 East Sherwood Drive, Newburgh, Indiana. I pastor Christian Tabernacle Church, 1051 Washington Avenue. I'm here because I would like to explain why I feel the way I do. I hope I can do that within the allotted time. Thank you. I would like to address, preached my first sermon when I was, about 1981. So, I feel very strongly about the book called the Bible. The world is more complex than what it was years ago, in 1961 remember how the freedom writers went south. We were just dealing with removing a sign that says, "white only" or "colored". We were dealing with lunch counters where you sit or not sit, but it's become more complex now. So, that's why I go to the Bible to try to give me some guidance when we have hard answers. Very briefly, we look at the Old Testament, before the law and after the law. Before the law you have a record in Genesis, chapter 18 and 19 where God destroys Sodom and Gomorrah, because he condemns the sin, part of which was homosexuality. Let's go with after the law, and we spoke into this, Leviticus 18:22, "though shalt not lie with mankind as with womankind, it's an abomination." Leviticus 20:13, "if a man lies with a mankind as with a woman, both of them have committed an abomination, they shall surely be put to death." So, we understand what God feels. Now, as a preacher I've got to deal with all that's coming forth in society, but yet I have to remain faithful to that book called the Bible. We should note that the law was not given to everybody, it was only given to the children of Israel. That's why you don't see some laws over in the New Testament that says though shall not wear a garment of (Inaudible) sorts as of woolen and linen together. As mentioned the law was given to the children of Israel, and for us in the New Testament, Christ is the end of the law. But, we understand the spirit, we understand what God's attitude is because we read the Old Testament. We go to, in the New Testament we see the Old Testament scriptures do condemn homosexuality. Romans 1:26, the Lord speaks of vile affections. In 1 Corinthians 6:9, I'm almost through, "Know ye not that the unrighteous shall not inherit the kingdom of God? Be not deceived; neither fornicators, not idolaters, nor adulterers, nor effeminate, nor abusers of themselves with mankind...and such were some of you." Well, why should I be concerned? We all have a stake in the moral climate of our community. When the Bible speaks so clearly, I cannot remain silent. I have a responsibility to respond to laws that challenge Biblical views on morality. I am not here to disrespect or to offend, but to articulate what the Bible says on this sensitive issue. Someone said our laws are not based on the Bible, perhaps that is true, but one thing is for sure, we can always vote based on the Bible. Thank you.

President Abell: Thank you, sir. Ms. Bennett.

Commissioner Melcher: Did you want to leave your documentation with us?

Wayne Harris: I sure would.

President Abell: Ms. Bennett, please make it two minutes. I see the City Council standing outside waiting to get in here.

Mary Jo Bennett: Thank you for seeing me. Mary Jo Bennett, 345 Plaza Drive. I would just like to say that I did not know until my daughter was 17 that she was a lesbian. I expect that there are people in this room who are presently against the proposal who would change their minds later and be for equality when they find out that their children or their grandchildren are gay. People expect the County Commissioners to stand up for all of the citizens. Citizens are citizens, and all deserve the same. Justice is justice and should be for all citizens. So, I vote for the ordinance. Thank you.

<b>Commissioner Questions/Comments</b>
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President Abell: Thank you. Fellow Commissioners, do you have any questions that you want to pose to anyone? Mr. Kiefer?

Commissioner Kiefer: Sure, I just, you know, appreciate everybody being here today and all of your comments. Regarding the ordinance, under section two, under “reasonable accommodation”, may include making existing facilities used by employees readily accessible and usable by individuals with disabilities. Could, Mr. Kent, could you address that, what you mean by “reasonable accommodations”? I know you give, making existing facilities used by employees readily accessible. I just wanted to check to see if that means like, you’re a small business person, you have say two or three employees and you have stairways.

David Kent: Well, we’re basically, that falls in line with the Americans with Disabilities Act, in terms of following along.

Commissioner Kiefer: So, just, as long as you fall in line with ADA, it’s acceptable?

David Kent: Correct, that’s correct.

Commissioner Kiefer: Okay, that’s all I needed, I thought maybe that’s what you had, but I didn’t know if you meant more than that.

David Kent: I understand.

Commissioner Kiefer: Okay, thank you.

Commissioner Melcher: I’ve got one question at this point. When you wrote this, you wrote this as a voluntary.

David Kent: Correct.

Commissioner Melcher: Other communities wrote it with teeth. What made you go one way or the other?

David Kent: The ability to make it pass.

Commissioner Melcher: The ability to make it pass?

David Kent: Yes.

Commissioner Melcher: That’s interesting.

David Kent: To be brutally honest with you, you know, I’m a lawyer. I do my job without pride nor prejudice. I’m brought something, I’m told to do it, I do the job to the best of my ability. We had discussions with regard to should you go stronger, ie: Indianapolis, should you go with a voluntary, in terms of Ft. Wayne? When it comes down to the reality of the situation, we live, in our community, we’re in southwest Indiana, we also have to deal with the realization as to whether or not the ordinance will pass. Therefore, that is how we, myself, the Executive Director, the members of the Human Relations Commission decided to take the tact of then we need to go

in a voluntary nature, not just to tell everybody in our community that, hey, you should not discriminate in this area, but we also understand that we have a great number of people who are against that. Therefore, we have to judge and deal with the realities of what we have here, not in Indianapolis, not in Ft. Wayne, here in Evansville, in terms of what we have, what we can get through both the City Council and through the Commissioners in terms of actual passage.

Commissioner Melcher: Okay, did any of the City Councilmembers, I don't think the Commissioners did, but did any of the City Councilmembers bring any issue up of which way it should be?

David Kent: None.

Commissioner Melcher: So, your board took it on your own?

David Kent: Well, in fact, this actual ordinance was actually drafted in 2009 and circulated, and it was determined at that time that from a realistic standpoint that the votes were not there to even bring it to the table. We were approached by members of the City Council that they wanted to bring this, and they wanted to bring it to a vote as it was written in 2009.

Commissioner Melcher: Okay, that's what I needed to know today.

President Abell: I have some questions. I do find it disturbing that you've been working on this since 2009 and not one member of this Commission was asked for any input, sent any heads up, given any questions. Had we not had these public hearings, we wouldn't have known any of the information that we've heard from both sides. I would challenge you to never try to write an ordinance to come before this Body again without including one of the members in that discussion.

(Applause)

President Abell: I do have a question, and, actually since there's not going to be enough time, I would ask that you, and also Mr. Beauman, is he still in the audience? I would like for the two of you to write to me and give me an answer to this. On March 26<sup>th</sup> there was an opinion rendered in the State of Indiana, U.S. District Court, regarding plaintiffs' lawyers having to pay for frivolous lawsuits that have been brought. I want to know that if a lawsuit is brought on the basis of this ordinance, does the Human Relations Commission have your own funding to pay for your defense? Or are you going to expect the citizens of Vanderburgh County to pay for your defense? You don't have to answer that now. I would like to know what your status is going to be, because I am concerned that we are providing, at this point, with an ordinance that has no teeth, the ability for an attorney to bring a lawsuit, and for someone else to turn around and say, the ordinance had no teeth, it was a frivolous lawsuit and now we're going to sue Vanderburgh County. I, as many have pointed out, was elected to represent all of the citizens of Vanderburgh County. That means all of the taxpayers, and whether or not they need to pay for a frivolous lawsuit. So, I would like to have, I would be happy to give both of you my e-mail address for you to respond to me as to how that would be handled in the event that were to occur in Vanderburgh County. Thank you. Any other questions?

Commissioner Kiefer: Yeah. Mr. Kent, I, obviously, heard a lot of passionate pleas to pass this ordinance based upon personal experiences. Are there some, do you

have some statistics, I mean, I usually deal better with things that are more objective and not so subjective. You know, for example, when we look at doing traffic signalization or whether there's so many accidents that occur at a certain place, we can look at statistics. Do you have some statistics that show, you know, that, hey, we've had 250 complaints because, we couldn't act on them, but we had these number of complaints. I mean, do you have some, do you catalog and record statistically so we can understand the gravity of your concerns and problems?

David Kent: It is my understanding, and I think Diane might be more apt to answer that question, it's my understanding that no statistics were kept prior to going forward with this ordinance, in terms of, as Mr. Field's was up and testified that when he was an investigator or ran Human Relations that he got several complaints in this area.

Commissioner Kiefer: Right, and that's what prompted it, because when I asked him if he said numerous, he said, no, no, not numerous.

David Kent: I know that there have been some, I do not know the number since it has passed the city. I do not have that information, but I can get that for you, but it's my understanding, I don't believe that there were statistics kept prior to that.

Commissioner Kiefer: I would like to have, if you've got something since that ordinance has passed, I would like to have some statistics, because I would like to understand the gravity—

David Kent: Sure.

Commissioner Kiefer: —of the concern. You know, like I said, something that makes it more objective helps out. Thank you.

President Abell: Mr. Harrison, did you have something?

Joe Harrison, Jr.: Mr. Kent, could you check on Monroe County? In the overview that you provided—

David Kent: It does not list Monroe.

Joe Harrison, Jr.: Yeah, it's not listed. Could you supplement that information for me? I would just like to know what it includes and whether there's any teeth in that ordinance as well. Thanks.

President Abell: I made a list.

Commissioner Melcher: Backing up on what Joe said, since this was wrote in 2009, I didn't even think about this until Joe talked about it, has the Human Relations Commission tried to keep track since they wrote it till today?

David Kent: I do not, I am not aware of that.

Commissioner Melcher: Because that would have been, if I was on the board, I probably would have asked for some back up, you know, so something to associate, I know there is out there, but it would have been nice, like Joe said, to have had some numbers. Okay.

President Abell: Commissioners, any other questions? This meeting is adjourned.

(The meeting was adjourned at 4:52 p.m.)

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Harrison, Jr.	Marissa Nichoalds	Madelyn Grayson
David Kent	Bryan Beauman	Monte Fetter
Michael Harris	Glyn Pfohl	Rob Kerney
Jim Bratten	Clark Field	Jennie Downey
Shiloh Ditzer	Dick Connolly	Sandra Hoy
Chris Brace	Adam Schaaf	Neal Biggers
Sabrina Stewart-Thomas	Jeff Wilhite	Kurt Jourdan
Stephanie Deig	Della Sandage	Erica Fahrlender
Melinda York	Aaron Mauck	Julie Evey-Johnson
Julie Pyle	Marjorie Kough	Wayne Harris
Mary Jo Bennett	Others Unidentified	Members of Media

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
APRIL 17, 2012**

The Vanderburgh County Board of Commissioners met in session this 17<sup>th</sup> day of April, 2012 at 5:04 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the April 17, 2012 meeting of the Vanderburgh County Board of Commissioners. Could I have the attendance roll call please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Would you please stand and join me for the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Abell: Thank you.

**Arts Council of Southwestern Indiana 2012 Funding Request**

President Abell: The first item to come before the Vanderburgh County Commissioners this evening is the request for funding from the Arts Council of Southwestern Indiana. Do I have a motion from—

Commissioner Melcher: Madam President?

President Abell: Yes?

Commissioner Melcher: Before we get into motions, we met, remember when we had this meeting in here from, I think, Mr. Shetler and the County Council talked about reducing our everything? So, we've been, I've been kind of looking at all of this, and we've been talking about this for a long time with the Arts Council, not that we have anything against the Arts Council, but they're the Arts Council from Southwestern Indiana. So, that means it's more counties than just Vanderburgh, and as far as I can tell, even since I've been on the City Council, we're the only ones that fund it, but yet everybody else gets the accolades from it. So, following the County Council's, I guess, suggestion, this would be one we could kind of be looking at tonight. I would recommend that we cut it a third, which is kind of the hint of what

they want us to do. So, I'll make a motion that we, instead of allowing the \$15,000, we give them \$10,000 for 2012.

Commissioner Kiefer: Steve, that's very appropriate considering what we're going to be faced with, even with our extra money that we found at the State, but I still think it's appropriate. I'll second that.

President Abell: Any discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<p><b>Health Dept: Clinical Affiliation Agreement with Vincennes University</b> <b>Health Dept: Independent Contractor Agreement: John Murphy</b> <b>Sheriff: Spaulding Clinical Research Agreement</b></p>
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President Abell: Next business, contracts, agreements and leases. From the Health Department, renewal of a clinical affiliation agreement with Vincennes University School of Nursing. This is to allow nursing students at Vincennes University to participate in clinical educational experiences with the Vanderburgh County Health Department. The agreement will run from August 1, 2012 to July 31, 2014.

Gary Heck: Gary Heck, Vanderburgh County Health Department. I would be happy to answer any questions, if you have any.

Commissioner Kiefer: I do. Gary, does it cost us extra money to allow them to participate in the program?

Gary Heck: No.

Commissioner Kiefer: So, there's no expense to us, but you get to use, I mean, will you find it useful or beneficial to have those then—

Gary Heck: We always find it beneficial to encourage people to consider public health as a career. They furnish their own liability insurance, the University does for their students, and it just broadens their opportunities. So, it's really a win-win as far as we're concerned.

Commissioner Kiefer: I think it's a good idea, because I think some of those students might wind up living in Evansville.

Gary Heck: They very well may.

Commissioner Kiefer: So, it might be a good way to draw them here.

Gary Heck: Yes, sir.

Commissioner Kiefer: No, I just wanted to make sure that there was no expense that was going to, I mean, it may not be actual dollars, but it may be an expense because of the extra time that you're spending that you're not spending on other projects. I'm satisfied with it.

President Abell: I would entertain a motion.

Commissioner Melcher: I'll go ahead and move that we approve it.

Commissioner Kiefer: Second.

President Abell: Discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Independent contractor agreement with John Robert Murphy to develop a Vanderburgh County Medical Reserve Corps program, and to serve as a training coordinator for this program. It runs for a period of 12 months. The compensation will be \$25 per hour, not to exceed a total of \$5,000.

Commissioner Melcher: Isn't this pretty much what Dr. Nicholson was talking about one time?

Gary Heck: It's exactly what Dr. Nicholson was talking about. Yes, sir.

President Abell: It's a grant?

Gary Heck: This is a grant, yes, Ma'am.

Commissioner Melcher: I don't have a problem with it. I'll make a motion to accept it.

Commissioner Kiefer: I'll second that.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?



Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: Thank you. Sheriff's Department. I don't believe there's anyone here. This is a purchase agreement with Spaulding Clinical Research LLC for an electrocardiograph device. The cost is \$1,395, and there are sufficient funds in place in the Sheriff's budget.

Commissioner Kiefer: What is an electrocardiograph device?

President Abell: I bet Dr. Ray Nicholson can answer that question for us.

Commissioner Kiefer: I mean, I don't have an issue with it.

Joe Harrison, Jr.: They use it in the jail. I think, it's just for--

President Abell: Is it a heart machine?

Joe Harrison, Jr.: Yeah.

Ray Nicholson: I'm sorry, I didn't hear the question.

Commissioner Melcher: You'll have to get on the microphone.

Joe Harrison, Jr.: I assume it is.

President Abell: What is an electrocardiograph machine?

Joe Harrison, Jr.: Device, electrocardiograph device.

Ray Nicholson: It's probably just to run a standard EKG.

Joe Harrison, Jr.: Just an EKG?

Ray Nicholson: Just an EKG, yeah.

Joe Harrison, Jr.: It's a portable one, and, I guess, it's 1,300 bucks.

Ray Nicholson: The "K" is in there, because that's the German term.

President Abell: Oh, okay.

Commissioner Kiefer: Okay, well, I mean, I'm okay with it.

President Abell: We just didn't know for sure what it is, and the Sheriff was wanting to buy one for the jail.

Ray Nicholson: Yeah, they would probably save a lot of trips to the hospital if they could do it right there.

President Abell: Oh, okay.

Commissioner Kiefer: I'll make a motion that we approve.

President Abell: Thank you, Dr. Nicholson.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>County Engineer</b>
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President Abell: Department head reports, I think I saw Mr. Stoll in the audience.

John Stoll: The first item I have is a request to enter into an agreement with Bernardin Lochmueller and Associates to prepare legal descriptions for two surplus properties out on University Parkway. These are parcels that are not required for the road right-of-way, and in order for us to sell those we'll have to have legal descriptions prepared, because they are remnants of larger tracts of land. So, no legal description currently exists. Then, we would ultimately have to also get those properties appraised, and then I can get with Joe Harrison and get with the, get the actual procedure on the sale. The sale of the properties would be, would include the appraised value, plus the fees that we're going to incur associated with legal descriptions and with the appraisals. This first step would be just the preparation of the legal descriptions. It's for \$5,500.

President Abell: Gentlemen?

Commissioner Melcher: I'll motion that we approve it.

Commissioner Kiefer: Second.

President Abell: Discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next, I—

President Abell: We want to sell those, because we don't want to mow them.

John Stoll: Exactly. They are both outside of the right-of-way fence on the project. So, they are not easy to get to either. So, it's definitely in the county's best interest to try and sell those.

President Abell: Yeah, we want to get rid of those.

Commissioner Melcher: As soon as possible.

John Stoll: The next item I have is a request for an administrative settlement for parcel 31 on the Green River Road project. This is owned by Daniel Hass. The requested increase is \$162.50. This would make the total offer, \$2,365.50. The requested increase is to cover some additional rock for the driveway approach. I reviewed it, I've run it past the County Attorney, we both feel it's reasonable and would request approval of the administrative settlement.

Commissioner Melcher: Move for approval.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Last, I would like your approval to file a travel request to go to Vincennes for a pavement management seminar that's going to be put on by the Purdue LTAP Center. The registration fee is \$35. This is primarily to get some hours for my engineer's license. This is about the cheapest that I'm going to find as far as just having to go to Vincennes to pick up the six hours of credits.

President Abell: Are you going up and back in the same day, I assume?

John Stoll: Yes.

President Abell: Like you always do.

Commissioner Kiefer: I'll move that we approve.

Commissioner Melcher: I'll be glad to second that motion.

Commissioner Kiefer: Don't have too much fun.

John Stoll: I don't think you'll have to ask that twice.

President Abell: I can imagine an engineer's meeting, or computer sciences meeting, you know, that would be real exciting people. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

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

President Abell: Thank you, John.

<b>Health Department</b>
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President Abell: Mr. Heck, do you have anything else?

Gary Heck: I just wanted to, I think we've submitted our Homeless Connect report, electronically, to you, and our annual report for 2011. I just wanted to go on record that they've been submitted. Also, to compliment the County Attorney, we've been keeping him busy lately. He does excellent work. So, we're glad that you have such a qualified attorney on staff here.

Commissioner Melcher: So, he's a keeper, right?

Gary Heck: Oh, he's a keeper.

Joe Harrison, Jr.: Thank you.

President Abell: I have a question, Mr. Heck.

Gary Heck: Yes, Ma'am.

President Abell: Have you hired a dentist in the dental clinic?

Gary Heck: We do, we have one, right now, and we're in the process of trying to have a second one, because we, the ones that we hire aren't full time. They are part time right now. So, we're in the process of getting one or two additional ones so that we will be able to have full coverage.

President Abell: Okay.

Gary Heck: We're getting real close to submitting the fee ordinance as well.

President Abell: Oh, good.

Gary Heck: We have to kind of stagger it, because Joe has got other stuff. He has to do some work for other departments as well.

President Abell: Yes, he's not totally assigned to the Health Department, that's correct.

Gary Heck: He's not exclusive. We could keep him busy full time, I think though. Thank you.

President Abell: Thank you, Mr. Heck. Any other department head have a report?

<b>Soil and Water Conservation District</b>
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President Abell: Mr. Abell, would you like to introduce yourself to the Commissioners and tell us what job you are doing now? The new employee.

Mark Abell: My name is Mark Abell. I am with the SWCD, Soil Water Conservation District. I'm the Water Quality Specialist. I have been for three months. I did turn in a report that I did see, probably on the end of the consent agenda perhaps. Okay, if you had any questions about that, I would be happy to answer those.

Commissioner Kiefer: I know Mark's working overtime, I've seen him out at several meetings, overtime not for pay that is. So, I've seen him out at several meetings, appreciate you being on board mark.

Mark Abell: Thank you. There will be more meetings too.

President Abell: I think this is actually the first time we've been getting reports from Soil and Water and we appreciate it, because it was hard for me to put my arms around exactly what you did. I think now I have a pretty good grasp of that. I know my fellow two Commissioners are happy to have those reports also.

Mark Abell: Well, I'll continue to do that on a monthly basis.

President Abell: Thank you. We appreciate that.

Mark Abell: Okay, and if you have anything else, you know, let me know and I'll address that too.

President Abell: Thank you. Any other department heads?

**New Business/Old Business**

President Abell: New business? Old business?

**Public Comment**

President Abell: Anything from the public?

**Consent Items**

President Abell: Madelyn, would you like to read the consent agenda?

Madelyn Grayson: The consent items for the Commissioners consideration this evening, for April 17<sup>th</sup> are; approval of prior minutes, we have the April 3, 2012 meeting minutes; the April 3, 2012 road hearing minutes; the March 19<sup>th</sup> and April 9, 2012 Human Relations public hearing minutes; employment changes for the Commissioners approval, there's one for the Commissioners, one for Burdette Park and one for the Health Department; the County Engineer has pay request number 149 for TIF projects in the amount of \$170,721.40; the County Assessor has a request to surplus four office chairs; the Commissioners have the "Great American Clean Up Day" proclamation, the Beal settlement agreement, and the Centre fee waiver denial letter for the Indiana Minority Supplier Development Council Southern District Business Opportunity Fair; the County Treasurer has the February 2012 monthly report; the County Clerk has the March 2012 monthly report; Weights and Measures March 16<sup>th</sup> through April 15<sup>th</sup> monthly report; and we have department head reports from the County Engineer and SWCD.

Commissioner Melcher: Move that we approve the consent agenda.

Commissioner Kiefer: I have a comment under discussion. When it says request to surplus four office chairs, I mean, what does that mean? Are those going downstairs in the basement?

President Abell: No.

Commissioner Melcher: No, no, no, no.

President Abell: There is nothing going downstairs in the basement.

Commissioner Melcher: They have to get rid of them.

Commissioner Kiefer: Okay, I just wanted to clarify that, because I know it was big ordeal clearing out the basement.

Commissioner Melcher: If they get new furniture now, they get rid of the old furniture.

Commissioner Kiefer: Okay.

President Abell: I think the policy is that Mr. Rector is informing them when they have surplus that they cannot put it in the basement and they're to send out a notice to all the county offices that there are four chairs available, if anybody wants them, come get them, in the County Auditor's office. After a certain period of time, two weeks, if somebody doesn't come get them, the city can have them if they want them. If nobody comes, then it's up to—

Commissioner Kiefer: To dispose of them?

President Abell: — that officeholder to get rid of them, because they are surplus to us. They are not on our books anymore once we've surplused them. So, we just get rid of them.

Commissioner Kiefer: No, I agree with that, I just—

Commissioner Melcher: And they can't put them in the hallway neither.

Commissioner Kiefer: Okay.

Commissioner Melcher: Because that's a fire hazard also.

Commissioner Kiefer: I mean, I know it sounds like a trivial thing, but it can be a nuisance.

President Abell: Oh, it became a mess this year trying to get rid of some of that stuff.

Commissioner Kiefer: So, I'll second that. Thank you.

President Abell: Discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Is there any other business to come before the Vanderburgh County Commissioners? I'll entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: We are adjourned.

(The meeting was adjourned at 5:20 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of April 3, 2012 Commission Meeting Minutes.

Approval of April 3, 2012 Road Hearing Minutes.

Approval of March 19 & April 9, 2012 Human Relations Public Hearing Minutes.

“Great American Clean Up Day” Proclamation.

Beal Settlement Agreement.

Centre Fee Waiver Denial Letter: IMSDC Southern District Bus. Opportunity Fair.

**Employment Changes:**

Burdette Park (1)

Health Department (1)

Commissioners (1)

Circuit Court (1)

Superior Court (2)

Sheriff (3)

County Clerk (2)

**County Engineer:** TIF Project Pay Request No. 149: \$170,721.40.

**County Assessor:** Request to Surplus Four Office Chairs.

**Treasurer:** February 2012 Monthly Report.

**County Clerk:** March 2012 Monthly Report.

**Weights & Measures:** March 16-April 15, 2012 Monthly Report.

**Department Head Reports:** County Engineer

SWCD

**Those in Attendance:**

Marsha Abell

Joe Kiefer

Stephen Melcher

Joe Gries

Joe Harrison, Jr.

Marissa Nichoalds

Madelyn Grayson

Gary Heck

John Stoll

Mark Abell

Others Unidentified

Members of Media



**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
MAY 1, 2012**

The Vanderburgh County Board of Commissioners met in session this 1<sup>st</sup> day of May, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the May 1, 2012 meeting of the Vanderburgh County Board of Commissioners.

**Pledge of Allegiance**

President Abell: Mr. Melcher, would you lead us in the Pledge?

(The Pledge of Allegiance was given.)

**Attendance Roll Call**

President Abell: Madelyn, would you call the roll please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Permission to Open Quotes for Burdette Park Food and Related Items**

President Abell: I would entertain a motion to have permission to open the quotes for Burdette Park food and related items.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Mr. Harrison, do you want to open those?

Joe Harrison, Jr.: Do you want me to report back later then?

President Abell: Yeah, we'll go forward while you open those.

Joe Harrison, Jr.: Okay.

**Burdette Park**

President Abell: Mr. Craig, would you like to make your presentation next? I know you have a meeting to go to. We'll move Steve Craig up on the agenda, and immediately after Mr. Craig we'll let Mr. Duckworth make his presentation.

Steve Craig: Thank you, Mike. Steve Craig, Manager of Burdette Park. Saturday, April 28<sup>th</sup>, Burdette Park hosted the St. Jude's Children's Research Hospital "Give Hope Run", with runners, walkers, vendors and volunteers we had a crowd of over 1,500 that showed up Saturday morning. It was phenomenal. Everybody there did a great job. The last update on the donations collected was \$115,000 that day for St. Jude's. I would like to put out a special thanks to Katie and Craig Witsoe, they were the couple that's son that the run was put on for. This coming Saturday, May 5<sup>th</sup>, we are hosting the "Energy for Life" walk-a-thon, registration starts at 8:00 at Burdette. On May 9<sup>th</sup>, the Trail Coalition is sponsoring the "Silver Sneakers Tour", it's a walk on the Burdette Park -USI trail. This is through the Trail Coalition with Roberta Heiman. If anybody has any questions they can get a hold of them. I think they're going to have walks all through the year where they go to different places and trails and that, and they take walks on the trails. That will be May 9<sup>th</sup>. The following Saturday, May 19<sup>th</sup> we will conclude our month of walks, runs and rides at the park with the 6<sup>th</sup> Annual Wurst Bicycle Ride. It's sponsored by Vanderburgh County and Burdette. Bratwurst, dogs, fruit, chips and drinks will be served, and all of them are donated by Dan's Comp and RC Cola, all the food and drinks are donated.

President Abell: (Inaudible. Microphone not on.)

Steve Craig: That is on May 19<sup>th</sup>, Saturday morning. The miniature golf opens this weekend, if we do get the power and the tree back. We had lightning hit a transformer and tree and did some damage to the Oasis concessions and the miniature golf building. If not, we'll open the following weekend. The aquatic center opens for the summer on May 26<sup>th</sup> at 10:00 a.m., and the daycamps first session starts May 29<sup>th</sup>.

President Abell: It sounds like you have a busy summer planned.

Steve Craig: Yeah, we're getting off to a good start. We've had some, the walks and the runs and the rides are really neat, the different organizations that use the park and the trail and that. It's really been nice.

President Abell: Commissioners, any questions of Mr. Craig?

Commissioner Melcher: On your daycamp, you were going with two this year? You and I had discussed that once.

Steve Craig: Well, we've got people that wanted to sign up for the whole one, and right now I think that they've got them signed up for at least three of them.

Commissioner Melcher: At least three?

Steve Craig: Yeah. We haven't had anybody register for the later one, but we're going to take it as we go. If, you know, we're going to see, they have other daycamps that's starting this year with the city and that, and we're going to take a look at how many, you know, different sessions that maybe we should offer.

Commissioner Melcher: We didn't know if we should go with one, or two or three. We had five, right?

Steve Craig: Yes. Well, four and a half, with the one week session.

Commissioner Melcher: So, Steve and I talked about, we didn't want to give it up—

President Abell: Yeah.

Commissioner Melcher: —so we would just go ahead and do it and see what happens. You know, one, two, three.

Steve Craig: We'll evaluate it at the end to see how the other new daycamps affected it.

President Abell: Okay. Take another look at it at the end of the season?

Steve Craig: Yeah, when we started it in 1989 there was a definite need for it. They had dropped summer school, and there was a latch key kids, or children they called them, and they were surprised how many, you know, both parents were working and the kids didn't have anything to do. We started our daycamp at that time, and we had up to 250 kids per session, but as the years go by there's almost a daycamp on every corner, if you want to put it that way, which is not a bad thing, it's a good thing—

President Abell: Right.

Steve Craig: —because there's a lot of different interests in a lot of different areas that the daycamps cover, but we were down to 110, I think, last year for an average. So, we're wanting to take a look and see where it goes this year with the city starting out with 500 new spots.

Commissioner Kiefer: Madam President?

President Abell: Yes.

Commissioner Kiefer: Steve, I think, as you and I had talked, as long as you're staying in the black with it, I mean, it's important that the public knows that you're not operating in the red running the program.

Steve Craig: No, not at this time we're not. That's what we're going to look at when we're done.

Commissioner Kiefer: Right.

Steve Craig: If it cuts down too far, then, because you still have the same building, you still have the same amount of people working in several areas. You know, you can't cut them out, but you can cut your counselors back as your amounts of people cut back.

Commissioner Kiefer: But, it's a good use of the facility, you know, it's there—

Steve Craig: You know, I would like to run it no matter what, but, you know, we don't want to run it, like you said, in the red.

Commissioner Kiefer: I think your approach is right. So, you're in a good direction.

Steve Craig: Well, I appreciate that.

President Abell: Thank you.

Steve Craig: Thank you.

President Abell: Go to the Nut Club and get your award.

Steve Craig: Thank you.

<b>2012 Paving List</b>
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President Abell: Mr. Duckworth?

Mike Duckworth: Good evening, I'm Mike Duckworth, Superintendent of the Vanderburgh County Highway Department. We were in front of the Commission, I believe, a few weeks back, and we presented to you the recommendation, or, basically, the complaints that we had received on specific roads within the county that have a need for resurfacing. We've had somewhere in the area of 20 to 21 roads that were submitted. This evening I'm here tonight to tell you that we are making recommendations to you to resurface 17 total roadways, which equate to a little over nine miles. I want to refer you back to the Power Point presentation that Mr. Stoll and Mr. Seib put together for us, and then I'm going to turn the, after I tell you a little more about this, I'm going to turn the program over to Mr. Seib to tell you about their department's side of this project. First of all, Boehne Camp Road, .5 miles; Daffodil Court, .03 miles, you can see the existing condition of these roadways; Day Road, .36 miles; Eickhoff Road., .60 miles; Emge Road, 1.5 miles, which is one of the largest stretches of road that we'll do in this term of resurfacing; Kneer Road, .38 miles; Kelli Lane, .06 miles; Kristopher Court, .1 mile; Moss Creek Court, there are a total of four streets in this subdivision, Moss Creek Court, .11 miles; Moss Creek Place, .18 miles; Moss Creek Road, .49 miles, and Moss Creek Way at .22 miles; then we have .63 miles of Peck Road, and that's about half of Peck Road. The other .3 miles is going to be included in the county's cooperative agreement with the Evansville-Vanderburgh School Corporation, and that will happen, I believe, Mr. Cameron's here he can correct me if I'm wrong, I believe that's going to take place later this spring or summer, and then as soon as they complete that we'll come in and do the other section of Peck Road. It's in very bad shape. In fact, Commissioner Abell and I were out there the other day, we're not in a position at this point to widen that road, but we'll resurface it and make it as safe as possible at this time.

President Abell: Our list has, well I had it, .86 and your—

Mike Duckworth: Well, that's the total—

President Abell: Okay, okay, that's what I was wondering.

Mike Duckworth: —and this is, remember I told you—

President Abell: Yeah.

Mike Duckworth: – when I sent you the memo it said 9.25, and it ended up being 9.02, and that's the difference there. We're only doing that up to where they're starting. Schaffer Road, from Mohr Road to Orchard Road is a 2.3 mile section that's in very bad shape, and we were able to include it, and Stephanie Lane, .11 mile, and the Warrick County Line Road, .75 miles. Woodland Lane, .7 miles, all of that, as you can see, adds up to a little over nine miles. Now, I will tell you by the calculations that we've had with existing asphalt costs, we're still going to be under budget a little bit here, which means that towards, at the end of our paving list that there are two roads that we could not get to this year because they are so large, one was Marx Road and the other was New Harmony Road, and they're more extensive in damage and length. We thought we would put them at the top of the year, I mean, at the list, at the top of the list next year, but if there are sections of that roadway that are in dire need, we might go out and do some intermediate patching and that kind of thing, deep patches and those kinds of things, to help preserve until next year.

President Abell: Which side of University Parkway is that on, east or west?

Mike Duckworth: It is on the west.

President Abell: Both of them?

Mike Duckworth: Yeah. So, I would just say that this, according to our calculations and to asphalt costs and the current pricing in regards to asphalt and oil and all of what we do, this is going to be probably 95 percent of what we'll be able to do this year. Now, Mr. Seib is here in Mr. Stoll's replacement because of his family situation, and he'll tell you a little bit about some more of the concrete street repair and some of the contractual stuff that we're doing outside what the Vanderburgh County Highway Department can handle.

President Abell: I have a question, Mike, are one of the two of you going to address Surrey Way and that area?

Mike Duckworth: Yes, that's concrete street repair–

President Abell: Okay, okay.

Mike Duckworth: – and that is in Green River Estates–

President Abell: Yes.

Mike Duckworth: – and that's included in theirs as well. Any further questions from....Mr. Seib?

Patrick Seib: Good evening, Patrick Seib, Assistant County Engineer. The first one we're looking at here, this is Ascot Drive, this is in McCutchan Estates, this is off of Petersburg Road up north of Heinlein. We've gotten a couple of collapsed slabs in here, and we know that there's some undermining going on, we don't know how extensive that is yet, we won't know until we get out there and start ripping the street up, but, once we do, we'll get those taken care of. This is Championship Drive, this is in Eagle Crossing Subdivision, farther north on Petersburg. We've got some settlement that's happened over the years, you can see it ponds fairly well there. We don't have this in our contract, in this particular contract, we're waiting until we get the bids in to see how much money we're going to need for it, and then if we've got

funds left over we intend to attack this later this summer. I know earlier, John's had me out there, I've surveyed this, I'm working on the design of it as we speak.

President Abell: How old is that road, Pat?

Patrick Seib: That one was put in, I'm going to say, late '90's.

President Abell: Okay.

Patrick Seib: Five Oaks Subdivision, this is over off of Hedden Road. We just have a few slabs, I think these are the majority of it right here. There's not a lot in this subdivision to do. In Five Oaks II, this one, these are not county accepted streets, what we're looking to do is use the funds in the letter of credit, so we're not going to spend any county money on this one, but once we get these streets repaired then we will come back and ask for them to be accepted for maintenance. This is Green River Estates Subdivision, there's a lot of work to go on in here, and we think that we're going to be able to get all of it done. I've talked with Mr. Duckworth earlier this evening, there's some things that we think that his crews can take care of, and if they're able to get those, that will free up some more money for us.

President Abell: Boy, that would be great. That's really bad out there.

Patrick Seib: Meridian Subdivision, there's, this is just for sidewalks in front of a house. You can tell that it almost looks like a bombing range has been going on out there, but we'll get that replaced. Whispering Hills Subdivision, this is up off of Highway 65, and we've got some repairs to do up in there. I believe that's what we've got.

Commissioner Kiefer: I have a question.

Mike Duckworth: I omitted, I'm sorry, but I omitted one other, it's a portion of a road, it's on Swinging Way, and what has happened there is it was a concrete street and over the years because of the cost of concrete they've gone up and they have patched that concrete street with asphalt. You know, it's very unsettled, what we are planning to do there, and I've talked to John extensively about it is, rent a machine where we can mill it, and then once we mill it we're going to look at completing the whole section, it's only probably a couple tenths of a mile, in asphalt and smoothing it out for those folks, because we really can't, we only get about \$500,000 in concrete street repair dollars, and it just doesn't go very far. So, I think what you'll see is, in many of these cases, as these roadways start to default, and I know that people in nice subdivisions do not want to hear that you're going to mix asphalt with concrete, but that's the only thing we can do until we get to a point of where we get more revenue coming in to replace some of these concrete streets.

Commissioner Kiefer: Mike, I have a question. A lot of these areas that are, like you said they're not holding up, is that because the original work was it, say like the, it wasn't for compaction or maybe, or just that just happens everywhere and you just, no matter how good of a job you do it's going to fail because of weather, cold, hot, you know, weather changes?

Mike Duckworth: I have my opinion, I'll let Pat give you his, but my opinion is that in many instances when those roadways were developed and put in, that the standards weren't as strict as they are now for developers. We've seen cases where asphalt was laid right on top of dirt, and, of course, in many of our county areas there's

springs, there's defaults, there's erosion underneath those slabs, and, of course, with heavy truck traffic that causes them to default. There needs to be a good base to every road that's put in, and, of course, that's what we try to do now, and that's what John and Pat's office, you know, expects from the contractors that we use, and I think we're doing that now, but 15, 20, 25 years ago I'm not sure that that was—

Commissioner Kiefer: Well, I was just curious, because I think that one subdivision Marsha asked about was, you said it was put down in the 90's.

Mike Duckworth: Yeah, Championship Drive, that was Eagle Valley, part of Eagle Valley and that hasn't been there that long.

Commissioner Kiefer: The late 90's, so, you know, maybe less than 15 years.

Mike Duckworth: Pat, if I misspoke, I apologize, but that's just my rendition of it.

Patrick Seib: Well, there's, I don't think there's any one answer that we can give, you know, to say definitively this is why our roads are going. On Championship, having it be in that one spot, we're not exactly sure what's going on there. It could be some soft soils down there. There could have been just a pocket of stuff that nobody saw. The fact that the rest of the road going through there is still holding up fairly well, I mean, it's just an anomaly that's popped up and we have to deal with it as it comes along.

Commissioner Kiefer: Okay, thank you.

President Abell: Thank you.

Mike Duckworth: I just want to ask you to approve these roads and these improvements as part of our recommendation so we can begin our work. Thank you.

Commissioner Kiefer: I'll make a motion that we approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Mike Duckworth: Thank you.

President Abell: Thank you, Gentlemen.



**Permission to Extend Heritage Petroleum Commercial Fuel Contract**

President Abell: Purchasing, permission to extend contract with Heritage Petroleum for commercial fueling. Debbie Spalding?

Debbie Spalding: Good afternoon. I'm Debbie Spalding with the City-County Purchasing Department. We are here to ask your permission to extend our contract with Heritage Petroleum. With me today I have Bryan Smith from Heritage, and he is a great expert on talking about this, which I am not, I will be the first to admit. But, basically what we're asking the Commission to do is to allow us to extend our contract for an additional year, through 2013, and we will receive prices throughout the next couple of months, and when it becomes advantageous for us to set the price, then we would set the price. Because we were allowed to do this last year, right now we are getting our fuel for \$3.21 a gallon for unleaded fuel, until the end of 2012. So, because the market changes, and again Bryan can address that better than I, it's advantageous for us to not have to wait to another meeting because the price will change, hourly, does the price change hourly?

Bryan Smith: With every tick of the market.

Debbie Spalding: And, Sheriff Williams is also here. He's the biggest user for the county of unleaded fuel, and he can maybe give you an idea of savings it's meant to him, if you need it.

Commissioner Kiefer: I have a question.

President Abell: Okay, go ahead.

Commissioner Kiefer: Debbie, this, what, I'm a little bit familiar with fixing, you know hedging positions, what is the minimum contract that you have to have, like number of gallons that you have to have in order to lock in a price?

Bryan Smith: Well, because we do our own risk management at Heritage, we're able to use over the counter positions. So, we can do minimum amounts. I think this year we did roughly 33,000 a month. Debbie had gone out and compiled the different departments, what their monthly usage was going to be, and we just pooled those together to make one contract that stretches over about 14 different departments.

Commissioner Kiefer: So, do you subscribe to professional people that study the market and tell you when to fix a position?

Bryan Smith: No, that's me.

Commissioner Kiefer: Okay.

Bryan Smith: I do that.

Commissioner Kiefer: So, you just look at trends and you look at, I mean, how do you determine, oh, this is the time to buy?

Bryan Smith: Okay, I don't, we don't do that, we don't tell a customer when the proper time to buy is, but we do give them as much information as we can and keep them updated on quotes, and then when the customer, in this case the city and the

county, decides that the number is at a price where they like it and they're willing to lock it in, then we'll go ahead and execute the position for them.

Commissioner Kiefer: Okay.

Bryan Smith: I would get in a lot of trouble if I told people when to do it.

Commissioner Kiefer: Okay, alright. Thanks.

Debbie Spalding: What we've done in the past is we would, I would meet with the Sheriff and the Police and we would come up with a range that we felt like maybe would be a good price to lock it in. Bryan would then send me prices every week, or every day, whenever I need them, and then we would say, when I get in that range that, he doesn't know that number, but we would say, I think we should, you know, this is the time. It's not my sole decision.

Commissioner Kiefer: So, you and the Sheriff make that decision then?

Debbie Spalding: And the Police, the Controller, we would contact the County Auditor and make sure that, you know, it's okay with everyone, but we're setting this price.

Commissioner Kiefer: Okay, well, yeah, perhaps maybe the Commissioners could be included in that as well.

Debbie Spalding: I would be happy to do that.

Commissioner Kiefer: I would like to, that's some big volumes there, so....okay, thank you.

Commissioner Melcher: I think in the past we haven't really passed that right away, because the gas was always going up and down. We didn't pass it last time you came until, I think, a couple months later—

Debbie Spalding: Right.

Commissioner Melcher: —when it looked like it was dropping, that's when we gave you the authority to do it. Because, at the time, we actually saved money by waiting, if I remember right.

Debbie Spalding: Right, I think it went down a couple cents in between.

Bryan Smith: It could definitely go down, but by the same token it can also go up.

Commissioner Melcher: No, I understand that, but we've got this until December 31, 2012.

Bryan Smith: Correct.

Joe Harrison, Jr.: Can I ask one thing? When did they, do you have any idea when you guys locked in on the \$3.21 last year, for this year?

Debbie Spalding: It was the fall of 2011, because we did the last three months of 2011, and then all of 2012.

President Abell: Yeah, because I think it's always going to go down after the vacation season.

Commissioner Melcher: I think it was somewhere around the end of October.

President Abell: Sheriff?

Eric Williams: We've been working on these for quite a while. I'm kind of one of the catalysts to keep this moving so that we have the opportunity to get that price we want. We know what we have this year, and while Bryan is not here to, obviously, I mean, they're the vendor, they're going to sell us fuel, they're not going to tell us when to buy, but he is very good about giving us the current market prices. After sitting down with the Police Department, my office and all of the other users of the fuel, we're going to establish what we think is a safe range to watch for. What we're afraid of is that if we don't have the latitude to move fairly quickly, we'll lose it, as it moves fairly quickly. We, you know, there's other ways of doing this, we've done several different methods in my tenure there. We've done the bulk purchasing where we bought fuel in 10,000 gallon loads at a time, we did those things, but we have found that this one has worked the best, if for no other reason for the ability to budget throughout the year. We know about how many, we each know about how many gallons we're going to use, and once we've got a fixed price for the 12 month period of time, it's much easier to develop a budget that we can live within for the entire year. As opposed to several years ago when we were with another vendor, you know, one day we would be paying at the pump one price and the next day it would be up and we would have to re-establish our budgets, get in front of Council to make changes and things like that. But, you know, we've sat down with a group of people and we're going to develop what we think is a reasonable range. Now, by all means, we would love to have your, I mean, I would like to have your involvement in it so that you buy into what we're going to do, because there is no guarantee that we decide to lock it in at \$3.35 to make up a number, and the day after we do it we could have got it at \$3.30. That is a real potential, but we could also find that it could have been \$3.50.

Commissioner Kiefer: I guess I'm confused, I mean, the county makes the decision, they get no advice from you, so, I guess I'm confused on, you know, there's no market analysis to know, hey, the market's moving in a certain direction?

Eric Williams: I don't think that any of us have the funds to bring in an analyst to do those kinds of things for us and to, you know, we could always go to another party to act as our buyer, just like you would a stockbroker or somebody. I look at this much more like my homegrown internet account where I buy the stocks myself based on my own personal research. I think we've all been doing this long enough, and we know what the range is we're looking for and we think is reasonable. We may set a range and not hit it, and may have to come back and say, you know what, it never got to where we thought it was right, what do you want us to do?

Commissioner Kiefer: Well, the only reason I bring it up is because ProLiance, for example, they do this same thing for natural gas. Okay, they're the supplier but they do give market analysis. It's still the customer's decision, but they do give market analysis to say, hey, you know the trend is showing that it's moving in this direction, or the thing is going in the opposite direction.

Eric Williams: Don't let me put words in Bryan's mouth, he's not going to tell us when to pull the trigger, he has been telling us here's what the trends are, here's what the market is doing—

Commissioner Kiefer: That's what I was getting at. I thought maybe he wasn't providing any of that.

Eric Williams: But, I think the question you asked was are you going to tell us when that time is right?

Commissioner Kiefer: Yeah.

Eric Williams: Only we'll be able to say that, because we're going to be on the hook for whatever we decide, but, you know, he's prepared to give us minutely updates, or daily updates and an analysis of what's happening. But, again, that's just a prediction, you know—

Commissioner Kiefer: No, I understand, it's the same thing in the natural gas industry.

Eric Williams: Is that fair?

Bryan Smith: Exactly. Also, ProLiance for Vectren does the gas, but we do the fuel for Vectren.

Commissioner Kiefer: Yeah, so, I just misunderstood you. I thought you were saying, hey, we're a supplier but we don't tell you anything.

Bryan Smith: It's just hard for us or for anybody in our position to go out and say this is the time to do it. The fundamentals that used to drive the market just don't do it anymore with all of the geo-political things, the value of the dollar, the economies in foreign countries, the market funds that pour money into the energy sector that drive the market are not oil dollars anymore. So, those things are just so much out of the control it's hard to say that this is a good time.

Commissioner Kiefer: Well, as long, I mean, I was just looking for information so that way you could make a knowledgeable decision.

Eric Williams: I guarantee our decision will be informed, knowledgeable, that's debatable.

Commissioner Kiefer: Okay, informed decision, yeah.

Eric Williams: We'll base it on good information, and what we think is a good range to be in. Again, we may not get the range, because we're going to set a fairly aggressive range, because we're pretty used to paying what we're paying today.

Commissioner Kiefer: Yeah.

Eric Williams: And most of our budgets will be set in June and July, and they're going to be based on the numbers we had this year. So, it's going to be, we're doing our best to get as close to that as we can.

Commissioner Kiefer: Sure, I mean, if it comes in at \$3.00, you say fix it, you know, buy it.

Eric Williams: Exactly.

Commissioner Kiefer: Okay, thanks.

President Abell: Commissioners?

Commissioner Melcher: I guess, I won't have a problem tonight, as long as maybe one of the Commissioners could be involved, because we were left out of the loop.

President Abell: Would you be the Commissioner that would be involved?

Commissioner Melcher: One of us will. Probably.

President Abell: Probably doesn't sound like a commitment.

Eric Williams: How about if you agree to doing this, when we have those meetings I'll make sure that you're all invited so you know when they are so we can discuss the price range we're looking at, and that when we set that range, before we would say buy it, I would make sure that you all have been contacted, so that you would at least have a chance to voice any opposition to it.

Commissioner Melcher: Okay, I could do it.

President Abell: Okay.

Commissioner Kiefer: That sounds good.

President Abell: Then, I guess, we need a motion to give them the permission to set it in at the range.

Commissioner Kiefer: I move that we give them the permission to set this in at—

Joe Harrison, Jr.: And approve the agreement.

Commissioner Kiefer: — and approve the agreement—

Joe Harrison, Jr.: Extend it for another year is what they're doing.

Commissioner Kiefer: Well, thank you for adding that information, Counselor, but, also with the added remark that Commissioners are at least informed or kept abreast of what's happening. Thank you.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Spalding: Thank you.

President Abell: Thank you.

Madelyn Grayson: Bryan, are you the correct person to sign for Heritage?

Bryan Smith: Yes, I can.

**Prosecutor: Amended 2011 Equitable Sharing Agreements  
Health Dept: State QPA Vehicle Purchase Acknowledgment Letter  
Insurance Audit & Inspection Company Consulting Agreement**

President Abell: County Prosecutor, who I do not see here tonight, amended equitable sharing agreements for the Prosecutors Office and Drug Task Force. These are amended forms of the equitable sharing agreements that were signed by the Commissioners in February. This certification is required each year in order for the local law enforcement agencies to continue receiving federal grant funds.

Eric Williams: Prosecutor Hermann is not here, but we have the same forms, it's all part of the same agreement we have with the federal government.

President Abell: I didn't think you looked like him.

Eric Williams: Do what?

President Abell: I didn't think you looked like him.

Eric Williams: But, it's the same thing that we have to go through, because we all share in the same equitable sharing agreements.

President Abell: Okay, we have them in our packets.

Commissioner Kiefer: I'll make a motion that we approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Health Department, acknowledgment letter of exclusive use of grant funded purchase vehicle, regarding County Health Department's request to purchase a new vehicle with grant funds from the State of Indiana Quality Purchase Agreement quotation system. The County Council has approved the County Health Department's purchase of a new vehicle with grant funds.

Gary Heck: Gary Heck, Vanderburgh County Health Department. This is a new requirement this year, using grant funds just to acknowledge the fact that it's funds that were set aside for Health Departments, and the only vehicle that's being purchased is going to be exclusively by the Health Department and not by another department in county government. Apparently in some other counties they weren't always true to that rule.

President Abell: And that's how the grant is written?

Gary Heck: That's how the grant is written, yes.

Commissioner Melcher: So, this is not replacing a truck, this is just a new truck?

Gary Heck: This is a new vehicle. It's not a truck. It's actually a Ford Explorer that we're recommending that we get for a purchase. It's not to replace another vehicle at all, it's just to acquire a new one to be used to, for a couple of reasons. The primary reason is to tow our immunization trailer for setting up offsite to do immunizations to protect the public at various emergency preparedness events, should an event occur, but also this vehicle could be used for our environmental health supervisor who also responds to meth labs, to other public health emergencies. This will keep the equipment that's needed in the interior portion of the vehicle where it's safe and out of the weather.

Commissioner Kiefer: How is that trailer towed now?

Gary Heck: Well, we have two trailers, and we do have a truck that will allow that, one of them to be towed, but we don't have hitches on every one of our trucks. This vehicle is a four wheel drive vehicle that would also allow it to go off road slightly, if need be, at some of the locations.

Commissioner Kiefer: No, it sounds like a good deal. You're getting grant money, you're going to have a good use for it. I'm just, I just don't like to automatically, just because it's grant money, assume that, you know, let's go spend it.

Gary Heck: I understand.

Commissioner Kiefer: I want to make sure it's grant money that's, you know, good for taxpayers, because the money still comes from the State of Indiana or the United States government. So, but, in this case it sounds like it's being put to good use.

Commissioner Melcher: Do you know about what it's going to cost?

Gary Heck: I can tell you exactly what it's going to cost. It's going to cost \$25,077.50, and that includes the 30 day temporary tag. When we checked on just the open market, if you just do an internet search for a base 2013 Ford Explorer with these same features, it's in the neighborhood of \$33,000. So, it's a substantial savings when you use the Quantity Purchase Agreements through the State.

Commissioner Melcher: Well, we've had some other people come for vehicles, and the State's got a list we can buy off of, we try to buy locally too. So, I didn't know if you had like three different prices.

Gary Heck: It's not required when you go off of the State quantity price list.

Commissioner Melcher: Exactly.

Gary Heck: We did get a local bid, and the local bid that we had before the State quantity price came out was for \$35,000.

Commissioner Melcher: But, you only got one.

Gary Heck: Well, they got one when we were originally looking for them, but once you get a State Quantity Purchase Agreement, that price has already been competitively bid by the State on our behalf.

Commissioner Melcher: No, I understand that. I understand that. So, was that being done locally? Is that going to be bought out of Indy, Ft. Wayne?

Gary Heck: It's, the contract with the State for this particular cycle is with Advantage Ford in Connersville, Indiana. So, that's where this particular vehicle would come from, from anybody that buys a Ford vehicle under the Quantity Purchase Agreement through the year 2014. There hasn't been a Quantity Price Agreement for over a year and a half. So, that's, we waited until there was one, because the local market was pretty expensive to try to buy a Ford Explorer. I understand what you're saying, and if we didn't have a Quantity Price Agreement to go to, we would have, and we were in need of a vehicle immediately, that's what we would have done is gotten several quotes to try to meet those requirements.

Commissioner Melcher: Sometimes the local dealers will get a closer match, you know, to that list.

Gary Heck: They couldn't—

Commissioner Melcher: But we didn't, you didn't offer it to any of them?

Gary Heck: They weren't able to meet this price.

Commissioner Melcher: Okay.

Gary Heck: I can tell you that.

Commissioner Melcher: Well, we've had it in writing from people saying this is what we can do, what we can't do. Okay. I just don't want to treat one group different than we do another.



Gary Heck: I understand. That's why we looked towards, if we can piggyback on a GSA, the Government Service Agency, which is at the federal level, and at the, or at the State level, the Quantity Purchase Agreements, those have all been shopped for higher volumes, because they're bidding on a contract that will involve the entire state, and municipalities. I don't, we just weren't able to beat that when we tried to buy one vehicle as one Health Department locally.

Commissioner Melcher: Okay.

Gary Heck: We certainly would have, would love to buy locally if we had that option, but I don't know that any of our local vehicles in this area was available. Romain has a GSA contract, and we looked at vehicles under that one too, but it was more expensive than this particular Ford.

President Abell: I'll entertain a motion.

Commissioner Kiefer: I'll move that we approve.

Commissioner Melcher: I'll second.

President Abell: Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I think in the future what you probably need to do is just try to get some prices from some of the local dealers, and if they can't match it have something from them saying they can't match it.

Gary Heck: I would be happy to do that.

Commissioner Melcher: That way it looks like we've done our due diligence.

Gary Heck: I would be happy to do that.

Commissioner Melcher: Because we've already done that with some other offices that came here. We made them go get three prices, after they started doing that they found out they got one lower. So, that's how that happened. So, I'll second it.

Madelyn Grayson: President Abell?

President Abell: Be careful dealing with GSA.

Gary Heck: I understand, and that's why I said they certainly weren't the lowest in this time.

President Abell: Well, they've gotten some bad press lately. I'll vote yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: County Commissioners, Insurance Audit and Inspection Company engagement letter and insurance consulting agreement. Insurance consulting agreement with Insurance Audit and Inspection Company, under the proposed agreement Insurance Audit and Inspection Company will analyze, review and report on the county's overall insurance coverage, loss history, risk management and other related claim issues. The total cost of the service is to be provided by Insurance Audit and Inspection Company is \$6,500, and sufficient funds are available to pay for this agreement. Mr. Harrison, would you like to explain what this is?

Joe Harrison, Jr.: Yes, this is a company that has, over the past probably 20 years, maybe 16 of those years had an agreement with the county to just review the claims history and the insurance coverage that the county has overall and look for possible savings and recommendations for county insurance purchasing in the future or certain coverage issues with respect to the policies that the county has. I think, for one reason or another, the last few years they haven't had an agreement with the county, but Torian Hofmann and Dillow, the new insurance agent of record, has recommended that we do this. It's kind of another set of eyes on the county's coverage and they welcome another look at what's been going on and what's being covered at what price. Again, it has been done over the years, and it has saved the county quite a bit of money in the past when they've discovered things that needed a change, maybe the next year. This company is located up in Indianapolis, and, again, they've got a history here, and I would recommend you consider it again. As in the past, they're, they do a number of universities here in the State of Indiana, as far as this similar type of review, they do other counties and some cities, and typically their recommendations have proved worthwhile to those governmental entities. Again, Torian Hofmann Dillow would urge you to approve this, if that's what you want to do.

President Abell: Any questions from the Commissioners?

Commissioner Kiefer: No, I think it's a good idea to have this, and I would support it. So, I will make a motion to approve.

Commissioner Melcher: Second.

President Abell: One of the things, Mr. Harrison, I had a recent discussion with the Public Defender regarding, he has some concern about the coverage for his part time PD's. At one point that, a portion of the insurance for that was like \$35,000, and that was two years in a row and then all of a sudden it dropped. I thought \$35,000 seemed a little extreme to me, but it dropped from \$35,000 to \$2,000 and I thought that was a ridiculous drop. So, will these people be able to help pick that up—

Joe Harrison, Jr.: Yes.

President Abell: — because I think there's some concern.

Joe Harrison, Jr.: Yeah, they'll look at all of the coverage, and I have had a discussion recently with the Public Defender's office about that, about the coverage issue. They are looking to do some things a little differently with the attorneys who are Public Defenders on a contractual basis, and to make sure that they have agreements with them that are signed that they will, that apparently they are working on now, that they will get to us in that form. They're going to look at all coverage. So, that will be one of the issues that they'll take a look at.

President Abell: Okay.

Joe Harrison, Jr.: Torian Hofmann and Dillow are aware of that as well.

President Abell: Okay, thank you. With that, I will ask for roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>County Engineer</b>
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President Abell: Department head reports. Pat, do you have something else for us?

Patrick Seib: Good evening again. Patrick Seib, Assistant County Engineer. While I'm certainly more than happy to cover any duties that John assigns to me, I wish that my presence here tonight could be under better circumstances. The first thing that I have is to submit some recommendations for some administrative settlement offers. This is on eight properties involved with the Green River Road, Phase V project.

President Abell: We got an e-mail on this.

Patrick Seib: I'm not sure if you want me to lump these all together, or procedurally if I should get approval for each one.

Joe Harrison, Jr.: Why don't you go through each one, and you might just say the parcel number, if that's okay, Patrick.

Patrick Seib: Yeah. Parcel number one, this is for Shirley E. Melton, it's an increase of \$3,000, for a total offer of \$4,200. Parcel four is Gary Lee and Linda Pride, this is for an increase of \$3,000, total offer of \$25,050. Parcel number is Odis C. Meredith for an increase of \$300, that brings the total offer to \$9,900. Parcel number 15 is Mr. and Mrs. Paul Prow for an increase of \$650, total offer of \$12,250. Parcel 18 is Sharyn L. Highland, it's an increase of \$300 for a total offer of \$8,000. Parcel number 35 is Sally J. Young for an increase of \$1,100, a total offer of \$1,500. Parcel number 40 is Adam Gann and Arthur and Kay Gann, it's an increase of \$2,050 for total offer of \$4,000. The last is parcel number 42 is Robert J. Taylor for an increase of \$2,950 for a total offer of \$5,000. I believe Mr. Harrison and John have both reviewed these and are comfortable with them.

President Abell: You sent us an e-mail and I was following you on my phone. I do have a question. How do we arrive at—

Joe Harrison, Jr.: The numbers?

President Abell: –the cost of....no, the cost of the trees? Because there's some consideration, there's some concern among the Commissioners as to who may be evaluating these trees.

Commissioner Melcher: What we're trying to say is that we've had pricing and we've had some changes, and all of a sudden this list was all about trees. So, we were just wondering if somebody went out there and started looking at trees.

Joe Harrison, Jr.: Structurepoint, who is the buyer for the county has required, for the most part, that these landowners supply them with some estimates for some arborists–

President Abell: That's what we're concerned about.

Joe Harrison, Jr.: – you know, information. Or, it may be in some of these instances they may not have considered a tree at all when a tree was removed, or will be removed. They may have missed it, for one reason or another when they considered the request. The bottom line is, I think in a lot of these instances it's cheaper to get it now, to get the property now in these situations, as opposed to maybe waiting a couple months or a year.

Commissioner Melcher: No, I understand that, but all of a sudden you get a rash of trees all at one time from a whole bunch of different people, something's happened.

Commissioner Kiefer: Is somebody from the county, that works for the county recommending to these people what the price should be or the value should be?

Patrick Seib: As far as I know, if there is, it's nobody from our department.

Commissioner Kiefer: Okay.

Joe Harrison, Jr.: No, it's nobody–

Commissioner Kiefer: Okay, I just wanted to clarify that to make sure that was not the case.

President Abell: We know it's not from the Engineering Department.

Joe Harrison, Jr.: No, it's nobody–

President Abell: Yeah, we know it's not from the Engineering Department, but we're not so sure, but it may be a county employee.

Joe Harrison, Jr.: Well, I have no idea.

President Abell: Yeah.

Joe Harrison, Jr.: I wouldn't think so, I mean, these are scattered, but again, some people have more trees in their yard than others, and have trees that have been there a lot longer. I don't know if there's any other tree issues out there that have not already come up.

Commissioner Melcher: Well, I'm just saying since I've been a Commissioner this is just starting to happen.

Joe Harrison, Jr.: Oh, really?

Commissioner Melcher: Yeah, they're starting to add on more and more, and trees seem to be the common denominator. The only thing I want to make sure is it's fair. So, I would kind of like to find out, if you can find out if Structurepoint did get some pricing from them—

Joe Harrison, Jr.: Oh, they did get from some, because I saw them.

Commissioner Melcher: — some estimates. Because that would make us feel more comfortable.

President Abell: Like Combs Nursery or—

Joe Harrison, Jr.: I don't know who they came from—

President Abell: Okay.

Joe Harrison, Jr.: — but I saw some estimates.

President Abell: Okay.

Commissioner Melcher: Okay.

Commissioner Kiefer: So, what was the total dollar amount we're talking about?

Joe Harrison, Jr.: 13.

President Abell: \$13,000.

Commissioner Kiefer: \$13,000?

President Abell: Okay.

Commissioner Melcher: I'll move to approve it.

Commissioner Kiefer: I'll second that.

President Abell: Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Patrick Seib: Alright, the next item I have is to request an approval to advertise a notice to bidders for contract, this will be number VC12-05-01, the concrete repair of various roads. That will be to cover the roads that were mentioned in the presentation earlier.

President Abell: Okay.

Commissioner Melcher: I'll move for approval.

Commissioner Kiefer: Second.

President Abell: I think we discussed this under, Mr. Duckworth's (Inaudible). So, roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Patrick Seib: The last item I have is to request approval to advertise a notice to bidders of contract VC12-05-02, Ohio Street bridge approach repairs. We've had some settlement out there on the Ohio Street bridge on the west end. This is to go out and do some minor repairs on that.

Commissioner Kiefer: I'll make the motion to approve.

Commissioner Melcher: Second.

President Abell: Did we have something on this a few weeks ago? Did somebody present....it seems like I saw some pictures of it or something.

Commissioner Melcher: I think we got an e-mail.

Joe Harrison, Jr.: We got an e-mail from John.

President Abell: Oh, okay.

Patrick Seib: I think John might have sent something out. He had me, over the winter we started, he sent me out there to start taking some elevations to see if we were sinking any more, and whatever it is out there appears to have stabilized. So, we want to get out there and just go ahead and fix what we've got.

President Abell: Okay.

Commissioner Melcher: I think there was a question on how long it's been since it's been done.

President Abell: Oh, okay. Do I have a motion and a second? Okay, roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Patrick Seib: That's all I've got unless you have any other questions.

President Abell: Thank you and please pass along to Mr. Stoll our condolences.

Patrick Seib: Will do that. Thank you.

President Abell: Thank you. Any other department heads have a report?

Commissioner Melcher: He's got Burdette's. Do you want to do Burdette now?

President Abell: He did it and left.

Commissioner Melcher: No, I'm talking about the bids.

Joe Harrison, Jr.: Do you want me to read the bids for Burdette?

President Abell: Oh, you want to read the bids on Burdette? Sure.

<b>Reading of Bids for Burdette Park Food &amp; Related Items</b>
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Joe Harrison, Jr.: One thing I won't bore you all with every single bid that was submitted, because it was numerous. Fischer Candy was one of the bidders, and they're out of Evansville, Indiana, and I will tell you basically what they were bidding on, the prices, otherwise and we'll submit this into the record, but they essentially bid on candy, cookies, pastries, nuts, sunflower seeds, popcorn seeds, chips, pretzels and Pop Tarts, out of the items that are going to be possibly purchased out at Burdette. Clark Restaurant Service out of Owensboro, Kentucky bid on candy, ice cream, condiments, drink mix, paper goods, cooking oil, bread, certain breads, meats, pizza, cheese sticks, wings, french fries, onion rings, cheese, chips, nachos, Hot Pockets and battered pickle slices.

Commissioner Kiefer: I'm getting hungry.

Joe Harrison, Jr.: I am too.

Commissioner Melcher: It sounds like the Fall Festival.

Joe Harrison, Jr.: One more, Earthgrains Baking Company out of Louisville, they only bid on buns; hamburger buns, hot dog buns, pita bread and deli rolls. So, what I would ask is that you take these bids under advisement and Purchasing can assess them and come back to us with a recommendation on what they might want to select, but as you can see, some of them only bid on certain items, whereas only a couple bid on the same things. There were two that bid on candy, that may have been about it. I think, some maybe, I think two bid on some breads, but other than that they all kind of bid on separate items. So, maybe they've done this in the past.

President Abell: (Inaudible. Microphone not on.)

Joe Harrison, Jr.: I think it's possible yeah. They've probably done that in the past, haven't you?

Joe Gries: We've had additional vendors, yeah.

Joe Harrison, Jr.: You understand why I didn't read them all, don't you?

Debbie Spalding: Yes, and that's typically what we've done.

Joe Harrison, Jr.: Good.

Debbie Spalding: In the past, you see we've sent to 11 or 12 vendors, and we hope for more participation. We sent, for instance Farm Boy Foods, Cisco Foods, other companies that would provide a variety of different foods, but for whatever reason not everybody responds to our quotes. In the past we have had Earthgrains that would provide buns, Burdette Park doesn't have a storage facility to hold buns from one company because they only provide them frozen. They have very specific needs because of storage. So, I think that's one reason why other vendors don't bid, because past experience they know, but it is open to everyone.

Commissioner Kiefer: I say if we can mix and match and get the best deals, well then have multiple vendors.

Debbie Spalding: Yeah, we have done that in the past.

Commissioner Melcher: That's what we've done.

Commissioner Kiefer: Right, but with that I'll make a motion that we take this under advisement while they can come back with a recommendation.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.



Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Spalding: Thank you.

President Abell: Thank you, Debbie.

<b>New Business</b>
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President Abell: Any new business? I have down here the inter-city leadership visit. Does someone want to discuss what we, this is the trip to Savannah, Georgia, is that correct, Marissa? Do you want to do it? Go ahead, Mr. Kiefer.

Commissioner Kiefer: Oh, it's just the Chamber of Commerce is taking an economic development trip to Savannah and the agenda is quite extensive. So, I think, at least, you know, they invited the Commissioners to come down because they are going to be meeting with government officials, there's a variety of things on the agenda toward economic development. So, this trip has occurred every year, and I believe Commissioners have attended in the past. I know City Councilmembers and County Councilmembers, different people have attended this. So, we thought that we should also attend this again this year and learn from Savannah some different things that, we might be able to pick up some ideas. I believe they have gone through a city-county merger there as well. So, there would be some things to learn from that as well, because that's on our ballot in November. So, it might be appropriate, and, so, do we need a motion on something for this, Madam President?

President Abell: I would think we do—

Commissioner Kiefer: Or just—

President Abell: —we actually reserved three positions to go to Savannah to do this. Mr. Melcher has informed us that he cannot go because of a prior commitment. So, Mr. Kiefer and I will be going, and probably not all three of us need to be on the same airplane anyway.

Commissioner Kiefer: Yeah.

President Abell: Just in case something would happen.

Commissioner Kiefer: But it is, it's a two day program that is guaranteed packed from morning to night; events, meeting with different public officials and other people. So, it's a pretty busy agenda.

President Abell: Mr. Melcher, if you approve—

Commissioner Melcher: Yes, I'm going to make the motion that we approve that two of us go.

Commissioner Kiefer: Second.

President Abell: Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Board Appointments</b>
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Commissioner Melcher: At this time, I guess, I would go ahead and add, the Legal Aid Society, we have an appointment on there that was appointed June 1, 2010, which is Chad Sewich from Channel 14. His term runs out at the end of the month, May 31<sup>st</sup>. So, I would make a motion that we re-appoint him starting June 1, 2012 till May 31, 2014, because it looks like this is a two year term.<sup>1</sup>

President Abell: Oh, okay.

Commissioner Kiefer: I'll second that.

President Abell: Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Is there any other new business?

<b>Old Business</b>
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President Abell: Old business?

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<sup>1</sup>Term ends May 31, 2015. Legal Aid Society is a three year term.

**Public Comment**

President Abell: Public comment?

**Consent Items**

President Abell: Consent agenda. Madelyn?

Madelyn Grayson: The consent items for the May 1<sup>st</sup> meeting are as follows; approval of the April 17, 2012 meeting minutes; the employment changes for the Commissioners approval, there are 23 for Burdette Park, one for Veterans Services, and two for the County Highway; the Commissioners have a sale of county owned property at 115 West Maryland to ECHO Housing; there's a bid notice to abutting owners of 1413 Gibson; Hillcrest Washington Youth Home first quarter fees for service; waiver of Centre fees, not overtime, for EMA/Health Department for the Vanderburgh County Medical Reserve Corps Unit volunteer training meeting on May 9, 2012; the Auditor has approval of the April 2012 A/P vouchers; the Nationwide deferred comp fund changes letter is being pulled from the consent items; the Treasurer has the March 31, 2012 year-to-date report and the March 2012 monthly report; County Engineer has the approval of pay request number 150 for TIF projects in the amount of \$67,601.98; the County Highway has a request for extended leave of absence for employee; and there is a department head report from the County Engineer.

President Abell: I would entertain a motion to accept the consent agenda.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Final Reading: Rezoning Petition: VC-1-2012**  
**Petitioner: Evansville-Vanderburgh School Corporation**  
**Address: 15325 Highway 41 North**  
**Request: Change from Ag to C-2 with UDC**  
**Action: Approved 3-0**

President Abell: Rezoning, final reading of VC-1-2012, 15325 Highway 41 North, change from Ag to C-2 with a use and development commitment. The petitioner is the Evansville-Vanderburgh School Corporation.

Janet Greenwell: Janet Greenwell with the Area Plan Commission. This is yet another of the rezonings of a little, small piece of property for an electronic sign. I have been told that we are holding a public hearing May 22<sup>nd</sup> in this room where we're going to address some changes to the sign ordinance. Hopefully, our aim is to stop the rezonings from being needed. Not to take people's voice away with the electronic signs, but to make it a little bit easier for the public. The School Corporation is petitioning to rezone 200 square feet of their acreage for North High School so that they can apply to the Board of Zoning Appeals for a sign. That's scheduled to be heard this month at the Board of Zoning Appeals. The Plan Commission recommended approval unanimously.

Commissioner Melcher: One of the reasons why it had a unanimous is that the School Corporation has always come to us after the fact. So, since they've been chastised, I know this year on the Area Plan, Glenwood and this one they came ahead of time. So, I've got to commend them for starting to do what everybody else we ask to do. So, that's why I voted for it. So, with that I will make the motion to approve it, if there's nobody—

Commissioner Kiefer: That's because Rick Cameron does a great job.

President Abell: Madelyn, would you have the minutes reflect that we were given a picture of it? Would you state your name, sir, for the record.

Rick Cameron: Yeah, Rick Cameron, Evansville-Vanderburgh School Corporation. Do you want my address? I signed in. Okay. Do you want me to go ahead and present the rest of the information that we have? Okay. As you know we're completing the final items for the new North Junior and Senior High School, and this important item that's remaining is the signage along our most visible frontage which is U.S. Highway 41. As part of the gateway to our city, EVSC wants to put forward an outstanding, professional appearing sign. As part of our community involvement we would also like to keep our citizens aware and informed of school activities. As you are all aware, in order to provide this informational sign we must obtain a commercial zoning for the footprint of the area of the sign. As you can see from the handout, the sign will be very attractive, will put forward a nice face for those entering our city and county. Our request is for the Commissioners to approve the rezoning of this small area from Ag to C-2. We will then, of course, go to BZA in two weeks for the special use for the message board part of the sign. I thank you for your consideration. I'll answer any questions you might have.

Commissioner Kiefer: I think it's a very attractive sign. I'm in favor of this, and I would make a motion to approve.

Commissioner Melcher: Second.

President Abell: Madelyn, roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Rick Cameron: Thank you.

President Abell: (Tape Flip) to that, I want to say that I have seen the original sign ordinance and I wasn't very happy with it. I thought it was way too invasive to business. I'm making those comments to you because May 22<sup>nd</sup> I will have been married 20 years and I will not be coming to your meeting, because my husband has other things planned for us for that, dinner out that evening. So, I will be doing that, but, I would challenge you, and, hopefully, one of these two Commissioners will attend that meeting to realize that electronic signs are a lot more attractive than a paper sign that's torn and flapping in the wind. These companies have already expended tremendous amounts of money for these signs, and every progressive city that you go in the United States has electronic signs. I think to make it harder for businesses to do business in Evansville and Vanderburgh County is detrimental to what the Commissioners want to see happen. I'll tag that onto the fact that we just opened another huge extension of University Parkway this afternoon that the three of us are very proud of, and we want to see this area progress and not go backward. So, I wanted to make my comments where you could hear them and pass that along for me. Please feel free to....go ahead.

Commissioner Melcher: I'm planning on, being the Area Plan representative, I was planning on being there.

President Abell: Good.

Janet Greenwell: We have heard a lot of comments from the community, and we're more than willing to work with everyone. We, as a staff, I wasn't personally involved with it, but as a staff we put together an ordinance that we thought was being requested. We had been asked to look at lighting, illumination, that got a little bogged down with nits and candlelights and a lot of stuff that's way beyond my understanding. But, the sign companies have come forward and offered to help us with that, and we're happy to see that. They seem to be in agreement that the brightness was an issue that needs to be addressed. The timing, I think, is probably, the timing of the changing might be a little controversial to businessmen, that's what the meeting is for, to find out what does the public want.

President Abell: I know some of those signs can cost up to the \$50,000 area.

Janet Greenwell: We've had complaints about, on two or three of the signs, and we have personally talked to these people now, and it's amazing that they did not seem to know. Even though some of the complaints have come from the Police Department, and we had encouraged them to talk to these people, we don't have any standards in our codes for brightness along dark highways. The Police Department have been to our office and complained about a couple of signs, which I really don't want to identify on record—

President Abell: Right.

Janet Greenwell: —but, the parties were contacted, they had no idea that it was causing a problem and they've been very cooperative and trying to work with us to solve the problems that specific signs were causing, without casting, like you said, huge conditions on everybody. There are issues, and I think we're willing to work with anybody to get something that everybody agrees on.

President Abell: Well, I can tell you that, and I will not speak for my two fellow Commissioners, but as a Commissioner, I'm elected by all of the people in Vanderburgh County, and they expect us to look out for their interests and pass those interests along to the appointed boards, as Area Plan Commission who has no one on there that is elected, you are an appointed department, you may have board members on there, but, you know. Not to labor the issue, but I have had people say to me, you're letting the tail wag the dog and we're a little tired of that, we expect you all to do this, that's what we elected you to do. I have a pretty strong back, so I have no problem having people come to my office. I had two sign people for almost two hours in my office on this ordinance.

Janet Greenwell: I understand that. We've had sign people every day for months now talking to us, pro and con. I think there's a meeting point somewhere where everyone can feel satisfied that all the concerns are addressed and we're trying to make it easier for specific, like churches and schools, parks, recreation facilities, charitable organizations not to have to petition to rezone. The zoning code, the way it's structured, it was adopted by a legislative body, this body adopted the county, the City Council adopted the city version, and it prohibits those signs in any agricultural or residential districts. We're trying to make it easier.

President Abell: I'm glad that you are working toward that goal to make it easier, because I've been told by many companies it's pretty cumbersome to do business in Evansville and Vanderburgh County. However, I will tell you that we opened a highway today in the middle of Ag and I sure hope that there's electronic signs out there someday and hundreds of people getting jobs out there. Thank you.

Commissioner Melcher: I can say, at the Area Plan meeting the house was packed. I guess, some of us that are elected on that board wanted to listen to everybody that night, because, I think in the beginning they weren't going to, then they finally decided they would, because I told them I would stay. So, I think that night was very, very helpful. I think everybody found out what was going on, the left hand didn't know what the right hand was doing probably. Some of the board members were mixed up on what Area Plan was wanting to do, or what they were asked to do. There might have been some confusion, but there isn't any now. I don't think that we would have came up with that if we didn't hear it the other night. So, I'm like you, we're the ones that are elected, so that's why I said what I did that night. So, I think as long as you could get one where everybody kind of, you're not going to make everybody happy, but as long as we get one where we get the majority, I think that's

the thing we need to do for our community. We don't want to run businesses out, we want people to invest in the businesses that they have.

President Abell: Is there any further business to come before these County Commissioners?

Commissioner Melcher: The only thing I wanted to ask is, we talked about, our next meeting is on the 15<sup>th</sup>? So, we talked about maybe bringing in, because of budget hearings, maybe start at noon or 11:00 or something, maybe we could get that out and we come to a time where we could bring in, and I'm just going to mention a few, like Gatekeeper, the Arts Council, GAGE, Hillcrest Home, ARC, all of them that we donate money to every year, to come in and tell us an update on what they have. What the County Council has asked us to do is try to cut everybody ten percent. So, we need to be asking them how much of a cut can they take, what can we do to help them take a, you know, I think we just all need to know what's going on.

President Abell: I agree.

Commissioner Melcher: Then, I think, Joe's even talked about we'll do the same thing another week on all of our department heads.

Commissioner Kiefer: I agree, because I just don't think that we need to, we need to know what's being submitted for budget review to the Council, and do our job of sharpening the pencil before it hits the Council, and making sure that, you know, they may have other ideas or concerns or ways to increase revenues. Those are the types of things I'm interested in; like Burdette Park, you know, hey, if we spend "x" we'll get this back in return. I mean, there could be some upside to it as well. We need to brainstorm some ideas.

Commissioner Melcher: Maybe we could check and see if we could get the room at 11:00 and go to 3:00 and take a break before our 4:00 meeting or something.

Joe Harrison, Jr.: Probably what we would need to do just to, we would probably have to call it a special meeting, I mean, we would have our regular meeting at 5:00, and either have it, would you prefer to have it that day, or would you prefer to have it some other day if this room is not available?

Commissioner Melcher: Well, there's other rooms.

Joe Harrison, Jr.: Yeah.

Commissioner Melcher: In other words, we could have it in 307.

President Abell: Yeah.

Commissioner Melcher: If this room—

President Abell: I think we would like to have it that day, because we've already got it marked off our calendars.

Commissioner Melcher: Yeah, and then we come back in two weeks when our next meeting is for the department heads.

Joe Harrison, Jr.: Same type of thing?

Commissioner Melcher: Same type of thing, bring their budgets.

Joe Harrison, Jr.: It probably ought to be called a special meeting, because we've already got the May 15<sup>th</sup> meeting advertised for 5:00, but we could say, since we did that at the beginning of the year, but we could just call it a special meeting for—

Commissioner Melcher: Budgets.

Joe Harrison, Jr.: — whatever. It could start at, you know, whatever time you guys want it to start, 1:00 or, I mean, I don't, what time would you want it to try to start on the 15<sup>th</sup>?

Commissioner Melcher: It don't matter to me. I just think it's going to take three or four hours.

Joe Gries: Mr. Harrison, is there a certain type of notice that we have to give the public?

Joe Harrison, Jr.: Yes, yeah, I mean, we're going to have to put that out this week.

Joe Gries: Okay, and then maybe an e-mail between the Auditor's office and you we can—

Joe Harrison, Jr.: Yes.

Commissioner Kiefer: If we think it's going to last, if we think we need about three hours, I guess if we started at 1:00, then we've got—

Joe Harrison, Jr.: Solid waste.

Commissioner Kiefer: —solid waste at 4:00, we would be good—

Joe Harrison, Jr.: It would be done, then you would start the regular Commissioners meeting at 5:00.

Commissioner Melcher: Wouldn't you want a break? I mean, I'm okay with that, but most people have to take breaks and that.

Commissioner Kiefer: Well, we could start at 12:30 then.

Joe Harrison, Jr.: Whatever.

Commissioner Kiefer: Or whatever you care for.

Commissioner Melcher: Why don't we find out what rooms are open.

Joe Gries: It may depend on the availability.

President Abell: How many, we need a list of how many we're going to see—

Commissioner Melcher: Yeah.

Joe Harrison, Jr.: It may only take two hours.



President Abell: – and how much time we want to allot each one, and then we can start at 4:00 and work backwards.

Commissioner Melcher: Well, once we get the list we'll know which ones, some of them, let's say the Arts Council, we know that's \$10,000, so we don't have to spend 30 minutes with them. Some others we might have to.

Madelyn Grayson: The only thing is, I'll need to get that notice into the Courier pretty quick, because I think it has to be ten days prior to the, they would have to advertise it Friday, so I'm going to have to call them and ask them to give us a special favor, because usually they want three days notice.

Joe Harrison, Jr.: That's fine. Yeah, for a special meeting we're going to have to get it out. I think it's six days, yeah, for a special.

Madelyn Grayson: Okay, good, then we've got a little bit of time.

Joe Harrison, Jr.: But, I'll get with you tomorrow. If you want to do it on the 15<sup>th</sup> I would say the latest you want to start is probably 1:00.

President Abell: Yeah, we couldn't start any later than 1:00. Let's shoot for 1:00, and Marissa, if you could get a list of who all we are going to be talking to.

Joe Harrison, Jr.: Is there a motion to that effect? I would make a motion that you have a special meeting either at, I would say either 12:00 or 1:00.

Commissioner Kiefer: I would make a motion that we have this, what we could call the Commissioners budget hearing for anybody that we give money to and to our own departments and we'll start that on the 15<sup>th</sup> of May at, should we say 1:00 p.m. then? Is that, Steve, or do you want to say 12:00?

Commissioner Melcher: That's fine with me.

Joe Harrison, Jr.: I think that's fine.

Commissioner Kiefer: Okay, 1:00 p.m., and–

Joe Harrison, Jr.: The room will be announced later.

Commissioner Melcher: –the room will be announced later. Then if we need to adjourn to come back at another time–

President Abell: Well, we could recess it, and we never have to–

Commissioner Kiefer: I mean, recess, I meant.

Joe Harrison, Jr.: We could recess, well, I think we would want to have another one, have another special meeting for the others. We could advertise it.

Commissioner Melcher: We don't need both of them the same night.

Commissioner Kiefer: Yeah, but we can start the first one that night, I mean, that day of the 15<sup>th</sup>–

Joe Harrison, Jr.: Right, you can have another one later.

Commissioner Kiefer: –and that will be with the non–

Commissioner Melcher: That would be with the agencies.

Commissioner Kiefer: – the agencies.

President Abell: Yeah, the agencies, non-departments.

Commissioner Kiefer: Non-department agencies. I'll make that in the form of a motion.

Joe Harrison, Jr.: And that it be advertised accordingly.

Commissioner Kiefer: Yes, and that it be advertised accordingly. Thank you.

Commissioner Melcher: Second.

President Abell: Roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Melcher: Do we want to set the department heads too now?

Commissioner Kiefer: Yeah, let's set it for the following–

Commissioner Melcher: The following Commissioner meeting?

Commissioner Kiefer: Yeah, and that's what date is that, May?

Joe Harrison, Jr.: It's June.

Commissioner Kiefer: Oh, is that June?

Madelyn Grayson: No, I'm sorry, the 22<sup>nd</sup> would be the next–

Joe Harrison, Jr.: No.

President Abell: We don't meet until–

Madelyn Grayson: Oh, the next Commissioner meeting is not until June the 5<sup>th</sup>.

Commissioner Kiefer: Okay, then we'll set it for June 5<sup>th</sup>. I'll make the same motion for June 5<sup>th</sup>—

Joe Harrison, Jr.: At 1:00?

Commissioner Kiefer: — at 1:00 p.m.—

Joe Gries: Commissioner, I'm sorry to interrupt, but, I think, if I'm not mistaken, are packets due back to the Auditor's office by—

Madelyn Grayson: The end of June.

Joe Gries: —the end of June, okay, so, I apologize.

President Abell: Will all department heads have their budgets by June 5th?

Joe Gries: They will, yes, they will be out by the end of May.

President Abell: Oh, that's good.

Commissioner Melcher: That's what we wanted them to do is bring it to us, and we're going to try to get them to start cutting before it gets to Council.

Commissioner Kiefer: So, June 5<sup>th</sup>, 1:00 p.m. for department heads, location to be announced, and it will be advertised as we stated in the earlier one, and that's in the form of a motion.

Commissioner Melcher: I'll second it.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Melcher: But, if we could find out, if we could find out tomorrow if there's nothing in one of these rooms, we could go ahead and put the room number.

Joe Harrison, Jr.: Oh, we'll have to put that in the ad.

President Abell: Any other business to come before this body?

Commissioner Melcher: I'll move to adjourn.

Commissioner Kiefer: Second.

President Abell: We are adjourned.

(The meeting was adjourned at 6:16 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the April 17, 2012 Commission Meeting Minutes.  
Sale of County Owned Property at 115 W. Maryland St. to ECHO Housing.  
Bid Notice to Abutting Property Owners of 1413 Gibson.  
Hillcrest Washington Youth Home First Quarter Fees for Services.  
Waiver of Centre Fees/Not OT: Medical Reserves Corps Unit Training: 5/9/12.

**Employment Changes:**

Veterans Services (1)	County Highway (2)	Burdette Park (23)
Assessor (2)	County Clerk (4)	Circuit Court (1)

**Auditor:**

Approval of April 2012 A/P Vouchers.  
Nationwide Deferred Comp Fund Changes Letter (Pulled/Not Approved).

**Treasurer:**

March 31, 2012 Year-to-Date Report.  
March 2012 Monthly Report.

**County Engineer:** TIF Pay Request No. 150: \$67,601.98.

**County Highway:** Request for Extended Leave of Absence for Employee.

**Department Head Reports:** County Engineer.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Nichoalds
Madelyn Grayson	Steve Craig	Mike Duckworth
Patrick Seib	Debbie Spalding	Bryan Smith
Eric Williams	Rick Cameron	Janet Greenwell
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
MAY 15, 2012**

The Vanderburgh County Board of Commissioners met in session this 15<sup>th</sup> day of May, 2012 at 5:04 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: Good afternoon. I would like to call to order the May 15, 2012 meeting of the Vanderburgh County Board of Commissioners. Could I have attendance roll call please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Would everyone stand and join me in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Abell: Thank you.

**St. Wendel Men's Club Grillin' and Chillin' 5K Road Closure Request**

President Abell: The first item of business is a road closure. I understand the Sheriff, who I see is with us, has been contacted and is okay with this request. It's from the St. Wendel Men's Club Grillin' and Chillin' 5K closure request, starting at 9:00 a.m. on Saturday, June the 2<sup>nd</sup>. The race is part of the St. Wendel Men's Club outdoor party and cruise in. The race course will utilize roads in both Posey and Vanderburgh Counties. Is there anyone here that wants to address that? Or, Sheriff, do you have anything that you need to add? You're okay with it? I'll entertain a motion to pass.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Willow Creek Drive Block Party Road Closure Request</b>
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President Abell: Willow Creek block party request to close Willow Creek Drive at Meghan Court on June the 9<sup>th</sup> between 11:00 a.m. and 5:00 p.m. for a block party safety day. Is there anyone here to address this? You are? Why don't you come up to the microphone. State your name and tell us what you're going to do.

Mike Hagan: My name is Mike Hagan, we're simply, we bring together everybody in the neighborhood for a, essentially, like I said, a safety day. We have the Perry Township Fire Department show up, kind of show the kids the truck. We have a Sheriff's Deputy come out and kind of explain, you know, different things that we can do in the neighborhood, just helps to keep people safe. Everybody brings a covered dish, it's just a little thing we do yearly.

President Abell: And this is, and you've talked to the Sheriff and he's okay with it and there's nobody in public safety that minds if you close this road?

Mike Hagan: He's good.

President Abell: What, is he your brother-in-law or something? Okay, Commissioners?

Commissioner Melcher: Well, since he's good, I'll move for adoption.

Commissioner Kiefer: Second that please.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Have a good time.

Mike Hagan: Thank you.

**EMA: Comprehensive Emergency Management Plan Update**

President Abell: Emergency Management Agency, comprehensive emergency management plan. I see Mr. Greer is here.

Sherman Greer: Sherman Greer, Emergency Management Director. The comprehensive emergency management plan is something that we do and refresh every two years. It's time for a refresh on it. We've done the due diligence of what the State wants us to do and also for what the Feds want us to do to be in concept with the State plan and the Federal plan. So, I hope you've had time to review it, any questions or anything like that I would be more than happy to answer them for you.

President Abell: I have to admit that I have not had time to review it, but I will do so. Have the other two Commissioners looked at it?

Commissioner Kiefer: No, I haven't had a chance to look at it, but, I mean, if you want to give a brief explanation about it.

Sherman Greer: It is, the first part of it is the basic plan, which is the MAC plan, which is a multi-agency involvement, multi-agency coordination of any disaster that we would have within Evansville-Vanderburgh County. All of the agencies, all of the departments, the first responders, as you see there with the emergency support functions, is either a primary entity or a secondary entity as far as responding to that type of situation that we may have. It could be a tornado, it could be an earthquake, it could be a hazardous materials incident or anything like that. We have a stand alone hazardous materials plan from the LEPC, which is a local planning committee, Local Emergency Planning Committee. We have analysis also of the weather, and we also have an analysis of what type of disasters and things like that that we would have within this area.

President Abell: Then do you file that and it's made public record so we can—

Sherman Greer: Yes, Ma'am, it will be once we get your approval and then get City Council's approval, then those will go to, we'll put some in the libraries, each department head will have a copy of it on a CD, and, you know, all of the first responders will have a copy of it also.

President Abell: Are there any major changes you want to point out to us?

Sherman Greer: No major changes at all, to tell you the truth. We're doing a crosswalk on it on the information that we got from the Federal Emergency Management Agency, and if there are any major changes we will note those, bring them back to you and have you to approve those.

President Abell: Okay. I'll entertain a do pass.

Commissioner Kiefer: I'll make a motion that we pass it.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?



Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Sherman Greer: Thank you.

President Abell: You do a good job, Sherman.

Sherman Greer: Well, thank you. I just came from a, we just had the Executive Director of the Indiana Department of Homeland Security up at Lynnvillle today, with all of the EMA Directors from Southwestern Indiana. So, he thinks we're all doing a pretty good job down here.

President Abell: I'm glad to hear it.

Sherman Greer: Thanks.

President Abell: Keep us safe. Thank you.

Sherman Greer: Thank you.

**Keep Evansville Beautiful: Improper Sign Placement Presentation**

President Abell: First reading of ordinance, CO.05....I'm sorry, you're right, I heard you grunt. I skipped over Keep Evansville Beautiful. Keep Evansville Beautiful presentation, Jennifer Mason, and I saw Mike Lockard back there, with Keep Evansville Beautiful are here to make a presentation to us.

Jennifer Mason: Good evening. I'm Jennifer Mason, Public Affairs for Keep Evansville Beautiful, and I've brought Mike Lockard with me today to speak to you about the improper placement of signs. We're here to bring to light issues surrounding political sign placement in our city and county. Before I begin, I want to state that Keep Evansville Beautiful is a non-profit organization, and we are here solely to represent our mission. We believe political candidates come from the heart of the community to fulfill a desire to provide excellent public service to their neighbors and we encourage them in their efforts. What Keep Evansville Beautiful is asking for is for supportive action from the County Commissioners to alleviate any uncertainty from political candidates in the use and placement of their political signs. There are two concerns that we bring before you, first is the defacing of public property with political signs. For example, in the photo, you may notice, and also during the primary campaign season this year that there were signs that resembled the bumper sticker style that were placed on utility poles, as well as the traffic signal switch boxes. Also, the second issue is the use of tractor trailers as billboards for political advertisement. Although it is legal to use tractor trailers for advertisements, there are existing codes that dictate the proper use of this type of vehicle for political signs. If you notice, in this photo that it's placed on a grassy area, as well as the

code states that it should be pavement. I'm going to let Mike Lockard speak to the actual regulations.

Mike Lockard: Thank you. Good afternoon, ladies and gentlemen. It's nice to see all of you. Most of you know me from another organization, and I've been very pleased to be asked and I like working with Keep Evansville Beautiful. I think it meets in with the mission that I've done over the many years, which is looking at things that affect the city from a neighborhood association kind of level. One of the neat things that came to light was, as we were looking at the sign placement, we quickly figured out after talking to Plan Commission staff that this is not something that is necessarily just limited to political signs, we have a problem overall with improper sign placements. I think all of you probably have traveled up and down either the Lloyd Expressway or Highway 41 and you see things stuck in every intersection. That's not just a local code that is being violated, that's INDOT code. You're not supposed to have anything in the public right-of-way. One of the things that we handed out to you is something that we got from Susan Kirk, from the County Clerk's office, which every political candidate gets, which basically says where you can place political signs. The operative issue here is you can place political signs with the approval of property owner, subject to local zoning regulations. What we're referring to here, and the slide that Jennifer put together really illustrates, I think, one of the reasons why we're asking you, City Council and we will be looking at other organizations is, we just want to help educate the candidates of where they can properly put signs. We're not trying to limit in any way any placement of any sign, because that's not our mission. Our mission is just to say where you can place them. The problem is, when you look at this slide, you can see that there's four different regulations that candidates kind of have to navigate through, not only State code for the Election Division, INDOT, county and city. One of the things that we were trying to look at, for example, where can you place certain types of advertising, and the one that seems to have gotten most people's imagination and attention is the sign of the tractor trailer. Now, in certain areas these are absolutely legal to be done, if it's on a paved surface, and if it's in a C-2 zoning and above. I think all of you are very familiar with how the zoning code works, then it's perfectly legal. The problem is, is the one that is in this picture is in a CO-2 zone, which is the lower buffer commercial. It's not legal to park a tractor trailer in that area. So, what we're hoping that you guys will support us in is putting some kind of educational material or encouragement to the political candidates of telling them where they can actually locate certain types of signs and where they can't locate them, and, of course, it's a long standing tradition that they shouldn't be putting things on public utility poles, traffic signal devices, all those things, not just the bumper stickers, but anything stuck to a utility pole is in the public right-of-way, which means it's not supposed to be there. So, hopefully, you guys can help us support that.

Commissioner Kiefer: Mike, have you talked to Vectren? Because most of those poles are owned by the utility company. I mean, it's not like the county owns those utility poles. I know Vectren has a policy about signage on their poles. I mean, have you talked to Vectren about this?

Mike Lockard: I have not talked to them yet. We just started this process last night of talking to the various agencies, but, yes, I do know several people at Vectren and I will work with, you know, KEB will work to address that with Vectren as well the ones—

Commissioner Kiefer: Because it's not just political candidates that utilize that, so.

Mike Lockard: Yeah, and, in fact, one of the things that we researched and found is that, and Sheriff Williams can address this as well is that there's a variety of agencies that are allowed to remove those type of signs, and one of them happens to be the Sheriff, and I know they've done that in the past, but what we're, definitely we will contact Vectren and ask them for their support on this, because I'm sure they don't want them on the poles anymore than we do.

Jennifer Mason: I did provide the language I'm about ready to speak to for you in your packets, basically, to summarize what it is exactly that Keep Evansville Beautiful is asking for. What we are asking for is the supportive action from the County Commissioners to alleviate any uncertainty from political candidates in the use and placement of their political signs. We believe this can be accomplished through clarity and accountability.

Commissioner Kiefer: I have a quick question.

Jennifer Mason: Yes?

Commissioner Kiefer: Did you calculate what this would cost us to do this?

Jennifer Mason: No, we have not, but we have some suggestions that I'll speak to in just a second.

Commissioner Kiefer: Okay, because, as you're aware, you know, I'm not saying I oppose what you're trying to accomplish, I'm just saying we don't have—

Jennifer Mason: Right.

Commissioner Kiefer: — we met all afternoon with county agencies asking them to cut costs. So, if it's a program wanting us to spend money, then it's going to be a little bit of a struggle. But, anyway—

Jennifer Mason: Definitely, I understand that.

Commissioner Kiefer: — then, have you had some success with getting something passed by the City Council? Or, where do you stand with the City?

Jennifer Mason: No, we've not had anything passed through them.

Commissioner Kiefer: Okay, okay, thank you very much.

Mike Lockard: I guess, one of the things that we want to make sure that we are clear on is that, we're not asking for a resolution, a new law, a new regulation, a new effort necessarily so much as we're asking that you recognize what we're trying to do, which is educate people, and, you know, we don't want to create an unfunded mandate, you know, where, oh, well, now the City Garage is going to be picking up signs, or the County Garage. That wasn't our goal, our goal was to kind of bring to you, hey, there are some sign issues, and being the season that it is, it would be nice to be proactive and get ahead of the curve, rather than wait until they're stuck on every post and then everybody is upset over it. So, that was kind of our hope.

Commissioner Kiefer: I would suggest, or recommend, that really some of the folks that you need to be talking to are the Chairman of the political parties, because they're the one that communicate, recruit candidates, working with candidates, and

they're going to be in a better position to, you know, communicate this than, you know, probably we would be. But, I mean, I'm just saying that's obviously an important group that you need to be talking to.

Jennifer Mason: Definitely, and we have spoken with the County Clerk as well as the Area Plan Commission, and plan to address the Election Board in this process too. I know that Susie, she actually does contact before every political season, the Chairs to let them know about the sign issues. Basically, what my discussion with Susan was, is that the candidates are provided a link to the State website for information about the political process, and part of that includes that brochure that we printed out for you that has a little descriptor about where placement of political signs can be put, as far as the State is concerned, but to check with your local Area Plan or Zoning Commissions, that type of thing. So, what we believe is that candidates, maybe they don't know, necessarily where to check to find out where the placement needs to be, or they're not communicating it through to their volunteers. So, providing some kind of education whenever they file for candidacy is what we're asking for to our local codes, be it a link on the County Clerk's website and Area Plan's website that's clearly labeled for them that states, you know, this is information regarding placement of political signs.

Mike Lockard: One of the things that is, that we recognize from years past is that if it is one of the parties that reports to the Chair, we know that they'll educate them. The problem is, is that you've got non-partisan races and ballot issues, they don't report to a Chair, so they may not receive the same education as people that are running under one of the political party's is. So, that's one of the reasons why we were trying to bring this out was so that everybody, even those in non-partisan races that don't necessarily report to a County Chair, that they would receive additional education, either at the time of filing or somewhere along the way so they know exactly what the rules are, because they don't have the same support mechanism.

Commissioner Kiefer: Good idea. Thank you.

Mike Lockard: Thank you.

Jennifer Mason: So, basically, I covered the clarity part of it, was to provide that information to candidates whenever they first file, so that it is a level playing ground for everyone. The second is accountability, and accountability is achieved through a signed acknowledgment from the candidates that they've read and understand the local codes for political sign use and placement, and then that document would be provided to the candidate at the time of filing for the office and would be signed along with their declaration of candidacy. In summary, Keep Evansville Beautiful requests that Area Plan and the Election Board sends a letter to current political candidates. This letter will clearly and simply regulate the placement of political signs and be sent as soon as possible. We request that the document be provided at the time of filing for future elections, both for individuals and for the groups supporting ballot questions. Again, Keep Evansville Beautiful requests your support for this action to this issue to provide clarity and accountability to those that are seeking to serve the public through the electoral process, and we will offer any assistance or guidance to those agencies that are responsible for the codes providing information to candidates or enforcement.

President Abell: I have a question. It says here, we have created a draft document to help the Clerk and Area Plan. I don't see that.

Jennifer Mason: I'm sorry, yes, that needs to be stricken.

President Abell: Oh, okay, you still have that?

Jennifer Mason: No.

President Abell: Or, you're just now doing it? So, you will be... I guess—

Jennifer Mason: Possibly, that's something that we've discussed. I just—

President Abell: Oh.

Jennifer Mason: —I needed to strike that from there.

President Abell: You know, having been the Clerk, I kind of have a little knowledge of it. I have absolutely no problem with that. I actually think it's a good thing, because there is a possibility, the Election Board could financially impose a daily rate on candidates who have improper signs. I think it's \$50 a day. It was at one point.

Mike Lockard: It's either \$50 or \$25, because I was looking at it earlier.

President Abell: Okay.

Mike Lockard: It's one of the two.

President Abell: They can do that. So, this would be a good way for them to understand that, you know, you might get yourself in some trouble. You don't, you know, you're working hard to raise money and you're going to have to spend a bunch of it if you get caught doing something that they may not know is wrong. So, I don't have any problem with any of that. I just, I know what Mr. Kiefer is saying, if you're willing to put the stuff together, you know, I'm willing to support it. I don't know about the other two, but we don't have any money to put anything together.

Mike Lockard: Well, and we respect that the candidates, and, you know, all of these various agencies, you know, obviously, the candidate does not put every sign out—

President Abell: Right.

Mike Lockard: — they have a number of volunteers. So, what we're hoping is by putting, you know, something that is concise, because what's coming from the State Election Board, it just says, well, there may be local zoning codes, check with the Area Plan Commission. How many people even know how to get hold of Area Plan Commission? So, what we want to do is put something together, you know, after we've talked to everybody, we've talked to City, we've talked to you, we've talked to the Election Board, after we've gotten input from everybody, then we think we'll be best prepared for, okay, what will be the best way to put together a very simple educational handout that's a little bit clearer than what the State hands out. Nothing against what they do, but it's a very broad document. We want to be very narrow in talking about where can you put signs, and that way everybody is on a level playing field, nobody has an unfair advantage. We don't have the instances where people are talking about, well, I put my signs out but my candidate took my sign, you know, we don't want to do that. We want everybody to be equal.

President Abell: Okay, and, I guess the only other comment that I had was that

whatever we, and I will call for a vote here in a minute, but, whatever we do, obviously, we're not going to step on toes. This is the County Clerk, County Election Board issue.

Mike Lockard: Well, and that's why we wanted to get everybody's input and then possibly even come back and say, here it is now, you know, how do you feel about it? You know, we've only talked to now, as of tonight, two of the three, you know, agencies covered. We've talked to Susan Kirk one on one, but we haven't had time to go before the Election Board, but they meet on Friday.

President Abell: Oh, okay. Do, what do you want to do?

Commissioner Kiefer: I would prefer not to vote until after everything is gathered.

President Abell: That's fine.

Commissioner Melcher: I was going to say, I would rather wait until you have something in order.

Jennifer Mason: Okay.

Commissioner Melcher: What did Area Plan Commission tell you? Did you go to Area Plan and complain about the semi?

Mike Lockard: Yes, and actually that's a, one of their agents is going to look at it, and INDOT is going to also take a look at it, because, technically, if you look at the outdoor advertising manual for INDOT, that violates the INDOT manual because it's on a State thoroughfare. So, INDOT is going to take a look at it. APC is, I mean, we just brought it up in the last few days, APC is reviewing it. So, we've done exactly what the election hand out says, it's a matter of letting the wheels of government turn.

Commissioner Kiefer: I have a quick question. You studied these laws pretty thoroughly it sounds like. I know how Mr. Lockard is, he doesn't do anything without thoroughly undertaking it. So, is the issue that somebody put a sign on CO zoning, or is it the size of the sign? What if it was, I mean, you're allowed to put yard signs in people's yards, you know.

Mike Lockard: The one that we showed you the picture of earlier—

Commissioner Kiefer: Yeah, the—

Mike Lockard: — this—

President Abell: The semi.

Commissioner Kiefer: —semi, tractor trailer. Is that—

Mike Lockard: That is parked on a CO zone, which if you—

Commissioner Kiefer: So, it's the vehicle that's parked there....if they wanted to put a yard sign out there, they could have done that.

Mike Lockard: That's a whole different issue, absolutely, I mean, positively a 100

percent different issue.

Commissioner Kiefer: One that's that big, they could have—

President Abell: Naahhh—

Commissioner Kiefer: – put it on....I'm just asking.

President Abell: – I don't think they can do that big.

Mike Lockard: Actually, the square footage is not the issue here. It's the vehicle so to speak—

Commissioner Kiefer: That's what I'm getting at.

Mike Lockard: – that's the issue, yeah. If semi trailers have a special place in zoning code, where you can park them and how you can use them. INDOT, their manual is like 80 pages, and it literally says that if you're going to advertise on a trailer, if it is not moving down the highway, it either has to be parked within a properly zoned area, which locally has to be on a paved lot—

Commissioner Kiefer: Well, the reason I'm asking, Mike, is because I'm a commercial realtor. So, if I had a sign sticking out there on, with two four by four posts, I would be okay, that said "For Sale".

Mike Lockard: I think, and from my discussion with APC today, you're probably correct.

Commissioner Kiefer: Okay.

Mike Lockard: It all has to do with the fact of using the semi trailer is the major issue, and that's why we're trying to get ahead of this, because if one person uses it, we really don't want semi trailers parked in people's front yards, and that is the potential here is that you could end up with a semi literally parked in front of somebody's house, because well, oh, it's a political sign.

Commissioner Kiefer: So, if it's a box truck, the same thing?

Mike Lockard: Actually, they treat that as a, if you look at the INDOT manual, they pretty much address that as similar to a semi trailer. There's a link in there, if it's under or over a certain length, depends on how INDOT addresses it.

Commissioner Kiefer: Okay, what about a Ford F-150 with a sign sticking out of the back, you know, vote for—

Commissioner Melcher: Kiefer.

Mike Lockard: Then you're getting into the area—

Commissioner Kiefer: I didn't say that.

Mike Lockard: – do you have a Ford F-350? Just asking.

Commissioner Kiefer: No, I don't.

Mike Lockard: That would be more protected as a First Amendment issue probably, because it's a political sign.

Commissioner Kiefer: Right.

Mike Lockard: So, really we're not trying to get into that part of it.

Commissioner Kiefer: No, I'm just trying to get some clarification, and that's why I want to wait until you get something back, because, you know, when you're talking about political signs it does get into freedom of speech and things like that, and you've got to be careful how you handle it.

Mike Lockard: I applaud how the county code is set up, because it is much clearer in dealing with that. So, I think the county has done an excellent job over the years of being very clear on that. That's why we're trying to talk to every single entity to get input, so when we put something out, we've gotten input from everybody so everybody can come to a consensus on it.

Commissioner Kiefer: Thank you.

Commissioner Melcher: I guess, the question I have is going to be a silly one. Did you get a, I guess, your organization, did you get a whole bunch of complaints?

Mike Lockard: We have received a number of complaints. Now, quantity, I can't say how many has happened. That thing has only been out there for about two weeks, but when we started looking at the issue overall, the issue of improper signs—

Commissioner Melcher: That's kind of where I'm not going to. What created this this time?

Mike Lockard: This was something that—

Commissioner Melcher: So, you got a complaint on this trailer?

Mike Lockard: Yes.

Commissioner Melcher: Okay. Keep Evansville Beautiful got that complaint?

Mike Lockard: It was brought to our attention that this was sitting out there on this grass lot, and that's what started—

Commissioner Melcher: Because, usually, on these complaints, because I've dealt with this with Area Plan for many, many, many years, it's always the opposition that complains. What Area Plan has told me in the past, during political 30 days or so, they just kind of look the other way, because they can't win. So, they said, you know, it's going to be up there for two or three weeks and it will be gone and we don't have a problem, because usually it's the opposition that turns the people in. I'm not saying that's the case here, I'm just saying that's what happens. Area Plan said they can't go out there and control 5,000, 8,000, 10,000 signs in this community, because they don't have the money to buy the gas.

Jennifer Mason: And that's what we're hoping to, if we're providing the education up front to someone that does file for candidacy—



Commissioner Melcher: Well, I think that's a good—

Jennifer Mason: — (Inaudible) aware (Inaudible) enforcement—

Commissioner Melcher: — idea to, when they file to get all of that paperwork and they know what's going on, but, I don't know if you're going to get any further than that during the election cycle.

Mike Lockard: If that's the best that we can achieve then we just, you know, year after year we keep supporting and promulgating that, and over a period of time I think the community as a whole will recognize it, I think candidates will recognize it, and once it becomes the norm then there shouldn't be as much of a problem. But, I have talked to three people at APC in just the last 48 hours, and all of them have said that this is an issue and they need to review it.

Commissioner Melcher: I understand, but I know one time, and I know Steve Bagbey and some people wanted to change the sign limit for yard signs, they couldn't be four by eights, four by fours maybe, unless there was more yard or something. APC didn't even want to touch that. So, the city didn't do it.

Mike Lockard: Yeah, and that's what I said, it was, it's an amazing disparity between what the city says in terms of these type of signs versus what the county ordinances say. The county ordinances have a lot more clarity to them than the city side does, but that's a good thing in many ways. This one here does sit in the county, by the way. So, it is within county limits, because there's two trailers, and the other trailer does sit and is properly situated. It is sitting on—

Commissioner Melcher: Block.

Mike Lockard: — a concrete pad and it's in a manufacturing area. Like it or not, there's, you know, there it is. This one here is a little bit different. When the concern was brought up, that's when we started reviewing this and we decided to bring it down to say, hey, we would like to have some clarity from you as well.

Joe Harrison, Jr.: Where is this sign located?

Mike Lockard: This one is located east of Target on the south side of the Lloyd, and I looked it up just a couple of hours ago, it is situated in a CO-2, that entire grass field there is zoned CO-2.

President Abell: And that's county.

Joe Harrison, Jr.: No, it's not county.

Commissioner Melcher: No, that's city.

Joe Harrison, Jr.: That's city.

Mike Lockard: Is it?

President Abell: Oh, that got annexed this year, that's right.

Joe Harrison, Jr.: No, no, it's been city.

President Abell: Oh, has it really?

Commissioner Melcher: That's always been city.

Joe Harrison, Jr.: It's always been city.

Mike Lockard: I thought Target was the limit.

Joe Harrison, Jr.: No, the city goes all the way out to I-164.

Mike Lockard: Alright.

Commissioner Kiefer: I live in the city and I live right on the edge of 164.

Mike Lockard: Okay, alright, I'm a west sider.

Joe Harrison, Jr.: The only other thing I might mention, as the former Area Plan Commission attorney, this really isn't a signage issue with this, it's a zoning maybe issue, but it's not a signage issue.

Mike Lockard: Right.

Joe Harrison, Jr.: Okay.

Mike Lockard: That's why, you know, because when you look at where you're allowed to park tractor trailers, INDOT addresses it and city and county zoning addresses where you can park a commercial vehicle. Tractor trailer, by definition, is pretty much a commercial vehicle, unless it is used for say a cell phoned business it's different. This one is a commercial trailer, it is a rentable trailer. So, that's why we're asking for it to be addressed. Does that answer your question, Steve, on where the issue came from?

Commissioner Melcher: Oh, I'm okay, I just think you need to get all of your stuff together first.

Mike Lockard: And, that's why we wanted to come and talk it over with each, you know, governing body, to get the feedback, because we don't want to present something and then you say, well, really you should change this. If, we wanted the feedback first to help us give you what you are looking for.

President Abell: Can I get, I would entertain a motion to table? Is that what you want to do?

Joe Harrison, Jr.: I don't think you need to do anything –

President Abell: You don't want to....just let it go?

Joe Harrison, Jr.: –just thank you.

President Abell: Okay.

Jennifer Mason: Thank you.

President Abell: I guess we won't act on it. Thank you.

Commissioner Melcher: Thank you.

<p><b>First Reading: CO.05-12-004:</b> <b>An Ordinance Regulating Public &amp; Semi-Public Swimming Pools</b></p>
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President Abell: Now we can go to the first reading of CO.05-12-004, an ordinance regulating public and semi-public swimming pools. I think the Health Department is here to do that.

Gary Heck: Gary Heck and Dwayne Caldwell with the Vanderburgh County Health Department. I believe the County Attorney has already reviewed this ordinance and I would be happy to answer any questions you may have about it.

Commissioner Melcher: Didn't we pass an ordinance, and maybe I'm in the wrong seat here, did the city already pass an ordinance like this once? Didn't the State come down four or five years ago and dump the swimming pools on the local Health Department? Because they're the ones that were supposed to be inspecting these, not us.

Gary Heck: I think, in answer to your question, at one point the State did have that responsibility, and then they gave that up back in 2005 or '06.

Dwayne Caldwell: That would be the 90's.

Commissioner Melcher: Well, I go back to the 90's. It was an unfunded mandate. I just told them, we'll start regulating it as soon as the State sends money down to regulate it.

Gary Heck: Well, the issue is the Vanderburgh County Health Department is the only entity that protects the public health by inspecting the pools. So, it's something that we need to do, otherwise you have some unsafe pools operating. We've got some history on that as well.

Commissioner Melcher: Has any hotel owners or anybody seen this ordinance yet?

Gary Heck: I'll let Dwayne address that.

Dwayne Caldwell: As part of our program, each spring before the pool season starts, and we've taken it upon ourselves to hold a training session for pool operators. This is the only training many of them get, as seasonal pools often hire somebody out of high school or something to watch over the pool. We have folks who have no idea how to run a pool running pools. When we sent out the invitation for that training session, we included in it a letter saying that, for two reasons, we intended to pursue getting a county ordinance. It's just, well, for the reasons, of course, it's too expensive for us to really continue on anymore without some type of remuneration, and secondly, enforcement is just non-existent.

Gary Heck: That training was held today. I think there were 55 operators there. They all received an invitation to come to the certified, or to a pool operating training session, if you will. There's how many public and semi-public, approximately?

Dwayne Caldwell: Approximately 135 in the county.

Gary Heck: Looking at 135, and they could be apartment complexes, could be—

Dwayne Caldwell: Hotels, motels.

Gary Heck: —hotels, motels.

Commissioner Melcher: No, I understand, because I think at one time this was trying to be pursued, and I thought maybe it had been, but maybe it hadn't.

Dwayne Caldwell: I wish it had.

Commissioner Melcher: Because, you know, what I try not to do is put any more, I know it's about safety, but I try not to add more cost to everybody, the way the economy is going right now. I don't know how you're going to have, I don't know how you get the time to even go out and check all of these.

Dwayne Caldwell: It's very difficult.

Gary Heck: You have to make the time, because it's something that's important. There's families, there's all kinds of visitors, but residents, most importantly are swimming there as well.

Dwayne Caldwell: You only have to look back to the last couple of years at Salt Lake City, in Texas and New York to see the large outbreaks and the people that have actually passed away because of things like cryptosporidium to know that it's a serious issue. Just to put it in perspective how serious an issue this is, the city has seven pools, and the best information I could get on visits to those pools, it's about four years old or so I'll admit, but there were 141 some odd thousand visits to those swimming pools. That's an awful lot of people, and that does not include Burdette, it doesn't include the hotel/motels, it doesn't include the apartments or the rehabilitations or our exercise facilities, all of those. If you'll indulge me for just a second, if you think about what a swimming pool is, it's the same thing as if you go down to the mall, pick out ten people at random, take them home and jump in the bathtub with them. That's a public swimming pool.

Commissioner Melcher: So, you're talking about just swimming pools, not Jacuzzi's? Or does Jacuzzi's count?

Dwayne Caldwell: According to code, any vessel that holds water for bathing purposes is considered a pool. So, we have spas, we have pools, we have plunge pools, we have zero depth pools, we've got more different kinds than you can shake a stick at, each come with their own particular set of hazards.

Commissioner Melcher: Would that be, and I'm not trying, I'm just asking here—

Dwayne Caldwell: Of course.

Commissioner Melcher: —Old National Bank's got that water display down there where kids run through all the time. So, is that going to be checked too?

Dwayne Caldwell: That is, technically, a—

Commissioner Melcher: Spray park.

Dwayne Caldwell: – they've never opened it up officially to the public and said come play, as far as I know.

Commissioner Melcher: I think they have.

Dwayne Caldwell: Well, then I suppose we'll go regulate it.

Commissioner Melcher: Because, I think, when they first opened, they said they had that out there for the public.

Dwayne Caldwell: Okay, well, we've never had that information.

Commissioner Melcher: I could be wrong, but I almost think that's right.

Commissioner Kiefer: So, natural, or man made ponds, lakes, things like that wouldn't count?

Dwayne Caldwell: If it's being used as a place for people to pay and come swim, it would be. If it's a single family's property, it isn't. A pool at a one or two family property is not regulated by code. Nor is a pond, but if you have, some people remember Weslake out on the west side where people used to come pay and swim, and do all sorts of things out there, but that would come under the code.

Commissioner Kiefer: Okay.

Commissioner Melcher: Well, I'm going to read through this more before we get to the second reading. I would like to make sure we reach out to all of these motel, even if you have to have a separate meeting for them or something, going over this ordinance, because I don't want to pass something and the next thing I know I've got every owner of these places calling us, wanting to know what we're doing.

Commissioner Kiefer: What's it going to cost to implement this?

Commissioner Melcher: That was going–

President Abell: That was my next question.

Commissioner Melcher: That was going to be a question, that's why I said I needed more time to look at it.

Commissioner Kiefer: Have you calculated, made some calculations on--

Dwayne Caldwell: Want to tell them about how much we pay (Inaudible)?

Gary Heck: Well, if you're looking at 135 pools and if you have to break it down by the ones that are open for seasonal versus the ones that are open year round, there's a permit requirement, and if we look at the fee in there, so, it's \$50 if they're open for the traditional swimming season, which is May to September. If they're open for a longer period it's \$75. So, if you take 100 times the \$50, just for an example, that would give you what, \$500?

Commissioner Kiefer: No, \$5,000.

Gary Heck: Oh, okay, \$5,000. So, the \$5,000 at that amount, and then if you add on the other 35 at another \$50—

Commissioner Kiefer: Okay.

Gary Heck: —you're going to have a little over, what, \$6,000-\$7,000. When you look at how many hours are spent on a typical pool, two and a half to three hours?

Dwayne Caldwell: Easily.

Gary Heck: And then if there's complaints, there would be follow up complaints.

Commissioner Kiefer: So, we would run in the red, we would be in the red.

Gary Heck: We're in the red right now.

Dwayne Caldwell: Right now—

Gary Heck: We have to do it.

Dwayne Caldwell: — we're spending, we figured it out, based on time and everything, our program is costing us about \$17,000, and we're recouping nothing back from that.

Commissioner Kiefer: Gotcha. So, this would allow you, you're basically going to be doing the same thing you're doing today, except you're permitting them, and that's going to allow you to collect a fee from the permits, which helps offset the cost.

Gary Heck: It helps offset the cost, and the big reason for the permits is knowing who to contact when there's an emergency. By having that requirement, one of the requirements is that they register with our office the name of who their operator is—

Commissioner Kiefer: But, there's a fee if they're in violation.

Gary Heck: Not now.

Dwayne Caldwell: No.

Commissioner Kiefer: No, I meant with this new.

Dwayne Caldwell: Yes.

Gary Heck: Yes, there would be if they don't correct—

Commissioner Kiefer: Comply.

Gary Heck: — it and comply.

Dwayne Caldwell: And, can I explain why I put that in there real quick? Right now we're running under the State of Indiana's code. So, if there's a violation, and I know Gary sent you all the list of violations that you've seen, you'll probably notice that the numbers don't change very much. That's because the same pools are doing the same violations year after year after year. I can close a pool down under State code if the water is bad, or you can't see the main drain because it's so murky, or if the

main drain is broken. Now, if there's no safety equipment there, if they don't have any life saving equipment, the only thing I can do is call Joe and ask him to write them a letter. If they ignore that, we can maybe get a judge to talk to them. In the meantime that pool is sitting there, no life preservers, no shepherd's crook to pull somebody out of a lake or out of the water, we can't enforce that right now without a long, laborious process. That's ludicrous that such a public safety hazard could be there.

Gary Heck: In some cases the sign that says, "No Lifeguard on Duty. Swim at Your Own Peril.", isn't there or it's so faded out you couldn't read it.

Dwayne Caldwell: Yep.

Commissioner Melcher: You had that in your pictures.

Commissioner Kiefer: Thank you.

President Abell: What's your pleasure, Commissioners?

Commissioner Kiefer: It's first reading. We could move ahead on first reading.

Commissioner Melcher: Well, I'll just go ahead and move that we accept it for first reading only.

Commissioner Kiefer: I'll second that, the first reading only.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Kiefer: One last thing on that, I mean, can you send out a letter to some of these, oh, you've already sent out letters.

Dwayne Caldwell: We've already done that.

Gary Heck: We've already sent out a letter, but we'd be happy to send another letter if you would like us to.

Commissioner Kiefer: Basically just saying, hey, we're going to have a public hearing on this, second reading, so they—

Joe Harrison, Jr.: For June 5<sup>th</sup>.

Gary Heck: The June 5<sup>th</sup> meeting?

Commissioner Melcher: Have you got this on your website or something? Can you put it on your website so that when you send that out you could have them—

Joe Harrison, Jr.: Look at it.

Commissioner Melcher: – look at it, so they understand what's going on, so you don't have to print copies.

Gary Heck: Sure, we would be happy to do that.

Commissioner Melcher: Or, they could come down—

Commissioner Kiefer: If nobody shows up, well, then, you know, at least we can say, hey, we reached out to them, we gave them a chance to know about it, and if they don't come, they don't come.

Gary Heck: We'll be happy to have that posted.

Commissioner Kiefer: Thanks.

Gary Heck: Thank you.

Commissioner Melcher: When you get that done, just e-mail us so we could look at it ourselves.

Gary Heck: We certainly will. Thank you.

President Abell: Thank you, Gary.

<b>Receipt of Proposals for Commissioners Auction</b>
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President Abell: The next order of business, receipt of proposals for the Commissioners auction. Sohn and Associates and William Wilson Auction Realty both have submitted proposals. I guess, my questions would be to Mr. Harrison, if you've looked at them? The only thing I really noticed is that one of them is for \$3,800 and the other one is for \$6,700.

Joe Harrison, Jr.: Yeah, what I, if you don't mind, just so we can look at them a little closer, just ask that you accept both proposals, take them under advisement.

President Abell: Okay.

Joe Harrison, Jr.: Then, at the next meeting we can make a recommendation. I spoke to the attorney that's handling the county sales, and he'll be getting back with me as well and we can get a recommendation on which way we should go.

President Abell: You can advise us after that time?

Joe Harrison, Jr.: Yeah, and then I'll advise you accordingly.

President Abell: Okay.



Joe Harrison, Jr.: Then, this will give them plenty of time for the Commissioners sale that will be sometime late summer or September.

President Abell: Okay, is that–

Commissioner Melcher: I'll make the motion to accept that.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Permission to Award Burdette Park Food &amp; Related Items Bids</b>
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President Abell: Burdette Park, permission to award Burdette Park food and related items to CRS One Source, Earthgrains Baking Company, Inc. and Fischer Candy Company, Inc. Steve Craig is here.

Commissioner Melcher: Actually a little bit to everybody, right?

Steve Craig: Pardon me?

Commissioner Melcher: A little bit to everybody?

Steve Craig: I didn't hear.

President Abell: A little bit to everybody.

Steve Craig: Yes, sir. Most of them they bid on their specialty items, but some of them are competitive, if you go through them. These were all the bids that we had received.

President Abell: Did we open these last week?

Steve Craig: I would seek permission to award them as stated by Debbie. She has the recommended awarding on the right side. If you have any questions I will answer them at this time.

President Abell: As I recall we opened these in a public forum a couple of weeks ago?

Joe Harrison, Jr.: Yes, we opened them two weeks ago.

President Abell: Any questions, Commissioners? I would entertain a motion.

Commissioner Kiefer: I'll move that we accept—

Joe Harrison, Jr.: The recommendation as submitted.

Commissioner Kiefer: —yeah, the recommendation as submitted, yes.

Commissioner Melcher: I'll second it.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Steve Craig: Thank you.

President Abell: Thank you.

<p><b>Recorder: Phoenix Digital Imaging Agreement</b> <b>Auditor: Welborn Health Plans Group Medicare Agreement</b> <b>Sheriff: DOC Grant Agreement for Community Corrections</b> <b>Juvenile Court: Detention Services Agreement with SW IN Youth Village</b> <b>Sheriff: Terminix Agreements (3)</b> <b>Superior Court: Professional Services Agreement: Ryan Barrett</b> <b>Superior Court: Professional Services Agreement: Kelly Williams</b></p>
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President Abell: County Recorder, an agreement with Phoenix Imaging for verification of documents for services to be provided to the County Recorder's office to assist them in the completion of the verification process relating to the County Recorder's electronic document management system. The County Recorder's office has had the Commissioners approve similar contracts in the past, and Phoenix Digital Imaging for related work in completing the electronic document management system. The contract cost will be around \$25,000. It is anticipated that it will take Phoenix Digital Imaging five months to complete the project. The funds to pay for the contract will come from the County Recorder's perpetual fund. Would you like to give us your name?

Laura Brown: Laura Brown, Chief Deputy Recorder.

President Abell: Okay, and Commissioners do you have any questions? This is pretty standard with what we've done every year, isn't it?

Commissioner Kiefer: Yeah.

Laura Brown: Yeah.

Commissioner Kiefer: I'm in favor of it—

Commissioner Melcher: I'll second that.

Commissioner Kiefer: —yeah, I was making the motion, so.

President Abell: Any further discussion? Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Laura Brown: Thank you very much.

President Abell: Thank you. County Auditor, Welborn Health Plans group Medicare agreement, amendment of the original contract with correct start date of January 1, 2012. We've been here looking at this, did they change the date? Did they change the date?

Joe Harrison, Jr.: Yes, I finally saw that.

President Abell: Okay, so that's all we needed was to change the date.

Joe Harrison, Jr.: Well, no, this is to approve it, and what they submitted had the wrong dates, but it's correct now.

President Abell: Okay.

Joe Harrison, Jr.: I believe we had an agreement with them last year as well. I don't know about the year before that, but I know last year.

Commissioner Kiefer: This is an annual contract, not a—

Joe Harrison, Jr.: Yes.

Commissioner Kiefer: —not to be confused with the long term—

President Abell: Health insurance.

Commissioner Kiefer: – health insurance contract.

Brian Gerth: Correct, it is annual.

President Abell: Yeah.

Commissioner Kiefer: I'll make the motion that we approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Sheriff, Department of Corrections, Vanderburgh County Community Corrections grant agreement. The State of Indiana DOC grant agreement awarding the Vanderburgh County Community Corrections program the sum of \$1,265,129 to help fund the Community Corrections program between July 1, 2012 and June 30, 2013, which is a year, but not a calendar year.

Commissioner Kiefer: I move that we approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Sheriff, do you have anything that you want to add? No? He's shaking, let the record reflect that the Sheriff is nodding no in the back of the room. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Juvenile Court, juvenile detention services agreement with Children and Family Services Corporation doing business as Southwest Indiana Regional Youth Village. Juvenile detention services agreement to be entered into between the Southwest Indiana Regional Youth Village in Vincennes, Indiana and the Vanderburgh County regarding juveniles placed in such a facility by the Vanderburgh Superior Juvenile Court at the rate of \$109 a day. Southwest Indiana Regional Youth Village is a secured facility, from time to time it is necessary for Juvenile Court to place juveniles from Vanderburgh County in this facility. Would you like to—

Bernie Faraone: Sure, I'm Bernie Faraone with Juvenile Court a division of our Vanderburgh Superior Court.

President Abell: Is this the same agreement we have with them currently?

Bernie Faraone: Actually, we don't have a working contract. We've been using the detention center probably for over 20 years.

President Abell: Yeah.

Bernie Faraone: Up until April they were charging us \$139.80, and, so, I would like to take credit for them rolling it back, but I had nothing to do with it. I just think it's a sign of the times is that other detention facilities and agencies have to lower their per diems, and we would like to get them under contract for a year. I've noticed that already in April, since we used the new rate, it saved our office and the county \$500. I happened, before the meeting, I was able to look at some of the records available, and I noticed the per diem rate for 11 years ago was \$122. So, they're rolling it back even further than the ten year mark. If we can get a few other places to do that, that would be nice.

President Abell: Yeah. It sounds fine to me.

Commissioner Melcher: I'll go ahead and make the motion before they change their mind.

Commissioner Kiefer: Second.

President Abell: Get them under contract while they're still in a good mood.

Bernie Faraone: That's right. Thank you very much.

President Abell: Further discussion? Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you. The Sheriff, he's a busy man tonight, Terminix Pest Control renewal agreement for Vanderburgh County Jail, Command Post and Training Center. Three renewal pest service contracts to be entered into between the county and Terminix regarding services to be provided at the Sheriff's Command Post, and at the Sheriff's Training Center. All three pest service contracts are for one year. The price per service call under the contracts will be \$35, \$50 for the Training Center and \$75 for the Command Post.

Commissioner Kiefer: I'll move that we approve.

Commissioner Melcher: Second.

President Abell: Do you have anything that you would like to add, Sheriff?

Eric Williams: I was just coming up here to answer questions, since this one is costing money as opposed to getting money.

President Abell: Is this who you've had under contract?

Eric Williams: This is a new company. We sent out quotes from other companies, and it's basically just to deal with the brown recluse spiders more than anything else. It's funded, it's coming out of our Commissary.

Commissioner Kiefer: Yeah, it's something you've got to do.

President Abell: I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you, Sheriff. Superior Court, home verification services agreement, professional service agreement between the Vanderburgh Superior Court and Ryan Barrett and Kelly Williams to provide home verification, drug and

alcohol testing and other related services as directed by the Vanderburgh County Probation Department concerning persons on probation here in Vanderburgh County. Barrett and Williams are Sheriff Deputies and will be providing such services while off duty at a rate of \$27.50 per hour.

Joe Harrison, Jr.: We have similar agreements with five or six other Deputies, off duty Deputies as well. This is what they do for the courts to go along with the Probation Officers to provide safety for them, or else they may help out with some of the work themselves. I think there's probably, again, as I said, six or seven of these.

President Abell: Well, it makes sense that it be a Deputy. This doesn't violate crossing over any, no more hours, have to pay them more money or anything like that.

Joe Harrison, Jr.: No, no, this is, because they are working for the Judicial Branch, as opposed to the Sheriff's Department, they're not on the clock for him. They're working for a separate branch of government. It would be like working, it would be the same as the City Police doing that job.

Commissioner Kiefer: This is a contract service.

Joe Harrison, Jr.: An independent contractor.

Commissioner Kiefer: An independent contractor, they're not getting overtime, benefits, or anything like that?

Joe Harrison, Jr.: No withholding, nothing.

Commissioner Kiefer: It's just a straight contract?

Joe Harrison, Jr.: That's correct.

Commissioner Kiefer: Okay. I'll make a motion to approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>County Engineer</b>
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President Abell: Department head reports. I see our County Engineer in the audience.

John Stoll: I've got a few items this evening. The first is an acceptance form for University Parkway. This is just some paperwork we need to submit to INDOT on getting our road mileage documented for the county's accepted road mileage. So, I just need your signatures on the acceptance form for the final segment of University Parkway and that covers the last 1.6 miles between Marx and Diamond Avenue.

President Abell: We don't need a motion, do we? Just to sign that?

Joe Harrison, Jr.: I would accept it, just make a motion to accept it.

President Abell: Okay.

Commissioner Kiefer: I make a motion.

Commissioner Melcher: Second.

Commissioner Kiefer: There you go.

President Abell: Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, next I've got another street acceptance, this is for Poet Square Subdivision. This covers 193 feet of Tess Drive, 146 feet of Natalie Drive, 193 feet of Edgar Allan Drive<sup>1</sup>, and 791 of Shakespeare. I would recommend acceptance of those streets, they've been inspected by our inspectors.

President Abell: I would entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

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<sup>1</sup>Should be 153 feet of Edgar Allan Road.



President Abell: Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, next, I would like to request approval to make right-of-way purchase offers on the Green River Road project. The parcels, the amounts and the owners are the following; parcel 57, the offer amount is \$1,050, and the owners are Sayers and Haag; parcel 58, the offer is \$1,700, the owner is Williams; and parcel 61, the offer is \$3,450, and the owner is Taylor. These offer amounts are based on the appraisals that were provided by the consultant.

President Abell: So, we're still in keeping with what we're paying everybody else?

John Stoll: Pardon?

President Abell: Still in keeping with what we're paying everyone else?

John Stoll: I hope so.

President Abell: So do I. I'll entertain a motion.

Commissioner Melcher: So moved.

President Abell: Mr. Kiefer?

Commissioner Kiefer: I'm sorry. Second.

President Abell: Madelyn?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The last one is something I've never dealt with before, the consultants cannot find the owners of one of the parcels of property out on Green River Road. It's parcel 38. The owner is named Markle, and in working with Joe Harrison on this, the way that the offer has to be made is by publication in the newspaper. So, I have a publication, a notice that will be published in the newspaper that meets what Joe needed as far as meeting legal requirements. We'll publish this in the newspaper, and then if the owner responds then we can start working with the owner. Likewise, if they don't respond within a certain amount of time, then we can proceed with condemnation.

President Abell: What did you say was the reason? Is it an estate?

Joe Harrison, Jr.: Can't find them.

President Abell: Oh, can't find the owner.

Joe Harrison, Jr.: No, so we have to serve by publication.

President Abell: Okay.

Madelyn Grayson: President Abell, I have a question. Are we running that publication or are the contractors?

John Stoll: Structurepoint is supposed to be taking care of that.

Joe Harrison, Jr.: Supposed to be.

John Stoll: Yeah, I didn't get a final answer from them today as far as publication dates. So, I left the date on that form blank, but I plan to turn around and work with Structurepoint to have them take care of the advertising.

Joe Harrison, Jr.: What the notice indicates is that a copy of the offer is on file, will be on file with the Vanderburgh County Clerk's office, and you'll take care of that?

John Stoll: Correct.

Joe Harrison, Jr.: I guess there will be some miscellaneous filing that they would put it under.

President Abell: Is it just property with no house on it?

Joe Harrison, Jr.: No, it's there.

John Stoll: They just can't find the owner.

President Abell: It's just a vacant house sitting there?

Joe Harrison, Jr.: More or less.

John Stoll: Yeah.

President Abell: That's interesting. Okay.

John Stoll: I've never dealt with that in all the right-of-way we've acquired in the past. So, it's a new one on me.

President Abell: I suspect the owner will show if they know we've got money. I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Let's stipulate in the motion that Structurepoint is going to do the advertising.

Joe Harrison, Jr.: Yes, they will do the publication unless we hear otherwise.

Commissioner Kiefer: Yes, part of the motion.

President Abell: Okay, roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

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

President Abell: I have something, Mr. Stoll.

John Stoll: Okay.

President Abell: So, where are we on the bump in the road.

John Stoll: I don't have any updates on it as of yet. The consultants were going to survey and try and determine what actually needed to be removed to correct it. I haven't seen anything on that as of yet. So, I don't have any time tables as far as when the approach will be rebuilt or anything like that, but I'll keep you posted on it.

President Abell: Have you gotten any phone calls from anybody on it?

John Stoll: No, I haven't.

President Abell: Mr. Melcher, have you gotten any phone calls on it?

Commissioner Melcher: No.

President Abell: Okay, I just want to stay on top of that brand new road.

John Stoll: Yeah, and they, when we were doing the final inspection they were talking about posting a sign out there that notified people of the bump, so that way in case somebody was driving across it at least they would hopefully slow down.

President Abell: Okay. I know you'll stay on top of it. I appreciate that.

John Stoll: I'll keep you posted on what I find.

President Abell: Thank you, Mr. Stoll.

John Stoll: Thanks.

President Abell: Mr. Craig, do you have something?

<b>Burdette Park</b>
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Steve Craig: Steve Craig, Manager of Burdette. This weekend, Saturday, May 19<sup>th</sup> we're sponsoring the Burdette Park 6<sup>th</sup> Annual Wurst Bicycle Ride. Bratwurst, hotdogs, fruit, chips and drinks are furnished. They've all been donated by Dan's Comp and RC Cola. Our aquatic center opens the season on May 26<sup>th</sup> at 10:00 a.m., and our summer day camp starts May 29<sup>th</sup>.

President Abell: What time is your event this weekend?

Steve Craig: 9:30.

President Abell: On Saturday or Sunday?

Steve Craig: It's on Saturday.

President Abell: On Saturday, 9:30 Saturday morning, okay. Thank you.

Steve Craig: Thank you.

President Abell: Mr. Heck?

Steve Craig: We've got a--

President Abell: Oh, I'm sorry. Go ahead.

Steve Craig: One more thing, I'm sorry. The, we have received information that the construction company doing the work on the trails, their signs are supposed to be in this week. That's been the delay on opening the trail. As soon as they get that in and we do a final inspection, I would like to do a ribbon cutting so that all of the public can know about the trail and that.

President Abell: Well, good. Certainly be sure and let us know.

Steve Craig: Will do. Thank you.

President Abell: Thank you. Sheriff Williams, did you have anything further you wanted to discuss? No? Mr. Heck?

Gary Heck: We don't have anything further.

President Abell: You have nothing further.

**EMA: Discussion of District 10 Administrator Agreements**

President Abell: Mr. Greer, nothing further?

Sherman Greer: No, I'm here for the discussion of the District 10 Administrator agreement.

President Abell: Oh, okay.

Sherman Greer: I didn't know if you were going to discuss that under Old Business.

President Abell: Well, we've got it under Old Business, but you might as well come on up and do it under department heads.

Sherman Greer: We're in the process of closing out this, it's the administrator for the District 10, which I was the fiscal agent for—

President Abell: Oh, yeah.

Sherman Greer: —or am the fiscal agent for still as of this time, but we're moving that to Warrick County.

President Abell: Oh.

Sherman Greer: The, as far as the funds, I think we've got about \$4,000, or \$6,402, I think it is left within that grant period of the 2009 grant. Once we pay that out then it's, wages will be going to Warrick County.

Joe Harrison, Jr.: Weren't you going to, I guess, a couple weeks ago or months ago we approved these two agreements with Maddison Seib, is that right?

Sherman Greer: Uh-huh.

Joe Harrison, Jr.: I think we were under the impression that one of them, the dates were wrong, and replaced the other, and then, now we find out that technically she didn't get paid for one whole year.

Sherman Greer: Well, she got paid, it was that we didn't have a contract.

Joe Harrison, Jr.: We didn't have a contract, but she got paid—

Sherman Greer: She got paid, yeah.

Joe Harrison, Jr.: —so, we did need both agreements, I think is the bottom line, as opposed to one replacing the other.

Sherman Greer: Right.

Joe Harrison, Jr.: We needed both, and we just thought it would be a good idea to mention that, because I don't think you understood that, and I didn't either.

Sherman Greer: I didn't understand it, you know, I think some other people thought one, that the last one we did voided out the other one—

Joe Harrison, Jr.: Right.

Sherman Greer: —and that's the way that we thought it was going. Then the State says, you know, we still have two contracts going.

Joe Harrison, Jr.: So, the person has been paid anyway, they just needed the paperwork to jive with—

Sherman Greer: Yes.

Joe Harrison, Jr.: — the payments.

Sherman Greer: We had our DPC meeting today and that was brought up and in the minutes of their meeting that she is paid up in full.

Joe Harrison, Jr.: Okay.

President Abell: So, this doesn't require any action?

Joe Harrison, Jr.: There's nothing, but we just wanted to make sure—

President Abell: Okay.

Joe Harrison, Jr.: — that was on the record, and that District 10 then, she will be done when?

Sherman Greer: She will be done probably at the end of next month.

Joe Harrison, Jr.: Okay.

Sherman Greer: It will be final then, and then all of her wages will be going to Warrick County. I've done it for five years and—

President Abell: You're ready to give it up?

Sherman Greer: I'm ready to give it up.

Commissioner Melcher: Well, that's what I was going to ask, did they move it, or did you give it up?

Sherman Greer: I gave it up. I gave it up.

Commissioner Melcher: So, Warrick County is going to do all the administration from now on—

Sherman Greer: For the, yes, for the grants.

Commissioner Melcher: What about the contracts that we've already got signed? Will they transfer too?

Sherman Greer: Well, we don't have, what I have to do is, I have to continue on

those contracts until those contracts are completely spent out.

Commissioner Melcher: Okay, so that money will stay here?

Sherman Greer: That will stay here right now.

Commissioner Melcher: That's where I was getting confused.

Sherman Greer: Just her wages, yeah, just her wages will be the one—

Joe Harrison, Jr.: Just on her, on her contract.

Sherman Greer: Those other grants, 2009 grants, we've still got some money left in there on that, and we're spending that as quick as we possibly can. The new grant that we've got for 2011 is going to be signed by Warrick County's County Commissioners, not by our County Commissioners here. So, that's free and clear of that.

Commissioner Melcher: Well, where's all the equipment that we kind of share with everybody, is that still here?

Sherman Greer: It's still, yeah, it's still...each county still maintains the same equipment.

Commissioner Melcher: But, we've got equipment that can be loaned out.

Sherman Greer: Sure.

Commissioner Melcher: We just took some, what was it, Gibson County, we just took some trailer and some stuff?

Sherman Greer: Yes, yes.

Commissioner Melcher: So, that's not going to Warrick?

Sherman Greer: No, no. Everything stays the same.

Commissioner Melcher: Okay, I was just—

Sherman Greer: It's just a change of the fiscal agent.

Commissioner Melcher: Just changing the fiscal only?

Sherman Greer: Right.

Commissioner Melcher: But all of the property is staying where it's at?

Sherman Greer: All of the property stays the same.

President Abell: We still carry the same amount of clout we carry right now?

Sherman Greer: Yes.

President Abell: Okay, don't want to lose our clout.

Sherman Greer: No, don't want to lose our clout.

President Abell: Okay. Thank you.

Sherman Greer: Alright, you're welcome.

<b>Soil and Water Conservation District</b>
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President Abell: Soil and Water, did you have a report?

Mark Abell: I submitted it in the consent agenda.

President Abell: Okay. Thank you.

<b>Consent Items</b>
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President Abell: Consent items.

Madelyn Grayson: Do you want me to read them?

President Abell: Yes, I'm sorry.

Madelyn Grayson: The consent items for the May 15<sup>th</sup> meeting are as follows; approval of the May 1, 2012 meeting minutes; employment changes, we have eight for Burdette Park, two for the County Highway, and two for the Health Department; the Sheriff has an amended VCSO equitable sharing agreement; the County Highway has the 2011 annual operational report; Legal Aid Society 2011 annual report; Evansville ARC March 2012 report of activities; we have three April 2012 monthly reports, one from the County Treasurer<sup>2</sup>, one from the County Clerk and one from the SWCD Water Quality Specialist, and one from the IBAP Gatekeeper as well. The County Engineer has pay request number 151 for TIF projects in the amount of \$62,667.50; we have a waiver of partial mortgage release for five properties that are being purchased for the next phase of North Green River Road widening, and we have a department head report; the Commissioners have a transfer request, a notice to bidders for 1211 North Fulton Avenue, a letter to the Indiana Gaming Commission regarding bingo at the Coliseum, and approval of Burdette Pool and mini golf passes for county employees for the summer 2012 season.

Commissioner Melcher: Move for approval.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

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<sup>2</sup>This is actually a year-to-date report from County Treasurer.



Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Public Comment</b>
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President Abell: Is there any public comment? Anyone from the public?

Jerri Johnson: (Inaudible. Microphone not on.)

President Abell: Did you want to speak?

Jerri Johnson: (Inaudible. Microphone not on.)

President Abell: Yes, we have public comment.

Jerri Johnson: I know I came and spoke to you about the road, St. Joe—

President Abell: Would you give your name, please.

Jerri Johnson: Oh, I'm sorry, Jerri Johnson. My son was Jeremy Tighe. I'm assuming that they're still looking at the road. In the meantime, I would like to maybe get a sign up. I don't know if they've told you, but the road dips a little bit. I've been out there a lot, even the BFI trucks, when they go through the one spot, the back of the truck goes like this. If we could even, in the meantime, until the road is fixed get a sign up there at least warning. There was just a truck in the road there about three weeks ago, maybe two blocks down from where my son is, where my son died, anything just to say, okay, there's a dip in the road until we can figure out what to do about the road. I would be happy with a guardrail, a sign, something, anything. I know you're probably sick of seeing me, but I figure the more I come with the red shirts, maybe I'll get some progress.

President Abell: Well, you know, it's not that we're sick of seeing you—

Jerri Johnson: I know, I know.

President Abell: — but, I think it's time that we tell you that, right now, we have seen no, nothing to do with that road. We've had people out there, it is better than most of the county roads that we have. In fact, it is so much better than the road behind North High School that it's not even funny.

Jerri Johnson: I know we have worse roads—

President Abell: We do have worse roads.

Jerri Johnson: — but, that road is also bad.

President Abell: Well, and I've talked to Mr. McClune, at length, at BFI, and he indicated to me that in the last 20 years his trucks have only had two accidents on St. Joe, and neither one of them at that place.

Jerri Johnson: Okay.

President Abell: So, he doesn't feel that that is—

Jerri Johnson: And you don't think the dip in the road is dangerous?

President Abell: Well, I will have Mr. Stoll go out and look at the dip in the road, but I wouldn't say that I think it's dangerous or not dangerous, but I would say that we have a schedule of roads that have to be repaired, and we have thousands of miles of roads, and we can't just repair a road that is not required to be repaired. It is in better condition than any of our other county, than a lot of our other county roads.

Jerri Johnson: I'll be honest with you, my opinion on the county roads in Vanderburgh, well, I came from a big city, so maybe it's a little different, but the roads in Vanderburgh County, most of them, excuse my language, but suck.

President Abell: Well, Ma'am—

Jerri Johnson: (Inaudible.)

President Abell: — our tax rate is as high as the taxpayers of Vanderburgh County will pay, and we only have a certain amount of money to put on roads. Whether you think they suck or not doesn't really help our budget.

Jerri Johnson: I know, and it's all about money.

President Abell: We've got to do what we can do with the money we have.

Jerri Johnson: It's all about money.

President Abell: Well, it's all about money if you're a retired woman on a fixed income and you're paying your property taxes as much as you can. We're not allowed to increase property taxes more than 1%, they're capped by the State, and we do have expenses that we have to pay. I just, I mean, I don't mind if you come every time that we have a meeting, but there's no sense in my sitting here and letting you believe that we're going to go out there and do something on that road, because we are not. It doesn't require it, and we're just, you know, I mean, I would be sitting here in fantasy land if I didn't tell you the truth. We're not going to do anything with the road.

Jerri Johnson: And I would be sitting here, standing here lying if I told you I was going to stop, because I won't.

President Abell: Well, and as I said—

Jerri Johnson: Okay.

President Abell: — you can come every time.

Jerri Johnson: Okay, thank you.

President Abell: Okay. Any other public comment? Mr. Stoll will you go out and look to see if there's a dip in that road? Thank you, I appreciate that.

Jerri Johnson: I have pictures and a video. I'll forward them to you.

President Abell: That's fine. Any other comment. I would entertain a motion to adjourn.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: We're adjourned.

(The meeting was adjourned at 6:15 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the May 1, 2012 Commission Meeting Minutes.

Evansville ARC March 2012 Report of Activities.

IBAP Gatekeeper April 30, 2012 Report.

SWCD Water Quality Specialist April 2012 Monthly Report.

Transfer Request: SW IN Mental Health and EUTS.

Notice to Bidders: County Owned Property: 1211 North Fulton Avenue.

Indiana Gaming Commission Letter: Bingo at Coliseum.

Memo Concerning Burdette Park Passes for County Employees.

**Employment Changes:**

Burdette Park (8)

County Highway (2)

Health Dept (2)

Auditor (2)

Superior Court (1)

Sheriff (2)

County Clerk (4)

Circuit Court (2)

Election Office (1)

Prosecutor (1)

**Sheriff:** Amended VCSO Equitable Sharing Agreement.

**County Highway:** 2011 Annual Operational Report.

**Legal Aid Society:** 2011 Annual Report.

**Treasurer:** April 30, 2012 Year-to-Date Report.

**County Clerk:** April 2012 Monthly Report.

**County Engineer:**

Pay Request No. 151: TIF Projects: \$62,667.50.

Partial Mortgage Release Waivers: (5): Green River Road Project.

Department Head Report.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Brian Gerth	Joe Harrison, Jr.	Marissa Nichoalds
Madelyn Grayson	Mike Hagan	Sherman Greer
Jennifer Mason	Mike Lockard	Gary Heck
Dwayne Caldwell	Steve Craig	Laura Brown
Eric Williams	Bernie Faraone	John Stoll
Jerri Johnson	Mark Abell	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
SPECIAL MEETING  
MAY 15, 2012**

The Vanderburgh County Board of Commissioners met in special session this 15<sup>th</sup> day of May, 2012 at 1:00 p.m. in room 301 of the Civic Center Complex for the purpose of hearing County Commission budget requests for 2013 from non-departmental agencies.

**Call to Order**

Commissioner Kiefer: Good afternoon. We're going to go ahead and call the meeting to order. This is a special meeting of the Vanderburgh County Commissioners today. It's really to review all of the agencies and hear what the agencies have to say about what they're doing and give us a brief update, and then give us a chance to ask questions. So, with that, I would like to call the meeting to order.

**Pledge of Allegiance**

Commissioner Kiefer: If Commissioner Melcher could lead us in the Pledge of Allegiance, that would be great.

(The Pledge of Allegiance was given.)

**Overview of Purpose for the Special Meeting**

Commissioner Kiefer: Thank you. I'm going to just temporarily take the President's chair while she is en route to here. She got held up, but will be here soon. In the meantime, I thought we would go ahead and get started. Just to give a brief explanation. The reason we're doing this is because we were asked by the County Council to reduce our budgets by ten percent. Obviously, because of the economy and other forces beyond our control, the county government has had some shortfalls in revenues. Of course, we were fortunate enough to get some monies back from the State of Indiana on the County Option Income Tax, but with that said, what we would hope is that when, you know, if you could just give a brief explanation about, you know, some updates on what you guys are doing, accomplishing, how things are going, and then maybe we can have some open dialogue about what we can do to try to assist us with reducing our budget back to the County Council.

**Economic Development Coalition of Southwest Indiana**

Commissioner Kiefer: Of course, I see in the audience here today, if you guys, you're the first ones, so you're lucky, you don't have to wait behind somebody else. So, if you want to get up and just open, and, I guess, just, Greg, if you can just state your name and who you represent for the record, that would be great.

Greg Wathen: Thanks, Commissioner. This is as good as the voice is going to get today. So, I've asked Debbie Bennett-Stearsman, who's our Vice President for Community Development to join me. I'm Greg Wathen, I'm President and CEO for the Economic Development Coalition of Southwest Indiana. We serve as the regional economic development group for the four Indiana counties in the Evansville Metro, which includes Vanderburgh County. I'm going to give you some information,

just a brief update about where we are as an organization, and then ask Debbie...yeah, those are the three for the Commissioners.

Commissioner Kiefer: Maybe Debbie should do the, most of the talking.

Greg Wathen: I know, probably I can answer some of the questions. What you're receiving is, this is probably the best information, it's really from our capital campaign that we just initiated, and it's based on our blueprint for success, which is the Garner Report, which was the strategic analysis done for our region that was completed last year. This gives probably the most up-to-date information about the Coalition, about who we are, about the projects we work on, and then in the middle of this document there's really a good explanation of the differences between the Coalition and the other economic development organizations, such as GAGE, that serves Evansville and Vanderburgh County. Right now we have two divisions in the Economic Development Coalition, one focuses on economic development and assists the economic development organizations. We also operate as the prime marketer for the region. Then we also work in community development, we help our communities procure grants for infrastructure kinds of projects. We have 18 active economic, excuse me, economic development projects, ten of those are considering Vanderburgh County for sites. So, I hate to do this, but I'm going to ask Debbie to step up here, because I'm losing, rapidly losing my voice. (Inaudible) be able to answer some questions.

Commissioner Kiefer: I thinks that's appropriate, and, Greg, thank you for being here despite the—

Greg Wathen: No problem.

Commissioner Kiefer: – ailments with your throat there.

Debbie Bennett-Stearsman: Good afternoon. He can probably answer a lot of the questions better than I can though. I just wanted to briefly update you. I think you're familiar with our staff, we are a staff of three, and we do do grants for all the cities, towns and counties in all four counties, with the exception of the City of Evansville, which, of course, is governed by the Department of Metropolitan Development, although we have done three grants for that agency, or for the city in the past year. We currently are serving on the State staff for the Indiana Association of Regional Councils, and this agency consists of, the State is divided in different regions, and we are the southwest region. So, we have representation on that board who meets monthly with State representatives and federal Congressmen to talk about issues that local communities are having, funding issues, etcetera, and to try to find out what the new regulations or laws are going to be. Our staff also has assisted in the implementation manual at the State level for all, the grant certification. We teach the training series and helped develop the information for the training series. We prepared the most recent community economic development strategic plan, or SED's plan for the Economic Development Administration for the four communities, four counties, excuse me, which listed all the projects that were possible in the counties, and we're getting ready to update that in year 2013. This document is used for any funding agencies that may exist for the units of local government. We have hosted training sessions for units of local government, elected officials with rural development, with the Economic Development Administration, and with the Office of Community and Rural Affairs. We are currently working on two, excuse me, one open project right now with the county and city combined, and that would be the

levee, the Evansville Levee Authority, the grant to do the update there, which the city received. It was a joint grant for \$1.655 million last year, and that is on-going. We are working right now on a grant for the Bohannon Estates area. We've been actively meeting with Jacobs Village to talk with them, they're working on, if you're familiar with Jacob's Village, they're doing a senior and adult handicap center and they're looking at infrastructure and potentially a senior center in that area. We've also met with the Perry Township Volunteer Fire Department about potentially buying some equipment or adding on to their building. Those are the particular projects in Vanderburgh County that we've been working on. We are actively administering 25 grant projects throughout the region right now, and we're in the process of applying for 14 in June, 14 additional projects in June, with the Office of Community and Rural Affairs. We are applying for four under the special brownfield demolition projects in July, and we have one Economic Development Administration project going in, and one emergency services going in, and these are throughout the county. I'm sorry, throughout all four counties.

President Abell: Are you at liberty to tell us what that economic development one is?

Debbie Bennett-Stearsman: Oh, yeah, Economic Development Administration grants are open to any of the agencies. This one in particular is for a business incubator center in Gibson County. Yes, those particular projects have to be in what they call an "eligible area" by census, and then they have to also be owned by the unit of local government, and it has to center around job creation, retention or expansion. So, we do meet with all four LEDO's to ask them every month if they have a project that they might want to apply for through the Economic Development Administration.

Greg Wathen: Let me just give you a couple of other brief things, I apologize, Madam Commissioner, I can barely speak, but our total budget for 2012 is \$1,255,180, and it's pretty equally divided between three sources of funding. One being our public partners, Vanderburgh County being one of those; the other being the fee income we derive from our grants management services, which is considered private income, fee for service income; and then the other being our \$400,000 from private sector contributions. It is a pretty lean budget for this year. We're projecting to make a net income of about \$12,400. So, we are in the middle of our capital campaign drive that will take us for the next five years, predominantly we're asking for increases from all of the public, I mean, the private sector, nothing from the public sector, and we don't anticipate really going to see much additional from our fee income, though we could see that change slightly, but we're really pushing from the private sector to increase contributions there. So, we would be more than happy to, we do have seven staff members total, three on the community development side, but seven total for the Coalition. We would be more than happy to answer any questions that you might have in that regard.

President Abell: You may have covered this before I came in, and I apologize for being late, but the documents that have been provided to us indicate that our commitment to you was \$139,000 last year, is that correct?

Greg Wathen: Yes, that's correct. It's been that way since, I came on board in 2007, and it hasn't changed.

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<sup>1</sup> President Abell joined the meeting at 1:10 p.m.

President Abell: Okay.

Greg Wathen: We receive, additionally \$100,000 from the City of Evansville, and then the remainder of that \$400,000 is divided on a per capita basis between Posey, Gibson and Warrick Counties.

Debbie Bennett-Stearsman: I did want to add that since 2006 when the community development staff started, Vanderburgh County has received \$7.483 million in grants, funding through our agency, and I've got a copy that I can give to you, and that's out of a total of fifty eight, almost \$58 million that we've done in the four counties in the last five years in grant funding.

President Abell: (Inaudible. Microphone not on.)

Greg Wathen: I'm sorry?

Commissioner Melcher: Well, the one thing that (Inaudible. Microphone not on.) Everybody, including our department (Inaudible. Microphone not on.) Raises since 2007 (Inaudible. Microphone not on.) .

Greg Wathen: Well, I mean if it–

Commissioner Melcher: (Inaudible. Microphone not on.)

Greg Wathen: You know, we look at it, I mean, if it, we understand the pressures that are being put on county and city governments, so, I mean, if it's something we need to take a look at and have further discussion, we're willing to do that very thing.

Commissioner Melcher: I think part of the heartburn with a lot of our county employees is that for the past three or four years they haven't had any raises, or a \$500 raise (Inaudible. Microphone not on.) What type of raises (Inaudible. Microphone not on.)? It's hard (Inaudible. Microphone not on.) give money to an organization–

Greg Wathen: Sure.

Commissioner Melcher: – (Inaudible. Microphone not on.) their employees–

Greg Wathen: Right.

Commissioner Melcher: – and we've got to tell ours (Inaudible. Microphone not on.)

Greg Wathen: We don't give raises every year. It's based on merit. So, the first couple of years, and Debbie knows this, there were no raises, and, so, because we were in the fundraising mode. We were trying to raise money. This year, you know, I would say, I wouldn't call it an average, but it ranged from anywhere from two to three percent, depending on the person. Not everyone received a raise, but depending on the person, depending on what they're doing, and we base it upon merit. So, we've really started doing that the last couple of years, but it's not a given every year that we would do a raise, because for the first couple of years we gave zero raises.



President Abell: Well, as you can imagine, what we're doing here today is kind of looking at merit too. So, not everybody's going to be cut—

Greg Wathen: Right.

President Abell: — and, you know, we want equal, we want to get, as they say, the biggest bang for our buck. So, we're trying to find out where that fits, and I think, you know, I sit on your board—

Greg Wathen: Sure.

President Abell: — so, I certainly think we are getting our dollars worth from you, for sure.

Greg Wathen: Well, as I said earlier, we have 18 projects we're working on, ten of those are considering Vanderburgh County at this time, they're in various stages. So, a lot of times projects are announced, we may not necessarily have our name associated with it, but we're involved in the project at some level. So, it's important for us that our partners receive that recognition, because they are the ones that really have to do a lot of the heavy lifting, and we provide so much of the support service for that. It all depends on the project, as to what level of involvement we get involved in. Some projects early on, for example, in Evansville and Vanderburgh County we were very heavily involved in projects, now we provide more of a support service to GAGE, but it all depends on the project.

Commissioner Melcher: I guess, the other question I have is, the other counties, the other LEDO's, I guess, you call them?

Greg Wathen: Right.

Commissioner Melcher: Do they do their own tax abatements, or phase-in's or whatever?

Greg Wathen: Most of those, I believe, are done—

Commissioner Melcher: Or does the counties do them?

Greg Wathen: I'm just, the counties mostly do that.

Commissioner Melcher: So—

Greg Wathen: That's not to say that the LEDO's don't provide some support.

Commissioner Melcher: No, I understand that, but the LEDO's are not doing it, it's the counties that are doing it?

Greg Wathen: Right, no one has—

Commissioner Melcher: Because that's the way I think it ought to be anyway.

Greg Wathen: The governing body, it could be the City Council, or it could be the County Council, so, depending on the jurisdiction, who's the granting body.

Commissioner Melcher: That's the way it should be, because it's kind of like the fox watching the hen house.

Greg Wathen: That's certainly your call.

Commissioner Melcher: Okay.

Commissioner Kiefer: I think Steve asked the question I was going to ask about, you know, but, I guess, mine was going to be a little more pointed as to whether or not you personally have, your organization has any experience doing that? Have you—

Greg Wathen: Abatements and those kinds of things?

Commissioner Kiefer: Yeah.

Greg Wathen: Well, I mean, I certainly have had experience in doing it in the past, but it's, you have a formulaic process that you follow in terms of—

Commissioner Kiefer: Phase-ins.

Greg Wathen: — phase-ins. So, it's based on that, they come to you , they come to the granting body with a recommendation. Ultimately, by statute, it is up to the granting body to decide what level of abatement, or phase-in they would offer. So, what this basically is is just, it's a guide that gives a company, as well as the community, a guide as to which way they should go with it.

Commissioner Kiefer: Okay, one thing I just want to note is, I want to compliment you guys, because I know we got a call, I mean, the company I work with got a call on this, and it was very effective, your approach, you know, having somebody come out and personally visit with us, and follow up phone calls and we're going to contribute. Now, it may not be at the highest level—

Greg Wathen: Sure.

Commissioner Kiefer: — but at least it's going to be some contribution to it. So, I think your approach has been pretty effective and educational as well. Appreciate how you've handled that.

Greg Wathen: Well, the diagram in here that explains the differences between the organizations I think has helped, but we produce all of this in-house. We're pretty frugal with our dollars, so all of this is printed in-house. You know, it's difficult for us to spend a lot of money on this and then turn around and ask companies to give us contributions. But, we're asking, if you recall with the Garner Report, there are quite a few initiatives that we've been charged with as an organization to drive. So, we're trying to raise private funds to bring those initiatives to bear and to put those in place for the region.

Commissioner Kiefer: Thank you, Greg and Debbie, appreciate you coming by today.

Commissioner Melcher: I think she got the answer already. Can we get another packet?

Greg Wathen: Sure.

Debbie Bennett-Stearsman: I wrote down to e-mail them to her.

Greg Wathen: I'm sorry, we can--

Commissioner Melcher: We just want, with this, and the last thing, we're looking at salaries too, would you have a heartburn or something about maybe giving us some of your, you don't have to do it right now, some of your employees what raises they got or what their salaries are and positions? Just e-mail that to Marsha.

Greg Wathen: We could do that. Okay.

Commissioner Melcher: I want to touch back on what Joe said, you've done an outstanding job, both of you. I don't know how, we can't never turn down Debbie, you know, she sells you before she gets anywhere.

Greg Wathen: She's great.

Commissioner Melcher: So, she's, and I wouldn't have fought some of that stuff that she's fought. So, we've got to take our hats off to your corporation.

Greg Wathen: Well, thank you very much. Well, if you have any other questions or any specific questions let us know, and we'll e-mail you the packet.

President Abell: Thank you for your time, Greg. I appreciate you coming down.

Greg Wathen: Sorry about the voice.

President Abell: Thanks, Debbie.

<b>Arts Council of Southwestern Indiana</b>
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President Abell: Well, this is a nice surprise, we're running a few minutes ahead of time, but I do think that our next group, which is the Arts Council, I see some, I think I see them all here actually. I rode up in the elevator with Dirck Stahl and I saw Jack just walk in. So, if you would like to come forward. Mr. Wathen, I guess, Mr. Kiefer and I will see you in the morning at 5:30.

Greg Wathen: Well, I'm, because of my--

President Abell: You're not going?

Greg Wathen: Nancy Deig has taken my place.

President Abell: Okay, we'll let you off.

Greg Wathen: (Inaudible. Not at microphone.)

President Abell: You would probably have better health if you would go south.

Greg Wathen: I probably would. I don't believe people want what I have.

President Abell: Mr. Stahl, are you the appointed speaker?

Dirck Stahl: So far.

President Abell: Okay, would you like to identify yourself, tell us who you are with, and tell us why you think Vanderburgh County should support you

Dirck Stahl: Yes, Ma'am. Good afternoon, Commissioners and all of our other folks that are here to hear us and support us. My name is Dirck Stahl, I'm an attorney with Ziemer Stayman Weitzel and Shoulders, but today I am here in the capacity as the President of the Board of Directors of the Arts Council of Southwestern Indiana. I want to open, first of all, by saying that we deeply appreciate the support that we've received in the past. We understand that the current budgetary situation is challenging for the county, as it is for everyone who receives and enjoys the support of the county and the government. So, we appreciate you hearing us on this matter. The Arts Council is 42 years old. We've been around since around 1970. We started out locally as the Arts and Education Council of Evansville, the Evansville Arts and Education Council, I should say. Up until 1998 we were strictly local, we worked with things, we worked with the schools, we worked with, you may remember the Ohio Valley Arts Festival, way back when, and that sort of spawned the Arts Fest River Run. We were involved early on in that organization and in that group of community leaders. In 1998 we became what's called a regional arts partner, under the auspices of the grant program by the Indiana Arts Commission. Our job as a regional arts partner was to administer, and to a smaller degree receive, grants, block grants that were issued to each of the regions in Indiana as defined by the Indiana Arts Commission. I bring up this point in history because I understand from the minutes that there were some maybe points of confusion or concern about what our organization does, vis-a-vis the region, or the State, or our own county. Under the IAC, which we were in that capacity as a regional arts partner and a grant administrator from 1998 until 2011, we were assigned what eventually became seven counties. In addition to Vanderburgh, we had Gibson, Knox, Pike, Posey, Spencer and Warrick. We had no choice in those counties. We received no funding from those counties, try as we might, and over the last few years, starting in about 2007-2008 it became apparent that there was a rather disturbing trend with that relationship with the IAC. It had two main components, one of them was that there was less money coming to us in terms of operating support for our services in administering, and when I say administering grants, you understand I mean soliciting them, defining them, collecting the applications, judging the applications, it was quite a bit of work, and while our funding, over a period of actually two years was cut by about 80 percent, and that's not just ours, this was true across Indiana, our obligations increased, particularly our obligations to serve counties beyond Vanderburgh County, to the point where it became financially untenable for us to continue as a regional arts partner. In fact, the Indiana Arts Commission didn't like how much we were Vanderburgh County and Evansville centric. So, it became evident that we needed to part ways, and we did. We did that by declining to reapply for that position, and our contract and our obligations to those other counties ended in the summer of 2011. Since then we continue to do what we do, which is bringing together partnerships in Evansville and Vanderburgh County and the surrounding area to the extent that we believe it is sensible and in line with the goals of our county and our city to partner with the surrounding area. Obviously, you just heard from some folks who are involved in an area wide endeavor, you know, we have the Chamber of Commerce who has changed from the Evansville Chamber, the Evansville Area Chamber of Commerce to the Chamber of Commerce of

Southwestern Indiana. We're kind of mindful, I guess, I would say we're mindful of the larger area, but we are enjoying now our freedom to contract a bit until the county and the city provide us, in conjunction with our own constituents, with preferences and guidance and the best kind of plan to involve other areas beyond the borders of Vanderburgh County. That could involve Anderson, it could involve Newburgh, it could involve Posey County, but because we get the vast majority of our funding from sources within Vanderburgh County, the State funding being approximately ten percent of our budget in terms of our non-pass through grant budget that doesn't just come in and then go right back out, so we have acquired the flexibility to be able to serve the constituents in Vanderburgh County much more effectively and much more intentionally. This has allowed us to partner, for example, with the EVSC, we now receive funding from them, we are, that's largely pass-through funding. We're able to support local, Vanderburgh County K through 12 projects and agencies and schools and teachers, that's what we do for the EVSC and that's pursuant to a statutory resolution that we had to adopt. So, but it's in line with our desire to focus on what we have here locally. We still reach out, we still engage, but we don't spend money and we have been hesitant to spend money, in any substantial way, outside of Vanderburgh County, because, (A), we don't receive money from those other counties, (B), the money we arguably, indirectly received from them in terms of the State tax money coming to us in those grants has dwindled to the point where it's insubstantial compared to our mission, and, (C), because we believe that targeted and intentional programs and engagements of our choosing, again, in line with our counties and cities plans are more effective. The overall goal of this, however, is, as most of the people will probably mention, economic development. I know that all of you are familiar with the Arts Council, I know that all of you have talked from time to time with leaders among our staff and our board and our corporate supporters, and you know that this isn't just a matter of something that is fun or nice or pretty. Certainly those things are great, but what we have to do, and what we identified a few years ago in our strategic planning was to make Evansville more attractive in terms of economic development and in terms of retention. If you read any of the studies that come out that link cultural resources, and cultural arts education with economic development and population centers, you will find that they all reach the same conclusion. When you have a robust arts community that is engaged, not only on the private level but on the public level as a matter of, you know, people being able to see that our government supports this as a matter of policy, you keep people. You keep them when they graduate from high school, they move back here, you keep them when they're employed here because they don't run off to Chicago where they can have something fun to do, where they can finally get out of here. All of you have heard stories about people leaving Evansville saying there's no culture here, there's no art here, this place is dead. You and I know that that is not true, but the Arts Council is here to make sure everyone knows that that is not true. We bring people in when we support the arts, we keep them, we help them grow, we lift them up, and all of that makes our community better. So, it's not a matter of providing finger painting lessons to 5<sup>th</sup> graders or five year olds, it's a matter of helping our community make a mark as one that not only enjoys the private support of the artists themselves and the consumers of the arts, but of the government as a matter of policy and planning. On that point, I would direct your attention to the current master plan, or the current plan that we have in place, the comprehensive plan. Section 13 of the Vanderburgh County, Evansville-Vanderburgh County comprehensive plan is dedicated entirely to education and cultural environment. There you will find, as guidance to our County Commissioners, as guidance to our fiscal bodies, as well as the city administration and fiscal and legislative bodies, as well as to the Area Plan Commission, the Board

of Zoning Appeals, everybody from one end of the government to the other is guided by this comprehensive plan, and an entire section is dedicated to this topic. If you read, at the end of this plan, which contains some fantastic facts and statistics which frankly highlight and showcase not only our community but the involvement of the Arts Council, in fact, you will read in here that much of this information comes from the Arts Council, and this section was developed in conjunction with the Arts Council. You will find that one of the two fundamental goals listed at the end of that section, for the educational and cultural action plan, is to foster a healthy environment in which the cultural arts are supported by the community and enhance the quality of life. The objective is to increase the awareness and accessibility of the arts through art grants, workshops and seminars, information and referral service, publications, art exhibits, online information, public programs and events, an annual awards program. That should all sound very familiar to you. Let me read it again, increase awareness and accessibility through arts grants, which we do. Workshops and seminars, which we do. Information and referral service, which we do. Publications, that's us. Art exhibits, you've all been to our beautiful Bower-Surheinrich Foundation Gallery. Online information, we have recently revamped our website and it is fantastic. Public programs and events, our brown bag series is hugely popular and packed. It's a Wednesday lunchtime series, I would venture to say that most of you have been to one or at least come by that area and have seen the crowds, it is phenomenal. That's just one example. An annual awards program, you notice that that's not plural. We have the annual awards program, it's called the Mayor's Art Award Banquet. It is, the feature act so to speak, the head liner is the Mayor's Art Award, but the bulk of the program involves awards that we as the Arts Council give out to educators, students, artists, agencies, organizations, corporate supporters, individual supporters, patrons and the list goes on. We have, that's one of the ways, incidentally, that we have reached out to the other counties, because, I'm sure, most of you having been to one of these arts award banquets over the years you would notice that we give awards to people in Pike County and Knox County and Gibson County, that's something that we'll continue to do, but we are re-focusing and trying to figure out and enjoy that flexibility of, you know, how far out we reach in giving those awards, but, that awards program is listed, it might as well say the Arts Council Mayor's Art Award Program. Obviously the county and the city, in adopting by ordinance, this comprehensive plan, recognized the crucial, undeniable role that arts and our partner education play in the development, the cultural richness and the economic success of our county and our area as a whole. We would ask that you continue to recognize that. Our funding this year was \$10,000, the last fiscal year we received \$15,000, we would ask you to let that be our only cut. That was a substantial cut for us, and it's very, very important that the county uphold its goals and pursue its goals as set forth in the comprehensive plan, and to support not only the artists, but the students, the teachers, the constituents of this community, who not only produce and consume art, but learn about it and make our community better and make our community grow.

Commissioner Melcher: I hope I can remember this question because I didn't want to cut you off. Back about half way through you said something about Indianapolis or somebody up, they didn't like your association here or something, because it was in Evansville?

Dirck Stahl: The—

Commissioner Melcher: And I might not have that right. I should have wrote it down.

Dirck Stahl: – they, I shouldn't be so broad as to say they. We received indications from the staff of the Indiana Arts Commission, in no uncertain terms, stating that we spend too much of our time and resources in Vanderburgh County and Evansville, and not enough of our time and resources in programming and outreach in the other counties, the other six counties that we were assigned. So, it's not that they don't like Evansville, well, they didn't explicitly say that they don't like Evansville or Vanderburgh County, but they were troubled, as they said, by how local we are. That brought up a bit of a conflict for us, because we have to be local. We have to be, I mean, from a, not only economic standpoint, but logistics and opportunity and resources and support and where the artists are, we are a population center. We have to focus on that fact that we're a population center. We have the University of Evansville, we have USI, we have the largest school system in the region, we have the largest parochial system in the region, we have a vast majority of our constituency is here. Some folks in Indianapolis frankly didn't like that. We were faced with the challenge of, well, do we continue saying that we're going to serve all seven counties, when we know that we would have to, first of all and foremost hire more staff to get to the level of outreach service that they were demanding, or do we move on and choose to define our own region and our own service area. Does that make sense?

Commissioner Melcher: Yes, because, basically I was the other way around, I thought you were trying to do more for the other counties than you were here. I've been asking for many moons, many years, when I was on the City Council how come the other counties weren't donating any money? We were donating money, even though we were the Arts Council of Southwest Indiana. So, when you go to neighborhood meetings and you start talking about things and this come up, the taxpayers of Vanderburgh County don't understand that neither. That's who we represent.

Dirck Stahl: Right, and I think that's a very fair question.

Commissioner Melcher: So, to me you're going to have to change your name, you know, back–

Dirck Stahl: Well–

Commissioner Melcher: – and, so that's something that always gave me a heartburn was that we, the city was donating money and the county was donating money, and we're always giving awards to the people in these other counties, when we've got a lot of people in our community that could use those same awards, if we're going to give that many out, which will make us stronger here that we're giving out more awards than our county where you're being funded from. If that makes sense.

Dirck Stahl: Absolutely. The funding that we received early on, and really up through, like I said, I think 2007-2008, the funding we received from Indianapolis from our cut, our percentage of the block grant, was substantial enough that we could justify serving those outlying counties more than it did once that cut, or once that portion that came to us shrank by 80 percent. Now we're starting to dip into the funds that we get from Evansville and Vanderburgh County, and now we're unwilling to subsidize and use Vanderburgh County funds to subsidize what's going on in these outlying counties. Now, we are still going, this year we are still planning to give awards to the outlying counties. We hope that that brings in people, frankly the awards banquet is a huge fundraiser for us, it's our primary fundraiser. We hope that

that brings in people from the outlying areas. Obviously the county, the County Commission understands the need to engage with its surrounding region, and that's what we're trying to do is to engage with the surrounding region without subsidizing the surrounding region. Next year, well, I guess, I would make two points about things that are changing. We've recently undergone strategic revisions, strategic planning revisions, and two things that I think would be of interest are; next year we are not under any commitment to send those awards out far and wide. We are, actually Jack Schriber is here, he is chairing the committee that will make the recommendation as to the counties we serve with those awards, and we're constantly looking at ways of, not becoming isolationists, but trying to realistically and fairly serve the population that we need to serve and that contributes the most to our money. The other point is, well, so to answer that point, next year you may not see awards going to Pike County or Gibson County, we don't know yet. We're looking at different ways of approaching that. We may see awards going to Henderson for that matter, but the other point that you made, and I think you might have made it sort of in passing, but is changing our name. We haven't made any plan to change our name, but that is absolutely on the table, because we, and when I say we, we as a board of directors have trouble ourselves with that moniker. We have trouble defining ourselves in a way that was really devised to accommodate the Indiana Arts Commission, rather than to accommodate the needs of our own planning, our own policies, our strategies, and our own population. So, I can't make any promises, but that is certainly on the table. I fully understand why that would stick in someone's craw to think that you're subsidizing people in the outlying counties.

Commissioner Melcher: I used to go to a lot of those Art Council's, in fact, a couple of your members one time thought we ought to change it to the City Council award, because I gave it as much as any Mayor did. So, you know, it's, I understand, but I'm just, I'm glad you gave all this though, because it kind of helps us understand more. That's why we probably should do this every year, so we know what's happening.

Dirck Stahl: Yeah, and this has been helpful for us. I mean, I think it's helpful on all sides.

Commissioner Melcher: I guess, lastly, how many staff members, paid staff members do you have?

Dirck Stahl: We have, you ask that at a funny time, we have an Executive Director, we have a Communication Director, and we have an Education Coordinator. So, those, is the Education going to be full time or part time?

Nola Wright: Part time.

Dirck Stahl: That's part time, the other two, we have two full time staff positions.

Commissioner Melcher: Two full and two part?

Dirck Stahl: Two full and one part.

Commissioner Melcher: One part?

Dirck Stahl: Yes.



Commissioner Melcher: And, if we wanted to get those salaries, are you willing to send us your salaries so that we know?

Dirck Stahl: We can provide those.

Commissioner Melcher: Okay, just send them to Marsha.

Dirck Stahl: Okay.

Commissioner Kiefer: Dirck, what is your total budget?

Dirck Stahl: Our total budget is looked at two ways, because we're a pass-through organization, in other words we administer grants, if you don't count the money that comes in and then goes back out—

Commissioner Kiefer: Yeah, don't, take the grant money out.

Dirck Stahl: It's roughly \$150,000-\$200,000.

Commissioner Kiefer: Okay.

Dirck Stahl: Our hope is to begin providing those services, grant administration services to more local agencies, government agencies and organizations. We're frankly quite good at it, we have a lot of experience, thanks largely to our experience with the IAC, but we would like to focus those efforts and develop them here locally. We're doing it now for the School Corporation, and it's been a tremendous success.

Commissioner Kiefer: Any experience on tax phase-ins? No, just kidding, never mind.

President Abell: Dirck, what's the city's commitment? Do you know?

Dirck Stahl: Historically the city and the county have contributed at roughly equal levels. I don't know, did they go to ten also? Or are they at 15?

President Abell: They're at 15?

Commissioner Melcher: They're at 15.

Dirck Stahl: Yeah, they're still at 15.

President Abell: Okay. The rest of your money is secured from memberships or private donations?

Dirck Stahl: The rest of our money comes from a few key sources. We receive funding because of our partnership with the EVSC, we receive some funding from them, we receive memberships, we're a membership based organization, in terms of we're always playing with that, but we have individual members, we have corporate members, we receive corporate sponsorships and underwriting for various programs, exhibits, things like that. We receive, as I said, our largest fundraiser is the art awards banquet, which is very successful. We have savings invested, as a matter of fiscal responsibility and conservative governance, that came from a capital campaign a few years ago, the primary goal of which was for us to move into, build

out and move into the current gallery space and gift shop that we have from a very, very small office that you may remember over in the Court Building. So, we have a lot of strong partnerships with corporate entities, but in terms of the largest single, you know, discreet chunks of money, they come from the city, the county, the School Corporation and the State.

President Abell: Commissioners, any other questions? Thank you, Dirck. Thank you for taking time out of your day to come here, we appreciate it.

Dirck Stahl: Thank you, we appreciate it very much.

President Abell: Did any of you have anything that you wanted to say. Mr. Schriber?

Jack Schriber: Thank you all very much.

President Abell: Thank you all for coming.

Dirck Stahl: I did want to, I'm sorry—

President Abell: Yeah, go right ahead.

Dirck Stahl: I did want to introduce the folks—

President Abell: Okay, sure.

Dirck Stahl: —that are here with me. Nola Wright, I believe you know is our Executive Director.

Nola Wright: Hello.

Dirck Stahl: Nola is still in her first year as Executive Director, and she's still here, still hasn't run away thinking that Evansville is dead. Jack Schriber everyone knows, I don't need to say anymore about Jack.

President Abell: Yeah.

Dirck Stahl: Jeffrey Berger—

President Abell: Hi, Jeff.

Dirck Stahl: —is here with us, he has been our Treasurer on our Board of Directors for a number of years and serves in that capacity.

President Abell: Well, I think it is definitely a quality of life issue, and we certainly do respect it as an economic development tool of Vanderburgh County and appreciate you coming out.

Dirck Stahl: Thank you.

President Abell: Thank you so much. Thank you. I'll give them a few minutes. Okay, we're going to take just a two minute break, because we're running a little bit ahead of schedule.

**Evansville ARC**

President Abell: I'm going to. I think we'll go ahead. Mr. Kiefer just had to take a quick break and he'll be back, but come on up and—

Deidra Conner: Am I next?

President Abell: Yes, you're next.

Deidra Conner: Well, of course, I brought stuff.

President Abell: Good.

Deidra Conner: A couple of things—

President Abell: You might tell us who you are, although I know, but—

Deidra Conner: As most of you know, I'm Deidra Conner with Evansville ARC, I'm the President of Evansville ARC and I'm by myself today, but I do have packets so I would like to come up and give those to you.

Madelyn Grayson: Would you like for me to pass those out for you?

Deidra Conner: Oh, you'll do it? Okay.

President Abell: Just for your information, we have a copy of the grant agreement in here.

Deidra Conner: Okay, great. Then, I also have and I will bring up kind of the history of our funding with Vanderburgh County, which started in 1964, and has been maintained at \$279,000 a year since 1992. So, it's been flat for about 20 years. I also have a summary that the ARC of Indiana put together that shares what other counties are contributing to their MRDD centers. So, I'll bring that for you. I only have one copy (Inaudible. Not at microphone.)

President Abell: Oh, okay. Marissa, could you get Kristin to make some copies?

Deidra Conner: I know that you guys hear from us semi-annually, so some of you are very aware of what Evansville ARC does. A couple of you are new, at least new to me, so, just to give you a brief overview of Evansville ARC, Evansville ARC is a non-profit organization founded in 1957 by a group of parents who were looking for services for their children with developmental disabilities. Until the early 1970's children with disabilities were excluded from the public school system. So, the families started the ARC as a school. As those children aged and developed, programs and services were expanded to meet the needs of teens, young adults, working adults, and now senior citizens. So, what started with a very, you know, kind of mom and dad throwing money in the hat to figure out how to pay the teacher who was working in the basement of the East Side Christian Church, we now have a budget that varies anywhere from \$10 million to \$12 million a year. We provide a broad range of services for children starting at the age of six weeks of age to our oldest client in the gerontology program is 83 years old. So, we serve a broad, broad group of individuals today. We serve about 750 individuals, most of those on a daily

basis. So, we have a fairly large population. It probably would be good to go through what's in your packet, if you don't mind opening your folder, I think that would give you a good picture of what we have. On the left hand side you will see a synopsis of our primary programs and services, the two page glossy flyer. I highlighted for you the programs that we utilize the County Commissioners money to help support. In essence, the funding that we get from Vanderburgh County fills the gap for those programs that are primarily Medicaid funded, or funded at a rate that parents can afford, so the Vanderburgh County Commissioners funding helps us staff those and maintain those programs in a quality manner. So, you'll see the Child Life Center, Connections for Life, which is our volunteer program for individuals with disabilities, and our Day Services for Adults with severe and profound disabilities are the programs where we primarily utilize the County Commissioners money for gap funding. Behind that you will see the report of activities, which I believe you get every month. That gives you a good snapshot of who we serve and what programs, and also a nice listing of the other things that we're doing to provide outreach and build partnerships and relationships in the community. Behind that you will find our annual report from the past year, and then just an update presentation that we had provided to you several years ago. That gives a little more information about our programs and services. On the right side of your packet, I provided for you, I thought it might be helpful to see our financial picture from the last five years. Evansville ARC, as I mentioned, is primarily Medicaid funded, and as you probably know from talking to the hospitals and others in the medical field, Medicaid does not pay based on cost or anything related to cost. It is an arbitrary amount. They don't pay us based on any information or input from us, and they do not pay us for capital. So, if you look over the last six years, some years we have income, some years we have a loss. We're typically cash flow even, but without the county money, which you see as the bottom line there that I've highlighted, it would definitely change the picture of what our income and our stability would be, but also our ability to provide quality services. The past couple of years have been particularly difficult in terms of budget cuts. One of the things that you will see in your packet, I have a couple of other pieces, one is a synopsis of the funding cuts we have taken. It's kind of a single sheet, lots of red on it, and behind that a summary that the ARC of Indiana put together of all of the funding cuts that we have been subject to because of the Medicaid crunch and the State of Indiana maintaining a balanced budget. So, that gives you a good outside picture of what's been going on at the State level. So, I highlighted those that were particularly impactful to Evansville ARC. Medicaid has been the biggest hit. In the past four years we had just an immediate reduction of \$200,000. Services were to stay the same, staffing was to stay the same, payments just got lower. The same is true with vocational rehab, United Way funding, CDBG grants, NAP credits, the list goes on. So, as you can imagine during the economic downturn, public sources of funding decrease significantly. In addition, one of the things that we do have available to us to be more self sufficient is our ARC Industries, our industrial facility. You will also see that the economic downturn has impacted that division as well. That's typically an area where we can earn net income to support other programs. Many, many companies kept that work in-house or minimized what they outsourced to us in order to keep their employees busy. But, you can also see on that summary sheet I provided that we've been working diligently to decrease our expenses. We eliminated our door-to-door transportation route and moved a lot of folks to METS Mobility or to parent transportation. Unfortunately we had to eliminate our 403 (b) and retirement match for the employees. We've had that eliminated for the past three years. We implemented an on-site medical clinic, much like the city has, revised (tape flip), and that's resulted in like \$370,000 of savings. So, we've been working as diligently as we can to find ways that we can cut costs, still keep our

employees, and still keep quality of service. Then, we received a large grant from the State of Indiana to upgrade our 1968 HVAC system. So, we've been able to achieve good savings on our energy costs during the past couple of years. I've heard you mention raises several times. Management staff have not had an increase for the past three years. We have had raises off and on the last three years for other employees, I would say two of the last three years their pay has been flat. We don't like that, but it's kind of part of what we have to do. We also eliminated several full time positions. We have about 170 employees now, at one point we were at a high of 189. So, it's been a challenging couple of years. The support from Vanderburgh County is an important part of what we do, and something that we have really appreciated and valued for many, many years.

Commissioner Kiefer: Deidra, I mean, it really sounds like, and I've witnessed that, you know, that you guys do have a good program and are serving an important need in our community. I was just curious, how large is your service area? I mean, where, how far out do you reach?

Deidra Conner: We serve, predominantly, Vanderburgh County residents. I would say 85 to 90 percent of what we call clients, adult individuals are in Vanderburgh County. We have a few that come in from Posey, and a few that come in from Warrick, but our predominant population is Vanderburgh County by far. I can get those numbers for you, if you need those.

Commissioner Kiefer: Well, my follow up question is do you receive any assistance, financial assistance, from any other outlying counties? I mean, obviously the State of Indiana you do, but none from outlying counties?

Deidra Conner: No.

Commissioner Kiefer: What about the City of Evansville, what do they do?

Deidra Conner: We may qualify for grants, like if the city is managing CDBG monies, we may or may not be the recipient of a grant, but no line item in the city. We work closely with METS, but it's an arms length relationship, no direct funding.

Commissioner Melcher: They get it out of the block grant money.

Deidra Conner: I'm sorry.

Commissioner Melcher: You're getting it out of the block grant money.

Deidra Conner: That's CDBG—

Commissioner Melcher: So, they have to have—

Deidra Conner: — and that's a grant process.

Commissioner Melcher: — a program that they bring to the city.

Deidra Conner: Yes.

Commissioner Kiefer: Right, and that usually doesn't include—

President Abell: Operating expenses.

Commissioner Kiefer: –operating expenses.

Deidra Conner: Correct, and that's one of the challenges. You'll see this on our financial, that five year picture, six year picture I gave you, you know, you kind of rise and fall with your contributions and donations. You'll see in 2006-2007 we had contributions that equaled almost \$1.4 million, but the majority of those were capital campaign, to fix our leaking roof and deal with some of the issues at that 1968 facility. Grants do not want to pay for overhead, they do not want to pay for things you currently do. So, grants help us do some of the extra stuff, like launch new programs, or, you know, do a, we've had Arts Council grants where we teach dance to kids with disabilities who normally could not be in a dance program. But, no one wants to pay for infrastructure, they don't want to pay to keep the lights on, they don't want to pay to keep someone like me doing my job.

Commissioner Kiefer: Right. Have you approached the city or outlying communities for assistance in your, you know, because, obviously, probably out of this 85 to 90 percent, I'm sure a great percentage of those come from within the city limits. I think, you know, it might be a good idea to at least approach them–

Deidra Conner: Sure.

Commissioner Kiefer: – to help lift up some of your burden there. Then, obviously, the ten percent that come from other counties, I mean, you may not have any luck with it, but, you know, if you don't ask, you don't get.

Deidra Conner: Correct, Warrick County has SIRS, which is similar to Evansville ARC, and Warrick County provides funding to SIRS, which has been reduced in recent years. Posey County has the Posey County ARC and a small rehabilitation center. I'm not sure if Posey County government funds that or not. So, there may be some difficulty approaching them, but it's certainly worth asking.

Commissioner Kiefer: Yeah, I would really like it if, you know, you don't mind, you know, maybe set up meetings with some of these other local governments and see if they could help out, because that might, you know, alleviate some of the burden that you have, and you're providing a valuable service–

Deidra Conner: Absolutely.

Commissioner Kiefer: –that some of their constituents are receiving, especially the City of Evansville. I've got to believe you're providing an invaluable service there.

Deidra Conner: One of the biggest, in addition to helping individuals with disabilities, obviously maintain independence and get jobs, you know, a big part of what we contribute to the community is helping families stay in their jobs. Without Evansville ARC as a place for adults with either significant needs, and a lot of our adults have very significant needs with feeding, toileting, hand over hand assistance, significant behaviors, many folks came from the State institutions. We've had many, many parents tell us they would not be able to continue to work if their child could not come to Evansville ARC. That's true not only of adults, but also kiddos, because we serve children with feeding tubes, oxygen tanks, lots and lots of significant therapies and special needs that other day cares are not legally required to deal with, and they

do not deal with them. So, and in terms of jobs and working, we provide jobs to 250 adults with significant disabilities in our manufacturing facility that otherwise would not be working and earning income. Anywhere from 100 to 200 individuals with disabilities who are given assistance in finding community jobs.

Commissioner Melcher: Could you tell us, and I should of wrote it down, I thought I did and I didn't, but \$279,000, how many years have you been getting that same amount?

Deidra Conner: 1992.

Commissioner Melcher: I ought to be able to remember that, that's when I first got in.

Deidra Conner: That was your first what?

Commissioner Melcher: When I first got elected was '91, so I should remember that.

Deidra Conner: Yes.

Commissioner Melcher: I agree with Joe, you probably need to talk to the city–

Deidra Conner: Okay.

Commissioner Melcher: –and ask if you could, they have some money too–

Deidra Conner: Okay.

Commissioner Melcher: – and see if you can get some from them, not counting that block grant money, because you usually apply for a machine or something to help with your day care and that out of that.

Deidra Conner: I think the CDBG money goes to help individuals who cannot communicate, like you and I do, learn to use augmentative devices. So, it helps get those devices and provide the training for those. So, you're right, it's for a very specific reason.

Commissioner Melcher: Okay, and can you also, we don't need them of all of your 170 employees, but maybe your top staff, if you could get us the salaries.

Deidra Conner: Absolutely, would be happy to do that. Do I sent that to Madelyn?

President Abell: Or Marissa, or one of us.

Deidra Conner: Marissa, okay.

President Abell: I would like to echo about talking to the city, because they just annexed a whole bunch of property taxes away from us.

Deidra Conner: Okay.

President Abell: On the far east side of town. So, they have a little extra income, and we have a little less. So, they should be receptive to talking to you.

Deidra Conner: Is that a conversation with the Mayor?

Commissioner Kiefer: That's a good place to start.

Commissioner Melcher: I would start with the Mayor.

Deidra Conner: Okay.

President Abell: His name is Lloyd Winnecke.

Deidra Conner: And he's right across the hall.

President Abell: And he's right across the hall. Actually, not right now, I just saw him leave, but he was across the hall.

Commissioner Kiefer: If there was, I think some of the former Mayor's used to listen in on some of these meetings over here—

President Abell: Yeah.

Commissioner Kiefer: — I don't know if they still do that or not.

Deidra Conner: One other item of note, in case you're not aware of this, we do have a County Commissioner representative on our board, we have for a long time. In recent years it's been an appointee. So, Bill Nix has been sitting on the Evansville ARC board as kind of the eyes and ears of the County Commissioners, although I know he is looking to leave. He's been on our board for seven years.

President Abell: Oh, really, because he's always told us he liked sitting on that board.

Deidra Conner: I think he may have a little more going on with his new owner of his company—

President Abell: Oh.

Deidra Conner: But, we've had, you know, Richard Mourdock and Suzanne Crouch and lots of different representatives that will roll off and on.

President Abell: Okay.

Commissioner Melcher: Well, he asked to stay on it when he was getting off the Commissioners, because I came on that following year, so we went ahead and left him on there.

Deidra Conner: Okay. So, you might want to think about—

President Abell: He has an interest in it we know.

Deidra Conner: He does, and he's been very helpful with some of our facility stuff and HVAC upgrades and those kinds of things, but I know he wants to leave, probably July 1, if you're interested in putting someone else on there.



President Abell: We will look at that appointment.

Deidra Conner: Okay. Are there other questions I can answer about our programs and services? What we do for the community?

Commissioner Melcher: No.

President Abell: I think you've done a great job.

Deidra Conner: Thank you. Well, we sincerely appreciate your support. We know it's something that you do voluntarily for us, and we've enjoyed your support for a long time. So, I will talk with the Mayor, as well as the other counties and let you know what I find out.

President Abell: Okay. Thank you so much.

Commissioner Melcher: Thank you.

<b>Hillcrest Washington Youth Home &amp; Southwestern Behavioral Health</b>
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President Abell: Trying to stay on our agenda, what did I do with my, I've lost mine, is Hillcrest—

Commissioner Melcher: Hillcrest.

President Abell: Hillcrest? I'm assuming that's what these nice gentlemen are in the audience for.

Michael Carroll: Hi, I have five of these.

President Abell: Then, when you get back to the microphone, for the record tell us your name.

Michael Carroll: Sure. My name is Mike Carroll. I'm the CEO of Southwestern Healthcare. I've been in the job for about two months. So, I brought some other folks with me today. Dennis Moran is our CEO of Southwestern Behavioral. Jim Ward is the CEO at Hillcrest, and Gary Barnett is his right hand person. Gary has been out at Hillcrest for 30 some years. Jim's new like I am, we both brought some other folks with us. Appreciate the opportunity to be here, I'll talk about Healthcare very briefly, and then I'll turn it over to these guys. Healthcare is made up of really several different organizations. Healthcare is basically the holding company, if you will, or the lead company, we provide HR, IT, facilities, accounting, those types of services to the other entities, as well as general management oversight and strategic planning. Southwestern Behavioral, Dennis will talk about. Hillcrest, Jim and Gary will talk about Behavioral, and then at 3:50 I'll be back with Tim Tharp and Ralph Wilson from, not Wilson, Nichols, sorry about that, from Mulberry and we'll talk to you again. So, a little bit about us, oh, this additional company, we have a foundation, and part of what the foundation does is a little bit of fundraising, they support things like providing bus tokens to folks that can't get from here to there and need to see us for services. Also, paying for medications that they can't afford, we have an in-house pharmacy that does a good job of helping find, you know, coupons and discounted medication and samples, and then our foundation kind of picks up

the rest of that tab. So, that really shouldn't be an issue that any of our patients have. Our revenues, our fiscal year ended June 30, 2011, we're at about \$16 million if you add all of the entities together. That breakdown is in your annual report that I gave you. You should have an annual report, and then kind of a one page summary for Behavioral and Hillcrest, but that's in there about two thirds of the way through. So, that's really all I wanted to say. To kind of get things started I'm going to bring up Dennis, and he's going to talk about Southwestern Indiana Behavioral Healthcare. Dennis?

Dennis Moran: Good afternoon. I have been at Southwestern since I was 12. I actually started in 1971, and Southwestern has a history that goes back to 1949, the old Youth Guidance Center. That's actually who I was hired under. In 1971 it combined, or '70 it merged with the adult mental health center to form the Community Mental Health Center. So, I was on the clinical side for about 15 years, and in a weaker moment I was lulled to the administrative side of the operation. Anyway, so I've gone through a lot of years with Southwestern and a lot of iterations. For Vanderburgh County, most of our operations are located in Vanderburgh County, we have four supervised group living homes in Vanderburgh County. Our full continuum addiction facility, Stepping Stone, is also located in Vanderburgh County. We have, we serve a four county catchment area, and that's Vanderburgh, Warrick, Gibson and Posey. In those outlying counties we have small, outpatient offices, but the bulk of the operation is located in Vanderburgh County. We, our mission is to provide quality mental healthcare services to all of the communities that we serve. We provide an array of services that includes outpatient acute services for adults and children, our substance abuse services is that full continuum and that's outpatient, intensive outpatient, residential, detox and transitional residential services. Our community support services provides outpatient services, the supervised group living programs, and the partial hospitalization or day treatment program. We also provide a partial hospitalization program for children in Vanderburgh County, and that's actually where I started in 1971. That has run for 41 years. It is actually located on the west side of Evansville. Funding for Southwestern comes from various sources. We have county funds, which obviously you all provide, we get funding from the four counties in that service area that we serve. In addition to that, for this past fiscal year, 2011, Vanderburgh County supplied \$859,566. We got lesser amounts from the four outlying counties again, based on the size of those counties.

Commissioner Melcher: Excuse me, how much was that again for Vanderburgh?

Dennis Moran: You currently, for FY '11, or fiscal year '11, \$859,556<sup>1</sup>. Now, that was out of our budget of about \$13 million for our entity. We provide charity care to Vanderburgh County residents in the amount of \$3,157,000 for that same period. We also have, in addition to that, a bad debt allowance for residents of Vanderburgh County of under \$500,000, \$482,000. So, in addition to the services that I mentioned above, based on a handshake between Bob Spear, who was the original CEO of Southwestern and Judge Miller, who could be a pretty persuasive fella, we started in 1971 providing forensic evaluations and jail consultations to Vanderburgh County at no cost. That continues to this day. Any break in that is due to a loss of certified forensic psychiatrist. We're currently in a lull right now because of that, but we have over the course of our 41 year history always provided those to the county.

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<sup>1</sup>There was a discrepancy in the FY '11 amount mentioned of ten dollars.

Our jail consults happen two and three days a week, four weeks out of the month we have someone at the county jail to do initial assessments. Our psychiatrists are there as consultants for the jail physician, with regards to medications. That's kind of who we are and what we do.

President Abell: (Inaudible. Microphone not on.)

Dennis Moran: We have about 200 employees in Behavioral Health.

Commissioner Kiefer: Madam President? I'm new here on the Commission, so, you know, I wasn't here when some of these things originated. I'm very confused on how you come up with these dollar amounts. You know, Hillcrest Washington it shows we're giving you, or last year \$1,769,068, and then Southwestern Behavioral \$871,142. That's 2012, I'm sorry. How are those dollars calculated? I mean, how many, is it based upon the number of youths served, based upon the number of, you know, clients that you're taking in?

Dennis Moran: What you—

Commissioner Kiefer: Or is it just, hey, every year we get a CPI increase?

Dennis Moran: No. Hillcrest, I'll let Jim speak to Hillcrest. For Southwestern, again, it's based on property tax revenue. You know, in 2003 when there was that huge windfall, Southwestern could have taken a huge amount of money because of that. We didn't do that, we didn't see the need to even push that. So, any increase that happens is based on that Consumer Price Index on an annual basis.

Commissioner Kiefer: But we don't necessarily, but we don't have an agreement with you. We, this is under—

Dennis Moran: It's actually statutory.

Commissioner Kiefer: Statutory, but it's not mandatory. I thought I saw in there it said the county "may"—

Dennis Moran: Are you talking about Hillcrest or Southwestern?

Commissioner Kiefer: I'm talking about Southwestern. I saw in here under the document provided to me, IC12-29-2-1, Funding of Operation Amount of Funding Calculation—

Dennis Moran: Right.

Commissioner Kiefer: — section 2(A), " a county shall fund the operation of community mental health centers".

Dennis Moran: "Shall" fund.

Commissioner Kiefer: Okay, but then somewhere else it says, county financial assistance, let's see, section 1.2 (A) "may" authorize. It says, "the County Executive of a county may authorize the furnishing of financial assistance for the purposes described in subsection B to a community health center that is located or will be

located in the county.” So, I don’t know which one is accurate. One came off of, it looks like it was printed off of the internet.

Dennis Moran: I think you’ve, I can’t tell you how you operate, but I can tell you that historically you’ve operated on the “shall” provide.

Commissioner Kiefer: Yeah, because I have two, I have two documents here. One says “shall” and the other says “may”, a big difference there.

Dennis Moran: Well, obviously, you have, let me put it this way, you have funded in all of the states, all of the counties in the State have funded community mental health centers.

Commissioner Kiefer: I guess, my question is do we have any input or say on how much money we fund you with?

Dennis Moran: I can’t answer that, to be honest with you. I don’t know that you have input on that. I really don’t. I think it’s been through the statutes, and I think it was set up to be increased if it was increased based on that CPI.

Commissioner Kiefer: Well, I think it’s important for me to know.

Dennis Moran: Sure.

Commissioner Kiefer: Because, you know, I have no idea, you know, whether or not you’re efficiently running, efficiently operating, whether or not, you know, like Steve’s concern is, you know, we don’t give pay raises around here, but yet, you know, we’re potentially paying almost, you know, \$1.8 million, or \$871,000 to an organization that may give lucrative pay raises, we don’t know.

Dennis Moran: No, I can tell you that we last year gave our first pay raise in four years.

Commissioner Melcher: Okay.

Dennis Moran: And that was two percent. I’ve lost a lot of employees as a result of that, but that’s just the nature of the business. From the standpoint, at the end of our fiscal year, we have budgeted to be in the black \$3,000, not a lot of money.

Michael Carroll: I would also say the cost of psychiatrists, which are our most expensive people, has risen tremendously over the last year, many tens of thousands of dollars. There’s a shortage and they’re tough to get. They’re really tough to get to come to Evansville. They’re really, really tough to get to come to Evansville for less than market.

Commissioner Kiefer: Again, good organization I’m sure, I haven’t been there to personally see it, but I’m, you know, it sounds like you guys do a lot of good work. We’re just in a situation where, like Marsha said, you know, the city’s annexed, we don’t have the same funds available to us, so, you know, if we can find a way to reduce some of our expenses—

Dennis Moran: I understand that.

Commissioner Kiefer: –that’s what we need to do.

Dennis Moran: That’s what we do everyday.

Commissioner Kiefer: Okay.

Dennis Moran: We try to do the same sort of thing.

Commissioner Melcher: Well, what we’re under is that the County Council has asked us to cut ten percent out of all of our budgets. That’s why we thought this would be good to have.

Michael Carroll: Yeah, I agree.

Commissioner Melcher: Because sometimes it’s better for you to give us a figure, you know, and then we say we’re going to do “x”, and you might say well we might be able to live with this. That might help. That’s what we’re trying to do. Just like Joe and them said, we lost the whole east side, and there was a lot of taxes out on that whole east side. So, we’ve lost three areas. We’ve lost two in Knight and we lost Pigeon, part of Pigeon Out.

Michael Carroll: We appreciate that information. That’s something we didn’t know when we came here. (Inaudible. Not at microphone.)

Commissioner Melcher: Well, so, we’re operating out of less dollars than what we’ve got coming in, and people pay their taxes a year late in Indiana, so that’s even on top of it. So, we just thought it would be fair, and we thought maybe in the future we would just have these every year. The other question that I’ve asked everybody is, we’re really looking at salaries. I’m not asking you to send all of yours, but can you, your department heads and some of that, can you send us some salary information?

Michael Carroll: Sure.

Commissioner Melcher: Okay, because some of it we’ve quoted here, and some of it we haven’t because we don’t know what it is.

Michael Carroll: I can do that.

President Abell: I have a question. How are your board of directors selected?

Michael Carroll: The Healthcare board for the other organizations nominates, or names the majority of the directors, and then the rest are elected by the individual boards. Healthcare, ours are approved by the board that are submitted and voted upon.

President Abell: Because I noticed, of course I don’t know every elected official in the world, but the only one I can see on here that I actually recognize is Suzanne Crouch. I wondered if there was any other elected officials that might be on the board.

Dennis Moran: We have a judge from Warrick County.

President Abell: Is that Judge Hendrickson?

Dennis Moran: Well, we have actually two judges from Warrick County.

President Abell: I see Mary, Judge Lloyd from Vanderburgh.

Dennis Moran: Judge Lloyd is on here from Vanderburgh County.

Michael Carroll: We would love to have others. I mean, we need (Inaudible. Not at microphone.)

President Abell: Well, my concern is that there's nobody legislative from the city or the county.

Michael Carroll: Yeah.

President Abell: Meaning one of the three of us, and believe me, all three of us are way too busy to sit on any more boards.

Michael Carroll: If you know of somebody, we would love to have them.

President Abell: Because this is supposed to be a part time job that takes us about 40 hours a week to do.

Michael Carroll: I understand.

President Abell: But, I think that, not only would it help with our knowing more about the funding, it would also, the boards on which we have representation always seem to have a much better working relationship with us—

Michael Carroll: Sure.

President Abell: —because we know people and we sit through those meetings and we hear what the expenses are for, we hear what the issue is that's going on. So, I just would like to encourage you to think about that.

Dennis Moran: You know, certainly, in the past we've had Rick Borries who has been, so we've had folks from the arenas in the city and the county who have been on there. So, and Suzanne has been on there actually from the point she was Commissioner to date.

President Abell: And we have a great relationship with Suzanne.

Michael Carroll: Any other suggestions that I can follow up on?

President Abell: Well, just think about that, and I would be happy to, as a matter of fact I'll make sure that you have my business card.

Michael Carroll: Okay.

President Abell: Call me, and, you know, maybe, you know, we might come up with some ideas about board representation, just because I do think it is a much, you know, you heard Deidra, in fact, speak about Bill Nix. We knew Bill was the representative on there. Bill is conscientious about letting us know when there is something going on. I've gotten comments from him. Many of us sit on the boards

of the other agencies, and, again, we're busy, I'm not looking for more work, but I do want to see things operate smoothly and I have a great deal of respect for the work that you do. I used to be Clerk of the Court and I am aware of some of the work that you do with the judges. So, you know, the best way to clear out that jail is to get those people back working, and you can't get them back working if you just open the door and turn them loose.

Dennis Moran: Right.

Michael Carroll: We would also invite you all, any of you out on a tour and sit down and talk to us. We would love to have you.

President Abell: You might leave your business cards with Marissa here at the end. Marissa, here's mine, and you can hand that, here, I'll give you several of them, hand those to them. It's got my cell phone number on it, which used to be secret, but no longer.

Joe Harrison, Jr.: Can I ask one question?

President Abell: Sure, Mr. Harrison.

Commissioner Melcher: I don't have my cell phone number on mine. Mine's still secret.

Joe Harrison, Jr.: I was wondering if you could help me. I'm just glancing at the statute here that relates to funding for community mental health centers. You've obviously heard that term, and which of your facilities has been designated as a community mental health center?

Dennis Moran: Southwestern Behavioral Healthcare.

Joe Harrison, Jr.: Only?

Dennis Moran: Only.

Joe Harrison, Jr.: Okay.

Dennis Moran: It used to be Southwestern Indiana Mental Health Center.

Joe Harrison, Jr.: Okay. Is Mulberry Center a part of that group?

Michael Carroll: Yes, it's part of Southwestern Healthcare's group, not Southwestern Behavioral's.

Joe Harrison, Jr.: Okay.

Dennis Moran: We are, we have our own board, our own—

Joe Harrison, Jr.: Yeah, Hillcrest is completely separate—

Dennis Moran: Right.

Michael Carroll: So is Mulberry's.

Joe Harrison, Jr.: – Mulberry is separate. There is a contract with Mulberry. There is a contract with Hillcrest–

Michael Carroll: Hillcrest and Behavioral, yes.

Joe Harrison, Jr.: –and there's not a contract with Southwest Behavioral, but there is a statute.

Dennis Moran: Right.

Joe Harrison, Jr.: The statute references designated as a community mental health center. I suppose the State makes that designation, is that correct?

Dennis Moran: Yes. We are licensed by the State of Indiana. We fall under the direction of the Division of Mental Health and Addiction of the State.

Joe Harrison, Jr.: Okay.

Dennis Moran: There are 25 community mental health centers in the State of Indiana.

Joe Harrison, Jr.: Okay. Do you get, I mean, obviously you provide services for Warrick County–

Dennis Moran: Right.

Joe Harrison, Jr.: Do you get funding from Warrick County?

Dennis Moran: We get county funds from Warrick County.

Joe Harrison, Jr.: Do you get the same proportioned funding as you do Vanderburgh County?

Dennis Moran: It's exactly set up the same way.

Joe Harrison, Jr.: What about Posey?

Dennis Moran: Posey and Gibson.

Joe Harrison, Jr.: And Gibson?

Dennis Moran: Right.

Joe Harrison, Jr.: So, just those four counties?

Dennis Moran: Because those are set up as our catchment area.

Joe Harrison, Jr.: Okay.

Dennis Moran: If I go to Knox County, then I fall under Samaritan Center in Vincennes.

Joe Harrison, Jr.: In Vincennes?



Dennis Moran: Correct.

Joe Harrison, Jr.: That's what I needed to know. Thanks.

Michael Carroll: I've given you all my card. E-mail me with anything else I can do for you.

Commissioner Kiefer: I have a question regarding Hillcrest.

Michael Carroll: I was going to bring these folks up and have them give you an overview if you want.

Commissioner Kiefer: Okay, that would be great. Thanks.

Michael Carroll: If you want to go ahead with your question.

Commissioner Kiefer: No, I would like to have them, hear the overview first. Thank you.

Michael Carroll: Gentlemen? Ten minutes, probably less than ten minutes.

Commissioner Melcher: No, it's a few minutes late, so, go ahead.

President Abell: But, this is important.

Commissioner Melcher: This is important.

Michael Carroll: Alright.

Jim Ward: I'm Jim Ward, I'm the Director of Hillcrest, 90 days in, so, I'm brand new just like Mr. Carroll. Gary's been with the company 28 years?

Gary Barnett: This time.

Jim Ward: This time 28 years. So, a lot of the information I may not be able to answer, but he will, and if we can't then we'll get back to you with that. I was going to tell you a little bit, have him tell you a little bit about the programs that we offer, and I was going to talk more about the financials and a brief overall history. Since 1987 we've serviced children in Vanderburgh County ages six to 18 years old. They're referred either through DCS, the Department of Children Services, the Probation Department for Delinquency, substance abuse, truancy and other offenses that are status offenses.

Commissioner Melcher: Before you go any further, how long has, because I will forget these questions—

Jim Ward: Okay.

Commissioner Melcher: How long has the county been supporting Hillcrest?

Gary Barnett: (Inaudible. Not at microphone.)

Commissioner Melcher: Well, that's kind of what we're trying to get a handle on.

Gary Barnett: I can remember being here, Commissioner, when this all started in 1986—

Commissioner Melcher: Okay.

Gary Barnett: — when the State decided they were going to administer, start administering public funding is when some of our county money started going to Indianapolis.

Commissioner Melcher: You'll have to scoot closer to the mic.

Gary Barnett: Alright, at that time there were hearings that went on, and the Commissioners of that day decided that throughout the State most children's homes, county run children homes, which Hillcrest was, and was under its own board, but it was also reported directly to the County Council at that time. It was under the Department of Child Services, we used to call it the Welfare Department. Do you all remember the day? That's when it was a county run children's home. There were a number of those throughout the State. In 1986 when it went to State administration, one of the first things the people in Indianapolis said is, we're not going to fund these children's homes, close them. Well, Vanderburgh County, which has always done a tremendous job, I think, of taking care of kids in Vanderburgh County, there were a number of people publicly and a number of people privately that said, wait a second, what are we going to do with all of these youngsters that go to Hillcrest, where are they going to go? When they started looking at it, it was determined that if we didn't have something here in our area to take care of these kids and families, we were going to be shipping them, at that time, at least 112 miles away, at about three times what it cost us to keep them at Hillcrest and serve them in their own community. So, a group of people, your predecessors, and some public, some private people that were connected with a number of different services, Rick Borries through the School Corporation, Jerry Evans, a well known attorney in town and mental health advocate, Judge Hendrickson, Judge Lensing, different people like that came together and said what can we do? That's how this whole thing of the whole foundation that started Hillcrest took over, with your all's consent and your contract in 1987, and we've been providing those services since. So, that's kind of how it got connected. The State didn't want to run them. A bunch of places lost them. I think we're one of three that still operates out of their original buildings and have some semblance of what we were doing back in the early 80's. So, does that help?

Commissioner Melcher: Yes, it does.

Gary Bennett: Good.

Jim Ward: The, to get to the, what I think the crux of the matter of what you're looking for too is the dollars and who are we taking care of. Last year we had 5,568 bed days, that's where an actual child actually resided greater than 24 hours with us at Hillcrest. Or, I'm sorry, we had 5,568 Vanderburgh County resident bed days, out of 6,016. So, 93 percent of every bed day was to a Vanderburgh County child, that was greater than 24 hours. The financial aspect was \$1.7 million that was given by Vanderburgh County, and we actually repaid one thousand, a little over one million of that dollars. I believe how the contract works is the county pays for up to a certain census, we bill through DCS and then we repay the money back to Vanderburgh County.

Michael Carroll: DCS last year gave us, what, a million one or so.

Jim Ward: Correct, almost a million, 1.1.

Michael Carroll: We gave back (Inaudible. Not at microphone.)

Commissioner Kiefer: Would you mind restating, okay, you had how many dollars, I want to take what it cost per bed night, okay. So, how many dollars—

Jim Ward: Did Vanderburgh County pay?

Commissioner Kiefer: Right.

Jim Ward: \$1,769,068.

Commissioner Kiefer: Okay and divided by five thousand what?

Jim Ward: For just Vanderburgh County?

Commissioner Kiefer: Yes.

Jim Ward: 5,568.

Commissioner Kiefer: So, it's basically costing us \$317 per bed night? That seems pretty expensive to me. I just did the calculation with the numbers you gave me, and it's coming up \$317—

Jim Ward: Right, you're doing it—

Commissioner Kiefer: —for a night, I mean, that just seems—

Jim Ward: — but, actually we gave—

Commissioner Kiefer: — I mean, they could stay at a pretty nice hotel for that kind of cost.

Jim Ward: — you back \$1.1 million that you did not calculate.

Commissioner Kiefer: Oh, I didn't, you're right, I didn't calculate that.

Commissioner Melcher: We get a check back.

Jim Ward: So, essentially—

President Abell: That's what I was listening to was (Inaudible. Microphone not on.)

Jim Ward: So, if you do \$1,769,068—

Commissioner Kiefer: So, basically \$769,000—

Jim Ward: \$600,000—

Commissioner Melcher: \$600,000.

Jim Ward: – divided by 5,568 is a Red Roof Inn rate.

Commissioner Kiefer: Okay. Hey, I'm just double checking here. I'm just checking the math. \$107 a night then.

Jim Ward: Right, and we, actually the average median bed rate that the State of Indiana just published about a week ago is about \$170 per day that the State pays. So, we're actually operating at \$117 per diem, and you guys are funding \$107 of that.

Michael Carroll: Something else that I'll add to that, we're having to go through a process with Indiana (Inaudible) Hillcrest has been around for years, this year they sent a Request for Proposal, we actually have to respond to that proposal and competitively, you know, win our opportunity to continue doing what we're doing. In addition to our cost per day being significantly less than the Indiana state average, our average length of stay is about half. Meaning they are only there half the number of days. Our results are at or better in almost all categories. So, we're doing the same job, in half the amount of time, for less money than almost any other county.

Commissioner Kiefer: I just want to make sure I understand this again. So, we give you this chunk of money and then you determine at some point that you didn't need it all and you give it back to us?

Commissioner Melcher: No, no, no.

Jim Ward: No, every dollar that we get from, you pay us, and for lack of a better term, it's up front to operate.

Commissioner Kiefer: Right.

Jim Ward: We bill, DCS stays about 30 days roughly behind, every dollar we collect from DCS we route back to Vanderburgh County.

Commissioner Melcher: So, the State pays back.

Commissioner Kiefer: The State pays us back.

Jim Ward: Correct.

Commissioner Melcher: The State pays them and then they reimburse us.

Jim Ward: Right, the State pays us \$117 per day, and that's what we pay you.

Commissioner Melcher: Because the State won't give them front money.

Commissioner Kiefer: So, basically the \$1.76 million dollars is not a true number.

Commissioner Melcher: No, that's the front money to operate.

Jim Ward: That is true deductions, but you also have a deposit at the end of the year, or ongoing as well.

Commissioner Kiefer: Okay.

Michael Carroll: It's really about a \$600,000 number.

Joe Harrison, Jr.: I was going to say it's 600 or so, yeah.

Michael Carroll: Correct.

President Abell: (Inaudible. Microphone not on.)

Jim Ward: That fluctuates as well, though where if we're running about a census of 16, 17 average in 2011. If we were running an average of 20 children then we would be billing an extra three days, or three bed days per day times 300, so it would be another \$90,000 that we would have given back to Vanderburgh County. So, it is census driven. If we had ten kids, then we would have paid less than a million dollars back to Vanderburgh County. So, it is census driven as far as the per diem rate.

Michael Carroll: If we're unsuccessful in our response to their RFP, then that DCS funding will go away and our referrals probably won't come to us anymore, and, you know, our existence is at risk. These kids may end up having to go to Vincennes—

Jim Ward: Right, the closest facility like ours is Vincennes.

Michael Carroll: – and not go to their schools. We take them to school every day, we feed them three great meals a day, they go to bed on time, they do their homework, we have a teacher on staff, we try to teach these kids to think about things the right way and live their life the right way, so when they leave and they go back home, which is where a lot of stuff happens, hopefully they're a little stronger and a little tougher and a little better.

Commissioner Melcher: So, it's more than just spending the night?

Michael Carroll: Oh, definitely.

Jim Ward: Absolutely.

Michael Carroll: The average length of stay is 58 days or something like that, right?

Jim Ward: We actually do group counseling, and Gary was going to talk a little bit about the programming. We do group counseling. We have social workers on staff. We have case managers on staff. We have a full time RN that provides medical needs, and that's also our liaison between the school nurses, or doctors, it's much easier to have the medical to medical contacts. We go above and beyond what is needed for each child. They didn't choose to be there, so we try to make it as less restrictive as possible and more convenient.

Commissioner Kiefer: I don't want you to get the wrong idea. I mean, I'm very much in favor of the good work that you're doing for our community. I was just trying to better understand how these dollars are being spent—

Michael Carroll: Oh, I would be doing the same thing.

Commissioner Kiefer: – because, you know, we're challenged as well as to how to reduce cost. So, when I see a big number—

Jim Ward: That's the first place to look.

Commissioner Kiefer: –obviously, that's a nice target. But, if you've got some little presentation like a Power Point or something that shows statistics, you know, the kids you're helping and the cost versus State-wide, I would be interested in seeing something like that if you have that.

President Abell: I was going to recommend that maybe you could come to a County Commissioners meeting, because we're running behind schedule, we need to go on, and I think you have a lot more information that we need to know.

Jim Ward: Sure.

Commissioner Kiefer: Dig into. Thank you very much.

Michael Carroll: I'll be back at 3:50 and maybe we can (Inaudible. Not at microphone.)

President Abell: Okay, that would be—

Michael Carroll: (Inaudible. Not at microphone.)

Commissioner Melcher: Well, it will be after 3:50, but we'll get there.

Michael Carroll: Alright, thank you for your time.

President Abell: Thank you.

Jim Ward: Thank you.

President Abell: Thank you for helping us. We appreciate that.

Michael Carroll: Sure.

<b>Growth Alliance for Greater Evansville (GAGE)</b>
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President Abell: GAGE is up next, the Growth Alliance for Greater Evansville.

Debbie Dewey: I think I have five copies here.

Commissioner Melcher: Thank you.

Debbie Dewey: For the record, I'm Debbie Dewey, President of the Growth Alliance for Greater Evansville. What I've got here is really just a three page summary to try and respond to, I think what you're looking for in this meeting. The first page, the pie charts are really to show sources and uses of funds, and then the other two pages were to go over our activities in the 15 months since I've been there. Is that what you would like me to do? Okay, on the first page, the sources of funds, as you can see, we, total budget is right at \$895,000. \$420,000 of that really comes from rent, because we do operate Innovation Pointe, the incubator and also has space there for related agencies that support economic development; Grow Southwest Indiana, the Coalition, the Chamber and others. So, that's where the bulk of the funding

comes. \$225,000 from city government, \$150,000 from county, and then our target for this year, this is the 2012 budget is \$100,000 from private investment. There's a little bit of that is private foundation grants, we've received maybe about \$3,000, the rest would be just private businesses and donors to support that. One of the things, I know, listening to some of the prior presentations, at least 2010, '11 and '12 that there has been no increase in any of the, from the county or the city. Any increase that we've had to fund more resources, to do more from an economic development perspective we've been doing from private, raising private funds to do that. So, and I don't know about prior to that, I don't know if the \$150,000 has been the level from the county since the inception in 2007. I'm not sure. I can comment on 2010, '11 and '12. Then, on the uses of funds, again, the bulk \$470,000 goes to operating that facility, Innovation Pointe. We also have a small facility over on 5 East Riverside that was a small business industrial incubator, which we are trying to sell at this point. There's still a couple of tenants, but it has been kind of a loser in terms of funding, I should say, or expenses versus the rent. So, we are trying to sell that. Again, there is a little bit of deficit with Innovation Pointe right now, one of the reasons for that is because we are trying to use some of the space as an incentive, like to get SS&C there we had, they're going to be adding 500 jobs over the next five years, and so we have initial, some very low cost space for them. But, more than that, for the first three years or so that Innovation Pointe operated, some of the expenses, like for city parking garage which we pay for, about \$3,000 a month, some of the SmartNet for the call system, and some of our information system support services were paid out of the certified technology park fund, and that fund is now just about gone. So, that was something that was granted when Innovation Pointe first started, and as well as providing a lot of the capital improvements for the building. It also was paying some of the expenses. So, now starting the middle of this year, those expenses will have to be covered by other income.

President Abell: I don't mean to interrupt, but let me ask—

Debbie Dewey: Yeah.

President Abell: —capital improvement wise, is the building in pretty good shape now? I know when you got it, it wasn't in great shape.

Debbie Dewey: Well, what we did, one of the things we just did was to put together a ten year capital plan. We are talking to the Evansville Redevelopment Commission and are proposing rather than kind of leasing the building, that we become a facility operator, since it is a city asset, and that the city continue to fund any capital improvements, even though what we do, this \$470,000 budget is really the expense on-going. The thought is if the expense can be covered by the rents, but that capital improvements, and there probably is, I would say over the next five to seven years about \$700,000 in work that needs to be done. The tuck pointing on the outside, we've got a lot of leaks that are coming in with driving rain and a few other things. I mean, a lot of the stuff has been addressed, but there are still some things that need to be addressed.

President Abell: How many tenants do you have in the building? Other than, I mean, I know your office is there, but I don't know who all is in there.

Debbie Dewey: I don't have the exact number. We're at, right now, in fact over the last 15 months we've gone from 81 percent to 99 percent occupancy.

President Abell: Wow! Okay.

Debbie Dewey: So, we've done, you know, as much as we could to try to fill that building up.

President Abell: Okay, go ahead. I'm sorry.

Debbie Dewey: No, that's fine. So, again, as the uses of funds, again, the bulk in operating Innovation Pointe. What I then did was to look at the resources of the staff, and the expenses that support that staff to see how our time is allocated. Roughly it's about \$125,000 spent on retaining and jobs and expanding jobs with existing businesses, \$125,000 on the tech transfer with the relationship we have with the Naval Surface Warfare Center of Crane, as well as incubation of helping new businesses start up, high tech start ups, whether it be in Innovation Pointe or other places. About \$100,000 on attraction, where we get leads from the State or from our local commercial real estate, or even some people that just have a connection with Evansville and we work projects to try and land jobs here. Then, about \$75,000 still spent on what we'll call commercial corridor development. We still do the Fourth of July, we still do work with the farmers market, we still, we do the downtown walking map, we did a downtown event with the arena opening, we do promotional activities for downtown where we can, we keep a running database of open office space and things like that. So, that's where the rest of that falls in. Are there any questions on the sources and uses of funds?

Commissioner Melcher: No, but you're actually trying to get out of all that stuff.

Debbie Dewey: We are, I mean, that's why it's down. In fact, when I first did this, when I first started 15 months ago, I would say 75 percent of the resources were going towards those downtown events. So, we have been moving, we still have a commercial corridor responsibility, what we feel is, for example, the downtown corridor, that what we're trying to do is to attract businesses to fill the 200,000 empty square feet of office space that we have downtown, and then as we work on those things, if there are other commercial corridors, we did provide a little marketing guidance to the Franklin Street merchants. Again, there is more that I would like to do in other commercial corridors as we can free up resources.

Commissioner Melcher: Well, the \$150,000 you were talking about, I think the county has gave that since 2007 when they came together. The city gave an amount also, and they raised theirs when they started paying for the Director of DMD, the city increased their money so they could pay the DMD Director partly out of that salary.

Debbie Dewey: That's, no, that was a different piece of this.

Commissioner Melcher: That was a different piece?

Debbie Dewey: Yeah, in fact, part of this increase, there was part of an increase, but we took on administration of all tax phase-in compliance, all processing, things that were—

Commissioner Melcher: Well, you took that on from the beginning. At the very beginning they were doing tax phase-ins.



Debbie Dewey: I mean, we're bringing tax phase-in before, this is my understanding, and I wasn't here and you were, we would bring tax phase-in for incentives before the sitting elected officials for approval, but the administration of all of the paperwork and keeping all the records and all of the compliance and everything was something that was done in DMD and it was transferred to GAGE, as well as all design review. We processed 24 design reviews last year for downtown sign changes. We also do sister city chair, we're also co-chair of the bicentennial committee, so there are other things that we have been doing with regard to that too.

Commissioner Melcher: Well, see, the tax phase-in, I know they took it over because I was trying to fight to keep it in-house, because I don't think that GAGE ought to be doing the tax phase-in. I think that's kind of like the fox watching the hen house. I think that's our role. I asked that question earlier today, other counties they're doing the tax phase-in, they're, what do they call them, LEDO's?

Debbie Dewey: LEDO's.

Commissioner Melcher: They're, you're the only one doing them. So, I really think that the county needs to, you know, take it back and do it itself. You, GAGE shouldn't have to do that.

Debbie Dewey: I would only recommend that if there's going to be a change, it be both city and county, instead of just partial, if that's possible, because of, one of the things that, and don't get me wrong, I'm not saying that we need to be doing all that, but one of the things that does help is that I know with the tracking companies we can be very quick getting it through, we fill out the application for them because we've been working with them. One of the things that we have in our process, it is very cumbersome compared to other communities that we compete against. The State, for example, has a two page application, we at the city-county level have a 15 page application. So, some of the things that we have been doing in GAGE is to fill out those applications and try to not let the companies we're trying to attract see that our process needs to be updated and that it's kind of cumbersome, and try to let them see something that's moving a little bit faster. So, we do do work there that I don't know that someone in the city and county would have the knowledge to do, but that's just one thing I think that's been a benefit. It allows us to give the perception as being more business friendly and speedier and processing all of the paperwork.

Commissioner Kiefer: Debbie, hi. I've got a question. On the use of funds, \$470,000, is that where all of the salaries come out of?

Debbie Dewey: No, in fact—

Commissioner Kiefer: Are they spread out over the whole?

Debbie Dewey: — they're spread out. Within that \$470,000 there's probably, I was estimating between \$50,000-\$60,000 that is resource, human resource, or like our accountant, a certain portion of the accountant that is really, and even a little bit of my time that's focused on managing that building and making decisions relating to that. Then, the rest of it is spread out between those other, the bulk of the human resource and the related cost is spread out among the other areas. We have one person full time that manages the buildings. There's a little bit of my time, from a management standpoint, and a little bit of our accountant's time.

Commissioner Kiefer: Okay, so roughly \$50,000 to \$60,000 is employment costs for the \$470,000?

Debbie Dewey: Employment and accounting sub-contractor resources.

Commissioner Kiefer: What is the total employment cost for GAGE? Like all salaries, everything combined, and their overhead, including, I don't know if you guys have 401(k) or whatever.

Debbie Dewey: Yeah, we have a simple IRA plan.

Commissioner Kiefer: Simple IRA plan? But, just the total cost of–

Debbie Dewey: Right, and a health insurance.

Commissioner Kiefer: – employment.

Debbie Dewey: I don't know if you've got a calculator. I've got three numbers; \$386,400–

Commissioner Kiefer: Okay.

Debbie Dewey: – \$8,400–

Commissioner Kiefer: That's a small one.

Debbie Dewey: – that's, and then the health insurance is \$20,400.

Commissioner Kiefer: Okay. Alrighty, then what would you say the percentage of costs to implement the tax phase-in, for you guys to operate the tax phase-in, what's it cost?

Debbie Dewey: Percentage of the, it's probably, I would say around \$25,000.

Commissioner Kiefer: \$25,000?

Debbie Dewey: That's an estimate. I mean, I'm thinking of a portion of a person.

Commissioner Kiefer: That's for both, both city and county?

Debbie Dewey: Yeah.

Commissioner Kiefer: Okay.

Commissioner Melcher: I think that's kind of what we were figuring at one time, about a year ago, was about, I actually had it a little higher, I think I had it around \$30,000-\$35,000. It may be a little more if you get an office.

Debbie Dewey: Yeah, I was just looking at the human resource, assuming that the office was still there for other reasons.

Commissioner Kiefer: Okay.

Commissioner Melcher: I do have the salaries, Joe.

Commissioner Kiefer: Okay.

Commissioner Melcher: You know where the other people are sending theirs in. One person makes \$62,000, that's the Business Development Director, the Public Program Manager makes \$47,500, two of them make, Facilities Operating Manager and Marketing Manager, both of them made \$36,000, and Administrative Manager makes \$28,840. Did you want that?

Commissioner Kiefer: Sure, thanks.

Commissioner Melcher: What we're talking about is, on raises and stuff, like you guys are giving raises, and we said, we've hit everybody up on this, and the same way with merit. Like you started in '95, excuse me in 2010, September at \$95,000, then 90 days later, and, I guess it was because of your contract you went to \$100,000.

Debbie Dewey: Yeah, I have an employment contract that has very specific—

Commissioner Melcher: So, you went to \$100,000 and now you're making \$105,000, plus a merit raise. I guess, everybody got a merit raise.

Debbie Dewey: No, I didn't.

Commissioner Melcher: You didn't get one?

Debbie Dewey: Mine was part of the contract. Those increases were part of the contract that I signed in 2010.

Commissioner Melcher: And you didn't get a merit raise in 2011?

Debbie Dewey: Not on top of that. I mean, I got, the increases came as part of a three, the five year contract that was approved by the board.

Commissioner Kiefer: It was a contract.

Debbie Dewey: It was contractual, it wasn't part of that increase that we took.

Commissioner Kiefer: Well, Debbie, let me ask you a question, you know, we've been charged by the County Council to try to reduce budgets by ten percent. What kind of effect or impact does that have on you of a ten percent reduction from the county?

Debbie Dewey: Well, that would be \$15,000, I guess, would be the ten percent reduction. Right now, I would make the case that since 2007 there's been no increase from the county to GAGE, and there's been no increase from the city to GAGE. That any increase that we've had has been as a result of getting private investment, or what we're getting in operating the building, which is still working at a deficit too. So, we haven't had an increase for that. Any increase we've been able to do is because we've had private investment supporting what we're doing. \$15,000, it would be, right now when I say the \$100,000 is a private investment, that's a target. Last year it was \$47,000, so we already gave ourselves more than

a 50 percent increase in private investment to help fund what we're doing, not coming back to the city, not coming back to the county. Year-to-date we're at \$71,000 on that, so we haven't even hit the \$100,000 yet. So, we would have to, I don't know, I guess we would lay somebody off.

Commissioner Kiefer: Okay, I think that answers my questions.

Commissioner Melcher: Basically, what, and I don't know if you was here, so I hope I'm not repeating this, the county has asked us to reduce ten percent. So, if we reduced the \$150,000 that would be \$15,000. So, what we've asked one group is that, earlier, if there's a number you feel more comfortable with, you need to get it to us, that we could reduce. Because we don't know where we're heading on this. I would like to bring, if I had my way I would like to bring the tax phase-in back into here in 2013, then that would reduce your amount too.

Debbie Dewey: Again, I'll reiterate, any increase that we've had in cost we've covered with outside sources since 2007, and have not had any increase in terms of what we're doing. It's all been trying to get grants, trying to get private investment, trying to do other things to increase the services that we're providing. I don't know if you want to take a little bit of time to go over the activity or not.

President Abell: I kind of am familiar with it. (Inaudible. Microphone not on.)

Commissioner Melcher: Joe used to sit on it too.

Debbie Dewey: I mean, we do put out the annual report and quarterly reports, and, I think, at least in our board meetings we've handed out the promotional materials that we've been developing for the city. I would say that in the 15 months since I've been here we've landed projects that will add 155, or excuse me, 1,055 jobs over the next ten years. That has an economic impact, in terms of the jobs, and what those people then have to spend and the taxes and everything of over \$100 million a year. So, in terms of a return on investment, I think it's a pretty good return on investment.

President Abell: What's the city's commitment?

Debbie Dewey: \$225,000.

Commissioner Melcher: \$225,000.

Debbie Dewey: Again, if you take out part of that that we were looking at that goes to Innovation Pointe and maybe some of the tax phase-in, it's probably getting close to about what the county is, in terms of what is then available for tech transfer, economic development and those things that we're doing in terms of adding jobs.

Commissioner Melcher: Yeah, I think when it was originally set up it was \$150,000 each, if I remember right.

President Abell: Okay, anything else?

Commissioner Melcher: Not about this?

President Abell: Not about GAGE?

Commissioner Melcher: Yes, but not about money or anything.

President Abell: Oh, go ahead.

Commissioner Melcher: Joe, do you got anymore questions? One thing that I feel like some of the Commissioners, we can't really have discussions among each other until we do it publicly. I kind of felt like sometimes we're not getting the fair shake from GAGE as the county. I brought this up to Shetler two or three times. When I first got on, I've been on about 90 days, and when I first got on it I heard about this bus trip. Then in the meeting it was brought up that the Mayor was handling it, the Mayor sent out all the invitations and everything, but we're part of it too. I asked Marsha later if she was part of that, she said no she didn't, and I know I wasn't, and I thought about going. I think Joe kind of wanted to go, but he can speak for his self, then the next meeting I went to everybody went and came back, and you read it in the paper.

Debbie Dewey: Well, if I can—

Commissioner Melcher: So, we're kind of left out of the loop on that, I thought we were.

Debbie Dewey: If I could maybe talk a little bit about, and I did try to get a hold of you, Marsha, when we had an extra seat available. What were trying to do with tech transfer is, we've been trying, I guess, now since 2007, prior to me, to make something happen in terms of getting local businesses interested in that asset and what that tech transfer could do for their businesses and entrepreneurs. It's been a slow go. My predecessor held technology showcases and nothing came about as a result of that. So, we started last year starting something new. This has all been trying something new to get people interested. So, we started trying to meet with some target businesses to say what technologies are you interested in? Can we try to find a federal lab or Crane that would respond to that? We got a little more interest, but, again, it took us, like one of the companies that we worked the longest with, it took us six months to actually get them up there to even take a look at Crane. So, the idea came up what if we try to get some of them up there just to give them an idea. We started with the county, or, excuse me, with the city because the Mayor had told me he had tech transfer as part of this campaign and that he would support that. The thing is I was going to send out invitations, in which case, really for tech transfer I have a 26 county responsibility. That's the agreement I have with Crane. I'm supposed to be in Kentucky and Southern Illinois as well, but what I did was to say let's try something, let's see if we can get some companies up there. If it works, Crane hadn't done something like this with 50 people or so coming up on a bus. They didn't know if they could handle it, you know, we couldn't get two or three busses because this was a new thing for them too. So, we thought, well, let's try and get, you know, maybe if the Mayor sends an invitation, we'll try to start with Evansville based companies first, see if we can get them up there. If it works, if Crane is okay with it, if they're able to do the logistics and it works and the companies felt like it was worth their time, then we'll expand it. So, it was a trial is what it was. It wasn't meant to exclude anybody, it was just meant to start with where someone had voiced some support and I was trying to get somebody to get some people up there. Now, at least at this point, the people that went said, yeah, that was worthwhile, but, you know what, Crane has kind of said, before you bring another bus up here let me start seeing if we actually get some tech transfer going. So, we're still in a trial period. We're trying different things. We weren't trying to exclude

anybody. We were just trying to see if something would work. If it works we're going to expand it, we're going to take more people if we can. That was really what was behind it. I had an empty seat at the end, and, Marsha, I tried to call you, I think you were out of town, the next day we were on the way. If people felt like I was excluding them, I apologize. That was not the intention at all. Again, well, that was the basis for it.

Commissioner Kiefer: Debbie, just out of curiosity, you mentioned, and I knew that you did this, you worked with multiple counties with the tech transfer, which, by the way, I think that tech transfer program is really awesome. I mean, if we can come up with something through that, I think it could be a real home run. But, you're working with a lot of different counties and a lot of different local municipalities because that's the basis of your contract with Crane. Have you pursued any funding opportunities from those other counties?

Debbie Dewey: Until—

Commissioner Kiefer: For the tech transfer.

Debbie Dewey: Yeah, until yesterday I hadn't done anything with anything outside of Vanderburgh. There were a couple of companies in Warrick County that we met with and tried to get up there, but we hadn't really met anything other than that. So, because we were, again, trying to focus on getting something to work, we're still trying to develop the process before we extend, I think that's a valid request, at this point, you know, you talk about the tech transfer program, we were actually invited, with USI and Crane, up to give a speech at the Federal Lab Consortium because what we're doing is considered progressive. Even though we don't have a lot of hits and it's not really working yet, they see it as a progressive approach. We can start pursuing that, but I think again until somebody starts seeing something happen as a result, in terms of new products and new income and new jobs, it's going to be hard for us to try and sell other counties until they say why should I participate in that? So, I've really been trying to focus on Evansville-Vanderburgh County to get something to happen so we can use it kind of as a testimonial that says this is why you should participate.

Commissioner Kiefer: I think, you know, I don't want to speak for Commissioner Melcher, but I think the Commissioners here, at least I think all three of us would feel this way, I think we don't want to really, we feel like being \$150,000 contributor makes us a partner and really would like to be treated more as a partner and not necessarily as an afterthought on like some of these trips or some of these programs. We would like to be included early on, now we might say, no, can't make it, but at least have the opportunity to be a partner—

Debbie Dewey: No, I hear what you're saying, and I apologize that it came across that way. That was not the intention. We were trying something new to see if it would start, and as far as feeling like you're getting what you're paying for, right now we have a dozen open projects that I have put county properties in that we have worked, and developed books and things like this. So, you may not see it yet, because they haven't transitioned into things, but there's a lot of time spent by the GAGE staff on trying to locate jobs in the county as well. I mean, we're working, we got a site, shovel ready site which was a lot of effort that we got last year in the county. We're currently working on a major project we hope to locate pretty soon. As I said, we've got 12 open projects that have county land that's been proposed for

them and putting together one of those responses in three days or so, it's pages and pages of information that you have to put together. We're also working on seeing if there's opportunity for spec buildings and how those might be funded. We've got another project that we're looking at in terms of North 41 up at 64 to see what might be done within that TIF district. So, while you may not, it may not get the front page of the paper, there's a lot work going on for the county within GAGE. A lot.

Commissioner Melcher: No, and we understand that. I guess, the thing that I used to get upset with the first Mayor I served under, was we would always read it in the paper. The same thing happened just lately, even with GAGE. I was at the board meeting and you invited us to the 3:30 event for that plastic, was it a plastic company?

Debbie Dewey: Seal Corp?

Commissioner Melcher: Yeah, Seal Corp, it used to be Ru Van. You invited us there, but, then according to the paper the invitations, and maybe the paper was wrong, but somebody from GAGE said the invitations were sent out three or four days ahead of time.

Debbie Dewey: It went to the City Council. One of the things that we struggle with with those companies too, and I apologize, and we'll make sure that the county representatives are on that in the future, is that we're always walking that line between trying to keep stuff confidential, in fact that company said, you know what, we don't ever do this kind of stuff and we're not comfortable doing this kind of stuff. We don't necessarily want to do it public, but we want to compliment the work that GAGE did, because otherwise they would be in Kentucky. So, we try to keep it as close to the vest as possible. I'll make sure that the Commissioners are on the City Council list of invites where we did give a notice a couple of days ahead of time, but ask them that it be kept quiet, because that's part of what we have to do with the companies. You know, they often don't want people to know. They don't want, until their employees know, and very often they hold that and don't announce that to them until right before hand.

President Abell: Well, I'll have to say this, the taxpayers of this community expect us to know.

Debbie Dewey: I understand.

President Abell: They don't expect us to give out tax abatements and give their money away and give their land away and give everything away to a company that doesn't want it out. All you have to do is tell the three of us something's confidential, we won't go out and talk to the media about something that's confidential. But on the same token, we are elected by the people of this county to represent them and hold true to their money, and I think I speak for all three of us when I say, you know, if the nine people on the City Council can keep it quiet, I'm sure the three people on the County Commissioners can.

Debbie Dewey: Again, I apologize, that could be my ignorance in only being in this job for 15 months. I felt like when I was taking a project through that had to have City Council approval, that that's where I had to make the notice. If it was County Council or Commissioner approval, that's where I had to make the notice. So, I will take responsibility for that, as ignorance, as opposed—

Commissioner Melcher: Well, here's where I want to go with this, I guess.

Debbie Dewey: – to trying to keep somebody from some place.

Commissioner Melcher: I'm the board representative, alright. I should have known. So, I kind of take that personal now. I'm not going to take it personal, but I should, that you just said I'm not trustworthy–

Debbie Dewey: I'm sorry, that's not what I meant.

Commissioner Melcher: –because I sit on the board and nine Councilmembers are.

Debbie Dewey: That's not what I meant. I apologize if that's the way it came across, because that's not what I meant.

Commissioner Melcher: Because at this, what I've been trying to figure out is justifying continuing supporting GAGE. That's why I was asked to sit on this board to see what kind of information I could get to pass on to my fellow Commissioners. I haven't been able to get much. You sent out an e-mail, and on that e-mail you said any elected official or board member could get salaries and get stuff right away, it could be about a month to get the employees. It took another two weeks to get yours, and I sit on the board.

Debbie Dewey: Nobody asked me for mine.

Commissioner Melcher: No, I asked the chairman of the board.

Debbie Dewey: Well, I know it's been said in the paper that I refused to give it, and nobody asked me to give it.

Commissioner Melcher: No, I did not ask you. I've said that.

Debbie Dewey: Well, that's been stated falsely then that I'm refusing to give information, which I did not do. That's available to the board members.

Commissioner Melcher: So, I had a hard time getting them. So, I'm trying to figure out if I still want us, want to give money to GAGE.

Debbie Dewey: All I can say is over 1,000 jobs when my predecessor's results were negative in terms of the projects that he worked on. I've got national recognition for the tech transfer program, and those 1,000 jobs are going to bring in \$100 million per year in positive economic impact. We've got nearly 420 businesses that we have contacted and assisted in the last 15 months. We've got over 50 companies that we're talking to about tech transfer, and this is a staff of six. Shovel ready certification, actively working 15-20 projects in any given day. SBI workshops, start up weekend sponsorship, Kauffman Growth Ventures, I'm trained now to help our local businesses be, develop growth plans. We have done Technology Commercialization Academy that is now being started for our local engineering and business students that we were instrumental in getting started. Increasing the occupancy of Innovation Pointe to 99 percent. Finding somebody who was embezzling for how many years, I don't know, getting, attacking that. 50 percent increase in private investment. 80 percent reduction in accounts receivable. \$28,000 better than budget last year and this year we're on target to do the same thing. I mean, I could go on and on, there are two pages, and if you don't feel that that's



what you want...I understand not communicating and I'm struggling with that too, because, as I said, it may be ignorance in terms of who do I communicate what to on the different projects between city and county. I will take full responsibility for that in my ignorance, but as far as the benefit to the county, I think there's significant benefit for the \$150,000 that's being spent.

Commissioner Melcher: Okay, I'll ask you now then, because I even brought it up I believe in a board meeting, when I asked about the salaries of the two employees that you had when you started. When I asked, I said can I get from when they started. What I got was when you came.

Debbie Dewey: They were interns prior to that and had been there as interns for one year.

Commissioner Melcher: But, they had a salary.

Debbie Dewey: They were the only two, what we did was we redefined all of the jobs—

Commissioner Melcher: There was more there when you got there.

Debbie Dewey: – when I came in.

Commissioner Melcher: You redid the jobs—

Debbie Dewey: I redid the jobs and everybody posted for the new job positions. So, we started with those salaries of the new job positions. I mean, I can give you those, they were interns and they started a year prior.

Commissioner Melcher: I voted against the raises in the board meeting only because it's not fair to our county employees that's sitting to the left of me that they're going three years or more without a raise, or maybe a \$500 raise, and we've talked about that with everybody.

Debbie Dewey: I understand.

Commissioner Melcher: So, it's not fair that that happens. I'm done. Our time has ran out.

President Abell: Thank you.

Debbie Dewey: You're welcome.

<b>IBAP Gatekeeper: Lieberman Technologies</b>
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President Abell: Lieberman Technologies.

Commissioner Melcher: Lieberman actually runs the Gatekeeper, which used to be called the Welfare to Work, and it was set up years ago when the riverboat first came in under Richard Mourdock.

Stewart Klipsch: Hi, my name is Stewart Klipsch, and I'm the managing partner for Lieberman Technologies, which is the administrator for the Gatekeeper program. We work on behalf of the Welfare to Work Board. I've got some information here I could pass out to you to give you a little background on the program, if you like, or if you have questions specifically and you would like to do that, whatever you—

President Abell: Go ahead and pass those out.

Stewart Klipsch: So, you should have two pieces of information. One is just a one page piece that I'll start with, which it just gives you a quick overview of the program. Basically, the Gatekeeper project provides assistance for the working poor of Vanderburgh County who are not receiving the adult portion of TANF. These, primarily what we provide are three buckets of funds; the first fund is for Child Care, we provide a 12 month benefit for those people who are trying to get themselves back on their feet and are either working or are in school more than 25 hours a week. The second bucket of money is a Safety Net program where we provide \$750 for repair of personal automobiles, again, to be able to help people to get to work, and to help themselves. Then, the third bucket of money actually help support in the Prosecutor's Office an individual that helps to collect child support funds, are the three buckets that we administer.

President Abell: Say that again about the child support fund.

Stewart Klipsch: The third bucket of money goes to the Prosecutor's Office, there's a person in the Prosecutor's Office that actually helps to collect child support. They will interview clients that are in need of trying to collect that child support and get those funds. So, this person helps to be able to make that happen.

President Abell: So, how did that get set up?

Commissioner Melcher: That got set up, actually when this first got set up, I can't remember the three, I think it was Transportation, Training and Day Care. Somewhere along the line what they tried to do, they were able to get a grant and the Prosecutor wouldn't, at that time the Prosecutor wouldn't go out and try to get the money that people owed on their child support. So, the County Council allowed, I could get this wrong, so, I don't know if you know this, but I think somebody in the audience might, decided to go ahead and we switched part of that to, and with the County Council's blessing, to hire somebody in the Prosecutor's who could actively just do that, go after child support money. It's been very beneficial.

President Abell: I question that. How much is used for that?

Commissioner Melcher: I don't remember.

Stewart Klipsch: This year, \$37,062 is the amount allotted for Child Support Collection.

President Abell: Well, that's the Prosecutor's job. That's what he got elected to do, that's what he gets paid a big salary for, he's got a large office for, he gets Title IV-D funds for administering the child support. I know this first hand because I was Clerk of Court for eight years, and I'm sad to hear that we're spending \$37,000 of money we could give to people to help them get back to work for administration costs that the Prosecutor's already getting paid for. It seems like to me that that's not a very

good use of money, unless there's some written statute that says we have to do that, I'm ready to move that out.

Commissioner Melcher: No, there's not a written statute, but, what's, I guess, we changed Prosecutor's, so, I don't know.

President Abell: Changed Prosecutor's, change positions.

Commissioner Melcher: We might be able to change this and we could use this, we need the money in the Child Day Care.

President Abell: That's where I would like to see it put.

Commissioner Melcher: So, I'm not against moving it, but we've got to make sure that our new Prosecutor is going to fund it.

President Abell: Well, and I agree, however, failure to pay child support is against the law.

Commissioner Melcher: I understand that.

President Abell: And, if the Prosecutor is doing his job, then we don't need anybody else to do it.

Commissioner Melcher: We're not saying that, we're just saying they came for help and this group decided to help them.

Joe Harrison, Jr.: It looks like originally, just for the heck of it, I was around here when the original ordinance was adopted in '97, but the intent of the program was to provide eligible families with transportation services, child care, employment and training assistance, and/or safety net assistance—

Commissioner Melcher: I forgot the safety net.

Joe Harrison, Jr.: —so that was the parameters back then in 1997.

President Abell: And that sounds like a great (Inaudible. Microphone not on.)

Commissioner Melcher: I forgot about the safety net.

President Abell: That's the kind of program that I would like to follow.

Stewart Klipsch: Your second paper that I gave to you is a monthly report that we provide that will talk about the different areas that we're spending money, and the people that we're serving. The first one on there is travel care, which you can see, currently we're serving 39 families and 56 children. We are currently over-obligated on that program. The way that this works is that we fund, in the beginning of the year, children for a 12 month period. So, we over-obligate because we know some people are going to be coming off of the program. Then, as the year goes along we try to provide a safe landing to that zero dollar amount by year end. Safety Net, you can see, which is providing car repair, we had \$12,500 at the beginning of this year, we've got about \$8,000 left at this point to spend in that area. The Child Support Collection is \$33,000 of the \$37,000 has been spent. Currently, on the wait list we

have 67 families and 130 children on our wait list that would like to get on this program. In the 17 years that we've done this program, we've always had a wait list of about that size, if not larger. So, really this program, and I think, primarily, Child Care, and the focus of it, a couple points just to note for you; one is that the increased need of low income families, especially with regard to child care and transportation and their ability to remain productive working citizens consistently ranks as the top two barriers to be able to get to work. We're trying to address those to be able to help people help themselves and get back on their feet. The second piece, low income families, especially single parent families pay almost 50 percent of their take home pay to meet child care expenses. So, it's a significant need in our county, and we're trying to fill that the best that we can.

Commissioner Melcher: This is a good program. This program is the last program for people. Once they've run out of all their other money, all their other is exhausted, this is what saves them for a while. Then we try to move them on to other programs.

Stewart Klipsch: Do you have any specific questions?

President Abell: I see that for 2012 we apparently have budgeted \$300,000, I guess.

Stewart Klipsch: Yes, there's a total of \$300,000.

President Abell: Is that your total budget.

Stewart Klipsch: That is the total budget.

Commissioner Melcher: That's the total budget.

President Abell: How much of that is administrative costs, and how much of that is direct costs to the, and I'm assuming, I'm taking into consideration the Prosecutor's amount is an administrative cost. How much is direct benefit to the people?

Stewart Klipsch: Let's see, so we, there's \$27,000 that is used for administrative costs, then there was \$37,000 roughly that goes to Child Support, the remainder goes to either Child Care or Safety Net program.

President Abell: So, all of your employees together that's \$27,000?

Stewart Klipsch: Right.

Commissioner Melcher: He is the employee.

Stewart Klipsch: Well, there are actually, three other people in our office that work on this program part time. So, we have four total people working part time on the program to administer it.

President Abell: So, that \$64,000 is used for administrative and the rest is—

Commissioner Melcher: But, if we take out that \$35,000 they go back down to \$27,000.

Stewart Klipsch: Well, \$37,000 of the \$64,000 goes to the Prosecutor's Office.

President Abell: Yeah, I'm counting that, and I'm very well aware of that.

Commissioner Melcher: I think Marsha will be able to handle this. So, then the thing for 2013, and maybe even part of this year, would go back to them for Child Care.

President Abell: Yeah, I have no issues with what you're doing. I just have an issue with giving money to the Prosecutor's Office to do their statutory job that they were elected to do and that our tax money pays for anyway. We staff a very large office for them. I think that, I would much rather see this \$37,000 go to Child Care.

Stewart Klipsch: We certainly could use it. We've had, we were receiving over a half a million in past years, and these past few years we've been reduced down to about \$300,000. So, we could easily use that money in Child Care.

President Abell: Yeah, we don't want to, I'm not here to try to cut your budget. I'm just here to move some money more into it.

Commissioner Melcher: You might want to hear from one of the board members.

President Abell: Sure.

Commissioner Melcher: Phyllis? I think it might be better if you heard a little bit from her, because she's been in it from the beginning. Actually, Gary Heck started with Lieberman on this program when they got the contract. Go ahead, Phyllis.

Phyllis Donahue: I guess, I just want to address—

Commissioner Melcher: State your name.

Phyllis Donahue: Phyllis Donahue. Actually, I'm retired after 40 years of working in, I guess, welfare and associated programs. I just want to address the thing about the child support liaison, is that when we started this there was actually a print out, and I guess you could picture the old fashioned print out with the little holes in the side, 14 pages of names of clients that were our clients that were people that were on assistance or were coming off assistance. I can't give you the exact stat, but the idea of child support along with a low income salary, some people can become self sufficient. I'm not saying that the Prosecutor is not doing their job, but it's just that that population, the people that are very low income, the absent parents and finding those people, getting the child support established, or even paternity, it was just not, it's just not the population that you went after. You didn't get your bang for the buck or whatever. You know, if you look at the stats here, the person we've had there, Jessica, in that office is, you know, she does that job. She interviews that population and she establishes paternity, and she gets child support into those homes. I mean, I guess, if I felt that that, their office could assure, or at least give me some assurance that that population would no longer be overlooked, that I would feel really good about moving that \$37,000 to Child Care. We sure could use all, you know, it's just a, it's a huge difference in whether or not somebody makes it, but, both of those pieces are.

President Abell: Well, I have a very, very intimate relationship with the plan that sets up the child support system, because I was on the State's board when we set it up. The State has a very good tracking system. They can get your lottery winnings, they can get your income taxes, they can get just about, you could almost get change at

the grocery store and they can attach it. So, if it's properly administered by the Clerk's Office and the Prosecutor's Office there should be no fall through the cracks, because everything is tracked on social security numbers, and the paternity establishment is done by the courts and that's all kept on this same system. I can't, I'm sure she's a very good employee, but I can't imagine any person can keep better track of it than a computer system can.

Phyllis Donahue: She works in their office. She works in their office. She is co-located with them at this point.

President Abell: Well, I, again I just feel like we already pay for it. We already tax the people for the Prosecutor's salary, and I just—

Phyllis Donahue: Okay, well, IV-D, I also wanted to say that I think that IV-D is TANF related, and our population cannot be on TANF. It's, that IV-D that you mentioned, the IV-D, that money, pot of money that it goes toward the TANF population and our program is the slot between on assistance moving on to self sufficiency.

President Abell: Well, everybody is actually in the computer system—

Phyllis Donahue: Okay.

President Abell: —whether they fall IV-D—

Phyllis Donahue: I was just talking about funding streams.

President Abell: —yeah, I mean, there are lawyers making a half million dollars a year who are in that system—

Phyllis Donahue: Right.

President Abell: —because everybody's in that system. I can't, I just cannot imagine that we can't give this money back to the people that deserve it, instead of using it for administrative costs. I just, I'm just one vote, but that's how I feel about it.

Commissioner Melcher: No, I think—

Phyllis Donahue: Thank you.

Commissioner Melcher: — this is all correct as long as we can keep them doing what they're doing.

President Abell: Oh, I want to see that.

Commissioner Melcher: You know, with that same clientele. That's the scary part, because we couldn't get them to do that clientele. I don't have anything else.

President Abell: I think the Prosecutor can make that clear when he stands before the County Council. Any other questions? Thank you. You do good work and we appreciate it. Thank you so much.

<b>Youth Resources</b>
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President Abell: Youth Resources.

Ann Burnworth: Good afternoon. Hi, I'm Ann Burnworth, and I'm blessed to be Executive Director of Youth Resources. This is Krista Decker, and she's our Development Director and the brains of the operation. Behind us is our board chair of many years, Eric Williams. We just have a few handouts we're going to give you.

President Abell: Okay. I think we kind of know all three of you. I thought you brought him along to take control of us if we got out of hand.

Eric Williams: I thought there might be a moment there.

Commissioner Melcher: I did too. I was really trying to be good.

Eric Williams: You restrained yourself.

Commissioner Melcher: Yes, I did.

Ann Burnworth: The items that you have in front of you are our operating budget. You'll see the line item with Vanderburgh County funding, and that's right across our budget to allow you to see how out of our \$368,000 in expenditures we invest your investment in our youth. Then we have our long term tracking, which for the last five years we've had our program managers tracking the increase in growth of the youth that we serve. Again, without the increase in the investment from the city and county, but we do have the increase in youth that we serve. Then we have our collaborative partnerships, Phyllis Kincaid when she set this up with the National Crime Prevention Council 25 years ago, she naturally allowed us to collaborate with other organizations.

Commissioner Kiefer: Hi, Ann.

Ann Burnworth: Hi.

Commissioner Kiefer: You guys are also supported by the City of Evansville as well?

Ann Burnworth: Yes, \$35,000 from the City of Evansville and \$20,000 from the county.

Commissioner Kiefer: Okay, thank you. What about other, do you do other communities as well, like Warrick County and stuff?

Ann Burnworth: We serve, 75 percent of the 1,700 youth we serve a year are Vanderburgh County youth, and 25 percent are Warrick County and maybe a couple Posey County and Gibson County and a couple from Kentucky, but primarily Vanderburgh County.

Commissioner Kiefer: Does Warrick County help out any too? Or, do they participate?

Krista Decker: No, we've gotten grants before from their Community Foundation, however, of the 25 percent of Warrick County, primarily the 25 percent is mostly Warrick County, those youth are actually participating in programs that are happening in Vanderburgh County—

Commissioner Kiefer: Right.

Krista Decker: —they're our Teen Court volunteers and also the Teen Power participants, which are held at UE and USI, those programs are.

Ann Burnworth: And, quite honestly, with some of the Teen Court respondents, they may come from Warrick County, but they're at the mall stealing or they're doing something in Vanderburgh County which is why they come through our Teen Court program here in Vanderburgh County.

Commissioner Kiefer: Okay, thank you.

Commissioner Melcher: I don't have anything.

President Abell: I like this organization.

Commissioner Melcher: I do too.

Ann Burnworth: Thank you for your continued support.

Commissioner Melcher: Thank you.

Krista Decker: Thank you.

President Abell: Thank you. Thanks for coming in, we appreciate it. Thank you too, Eric, I know you have a busy day.

Eric Williams: I had a speech all worked up too.

Commissioner Melcher: That's okay.

President Abell: We've heard your speeches before.

<b>METS</b>
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President Abell: METS. I believe METS is out in the hall.

Commissioner Melcher: No, but the guy that knows is walking out in the hall now. Good afternoon.

Todd Robertson: Good afternoon. Todd Robertson, Transportation and Services for the City of Evansville, Director of Transportation Services City of Evansville, here to bring the report. I don't know if you, I had a small, little spreadsheet.

President Abell: Yes, we would love to see it.

Todd Robertson: Okay.



President Abell: Hello, glad to meet you.

Todd Robertson: Nice to meet you.

Commissioner Kiefer: Thank you for coming today.

Todd Robertson: I wasn't sure exactly what we needed to report, but we do know that you was concerned about the numbers and how we service. What you find is that METS Mobility county service for agreement 2011 was \$151,263. The projected cost for 2012, based on the first quarter of the year, is \$263,964.69, which also includes a three percent increase of salaries and maintenance costs for 2013, I believe is how we produced that. Which, roughly, about \$7,000, right at \$8,000, \$7,918.94. It's a difference of \$112,701.69, which is an increase of 75 percent, which automatically begs a question—

Commissioner Kiefer: Yeah.

Todd Robertson: —automatically begs a question. The question we understand is why such a jump? What we've done, prior, in previous years we've based everything on human counting, and based on the human error is what we are believing that's the problem, because now everything is generated automatically. We get more of a factual count now when we run METS Mobility. So, now we have more factual data based on our, the ability to use our, our computer generated, everything is kind of computer generated for us. Which now we get more of an accurate count, which shows that, I guess, we've, I don't want to make any humor, but, you know, the county's been getting a real good deal.

President Abell: So, it sounds like.

Todd Robertson: Yeah, so, but that's what have, based on the first quarter of our data using the system now where it's actually automatically generated and then projected out throughout the rest of the year with the three percent increase. So, that's what we have for METS Mobility.

President Abell: Commissioners?

Commissioner Melcher: I guess, the question I have, and I wasn't really prepared to talk on this today, I've had complaints from people that are handicapped about you can't get METS Mobility on Saturday for the county, is that true?

Todd Robertson: Is that true?

Unidentified: Our contract is only for Monday through Friday.

President Abell: I hope that currently means you're looking at making a change.

Commissioner Melcher: Because they can't get to work on Saturday and they can't go shopping on Saturday. They can't get things done. I guess, what I don't understand and I thought I understood a lot of this, METS Mobility is, and I know we don't have city busses and maybe that's the out, but don't METS Mobility have to run the same time frame as the city busses?

Todd Robertson: I think what they were just explaining here to me just a second ago then is that, I guess, that currently it's based on the contract that it only run Monday through Friday for the county. So, I mean—

Commissioner Melcher: So, we're already in the hole, so, we ought to just keep quiet, is what you're saying. But, you know, it seems like, and not to, the only thing I'm telling you, I've dealt a long time with METS, it seems like every time you turn around there's some kind of a figure out there that was really high, and then after you look into it, it's not as high. So, I don't know that answer. It doesn't matter who the Mayor is, it doesn't matter who's over it, over METS, it always has done like that.

Todd Robertson: Well, and it may have been, and I'm not sure because that's what we found from last year to this year, and that's what, you know, when I presented this information I thought that begs the question automatically, because it did us. What's the difference in last year's factual numbers of what we have to this year's? We based it on, and we do have the first quarter data to show where we actually have the count. We just took the first quarter actual counting for what are currently servicing now in the county.

Commissioner Melcher: Well, I know when we started, when they started that route out to USI, it turned out to be a low figure. Then after four or five years we found out that it's quadrupled. You know, it just got out of hand, and then that's when the city and county both said we're not paying anymore than \$25,000, you know, isn't that right, Kerry?

Kerry Kamp: Yes.

Commissioner Melcher: Is that how that happened?

Kerry Kamp: Yes.

Commissioner Melcher: So, it's just very important that we understand what the real dollar figures are.

Todd Robertson: That's our goal as well. We actually want to know, and we've been assessing the routes, and we're actually assessing the cost to each route. So, we've only done a couple thus far, but we are actually going through the mileage, we're going back through and making sure our count is right, trying to understand. We do have some plans in the future to do the annunciators, to where it will actually do an automatic counting, as well as, as opposed to trying to depend on human. Anytime you depend on a human there's always that possibility of error. That's what we've found thus far in METS Mobility is that we think that everybody, it just wasn't being captured for 2011. So, now we're going back through, we have our first quarter data in to where we have actual data. We have, we know our mileage of what we are actually traveling, because that's being computer generated and everything for us. So, therefore we are able to do now a better assessment of what it's actually costing us to run certain routes. We have not done that for all of the entire system as of yet, but that is our goal is to understand what it's actually costing us. Because, to me, you cannot manage what you do not know.

President Abell: Right.

Todd Robertson: So, you have to figure out what is it costing us to run this service. So, that's our goal is to figure out what's it costing us.

Commissioner Kiefer: That sounds like a lofty goal.

Todd Robertson: It is. Whether I'll be here long enough to do it or not I don't know.

President Abell: But, it makes sense, and that, you know, we're going to have to look at an increase, at least we want to have some basis for it.

Todd Robertson: Sure.

President Abell: And just not, we think this is what we should be doing.

Todd Robertson: Correct.

President Abell: I would like to say, to tag on to what Mr. Melcher said, not that this is the time for making suggestions, but I'll make one since I haven't had the opportunity to meet you yet.

Todd Robertson: Okay.

President Abell: Last year, a person who I am familiar with, she and her husband are both disabled. Their son was graduating from USI on Sunday afternoon. She called me and she said, my husband and I neither one ever had the opportunity to go to college, much less graduate and our son is graduating from USI and we cannot go because the METS Mobility bus doesn't run and we have no way to get there. We called on, me and a couple others called on some friends of ours that own taxi cabs and we got them to the graduation. So, you might want to think about days when there's something special going on Saturday and Sunday and find out if maybe METS Mobility might want to think about being at least available that day. Wouldn't that have been a horrible thing for a handicap couple to not be able to watch their only child graduate from college? You know, we, those of us who are so fortunate to have automobiles and all of our limbs and be able to get ourselves around maybe don't remember how hard it is for some people in our community and we need to take that into consideration. So, I just thought I would pass that along to you. That happened before you got here, but it was certainly a very eye opening experience for me. I couldn't imagine not being able to go to see one of my kids graduate from college.

Todd Robertson: I understand as well.

President Abell: Commissioners, anything else?

President Abell: Well, I guess, thanks for the bad news.

Todd Robertson: Thank you all. Nice meeting all of you.

President Abell: Thanks for coming.

Commissioner Melcher: Yeah, we're going to have to get that triple checked. So, Kerry I'm counting on you.

President Abell: Mr. Kirkland you know is the new director of METS Mobility.

Commissioner Melcher: Yes. I've teased Kerry over the years.

President Abell: Nice to see all of you. Thanks for coming. Yeah, that's actually the wrong direction. Actually more service, less cost would be the right direction.

<b>American Medical Response (AMR)</b>
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President Abell: I think we're ready for the ambulance service. This is a contract, I understand that we have.

Commissioner Melcher: We just got back on target.

Joe Harrison, Jr.: Through 2015.

President Abell: We just want to meet you.

Jerry Key: Good afternoon. I'm Jerry Key with American Medical Response.

President Abell: This is, as I indicated this is contractual with us.

Jerry Key: Yes, yes.

President Abell: Commissioners, do you have any questions?

Commissioner Kiefer: How long does that contract run through?

Jerry Key: I believe it is a four year contract that expires the end of 2014.

Joe Harrison, Jr.: 2015.

Jerry Key: 2015?

President Abell: 2015.

Commissioner Kiefer: Okay.

Jerry Key: I apologize.

President Abell: We should have it in our packets.

Commissioner Kiefer: Yeah, I see that.

Jerry Key: Yeah, it's got a built in CPI inflator in the rate.

Joe Harrison, Jr.: It looks like it was, what, \$214,316, is that the amount?

Jerry Key: Yeah, that was the base in 2011.

Joe Harrison, Jr.: Okay.

Jerry Key: Yeah.

Joe Harrison, Jr.: Just for the Commissioners information, I'm sure they know, but it includes all of the areas outside the City of Evansville, but not including Scott and Darmstadt.

Jerry Key: And Armstrong.

Joe Harrison, Jr.: And Armstrong.

Jerry Key: And Armstrong, right.

President Abell: Those are serviced by their volunteer fire departments, is that correct?

Joe Harrison, Jr.: It's served by Scott.

Jerry Key: By Scott.

President Abell: By Scott, okay.

Joe Harrison, Jr.: They're the only ones that have an ambulance other than AMR.

President Abell: There was an issue I know one time about those, everybody showing up. I guess you've got all that settled.

Jerry Key: No, it's on-going, but it's not a major issue.

President Abell: Marissa, do we get the reports from them regarding—

Commissioner Kiefer: The runs.

President Abell: — their runs, the times.

Marissa Nichoalds: (Inaudible. Microphone not on.)

President Abell: Okay, just wondering.

Commissioner Kiefer: I have a question.

Jerry Key: Yes.

Commissioner Kiefer: Okay, the normal process would be, if everything runs smoothly, would be that the patient would pay the bill, right?

Jerry Key: Correct.

Commissioner Kiefer: But, most of the time you probably don't, you probably have a low collection percentage on those?

Jerry Key: Unfortunately, yes.

Commissioner Kiefer: Okay, but if it did, if the collection rate did increase, that would basically decrease our cost, right?

Jerry Key: Correct. Yeah, the formula in the contract is our cost versus the revenue from services in the county, and then all you pay is a cap of that, as the attorney mentioned, that \$214,000 or whatever that number is for the year, that's the cap of what you will subsidize the losses.

Commissioner Kiefer: Right.

Jerry Key: Typically we go through that in two quarters and we eat the rest, but I can tell you that some of it's an accounting issue. The rate since 1990 has moved up, on average, a half a percent a year, over the last 22 years. It hasn't gone up much, a lot of that has been us trying to say, okay, of all the ambulances we're operating in the county, we're allocating less of the expense to the county. So, it's an allocation kind of thing, and we keep trying to push less toward the county to try to keep it afloat. That's what's going on.

Commissioner Kiefer: The only reason is because I remember when I was on the City Council, they also had a very low collection percentage—

Jerry Key: Yes.

Commissioner Kiefer: —of collecting. I mean, why is it so low? I mean, what can you do to reverse that? I mean, can you not, I mean, is it just because these are indigent people, or they just decide to pay—

Jerry Key: The county, fortunately, is actually better than the payer group in the city.

Commissioner Kiefer: Which I can understand that.

Jerry Key: If you think about the medical profession, you can't get through the door to see your doctor until you settle your paperwork on the front end. We get that after the fact. We frequently don't get as good of information and people, especially in today's economy, pay medical bills, if they don't pay us they don't get shorted anything. You don't pay your car payment, you lose your car, but if you don't pay your ambulance bill, we've already provided the service before we ever talk to you about what goes on.

Commissioner Kiefer: Yeah, I just didn't know if there was something that could be done to improve the collection rate.

Jerry Key: Well, we run over three million ambulance calls a year, our company as a whole, and we have done, I think, everything humanly possible to do that without beating patients.

Commissioner Kiefer: Right.

Jerry Key: You know, we bill them their normal claims, we go through a normal collection agency, but you can't push people to provide what they can't, or aren't going to provide.

Commissioner Kiefer: Right, okay. Thank you.

Jerry Key: You're welcome.

President Abell: Unfortunately, that's just the reality of our situation. Commissioners, any other questions? Well, sorry to get you down here for just such a brief thing.

Jerry Key: No, I'm honored to be here.

President Abell: We appreciate it. It gives us a little opportunity to get a little face time with you and know what's going on.

Commissioner Melcher: Thanks, Jerry.

Jerry Key: Thank you all.

Commissioner Kiefer: Thanks.

President Abell: Thank you.

<b>Mulberry Center</b>
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President Abell: Mulberry Center. I think I've seen you before. Glad to have you back.

Michael Carroll: Good to see everyone again. I'm going to introduce Tim Tharp, he's the Director of our Mulberry Center, and Ralph Nichols who's been working at Mulberry for about twenty some years?

Ralph Nichols: I wish, no, five.

Michael Carroll: Five? Okay, well, he has a lot of experience in doing what he's doing at least. I'm going to let these folks talk to you. It's my understanding that we have a vendor contract with you to provide your employee assistance program, and that expense last year was \$3,000 or \$4,000 or something in that area. So, I'll turn it over to these folks.

Commissioner Melcher: That's what this is.

Tim Tharp: Yeah, the Mulberry Center, we provide individual, couples, group, family outpatient counseling services, critical incident debriefings, substance abuse assessments, clinical trainings, topical trainings for corporate culture issues, things like that to the county employees and their family members.

Michael Carroll: I'm going to pass these out.

Tim Tharp: Yeah, sure.

Michael Carroll: While you're talking.

Tim Tharp: Just to mention, also, that we're working with the Sheriff's Department, and with the Police Department and Fire Department for a new project for first responders and their family members, so we could create some prevention services

for them. So, we're excited about that as well. We're waiting to hear back on that, that's a new funding program.

Michael Carroll: (Inaudible. Not at microphone.)

Tim Tharp: Oh, I'm sorry.

Michael Carroll: Do you have another one?

Tim Tharp: Yes, sir. So, I wanted to mention that. Also, just a final note to say that we really consider it an honor to be able to provide the services that we do, that the county trusts us to have that kind of relationship with the staff and with the employees of the county. We have a tremendous relationship with all of the county leadership and county employees that come to us. So, we've spent a lot of time working on that relationship and building that relationship. So, we really appreciate the trust that is shown to us. We certainly, as a staff, appreciate your confidence in us.

President Abell: I have a question. I mean, your budget is certainly not a big impact, not as much as Hillcrest Washington Children's Home.

Tim Tharp: Sure.

President Abell: But, do you feel that our employees here are really taking advantage of this? Or are we lacking in, I mean, it's a wonderful opportunity for them—

Tim Tharp: Sure.

President Abell: — and I'm just wondering if they're using it like to their fullest extent.

Tim Tharp: Well, since July 1<sup>st</sup> we've had about 38 sessions. I didn't get the breakdown from the number of people that that would represent. I always feel that people could probably benefit more from going to counseling. I think it's them, the person reaching that point themselves to realize, you know, I need to go get some help with this. Some folks, I think, don't realize how to use an EAP.

President Abell: I think that's true.

Tim Tharp: So, when they figure that out that we're there for them, some folks would rather go privately on their own and not maybe let the employer know that they've sought services. Then other folks might come in and say, you know, can you help me out and direct me to where I need to go. So, sometimes it's just knowing how to access it.

President Abell: Maybe that's a little education on our part that we should be doing with our employees. I'll make myself a note to discuss that with Ms. Deig.

Tim Tharp: Sure, sure.

Michael Carroll: Tim or Ralph, why don't one of you talk real quick about the police officers.

Tim Tharp: Ralph, do you want to speak to that?



Ralph Nichols: I took the opportunity to come before the Commissioners last July at the point that I was still the Executive Director, actually, yeah, just about the time you came, right. That was in response to the near death drowning of a three year old youngster at Burdette Park. I think it was through, I'm not up on all of my Councilmembers, but I believe at the time Mayor Winnecke was on the County Council and he had asked if I could go out to Burdette Park and spend time with all of the lifeguards. That went about an hour and a half, and it was quite an experience. So, even though not all 45 or 50, there were a room full of lifeguards, not all of them were there on duty that day, but they could easily relate to what those lifeguards went through when that youngster went under the water, and they did a superb job. So, the whole focus of that hour and a half debriefing was just to validate the anxiety that they were feeling. Then, and I'll give you a couple more examples that touch on a bit of the services that we provide, first of all my passion is psychotherapy, as a counselor, more so than being a manager. So, I'm back in my role as a full time therapist. Through Sheriff Williams, with the tragedy of the McCutchanville fire truck crash, a significant group of folks who have been left out of debriefings have been the dispatchers at Central Dispatch. I believe they may be city employees, or county employees, I'm not sure.

President Abell: That's a joint agency.

Commissioner Melcher: It's a joint agency, but the city funds it so they're responsible.

Ralph Nichols: Okay, through Sheriff Williams then, I went to the Central Dispatch, had never been there before, spent time with the entire second shift. I took with me a police officer who I've worked with, we've known each other for about five years, he came within a fraction of an inch of becoming a priest and decided to become a cop instead, Sargent Darren Schrofe, who coordinates all of the State-wide funerals of police, all law enforcement personnel who are killed in the line of duty. That one hour with those Central Dispatch folks, that second shift group, was absolutely intense. When they were talking about the desperate phone call that they have on tape from the firefighter who was driving the truck, and who realized that his close friend who was the passenger was already deceased. They wanted to play that tape and just process that. So, we simply have forgotten about these Dispatch folks that know something is going on, they're sitting at their computer screens, but they know there is danger out there, particularly if they would hear, God forbid, shots fired or cop down. So, that was a very rewarding experience under very difficult circumstances. So, that's another example of something that we do. Then, finally, today, I saw a county employee and the issue is their son, who's a teenager, who is coming very, very close to maybe spending a little time at YCC, but we came up with a plan, he had been to us before, dropped out, things have gone downhill, tough love has not worked, and dad has had it, mom is still wanting to give him another chance. So, we've come up with a plan. That plan is, this kid may need to be on medication, another service that we provide. He comes in next week to see me for the first time. Then, that is going to be another key piece, and that's the therapeutic relationship. Am I, at my age, going to relate to a teenager. Well, I see a number of teenagers and we do relate. Sometimes they don't come back, and probably if I was a teenager and my parents were saying you're going to go see the psychiatrist, I probably would do my best not to go. But, at any rate, that's just the tip of the iceberg of some of the things we do with, not only the county employees and their dependents, and they get three sessions. Those sessions roll over each calendar year, but as well with our city employees and the other employees of our other companies, and I agree with you,

Mrs. Abell, that a major piece that the company can do, and I would look at the county as the company, is educating employees about benefits. We always try to go to health fairs, where we put our stuff out on the table, because I'm not clear on all of my benefits and I have to call the HR person to find out if this is covered. So, that's a good idea and we would be glad to help.

President Abell: Yeah, maybe we could put together some real quick little flyer or something they could put in their paychecks when they get their checks, but, I think, that a healthy mental attitude is very important to the eight hours a day they spend here. You know, you can't concentrate, believe me, as the mother of some kids, if you're kids are in trouble it's hard to concentrate on what you're doing at the office. So, we certainly would like for all of our employees to be able to give us 100 percent when they are here, and I think that's a big part of it. I would like for them to know that service is available for them.

Tim Tharp: I was mentioning the project we're working on with the Sheriff's Department and the first responding community, which would include the EMT's and the ambulance operators. As we move forward with that, if we get funded for it, there wouldn't be any cost to the county for that, so we're hoping it works out so that we're able to reach out and provide additional services to their families, their family members, their children, to them so that we're preventing certain issues from kind of festering up and developing over time. So, we're hoping that that works out.

President Abell: I think that sounds like a good program.

Michael Carroll: A lot of these are folks that one day they are fine, something traumatic happens, the next day they're (Inaudible. Microphone not on.) .

President Abell: Well, I think it's kind of on the front burner for all of us because of all of our troops coming back from Afghanistan, Iraq and Iran and their families that are having a very difficult time dealing with that.

Tim Tharp: Absolutely, and it's traumatic stress and PTSD is exactly the issues that we're looking at and dealing with. So, that program is totally focused around those issues.

President Abell: That's great, glad to hear it. Thank you so much for coming back. I still would encourage you to contact Marissa, see a night when we don't have a bad, well we never have a bad Commission meeting, sometimes we just have a full Commission meeting. When we don't have a full Commission meeting, and maybe you could come in and give us a real presentation, because I think all three of us are lacking in full knowledge of the services that your organization does provide. It is an important service to our county, there's no question of that.

Michael Carroll: So, that I don't use more of your time than what you want to give me, so that I'm on target with my presentation, how long should this presentation be on Southwest Behavioral?

President Abell: You know—

Michael Carroll: And what do you specifically want me to hit? Kind of the services that we provide?

President Abell: Yeah, you don't have to talk about the financing of it, because the three of us get that, I think, but, you know, we don't know exactly what all, who all you service, what all you do. I mean, I think Mr. Melcher said, well, you do more than just let the kids sleep there. Well, that was nice to know that you are actually helping them with their homework, trying to make them get out of school and get back, get a job and help pay taxes and those kind of things that we're interested in. So, just what you're doing, I think, would be a really good thing.

Michael Carroll: Ten or 15 minutes?

President Abell: 15 to 20, you know, I actually, I could sit here and listen to you a lot longer today. I don't know about the other two, but I thought—

Michael Carroll: Are you sure about your counterparts?

President Abell: I think they could have.

Commissioner Kiefer: You know, I would think that something that, it's always interesting to see comparisons, like if you said, hey, here's another community that does something similar to what we provide, and here's what it costs per, you know, whatever it is per child, or per bed or however you categorize it, you know, so we can know, or at least tell voters or citizens of this community that, hey, this is a good value, and, you know, compared to other communities, we're a step above or something.

Michael Carroll: In fact, for Behavioral, we did something like that for Hillcrest, with Behavioral we get a report, the CPA firm does that compares the financials of all the mental health centers, all 25 of them. Then, for Hillcrest, of course, we talked earlier about the cost (Inaudible. Not at microphone.), per day. I know what you need—

Commissioner Kiefer: Thanks.

Michael Carroll: —and I will e-mail you and I will get it to you. I do have a little bit of information in response to what you asked me to provide earlier that I'll give you. If you don't mind (Inaudible. Not at microphone.) The first thing is (Inaudible. Not at microphone.), you asked about the composition of our board—

President Abell: Yes.

Michael Carroll: —this is for Behavioral, the one where Dennis talked. This is right out of our (Inaudible. Not at microphone.)--

President Abell: Okay, okay.

Michael Carroll: —I'll give you each one of those. The other one, I only have one copy of, because I was printing when I ran out the door, these are the salaries of our (Inaudible. Not at microphone.) within Behavioral—

President Abell: I think Mr. Melcher's probably the—

Michael Carroll: —and then we did Hillcrest.

Commissioner Melcher: I guess, I'm the one that's beating—

Michael Carroll: So, the two organizations that were here earlier.

President Abell: Okay.

Commissioner Melcher: Okay.

Michael Carroll: I'll give you each one of these.

President Abell: Thank you.

Commissioner Melcher: Thank you.

Michael Carroll: I will e-mail you. Is there anything else we can do?

President Abell: Just come back.

Commissioner Melcher: Yes.

President Abell: I think all of us found you very interesting, what all of you had to say, and we, you know, we know what the departments that work in this building do, but when there is departments outside of this building, we don't always know what they do. A lot of times it's just, well, this is the way we've always done it, and it's nice to know what we've always done, because some of us don't know what that is.

Michael Carroll: Well, good, I appreciate your interest.

President Abell: Thank you.

Michael Carroll: Thank you very much.

President Abell: Thanks for coming.

Commissioner Melcher: We found one we're going to change.

President Abell: With that I will dismiss the meeting, the special meeting, and we will have another meeting later.

(The meeting was adjourned at 4:00 p.m.)

**Those in Attendance:**

Marsha Abell  
Marissa Nichoalds  
Greg Wathen  
Jack Schriber  
Michael Conner  
Gary Barnett  
Phyllis Donahue  
Eric Williams  
Tim Tharp  
Members of Media

Joe Kiefer  
Joe Harrison, Jr.  
Debbie Bennett-Stearsman  
Nola Wright  
Dennis Moran  
Debbie Dewey  
Ann Burnworth  
Todd Robertson  
Ralph Nichols

Stephen Melcher  
Madelyn Grayson  
Dirck Stahl  
Deidra Conner  
James Ward  
Stewart Klipsch  
Krista Decker  
Kerry Kamp  
Others Unidentified

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
JUNE 5, 2012**

The Vanderburgh County Board of Commissioners met in session this 5<sup>th</sup> day of June, 2012 at 5:08 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the meeting of the Vanderburgh County Board of Commissioners, June 5, 2012. Could we have the roll call attendance please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Would you join me in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

**Permission to Open Bids:  
VC12-05-02: Ohio Street Bridge Approach Repairs  
VC12-05-01: Concrete Repairs of Various Roads**

President Abell: Welcome to those of you who are in attendance tonight. We're going to make a change in our order of business. We've had a request to have something moved. I would entertain a motion for Mr. Harrison to begin opening the bids. You can do that while we're—

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Okay. All in favor, aye.

All Commissioners: Aye.

**(Motion approved 3-0)**

**Second/Final Reading: Rezoning Petition VC-3-2011**  
**Petitioner: JBI Construction, Inc.**  
**Address: 6000 Millersburg Road**  
**Request: Change from Ag to M-2 with UDC**  
**Action: Continued Until 6/19/12**

President Abell: We would like to move up the rezoning request, it must be on the second page. We have a long agenda. Well, where is it? Oh, second and final reading, VC-3-2012<sup>1</sup>, Green, JBI, 3-2011, JBI Construction, 6000 Millersburg Road. Ms. Lockyear, would you like to present?

Krista Lockyear: Thank you, Madam President, members of the Commission. Krista Lockyear on behalf of the petitioner, JBI Construction. We have been working with Keep Evansville Beautiful and an adjoining property owner to try and resolve any concerns they may have about this rezoning. Mike Schopmeyer has represented Keep Evansville Beautiful with regard to this property since the beginning of our rezoning request. I understand he's out of town, he has an assistant here tonight to help him, or a partner of his to help him, but we would like to request a continuance to be entertained at your next Commission meeting, if possible, in order to let us continue the discussions with Keep Evansville Beautiful and the neighbors.

Commissioner Kiefer: I would like to—

Commissioner Melcher: Well—

President Abell: Go ahead.

Commissioner Melcher: – is there anybody else here ?

President Abell: Yeah, let's put a motion on the floor—

Commissioner Kiefer: Yeah.

Commissioner Melcher: Okay.

President Abell: – to table.

Commissioner Kiefer: I'll make a motion that we table this to our next meeting, or continue this to our next County Commissioner meeting.

Commissioner Melcher: I'll second it.

Commissioner Kiefer: June 19<sup>th</sup>.

President Abell: Do I have any discussion on that from anyone in the audience? Yes.

Ron Titzer: I'm one of the neighbors—

President Abell: Sir, you'll have to come to the microphone and give your name.

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<sup>1</sup>The rezoning petition number is actually VC-3-2011.

Ron Titzer: My name is Ron Titzer. I own the property due west of this rezoning property. I'm one of those people that they are really in contact with to do some work with. They called me yesterday afternoon and said, hey, we need to do something. I'm sorry, that's not much notice. It just leads you to believe what else is going on with these people, number one. Number two, we're down here and ready. Why can't they be ready? They keep pushing this thing off, trying to make deals with somebody to run this thing through. It really, really needs to be turned down and put this property back to where it belongs and not a dump site, which is exactly what it's turning into.

Commissioner Kiefer: Sir, if, I understand your concerns, but if you want a vote on this tonight, I may be prepared to vote yes on this. If you want that, that's fine, but I think it's always good to have neighbors talking to each other and trying to come up with some understanding with each other. So, I think it's a good idea, and, you know, I've done this on the City Council as well, that you have neighbors talk. I think discussion is good. So, if granting a continuance to our next meeting gives an opportunity to have further discussion, great. If you guys come back and have total disagreement, that's fine, but at least we feel like we've given you the opportunity to discuss things.

Ron Titzer: They've had six or eight months of opportunity since they started filing this petition. Only yesterday did it cross their mind that maybe we need to talk to somebody. I think I know why. Perhaps you do too, but to keep inconveniencing us till finally we give up, or quit coming, which is another ploy. I have a daughter that's a lawyer, not in this county, but she, it's the kind of ploys that they work, they like to do. Sometimes it works. I'm just opposed to that. Thank you.

Commissioner Melcher: No, the only thing I can say is that I've always let people try to work together on things. What I've found in my history is that people, if they're opposed to something, they're always going to show up. What I would suggest, Krista, you talk to Mr. Titzer and make sure you talk to him before our next meeting, because I too don't like to be called the day before something or the same day. So, I think you just need to reach out, it might not come to anything, but at least both of you have made the effort to do it.

President Abell: Anyone else have a comment? Go ahead.

Maria Worthington: Good evening members of the Commission, Mr. Harrison, I'm Maria Worthington. I'm a partner with Kahn Dees Donovan and Kahn law firm, here for Keep Evansville Beautiful. We too were asking for the continuance. So, we just wanted to indicate that it wasn't just the petitioner that was asking for the continuance. As a remonstrator, we too are asking for that, so we would have more time in order to work out an agreement. We thought we had something nailed down this afternoon, but things have changed a little bit, and we would like some more time to work together on that. The petitioner asked if I would let the record show that we too are requesting the continuance.

Commissioner Kiefer: Thank you. I do appreciate that people take time out of their busy lives to come down here to the Civic Center. Hopefully, this delay, or continuance will serve the community well and we'll find a win-win situation. Thank you.

Maria Worthington: Thanks.



President Abell: I call for the vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you.

**Evansville ARC: Bi-Annual Presentation: ARC Industries**

President Abell: Evansville ARC. Deidra Conner has an update.

Deidra Conner: I have our bi-annual brief presentation. For the record, my name is Deidra Conner, I'm the President of Evansville ARC. I have two guests with me tonight, Zach and Patty Davidson. Please come on up. Zach has a handout for you. In the interest of time, I know you don't have a lot of time to hear our presentation tonight, Zach has a briefing sheet on ARC Industries, which is our sheltered workshop, manufacturing facility that we operate in Evansville, Indiana. You'll find the statistics on that briefing sheet. We are an ISO certified, real world manufacturing facility. We process over two million components a day, and ship out 200,000 components each day, but what makes ARC Industries unique is our primary workforce are individuals with significant disabilities working in a real world manufacturing facility. We have the supports, the nursing supports, the medical supports, the behavioral supports, the personal care supports to allow individuals who otherwise would not be able to work in the community, work successfully in what is truly a real world manufacturing facility. I think it's important for our time really to be spent allowing Patty and Zach to share with you why ARC Industries is important to them as a family. One thing that we're particularly excited about and that our associates are really proud of, is our emphasis right now on recycling, and through a partnership with Alcoa and some equipment that they helped us secure, we are really focusing on keeping things out of the landfill. So, in the past couple of years we have ground eight million pounds of plastic for customers like Berry Plastics, that instead of going to the landfill is being returned to their manufacturing processes. We're drilling holes in tires for Escalade to use as playground equipment, instead of going to the landfill, and doing a lot of recycling type activities that are chief alternatives for our customers and a great service to our community. But, I think it's most important that you hear from Patty Davidson and her son, Zach, about why ARC Industries is an important part of their lives.

Patty Davidson: I will keep this very brief, I promise. My name is Patty Davidson, and I really appreciate the opportunity to come before you today. I'm a full time faculty member at USI in teacher education, and have for about 20 years now been a professional special ed teacher educator, and moved up to the university about eight

years ago. I teach future teachers to be special ed teachers. That's where my focus, my passion is because of my son, Zach. If it were not for the ARC, and this is truly, truly from the bottom of my heart, if it were not for the ARC I could not work at USI. I would have to pay a care giver to be with him. He is in a facility that is so nurturing for him. He gets to interact with people his own age, people that do have the same ability level as him, and he also is very productive. He earns a paycheck, and all of these things make my life manageable, and make Zachary's life totally, totally fulfilled. I'm going let Zach tell you what he does.

Zach Davidson: I, you know, I work at the ARC. I work at the ARC, I (Inaudible) and cut that plank.

Patty Davidson: Say your name.

Zach Davidson: I tell that (Inaudible).

Patty Davidson: That's what he does. Thank you so much.

Commissioner Melcher: You did a good job.

Commissioner Kiefer: Yeah, I just wanted to compliment Zach for being here tonight, you know, and the nice talk that he made. Thank you, Zach, for what you are doing.

Commissioner Melcher: Straight to the point.

President Abell: Thank you so much for being here.

Deidra Conner: Zach loves to work, so much so that when his family goes on vacation he wants to come to work instead of going on vacation. Don't we wish we had employees like that?

President Abell: We could have a couple of him down here.

Deidra Conner: For the benefit of those who are not familiar with ARC, we were founded in 1954. We serve 750 individuals, pretty much on a daily basis, we start service at the age of six weeks through our inclusive daycare, and our oldest client is in her mid 80's. We have a wide variety of services. So, if you're looking for services for individuals with disabilities please check us out at [www.evansvillearc.org](http://www.evansvillearc.org). You can also call me, Deidra Conner, at 428-4500. We thank you for your support. Vanderburgh County Commissioners has been a partner of Evansville ARC for 50 years. It's very important that we have your support to fill the gaps where State funding falls short. So, I hope that you take as much pride in the work that we do, because you are a big contributor to that, probably more so than you realize. So, thank you for your support.

President Abell: Thank you.

Commissioner Kiefer: Thank you, Deidra. Appreciate it.

Deidra Conner: You are welcome to visit anytime.

Commissioner Kiefer: I will.

Commissioner Melcher: Good.

Deidra Conner: We would love it.

Commissioner Kiefer: Thanks.

President Abell: Thank you. Thank you for coming tonight. I know it's a hardship to get here.

<b>Southwestern Healthcare Presentation</b>
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President Abell: Southwestern Healthcare, Inc., Michael Carroll. Now, this is a group that we've invited back. We were excited to hear from them during our last budget hearings, and excited to learn more about you.

Michael Carroll: Well, we appreciate the opportunity to be here. We've brought several members of our team, and have a short presentation we'll go through. We ran through it this morning and it was about 25 minutes, and found out that your schedule is pretty condensed. So, we're going to shorten it up as best we can.

President Abell: Well, we've heard Mark Owen's speeches before, so you can just take him off.

Michael Carroll: Okay, well, that helps.

Commissioner Melcher: I didn't say that.

Michael Carroll: I'm going to go ahead and let everybody introduce themselves. First, I'm Mike Carroll, I'm the President and CEO of Southwestern Healthcare. You may remember from our last meeting that's the umbrella organization that provides services to our other entities. I'm going to go right down the list here and let everybody else go.

Jim Ward: I'm Jim Ward, the Executive Director at Hillcrest.

Dennis Moran: Dennis Moran, President and CEO of Southwestern Behavioral Healthcare.

Katy Adams: I'm Katy Adams, I'm the Director of Addiction Services at Southwestern Behavioral Healthcare.

Gary Barnett: Gary Barnett, Director of Treatment Services at Hillcrest Washington Youth Home.

Tim Tharp: I'm Tim Tharp, the Executive Director at the Mulberry Center.

Mark Owen: I'm Mark Owen, Chairman of the Board of Directors of Southwestern Healthcare.

Michael Carroll: Great, again, thank you for coming today. Dennis, Jim, Tim and myself are from the management team. We run each one of the companies. Katy Adams is going to talk to you a little bit later about one of our programs within our behavioral unit, and Gary is going to talk to you a little bit about Hillcrest. With that, we'll go ahead and turn it over to Tim for a short preview of Mulberry.

Tim Tharp: Thank you for letting us come back and speak to you all this evening. As many of you are aware, in 1985 Welborn Hospital had an in-patient psychiatric unit which was Mulberry Center, and in '99 St. Mary's Healthcare acquired Mulberry, and in 2003 Southwestern Healthcare acquired Mulberry Center. Just due to time, I don't mean to try to rush, so I hope I don't stutter all over myself, but Mulberry Center has two primary areas of services. Our EAP, which is Employee Assistance Programs, where we partner with some 40 corporations throughout the region, and our community services, which are private pay for fee services for patients who either have insurance or pay personally. Community services that we offer are after hours and on call services, assessments, drug and alcohol treatment, impaired professional programs, outpatient counseling as an individual, family, couple and marital group counseling, medication management training, trauma debriefings, and most recently we've added a medical practice extension program, which is specifically designed for, to serve area physicians and physician groups. Our EAP services which directly affects the county and the county employees and their family members, there's multiple services included in that and it's provided in the packet that we have for you all tonight. Also in that packet you'll see some more information where there's a brief description of the specific EAP services that we provide. Mulberry also has two new projects that we're working on that are in the process of being developed. One of those is a collaborative eating and weight related disorder program that we're going to partner with the EVSC, YMCA and other local agencies. The second, which more directly impacts the county and its employees, is a traumatic stress treatment program for first responders, which we're currently working with the Sheriff's Department and the Sheriff and his staff on. We'll learn more about that later in the year as we find out about our funding request that we've developed with that. So, with that I'll pass it off to Dennis Moran.

Michael Carroll: Before Dennis talks I want to introduce one other member of our team that just showed up, Dr. Wilbert Whitehead, he's our Medical Director at Southwestern Healthcare, and he would be happy to answer any questions you have later.

Dennis Moran: When we were here before I gave you, pardon me, a little history of Southwestern, but to remind you we've been here since 1971. We actually started out in 1949 as part of the old Youth Guidance Center. So, we have a long history here as a community mental health center. In 1971 we served about 736 patients that year. This past year we served 9,500 patients. So, we have grown considerably over that period of time. I actually started in 1971, so I've seen a great deal of growth over that period of time. Our services are really a wide array of services, we have outpatient services, we have the preponderance of our physical locations in Vanderburgh County, although we do serve the populations in Warrick, Gibson and Posey County as well, we have small outpatient offices there. We provide case management, we provide day treatment, we work with basically three populations; the chronically addicted population, those folks with serious and persistent mental illness, and children that are suffering from severe emotional disturbances. I started actually with a partial hospitalization program that is still in existence 41 years later for children, the Vanderburgh County School Corporation provides the school related services, we provide those treatment services. We have four supervised group living homes which house folks that have severe and persistent mental illness. Many of these folks have multiple hospitalizations, been in the State Hospital, this is an alternative to that. The assertive community treatment team is set up to provide very intensive services to try to avoid those hospitalizations. One of the...I can go on and on about programs, but one of the programs that we do offer and probably our largest program is housed at Stepping Stone, and that's our addictions program.

That facility provides a full service continuum of addiction services, and I've asked Katy to come here this evening and talk to you a little bit about that.

Katy Adams: Good evening. I'm very proud to talk about our program at Stepping Stone, which is our addiction facility on the east side of Evansville off the Lloyd Expressway. As Dennis mentioned, we are a full continuum of care, and we are the only kind of treatment center like this within 100 miles or more radius from Evansville. So, we treat people all over the State of Indiana, people with addictive disorders. We do have the full continuum, which includes 46 residential beds, and of that 46, eight of those beds are for social detoxification, 26 are for residential, and then we do have 12 beds that are devoted to a transitional residential program for males. So, after they've completed treatment they can live with us to have a healthy, sober, stable housing while they're getting back on their feet, while they're getting employment, getting some financial stability so that they can get stable housing on their own. So, those are our residential programs that we have. We also have a full array of out patient programming, which includes intensive out patient program. We do have a dual diagnosis program for folks that have both mental illness and addiction. We have lots of different out patient groups; individual, family therapy, family programming, we've started having community forums so the community can come in for free and learn about addiction and the services that they can get through us. We also have an addictionologist, Dr. Mackey, who is with us every day and access to psychiatric care. So, we have everything under one roof, which is really wonderful. The other thing that I'm very proud of is that anybody that walks through our door, we provide the same, current evidence based practices, the best you can find for everybody, regardless of the resources they bring to the table. So, folks that are homeless, have no income, no insurance, we will take care of them, that's something I'm very proud of. We are heavy collaborators in our community. We have a therapist that serves as a liaison with the Vanderburgh County Treatment Courts. We also have a therapist that is a liaison with the CHINS Drug Court, so they're attending all of the court meetings weekly and are a very integral part of that team. We also have applied for a federal grant, the Offender Re-Entry Grant, where it will allow us to hire case managers to go into prisons to develop recover plans for offenders, so that when they leave and come to our community in Evansville, they already have the recovery plan and we're going to provide wrap around services to them for a year. That could include paying for housing treatment and so forth. So, we're very excited for that opportunity, and we'll find out in August if we get that. One other important collaboration that I did want to share with you is our Team Matrix program, our community was very lacking in adolescent addictions treatment in an intensive level here. You would have to drive to Bloomington or far away if your child had a problem with a substance use disorder. So, we developed this evidence based practice called Team Matrix, and we're collaborating with Hillcrest to do that. It is an intensive program, three days a week after school. Our therapist at Southwestern Behavioral run the adolescent groups, and then the family program, which is once a week, the Hillcrest therapists run that. So, we're working together to run this program. The participants of this program are a mixture of Hillcrest residents, as well as teenagers that are living in the community. We found really great success with this program, over the two to three years we've been running we have found some outcome data with adolescents that there's an improvement in their desire for help, an improvement in their self esteem, in their decision making skills, and a reduction in the risk taking behavior, which is huge. We also did have some parent satisfaction surveys which found that 94 percent of the parents involved in this program felt that the family program was very helpful for them and their family. 94 percent also said that this program significantly helped their child reduce their substance use. So, we're very proud of this program called Team Matrix, which is a collaboration with

Judge Niemeier and the Juvenile Court as well as Hillcrest. So, now I'm going to pass it on to Jim Ward who will tell you more about programs that are at Hillcrest. Thank you.

Jim Ward: Good evening. Just briefly, I want to tell you just a synopsis of Hillcrest's history and then Gary is going to talk about the actual programs. Southwestern began operating Hillcrest Washington Youth Home in 1987 to serve the youth of Vanderburgh County and other surrounding counties. We currently serve individuals between the ages of six and 18. Our mission is to provide a safe, nurturing and therapeutic environment within the community, that will allow the children to segue back to society and be a contributing member of the community. We're an open residential program, which means there are no locks on the doors. So, a child can essentially come and go as they please. Now, there are repercussions if they do leave, if they are probated, but it is not a locked facility. We utilize the Evansville school systems, all of our children go to public school, and we also have a GED program offered on campus that Gary will also mention. We use, currently we have children enrolled in the 14 public schools within the community that we transport. We make sure they're awake, they're involved in extracurricular activities, we attend the parent conferences with the children, and we also provide tutoring three nights a week on site.

Commissioner Kiefer: Curiously, I mean, I understand you're partnering with the EVSC, but, so, you don't provide services to kids that are in parochial schools?

Jim Ward: If they're in the services, yes, they would go to their home school. Currently we're just servicing 14 public schools currently.

Commissioner Kiefer: Okay.

Jim Ward: If someone from St. Ben's was in Hillcrest, they would go back to St. Ben's.

Commissioner Kiefer: Okay, I just might, I think I may have misunderstood you. Thank you.

Jim Ward: But, they would get the, the tutoring would come through the EVSC through a title funding.

Commissioner Kiefer: Okay, I understand. Thanks.

Jim Ward: We also, we, on staff we have an educational coordinator, which is a licensed Indiana teacher that coordinates with the teachers, monitors the grades, navigates them through the school system enrollment and goes through the disciplinary hearings, if there are any, and again the parent-teacher conferences. We also offer a clinical treatment environment. We have high staffing ratios, higher than any other in the state. We have a full time RN that's on site that coordinates our medications, medical to medical contact. Also kind of weans out the illnesses pre to school, so, she also does a little check before school. So, very few sick days for children. We also have three counselors on staff that see the children everyday. We have activity therapists, a coordinator that actually schedules activities, so there's very little idle time for the kids as well. I'm going to turn it over to Gary to talk about some of the programs.

Gary Barnett: Just to clarify, on the parochial issue, we use whatever home school they are in. Now, quite frankly, we haven't had anybody from Evansville Day School yet, but if we did, we would work with them too. So, we've had kids that attend Mater Dei, Memorial, St. Ben's, just so you're aware of that. I was asked to speak a little bit about programming. For the last 25 years the Hillcrest program has been based on seven premises; number one, keeping our children in their home community, in an open, residential setting. Which means no locks, no big fences, no seclusion rooms, no mechanical restraints. It's an open, residential setting. It gives them as much of a real world opportunity as you can possibly get in a group home setting. We keep them in their home schools where they can see their family. Number two, is engaging their families in the treatment process from the first day of placement. There's no time waiting, no period of waiting for us to start with the family. We start at intake. Number three, addressing the major, critical issues of concern, be it trauma to the child such as sexual abuse, abuse/neglect, or other issues such as truancy, educational issues, substance abuse, as Katy has talked about, family disruption, status offenses such as runaway, and non-major delinquent behavior. The fourth premise is involving the child's support system; schools, doctors, therapists, churches, CASA's and extended family members. The fifth is limiting the length of placement. Sixth, and I think this will perk you up a little bit, is being good stewards of public monies, property, and also of public trust is what your predecessors gave to us 25 years ago when we started this program. The seventh premise is partnering with community agencies and organizations to better serve the youth of our area. These premises have all been the foundation of all of our programs and efforts. They are supported by evidence based outcome measures, and evidence based therapy. They are acknowledged as the best clinical treatment practices going today, and backed up as well with national and international research. From the start we have offered two main services designated by the County Commissioners in 1986 and 1987, and those were deemed to be critical for kids in Vanderburgh County. That's emergency shelter care and residential services. Our shelter care provides immediate, emergency placement. It's utilized by the Juvenile Court, Department of Child Services, Child Protective Services and law enforcement agents, including the Sheriff. They can place children with us, without notification that they feel are in harms way, or in need of non-secure detention. The Youth Care Center here in Evansville handles secured detention. The closest agency to us that handles non-secure is 50 miles away at Vincennes. So, we offer non-secure placement, or detention. Our shelter care placements are very brief. Most of them are wrapped up and taken care of within a 48 to 72 hour period. We can, by law, hold children for 20 days, but they have to go into court within 24 hours. So, those go pretty quickly. Our residential services involve a longer term of placement, more intensive, more comprehensive plan of treatment and the services are delivered primarily by our counseling staff and other professional staff members; individual therapy, group therapy, family therapy are some of the services we offer, with the primary goal, we have two primary goals, if you're allowed to have two primary. The first one is to get that child, if at all possible, back with the family from where they came from. Okay? The second one is, if that's not possible, then we want to move that child, as quickly as possible, to a less restrictive, more appropriate care of placement, a placement plan. That usually ends up being either foster care or a relative that we have located and started working with. Over the years we have responded to the ever changing needs of our community, the courts, the DCS, children and their families by improving or formalizing standing programs and implementations of new programs and features. I know Katy has talked quite a bit about the Matrix, I echo everything she said. I would just like to point out a couple of things that, it's 16 weeks, a 16 week intensive program. The other programs being offered in Bloomington, in Vincennes are six to nine months. That precludes

their families for going their for parent groups, it stops families from getting there for visitation. We will start a youngster in our Matrix program Monday, we will have mom their Wednesday night. If we have to go get them, we'll go get them, because most of these people want to participate anyway, and they can now. That's why I think we have the outcomes that we do. The partnership with the Homeless Coalition, Hillcrest has taken the lead in the financial obligation to start the Safe Place program. That's based upon the national Safe Place program. A grant from the Welborn Foundation was utilized initially, and we are presently applying for a federal grant. This program targets the adolescent who simply does not have an actual place to call home, a place that, no place for them to reside. In partnership with the EVSC and Southwest, we host the Youth Day Treatment program on our campus and provide whatever support they may need. I think this summer we're providing lunches, because the EVSC lunch program is down. At Hillcrest we enroll all residents age 16 or older in our independent living program. This includes an assessment, a life skills training and actual activities. They do their laundry, they do their shopping, they do their cooking, they do their budgeting, they do their cleaning up after themselves. That's part of those activities. Another thing that we offer is community resource education, so they know where to get the help once they're out. One of the big things that we run into, especially since 9/11 is documentation and credentialing. So many of our clients come to us and they don't have their birth certificate, social security cards, state i.d.'s. We work very, very hard to get that kind of documentation, because they are going to need it all their life. They're going to need that state i.d. to register to vote. We get them to register to vote, we get them hooked in with the Selective Service, get their Social Security stuff up to date. So, when they are out on their own, they actually have what they need to get a job and present those things. I have some written information I'm going to give you that will give you outcomes and data and things like that, but one of our big jobs too, along with credentialing, is job coaching and job placement. In the last 18 months, of the 29 youngsters that we have had eligible to work, we've been able to place 13 of them in jobs and they're working when they leave our program, saving their money. They don't like that part of the program, but, tough, they have to do it. It's kind of a 50-50 cut, but I won't bore you with that. They get every penny when they leave, they just don't blow every penny while they're with us. We think that's a great program. We don't offer any kind of off center housing or anything at this time, because Lincoln Hills does that. So, we partner with Lincoln Hills to help the kids get the Chafee funding that they need, so that they can go on to school, get apartment help and stuff like that, but we don't do that. We will follow them after they leave our program, and I'll get to that in just a minute. January the 1<sup>st</sup>, Jim talked about it, we started a GED program on our campus. It's not that we wanted a GED program necessarily on our campus, we, if we could use other programs in the community, we wanted to use them, but basically the EVSC and the Juvenile Court said, we would like for you to develop one because there's some kids that we don't want going other places. We want them on your campus being watched, scrutinized, educated in a structured environment that we can give, so that we could guarantee it. We started this in January, kind of our first semester, so to speak. We've had four youngsters enter that program, we've had all four complete their GED. They've earned their GED, they got a job. Not only did they get a job, they went to work at that job, they made money in that job, and I think our crowning achievement of that is we've had all four have been enrolled in post high school education courses, which is pretty phenomenal, Ivy Tech, Rogers Hair Academy, those kinds of things. Two other programs that we've launched within the last five years, or really formalizations of services we've been providing since 1989, we just didn't name them and formalize them. The first one is our soft program, which is strengthening our family ties, that basically involves a monthly presentation to the parents, or



interested relatives. We might have six or seven people from one family show up for our presentation and just one parent from another family. So, it's pretty wide open. These presentations involve topics that have been designated by the department of child services as essential, such as conflict resolution, better communication, drugs and alcohol, and the one that the kids hate and the parents love, sexuality and your teen. They kind of cringe and the parents say, thanks a lot, we needed that program. So, that's one of our programs. The other one is the motivators, this is a voluntary follow up program that we offer. When a youngster goes through our program, no matter how long they are there, and somebody else will talk about length of stay, they're offered 90 days follow up, by myself and our other two counselors. That means we can go into their home, we can meet with the parents, we can help them keep appointments with Southwest, we can help get them to school if mom or dad have to go to work early, we can go and pick them up at school, which I've done before when a kid got the flu and mom was in the middle of a work day. It's those kinds of things, what we're trying to do there is help them through that transition period, give mom, dad, aunt, uncle, sister support, give the youngster support. The youngster builds relationships with our people. They like to come back and have dinner with us. They like to come back for some of our soft programs. They like to come back and see different people that they've worked with, and instead of them walking out the door and the door shutting, this is a way to get them out the door, get them back to where they need to be, but to keep that door open on an unofficial basis so that they don't have to come back as a guest. I tell every kid that leaves there, you know, I wish you the best. I hope I see you as a visitor. I hope I never see you again as a guest. I mean that. That's what the motivator program, I think, has really helped to do. That's a very brief overview of what we are and what we do and what and who you are actually helping to support in this process. I can stand up here and talk all day about Hillcrest, talking about Hillcrest isn't a problem, getting me to shut up about Hillcrest, that's a problem, but I'll do that with these few words. I know what your support means to the kids, their families of Vanderburgh County, they rely upon you, they rely upon me, they don't have anybody else. We're it. I've seen all the families that have been patched back together because of our efforts, your support, but mostly because of their taking the advantage of the opportunity we have given them to work hard. Nobody works harder than our kids. I would like to stand up here and tell you I do, but I don't. They're my heros. I hope we can continue. I hope they can continue to have my support and your support. It's been a great service for 25 years. I think you guys ought to be proud. I know we are. It's a service that's truly needed. It's a service that is well run. I think you'll find that it's a service that is frugal. I think you will find it is a service of no nonsense and one that is in partnership with our community to take care of what we all say is our most valuable resource and that's our youth. So, once again, thanks.

President Abell: How many, at any given time, what's the maximum number of children you can have?

Gary Barnett: We can handle up to 45 children.

President Abell: Up to 45?

Gary Barnett: Right.

President Abell: Of both, split?

Gary Barnett: Male, female right. Male, female, ages 6 to 18, predominantly we're handling youngsters ages 13 to 17, because the DCS is moving so many of the younger children into foster care or relative care, that we just don't see the young kids like we used to. We used to have a pretty active group of 6 to 11 year olds, and they would keep you on your toes, let me tell you, not that teenagers won't.

Commissioner Kiefer: I have a question.

President Abell: Go ahead.

Commissioner Kiefer: I know we talked a little bit about some of this stuff the other day when we had our hearings and you had attended. I guess, I want to understand where are your sources of revenue aside from the county? Where are some of your other sources of revenue for your operations?

Gary Barnett: Jim and Mike can speak to that.

Michael Carroll: I was going to get to that in just a couple of moments, but the way that things work for us at Hillcrest, we have a contract with the county that was signed in 2009, the term of that contract is from January 10 through December of 2014 and then there are annual extensions through 2024. That contract says that the county will pay us \$1,748,571 to run our facility, which we do. It says that amount will increase by the lesser of the annual pay increases that are given to county employees or the Consumer Price Index for all urban customers. For 2010 that was zero because there weren't increases. Another section of that contract says that any money that we get back from the Department of Children Services goes back to the county. Now, they pay us based on how many kids we have. So, up to 21 residential and five emergency shelter kids, if we're at that, you get more money back than if we're at say ten kids. So, the more kids you send to the program, the less it costs you. The more kids in the county and in the surrounding areas get to participate in this great program. That's how it works. For 2011 had our census been 21 residential and five emergency shelter kids, the cost to the county would have been \$515,000 less, but it wasn't, the numbers were lower than that. We'll talk about that in a moment. Given where we're at, that is the opportunity that you have. This is substantially all of our revenue. We occasionally might get a grant, a small grant, or, you know, some really smaller sources of revenue, but this is pretty much what we run on.

Commissioner Kiefer: So, your main source of revenue is the county?

Michael Carroll: Yes.

Commissioner Kiefer: Then state dollars?

Michael Carroll: The state dollars we get back, unless we go over 21 and five for the two categories of the kids, that comes back to you. We get it, we give it to you.

Commissioner Kiefer: Okay.

Michael Carroll: That's how it works.

Commissioner Kiefer: Gotcha.

Michael Carroll: We'll give you a hand out when we're done here and it will have a table in there that I'll talk about here just in a second and you'll see that. In 2010 the rate that we received per day from the Department of Children Services was \$102 a day per kid. Okay? In 2011 that jumped up to \$172 a day, and I'll explain why in a minute, and in 2012 it's down to \$119 a day. So, the emergency shelter rates are a little bit less than that. Our average census for residential in 2010 was 22 kids, dropping to 16 in 2011 and 13 year-to-date 2012.

Commissioner Kiefer: Is that because there's less of a need, that you have fewer kids?

Michael Carroll: Less kids have been referred to our program. Jim can talk a little bit about how we get referrals and what that process is like. Jim or Gary, but yes, less kids have been referred to our program.

Commissioner Kiefer: But, that doesn't reflect back in a less need, or a fewer need?

Michael Carroll: I don't think there's a less need. I think there's more of a need.

Commissioner Kiefer: Right, that's what I was getting at.

Michael Carroll: Yeah, I think there's more of a need. We would love to have the place full, you know, because we think we do good work, it would cost you all less. It seems like the right way we want to go. Because of the higher rate, in 2011 at \$172 a day, there was a lawsuit that was filed by an entity named IARCCA, which we'll talk about again in a few minutes when Jim comes up and talks about our results. There was a lawsuit and that settlement was such that centers like ours that had a lower per day rate, got a higher rate, and centers in Indiana that had a much higher rate got their rate cut. So, our rate increased from \$102 to \$172, some of the centers had a rate of \$250 or \$300 or whatever, their rate got cut. Since then, in 2012 the formula has changed again, and it's based on a cost report that we complete and file and send to the Department of Children's Services that reflects our actual cost or the majority of our actual cost, I should say. In 2011 then, if you take the million seven minus the Department of Children's Services money we received and sent back to you of about a million, the cost to the county was \$737,676. Again, it could have been \$515,000 less if we had been at 26 kids. In 2012, because of the lower rate that we're receiving from the Department of Children's Services, that's going to be, if we ran at our current numbers for the rest of the year, the cost to the county would be right around a million dollars. Not what you want to hear, but that's what it is. Does that answer your question?

Commissioner Kiefer: Yeah, it sure does.

Michael Carroll: Alright, Jim, can you talk briefly about outcomes?

Jim Ward: Sure.

Michael Carroll: We're almost done.

Jim Ward: We're, as Mike mentioned, we're the IARCCA word, that's actually the Indiana Association of Residential Child Care Agencies. There's 94 child care agencies in the State of Indiana that are members, and they actually, we supply data of our children into a national, or statewide database so that we can compare outcomes with them. Anytime I'm looking at a program, I want to look at efficiency,

effectiveness and satisfaction. So, I pulled out a couple that you should see on your screens. The first one is the planned discharges. 77 percent of our children that come in are actually discharged as planned, and that means on day one when they come in there's a permanency plan in place to either go back to their parents, their mom, their dad, their grandmother, whatever is set up by the referring agency. That means 77 percent of all of our discharges follow that plan and we navigate them through the system for completion, successful completion of that. That's four percent greater than the state average. The 23 percent that are unsuccessful as part of the plan discharges may be at a more secure detention, YCC, or it may have went to a grandparent versus a mother as was originally planned, or from a foster parent to a family unification as well. We also looked at the runaways, we had one percent of our discharges were runaways compared to the state average of eight. To me that says that our children are happier, for lack of better terms and they're able to adapt. Our staff treats them as kids and as young adults comparatively, and it's an environment that we allow them to thrive in and that they can adapt to easily. The eight percent is a state-wide average. So, we're actually seven percent less than what the state offers. Upon discharge we give a satisfactory survey to every child, family and referral source. It's a seven point scale, and if you see we actually match or exceed in all the satisfaction categories of all three compared to the state as well. The most important, in my opinion, is the effectiveness. How soon do they come in? How quickly do they leave? Our average length of stay is 102 days in 2011, compared to the state average of 148. So, for every child that came to our care versus another program, they are guaranteed on average to stay 46 less days in 2011. So, essentially, when you look at these outcomes that are from the state averages, we do good quality work with equal or greater outcomes in a shorter length of time. To address the referral sources, it's DCS, Department of Children's Services, Juvenile Court, and as Gary said, the Police Department, Sheriff's Department can actually come in and the next day they're either, the child is referred to DCS or Probate.

President Abell: Is there ever an opportunity for voluntary, if a parent just walked in and said, you know, I'm trying to keep my kid out of trouble, but I know they're destined there, can you help me? I mean—

Jim Ward: That could be a Safe Place that Gary mentioned, it's a program to where we actually through the federal grant, that we had actually received through Welborn, to where the child can receive services, and it's usually a day or two, and then a lot of times it's where the child has no place to go, as Gary mentioned. We actually go to the schools and give presentations, ranging from, if you're out with your teenage friends and they're drinking and driving and you don't want to be in the vehicle with them, you go to a Safe Place. All the fire departments are registered Safe Places, and there's, I think, 28 other agencies that are registered Safe Places. They call us, we go to them, we either give them a ride home, arrange for that ride, if there's family arguments, we kind of act as a mediator on site with the families. Very few of our Safe Place call outs end in a residential stay. For probably every one residential stay we have we probably answer five Safe Places. So, we're able to go on site and negotiate with the parents and mediate that successfully.

Gary Barnett: Just to piggyback on that, I get probably two, I probably average two calls a week from people in the community wanting to know how the heck they can get their kid into Hillcrest, but it's just not an easy process. It never really was, but I'll walk them through what other agencies they can access, and, of course, how they can access Juvenile Court, Child Protective Services all that, we just don't say no and hang up. As far as the Safe Place goes, it's in the written information I gave

you, we've actually had to go, we've actually had 18 youngsters referred to us from a Safe Place. We've handled 50 calls, of those 18 we had 12, I believe that actually came, no, of the 18 we've had all but two go home. We were able to get something done, and we had ten of those youngsters that had to spend about 24 to 48 hours with us. So, that's pretty good, all things considered, seeing that we just got that started in the last year. We're very pleased. I think we have 50, or 49 partners out in the community that have put up a big, diamond Safe Place sign. So, we like what we're doing on that.

Michael Carroll: We have one more point to discuss, and that has to do with the funding of Behavioral Healthcare.

Dennis Moran: There were a couple of questions that were kind of left unanswered, I think, the last time we were here, or maybe confusion about. One was a county appointment to the Board of Directors for Southwestern Behavioral Healthcare. John Koehler was appointed by the county, and he continues to serve as a member of the Board of Directors. John, in fact, was my past Board President, and is still a very active member of that board. So, I couldn't recall who it was when we were here before. I mean, I knew we had a representative, and as you said, it wasn't one of you.

President Abell: (Inaudible. Microphone not on.)

Dennis Moran: Okay. The other issue, I think, centered around the Indiana statute regarding funding of community mental health centers. I don't know if Mr. Harrison reviewed that any further since we were last here. In your packet today you will have a letter from Doug Welp who reviewed the statutes. I'll also refer you to the State Attorney General for the review of those statutes. But, the question that arose was the terminology of "may" and "shall" in the statute. It is a little confusing, because they are reversed in order in the statutes. IC 12-29-2-2 says a county "shall" fund the operation of community mental health centers, based on a funding base adjusted annually by the State average growth quotient. IC 29-2-1.2 says a County Executive "may" authorize furnishing of financial assistance to a community mental health center. The intent of that is to allow counties to fund capital and operating expenditures, and this is the important part of that statute, beyond the required funding in 12-29-2-2.

Commissioner Kiefer: We're not doing anything above the required amount?

Dennis Moran: No, you're not. I will tell you that when that was put into place, it was put into place because at that time Lake County was interested in having a community mental health center in their county. They were being served by an adjoining county. This gave their county government the authorization to fund the construction and then subsequent funds for the operation, if they chose to do that.

Commissioner Kiefer: I think that answers my question regarding the funding mechanism of it. I mean, it sounds like we don't have any means of having you look at your budget, look for cost reduction, look for any savings, you know, if you went through, like some groups have hired Energy Systems Group to look for ways to reduce the costs of utilities, even if you did that, that doesn't translate back any savings to us.

Dennis Moran: No, the only way, honestly, for you to do that is to try to pursue a change in statute, the way it's currently stated.

Commissioner Kiefer: Right.

Michael Carroll: Another quick point, one dollar of state and county dollars equals three dollars of federal dollars.

Dennis Moran: So, we are using the county funds in order to leverage with county and state dollars that we receive, in order to leverage that three dollars of federal funding.

Commissioner Kiefer: Okay.

Dennis Moran: We do about, and I think I told you this, about four million dollars worth of charity care in Vanderburgh County alone, those folks who are unable to pay for services.

Commissioner Kiefer: No, I'm sure you guys do, I mean, both organizations look like you do a good, provide a good service to the community. I think our jobs, as Commissioners is to make sure we're getting the very best value for every dollar that is spent, because it is taxpayer dollars. That's why we have to go through this and ask these kind of questions.

Dennis Moran: Sure.

Commissioner Kiefer: But, I would like to see Hillcrest, which I think we do have some control over, I would love to see a more detailed budget. I mean, it could be that you're 100 percent efficient at Hillcrest, and if you are, that's great, but I would like to see it just to see if there's some areas that they might be able to save money. It might be on building, facilities operation, I don't know.

Dennis Moran: You know, and I will tell you, I was part of that original group in 1987 that worked with taking on Hillcrest. We have spent millions of dollars on that facility, upgrading it, taking care of it, we have been good stewards of the property that's out there. We've tried to utilize all of the facilities as much as we can for programs and services. So, it's, I mentioned today when we were talking about this, when we took over in 1987, when Southwestern did, we have volumes of photograph albums of that facility, and the condition that it was in. When I go out there today it amazes me, you know, what has been done, but the point being we've put a lot of money back into the facility to keep it a top notch facility.

Commissioner Kiefer: For us, or at least for me, it would help to see something so people know that as an elected official we've done our due diligence and have examined, you know, and if there's nothing to be reduced there, at least we can say, hey, we looked at it, and they're operating at 100 percent efficiency.

Dennis Moran: Right.

Mark Owen: I can only add that I was County Councilman when we did turn the facility over, and it was because of the way it was being run. That was why we did it back then. In answer to your question about the expenses, we've, unfortunately had the same difficulty all other agencies have had with different types of funding. Our employees, throughout the Southwestern system, have had one raise in five years. So, it's been on a very tight budget, very tight restraints.

Commissioner Kiefer: Yeah, Mark, I wish we were flush we could say, hey, you guys are doing great work, here's an extra, you know, \$100,000 or whatever, but, unfortunately, we're not.

Mark Owen: One of the things, I might add, about the board is, actually the last, the Commissioners always appointed a board member, and Suzanne Crouch was the last County Commissioner who was appointed, and she appointed herself, I recall, she still sits on the board, even though she's not a county appointment now, but we would more than welcome the Commissioners, having a County Commissioner sit on the board, we would more than welcome. We also have always, the policy has always been that a judge sits on the board, and Judge Lloyd has been on our board for at least five or six years. I think before her it was Judge Trockman, as I recall, but Judge Lloyd has been a very active board member. So, I would pass that along, I'm not real, I think, perhaps at some point after Suzanne left she, you know, because of her interest she did stay on the board, and I believe the county, as he indicated appointed John Koehler to serve on the board, but we would be more than pleased to have a County Commissioner sit on the board.

Commissioner Kiefer: Well, it sounds like you guys are doing a good job, and maybe we can work to get Hillcrest's referrals up, so that way we can get more of a return back from the state.

Mark Owen: We would encourage you to talk to the referral sources, the court, the local court and also DCS, yes, that would—

Commissioner Kiefer: Well, we definitely need to do that. We need to get more referrals.

Mark Owen: — every referral that they make to us reduces your cost.

Commissioner Kiefer: That's important to know. Thank you.

Mark Owen: Okay.

President Abell: I do have one question, the facilities in Warrick County, Posey County, Gibson County, do we get any contribution from those counties?

Mark Owen: Yes, they're also required by state law—

President Abell: Okay.

Mark Owen: — to pay their appropriate share.

President Abell: I was just going to call my fellow Commissioners and ask for a little more, if maybe—

Mark Owen: Oh, we do. No, we do, we also, they have to contribute their appropriate amount of funding—

President Abell: Okay.

Mark Owen: — because they do have their own facilities there.

President Abell: Okay.

Mark Owen: Each of those counties has a satellite facility.

President Abell: Okay. I really enjoyed this presentation. I think I told you when you were here last time, I believe I could sit and listen to this for another hour. I just, I think what you're doing for the kids of this community is incredible, just incredible and I appreciate it.

Mark Owen: I would mention too that we are one of the only facilities, very few facilities, I believe it's three or four of us guys that are certified by the Joint Commission on the Accreditation of Hospitals as a medical based facility, which is why we have physicians who are able to do diagnosis and write prescriptions, and when appropriate assist patients with different types of assistance. So, that is an extremely rigid procedure, and that's Dr. Whitehead's area as the Medical Director and the head of treatment, but it's, we're one of the only facilities in town that can provide both, the therapy and the medical service with the different type of prescriptions needed.

President Abell: We appreciate you as a member of the community.

Mark Owen: Okay, thank you.

President Abell: Thank you so much.

Michael Carroll: Thank you all.

President Abell: Thank you for coming tonight.

Michael Carroll: Thank you.

<p><b>Bohannon Estates Sewer Project Grant Application Approval &amp; Interlocal Agreement with the Evansville Water &amp; Sewer Utility</b></p>
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President Abell: Is Debbie, yeah, she's here.

Commissioner Melcher: She's here.

President Abell: Debbie, would you like to present?

Debbie Bennett-Stearsman: Good evening, Debbie Bennett-Stearsman with the Economic Development Coalition. The grant application for the area around Bohannon Estates in the amount of \$497,000 will be submitted this Friday, June the 8<sup>th</sup>, to the Indiana Office of Community and Rural Affairs. In conjunction with that grant application there are several documents that we need the Commissioners to approve and sign off on to submit in the grant application. If you would like me to I can read through each of those quickly and you can do it in one motion, or how do you want to do it?

Joe Harrison, Jr.: We probably ought to do them separately, but as quickly as you can go through everything.

Debbie Bennett-Stearsman: Okay.

Joe Harrison, Jr.: That would probably be best.



Debbie Bennett-Stearsman: Okay, that's fine. First of all the grant is for \$497,000. It is a federal grant. The match is \$70,000, and it is coming from the Evansville Water and Sewer Utility. So, there's no cost to the county in this project. The first document would be what is called the readiness to proceed document. This document is signed by the County Commission and it states that the local match is in place. I've previously provided to you a copy of the letter from the Water and Sewer Utility for the local match. The second is the preliminary engineering report is complete, and, in fact, the project is now designed and permitted. Those documents were also submitted to you. The environmental review is completed, that was done by our office. Those were submitted to you. The permits have been obtained. A copy of that has been submitted to you. Site control is complete, and I have a copy with me tonight of all of the original easements for the area in case the attorney wants to look at those for execution. That is one document.

Commissioner Kiefer: I'll make a motion that we approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: Okay, the next document is a certificate of assurance stating that if the county receives the grant funding, they will comply with all of the regulations listed in that document that deal with the small cities block grant program. That's one document.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: The next document is the Civil Rights certification that if the grant is funded that the county will comply with Section 109 of the Housing and Community Development Act of 1974 and all of the regulations.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: Next is the disclosure report. The disclosure report basically states the initial information of what you're applying for and where the funding is coming from. It is a four page document that will be updated once the grant is awarded and contracts are awarded to contractors.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: Next is a new document called Federal Funding Accountability and Transparency Act, and it basically states that the county did not receive 80 percent or more of its gross revenues in U.S. Federal contracts, subcontracts or grants, and the county did not receive \$25 million or more in annual gross revenues from U.S. Federal contracts, subcontracts, loans or grants.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: I'm assuming that you've checked all of these things and we're not saying we did something we haven't done.

Debbie Bennett-Stearsman: Right.

President Abell: Okay. I just wanted to make sure. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: The next is a citizen participation report that states the date of both public hearings, when they were published, and when they were actually held. It also reflects the comments, public hearings, and sign in sheets, which were all provided to you. Also it states that the county does not meet the threshold of 100,000 non-English speaking persons where the county has to do a language assistance plan. That's by census, that's not something we have to (Inaudible).

Commissioner Kiefer: Right. So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: The next is a letter authorizing the Economic Development Coalition to advertise and take all of the minutes of the public hearings and to give them to the county. Those have been done.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: Then, the last two documents, one is a resolution allowing the Commission President to submit the grant application on behalf of the county, and also committing the local match funding of \$70,000 from the Evansville Water and Sewer Utility, and that is supported by a letter signed by the Auditor stating that he has knowledge that the Evansville Water and Sewer Utility has submitted a letter for the local match of \$70,000.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: That is all I have. Thank you for your cooperation, especially John Stoll who has always been there to help us, and Dwayne Caldwell with the County Health Department who did do the sampling of the e-coli in the area for us. Also, Steve Melcher for coming to our site visit with the Office of Community and Rural Affairs.

Commissioner Kiefer: Good work.

President Abell: Thank you.

Commissioner Kiefer: Thank you, this sounds like a great—

Joe Harrison, Jr.: I may have missed this, but did you do the resolution, I mean, the interlocal agreement as well?

Debbie Bennett-Stearsman: I didn't know if you were bringing that up, or you wanted me to bring that up.

Joe Harrison, Jr.: Well, why don't we go ahead and hear that now.

Debbie Bennett-Stearsman: Okay. That's fine.

Joe Harrison, Jr.: If that's okay, it relates to the same matter. There's an interlocal agreement between the Evansville Water and Sewer Utility and the county concerning the grant and the fact that they're contributing \$70,000.

Debbie Bennett-Stearsman: And basically that the, yeah, that the City of Evansville will be taking those residents on as customers on their sewer system, they will be paying the rates that the out of town customers are paying.

Commissioner Kiefer: I make a motion that we approve the interlocal agreement.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Joe Harrison, Jr.: That should do it, right?

Debbie Bennett-Stearsman: Yes, thank you.

Commissioner Kiefer: Thanks for the good work on that. Appreciate it.

President Abell: Does Madelyn have all of the documents here?

Debbie Bennett-Stearsman: Yes.

President Abell: Do you have those?

Madelyn Grayson: Yes.

President Abell: Okay, thank you. Thanks, Debbie.

<p><b>First Reading of Ordinance CO.06-12-003: Amending Ch. 2.40: Health Department Fee Ordinance</b></p>
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President Abell: Next business is the first reading of CO.06-12-003, an ordinance amending chapter 2.40 of the Vanderburgh County code concerning the County Health Department. The provisions to this ordinance increase the Health Department fees it charges to patrons as requested by the County Board of Health. I think I've been asking Mr. Heck for this as long as he's stood in front of me. So, I'm guess he's happy to finally get me to shut up about it.

Gary Heck: Gary Heck, Vanderburgh County Health Department. Always like to hear you speak, Madam President. This is the first reading of the Board of Health's fee ordinance. It's a fee for services for those services we do charge fees for. I would be happy to answer any questions if you have any. It's been reviewed by the County Attorney, and I believe everything is in order.

Commissioner Kiefer: I'll make a motion that we approve this first reading of this ordinance.

Commissioner Melcher: Second.

President Abell: Any discussion? I would just like to say, you obviously put a lot of time into this, and we appreciate it.

Commissioner Kiefer: Yeah, it's a good thing.

President Abell: This is long overdue, and appreciate your doing that. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

**Second/Final Reading of Ordinance CO.05-12-004:  
Ordinance Regulating Public and Semi-Public Swimming Pools  
(Vote Deferred Until 6/19/2012)**

President Abell: I think you probably ought to stay there. Next is the second and final reading of CO.05-12-004, an ordinance regulating public and semi-public swimming pools. Would you like to address that, Gary?

Commissioner Melcher: Before we get started, I don't want to waste a lot of time, I asked if you guys would meet with the hotel owners and different groups. I didn't get an e-mail on that, because I thought I might go. What date did you do that? Or what input did they have?

Gary Heck: I think you asked us to send them letters to make sure that they were aware that there was a first reading of the ordinance.

Commissioner Kiefer: Yeah, I think--

Gary Heck: --and that there would be second reading tonight.

Commissioner Melcher: Okay.

Commissioner Kiefer: Yeah, that's what I recall that we were going--

Commissioner Melcher: Well, I didn't know if it was going to be a letter, I mean, I know we asked.

Gary Heck: Well, that happened, and I think we sent you the e-mail that said the ordinance is now posted on our website, which it was. Subsequently, this is Dwayne Caldwell with the Vanderburgh County Health Department, and I believe he met with an association of the apartment owners, I don't know if that's the proper name of the group.

Jeff Wilhite: The Apartment Association of Southern Indiana.

Gary Heck: The Apartment Association of Southern Indiana, and there are some revisions in the ordinance, under the second reading, as a result of that meeting, communications and such.

Commissioner Melcher: You talk about it's going to be in there second reading? It's not already?

Gary Heck: It was in the one that Joe sent today. It's my understanding that it's been revised from the first reading to reflect those changes. You should have received an e-mail that had that information in it.

Commissioner Kiefer: Is this copy redlined or something?

Joe Harrison, Jr.: That's, what's in front of you were some proposed changes, and the final product then is, hopefully you have it with you, it was sent out this morning.

Commissioner Kiefer: Yeah, I think what I've got--

President Abell: Most of us have been down here all day.

Commissioner Kiefer: Yeah, it shows some redline marks on it, like there's lines on it and stuff. Is there somebody from the Apartment Association here?

Jeff Wilhite: Yes, thank you. Jeff Wilhite. I'm a lawyer. My practice is focused on large multi-family properties, also the Apartment Association of Southern Indiana. Also with me is Pam Lovell, a Regional Manager of Barrett & Stokely, they have about 1,000 units and is on our board of the Apartment Association. There was some mix up, but we did find out about this about May the 16<sup>th</sup>. So, as not to slow Dwayne and the Department down we met right away. I will convey, as always, Dwayne is probably the most reasonable man on the face of the earth in dealing with concerns we had, almost without exception. We've resolved things, and most of them are before you. There's one that's not, that I think was an unintentional typographical issue probably between all of the parties. So, that would have to be changed. We were down to one issue that, I think, maybe Dwayne's okay with, but your counsel might not be, that we learned may still be a problem with Joe. I think we learned that late yesterday. So, I don't want to delay Dwayne, but the one issue that's left that I think Joe and I might respectfully disagree on concerns whether those of us in apartments with pools would be given notice before there would be fines. Basically, if there were a significant violation related to health and safety, Dwayne put in this ordinance, which I don't think is in the state, but we're okay with it. If it's something that really affects health and safety, he's proposing that he has the power to shut us down immediately. Okay? That's pretty strong, but if it's health and safety and it's fair and we're not fighting that. He also lines out a series of notices if there's a violation, opportunity to cure and that sort of thing, and conceptually all we wanted to make clear is that the financial penalties would come as a result of that process. Dwayne even proposed an appeal process, which we thought was a great idea, but I don't think is in this draft. This all happened last minute. I grabbed at Joe, who's mind I'm sure was on other things too here just before your meeting, and I think, without speaking for Joe, I think Joe has some concerns that he's thinking through about what if it were a serious emergency and maybe closure wasn't enough or something, would we want to give Dwayne the power to unilaterally, with all of his discretion, which I would trust Dwayne Caldwell's discretion, but this is an ordinance and the next Dwayne Caldwell might not be so reasonable.

President Abell: That's right.

Jeff Wilhite: But, if it's seriously about safety, we have no objection to shutting it down, even though that's somewhat discretionary. We're only asking to clarify that the financial penalties would come after this notice process, which if you read some of the headings, may have been the original intent. So, just briefly before the meeting, I had Joe articulate maybe what was going through his mind, and I think the County Attorney's question was, if it were something serious, like somebody died at a pool, maybe closure doesn't fix it, so maybe you want the club of a fine to do something. I'm not sure we disagree with that. I would still respectfully say, what's the harm of notice and an opportunity to be heard or an appeals process or something? Or maybe we could negotiate some language that gives an exception



for something really serious. So, 99 percent of the discussions have been intense and friendly the last three or four days, have made a lot of progress, we're just down, I think, to this one issue that, until right before the meeting I hadn't even talked to Joe about frankly.

Joe Harrison, Jr.: And, I wouldn't have a problem, I know that Dwayne would like for us to move on, but I wouldn't have a problem with us coming back on the 19<sup>th</sup> of June, if you guys are okay with that, if the Commission is okay with that, and we can see if we can hash out this last issue. As he expressed, my concern was, you know, it's hard to give someone notice for something if it's something tragic, they ought to have a violation issue against them. You can't give them notice to correct the violation. You ought to be able to--

Jeff Wilhite: And my respectful retort to that is, if it's tragic, then shut the pool down or do whatever we need for safety, but if it's just about a fine, what's the rush? Let's go through the notice process. We can just hash that through.

President Abell: Well, I guess, you know, you're our attorney and I certainly don't want to argue with you because I'm not a lawyer and I can't keep up with you, but if someone were to drown fining them doesn't bring the person back. I mean, I just, I don't know that that's a--

Joe Harrison, Jr.: I understand.

Commissioner Kiefer: It could be a fine under, what he's saying under a due diligence process if we're doing that.

President Abell: Yeah, I always like to give people an opportunity, I always like to give them a notice they're going to get fined. Because if they don't have a notice that they're going to get fined, and they get fined and they don't happen to read it, and it just keeps accruing penalties every day and stuff. You know, I'm all about keeping people in business and not putting them out.

Dwayne Caldwell: Let me just address one thing that I think is being kind of lost in this, is that we're dealing with two different enforcement issues. There are the chronic issues, say like not having depth markings, those kind of things, not having a telephone that you're required to have under state and this proposed code. Those would kind of fall under this section seven, which is on page 15 there, where it talks about the enforcement of the issue.

Joe Harrison, Jr.: Go ahead. Go on.

Dwayne Caldwell: Okay, and that talks about we're going to give written notice. It's going to be, say this is the violation. It's going to set a timetable for the, to repair whatever is wrong, and it will also say, if it doesn't happen, then this civil penalty comes. Now, the point of, I don't want to use the word contention because it's not a contention, Jeff and Pam, as well as Joe have been excellent folks to work with, and I have no complaints about anyone, but the problem comes on page 16 (b) where it says, "it shall be a violation", then it comes down to, "any person who violates this ordinance shall be subject to a civil penalty of \$100", which we did reduce, because we felt that the \$1,000 was a pretty big whammy for a first go round. The apartment folks were saying that they felt that that may cause someone to come in and just helter skelter give out tickets for every violation, which is certainly not the intent. In discussions with Joe earlier I found that that is pretty stock

language in county and city ordinances. I'm not really sure how to get around that, only to say that if it's not an acute problem, which was covered in another section besides the enforcement, it's not something that has to be done right away, that we're going to follow the enforcement procedures, which includes giving a notice, setting a timetable, and often it's just a matter of letting someone know there's a problem and they take care of it.

Jeff Wilhite: An example of where Dwayne would not fine us, but his successor might, it's a violation of this ordinance for a child to eat a potato chip at the pool.

Dwayne Caldwell: That's incorrect.

Jeff Wilhite: Well, at the pool deck.

Dwayne Caldwell: No (Inaudible) public.

Jeff Wilhite: Unless it's in a designated area.

Dwayne Caldwell: Semi-public's, you know, we changed, that should have been changed. Semi-public's can have—

Jeff Wilhite: I don't think it was. That's one of the issues I got late last, yesterday, the proposed revisions, and we didn't catch it until an hour ago. I just wanted a typo change. Food may be permitted only in properly segregated and designated snack areas or visitor areas, and that's for public or semi-public. Let's assume for purposes of argument, even if I'm reading this wrong, but I think it's right, there are a series of violations that might be frankly minor, that Dwayne would agree, like maybe a chip at a pool, and things that might be more serious, like maybe having a glass bottle at the pool. The way 7.4 is currently written, any violation, even having a potato chip at the pool is \$100 a pop, if he wanted to enforce it. So, all we're suggesting is a clause before that that says something like if after receiving written notification you don't do something about it, then this would kick in. Or the new idea we had just an hour ago, that I don't know that I want to bid against myself, Joe, but if his concern is something major, we could say or unless it's a violation that, you know, is an imminent threat to health or someone seriously injured or something.

Commissioner Kiefer: It sounds like to me that you guys are getting pretty close, but you need some more discussion.

Jeff Wilhite: Except Dwayne is really, I think, wanting to get this done, and I do not want to slow him down.

Commissioner Kiefer: Well, I guess, my question is, can we vote on the first reading and then have the second reading with changes? Or do you have to wait to make the changes?

Joe Harrison, Jr.: I suggest we come back in two weeks.

President Abell: I say, yeah—

Commissioner Kiefer: Yeah, that's all I'm—

President Abell: You're not holding Dwayne up, we are.

Commissioner Melcher: I was wanting to hold it tonight anyway. I think I said that earlier, because I wanted to get more clarification on it.

Commissioner Kiefer: But, I think the intent that Commissioner Melcher and Madam President had, and myself was that we wanted you to get together with apartment owners and people that have these pools. So, you've done that, you've got some work to do, and we'll, I'll make a motion that we postpone this—

Joe Harrison, Jr.: Until the 19<sup>th</sup>.

Commissioner Kiefer: – until the 19<sup>th</sup>.

President Abell: That's just two weeks.

Commissioner Kiefer: Two weeks.

President Abell: It's not the end of the world.

Commissioner Kiefer: So, but that will give you enough time to get it worked out.

Commissioner Melcher: I'll second the motion.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you, gentlemen.

Dwayne Caldwell: Thank you.

Commissioner Melcher: Have we got a, which copy—

Joe Harrison, Jr.: I'm going to....after I meet with him—

Commissioner Melcher: You're going to get us another one.

Joe Harrison, Jr.: Well, you've got this, this one came this morning to you, and I guess she only ran one out and put it in here, I guess.

Commissioner Melcher: Well, I got one and it was 17 pages, and I said I wasn't going to print it, I would wait until I got here.

Joe Harrison, Jr.: Okay, but this one did come to you, but there will be a couple minor changes to it after we discuss. I didn't speak with Jeff before this evening, but I did speak to Dwayne about some issues. So we'll get it taken care of.

Commissioner Melcher: So, you're going to get us an updated one?

Joe Harrison, Jr.: Yes, as soon as it's updated.

President Abell: Okay.

Commissioner Melcher: Thank you.

<b>Permission to Award Auction Services for Commissioners Auction</b>
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President Abell: Permission to award the auction services for the Commissioners auction. The following two proposals were received at the May 15<sup>th</sup> meeting. John and Associates<sup>2</sup> has offered to conduct a live auction for the greater of four percent of the total sale price or a flat fee of \$8,000. That's, I can't remember how that's pronounced, it's not pronounced John.

Commissioner Melcher: Sohn.

President Abell: Sohn, yeah, I always called him by his father-in-law's name. Sohn has quoted a marketing budget of \$3,845.50. Sohn will cap the entire project of the auction, including advertising at \$18,000. Wilson has offered to conduct an on-line only auction for a retainer of \$6,000, with an incentive commission of \$7,000, of seven percent on the gross sales proceeds greater than \$300,000. An incentive commission will not exceed \$7,000. Wilson has quoted a marketing budget of \$6,700, administrative budget of \$17.50 per hour per person up to \$3,500. Gentlemen, we have to award one of these two contracts. What's your pleasure.

Commissioner Melcher: Well, we've had Sohn in the past, and I know they've done pretty good work. We also got an e-mail from the attorney that believes, Sohn, I believe, should continue to have it. He believes in the open auction. I do too. So, that's what I think.

Commissioner Kiefer: I agree with you. I think (Inaudible. Microphone not on.) being in real estate, and I think what happens is you get more people excited at an auction, you get people there they start bidding against each other, and I think the live auction would probably be a better way to go. So, I'll make a motion that we approve it using Sohn and Associates and doing the live auction.

Commissioner Melcher: I'll second it.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

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<sup>2</sup>Should be Sohn.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Sheriff: Jail Dentist Agreement: Dr. Barbara Perkins  
City-County Byrne Justice Grant Agreement  
Harding & Shymanski Engagement Letter: Centre 2011 Financial Review  
Prosecutor: Adult Protective Services Grant Amendment  
Health Dept: MOU with EVSC, ECHO & St. Mary's**

President Abell: Contracts, agreements and leases. Sheriff's Department, county jail dental agreement with Dr. Barbara Perkins. One year independent contractor agreement for dental services for inmates at the county jail, running from July 1, 2012 through June 30, 2013. Dr. Perkins is currently providing dental services at the jail, and her present contract expires June 30, 2012. Dr. Perkins will receive \$162.50 per hour, or \$1,300 per eight hour period for her services. The Sheriff is not here. Anybody have any questions?

Commissioner Kiefer: No, I'll make a motion that we approve.

Commissioner Melcher: I'll second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: The Byrne Justice assistance grant agreement, a resolution regarding the allocation of \$50,203 awarded to the city and county for 2012. The city will received \$43,174.58, and the county \$7,028.42 of these grant monies. The county's portion is to be used to pay for data recording equipment to support the county law enforcement activities.

Commissioner Kiefer: I'll move that we approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Agreement with Harding and Shymanski and Company for a financial review of the 2011 Centre finances handled by SMG for a financial review of SMG's 2011 management of the Centre, in accordance with the management agreement with SMG with respect to the Centre. The cost is not to exceed \$5,000. Harding and Shymanski has handled the Centre audit for the past several years. I did see, this is standard, we do this every year, there's really nothing about—

Darren Stearns: Not unless you have any questions.

President Abell: I have none, but, fellow Commissioners, do you have any questions?

Commissioner Kiefer: The only question I have is, I mean, Harding and Shymanski is a well known, well respected firm, but do you put that out to bid? Or is it just negotiated?

Commissioner Melcher: No, isn't this us?

Darren Stearns: Actually, the contract is with the Commissioners.

Commissioner Melcher: Yeah, it's us.

Commissioner Kiefer: Okay.

Darren Stearns: Yeah, so—

Commissioner Melcher: They're looking for our interests in this.

Commissioner Kiefer: Okay, so, do we put this out to bid?

President Abell: It's kind of in the contract we just pay it.

Darren Stearns: Well, yeah, actually when it first....with the contract—

Joe Harrison, Jr.: It was bid out initially.

President Abell: Well, quite frankly—

Darren Stearns: It was bid out initially, yes.

Commissioner Kiefer: I apologize, since I'm new, I don't know the history behind this.

Darren Stearns: With the first contract, which was six years ago, it was bid out initially, Harding and Shymanski had that, and I think it's just kind of continued from that since they have the history with it. But, it was bid out by the Commissioners at that time.

Commissioner Melcher: It was before me, but, basically, Harding and Shymanski has done a good job for us.

President Abell: Yeah.

Commissioner Melcher: And they also, it's had a lot of history in the past, and that's how we got the \$300,000 back when we redid the contract.

Commissioner Kiefer: No, I agree, Harding and Shymanski is a good firm. I just wanted to make sure. It was initially bid out. So, with that, you know, I'll move that we approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Prosecutor, Adult Protective Services agreement amendment. Grant agreement in the amount of \$144,796 for use by the county Adult Protective Services program between July 1, 2012 and June 30, 2013. I don't see anyone here. Any questions?

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Health Department, memo of understanding with St. Mary's Health Systems of America, Inc., EVSC, and ECHO Community Healthcare, Inc. regarding the back-to-school blitz. Regarding the annual event to provide physical exams, immunizations, and dental services to students in preparation to go back-to-school after the summer break. This year's blitz will be held on August 4, 2012 at the Health Department. Gary, anything you need to tell us about that?

Gary Heck: I don't need to tell you anything, although I'm not sure it's at the Health Department. I believe it's at ECHO Community.

President Abell: It says at the Health Department.

Gary Heck: I'm thinking it's at the ECHO—

Commissioner Melcher: I was going to say, you should know.

Gary Heck: Yeah, I think it's at the ECHO Community Health Center is where it's actually located. But, that's okay, we've done this every year. I think it's fine, I don't believe it's at the Health Department though.

President Abell: Well, we ought to change that.

Gary Heck: I think it's in the agreement that Madelyn will have there, but I'm pretty sure it's at the ECHO Community, which is just right around the corner from the Health Department.

President Abell: Let's see what Madelyn's got and get it into the record correctly?

Madelyn Grayson: What was the question?

Gary Heck: The location, isn't the location of this year's blitz at the ECHO Community Health Center?

Joe Harrison, Jr.: Yes.

Gary Heck: I think it's 315 Mulberry St.

Joe Harrison, Jr.: 315 Mulberry Street.

Gary Heck: Mulberry, yes.

President Abell: Okay, show that corrected in the record.

Gary Heck: Thank you.



Commissioner Kiefer: With that, I'll move that we approve. It sounds like a good program.

Gary Heck: It is.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: Thank you.

### County Highway

President Abell: Department head reports. I see Mr. Duckworth standing and walking this direction.

Mike Duckworth: I hope you don't mind. Mike Duckworth, Superintendent of the Highway Department. I have a class tonight in 20 minutes I need to get to. I just wanted to, if you don't mind, give you my assessment of the Keep Evansville Beautiful request. I talked to Commissioner Abell on the phone last night, and I drove that area today, and I just talked to Ms. Musgrave in regards to her request that we be involved, and frankly, after examining the terrain and the type of equipment that's probably going to be needed to do that, along with the distance of and length of the request, with our workload now handling between 800-900 work requests a year, the paving, the mowing, I just don't think it would something that we could do. I would love to be able to do it and save them money, but I think it would take away from our service to the county residents. So, I wanted to let you know that before she came up. If you don't mind, I would like to go ahead and go, if that's alright.

President Abell: Go to your class. Thank you, Mike. I knew John Stoll was here, I just couldn't see him.

### County Engineer

John Stoll: I'll try to run through it all quickly. The first five items I have are in regard to the Green River Road project, the section between Millersburg and Kansas Road. The first four are administrative settlements for right-of-way offers that we have

made, and the right-of-way buyers have been negotiating with the property owners. These were submitted back to me, I've been working with Joe Harrison, Joe has reviewed everything. As far as the viability of accepting these offers, comparing it to the cost of potentially condemning properties, and all in all would request that all of these administrative settlements be approved. The first one is parcel four, the property owners name is Pride. The requested increase is \$3,700, this would provide a total of \$25,750. The requested increase is to cover the cost of additional sound barrier, due to the fact that the new road will be brought closer to their house. I recommend that that be approved.

Commissioner Kiefer: I would like to make a motion that we approve.

President Abell: I guess we have to do each one individually. Yeah, okay, go ahead.

Commissioner Melcher: Okay, second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The second one is parcel six, Mangarella. The increase is requested at \$4,050. This would be a total of \$13,600. The reason for this increase is the property owner had disputed some of the values that the appraiser had provided. The appraiser went back and re-evaluated his initial appraisal and came back with this increase of \$4,050.

Commissioner Melcher: Move that we approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The next one is parcel 22, Pham. This is an increase of \$5,000. This would bring the total to \$70,250. This again is in regard to sound barrier due to the fact the road is being widened and it brings it closer to the property owners house.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The next one is parcel 59, Kimbrough. The increase is \$3,255 for a total of \$53,055. This increase is to cover additional relocation costs of an invisible fence, and for the relocation of an existing fence.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, the next one is a request to have the county advertise for parcel 38. This is the one that we discussed at the last meeting—

President Abell: Oh, yeah.

John Stoll: – where the property owner could not be found. Structurepoint had received a price quote of over \$1,000 to do the legal ad. The county's price will be under \$50. So, we will proceed with taking care of the legal ad, and then Structurepoint will credit the actual cost of the legal ad against one of our future invoices, because there was no provision for reimbursable expenses in their contract. There again, I've worked with Joe to make sure all of that was okay. This will save a bunch of money.

Commissioner Melcher: So, there's a couple extra zeros in the one that they did?

John Stoll: I guess.

President Abell: That doesn't sound–

Commissioner Melcher: That's amazing.

President Abell: It is.

Commissioner Melcher: How do you go down that far?

John Stoll: I have no idea.

President Abell: It's probably something they would prefer we didn't have the cameras on.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next I have a street acceptance for Section Three, Phase One of Creekside Meadow Subdivision. This covers 558 feet of Wildflower Drive. It has been inspected and I would recommend acceptance of the road.

Commissioner Kiefer: Well, that's good. I hope it's not before us a couple of years down the road. But, yeah, I'll move that we approve.

Commissioner Melcher: I don't like to accept roads anymore. Second.

Commissioner Kiefer: I know, that's why I was making my comments.

President Abell: I don't like to accept roads anymore either. Refresh me on where this is and how long that road has been in play and how many people live on it.

John Stoll: It was just built. There aren't any existing houses on it. Unlike another subdivision we've been in discussion with on the north side for many, many months, there were no defects observed. The inspectors were out there throughout, they said all of the dirt conditions were fine whenever the road and the asphalt was placed, but it is a brand new road with no existing houses. It's located off of Petersburg Road, up, I can't remember what the distance is, north of Boonville-New Harmony.

President Abell: Mr. Harrison, how long do we have before we have to accept a county road?

Joe Harrison, Jr.: You have a long time.

President Abell: So, we don't have to accept this tonight if we don't to?

Joe Harrison, Jr.: No. No.

President Abell: I really hate to accept a road that they haven't had one piece of construction equipment on. They start bringing brick in there to build a house, and we're stuck with repairing a road that, I just, I don't know, how do you other Commissioners feel?

Commissioner Kiefer: John, I mean, this was built to standard? Or, I mean—

John Stoll: Yes. Our inspectors had been out there, they said that overall the construction looked really good. The question about construction traffic is legitimate. The, as the homes are built, the road surface can get marred during the construction of homes.

Commissioner Kiefer: I think the, I think what I would like to do is withdraw my motion and just delay this then, instead of voting no right now. So, I'm going to withdraw my motion.

Commissioner Melcher: Well, that doesn't leave me a choice. I have to withdraw mine, but I do agree that we ought to see at least a little bit of traffic, weather changing, something. Because we're getting a lot of this now, you know, when they came during road hearings, all of the concrete that was falling out. These were in great subdivisions, you know, so.

John Stoll: One of the issues, like in this case, the developer is trying to avoid having a letter of credit. I guess, I can work with Joe to figure out how to deal with that issue, because the letter of credit provisions say that it's for, I don't remember the exact wording, but in a nutshell it says it's for unfinished infrastructure. So, in this case it will be, there wouldn't be a letter of credit for this street to back it up, because it is finished. Once again I can get with Joe—

Commissioner Melcher: Wouldn't he have already had a letter of credit?

John Stoll: He does not.

Commissioner Melcher: Because that's normally the way it is. They're always wanting us to accept the road so we can release them from the letter of credit.

John Stoll: In this subdivision, in this case, his approach was, get out there and do all of the work, get it okayed and avoid the letter of credit in its entirety.

Joe Harrison, Jr.: Because no lots had been sold he was able to get around...he didn't have to post a letter of credit because he hadn't sold any lots yet, I guess.

John Stoll: Right, the subdivision isn't recorded.

Joe Harrison, Jr.: Normally it doesn't work this way. Normally they don't move this fast.

Commissioner Melcher: Well, that's what I'm just getting ready to say. This is the first I've heard of this.

Commissioner Kiefer: You know—

John Stoll: It generally doesn't happen this way. There usually is a letter of credit.

Commissioner Kiefer: John, we've either got to let these roads be tested, or we've got to have a higher standard on the road, so that way we know they built it better than what they're typically building. So, that way, if they want us to accept it before any roads, I mean anybody's driven on it, well, we'll know that it was built to such a high standard that it will withstand, but I'll do, I mean, whatever the pleasure of the Commission is.

Commissioner Melcher: Well, we've already withdrawn our motion.

John Stoll: I'll come back and see if I can find comparable ordinance elsewhere in Indiana as far as seeing if there's a certain percentage of houses that have to be developed prior to acceptance of streets.

Commissioner Kiefer: I think that would be a great idea to see—

President Abell: Yeah.

Commissioner Kiefer: — I mean, I've always been uncomfortable that maybe our standard is not good enough, because obviously we have so many failed roads that come back. But, yeah, if you could do some research that would be great.

John Stoll: Okay.

President Abell: And, we'll rely on you and Mr. Harrison, if it just looks like we have no choice but to vote on it, you can bring it back in front of us again.

John Stoll: Okay.

President Abell: Reluctantly.

John Stoll: Okay. That kind of nullifies my next request, because—

President Abell: You're striking out tonight, John.

John Stoll: I was going to say, we had a storm sewer request for this same subdivision, and it wouldn't make a lot of sense to have storm sewers accepted in a subdivision where we don't have the streets accepted—

President Abell: That's right.

John Stoll: – so, I guess, we'll have to postpone that.

Commissioner Melcher: We'll—

Commissioner Kiefer: Does a storm sewer have the same chance of failure that a road does?

President Abell: No, but why take on the liability if you don't have the road, why take on the liability of the storm sewer?

John Stoll: Yeah, it would be an unusual situation where you wouldn't have any of the pipes within the right-of-way, and yet you would have the ones outside the right-of-way.

Commissioner Kiefer: Yeah, well we wouldn't have access to it.

John Stoll: Right.

Commissioner Kiefer: Okay, that makes sense.

John Stoll: Next is a storm sewer acceptance request for Poet Square Subdivision. This is Section One of that subdivision. We did accept those streets a couple of meetings ago, I can't remember if it was last meeting or the meeting prior to that. So, these are accepted roads. This is for ten feet of 12 inch concrete pipe, 35 feet of 15 inch concrete pipe<sup>3</sup>, 46 feet of 21 inch pipe, 13 feet of 14" X 23" concrete pipe. This is a total 105 feet, the fee at two dollars a foot is \$210, and the developer has provided the fee. So, I would request acceptance of the storm sewers located outside the public rights-of-way.

Commissioner Kiefer: I think this one probably looks pretty safe. I'll make a motion that we approve. I was looking at my fellow Commissioners for a second.

Commissioner Melcher: I'll second.

President Abell: How many houses are on Poet's Square already? Do you know?

John Stoll: I don't know.

President Abell: Okay, alright.

John Stoll: I know they were wanting to get some under way back when the streets were accepted, but I'm not sure. I haven't been out there yet.

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<sup>3</sup>This should be 36 feet.

President Abell: I think I've seen some, I mean, I've seen some out there. I've been out there because I've been looking at the road, you know, behind the school. Okay, further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next I have a right-of-way encroachment agreement. This is for Buttonwood Properties LLC. They constructed a portion of a concrete parking lot in the right-of-way of Lexington Avenue, just east of St. Joe Avenue. They came into the Plan Commission to get some permits, and that's when the right-of-way encroachment was found. So, they had two options, either get a green space variance and an encroachment agreement, or remove the portion of the parking lot that encroaches in the right-of-way and the green space. To avoid the expense and the loss of parking, they wanted to pursue the encroachment agreement. This, they did provide the document submitted in the format the county has approved in the past. They've provided the certificate of insurance, so, everything is covered. I would request approval of the encroachment agreement, however, if they don't get their variance from the Board of Zoning Appeals, then this encroachment agreement would never get recorded, because they've got to have the green space variance in order to make this all work. So, this is just one of the two steps they have to do.

President Abell: Okay. Commissioners, what's your pleasure?

Commissioner Melcher: So, when are they going in front of the other one?

John Stoll: July 19<sup>th</sup>.

Commissioner Kiefer: This property's been there a long time?

John Stoll: It's been developed for quite some time.

Commissioner Kiefer: Well, I know where Lexington and St. Joe is, but, I meant, that corner, as far as I know, that stuff has been there for years and years.

John Stoll: Yeah, they just expanded the paved parking into the right-of-way. I'm not sure exactly when. It came to site review for a permit for another structure on that same lot, and that's when this was—

Commissioner Kiefer: So, how far did they encroach?



John Stoll: I don't have a copy of the agreement in front of me. I'm going to say there's five to ten feet from the curb to the edge of the parking. Does that sound about right? Maybe five feet. There's a grass strip.

Commissioner Kiefer: So, all the grass, there's still grass there?

John Stoll: There is a strip of grass, it's between the back of the curb on Lexington and the parking lot, however, it's all in the right-of-way, and that doesn't count toward the green space requirement.

Commissioner Kiefer: Yeah, I'm going to make a motion that we approve.

Commissioner Melcher: I'll second it.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next I have some right-of-way purchase offers on Green River Road that need approval. The parcel numbers, owners and amounts are as follows; parcel 62, owned by Riggs, the amount is \$1,350; parcel 63, owned by Western and Farley, the amount is \$1,450; parcel 64, Reichert, \$1,925; and parcel 65, Sidebottom, \$1,500. All of these offer amounts are based upon the appraisals that were provided.

Commissioner Kiefer: I'll move that we approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next I have a contract with Bernardin Lochmueller and Associates. This is for sanitary sewer design work. The amount of the contract is \$55,650. This covers sewer design work in the U.S. 41 TIF district. This is at the southwest corner of Highway 41 and I-64. The scope of work of the project includes upgrades, I shouldn't say upgrades, replacement of the existing lift station that's out there. It has inadequate capacity to support any new development, so, this contract would provide a new lift station west of the existing, and it would also require the re-design of some gravity sewers that have been approved out in that area. This is part of the overall TIF district plan that was approved back in December of last year. The contract has been reviewed by Joe Harrison, so I would like to proceed. It would be paid for with the TIF dollars.

President Abell: Okay. I need a motion.

Commissioner Melcher: Yes, I'll go ahead. I understand this project. So, I'll make the motion to approve it.

Commissioner Kiefer: I'm abstaining from this.

President Abell: I'll second it, since Mr. Kiefer is going to abstain. Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Abstain.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0. Commissioner Kiefer abstained.)**

John Stoll: Next I have an agreement, a software maintenance contract for \$700. This is for the ESRI software for the GIS license for our office. It's \$700, it has been reviewed by Joe Harrison, so, everything has been reviewed and approved. I would request approval. This will be paid out of our contractual money.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then last, I want to give you a real brief update. I'll keep it as brief as possible about the IDEM and storm water regulations. I went to the IDEM storm water conference back on May 17<sup>th</sup>, and one of the things that they're going to be doing, state-wide this year, is auditing what's called the illicit discharge program. That's one of the six components of the storm water program that was mandated through the administrative code. Let's see if I can get this started here real quick. It's section 327 IAC 15-13 that mandates all of this. This is something that I know I've talked to you all about many times in the past, and it just mandates that the county has a storm water management program. The illicit discharge program basically says that the county has to have a storm water management plan that includes a commitment to develop and implement a strategy to detect and eliminate illicit discharges, and that we need to have an ordinance to prohibit illicit discharges into the storm drainage system. Which leads to the question, what is an illicit discharge? By definition in the Indiana Administrative Code, it's basically anything that is non-storm water, other than naturally occurring floatable debris, like limbs and leaves and things like that. It doesn't include people who dump that specifically in a ditch, it's just when it's naturally deposited there. Another component of that is we're supposed to promote recycling programs in order to prevent people from dumping things like automotive fluids in the storm water system. We also, as a requirement, have to prepare maps of the entire drainage system in the county. Like I said, that mandates that we had to have an ordinance, we had to coordinate recycling programs, we had to have a map, we must do inspections of the different outfall points of the storm drainage system, and we are charged with trying to find the source of pollutants if pollutant discharges are found at these outfalls. We took care of the ordinance, that was back in June of '07, that established the regulations that said you can't go dump pollutants into the storm drainage system. The recycling component, while it may not be as extensive as the city program, or maybe not as extensive as what IDEM might like, given the funding situation, the programs that are run through the Solid Waste District are about all we have at this point. They do take care of the household hazardous waste through the Tox-A-Way Day, and they do have numerous recycling locations posted on their website to help residents know where to take these kinds of household wastes. And, now the mouse is dead. In conjunction with all of this, we also had to do storm drainage system maps. This is just an example of what we've been doing, going through plans of the subdivisions, looking in the GIS, doing on-site inspections to determine where storm sewers are, where ditches are, and where all of the discharge points for these are. We've got it GIS based, so when IDEM comes to do their inspection we can identify where the pipes are, whether they are county maintained pipes, whether their outfalls, whether they're ditches, whether they're storm sewers, things like that. We've got this done throughout the county. We're still, even though we felt like we were finished, we still find pipes on a regular basis just by looking at old subdivision plans, old road plans things like that, but we have been meeting that requirement as well. This is just a couple of pictures of outfalls. This is what gets inspected if we see flows. We are supposed to be testing those flows to determine if it is just storm water runoff, or it has pollutants in it. We've inspected all of these that we know of, twice so far, and we'll have to continue to do that to comply with IDEM. The illicit discharge

component is mainly what I wanted to bring up this evening. The, we are supposed to have a public outreach to let the public know that they need to call our office if they see something that might be pollutants in storm water. This is a couple of examples, we haven't had many, but the one on the left the complaint was that pollutant runoff in that rail line was killing all the grass on this resident's property. We didn't see any signs of that, we didn't see the standing water, but there's no sheen or creosote or anything like that on the water. So, we didn't find a problem there. The one on the right we got a complaint from somebody that said they were dumping used automotive fluids in the gutter of the street and washing it down the storm sewer. There again, we could see a few spots where obviously a vehicle had been leaking, but we couldn't find a trail leading back to any illegal dumping. So, this is the kind of stuff that we need to inspect. The city has had a few more that they have been able to track down. The one on the left was a stone cutting operation. They were able to find that the water that was being used in that operation was being dumped straight into the storm drainage system. So, they were able to remedy that. Then the one on the right was out near the mall where they were dumping grease and other trash in the storm drain located right beneath that dumpster. That lead to some policy changes out there. So, they were able to put an end to that. Long story short, in order to do these investigations as IDEM requires we just wanted to get the word out as far as calling the County Engineers office at 435-5773, we'll try to investigate it and see if we can find out what the source is and whether or not we can stop it. Then also, in regard to city sites, Karen Barnhill would be the contact, her number is 436-4990. If somebody doesn't know if they're in the city or county, we'll get it routed to the correct spot and send it to the correct inspectors. We just wanted to make sure that, try to get the word out, that helps the public outreach and education components of what IDEM wants, as well as, hopefully, addressing these kind of problems. We certainly won't be able to address all of them, because, just like earlier this evening, the Bohannon sewer project is a prime example of there's a non-storm water discharge due to all the septic affluent, and short of the construction of sanitary sewers, there is no fix for that. So, the county obviously doesn't have the money to go run sanitary sewers everywhere, so, we'll run into plenty of these investigations that we won't be able to remedy, but we can give it a try.

President Abell: You might contact the IT Department and have this put on the webpage.

John Stoll: I can get Pat Seib to take care of that.

President Abell: Okay, I think that would be a good idea.

John Stoll: Okay.

President Abell: You might want to take your name off of there.

John Stoll: Good idea.

President Abell: Unless you want to personally get every one of those phone calls.

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

President Abell: No, but I know Mr. Harrison had to open a couple of bids earlier.

Joe Harrison, Jr.: Yes, I've got them.

President Abell: We might as well do them while you're standing there, since they're both about construction.

**Reading of Bids:**  
**VC12-05-02: Ohio Street Bridge Approach Repairs**  
**VC12-05-01: Concrete Repairs of Various Roads**

Joe Harrison, Jr.: Let me see, which one was first? Ohio Street Bridge?

President Abell: Yes ,it was.

Joe Harrison, Jr.: We had two bids submitted. One was by J.H. Rudolph, and it looks like their contract total amount is \$23,824.13. \$24,824.13<sup>4</sup>, and, I'm sorry I will put my mic closer. I don't know if you heard that into the record. Again, it was, J.H. Rudolph, \$23,824.13. The second bid, the final bid, E&B Paving, their bid is \$31,973, \$31,973. So, those are the two bids on the Ohio Street bridge approach repair. Yeah, I would ask that the Commissioners take those two under advisement, review them and come back at the next meeting.

Commissioner Melcher: Can we do them all at one time? Or do we got to do them separately?

Joe Harrison, Jr.: There were, this is a different project that I'm going to read on the next one.

President Abell: Yeah, there were only two bids on that.

Commissioner Melcher: Alright, then I'll move that we take Rudolph's and the other one under advisement.

Joe Harrison, Jr.: The Ohio Street bridge repairs.

Commissioner Kiefer: Yeah, and I'll second that.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

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<sup>4</sup>Should be \$23,824.13.

Joe Harrison, Jr.: Then, the next bids that came in have to do with concrete repair for various roads. I guess, that's all the county roads, concrete repair work that you're working on. The first bid is from Rivertown Construction, LLC, the bid amount is \$311,990, \$311,990. The second bid is from Deig Brothers Lumber and Construction, that bid amount is \$445,726, \$445,726. There was, I believe, one final proposal or submission and that is from JBI Construction, \$327,000. So, those are the three bids and I would ask that the Commissioners take those three under advisement, and Mr. Stoll can come back at the next meeting on the 19<sup>th</sup>.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Mr. Stoll, how much do we have budgeted for this project?

John Stoll: There's half a million in the contractual road repair account.

President Abell: Okay.

John Stoll: So, we'll be able to pick up some more work here on that later this year. Then, the bridge contractual repair account, I believe, had \$50,000 or \$75,000 in it. I can't remember which.

President Abell: Okay, so we're okay?

John Stoll: We've got sufficient funding for both.

President Abell: Okay, good. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Any other department head reports?

<p><b>New Business</b></p> <p><b>Keep Evansville Beautiful: Improper Sign Placement &amp; Hwy 41 Mowing</b></p> <p><b>Building Authority Employee Burdette Park Passes</b></p>
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President Abell: New business, Keep Evansville Beautiful, Cheryl Musgrave is here to discuss a mowing contract.

Jennifer Mason: Hello, I'm Jennifer Mason of Keep Evansville Beautiful. We're actually here for two agenda items, the first being, as promised I've brought the letter in and language for the political signage.

President Abell: Okay, well let me let the record reflect we're switching. This is not the way it is on our agenda.

Jennifer Mason: Oh, okay.

President Abell: You were second on the agenda, but that's okay, we can let you be first, but just let the record reflect this is not the mowing contract, this is the second one on the agenda.

Jennifer Mason: So, basically, just to update you what's happened since we met the last time, is we have been working jointly with Area Plan Commission to come up with language for this letter, as well as condensing all of the various city-county codes as well as state regulations concerning political signage for candidates and the proper placement of such. The letter basically is outlining the generalities of those codes and regulations and state laws as well.

President Abell: Who is this letter going to be from?

Jennifer Mason: Area Plan Commission.

President Abell: Is that okay with the Area Plan Commission?

Janet Greenwell: Mr. Mills is out of town and I don't believe he's seen the final version.

President Abell: Why don't you come to the microphone. Is he, is Mr. Mills okay with your doing this letter?

Janet Greenwell: Yes.

President Abell: And any expense that you may have, you'll absorb in your budget?

Janet Greenwell: I don't know that there's that much expense in sending a letter or making copies of the letter. It's just a general guideline as to where signs should be placed. In no way trying to control the number, size, anything like that, just addressing the safety and the beauty issue of the city. Keeping them out of the right-of-way, out of intersections—

Commissioner Kiefer: So, this sign goes to every single candidate for elected office when they file to run? Or do you send it out as you see it is necessary or you notice that there's something that looks like it's out of compliance?

Jennifer Mason: What we're requesting is that everyone that has filed for candidacy for 2012, be sent this letter, and then as people do file this information be provided to them as well. The County Clerk's office has agreed to put a link where we can put this information online as well, and they would have that link available on their website.

Commissioner Kiefer: Maybe to save postage and time and energy, just as they come down to file just hand them the letter as a part of their filing for office, because

that will save you some, you know, you're going to have to put together, you know, some kind of mailing list every time and gather the information. That takes manpower, you know, maybe it's just better to have some copies available so when they go down to the election office to file you just hand it to them, they hand it to them as they file.

Jennifer Mason: Okay.

President Abell: Except they've already filed for this year, so it's too late.

Commissioner Kiefer: Well, not this year, but, I meant in future years, because that's going to take time and energy. Somebody is going to have to go down, gather up the data, put together the mailing list, create, you know, create the mailing list and then, I mean, it's not huge, but if you can just simply hand it to them as they file that would be better.

Jennifer Mason: And, originally, I believe, that's what we discussed was providing that information to them whenever they go and file for their candidacy.

Commissioner Kiefer: Right, okay.

President Abell: You might want to get a copy of it to both major parties.

Commissioner Melcher: So, this is the Indiana code as it is right now?

Jennifer Mason: It's Indiana code, it is—

Commissioner Melcher: So, there haven't been any changes to it? This is straight Indiana code?

Jennifer Mason: Exactly. There's different sections it breaks down into Vanderburgh County code, Evansville city code, there's INDOT regulations, and, I believe, there's even Building Commission codes.

Commissioner Melcher: Alright, that answered my question because it looked like it was getting confusing to me jumping from Indiana to Evansville. So, these are all stapled together. Everything that's in here right now, is this all current stuff? Evansville, Vanderburgh?

Janet Greenwell: We did a search, we took them directly from existing codes, what's available currently online—

Commissioner Melcher: Okay.

Janet Greenwell: — just pulled out the sections that applied to political, or first amendment signs, and just tried to condense, as much as possible, without being confusing. We kind of discussed the possibility of it looking like we were singling out certain issues unless we actually provided the ordinances. So, doing a letter that summarizes it is more opinionated than actually providing the ordinances.

President Abell: I don't have a problem with it.

Jennifer Mason: We've tried to condense it as such to avoid—



Commissioner Melcher: You're talking about the letter?

Jennifer Mason: The letter and the information that's attached to the letter, the actual codes themselves.

Commissioner Melcher: Okay, they're the actual codes that haven't been changed or nothing?

Jennifer Mason: No, the wording is the same.

Commissioner Kiefer: Well, thank you for bringing this to us.

President Abell: Mr. Harrison says it doesn't need action from us. If you've worked it out, that's fine.

Jennifer Mason: Okay, thank you.

President Abell: Okay, and now I think Ms. Musgrave is ready to make her presentation.

Cheryl Musgrave: Good evening, Commissioners. Cheryl Musgrave with Keep Evansville Beautiful. Thank you for allowing me to come tonight and discuss this proposal with you. To give you a little background, Keep Evansville Beautiful went to the Convention and Visitors Bureau to suggest and propose a mowing contract that would be a pilot project funded by the Convention and Visitors Bureau. In listening to the proposal, the members of the Bureau strongly recommended that I go and seek partners, additional partners to consider and perhaps fund this proposal. So, I have copies of the proposal here for you, and let me bring them up to you.

Commissioner Melcher: Thank you.

Cheryl Musgrave: The concept is a simple one, to double the number of mowings on U.S. 41 in order to create a better appearance of it. That's one of three phases, the first phase, the only one we're seeking funding for right now. I don't have a cost to share with you tonight. We have put an RFP out, and that RFP was issued on Friday, and we've asked for responses by this Friday evening. I'll be opening those bids on Monday morning at 10:00 at Keep Evansville Beautiful. So, that will be my first opportunity to tell you what the vendors are proposing as cost for this. As you suggested, I did touch base with Mike Duckworth at the Highway Garage, and he reported to you earlier that he did not feel comfortable in doing a response to this. I realize that mowing on U.S. 41 is a very daunting task. It is difficult terrain, and it varies as you go through the 9.5 mile section, from something that looks almost rural to a very densely urban, next to houses, we have some bridges, we have intersections or cloverleafs. So, it is a very difficult terrain. INDOT mows this area nine times a year, in contrast to the three times a year mowing of the rest of the roads, state roads that they maintain in Vanderburgh County. So, even though it's mowed a lot more often, I think that we can agree that more work needs to be done. Not just with the mowing, but the phase two, which I'm not asking for funding at this time, because phase one needs to be approached and taken under wing first, but the phase two which would involve pruning, trimming, removing invasive weeds, trees, I call them unauthorized plantings, making the fence rows look clearer. I think that that's the section of this job that would truly make the most dramatic visual difference. That would require a separate funding request. I just want to make sure

you understand that. So, I'm here today to ask you to declare to the Convention and Visitors Bureau that you're willing to be their financial partner in this. They did not give me a sum to seek. So, I throw my (Tape change.) mercy to allow you to consider this.

Commissioner Melcher: I don't know how we could do anything without some kind of a proposal. I mean, I don't want to sit here and say, oh, we're going to do it financially and all of a sudden it comes a big price, and all of a sudden we have to renege. I don't even know who's going to do it. Are we going to farm this out? Who are we going to give it to, the grass cutters here in Evansville to cut it?

Cheryl Musgrave: We put out the request for proposal on Friday, went on the internet and collected the names of every company that did this in Vanderburgh County, and I think there was one or two that was just outside the borders as well, and we reached out to them by e-mailing this to them. So, it would be a local vendor that we're seeking, although the request for proposal is on Keep Evansville Beautiful's website, and anyone can download it. Right now INDOT has a contractor out of Shelbyville, Indiana. So, it's currently not mowed by anyone with a connection to our community. We look to improve upon that situation.

Commissioner Kiefer: Cheryl, first off, I would like to laud you for having concern in trying to better beautify that 41 corridor. You know, I do agree with you it's important that that stay cleaned and cut and beautified, but with that said, I think my personal concern on it is, you know, if we start subsidizing the State of Indiana for work they should be doing, then I'm afraid that, you know, then they'll just at some point say, hey, why don't you guys just take care of it totally and we'll just back off of it, then they start mowing it once a year. Have you had discussions with INDOT or with the state or with the state legislators that represent us about them just increasing their service to us and trying to ramp up what they're supposed to be doing correctly? In lieu of us taking on the burden for the state.

Cheryl Musgrave: Yes, I've had multiple discussions with INDOT, and I can report that they are absolutely outstanding. They have come forward with information, help, extra work, you would be very proud of them if they were your employees. They really are there trying to help. U.S. 41 used to be cut, from what I understand, and I hope I get this number right, I think it used to be cut 18 times a year, and that was only a couple of years ago, but state budget cuts forced it to be cut to nine. It's more likely that they would continue to cut. So, your question as Commissioners, as potential funders of this, as residents, businessmen in this community, businesswomen, is, are you satisfied with what the state has delivered on U.S. 41 to date? I mean, since it was built.

Commissioner Kiefer: I would say no, I'm not satisfied.

Cheryl Musgrave: Yeah.

Commissioner Kiefer: But, you know, that's why I think we should go to State Senator Vaneta Becker, you know, Representative Crouch, you know, our state, you know, get our state representatives involved, because it's important that, you know, the people they represent, that they fight for more funding to get this accomplished 18 cuts a year instead of nine or whatever it is they're doing.

Cheryl Musgrave: Well, I want to make sure you know, as you think about this, that the number of mowings on U.S. 41, in Evansville, is the greatest number of mowings

anywhere in the Vincennes District. They pay more attention to U.S. 41 than they pay to any other road mowing in their whole district.

Commissioner Melcher: And, I think—

President Abell: It's our tax dollars.

Commissioner Melcher: I was getting ready to say, I think, because we have met with them many, many times, they're willing to turn it over to us.

Cheryl Musgrave: That is exactly what they want.

Commissioner Melcher: That's exactly what they want to do. So, that's when they came back and said, okay, all these other areas we're only going to cut them three times a year. You've seen that tonight with the ordinance we had on swimming pools. That's a state deal, and they decided, oh, four or five years ago they're not going to do it anymore, so, they dropped it on local government to do. Then we have the tax caps, they don't, that's why they're flushed and we're not. It also goes back on this grass cutting of what district you're in. If you're in a district over by Bloomington you get cut more, and nobody can give you an answer why they get cut almost every other week, where we don't. It depends on who's the strongest, I guess, or who's politically savvy in these districts. But, it goes by districts, it don't go by just because Vincennes....and I agree with you, 41, and we're the biggest community, they have to come down here.

Commissioner Kiefer: I'm just worried that, you know, we start cutting it and then two years from now, they, you know, they get together to work on their budget and they say, well, gosh darn, why don't we just let Vanderburgh County just pick up the whole tab of cutting that, and we don't have to do anything. So, that's what I'm worried about is that they're just going to bend in their responsibility, you know, because we're picking it up.

Cheryl Musgrave: Well, I want to make sure you understand, Vanderburgh County would not be picking it up. Keep Evansville Beautiful would hold the contracts for the mowing. You would be a funder of the pilot project. If the pilot project goes well, the \$165,000 that INDOT gives currently to its contractors for the mowing in Vanderburgh County, and that includes Diamond, the Lloyd, 41 and I-164, that money would be given to Keep Evansville Beautiful, and it would be our challenge to use those funds to cut, to the degree that we can find the vendors for, to our own satisfaction. So, Keep Evansville Beautiful would be the contractor, not Vanderburgh County.

Commissioner Kiefer: Gosh, I wish, I wish we weren't in a situation where, you know, today we had to, you know, tell the Health Department, you know, hey, look we can't do the Dental Clinic. Serious need, you know, or, I mean, you know, here we are looking at being potentially \$900,000 short on several funds, Streets and Roads and different things, Highway funds. We just don't have the funds available, unless somebody knows where we can come up with some cash to do things like this. But, we're cutting, we're told by the County Council to cut our budgets, you know, so that's the problem that we're up against.

Commissioner Melcher: I don't think we have the money.

Cheryl Musgrave: I will carry—

Commissioner Melcher: Not to what, we just had a meeting, I couldn't make it Monday, but we're cutting five percent out of everybody, and that's why we heard that long presentation tonight from Southwest Mental Health. I don't know where we would get the money. I think it's a good idea. I think Keep Evansville Beautiful should be maybe the one doing this, but I don't know if you shouldn't go out and try to get these corporations to try to help fund the pilot program, and let them fund it first and see what happens. You know, like adopt these highways, maybe somebody could adopt a certain part and help fund that. They don't have to cut it, they give you the money and you cut it.

Cheryl Musgrave: I'll take your message back to the Convention and Visitors Bureau. We told them at the time that they were making a request that we thought was highly unlikely, that government would offer funds. By the way, the funds that I'm considering, that I would consider if I were in your chair still, are Riverboat funds, Economic Development funds, funds that you traditionally don't use to fund your departments, they're not generally property tax dollars, they're funding sources from a different stream.

Commissioner Kiefer: No, I understand that, but we're also having some other—

Cheryl Musgrave: Understood.

Commissioner Kiefer: — serious projects that we're going to have to pull, and I'm sure, you know, the County Council will tell you that, you know, we're taking monies out of CCD and other places just to get our General Fund to balance. So, unfortunately, we've got to pull from those other sources, unless the other Commissioners have some ideas.

Commissioner Melcher: Well, I know the Welfare to Work has lost \$200,000 out of the Riverboat in the last four or five years. It's probably going to go down more, because it's not there. They're having to use it else, other places.

Cheryl Musgrave: I would like to address the other point you raised about corporations. You'll be happy to know that since, I believe it's 2009, corporations have donated over \$171,000 in cash to develop and beautify the northern gateway, to make the trip from the airport down into Evansville more attractive. They spent over \$27,000 planting trees and flowers and shrubbery at the airport plantings, which I suppose, if I hadn't just told you that, you might have thought the Airport Authority dollars had been spent on that.

Commissioner Melcher: No, I was at a place, at John Dunn's place, I know who paid for all of that.

Cheryl Musgrave: Those, we have a fund waiting for additional dollars from corporate citizens to build a welcome monument at the airport entrance. A large 110 foot curving, concrete wall that would say Welcome to Evansville. It was astonishing to me that such a monument had not already been built, and not with private dollars, but with public dollars, because welcoming people, visitors, businessmen to our community is something that clearly needs to be done, and clearly is a standard in every city that you go to across the country. So, the corporations have stepped forward with their dollars for the gateway. Some work has been done on 41, particularly with our Welcome to Evansville sign that's at the entrance to the former airport. We still have a nice sign there, they've helped pay for those plantings. Work and time have also been donated to Keep Evansville Beautiful for this purpose. It

brings the total to just under \$300,000. In addition to that you have corporate partners who own real estate all up and down 41, who maintain the right-of-way regularly, and make it look really beautiful. Atlas comes to mind, Anchor Industries, the new Hampton Inn, they spent over \$100,000 on the little park just to the south of their property. Whirlpool, so the corporate partners who have already stepped forward and volunteered to mow, and mow in a big way, are already there. But, I bring you back to the question, and I understand you have no money, but are we satisfied with the way 41 looks?

Commissioner Kiefer: I would agree with you, I'm not satisfied.

Cheryl Musgrave: No, me neither.

Commissioner Kiefer: I, again, I applaud you for what you're trying to accomplish. You know, I'm sure, I know how tenacious you are and that you'll find some success in getting it accomplished.

Cheryl Musgrave: Well, I may not, but I'm here asking for help.

President Abell: Have you addressed this to the city also?

Cheryl Musgrave: I met with the Mayor probably a couple of weeks ago, and he endorsed the concept. I've asked for another meeting with him since the Convention and Visitors Bureau meeting, and he's out of town most of this week. So, that request is pending. So, yes, I will continue forward with that. Commissioner Melcher, I will approach the state representatives, you know, we have read the articles that they have more funding, but I doubt, as much as I doubted that coming here would result in a cash award, I also doubt that that will.

Commissioner Kiefer: I'm just skeptical that, or I'm worried that if local government, whether it's the city or the county starts funding, you know, I'm just worried, I think the state needs to step up. They're the ones that are responsible for that, and I agree with you we need to be on top of them and push to get more funding to beautify our corridors, and I think the state needs to do that job. I hope they do.

Cheryl Musgrave: And if they don't?

Commissioner Kiefer: Well, you know, then we'll vote, we'll have to respond with our votes.

President Abell: Well, that was one of the reasons I asked about the city, because I'm looking at where it's going to start at 57 and go all the way down to Ellis Park, evidently, if this is, this is the first time I've seen this, but that's 99.9 percent in the city and one point one percent in the county. So, you know, I would think that, I would entertain a motion, well, I'll entertain any motion that my fellow Commissioners want to make, but you're going to get figures before our next meeting, and I haven't had an opportunity to read through this at all. This is the first time I've seen it. Maybe we could put this back on our agenda in two weeks.

Commissioner Melcher: I would kind of like you to wait another two weeks after that, because I might not make it back by the 19<sup>th</sup>.

President Abell: Oh, yeah, you're going to be out of town, aren't you?

Commissioner Melcher: Yes, and if I, and I'm not going to have time to look at none of this because I'm leaving in the morning early. So, if we're going to do that I would rather just wait and that gives her time to get some pricing. I don't know where we're going to get the money at all.

President Abell: I understand, but I'll entertain that motion, and we can—

Commissioner Kiefer: So, we're postponing it until July?

President Abell: I'm sorry?

Commissioner Kiefer: Until July?

President Abell: What is our first meeting after our next meeting?

Madelyn Grayson: July 3<sup>rd</sup>.

President Abell: July 3<sup>rd</sup>.

Commissioner Kiefer: I'm going to be on vacation the week of July 4<sup>th</sup>.

Madelyn Grayson: July 24<sup>th</sup> is the next one.

Commissioner Kiefer: I mean, that's late in the mowing season.

President Abell: It is.

Commissioner Melcher: Who knows, they could cut it two more times by that time.

Commissioner Kiefer: Well, maybe this will get some publicity and put a little pressure.

President Abell: Well, you could also send us some e-mails. I mean, if you get a proposal back from somebody and it's going to cost a half a million to mow, you can, you know, you don't have any reason to have to pursue it anyway, there isn't going to be anybody that's going to be able to afford it. So, you know, you might keep in touch with us for that. What about, we'll put it back on in two weeks in the event you're here.

Commissioner Melcher: Okay.

President Abell: I can always add it to the agenda. If he's not, then we'll wait until everybody gets through with their vacations.

Cheryl Musgrave: Just to encourage you, if that's even possible, I do think that the Convention and Visitors Bureau would feel that you were partnering even for a sum as small as \$10,000. So, I'm not asking for a lot. I'm asking you to show partnership.

Commissioner Kiefer: Thank you, Cheryl.

President Abell: I would like to see a little partnership on the part of the city.

Cheryl Musgrave: I agree. Alright thank you so much for your time.

President Abell: Okay, and kind of tentatively plan two weeks from tonight.

Cheryl Musgrave: Yes, and we will open the bids at 10:00 on Monday morning. Kerry Kamp from the City Engineer's is assisting me, that's volunteer time from the city, and we'll be developing a bid spreadsheet, and we'll let everyone know the tabulation at that time.

President Abell: Okay. I'll keep in touch with Mr. Melcher and see if he's going to be back off vacation for two weeks from tonight.

Cheryl Musgrave: Alright, thank you so much.

President Abell: Thank you.

Commissioner Melcher: If I'm not, I'm on the road somewhere.

President Abell: Well, you can send me an e-mail. Other new business, the Building Authority request for Burdette Park passes. I know, Steve, are you here to address that? We know what it's about. I tell you what, you can come on up. I'll just give my little opinion up front.

Commissioner Kiefer: How many passes are you talking about?

President Abell: Oh, a lot. How many are you talking about?

Steve Craig: For, you're talking about the ones for the Building Authority?

President Abell: Yes.

Steve Craig: I do not know. You would have to ask Sandie. She's has those.

President Abell: I think last year, it was a lot. A lot, a lot, like 60 families or something. They got them for all their part time and their full time employees. We don't give them to our part time employees. I'm just going to tell you my opinion of the whole thing. Everybody that works in Vanderburgh County, whether they're an employee of Vanderburgh County or the City of Evansville or Atlas Van Lines or Joe's Shoe Shop, pays property taxes. I don't think that an employee of Vanderburgh County is any more entitled to a pass to Burdette Park than I think the guy at Joe's Shoe Shop is entitled to a pass at Burdette Park. Because if they worked here as volunteers, we could pay them with Burdette Park passes, but they work here for a paycheck. If they elect to spend their paycheck to go to Burdette Park, then so be it. They may elect to buy a boat and go down on the Ohio River. They may elect to go to the casino, but I don't think it is my right to take money out of my neighbor's pocket and buy a pass for somebody to go to Burdette Park. Now, that's my opinion. I don't know if my two fellow Commissioners share that with me, but I can tell you that since we've already started the practice this year, I personally think that we should give the full time employees in the Building Authority the passes, but I am certainly going to be vocal about not doing it next year. With that I'll be quiet. Gentlemen?

Commissioner Melcher: So, you're saying you're okay with the Building Authority to get the full time, only full time.

President Abell: Only full time.

Commissioner Melcher: I'll just make that a motion.

Commissioner Kiefer: I'll second it.

President Abell: Further discussion?

Commissioner Kiefer: I mean, we'll have to talk about it next year—

President Abell: Steve, do you have something you want to say?

Steve Craig: I've never, no, the decision has always been the Commissioners decision on whether to do it or not. I was just here to answer any questions.

President Abell: I wasn't blaming you. I was just—

Steve Craig: Well, I know, but I was standing right in front of you.

President Abell: Well, I didn't mean that. I don't have a weapon. I had to go through security.

Commissioner Melcher: Wear a different shirt next time.

President Abell: No, I didn't mean it toward you.

Steve Craig: Oh, I know—

President Abell: I understand that you didn't initiate the policy. I just think the policy is not a good policy, that's all.

Commissioner Melcher: I think the reason why we were kind of talking that way, we were drilling you earlier about income.

Steve Craig: Yes.

Commissioner Melcher: Alright, so, anyway, let's vote.

Commissioner Kiefer: So, we've got—

President Abell: We've got a motion. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**



President Abell: Okay.

Steve Craig: Thank you.

President Abell: Thank you, Steve. I'm sorry. You should have to live with me if you think that's horrible.

**Old Business**

President Abell: Okay, any old business, is there any other new business to come before the....any old business to come before the Commissioners?

**Public Comment**

President Abell: Public comment? I wonder what all of these people are sitting out in the audience for?

Madelyn Grayson: Rezoning.

Commissioner Melcher: Rezoning.

President Abell: Oh, okay. Drainage Board, they're here for Drainage Board, okay.

**Consent Items**

President Abell: Read the consent items please, Madelyn.

Madelyn Grayson: Okay, let's see if my eyes still work. The consent items for the June 5<sup>th</sup> meeting are as follows; approval of prior minutes, we have the May 15, 2012 Commission meeting minutes and the special meeting minutes; employment changes for the Commissioners approval, there are two for the Health Department, four for Burdette Park, one for the Co-Op Extension and one for the County Highway; the Auditor has approval of the May 2012 A/P vouchers; the Commissioners have a notice to abutting owners of 611 East Maryland Street and a quit claim deed for 1211 North Fulton; we have waiver of fees/not overtime for the Centre for the Evansville Police Department on June 25, 2012 for 911 Gives Hope reception and January 28<sup>th</sup> and 29, 2013 for law enforcement training; Evansville ARC has their April 2012 report of activities and the March and April 2012 meeting minutes; the County Ozone Officer has March and April monthly reports; the Public Defender state Public Defender Commission reimbursement for 1/1/12-3/1/12<sup>5</sup>; SWCD May 2012 department head report; the County Engineer has pay request number 152 for TIF projects in the amount of \$311,368.34; and we have a waiver of partial mortgage release for four properties the county is purchasing for the next phase of North Green River Road widening, and a department head report.

Commissioner Melcher: Move to approve the consent agenda.

Commissioner Kiefer: Second.

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<sup>5</sup>Should be 3/31/12.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Final Reading of Rezoning Ordinance: VC-2-2012  
Petitioner: Deaconess Hospital  
Address: 8600 N. Kentucky Avenue  
Request: Change from M-2 to M-1  
Action: Approved 3-0**

President Abell: Rezoning, second and final reading of VC-2-2012, Deaconess Hospital, 8600 North Kentucky Avenue.

Janet Greenwell: Good evening, Janet Greenwell with Area Plan Commission. I think ours will be a lot quicker than everything before us.

Commissioner Melcher: I think so too.

Janet Greenwell: Deaconess Hospital is just requesting to downzone a lot on 8600 North Kentucky from M-2 to M-1. The way our zoning code is structured the M-2 is set aside for higher uses than office buildings. So, they're downzoning. It was unanimously recommended for approval by Plan Commission at their meeting on May 10<sup>th</sup>.

President Abell: Do I have a motion?

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Further discussion?

Commissioner Kiefer: I hope they're all this easy.

President Abell: Any remonstrators?

Commissioner Melcher: She's got something.

Maria Worthington: Ladies and gentlemen of the Commission, I'm again, for the record, I'm Maria Worthington with Kahn Dees Donovan and Kahn. I am here for Deaconess Hospital, just in case you would have a question, but I very much

appreciate Janet doing that for me, doing that for Deaconess. I haven't had any remonstrations. We would appreciate your positive approval. Thank you.

President Abell: Thank you. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Final Reading of Rezoning Ordinance VC-3-2012  
Petitioner: 2400 Green River Investments LLC  
Address: 2400-2430 S. Green River Road  
Request: Change from Ag to PUD with UDC  
Action: Approved 3-0**

President Abell: Second and final reading of VC-3-2012, Green River Investments, 2400-2430 South Green River Road.

Janet Greenwell: This is another rezoning, this is a planned unit development, which is a little more complicated. It's part of an overall development plan for the property on South Green River Road. The PUD includes four multi-tenant buildings. The purpose of the PUD is to allow the land to be subdivided with little, small lots that don't meet the subdivision ordinance. The developer has requested that the roads be accepted for county maintenance, so they want to put the roads in to county standards, and want to plat it as a regular subdivision. A loop road is planned onto Green River south of Earl.

President Abell: Did you say they want us to go ahead and approve the roads now? Say that again.

Janet Greenwell: No, no, not at all.

President Abell: Oh, okay.

Janet Greenwell: Not at all, no. It's part of—

President Abell: I'm just real shaky about these roads.

Janet Greenwell: Yeah, I picked up on that.

Commissioner Melcher: I thought you said that too, and I've already heard this proposal. I said, I don't remember that.

Janet Greenwell: No, this is phase one of a larger development. The PUD is a small section, I believe they are going to do 24 lots, they're not, they won't be standard lots but they do plan to have the streets accepted for maintenance by the county, so they want to put them in to county standards. It's part of a larger development called The Stables, which has filed and will be heard at Plan Commission next week, which is a subdivision or regular sized lots immediately adjacent to the south. The PUD is very small lots, basically they want the ability to sell the land under the structure. It will be a six unit building divided into lots.

Commissioner Kiefer: Do you have any aerial views or anything? Drawings or anything?

Janet Greenwell: Yes, I do. If I could note for the record, it would be so nice if people would put this back on the charging unit each time, because every time we come, it's dead. So, I will try to use the keyboard (Inaudible. Not at microphone.).

President Abell: Maybe we could make a sticky note and put on the back of the mouse. Okay, here we are.

Janet Greenwell: The drawing before you is the proposed rezoning area for the Planned Unit Development. It's 24 lots, divided into four buildings, six units each. The next, oh, which I just crossed, this slide shows how it fits into the overall picture. The property to the south has been submitted as a regular subdivision. They plan a loop road that will circle around one single access onto Green River. Once the rezoning is approved by the County Commission, the project will go back to Plan Commission for final development approval. That's the way planned unit developments work. So, they will be tied into the picture that you see.

Steve Bohleber: If I may approach?

President Abell: Oh, certainly. Sorry about that.

Steve Bohleber: I represent the petitioner, 2400 Green River Investments. As Janet has pointed out, this is part of a large development, but the only thing before you this evening is a 3.25 acre area that's requested zoned from Agriculture to planned unit development. This is going to be town homes. Not apartments, but individually owned fee simple ownership of town homes in four separate buildings, six units each. This is a phenomenon that's going on around the country. I think it's one of the first that's been done in this area. My client, my actual living client is not an LLC, obviously, but rather Chris Combs, but I think most of you know a long time business owner and developer in the community. In fact, Chris had to go to the Parade of Homes banquet where he's a major sponsor tonight and make some presentations, I think. Keith Poff is here with me, but, obviously we're asking that this be approved so that the planned unit development can be processed. It comes with a use and development commitment to very concisely control what's going on here. I don't think there are any remonstrators. There were some folks with questions at the Plan Commission meeting that Mr. Combs and Keith Poff from Sitecon were able to answer. So, we ask your approval. It does come with a unanimous do pass recommendation from the Plan Commission.

President Abell: Is this on Green River south of Pollack?

Steve Bohleber: Yes. It's right now an open field.

President Abell: Yeah.

Steve Bohleber: There are apartments across the street and it's not too far north of—

President Abell: Village Green.

Steve Bohleber: — I-164. Yeah, Village Green is across the street and a little south of there.

Madelyn Grayson: President Abell?

President Abell: Yes.

Madelyn Grayson: The use and development commitment has not been signed. That has to be recorded with the rezoning if this is approved. Is there, there's no one here to sign that this evening is there?

Steve Bohleber: I have no authority as the attorney, and, again, Chris had to depart. We can certainly get him to do that however.

Joe Harrison, Jr.: It still has to go back to Area Plan anyway.

Commissioner Melcher: Yes, it does.

Joe Harrison, Jr.: So, technically it wouldn't be approved finally until then, I guess.

President Abell: He's just across the street.

Steve Bohleber: Yeah, he's at the Centre with the Mayor and some other people I think.

President Abell: Yeah, we were all invited—

Steve Bohleber: I know the Mayor's here tonight because I saw him leave with Chris a few minutes ago.

Commissioner Melcher: I called and told them I would be a little late, but I won't make it now.

Steve Bohleber: Well, I was going to go out and take some pictures of the transit of Venus across the Sun—

President Abell: That was an hour ago.

Steve Bohleber: — but, no, I did step out and take some pictures, the sun is setting in 20 minutes. I don't think I'll be around in 2111 to see it the next time.

President Abell: Oh, I don't know, you and I are the same age.

Steve Bohleber: Well, I'm older than you, Marsha.

President Abell: Steve and I have the same birthday. That's a running joke.

Steve Bohleber: Different years, she's at least 30 years older, younger than me, right?

Commissioner Kiefer: Okay.

President Abell: Yeah, he's just wanting my vote. Okay.

Commissioner Kiefer: There's nobody here to oppose it?

President Abell: No, there's no remonstrators.

Steve Bohleber: I wasn't under oath when I said you were 30 years younger.

Commissioner Kiefer: I'll make a motion that we approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: I'm going to vote yes, because I can tell you that South Green River Road could use a shot in the arm, and I think it's a good deal for South Green River Road and that area. So, I vote yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I'll go ahead and vote yes for the second time.

Madelyn Grayson: President Abell?

President Abell: I vote yes.

**(Motion approved 3-0)**

Steve Bohleber: Thank you.

President Abell: Thank you, Steve. The best part of the meeting has just arrived. I'll take a motion to adjourn.

Commissioner Kiefer: I'll move that we adjourn.

Commissioner Melcher: I'll second.

(The meeting was adjourned at 7:50 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the May 15, 2012 Commission Meeting Minutes.  
Approval of the May 15, 2012 Special Commission Meeting Minutes.  
Notice to Abutting Owners of Sale of 611 E. Maryland Street.  
Quit Claim Deed for 1211 North Fulton.  
Waiver of Centre Fees/Not OT for EPD: 6/25/12 & 1/28-1/29/13.  
Evansville ARC: April 2012 Report of Activities & April & May 2012 Minutes.  
Ozone Officer: Department Head Report for March and April 2012.  
SWCD: May 2012 Monthly Report.

**Employment Changes:**

Health Department (2)	County Highway (1)	Co-Op Ext (1)
Burdette Park (4)	Assessor (3)	County Clerk (3)
Superior Court (1)	Sheriff (1)	

**Auditor:** Approval of the May 2012 A/P Vouchers.

**Public Defender:** State Reimbursement from 1/1/12-3/31/12.

**County Engineer:**

Pay Request No. 152 for TIF Projects.  
Waiver of Partial Mortgage Release: Four Parcels: N. Green River Rd Project.  
Department Head Report.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Steve Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Nichoalds
Madelyn Grayson	Deidra Conner	Zach Davidson
Patty Davidson	Michael Carroll	Jim Ward
Dennis Moran	Katy Adams	Gary Barnett
Tim Tharp	Mark Owen	Gary Heck
Debbie Bennett-Stearsman	Dwayne Caldwell	Jeff Wilhite
Darren Stearns	Mike Duckworth	John Stoll
Steve Craig	Cheryl Musgrave	Jennifer Mason
Janet Greenwell	Maria Worthington	Ron Titzer
Krista Lockyear	Steve Bohleber	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)



**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
SPECIAL MEETING  
JUNE 5, 2012**

The Vanderburgh County Board of Commissioners met in special session this 5<sup>th</sup> day of June, 2012 at 1:05 p.m. in room 301 of the Civic Center Complex for the purpose of hearing County Commission budget requests for 2013 from county departments.

**Call to Order**

President Abell: I would like to call to order the special meeting of the Vanderburgh County Commissioners regarding budget. Could we have roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: This is a very informal meeting. Should we have the Pledge of Allegiance? Would you all like to stand and say the Pledge with us? We don't have very many people here.

(The Pledge of Allegiance was given.)

**Public Defender**

President Abell: That "And Justice for All" is sort of a entree for our first group, which is the Public Defender. Steve, this is very informal. We're not trying to do anything, what we're trying to do is, we've met with the County Council, we've been told and I think you, maybe both of you were in that meeting yesterday–

Steve Owens: Yes, we were.

Commissioner Abell: – and wondered where you stand on it when you appear in front of them. Are you going to be able to hold yours close to last years? What are you looking at this year?

Steve Owens: Well, obviously, we were told yesterday that we need to be looking at a five percent cut in this year's budget for next year. Five percent for us, as a round number is \$90,000. I can't get there without doing personnel cuts. We don't have, in non-personnel line items, we don't have sufficient funding to keep us going right now. We're using the Supplemental Public Defender Account, we're using that as fast as it comes in to supplement. So, we're going to have to be looking at

personnel cuts, which becomes a little bit of a problem because we have these commission standards that we have to adhere to, so many attorneys for so many cases. I have a secretary that's retiring at the end of next week. Her buy out probably will be sometime the latter part of this year. So, I plan on going without requesting that position be filled. I'm thinking that with her salary, her insurance package, we get close to 50 percent of the five percent.

President Abell: Does part of her salary come back from the State?

Steve Owens: Yeah, well, it does, and that's the other problem. If I cut \$90,000 out and we save \$90,000 on the front end, which the county is paying, we lose 40 percent of that reimbursement, which is going to be \$36,000. So, it's really not a totally a \$90,000 savings.

President Abell: Yeah, the bottom line is more around \$54,000.

Steve Owens: Yeah, whatever it ends up being. So, to get to \$90,000, I'm probably going to have to take some part time attorney positions, replace them with a full time lawyer at an entry level and go at it that way. We think, given what we've looked at, that if we took two part time felony attorneys, combined that into an entry level full time felony lawyer, given the salary differential, the fact that we would be paying one benefit package instead of two, we think we can get to the \$90,000 without the secretary. Obviously, again, our reimbursement is going to go down a little bit—

President Abell: Yeah.

Steve Owens: —because we're not spending as much money, but that's pretty much the only way I know how to get there at this point, without putting our reimbursement more at risk. Because if I start bringing in non-reimbursable lawyers, into the office, I then have to start taking a percentage of the office overhead, which we don't do now, and attribute it to non-reimbursable expenses. So, if I have say three lawyers who are non-reimbursable, then however much space is attributable to them and secretarial services and office supplies and all that, has to be attributable to non-reimbursable stuff, so that's going to reduce our reimbursement. We got about \$822,000 in reimbursement. So, I'm trying to keep that at that level as much as possible. We have a little bit of a problem, Marsha, I'll tell you what it is, it's simply where to put the people.

President Abell: Oh.

Steve Owens: We have to have so many rooms or office space available to do depositions, conferences, that sort of thing. So, we have a little problem is that if we start taking part time people who don't have an office within the Civic Center, and we're going to put a full time person in that spot, we need to have an office to put that person in. Right now we're sort of limited because of our space. We're cut off on one side by, what's that, City Personnel, and the other side is Computer Services. So, we're stuck with that space that we have right now. We've been exploring with David Rector some changes to the office, to add some additional office space within what we presently have, but as you know, for whatever reason those renovations get pretty expensive pretty quick.

President Abell: Yeah.

Steve Owens: The estimate we've got right now is between \$40,000-\$45,000. We, obviously, don't have it, to fund that sort of renovation. David tells me that the Building Authority has some money, or the Commissioners have some money, or somebody's got some money that supposedly that can be done, but we haven't taken it any further because we didn't know what the Council, what they were going to tell us.

President Abell: Joe, can, do those renovations, does the Building Authority not do that since this is their building? I mean, would—

Joe Harrison, Jr.: There are, it just depends, there are some renovations that are done with an account that's kind of a joint County Commissioner-Building Authority account that was funds that came back to the county awhile back. Those funds are still being used for basically renovation type work. The courts used a lot of those funds for some of the courtrooms and things like that. I believe there may still be some funds left for that type of work, you know, that's kind of court type related, or, you know, judicial related. So, and those funds are already appropriated.

President Abell: Okay.

Joe Harrison, Jr.: They don't have to go through County Council or anything, but there may not be, I don't think, there probably isn't \$30,000, but there might be \$15,000, \$20,000, I mean, there might be. Mr. Rector would know how much is still in that fund.

President Abell: We would be willing to work with you on that, Steve.

Steve Owens: We get 40 percent of that back.

President Abell: Yeah.

Steve Owens: I mean, we can submit that as a reimburseable expense, and the State will approve 40 percent reimbursement. So, if it is \$40,000, I mean, in the overall scheme of things, it doesn't seem like a lot, but we would get \$16,000 of it back.

President Abell: Yeah.

Steve Owens: Which would lower the net, but I need to get with David with that. I was sort of waiting to see what I heard from the County Council yesterday as to what we were going to have to do.

President Abell: Yeah, I personally like the idea of taking the two part times and bringing in a full time more than skirting, if you will, the requirement of how many you need for all of your cases, because I don't want to see you be so short handed down there that you're in trouble with the State. With a full time person, I guess, you're, they're allowed to take on a little bit more than maybe a part time person?

Steve Owens: Well, yes and no. The way it works is, the part time people, because they carry a mixture of case loads, they do about 83 cases, 83 felony appointments a year.

President Abell: Okay.

Steve Owens: Because they're doing D felonies, A, B, C's and murders. A full time person coming in, brand new, is limited, because of experience level, to doing only D felonies. A D felony person right now could do about 200 D felonies a year. So, we gain a little bit of excess capacity at that level, but only at that level. It doesn't hurt us too bad because two thirds of our case load, two thirds of the 2,100 cases we got last year are D felonies.

President Abell: Yeah.

Steve Owens: So, we've got a lot of experienced lawyers who can do the major felony cases, so, if I had to get rid of two part time experienced lawyers that are now doing major felonies and replace that with a new lawyer who's going to do D felonies, I can live with that short term. We train the D felony people to move up as time goes on. I don't know if you're aware, but apparently the courts are talking about changing the way felony cases are filed. Well, we've been told, we haven't gotten the official word yet, but they're going to go to, they're talking about going to a D felony court, which would put the vast majority of the cases, the D felony cases in one court, and then spread out the majors between Circuit and Superior criminal courts. We have been, in the past, as we've had people retiring, or passing away, or leaving town, we have been taking those part time positions and converting two for one into full time spots is how we've gotten most of the full time people we've gotten.

President Abell: Not that this matters to your budget, but if they did that D felony court, is that like just an upgraded misdemeanor? I mean, will it be like a misdemeanor court that that's all they hear. It's just bam, bam, bam, bam, like they do in there?

Steve Owens: I don't think so. First of all you're talking about, the last number I heard was something like 1,900 cases. You cannot do all of the D felonies like you do a glorified misdemeanor. There's going to be, I think, a treatment, I think the concept is—

President Abell: Oh, yeah.

Steve Owens: — do it like a, I would call it a treatment court, the judge doesn't like it when I call it that, but that's what I see it becoming. It won't be as rapid case development as misdemeanor.

President Abell: Judges will still rotate?

Steve Owens: My understanding is no.

President Abell: One judge?

Steve Owens: One judge, probably a magistrate.

President Abell: For that court, yeah, like there is in Juvenile. Okay.

Steve Owens: That's what I understand the proposition is. We're waiting to hear exactly what they're going to do, because that will affect how we're going to handle the cases—

President Abell: Sure it would.

Steve Owens: — within our office. We'll still be able to do the same number, we just won't probably do them in the same way we're doing them now.

President Abell: Okay, well, obviously, you're working on it.

Steve Owens: We're working on it.

President Abell: I know there's some expenses in your office you have no control over. You know, if we have three big murders this year, you have no control over that, and we understand that. I think the Council understands it.

Steve Owens: We've had two—

President Abell: They would like to not, but they do.

Steve Owens: —in the last two weeks.

President Abell: Yeah, and I know that does change things for you, but I do like the idea of streamlining your office down to full time people and working with...I would rather spend money on, and I speak only for myself, I don't know how my other two Commissioners feel, but I would certainly feel more agreeable to spending money on getting your office, physical office ready for an office environment, than to, that's a one time cost, it's done. Whereas, personnel, that always goes on and on and on, and I don't think Mr. Shetler minced any words when, I don't think he expects this financial picture of this county to change any way soon.

Steve Owens: It doesn't look real promising.

President Abell: No, it doesn't.

Steve Owens: Fortunately, right now, the State seems to be in a really good position, I don't know how—

President Abell: Well, they keep finding money.

Commissioner Melcher: That's because we got the caps and they don't.

President Abell: Yeah, that's right.

Steve Owens: Okay.

President Abell: We're capped.

Commissioner Melcher: They pulled that over to the states.

Steve Owens: Well, so far, I mean, if, I know some of you may have been around back in 2001-2002 when we were getting pro-rated on our reimbursement. I mean, we would not get 40 percent every quarter. It started out we would get 40 percent—

President Abell: That's right.

Steve Owens: — then we would get 20 percent the following quarter. The State, fortunately, has put enough money into it, that we are now getting 40 percent every quarter, and the projection is that that is going to hold, as long as they don't let any major counties come into the plan. I think they're going to propose at the next budget session an increase in the funding for the Public Defender Fund, which would bode well for us, because we would like to get the 40 percent every quarter. So, we're maximizing that the best we can, we've maximized the supplemental fund the best we can. I can tell you that we're in the hole on that. If I were to pay all of our May outstanding bills today from the supplemental fund, we would be \$14,000 in the hole.

President Abell: Oh.

Steve Owens: We're holding bills from outside lawyers until we get the funding. I've met with the judges, I've told them that's a problem, I've told them that we could conceivably get to the point where we would have to refuse to take cases. It depends on how long you're comfortable sitting on somebody's bill. If you've had an attorney who's handled a murder case or an appeal or something like that for you, and you've got the bill, we're trying to pay them timely, but it may be 30 days, it may be 60 days. I mean, we haven't paid any of the May bills as of today. We're getting ready to do blue claim forms, but we're not going to be able to get them all, and, so, what's going to happen is, until we get the July deposit in that account and see how much that's going to be, we won't know where we are in terms of paying these outstanding bills. Obviously, we'll get more in June.

President Abell: Yeah.

Steve Owens: We're trying to utilize what we got as best we can.

President Abell: I assume you put everything in that reimburseable that you can put? Just checking.

Steve Owens: Are we on the record?

Commissioner Melcher: Yes.

Steve Owens: I really don't want, I don't want to really address that—

President Abell: Just checking.

Steve Owens: — too much.

President Abell: I was just checking. Commissioners?

Commissioner Melcher: I sat on the board for about three years until you took it, and this plan to remodel I had supported.

President Abell: Good.

Commissioner Melcher: I've also talked to David, because at one time it was the mysterious money. Then David told me about the combined money, and he thought there was enough in there to do it, but that was last year. So, I don't know about this year.

Joe Harrison, Jr.: I'll check with him and find out. I think there's some money, I just don't know how much.

Commissioner Melcher: Does he have the plans already done? Because I don't remember every seeing a plan done.

Steve Owens: We did the plans.

Commissioner Melcher: Okay.

Steve Owens: We changed them two or three times—

Commissioner Melcher: Okay.

Steve Owens: — to try to take into account all of the things that we need to do with our office space. We finally developed a finalized plan, if you will, gave it to David. David, I believe took it to Fulton, got an estimate, and I think it was between \$40,000-\$45,000. It basically takes, adds some more office spaces in some empty spots we've got now, and allows us some room to add one, probably two attorneys, if I really push it. Then we're kind of landlocked. We don't really have any place we can go. I mean, there's certain things that we just have to have available. We have video conferencing, so we have to have a room available for the video conferencing, to and from the jail, because we use that every day. I have two paralegals that just burn that up, and then the attorneys, sometimes we use that as well. We have depositions going somewhere pretty much everyday. So, we need a deposition room. I know you've been in our conference room, Steve, and one of the things I think I told you was, well, our conference room, Marsha, I think you've been there too—

President Abell: I have been in there.

Steve Owens: — our conference room is fairly big, we don't use it all that often, other than for depositions or occasionally a conference. So, one of the plans is we take that conference room, we turn part of it into an office, part of it into storage, and we take smaller offices and they become the deposition room and the video conferencing room. We only have so much square foot in which to do it, so we've torn it apart several different ways.

President Abell: Well, and always, you know, I don't know, you probably do know, you've been around a long time, but, I think there are a lot of office holders and department heads that don't realize the number of small conference rooms we have here available in the Civic Center that are rarely used. You know, so, if you ever need one, those are, it's always nice to just, in fact, the Commissioners and the Council have one here that we don't use that often.

Steve Owens: Well, we've used the courts, we've used the Prosecutor's, we've used ours, we've occasionally used the big room down the hall. The difficulty is when you're telling people to come to a particular location for these depositions and you've got police officers and clients and witnesses, sometimes you don't want them running all over the building.

President Abell: Yeah. The only other thing that I wanted to bring up today, although this has nothing to do with your budget either, well, sort of, a little bit. Are we all, Joe, you were involved in this on the—

Steve Owens: On the contracts?

President Abell: The insurance. I've been kind of getting some of those e-mails.

Steve Owens: I received your e-mail. I think we're short changing ourselves, as I told you. I just can't believe that's an accurate amount. I don't know if you've received any response from them yet.

President Abell: Bob Dillow told me that he was still going to check into it. Have you heard anything from him?

Joe Harrison, Jr.: No, I have not heard back, but then we were talking about contracts—

Steve Owens: Yeah.

Joe Harrison, Jr.: — that, for the outside attorneys that he's working on.

Steve Owens: We have about 20 or 25 supplemental public defenders, people that we assign cases to on an individual basis. One of the things about the insurance that came up was, are they on, when they are doing a public defender case, covered by the county malpractice insurance? Okay, and that was one of the questions. We had addressed that, I don't know, five or six years ago, maybe longer and were told at that time, that, yes, they were. So, we really didn't address it anymore, until one of them came to me and said, I'm going to a firm, I need to know whether my public defender work is going to be covered by that contract. Joe and I have had conversations about it. I had conversations with Bob Dillow about it. We've sort of, I think, arrived at the conclusion that perhaps the best way to handle it is to do an individual contract with each lawyer to say we're going to contract with you, we're going to give you so many cases, here's what we expect from you and here's what we're going to give you for doing this, or our obligation. We're in the process of gathering some of those contracts that other counties are using to take a look at so we don't necessarily reinvent the wheel. Right now I think I've got Marion County sending me some.

President Abell: Okay.

Steve Owens: But, and that sort of bears on that insurance question.

President Abell: Yeah, so, we're kind of working on it. Well, I didn't want to drop the ball on it. I wanted to make sure we kept on it.



Steve Owens: Okay, I did get your e-mail, I was just was waiting to see what we were doing.

President Abell: Okay.

Commissioner Melcher: Okay, before you leave then, on the remodeling, you're going to check—

Joe Harrison, Jr.: I'll check with Dave, and then he can get with Steve—

Steve Owens: I'll check with Dave.

Joe Harrison, Jr.: — and then Dave will probably need to come to the Commissioners and say this is what he thinks it's going to cost, is it okay to use this much of that pot of money, whatever is in there.

Commissioner Melcher: Yeah, and I've already told him yes last year.

Joe Harrison, Jr.: Okay.

Steve Owens: Okay.

President Abell: Okay.

Commissioner Melcher: I just want to make sure—

Joe Harrison, Jr.: As long as he comes before you guys.

Commissioner Melcher: I just think we need to get going on it.

President Abell: Yeah. We will. We'll get going on it.

Joe Harrison, Jr.: Well, I'll get with him and make sure he shows up at the next meeting.

President Abell: Yeah.

Commissioner Melcher: Okay, because I didn't know you had—

Joe Harrison, Jr.: The 19<sup>th</sup> is our next Commission meeting. Is that right?

Commissioner Melcher: — the final, final, final plan.

President Abell: Yes, correct.

Steve Owens: The 19<sup>th</sup>?

Joe Harrison, Jr.: Of June.

Steve Owens: I should be able to make that meeting as well.

Joe Harrison, Jr.: Good.

Steve Owens: It's at 5:00?

Joe Harrison, Jr.: It would be at 5:00.

Steve Owens: Okay, I can probably get to that meeting. I start a jury trial on the 18<sup>th</sup>.

President Abell: Yeah, we'll get that moving.

Steve Owens: Okay.

President Abell: We'll get that done.

Steve Owens: That's great. Anything else?

President Abell: Alright, thank you.

Steve Owens: Thank you.

President Abell: Thanks for your time. Thanks, Dave.

<b>Emergency Management Agency</b>
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President Abell: Okay, Emergency Management. Good afternoon, Sherman.

Sherman Greer: How are you today?

President Abell: We're fine. This is very, very informal.

Sherman Greer: Okay.

President Abell: Were you at Mr. Shetler's meeting yesterday by chance? I didn't notice who all was there.

Sherman Greer: No.

President Abell: Well, he had a meeting and virtually told all of the department heads that they were going to need to cut their budgets, I'm not sure whether we were at three, five or ten percent, but I'm sure that if you could do it by more than that, they would be thrilled. What we're here today to find out, where you think your budget is going to land in 2013.

Sherman Greer: Well, you know, being a city-county department and everything, and we get reimbursed 50 percent of salaries and different things like that from the State.

President Abell: Well, I guess, what I'm looking for is there any big thing that may just land on the county side that you know of that we need to be thinking about?

Sherman Greer: No, right now we're working on the rebanding of all of our radios.

President Abell: Okay.

Sherman Greer: That we have for the sirens, and that's about roughly \$130,000 that we're doing. What we did was we took funds that we had approved last year for the CIP, and for what was approved this year for the CIP to get that, to be able to make that work to where that we could get those radios done. That has to be done by January 1, 2013 by the FCC, the Federal Communications Commission. We're in the process of getting that taken care of as of right now. That's the only big thing that I've got. I have two sirens right now that really need to have some work done to them, or maybe even replaced, but those sirens are like, I mean, we've got 28 years of service out of them, I mean, you can't ask for any more than that.

President Abell: Where are they?

Sherman Greer: One is out on Cynthia Heights Road.

President Abell: Okay.

Sherman Greer: I'm sorry, Cynthia Heights School out there. Three of the cones that came off of that. The siren still operates, you know, so, one of the things that I can either do is replace it or take it down, have Industrial Contractors and everything that we contract with to do it, maybe work on it—

President Abell: Rebuild it.

Sherman Greer: — get some new cones, order some new cones from Century Siren, we could do that and keep the cost down on that.

President Abell: Okay.

Sherman Greer: The other one is out off of, I've got 40 of them, I should know where they all are. Anyway I've got one more that is in that position also.

President Abell: Oh, okay.

Sherman Greer: A lot of rust, a lot of, the sirens work, that's not the problem and everything.

President Abell: Right.

Sherman Greer: It's just that the exterior of them is rusting away in some of them. It's, those are the only two things that I would see. Those sirens, the one that I'm talking about out at Cynthia Heights, a brand new one is \$8,000. I mean, I can get it for \$8,000.

President Abell: \$8,000? Oh, well, that's not a tremendous amount of money.

Sherman Greer: Then, on top of that, then I have to have it put up, you know, I have to have Industrial Contractors or Deig Brothers, whoever we contract with, whoever gives me the best bid and everything to put the siren up. So, and that could run me, as long as Vectren's not in on it. The last time I had them in on it, it cost me an extra \$5,000.

President Abell: Oh.

Sherman Greer: So, but, this is already an established siren site and everything. It's a school, and we should be able to do that, I'm pretty sure for \$3,000 on installation and everything.

President Abell: Where are you on the physical location of your office? I know one time we talked about moving you out to the Sheriff's jail. I don't know, where are we on that?

Sherman Greer: Well, we've been having meetings on that, working with the contractors and everything with the diagrams that are drawn out of that. Everything looks like it's going pretty smooth and everything. It's just, the Sheriff and I seem like we're, you know, we're pretty happy with what's going on and everything, but as far as funding for that, I don't know. You know, I haven't, I don't know what we're going to have to do, but I do know that we're going to be getting out of the facility that we're in now that runs us about \$38,000 a year.

President Abell: Yeah, is that what you pay now in rent, \$38,000 a year?

Sherman Greer: About \$38,000 a year.

Joe Harrison, Jr.: When is your lease up?

Sherman Greer: September 2013. September 1, 2013.

President Abell: Well, what about the jail set aside money? Mr. Auditor?

Joe Gries: The jail set aside is money that Council has set aside as reserve funds, and if the Council appropriates that money for that purpose, that can be used.

President Abell: Well, it looks to me, that would be, you know, then the \$38,000 a year we're paying to ourselves basically. I mean, that's, I'm all about bringing everybody in to buildings we own.

Sherman Greer: You know, when we first started talking about this, I was elated, for the simple reason, number one we would be in a nice, secured facility—

President Abell: Yeah.

Sherman Greer: —not a lot of people that walk, I have a lot of people walk in and out of my office and you don't know who's coming in there and what mind set they're in or anything else. I don't think I'll have that problem out there at the jail.

President Abell: No.

Sherman Greer: If we do, we just take them downstairs and book them and they'll be there. But, the other thing is that, you're right, we've got those facilities, that's a lot of space up there that's, more or less, for the last few years has been wasted space—

President Abell: Right.

Sherman Greer: — that we could do something about.

President Abell: Well, and you and the Sheriff, that's kind of a hand in hand type operation.

Sherman Greer: It is, and, you know, because when we have emergencies and disaster type situations we're working with law enforcement.

President Abell: Right.

Sherman Greer: Well, first of all, we've got to report to you guys and let you know what's going on and everything like that, but still yet, you know, we're working with all of these different agencies, and having all those different agencies report to the, our emergency operation center at the jail is going to be a lot more easier. You know, a lot better for all of us and everything.

President Abell: It looks like a good fit to me.

Sherman Greer: And the site and everything, where it's at, you know, I couldn't be any happier. You get out and you're just right on 41 if you've got to go somewhere or whatever.

President Abell: Yeah.

Sherman Greer: There's large enough fields over there to where that we can land a helicopter if we want to and everything else. Then also, my mobile command post, which sits on Stringtown and Olmstead.

President Abell: Yeah, I see it every night when I go home.

Commissioner Melcher: Me too.

Sherman Greer: So, the Sheriff and I, we're talking about putting that right there at the sally port where they take the prisoners out and putting an electrical box there so that we could plug it in and keep it temperature controlled and everything. Those type of things, those are things that I've wanted for years, but it just hasn't worked out that way. You know, I mean, I'm like a kid in a candy store.

President Abell: It sounds like a good thing. Joe?

Commissioner Kiefer: Sherman, do you know what your budget is from the county side? How much monies you receive total from the county? Do you know that number?

Sherman Greer: I think, let me see here—

President Abell: Is it a percentage?

Sherman Greer: I thought it was, last year we got \$77,800.

Commissioner Kiefer: From the county?

Sherman Greer: Yes.

Commissioner Kiefer: Okay.

Sherman Greer: That was 50 percent of what we, well, wait a minute, we got \$77,800 back from the State, so then, that had to be split up between city and county.

Commissioner Kiefer: Okay.

Sherman Greer: That was for our salaries only.

Commissioner Kiefer: Yeah, so—

Sherman Greer: If you're talking about—

Commissioner Kiefer: So, really five percent of that is not—

President Abell: Well, that's not his whole General Fund budget.

Commissioner Kiefer: No, no, that's just from the county. Like you said, it's not even all from the General Fund.

Sherman Greer: I know I budgeted for capital improvement last year, for '13, I had an upgrade to the siren system, I had \$47,000 in there, that was what, we were planning on doing something else by going with the siren system, eventually, to where that we don't have to call people to find out whether or not the siren works. We were going to upgrade it to where it would be an automatic report back to us and everything.

President Abell: Oh.

Sherman Greer: But, I put the brakes on that, for the simple reason, I would rather call somebody. I would rather have somebody to tell me, yes, this is working, it's not. I just, you know, you put too much emphasis in the electronics part.

Commissioner Kiefer: I guess, my point is, if \$77,000 is your county portion budget—

Joe Gries: Commissioner Kiefer—

President Abell: No, we pay a lot more than that.

Joe Gries: —I'm sorry to interrupt, and, Sherman, you can correct me if I'm wrong, but the amount in the 2012 that was allowed by Council in the Commissioners budget for Emergency Management was \$198,306.

Commissioner Kiefer: Okay.

Sherman Greer: One ninety eight, that included the capital improvement and everything else.

Joe Gries: That's the total for the Emergency Management line, yeah.

Sherman Greer: Right, okay. I didn't include that.

Commissioner Kiefer: I guess, I was thinking operating costs, you know.

Joe Gries: That's the amount that is in, within the General Fund budget.

Commissioner Kiefer: Okay. So, my question then to you, Sherman, is like do you have, like the previous Public Defenders office was in there, they're combining two part time people to create a full time in order to reduce costs. I mean, do you got any—

Sherman Greer: I've got, there's three of us there.

Commissioner Kiefer: Yeah.

Sherman Greer: I've got three people.

Commissioner Kiefer: So, it's really no savings there.

Sherman Greer: Myself and a Deputy Director and my Office Manager, and that's it. The rest of the people that work with me are volunteers.

Commissioner Kiefer: So, outside of rent, salary and some of your capital expenditures, that's it?

Sherman Greer: That's it.

Commissioner Kiefer: Okay.

Sherman Greer: If there was anything, I mean, you know, if there's anything that I can do, we can get down and, you know, as I say, sharpen your pencil and see what you can come up with and everything.

President Abell: Well, I think there is something actually. Now, you say you pay \$38,000 a year in rent.

Sherman Greer: Yes, Ma'am.

President Abell: And, that's what, we pay half and the city pays half, is that fair?

Sherman Greer: Yes, Ma'am.

President Abell: Okay, so, that's \$17,000, or \$17,500 something like that. Okay, well, if we use jail set aside and get that thing ready, that's \$17,500 we won't be taking out of the General Fund right there, because you will be out at our facility. Plus, we'll be getting \$17,500 from the city. Correct?

Joe Gries: That's a good question. I don't know if the city would pay rent, because they're in the jail, that's a possibility.

President Abell: Well, if they're in a county building.

Commissioner Kiefer: But, that wouldn't be in the '12 budget, that would be in the '13 budget, because he's stuck with the lease until '13.

Sherman Greer: '13, that would be in the '14 budget, yeah.

Commissioner Kiefer: Or '14, yeah, September of 2013.

President Abell: Well, I mean, part, we would have to be getting it ready in '13, because he's going to have to move out in mid-year.

Commissioner Kiefer: That's true.

President Abell: So, he won't be paying \$38,000 next year, he'll be paying whatever that is for the first nine months of the year. Then, every year after that, I would think that we'll save what we would spend on rent, which is arbitrarily \$17,000, and we would get from the city \$17,000 that we can put back into our jail set aside fund.

Commissioner Kiefer: I like that idea. We're collecting rent from the city. That's a good idea.

Sherman Greer: Well, you know, I am a city-county department and it's supposed to be 50-50—

President Abell: That's right.

Sherman Greer: —if you read the resolution that they did in 1998, that's the way it was more or less designed.

Joe Harrison, Jr.: Well, if—

President Abell: Is there something wrong with my math, Mr. Auditor?

Joe Gries: I would have to look at, and Mr. Harrison may have to look at the agreement. It sounds reasonable to me. There may be other items that the city may bring up if we're in one of their buildings. I don't know if there's any situations that could—

Commissioner Kiefer: Well, in that case they could pay half of the—

Joe Harrison, Jr.: Improvement costs.

Commissioner Kiefer: —improvement costs.

Joe Gries: That's a good question.

Joe Harrison, Jr.: Maybe that's a way not, that they don't have to pay it, is that they pay—

Joe Gries: Right.

Commissioner Kiefer: So, they either pay rent or the improvement, half of the improvement costs.

Joe Harrison, Jr.: Or both.



President Abell: So, what I'm looking at is that we pay, in 2012, the county's part of your budget was \$198,306. Five percent of that is \$9,915. That's what we've been asked to hack, five percent. Well, if we do this, put you out at the Sheriff's station, I think we're at the \$9,915.

Joe Gries: Spending that money, the one time expense to renovate, and possibly getting half of that from the city, and then, yeah, I agree.

President Abell: I think we're there.

Sherman Greer: Okay.

President Abell: So, it looks like to me we're doing real well. We're two for two.

Commissioner Kiefer: We're doing our part.

Commissioner Melcher: Now, all we have to do is remodel.

Sherman Greer: All we've got to do is remodel, okay.

President Abell: But, we'll take that out of the jail set aside.

Sherman Greer: Whatever we can do to help out there, because, like I said, you know, if me getting out there, it's going to be a vast improvement for my operations and everything.

Commissioner Melcher: So, I guess, when he goes in front of the County Council he can bring up our meeting here—

President Abell: Oh, yeah, feel free to bring up our meeting. Really, and tell them that's where your five percent is coming from, because they are going to ask you where can you cut \$5,000.

Commissioner Melcher: Say, we've got that figured out.

Sherman Greer: Okay.

President Abell: This is where it is. Maybe we could get some figures together for him, Joe.

Sherman Greer: Give me some figures and some verbiage and I'll send it on.

Commissioner Melcher: This is why we're having these meetings.

Sherman Greer: Yeah.

Commissioner Melcher: We've never done this before.

President Abell: Yeah, we know what you—

Sherman Greer: Yeah, in 22 years, this is the first time I've come before you.

Commissioner Melcher: We're having these meeting now to see how we can help each other, and help the County Council.

Sherman Greer: Right.

President Abell: Yeah, we're trying to help you get ready to stand in front of them and not get hammered.

Commissioner Melcher: And, then we know what's going on too. Because they come back to us and we don't know what you guys are saying.

Sherman Greer: Okay.

President Abell: So, we're looking for five percent off the General Fund, and I think September, October, November, December, that's four months next year you'll be in the Sheriff's building, not paying rent, and, I think we'll be right there, close to that \$9,000.

Commissioner Kiefer: One last thought is, what kind of relationship do you have with your current landlord?

Sherman Greer: Bud Farmer.

Commissioner Kiefer: Oh, is that who it is.

Sherman Greer: Yeah, pretty good.

Commissioner Kiefer: Well, I wonder if you could, you know, not tell Bud that you're getting ready to vacate, but, I mean, ask him—

Commissioner Melcher: Well, he's watching us right now.

Commissioner Kiefer: Yeah, he's watching the t.v.—

President Abell: Hello, Bud.

Commissioner Kiefer: — I wonder if you could ask him if he could help you out a little bit on the rent this year, say, hey, can you give us a five percent deduct for 2012, or something.

Sherman Greer: I'll ask. I mean, there's no problem, I'll go and ask, and tell him, you know—

Commissioner Kiefer: Yeah, just say, hey, I've been mandated to cut my budget, and it's probably in the lease agreement somewhere that says, you know—

President Abell: Pending City Council, County Council approval.

Commissioner Kiefer: — yeah, pending approval of the budgets.

Sherman Greer: Mr. Harrison, have you looked at that lease agreement?

Joe Harrison, Jr.: Many moons ago.

Sherman Greer: Yeah, a long time ago.

Commissioner Kiefer: But, I mean, it probably doesn't hurt to ask, say, can you cut us a break on rent of "x"--

Joe Harrison, Jr.: Or utilities or something.

Commissioner Kiefer: Or utilities or something. I don't know if you pay--

Sherman Greer: Well, you know, one of the other things that we pay on that, in that, is the taxes each year. I don't know how we got stuck with that.

President Abell: Well, we won't have to worry about that at the Sheriff's building, because we don't pay taxes on our own buildings.

Sherman Greer: On our own stuff, I understand.

Commissioner Kiefer: But, I meant--

Sherman Greer: Yeah, I can explain that to him.

Commissioner Kiefer: --just ask Bud, say, hey, look, I mean, we're mandated, and, you know, see if there is something he could do. Now, you know, he might say sorry, but I think we've got to ask.

President Abell: Well, yeah.

Joe Harrison, Jr.: Why don't you send me a copy of that, because you may have to give them notice, assuming you guys decide to leave.

Sherman Greer: Sure.

Joe Harrison, Jr.: Or if you decide to leave. There may be some provision for not renewing automatically, something like that.

Sherman Greer: Okay. We will, I will forward you a copy of that. Then, I also got a new grant that I need you to look over also, that I will try to get on the next agenda.

President Abell: Okay, well, we appreciate you coming. Like I said, we're just here trying to get you prepared for the Council.

Sherman Greer: Well, I appreciate you getting me prepared.

Commissioner Melcher: Is your utilities included in the rent?

Sherman Greer: No.

Commissioner Melcher: I didn't think so. So, you've got a triple net lease then?

Commissioner Kiefer: You've got a triple net lease.

Commissioner Melcher: That's what it is.

Commissioner Kiefer: So, we're going to save some money, because we're already paying utilities out there at the—

Commissioner Melcher: That's what it sounds like, you're paying a triple net lease. I was about ready to say, you can ask Joe about them taxes, that's what you've got.

Sherman Greer: Right.

Joe Gries: Commissioner Abell, also as people move out of buildings that the county doesn't own, we would also maybe talk to Mr. Dillow about removing that from insurance as well.

Commissioner Melcher: Oh, that's, yes.

Joe Gries: So, that would be another savings.

Commissioner Melcher: That's automatic.

President Abell: Well, there's a lot of savings bringing all of our departments in house.

Sherman Greer: Right.

President Abell: I mean, there's no question about it. It's cheaper than renting any day of the week. If it wasn't, these landlords wouldn't be making money. So, consequently, I think this is a great savings. This is one that you can certainly point to when you're in front of the Council with a great deal of authority. This is an actual savings of money.

Sherman Greer: Well, alright.

President Abell: Okay. Commissioners, anything else? Thank you, Sherman.

Sherman Greer: Thank you.

President Abell: Thanks for coming down.

Commissioner Melcher: Who's next?

President Abell: Ten minutes?

Commissioner Kiefer: Five minutes? Well, nobody's here yet.

President Abell: Who is next? The Health Department is next? We're going to recess for a break. When we come back from the break we will hear the Health Department.

(The meeting was recessed at 1:50 p.m.)

(The meeting was reconvened at 2:00 p.m.)

**Health Department**

Gary Heck: We're ready whenever you all are. I didn't know how formal this is.

President Abell: We are reconvening the budget hearings. This is very informal, Gary. We have you here today, not necessarily to speak to the Health Department, per se, because that, you have your own budget and that time will come. But, we are interested in the Dental Clinic, which is in the County Commissioners budget. Okay, and Joe Kiefer has something he would like to add.

Commissioner Kiefer: I'll wait for him to pass all of this out.

Gary Heck: I wanted to give you this information so that you all would have an idea of where I'm coming from.

Commissioner Kiefer: Okay, this may answer my question. Why don't you give your pitch first, and then I'll comment on what I wanted to ask about.

Gary Heck: Alright. Gary Heck, Vanderburgh County Health. The Board of Health meets on June the 14<sup>th</sup> of this month, and one of the things that is on their agenda to consider is preparing the budget for 2013 and going through a discussion. The Health Department though does track, with the Department of Local Government Finance, and what this spreadsheet that you have in front of you goes back as far as 2006. It has Vanderburgh County's assessed value, it has the certified budget for the Vanderburgh County Health Department that was approved by the local, the Department of Local Government Finance after it was submitted and approved by the local County Council. It has the certified rate that our certified levy will come from. Then, it has the formula that just verifies that when you do the multiplication, the number that's in the certified levy matches the formula when you do the math. Then, it also shows what the tax, the actual property tax settlement portion that the Vanderburgh County Health Department gets each year. It has a percentage of that amount from the tax settlement as it relates to the certified levy. Then it has the difference. I don't believe we've ever received, and, of course, in 2012 we haven't received a first half payment, I don't know that there's ever been 100 percent collection on any tax that's ever been out there. This is just a way so you can kind of get a feel for the, how the Health Department looks at the budget. The little, up under the certified budget, there's a rate reduced to remain within statutory levy limitations, starting in 2007 and moving across. Then in 2010 and 2012, the notation that came from the Department of Local Government Finance changed to "the rate was reduced per the unit request". I'm assuming that means the County Council, since I don't know what other, or Vanderburgh County is the unit of government. So, the rate might have been higher, but because how it relates with the General Fund, all of the other funds, it was in the best interest of the county to have the Health Department's rate set at this. I'm certainly fine with that, because you all see a much bigger picture than I see just for the Health Department. So, when you look at this you can sort of see trends. When you get down towards the bottom of the page, there's a Health Fund, and when you're looking at it from the Department of Local Government's standpoint, it's a 0801 is the number that they use for the Health Fund, and I'm assuming they use that for every county for every Health Fund, so it's sort of a standard. On January 1<sup>st</sup> of each year, this is what the dollar amount in the Health Fund was when we started, and then, of course, the

January 1<sup>st</sup> number in the next year would have been the December 31<sup>st</sup> ending for the year before. So, you can see from a trend, from 2007, 2008, the Health Department was doing fairly well, always had some money on hand, which you're supposed to have to be able to pay unexpected expenses. It's my understanding this dollar amount at that time would have included the unappropriated balance, but I don't know that for a fact. It may or may not, because some of that money is invested, and it may be held in another account than what I actually get to see. So, you can see from the trend, starting in 2009, and this was somewhat about the time when the property tax caps went into effect, and when the property, for good or for bad or for whatever, the State of Indiana changed the way property taxes were assessed and money was held. From the assessed value you can sort of draw your own judgement from the trend on what the assessed value for Vanderburgh County has done over the years. It certainly has changed much differently from what it was back in 2008, for instance. For purposes of the Dental Clinic, the Dental Clinic opened on June 26, 2006. For the first three years we had hospital funding that was in place, and that's what helped make up any shortfall from monies that weren't received from patient fees, from Medicaid reimbursements or from donations that came in from anywhere else outside of, or from the community. In 2009, in order to make sure there was adequate funds to operate the dental clinic, in addition to the money that has come all along from the County Commissioners from Riverboat proceeds, there's been money from the Health Department at \$100,000 a year, has been transferred to the Dental Clinic for it to operate. So, the negative change at the end of the year in the Health Fund is more than what the transfer to the Dental Clinic has been, but if you look at the very bottom line, if we didn't make that transfer, or if the Dental Clinic wasn't there or if we didn't have to make that transfer from the Health Fund we would have \$100,000 each year more at the beginning of the year in those line items. Of course, but we wouldn't have had all the great dental services that have been provided to the folks who needed it the most. I wanted to preface this by saying, I don't see how the Health Department is in a position to make that \$100,000 payment next year. We're also at a point in time where our current dentist is, will be phased out sometime at the end of July, where she has accepted a position and she's been working on Fridays at her new (Tape Change) clinic, if you will. She'll be in private practice at that point. So, we're in the process of either identifying a new dentist, I don't see how we can operate as a full time clinic, I don't know that we can operate as a part time clinic, because I don't know that we'll be able to attract, find and have part time, qualified hygienists, clerical staff, office managers, dental assistants. You know, they look for full time employment, and if we're only going to be open part time, we may be able to find some part time. I don't know if all of the schedules will match up with a part time dentist. It's something we still have to explore. The Health Department hasn't, I shouldn't say the Health Department, the Board of Health, it's going to be on their agenda to talk about it this June 14<sup>th</sup> meeting. But, I know a recommendation from me at this point is I don't see how we would be able to actually fund it. So, that's sort of where we are on this one.

Commissioner Melcher: (Inaudible. Microphone not on.)

Gary Heck: That's out of this budget. If there wasn't money that came from the Commissioners, I know there wouldn't be any way we could fund, well, there's no way we would be able to fund a full time clinic. Whether we could fund and find a part time clinic and staff, there we would struggle. The other thing we found during the course of this year when we started to explore all of our options, because one

of the things our current dentist asked us to look into was tuition loan payment reimbursement for folks who work in a public health dental setting. We did find that currently in our community, the ECHO Community Health Center has that grand fathered into their program. Dr. Nick, our Health Officer, and I actually met with their administrative staff to try and find out why they don't, because everything that we read at the federal level, was that if you were a federally qualified health center you needed to be providing oral health services. We were told in that meeting that they were grand fathered because they had been around for so many years. They don't have to abide by all of the new rules that a health center that's just coming into being would have to meet. They pick and choose and do some, and they do send referrals to us, but—

Commissioner Kiefer: Gary?

Gary Heck: Yes?

Commissioner Kiefer: Talking about ECHO and the Dental Clinic, you know Dr. Mark Wohlford, right?

Gary Heck: Yeah, he's on our board.

Commissioner Kiefer: Right, that's what I'm saying. He had informed me that you guys were working out some kind of arrangement with ECHO, and there was some kind of grant money and stuff that we wouldn't, the county wouldn't need to spend nearly as much money as before because of this potential arrangement. I mean, maybe I didn't fully understand what he was trying to explain to me.

Gary Heck: Well, I think that was before the meeting we had with ECHO, because it was certainly our understanding that was one of the requirements of a federally qualified health center.

Commissioner Kiefer: Okay.

Gary Heck: After that meeting, we walked away and said we didn't, it certainly didn't appear that that's their case, and they pretty much indicated they had no, on their current plans there's no intention to offer the types of services any other federally qualified health center would have to furnish if they started up, since they're not required to.

Commissioner Kiefer: Right, and that meeting was just recently?

Gary Heck: Last month.

Commissioner Kiefer: Yeah, because this—

Gary Heck: I think it was in April.

Commissioner Kiefer: — has probably been two months ago. It was probably a month and a half ago to two months ago when Dr. Wohlford told me that.

Gary Heck: Well, I think his research showed the same thing. He indicated that to us and that's what prompted us to have the meeting.

Commissioner Kiefer: Okay.

Ray Nicholson: The main problem was that when these dental students come out, that's our best bet to get a dentist someone that's just coming out of dental school, most of them have very heavy debt. Under the current circumstances, ECHO is the only one that can handle the book work so that the student is eligible for debt forgiveness, or for deferral. Otherwise, we can't do that. So, the part that you're talking about that they were going to give to us was the possibility that we would be able to grant that forgiveness with federal funds. But, personally, I don't see where all of the ECHO clinics are required to have a dental service, and why they should not (Inaudible), because they've been around a long time.

Commissioner Kiefer: So, at this point, what you're saying, okay, I think you were appropriated \$100,000 for 2012 from the county for the Dental Clinic.

Gary Heck: It hasn't been transferred yet, and unless a portion of it needs to be transferred to meet on going expenses at the Dental Clinic—

Commissioner Kiefer: Right. It won't be.

Gary Heck: -- it won't be.

Commissioner Kiefer: Do you—

Gary Heck: If a portion of it needs to be transferred, then a portion of it would be.

Commissioner Kiefer: But, at this point right now you're saying you don't have the monies.

Gary Heck: My recommendation to the Board of Health would be, I don't see how we could continue the program after this year. I don't see how we can do it after July—

Commissioner Kiefer: Okay.

Gary Heck: — unless we were to be able to attract another dentist. Now, you take the ECHO thing off the table a minute, we did approach the Indiana State Department of Health at Dr. Stratten's request, to pursue trying to get that designation of tuition reimbursement for our clinic, which would have made it attractive for her to stay, especially because it would mean she would have, well it would give her the ability to where she didn't need as much income as she currently needs in order to meet her obligations to pay loans. The State of Indiana did apply for that in March, at the end of March. Sometime in June we're supposed to get an answer. We haven't received that answer yet, but looking at the numbers we have, I just don't see how we could afford to do it unless another source of income just happened to fall in our laps. It's not like we haven't explored other sources of income.

President Abell: Yeah. Let me ask you some questions.

Gary Heck: Yes, Ma'am.



President Abell: Are we the only indigent dental clinic?

Gary Heck: In the State of Indiana?

President Abell: No, for Evansville.

Ray Nicholson: Adult.

Gary Heck: Well—

President Abell: St. Mary's has the one for children that runs around in the little mobile home thing, yeah.

Gary Heck: Impact Ministries does have some services that they offer, but it's on a very limited basis. It generally seems to come down to where they'll do a quarterly pulling of teeth for, and the folks that come to their clinic could come from anywhere, and they're all volunteer. The dental, the folks who are providing the dental services all do it gratis, all on one day. It's all arranged through the office, and they do everything. It's basically four days a year.

President Abell: Yeah.

Gary Heck: Once a quarter.

President Abell: Okay.

Gary Heck: To try to meet the needs that we're not able to keep up with.

President Abell: Okay.

Commissioner Kiefer: Gary? Oh, I'm sorry.

President Abell: Just a minute. Then, my continuation question of that is, we have a facility that has been fully equipped, correct?

Gary Heck: It's, we lease space from the landlord of the Vanderburgh County Health Department. The space had been a previous dental clinic.

President Abell: Yes.

Gary Heck: It was built as a dental clinic.

President Abell: Who is the landlord? Who actually owns it?

Gary Heck: Southwestern Healthcare.

President Abell: Okay.

Gary Heck: The same as the Health Department.

President Abell: Don't we give them a bunch of money? Don't we give them a bunch of money?

Gary Heck: I think you contract for services at the Hillcrest Washington Home.

Commissioner Melcher: We, I think that is a contractual.

Gary Heck: I don't know if it's a (Inaudible).

President Abell: Oh, okay.

Gary Heck: I think you have contractual relationships with them.

President Abell: Okay. Okay. You know, a bunch of money means more than \$500.

Gary Heck: No, I understand.

President Abell: If you didn't, so, your only expense over there, if you didn't have any dentists, if you had no one in there. If you take personnel out, your only expense is a rental amount you have to pay monthly to rent that facility?

Gary Heck: We have, our lease agreement with Southwestern is different from the Health Department. We furnish utilities, or we pay utilities. We have a phone service to handle the security, there's an alarm on the second floor.

President Abell: Oh, okay.

Gary Heck: So, all of those types...but there's a few incidental expenses that aren't covered in the lease.

President Abell: I guess, where I'm going now with this is, is that it seems to me, if we could, to keep that clinic open, without us literally having to mortgage the Civic Center, we need to appeal to the dentistry community and say we've got the facility, we've got it here open, we would like for you gentlemen and ladies to donate four hours a month. Whatever you could get, we could keep it open and just do it on volunteer dentists and volunteer hygienists that might want to come down and out of the goodness of their hearts help indigent people. But, other than that, I don't see any way we're going to keep it open.

Gary Heck: Well, Dr. Wohlford had a consultant from Indianapolis come down in 2008-2009 and they gave us some suggestions. We offered to be a site for a residency program for the dentists. Just like Dr. Nick has been a residency director at St. Mary's for all of the physicians that went through their residencies. They do that right now in the Indianapolis area with the Wishard Hospital, I think it is, and the Marion County Health Department has the benefit of those clinics for the indigent care in Marion County in Indianapolis. There's not a, and this was assuming we had a dentist who be the supervising dentist to do that. There just wasn't a way to make that work, because then you still have to have housing space for the dentists and a bunch of things. We've explored just about everything that we can. Any of the other foundations or grants that money potentially could have come from, have requirements that you are a 501C3 non-tax supported operation. We don't meet that requirement. Of course, ECHO Community Health Care does.

Commissioner Kiefer: Gary?

Gary Heck: Yes?

Commissioner Kiefer: So, if someone is low income, indigent, would they not qualify for Medicaid to go in and get it from like, Kool Smiles I understand does Medicaid.

Gary Heck: They don't serve the (Inaudible). There's a cap. The reason there aren't any adult, the reason adults are so underserved, is in the State of Indiana, at least, there's a \$650 a year limit or cap on services, unless it's the extraction of teeth. If they extract teeth, you don't have any on-going expenses after that point. They don't pay for dentures. That \$650 when you're looking at exams and cleanings and some other things doesn't go very far.

Commissioner Kiefer: So, basically, an adult who needs some dental care other than an extraction, can't get it through Medicaid is what you're saying?

Gary Heck: That's pretty much it. Otherwise, we've got enough dentists who could service them and handle it.

Commissioner Kiefer: Okay.

President Abell: The bottom line is we don't have the money to keep the Dental Clinic open.

Commissioner Kiefer: I mean, I like the idea of what Marsha is suggesting, because, you know, it seems like that leaves it back on the shoulders of the dental community. You know, they need to be giving back to some degree. I would hope they would. I mean, I know guys like Mark Wohlford do.

Gary Heck: Well, to their credit, when they gave us the advice to start with, they told us going into it, that unless you're going to have a 60 to 70 percent Medicaid child and adolescent population where there's a funding source to pay for it, your chances of breaking even, I mean, if we were a regular dentist there's no way you could have the specialty type of clinic that we had that met the needs identified by the CAJE organization. CAJE was very clear that the dental clinic that they were asking the county to get into, was for the folks that had no options to go anywhere else. So, it was the adult, underserved by being uninsured or under insured.

Commissioner Kiefer: Now, my understanding is that St. Mary's and Deaconess stopped funding this because they stated that –

Gary Heck: Well, they never agreed to fund it indefinitely.

Commissioner Kiefer: Right, but they, you know, people can go to the emergency room. I mean, I guess, Dr. Nicholson would know better than I would, but if somebody goes to the emergency room with a toothache, can they get that cured in the emergency room?

Ray Nicholson: No.

Gary Heck: No.

Ray Nicholson: They may get a pain medication or some kind of temporary something, you know, just for the immediate pain.

Commissioner Kiefer: I thought that was the purpose of St. Mary's and Deaconess donating money. Supposedly they would see some alleviation in emergency room visits.

Gary Heck: The hospitals were trying to invest in a system that would actually provide solutions for people. Because they knew from experience any one that has oral health problems that require dentist procedures, they weren't capable of providing those in an emergency room. You wouldn't think that they could. So, in order to avoid having those, what they would view as unnecessary visits for pain medication, they were willing to take a chance to invest in a program that would provide a solution that would allow people an option who had teeth related problems who were adults not to present themselves at the emergency room. The way they were able to track numbers, they didn't believe, and the reason we had to take, or accept patients from outside of Vanderburgh County, is because the two local hospitals are acute care that serve a tri-state area, and basically a 30 county area within Indiana, Illinois and Kentucky. So, if someone could present themselves at an emergency room, they needed to have a solution for them to come to this dental clinic for the solution. That's how it started for the first three years.

Commissioner Kiefer: Well, it sounds like, at this point then that come July we're out of business. Unless somebody comes up with some alternate funding sources, we're just, we're out of business until further notice.

Gary Heck: I have to see what the Board of Health decides at their meeting. They may have a recommendation where they would want to try some other options, but I'm not sure how we'll ever fund them.

Commissioner Kiefer: Especially if you've got to cut five to ten percent from the county budget. They're saying they want everybody to—

Gary Heck: And Dr. Wohlford has done some research and found some potential part time dentists. His theory would be if you had one dentist, or if you had five dentists that agreed to work one day a week, and you provided a payment for that, then you would be able to still offer services and go right ahead and go forward. Assuming we had funds to continue to pay everything, that might be a workable solution. I'm, I just don't see that that's a possibility.

Commissioner Kiefer: Well, thank you, Gary. Back to the Health Department budget in itself, I know so much of this is—

Gary Heck: Well, this is just talking how money comes to us. Now, we have fees for services and some other operations and things over there, but—

Commissioner Kiefer: Well, I think the big thing that, yeah, I understand, and, you know, obviously, back to our previous discussion on rent, you know, depending upon what the County Council does, you know, it could be that there would be some big savings in rent down the road as well. So, but that's all up in the air.

Gary Heck: Well, I don't know, I mean, I'm not sure what the County Council has in plan. I know that our facility, when you look at just the Health Department, when they, we're currently operating under a ten year lease. That lease is up October of 2014.

Commissioner Kiefer: Right.

Gary Heck: There's two five year options on that lease. When the building, the lease was signed in September of 2003, and, basically, there was a year to prepare the building as needed for the negative air pressure spaces that are needed when you run a public health department. There's power back up systems, other things of that nature that are needed to make sure that we're functioning. So, if there's any other space available, and we have dual elevators—

Commissioner Kiefer: Yeah.

Gary Heck: — I know some of the other spaces we've looked at, there was one that was on the single floor level.

Commissioner Kiefer: Well, Gary, that's probably for another day's discussion.

Gary Heck: Okay.

Commissioner Kiefer: But, you know, I do know that the Council is looking to reduce everybody's, either find voluntary measures, or they'll have to come in and find them.

Gary Heck: We (Inaudible) yesterday, they've asked us to look for a three to five percent reduction for next year, so that they could attempt to offer a pay increase that they haven't been able to do for a while.

Commissioner Kiefer: Right.

Gary Heck: It's going to be a very difficult challenge without reducing staff, because there's just not much monies anywhere else.

Commissioner Kiefer: Well, you know, obviously, again, we heard this earlier and I'll repeat it, you know, we saw where the Public Defender may combine some part time jobs into a full time position, one full time position in order to save money. You know, perhaps there's some things like that that you can combine or reallocate duties or something like that.

Gary Heck: Well, and perhaps you can help with this, it's my understanding that the County Council would have to give some very clear directions about the ability to use people, to cross train them outside of where their current job descriptions, what they might specifically say.

Commissioner Kiefer: Well, I know, I know Tom Shetler, the President of the Council is big on doing that, getting some cross training and having them cross perform duties if it makes sense.

Gary Heck: Well, the Health Department has been waiting, we still have some COMOT II's and COMOT III's.

Commissioner Kiefer: Yeah.

Gary Heck: You know, at the meeting yesterday, most of the other departments don't have anyone below a COMOT IV.

Commissioner Kiefer: Well, if you've got some ideas on how to do that, then maybe bring it before the Personnel Committee, and maybe they can—

Gary Heck: Well, in the past they were waiting for Tim Deisher and the Gaither group, or the BKD group to come in and look at all of the job descriptions that were written in 1993 and bring them into line with what current people are doing. We've been waiting for four years for that. So, I would love to have that opportunity when we get to that one too.

Commissioner Kiefer: Okay, well, I'll make a note of that, and send a note over to Deisher regarding that.

Commissioner Melcher: I just echo what Joe just said. I know that Tom Shetler has been looking at that. He even has talked to us about transferring people around, like sending you a secretary, and taking one from you to send somewhere else.

Gary Heck: I know, and they, and the only caution I have as an administrator at the Health Department is that there's been some other departments who were specifically told only the County Council has the authority to determine work location and how the, and what the duties are, and what the pay is set in each one of those positions. I don't want to get into a position if I'm cross training somebody and they're in a COMOT II and I have them working in a COMOT IV spot, they should be entitled to either some extra money or, unless we're operating under an emergency guideline from County Council that says, you know, this is a new game in town and we're open to allow to do some cross training and let's see if we can find a system that works. I don't know how to make that work, but I'm certainly willing to....but I don't want to do it without their explicit permission to do it.

Commissioner Kiefer: Marissa, can you send a note over to Tim Deisher and carbon copy Sandie Deig and maybe Tom Shetler that the Health Department is interested in having, you know, having their job study completed, per what Gary was just mentioning. You know, if you don't mind, I would like to get in touch with BKD, Tim Deisher, to follow up on that and see where they're at with this and see if we can get something going. If you don't mind, copy the Commissioners on that.

Commissioner Melcher: We just believe, as Commissioners, that the county is going to cut everybody's budget. We're just trying to, that's what we're having these meetings for is to forewarn you, sometimes it's better if you come up with the figure than them.

Gary Heck: Well, I understand, and even at the discussion yesterday they kept saying General Fund. Well, the Health Department, by virtue of having its own levy and having a separate fund, doesn't have any positions that are in the General

Fund. However, it's kind of like a mother treating her kids, everybody gets treated alike.

Commissioner Kiefer: But, your taxes are raised through property taxes, I mean, your monies are raised through property taxes, right?

Gary Heck: They are.

Commissioner Kiefer: Okay, so, you know, if your monies are raised through property taxes, we've got to be cognitive of that and be aware that, you know, we're not just—

Gary Heck: I agree with you. The County Council should also then say, this is everybody in the county, this is not just those who are in the General Fund.

Commissioner Melcher: Well, typically, they've got that, because they passed a call a few years ago, they've got to look at everybody's budget. They have to look at the libraries budget.

Gary Heck: That's a State law.

Commissioner Melcher: That's a State law, that's right.

Commissioner Kiefer: Well, let's put it this way—

Gary Heck: It's a non-binding (Inaudible).

Commissioner Melcher: Today.

Commissioner Kiefer: — the Commissioners, or at least this Commissioner here, and, you know, I'm sure Steve feels the same way and so does Marsha, I think that we're asking you, as an employee of the county, to look at your budget, whether, no matter what fund it comes out of and seeing if there's ways to do things better, or ways to reduce, and that's what we want done.

Gary Heck: Well, we think there are, but we think it's also, it would help morale if the folks at the Health Department were operating under current job descriptions too.

Commissioner Kiefer: No, I agree, and that's why we just asked Marissa to get that e-mail over to Tim Deisher.

Gary Heck: Any other questions? I'll let you know what happens at the, of course, we'll be back for the Commissioners meeting tonight.

President Abell: I don't know if they said anything, because I had to meet with Matt Arvay for a minute, the payment scale that I've been asking about, are they getting anywhere on that, as far as to...of course, the Dental Clinic in here won't make much difference, but, you know, out-of-county, in-county people using our county stuff.

Gary Heck: It's on your agenda tonight.

President Abell: Oh, okay, okay.

Gary Heck: First reading.

President Abell: Okay.

Gary Heck: We think everything you asked for is in there.

President Abell: I guess, I haven't looked at that yet, but, I will, I've got till 5:00.

Gary Heck: It could be a moot point.

President Abell: It could be a moot point, that's right.

Gary Heck: But, that's still up to the Board.

President Abell: You know, I'm sure the citizens action committee...oh my gosh, sorry about that. I'm sure the citizens—

Gary Heck: CAJE.

President Abell: Yeah, those people, I'm sure they're going to be questioning us about this Dental Clinic, but we've run it since 2006, so that was our first year we put it on line, and if we can't make it, we can't make it. I mean, there's just—

Gary Heck: Well, the Congregations that are Acting for Justice and Equality, I believe is what CAJE stands for, they certainly have good intentions. The Dental Clinic is an excellent example of a good intention. Some of their member churches have actually been loyal contributors. You can count those on less than five fingers of a hand.

President Abell: Yeah.

Gary Heck: I'm not sure how large their community is, but just asking local government to have a conscience and do what the Christian thing to do is, isn't always enough. You sometimes have to lead by example.

President Abell: Yeah.

Gary Heck: Like I said, there's been some very loyal members.

Commissioner Kiefer: Gary, I totally agree with you.

Gary Heck: There's been some very loyal member churches who actually walk the walk and write a check to support what they're asking other people to do.

President Abell: Right.

Gary Heck: But, there's a whole lot of them that don't do that. To constantly come back to the county government, or local government each with a new thing that needs to be adopted, in this time where there's not funds to do it, without a referendum to support the taxes to raise it, it's unconscionable to me.



President Abell: Yeah.

Gary Heck: I don't see how they can look themselves in the mirror.

President Abell: Well, we are under a very, very bad, you know, it's really a very simple thing to understand, although it's a bad one to have to tell people is that, you know, you're not going to have five dollars in your billfold and go to the local steakhouse and order a filet mignon. We don't have more than five dollars. I mean, we can't pay for something, I can't manufacture money, we can't raise taxes above the one percent property cap. So, and we live in a community that is not growing. We're not building new houses to add to our tax rolls. So, consequently, we just don't have the money. I mean, it's not whether it's a good thing or not. I know the Dental Clinic is a good thing. It's just we just plain don't have it.

Gary Heck: It is a good thing, but there's certain services public health departments are required by law to provide.

President Abell: Right.

Gary Heck: The dental services aren't one of them.

President Abell: Yeah.

Gary Heck: It's, and there's some other services that aren't required by law, but it's not to say that we shouldn't provide as many useful services. It's certainly a valuable service.

President Abell: Right, and possibly there will be someone watching this tonight who will want to pony up some money and make it happen, but short of that, I think we're in trouble.

Gary Heck: Once again, I was just responding to your request since we're, we try to cooperate with you—

President Abell: I know.

Gary Heck: — the Board of Health still hasn't taken a position on this one.

President Abell: Yeah, and we're just trying to get everybody ready for what the Council is going to be telling you.

Gary Heck: Okay, thank you.

President Abell: And you may have been at that meeting yesterday. I believe you were, weren't you?

Gary Heck: We were.

President Abell: Yeah, so you know. We're not telling you something that you haven't already heard.

Gary Heck: Yes.

President Abell: Thanks for coming. We appreciate it.

Gary Heck: Thank you.

President Abell: Moving right along.

<b>Soil and Water Conservation District</b>
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President Abell: Soil and Water. Do we have a budget for Soil and Water? I didn't see one. Is there one in here?

Joe Gries: Commissioner Abell, the Soil and Water will be under the Commissioners budget.

President Abell: Oh, okay.

Joe Gries: It's a line item under the Commissioners.

President Abell: Thank you.

Joe Gries: Just to let you know, the forms that we gave you, it's the 2012, it has the 2012 budget. Any additional that were added for 2012, up to date, and then the third column is the expended amounts—

President Abell: Okay.

Joe Gries: —through May 11<sup>th</sup>.

President Abell: Okay, alright, and we do have Soil and Water in here? Right there it is. Okay. Welcome, this is a very informal meeting, as you may have detected. I don't think anyone sitting here does not know Mark Abell and Theresa Lloyd.

Mark Abell: I have a question. Is the budget that you, is it broken out into different line items? Or is it just a one line total budget.

Commissioner Kiefer: A one line total budget.

Mark Abell: Okay. What we passed out just now has a little bit of a breakdown—

President Abell: Right.

Mark Abell: —in there. That's last year's.

President Abell: So, in 2012, wait a minute, okay, they're saying in 2012 we had a budget, they had a budget of \$18,932. No, I'm talking about what they just handed us.

Mark Abell: That's after taking out salaries and compensation.

President Abell: Yeah, so that was just for the part of rent we pay and that type thing?

Mark Abell: That's for everything except—

Commissioner Kiefer: That's for our Boonville rent, right?

Mark Abell: No, that's everything.

President Abell: We didn't pay anything for rent out there.

Commissioner Kiefer: I'm just saying.

President Abell: Yeah, I know.

Mark Abell: In there also is a letter, just on an informal basis, I guess, I'll just sum everything up.

President Abell: Yeah, please do.

Mark Abell: We're one of the few offices that are going to come in saving money off of last year's budget.

President Abell: Okay.

Mark Abell: And, that's done—

President Abell: No, they're all going to save five percent, because they have to.

Mark Abell: Okay.

Commissioner Melcher: They're either going to get to cut themselves, or they're going to get cut.

President Abell: Or, they're going to get cut. So, if you're coming in cutting yourself, that's a good thing.

Mark Abell: Well, we are.

President Abell: Good.

Mark Abell: Largely, I think it's in the salaries. I think we had some employees that had been around for many years, and when we came on board, we came in at the bottom level.

President Abell: Right.

Mark Abell: And, I think your, I don't know what the number is, because I don't know what the previous employees were paid, but I can imagine there's a pretty significant savings just in salaries, maybe \$30,000 out of \$118,000 total.

President Abell: I don't know. Joe would know.

Theresa Lloyd: Our budget that you provided us with last year was \$16,471.64. That was our—

Mark Abell: That was everything except for salaries.

Theresa Lloyd: Except for salaries.

Joe Gries: I don't know that salaries are part of the budget in the General Fund.

President Abell: Well—

Mark Abell: I don't know.

Joe Gries: I don't believe so.

President Abell: I think the Water Quality Specialist under the County Commissioners is Mark.

Mark Abell: That is I.

President Abell: I think the one that says Temporary Replacement was in the event someone went out, no that wouldn't be it. Is the Administrative Assistant, who are those?

Mark Abell: That would have been Bonnie and now Theresa.

Marissa Nichoalds: 1240-1300, Administrative Assistant is Theresa's line item, and then 1260-1300 is—

President Abell: Can you say that a little louder so the other Commissioners can hear, Marissa?

Marissa Nichoalds: The 1240-1300, Administrative Assistant line, is Theresa's position, and the 1260-1300, Water Quality Specialist, is Mark's line item.

President Abell: Okay.

Mark Abell: And, those two should come in at less.

President Abell: So, we do have them here. We have them here.

Mark Abell: Okay, and they should come in at less than last year's budget.

Commissioner Abell: Oh, I see what you mean.

Joe Gries: The total for 2012 was almost \$80,000. So, I'm sure it's less than that is what you're saying.

Mark Abell: Okay. Right, right. By how much, I don't know.

Joe Gries: Yeah.

President Abell: Okay, and then we had budgeted last year some money for rent, correct?

Mark Abell: It's hard to say what was actually in, because it's just in one line item, but the good news is this year, upcoming, there will be no rent.

President Abell: That's what I was going to ask you about, the year 2013.

Mark Abell: 2012 and 2013, and there's a letter included in that packet from, officially from—

Theresa Lloyd: From the NRCS.

Mark Abell: —right, from the NRCS, so that makes it official. Now, what they'll ask for in return for that may be coming down the road, we don't know. They may be asking for—

President Abell: What would that be, like a first born?

Commissioner Melcher: They're picking up the rent?

Mark Abell: They are, yeah. They may ask for a cooperative agreement, which means that Theresa and I will do work, we're in a hybrid office where the NRCS—

Commissioner Melcher: That's what I was told. I told everybody they're sharing this office, you know, a long time ago.

Mark Abell: That we're sharing it?

Commissioner Melcher: That we're sharing it with another group or something.

Theresa Lloyd: We share space, we occupy space, and in turn there will be a cooperative agreement that we'll work to pay our rent is what it is. We'll do work for NRCS to pay our rent, to pay for our space.

Mark Abell: Which we already do.

President Abell: Okay, but they're not having you like empty the trash cans or anything?

Mark Abell: No. It's more of a formalization of what we currently do.

President Abell: Okay.

Mark Abell: And, I think they will put some specific numbers—

President Abell: They will put a monetary value to what you're doing.

Mark Abell: — for individual things, if I'm reading them correctly. This is something new on their side, and I don't know what it is exactly and neither do they, but the bottom line is we get free rent.

President Abell: Okay, we, free is good. We like free.

Commissioner Melcher: So, the free rent includes utilities and everything?

Mark Abell: Everything, internet–

Commissioner Melcher: Phone?

Mark Abell: –on up and down, computers.

President Abell: So, the expense you will have then, over and above salaries is you produce a monthly news letter.

Mark Abell: That's a big piece of it.

President Abell: About how much–

Mark Abell: It's not monthly, it's, I'm sorry, quarterly.

President Abell: Oh, quarterly, okay. Do you send that out to be printed by somebody?

Mark Abell: We have in the past, and we used Oaks Printing. Whether or not, we've discussed some alternatives to that. We don't, neither of us have an expertise level to do an Oaks type of job, but perhaps we can do an internet based mailing. We don't know yet. We're looking at that.

President Abell: Marissa, do we have any printing abilities at all?

Marissa Nichoalds: I mean, we have a color printer, but we don't again have the same quality as an Oaks.

President Abell: As what theirs is.

Marissa Nichoalds: It's formatting the news letter and we don't have the software to do that in our office. Not to say Computer Services doesn't have something.

President Abell: No, I wasn't thinking about you all doing it, but I thought if they had the software to do it and could it send it up here for printing.

Mark Abell: I think we have the software. We format, we do format the newsletter. We print it, or we format it, we write it–

President Abell: How many copies of that newsletter do you produce?

Mark Abell: We send out 1,400.

President Abell: Oh, well that's a little more than our copier could be doing. But, you might want, what you might want to do is get some pricing on that rather than just go with one, you know, familiarity always is not necessarily good in business. Competition is great in business, you might want to price that around.

Mark Abell: Bid that out, yeah, that's a good idea. We're even looking at doing something maybe in-house.

President Abell: Yeah, if you've got it copy ready, I think that would be a big deal.

Theresa Lloyd: Some counties actually send theirs out online.

President Abell: Probably a more progressive county.

Mark Abell: We're getting—

President Abell: We've had a little problem doing stuff online, but, you know, I'm not trying to talk against it. It is a progressive way of doing it.

Mark Abell: We are looking to upgrade the office in that way. I believe we're probably going to be, we have a webpage, but we're going to go to an interactive webpage or Facebook. From there, possibly to Twitter. These are things that are considered progressive within the SWCD world.

President Abell: You need to speak with Matt Arvay with our IT Department here about a link onto the county's webpage.

Mark Abell: Okay, yeah.

President Abell: Because we're right in the process of designing a new one. So, it would be very simple for them to add you to it at this point. You might want to give him a call.

Mark Abell: Okay, that's a good idea.

President Abell: I think Marissa could probably give you his phone number if you want. This has, your budget sounds great, and one of the things that Mr. Shetler did say yesterday is that there are some small offices that are only like two people that are bare bones anyway, and we know they're not going to be able to cut much. Since you are going to be able to cut some, because you're not going to have rent, I think that's a thumbs up. Commissioners, how do you feel about this?

Commissioner Melcher: I'm okay with it.

President Abell: While we have a few minutes left, over and above your budget. I would like to echo one thing. I appreciate getting reports from you. I like knowing not only what you're doing, but where you are.

Commissioner Melcher: Where you're at is important.

President Abell: It was important to us for a long time trying to find out where you were.

Mark Abell: We will be here soon, in Vanderburgh County.

President Abell: You are going to be on First Avenue I understand.

Mark Abell: Yes, right by the Pie Pan. If you are, if you know where that is, two doors to the left of the Pie Pan. I've looked at it recently, they've got walls up, they've got the electrical done, the computer ports are in. I talked to Jeff Hatfield just a few days ago and he thought the middle of July he would be done.

President Abell: Oh, he's doing the work?

Mark Abell: He's doing the work. That was all bid out through the federal government, there's been delays galore, but we're at a point where I think it's going to be done. Now, there still could be delays with, they may send an inspector, they have to send an inspector in perhaps from the FSA. They may look at it and say I don't like the way that window is situated in, I mean, they can make all kinds of things up that I can't begin to guess about. But, I think this summer, just to say in a general term, this summer we should move, and the move will be completely paid for and done professionally by whoever they bid that out to.

President Abell: And you will have parking available there too, so you won't have to worry about parking your cars. That will be nice. It will be a nice place for you to be. I think that will be a nice—

Mark Abell: It's a nice office.

Theresa Lloyd: It's very nice.

Mark Abell: I think it's 3,000 square fee.

Theresa Lloyd: And we do a lot of important, good work for the environment.

President Abell: I was going to say, maybe you would like to just, I have a little more information than the other two Commissioners, only because I just dove into this thing, because I didn't know what this department did. Maybe you would like to give us a little quickie on what they do.

Commissioner Kiefer: (Inaudible. Microphone not on.) tour out there. (Inaudible. Microphone not on.)

President Abell: I know that, you know, we've had a long standing problem with Pigeon Creek at the Warrick County line here that we Commissioners have had to deal with, and Mark has sort of taken that on and he's talking to Representative Bacon, and I hope that the State is going to send some money down here to fix that problem once and for all, which would be really, really nice.

Commissioner Kiefer: (Inaudible. Microphone not on.)

Mark Abell: Okay.

President Abell: Yeah.

Mark Abell: Well, we're each individually tasked with different things. I am, I work largely with the agricultural side in erosion control practices, which the largest problem with a farm and land is that they till it, the dirt's loosened, a rain comes and it washes the dirt into a ditch, to Pigeon Creek, to the Gulf of Mexico, along with it fertilizers and everything else that's in the soil. So, we help farmers keep that soil on their land through erosion control measures and practices that are technical. I didn't necessarily understand them. I'm in training with the NRCS tech team to become familiar with those. I'm working with Mike Wathen as well, and Mike has installed, the SWCD back in the 90's was the number one SWCD in the nation,



Vanderburgh County's was. It's got an extremely good reputation still today. There's been numerous awards given to them, and all of it based on agricultural practices leaning towards and pointed at conservation of land. If you drive through the county you can see the things that we do, but if you don't know what they are, you don't what you're looking at. I was like that at first. I've received some training and now I know at least what I'm looking at, what it's for. I don't necessarily know how to design it yet, but my goal working with them in training is to get to that point. That will be maybe a year or more down the road, because it's fairly technical. We do an educational outreach element as well that keeps IDEM happy. Part of the job I'm tasked with is Rule 5 erosion control measures with MS4's, particularly county, city, U of E, Ivy Tech and USI. I get the initial IDEM Rule 5 technical reviews, I go to the site, I look at, I look at their plans. Through the training that I've received I ascertain whether or not those plans are sufficient to satisfy IDEM's regulations. I've been to an IDEM training in Indianapolis, and, again, that's some on-going training that's going to, that will take me a while to really get up to snuff too, but I think I'm getting pretty close to being satisfactory. Those are the agricultural side and erosion control and the development side with the MS4's are the two major things I do with erosion control. The educational outreach I will share with Theresa. Then, also, you do the, I'll let you explain what you do.

Theresa Lloyd: Well, we apply for grants—

President Abell: Talk more in the microphone.

Theresa Lloyd: Oh, we apply for grants, and then we're awarded the grants, like now, as an example, we have cover crop going on, grants so the farmers can see how beneficial it is to do no till planting with cover crops. That way they don't have to, all this extra fertilizer that they would be putting down is not needed. Then that's going to save our streams and our waterways from having the bloom from the extra nitrogen that they won't be putting down. It's good.

President Abell: Will you be going into the schools this fall?

Theresa Lloyd: Yes, uh-huh. Yes, I haven't started that training yet, because I'm just, I'm new. I'm looking forward to that, because if the kids learn, then, you know, they'll be conservationists when they grow up maybe.

President Abell: Well, I think, I spoke with the County Engineer and he indicated that school program is mandatory for—

Mark Abell: IDEM.

President Abell: — IDEM. They require us to do, whether they have a certain number of hours is that what they have?

Mark Abell: Well, their guidelines on that are nebulous. They're really not spelled out. What we do is we work within a very thin framework that they've offered, and you kind of have to guess at what they want. But, John's been around a long time, John Stoll, the Engineer—

President Abell: Right.

Mark Abell: – and I think he's got a very good handle on it. He's told me what I should come forward with and I have, and then we document, basically, they need documentation. The more documentation the better. John is very good at that. I'm now learning to do that, then I give it to John and he compiles the information. So, for example, if a county project was flagged for one reason or another, and IDEM came to town to look at it, they would, you as MS4 operators, I believe you, Marsha, might be the MS4 operator, officially, for the county, though John is your arm that does the work. He will have documentation that will show that we've done what we need to do. So, we're, there's a little bit of coverage of the rear area with this, but the bottom line is we want to keep soil on the land where it's supposed to be.

President Abell: Right.

Mark Abell: And not in the streams and sewers. Currently I'm working on, Ivy Tech has a project where they're expanding a parking lot, the Oak Hill Road extension phase two falls under mine, Peck Road project, those are, that's county, but the Oak Hill Road is city. U of E's got a project right now where they're expanding their practice facility. That's another one that falls under my purview. There's two that I think haven't started yet. So, that's basically what I do. I document, I keep the job site in conformance, so it conforms with IDEM's expectations. Then I try to document everything as best I can.

President Abell: Commissioners? Questions? Okay. Thanks.

Mark Abell: Thank you.

Commissioner Melcher: Thank you.

President Abell: Thank you for coming down.

Theresa Lloyd: Thank you.

President Abell: Well, there's another budget.

### **Veterans Services**

President Abell: We're going to do the Veterans budget next, and actually Mr. Melcher is going to do it.

Commissioner Kiefer: Yeah, because he had to go to Indianapolis.

Commissioner Melcher: Well, they've got mandatory training and they're both at training. But this is another one of the small, this is probably the smallest office, gets the least amount of money, and, Joe, why don't you tell us about the furniture.

Commissioner Kiefer: Yeah, I had gone in there last week, I'm sorry, I had that off, I went in there last week, and you probably saw the e-mail pictures I sent of the Old Courthouse interior, but that's another story. I went in there, I mean, it's somewhat embarrassing almost, the office furniture that they have there at the Veterans Office. I mean, it's all donated stuff from different sources, you know, none of the chairs match, their old, some of them are not really that functional. I mean, the

desks are all mismatched, I mean, it works, I guess, but you kind of look at it and you think, wow, this is....so, I mean, I know they must be operating on a lean budget because they're not even utilizing furniture that we provided. This is all donated furniture from outside sources.

Commissioner Melcher: It's been my understanding that it's been treated like that for a long time. So, when I became Commissioner I started working on it over there, and, basically, they were even on a dial up phone internet type deal. That was just three years ago. So, talking to Matt Arvay and then Rolley at MRC, Rolley was actually able to go over there and help them out and take them some computers, which I think were used computers from the county anyway, and got them up on an internet line. So, now instead of sitting there and taking 30 minutes to download everything, they can get it a little quicker, because of that. So, it didn't cost the county anything, it was already equipment, as far as I know that had already been used somewhere. Somehow, some departments here get rid of good equipment, you know, that they have that other people had used, and all of the furniture came out of VFW Posts, American Legion Posts and stuff that were donated, to try to keep them going.

Commissioner Kiefer: Well, looking at their budget, you can see this is probably one of those offices that Tom was referring to, because there is absolutely no fluff in there. You know, they've got \$1,000 for Supplies, and that is it.

Commissioner Melcher: So, they really do good with what they have, and they don't really, you don't see a lot of, I've had maybe one or two people call me and said they had an issue about it, and then when I check into it, they weren't qualified. So, you know, veterans get upset too. So, we had some veterans that thought they were qualified to do some things, and they have to follow the rules over there. So, they can't change it, they can't make it up for them. It's either on their duty form 214 or it's not. So, basically the Secretary's position ended up being a part time, but my understanding, I guess, July or August it's supposed to turn into a full time. Because, like right now, with them both gone, the Secretary will probably be, it will probably only be open about a half a day today. Where this past year it would have been closed, because we didn't have that position until about a month and half, two months ago. Which I have to thank both of my Commissioners here for helping me get that position, because I don't think we could have done it without, Marsha, you and Joe. We would like to get that to be full time, and the person that is the Clerk/Typist, she's military. So, she, I think has had seven years in the military. So, three and some reserve time.

Commissioner Kiefer: It would be nice if some other office, you know, somewhere in the court system or wherever, somewhere along the line when they upgrade their furniture, if they could at least give them some matching stuff over there.

Commissioner Melcher: We all look at the courts, they seem to get new furniture every other year.

Commissioner Kiefer: That's what I'm saying.

Commissioner Melcher: We, they might, but we need to work on trying to get them some better furniture. The Veterans Council, even before I got on it, was, they bought the computers. They tried to help with everything they could do with, and all

the money that the veterans raise is to keep the Coliseum open. So, you know, then we've got to start subsidizing the county Service Officer out of the same pot of money.

Commissioner Kiefer: Yeah.

Commissioner Melcher: So, that's kind of what's happened here. But, if you could look, they've really got a slim budget. I think I was told, Marissa, you might have been the one to tell me, the, we don't charge them rent anymore because it was coming out of the General Fund back into the General Fund. So, all it was was giving the Auditor a headache to transfer it all the time.

President Abell: Oh, yeah.

Commissioner Melcher: So, instead of transferring it and putting it in and putting it out, we don't do that anymore. Because I think Tom thought that maybe we could do something there and save the rental, and I told him I would check into it, because I didn't think there was any rent. I kind of thought that's what it was. So, there was no way I could save that money since it wasn't there to begin with.

President Abell: I think, Marissa, would you check and see, but I think this Clerk/Typist is supposed to become full time in July.

Commissioner Melcher: Yeah, it's supposed to be July or August.

President Abell: Just make sure that that doesn't, or let us know and we'll make sure it happens.

Commissioner Melcher: We need to get that going so, she's not making this \$22,000, it's whatever a part time makes and I don't remember what that is, \$16,000 or something.

President Abell: Then we'll work on getting them some decent furniture.

Commissioner Kiefer: Right.

<b>County Commissioners</b>
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Commissioner Kiefer: Well, Madam President, if we, you know, if we have extra time here between hearings, maybe there's some things out of the Commissioners budget I wouldn't mind discussing.

President Abell: Okay.

Commissioner Kiefer: If we have a little bit of time.

Commissioner Melcher: We've got time right now, unless you've got more questions about the Veterans budget.

Commissioner Kiefer: No, I mean, absolutely, I don't want to, I mean, those guys are already operating on a thread over there.

President Abell: They are.

Commissioner Kiefer: But, you know, looking at the Commissioners budget, and, Joe, thank you, I think you went and picked these up and this really helps out.

Commissioner Melcher: It does. It really helps me anyway.

Commissioner Kiefer: Yeah, but, you know, I would look at like some things, you know, and I don't know maybe our insurance people would tell us, but, you know, the YMCA, for example, I know we're subsidizing, you know, it might be something we want to continue to do or maybe...that's on the second page.

Commissioner Melcher: The second page about the fourth item.

Commissioner Kiefer: You know, it's not big bucks, it's \$20,000, but, you know, if we've got to cut five percent, you know, and then the Human Relations, you know—

Commissioner Melcher: We're getting e-mails on that one.

Commissioner Kiefer: Yeah, they're—

President Abell: Where does that fall?

Commissioner Kiefer: Well, the Human Relations—

Commissioner Melcher: (Inaudible) that one.

President Abell: Oh, I see it right there, right below it.

Commissioner Kiefer: It's right below it, and we're doing \$61,000 roughly for them. Maybe we, you know, maybe we need to cut that down some. I mean, I'm just thinking of some ideas here, but definitely we need to have a separate hearing with the Building Authority, because geez they're almost five million dollars. I know it's all rent, but, I mean, rent is based upon the expense of operating.

President Abell: Right.

Commissioner Melcher: Well, that's why he needs to come in front of us on that.

Commissioner Kiefer: Yeah.

President Abell: Well, let's add that one to our list of people we want to see. Well, we did add them.

Commissioner Melcher: I think we added that already earlier.

Commissioner Kiefer: But, I mean, as far as, I'm assuming that these items in here are what we will then submit to the County Council for approval. So, we have the ability to cut some of these, if we feel like there's room to adjust those.

President Abell: Right.

Commissioner Kiefer: Such as the Human Relations.

Commissioner Melcher: I'm in favor of adjusting Human Relations.

Commissioner Kiefer: Yeah, I am too, just how much, I don't know.

President Abell: Well, from the e-mails I've been getting, certainly \$200.

Commissioner Kiefer: Well, you know, I think we should do—

Commissioner Melcher: It would be \$700 wouldn't it.

President Abell: \$700.

Commissioner Melcher: \$700.

Commissioner Kiefer: I mean, I definitely think a five to ten percent reduction would not be out of the question.

Commissioner Melcher: All this rent, isn't that—

Commissioner Kiefer: That's under Economic Development. Do we have Economic Development?

Commissioner Melcher: Is that broke down, that Rent—

Commissioner Kiefer: Yeah, that's under—

Commissioner Melcher: That's so high.

Joe Harrison, Jr.: That includes the jail.

Commissioner Melcher: I was going to say, that's got to include more than—

Joe Harrison, Jr.: Yeah.

Commissioner Melcher: That's the jail too?

Joe Gries: It's everything that the county pays to the Building Authority.

Joe Harrison, Jr.: Yeah.

Commissioner Melcher: That's exactly what I was—

Joe Harrison, Jr.: So, it's utilities—

Commissioner Kiefer: Joe, isn't—

President Abell: How long has Economic Development (Inaudible. Microphone not on.). Is that on another?

Marissa Nichoalds: That's probably the General Fund that we have.

President Abell: Oh, so Economic Development is on another–

Joe Gries: It falls under CCD.

President Abell: Okay.

Commissioner Kiefer: CCD, okay.

Joe Gries: Riverboat, I'm sorry.

Commissioner Melcher: Riverboat.

President Abell: Riverboat.

Joe Harrison, Jr.: GAGE must come out of something else right? I don't see that on here.

President Abell: GAGE comes under (Inaudible. Microphone not on.)

Commissioner Melcher: It comes out of Riverboat.

Marissa Nichoalds: It doesn't have its own line item.

Joe Harrison, Jr.: Can I ask one thing? On the Insurance, just a question, Joe, on the Self Insurance, do you think that's expended? Do you think that's incorrect?

Joe Gries: You know, actually I don't have a copy of what you have. I have the original budget.

Joe Harrison, Jr.: I suspect that probably isn't right.

Joe Gries: No, that's correct.

Joe Harrison, Jr.: So, all of that's been spent?

Joe Gries: Yeah.

Joe Harrison, Jr.: Okay.

Joe Gries: We don't–

Joe Harrison, Jr.: That just goes out.

Joe Gries: Well, it goes out when it's, when there are instances where it needs to, but over the years that has been cut–

Joe Harrison, Jr.: Okay.

Joe Gries: – and then, if need be, there are additional funds that are either re-appropriated or asked for from the Council–

Joe Harrison, Jr.: Okay.

Joe Gries: – and there are other places for that as well.

Joe Harrison, Jr.: Okay.

Commissioner Melcher: So, we could cut some of the Self Insurance?

Joe Gries: I would say no.

Joe Harrison, Jr.: No, because I think you end up replenishing.

Joe Gries: You would be back and asking for it.

Joe Harrison, Jr.: Yeah.

Joe Gries: You know, you could take the chance, that's for Worker's Comp.

Joe Harrison, Jr.: That's really what it is.

Commissioner Melcher: Well, not to–

Joe Gries: Depending on how many instances there are, that the county has.

Commissioner Melcher: I don't know how to word this, but, basically, what I've seen, and maybe I've got too many years in the city, when you have a budget, you have a budget. What I've seen with the County Council since I've been here, they cut and they tell them to come back later. They come back, but that, to me that's not a true budget. I mean, you cut to a certain point and then say, okay, this is our budget, well, that's not really the budget because you people are going to come back in February, March, April to get the difference.

Joe Gries: Right. A lot of it has to do with, I think, the timing, because, obviously, we're setting the budget six months in advance–

Commissioner Melcher: No, I understand it's an 18 month, I had 17 years of that.

Joe Gries: Right.

Commissioner Melcher: But, we still, the city never had that trouble, because their budget, it lived in that budget. There wasn't none of this coming back, you know, and wanting more.

Joe Gries: There are have to things, like Self Insurance, that, you know, may come up.

Commissioner Melcher: No, that's why I'm just asking, because I didn't know what it was (Inaudible),

Joe Gries: Right.

Commissioner Kiefer: Hey, Joe? On the line item called Property Tax Refunds–

Joe Gries: Uh-huh.



Commissioner Kiefer: – I mean, it shows we expended \$3.1 million, should that, is that from when people appeal their taxes then?

Joe Gries: That's correct. That comes out of the County General money, but is then replaced when we do settlement. When we, the Treasurer has collected all of the property taxes, then what we do is, in the Auditor's office, only a certain portion of that will affect the county.

Commissioner Kiefer: Okay.

Joe Gries: We use the tax rates to then get money back from the city off of their collections, from the library, from the school, everybody plays a, takes a loss because of those refunds.

Joe Harrison, Jr.: So, this is the total of all of the refunds?

Joe Gries: Exactly. So, far–

Joe Harrison, Jr.: And it will be–

Joe Gries: – up to this point, yes.

Joe Harrison, Jr.: So, it will be proportioned down?

Joe Gries: Exactly.

Joe Harrison, Jr.: And, is it actually money paid out, or is it credits that you didn't–

Joe Gries: It's money paid out.

Joe Harrison, Jr.: Okay.

Joe Gries: Refunds are for taxes that were paid in prior years that are then paid back to the taxpayers in this year, and then we have to apportion that to the different taxing units. So, the three million dollars is not the amount that will actually end up at the end of the year. Once we go through final settlement in December, that will only be our county's portion, which may only be 30 percent of that.

Commissioner Kiefer: Okay, then, under Urban Transportation, that was the bus route out on North 41? But, we won't be doing that anymore, because the city's doing that.

Marissa Nichoalds: That's the EUTS, it's the unified work share program that you fund every year.

Commissioner Kiefer: Oh, that's a totally different–

Marissa Nichoalds: Yeah, the North 41 bus route was paid of Riverboat money, so you won't see a line item for that.

Commissioner Kiefer: Not in here.

Marissa Nichoalds: But, the other two contracts with METS are the 4000 accounts at the very bottom of your budget sheets.

Joe Harrison, Jr.: So, is Urban Transportation, MPO, Joe? Is that our payment to MPO?

Joe Gries: I'm not real familiar with that, but I can check on that.

Joe Harrison, Jr.: Do you know, Steve?

Commissioner Melcher: I honestly don't know that answer. I know we pay a percentage.

Marissa Nichoalds: Yes, it is.

Joe Harrison, Jr.: That's what that is?

Marissa Nichoalds: Yeah, they've just never changed the name from EUTS—

Joe Harrison, Jr.: Okay.

Commissioner Melcher: Oh.

Marissa Nichoalds: —from years ago.

Commissioner Melcher: Oh, you're right, that was, that was Urban, yes.

Joe Harrison, Jr.: Evansville Urban Transportation Study is what it used to be called.

Commissioner Melcher: Yes.

Joe Harrison, Jr.: Back in the old days.

Commissioner Melcher: I just think you never have changed your line item.

Commissioner Kiefer: Okay.

Joe Harrison, Jr.: Yeah, you might want to change that eventually.

Marissa Nichoalds: That's the Auditor.

Commissioner Melcher: It's been that way for, it's been an MPO now for eight years or so.

Commissioner Kiefer: Yeah, I wonder if we don't, you know, it looks like we spend a lot of money with Animal Control. I mean, I wonder if we shouldn't talk to those guys. I mean, we've got a budget of \$256,000 then for this year.

Commissioner Melcher: Yeah, well isn't this something that the County Council—

Joe Harrison, Jr.: Well, that's through interlocal agreement, and we pay a percentage, because they do animal control in the county.

Commissioner Kiefer: Well, it's coming out of the Commissioner budget.

Commissioner Melcher: I know, I know.

Commissioner Kiefer: I mean, that's a big chunk of change there.

Joe Harrison, Jr.: It may be that it could be lower, who knows.

Commissioner Kiefer: Yeah, I mean, I don't have any idea.

Commissioner Melcher: Well, when we do it, we could cut that—

Commissioner Kiefer: Yeah.

Commissioner Melcher: —and leave that up to them.

Commissioner Kiefer: Cut it and then they'll come back and ask for more if they need it, I guess.

Commissioner Melcher: No, I say we could cut that one.

Commissioner Kiefer: Yeah.

Joe Harrison, Jr.: If they've only expended \$80,000 roughly in half the year, you know, maybe it could be cut at least five percent.

Commissioner Kiefer: Yeah, it looks like we could probably cut, you know, like you said—

Commissioner Melcher: The one thing I would like us to do, and I think I've spoke with you and Marsha both about, is on Travel. We used to do the Travel for everybody and, for some reason, we gave it away, back to the County Council. I requested at that time that we at least keep our own as the administration. So, what I'm asking again then is that we need to maybe put \$3,000 in it, which is \$1,000 for each of us, and then we'll just put that in there. That way if we have to go somewhere on travel, we can go, as long as the Commissioners approve it.

Commissioner Kiefer: Right.

Commissioner Melcher: Because it's here. We wouldn't have to try to catch—

Commissioner Kiefer: So, get a separate Travel line item for—

Commissioner Melcher: You know, for us and then the County Council they could continue to control everybody else's.

Commissioner Kiefer: Yeah, because then you can, like for road school, or—

Commissioner Melcher: Like if you wanted to go to road school, Joe, you could go. If I wanted to go, I can go. Sometimes, and road school is the mandatory one for Commissioners.

Commissioner Kiefer: Yeah.

Commissioner Melcher: So, that's something you're supposed to go to. Then there's a couple others. There's probably one, you could go to one ever month. I try to go to one a year.

Commissioner Kiefer: Yeah.

Commissioner Melcher: Maybe two, but it's really helped me, especially with networking with people. But, I think we need to put something in there for us that we control that we don't have to go and ask them. I just thought \$3,000 was a nice number.

Commissioner Kiefer: Yeah, it's zero. We've got the line item, it's just zeroed out.

Commissioner Melcher: I don't think that we even spend that. You know, we don't spend the \$3,000.

Commissioner Kiefer: Yeah.

Commissioner Melcher: I don't think we've ever spent the \$3,000.

Commissioner Kiefer: What about, what is Communications? What's that? I mean, that's another big number.

Joe Harrison, Jr.: Is that Matt Arvay?

Marissa Nichoalds: No, that pays for the telephones. The Commissioners budget pays for all of the telephones in the building. You know, AT&T, the long distance—

Commissioner Kiefer: Sure.

Marissa Nichoalds: — it was changed from Telephone, it used to be called Telephone, and we had a separate line item for Televised Meetings (tape change) some of the line items. They changed the name from Telephone to Communications and put the Televised Meetings budget in the Communications line item. So now it pays for telephone bills as well as televised meetings.

Joe Gries: Some of that gets billed back to different departments as well and so the Commissioners pay up front and then we bill that back to the different departments and then that money goes back into the General Fund.

Commissioner Melcher: Goes back in the General Fund?

Joe Gries: Yes.

Commissioner Melcher: As what when it goes back to the General Fund?

Joe Gries: It's miscellaneous revenue.

Commissioner Melcher: Miscellaneous revenue, so it don't go back into ours?

Joe Gries: No.

Commissioner Melcher: I just wanted to make that on the record.

Joe Gries: Sure.

Commissioner Melcher: I knew that.

Commissioner Kiefer: Well, I just, you know, it just seemed like, going through here, there was a few things that we could obviously cut and then, you know, obviously, we want a couple of people showing up to explain what they're doing. I think Animal Control would be one where, I mean, that's a quarter of a million dollar budget. I mean, we ought to hear from those folks. You know, postage and freight is 400,000, but that's, again, --

Marissa Nichoalds: We spend it all.

Commissioner Kiefer: Yeah, we spend it all.

Marissa Nichoalds: Because we pay the court's certified mailing --

Commissioner Kiefer: Right, yeah, you've got to do that. I understand that.

Commissioner Melcher: Well, at the rate we're going, we're not going to have enough there.

Commissioner Kiefer: No.

Commissioner Melcher: We're already going to be in the hole.

Commissioner Kiefer: We may have to get into the postal delivery service. Okay, well, why don't we take a five minute break or something.

Commissioner Melcher: Well, we might as well say to 3:30 because the next one --

Commissioner Kiefer: We'll just reconvene back at 3:30.

Commissioner Melcher: If we do this again, we'll ask them to come in 15 minutes ahead. That way if we are ahead, we just keep this flowing.

(Meeting recessed at 3:20 p.m.)

(Meeting reconvened at 3:30 p.m.)

<b>County Highway</b>
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President Abell: Okay, we're going to go back on the record and resume our budget hearings. We have Mr. Mike Duckworth with the County Garage here. Mike, what we're looking for is a five percent decrease in your budget.

Mike Duckworth: Well, I understand. And I was in the meeting yesterday and got that message loud and clear and I would tell you that in a very high majority of our funds, I think we would be able to do that, if not maybe a little more. That's the target. But there are a few situations that I want to point out to you because I need some guidance. First of all, let me just say that there are several funds, excuse me a sec. There are several funds that we operate off of; Local Roads & Streets, Cumulative Bridge, and Highway. Our revenues are controlled by what we get in return on those, and I know Joe can explain that better than I can, but it has continually dwindled over the years, and so I understand that as well. As I said in the onslaught, there's a few accounts that I want to bring to your attention and I will target every other account to do a minimum of five percent reduction. But, for instance, fuel, the cost of fuel is going up and I don't know, we've gone to a four day work week. We have crews riding together, and we have cut significant over the last three of four years in our fuel usage, but with the price going up, it's enabled us to maintain what we spend. So taking five percent out of the fuel account may be a challenge. Same with utilities, utilities somewhat follow the weather. When we have a harsh winter, utilities tend to go up. If we have a light winter like we did last year, we may be able to maintain or to save. So with those things in mind, those are really the only accounts that I am a little worried about cutting five percent from. Now, let me go into more specifics about some particular situations. First of all, you understand that in our materials account, it has now been combined to include bituminous materials, lumber, calcium chloride, which is salt, and I guess paint. And in the Highway fund, that's 2010-2000, unless you are using the new numbers. But I'll refer to those because those are what I have available. 1169-0000-200000 is the new number, I believe, and that's Local Roads & Streets, and the County Highway is 2010-2000 and so anyway, in regards to that materials account, I want to talk just a second about salt and just give you an update on how we did last year, what my recommendation is for us to do this year and how we go from here. First of all, in a very mild winter with about an inch of snow last year, you wouldn't anticipate that we would use a lot of salt, which we used a lot less, but we did not use zero salt because there are other kinds of conditions that cause you to put salt out, you get low-lying fog, you get shady places that freeze up, you get accidents that takes place and the Sheriff's Department calls you out to spread salt, and so we did use some salt last year. And the figures I want to go over with you have to do with a state agreement with the State of Indiana and their purchase of salt. We joined them to keep the cost per ton down. They pay \$64.25 per ton, which is as good as you can get it. And if we do not agree to the parameters of their contract, we can't participate. Last year in consultation with the County Council and my recommendations, the number that we chose was 3,000 tons. The agreement in the contract says you can take 80% or it's plus or minus 20%. So you either take 80% of that or we can take 120%, depending upon the type of winter that you have. Of course, with last year, we chose 80%, which was the minimum that we could buy. So we have approximately 1,200 ton on hand right now. The State of Indiana has not delivered 781.22 tons, that is what is remaining from last year's purchase, so that gives us a –

Commissioner Melcher: Is that on top of the 12?

Mike Duckworth: Yes.

Commissioner Melcher: They owe us salt yet.

Mike Duckworth: They do. We've not paid for it. We don't pay for it until it's delivered, but we have the money set aside in our account to pay for that. So that would give us approximately 1,981 ton. Okay, the way this year's salt contract is, is you can start at the 80% mark, which for us was 2,400, and now you have to order 70% of the minimum 80%. Which means, that our 80% would be the minimum that we would have to purchase is 1,680 ton. So that puts us at about 3,500 - 3,600 ton, which is about right for what we would need for a normal winter. If we need more, we have the ability to buy more because we're only at 70%. We can go up to basically, you know, 120%. So my recommendation is that we enter into that agreement for the 70% of the 80%, I know this is confusing, which equates to about \$107,000. Okay, and we have the flexibility to go up to 120%, which is 2,500 ton. So I don't think we'll need that, but anyway, that will show us a savings. When you enter the beet juice purchased into it, from this year to last year, of about \$45,000. We will be spending \$45,000 less.

President Abell: For salt?

Mike Duckworth: For salt.

President Abell: What's your total budget?

Mike Duckworth: Well, Joe, I'm going to have to have you help me here.

President Abell: What's his total budget minus salaries?

Joe Gries: You have to keep in mind, there are different funds that the money is coming out of.

President Abell: Yeah, that's right.

Joe Gries: The Highway fund has a total budget of \$3,975,024, where salaries of that is \$3,259,924. Now the Local Roads & Streets fund, which I believe, Mike, you have a line item in there to spend on materials as well, is that right?

Mike Duckworth: Local Roads & Streets, let me find it here.

Joe Gries: There's a materials line in Local Roads & Streets and garage and motor, to the tune of \$1,050,000, which a lot of probably what you're talking about would come out of there as well.

Mike Duckworth: \$940,000, but that includes bituminous.

Joe Gries: Sure.

Mike Duckworth: Yeah. And what we did last year was – and I'm sorry to be so confusing on this, but we had a million one in materials. And when Mayor Winnecke was the president of the Commission, we had a meeting and the decision was made after all the storm stuff that we went through, the wind storms and all that, that caused all the debris, and then the flooding and we had state of emergencies. The decision was made to pull \$280,000 out of that 1.1 million. Am I close here? And \$140,000 was set aside for an emergency in case we had another emergency, we were so close on our budget that we wanted to put that aside in case we got hit with

something else. The other 140,000 was put aside for salt. Is that right? Jump in if I am mis-speaking.

Joe Gries: No, I agree with that.

Mike Duckworth: I think I'm right. That \$140,000 helped us pay for what we currently have and what we still are to get. That's the money that we're holding back. I think there was about a \$90,000 different in there, we thought we could encumber over, and it was taken to put into some fund because of some specific need that the county had. Is that right?

Joe Gries: That's correct.

Mike Duckworth: So that year, we did approximately nine miles of paving as opposed to maybe twelve or so miles the previous year because we depleted part of the bituminous account because of the financial situation, okay. This year, once again, we're at a million and we've not had such a tough winter, so we haven't had to use as much, but there was only \$70,000 allocated in one calcium chloride account, and that was 2580 out of the County Highway fund. Is that right? It's extremely confusing, I know, but it's how it's thrown at us is the problem. And we've had –

Joe Gries: There isn't a calcium chloride line anymore. It's all materials.

Mike Duckworth: It's all materials, but the way we had separated it was there was \$70,000 that we allocated in that account. The total in that account was \$146,000.

Joe Gries: That's correct.

Mike Duckworth: So we designated \$70,000 for calcium chloride to take us from what was originally figured at 2,000 ton, to get the additional 1,000 ton, remember, Joe, when I came in and said there is \$70,000 that we've set aside and I had missed that. I truly think we ought to go to 3,000 ton because our average is somewhere between 3,500 and 4,000 ton that we would use in a normal winter that, where we get anywhere from 10 to 14 inches of snow. So with all that in mind, I guess the bottom line on my presentation in regards to salt is, that we will use somewhere, or I should say calcium chloride, we will use somewhere in the area of \$45,000 less in materials in calcium chloride materials as we did last year. That will get us back to probably the ten mile, nine to ten mile range in bituminous as the other part of that material in the event that the Council can allot one or one point one million that they normally do. Is that an accurate statement, you think? If they, in the last three or four years, they've allocated about one point one for bituminous for paving and now that encompassed with the other \$146,000 that is from the Highway fund, which gives us 1.146 million for the total bituminous expenditures.

Joe Gries: Well, if you're talking about this year's budget –

President Abell: Lost me.

Commissioner Melcher: Lost me, too.

Mike Duckworth: I'm sorry.

President Abell: I'm listening, but you've lost me.



Joe Gries: This year's budget, there is –

Commissioner Melcher: I know what he's saying.

Joe Gries: – \$940,000 that the Council approved in Local Roads & Streets for materials.

Mike Duckworth: That's one account.

Joe Gries: That's one line item in the Roads & Streets fund.

Mike Duckworth: Okay.

Joe Gries: And the you have the Highway fund where another materials line item is, and there is \$146,000 in that. So yeah, you add those two up, you're at \$1,086 million, almost 1.1.

Mike Duckworth: Right.

Joe Gries: So I would agree with you there.

Commissioner Melcher: So you add those together?

Mike Duckworth: Yeah, because we use them together, but we pay out of different funds, yeah.

Joe Gries: The funding for those funds comes from similar places.

Mike Duckworth: Right.

Commissioner Melcher: So materials is everything including –

Mike Duckworth: Materials includes bituminous, lumber, calcium chloride and paint. Of course, we use \$250 for paint in a year. So I guess my point being that our needs would be about \$45,000 less this year than last year for salt and calcium chloride, which is the beet juice.

Commissioner Melcher: So it's just one 45,000?

Mike Duckworth: Yes.

Commissioner Melcher: It was almost like you said it twice, one for salt and one for calcium. I mean, that's what I thought you said.

Mike Duckworth: We buy our beet juice out of the calcium chloride account, and the combined usage is going to save, what we have on store and what we're going to project that we spend this year, the combined amounts, we will spend – projected, we will save \$45,000.

Commissioner Melcher: This year or next year?

Mike Duckworth: That's for the 2012 - 2013 snow season. Next year's budget.

President Abell: Yeah, next year's budget because you've still got some coming by the end of December.

Mike Duckworth: Yes, we've got 781 ton that they are holding for us to go with our 1,200, which gives us 1,900. And if we meet the requirements of the contract, that will add another, if we have to do the minimum, that will add another 1,680 to that, which is roughly 3,600 - 3,700 ton. So that would give us ample amount to make it through a normal snow season and, again, totally save \$45,000.

Commissioner Melcher: So the bottom line is, we're saving 45?

Mike Duckworth: Yeah, I can, in my budget, I can reduce that request by 45,000. There are a couple other smaller accounts. I mean, if you have any questions about the salt, I will try to answer them. I know it's been confusing, but –

President Abell: Yeah, I have a question. If you weren't paying, if you were not considering any salaries, would you think that out of all of your accounts, your materials and stuff, your budget would be around \$900,000...or less?

Mike Duckworth: Truthfully, I haven't broken that down. And that's what I need to do. I need to – what I'm going to prepare for you to see, and I asked my bookkeeper to do this, is I'm going to go line item by line item over the last three years and try to determine an average. Give you an example, garage & motor accounts, there have been years when we get allocated in certain accounts \$40,000. At the end of the year there's been years we've spent 30 – 32,000. Well, there's an \$8,000 savings right there. There have been years that we've had to ask for a transfer to come into that, all pertaining to how things break down, how we need to replace –

President Abell: But I'm not talking about expenditure, I'm talking about the budget. If you budget – if you were presenting your 2013 budget for items right now, and I know that you have the County Highway Garage, you also have Roads & Streets, but if I added all of those together and took out all of the salaries, would I be at about \$900,000, or is that way off?

Mike Duckworth: That's way off because –

President Abell: By too much, too little?

Mike Duckworth: The materials is a million.

Commissioner Melcher: Materials are one point one million or something.

President Abell: The reason I'm saying that is because five percent of \$900,000 is \$45,000.

Mike Duckworth: Yeah, but that's one account, see. That's the \$900,000 that's materials, --

President Abell: No, no, \$45,000 is how much you have said that you can save. They're wanting us to save, every department to save five percent. And I'm just trying to figure out how much you have to save to be five percent.

Commissioner Melcher: How to get you there.

President Abell: I'm trying to get you to the five percent.

Mike Duckworth: I understand that completely. That's why I say, I have to sit back and do the comparison of what we've spent in each of those accounts over the years, over the last three years, and try to come up with some kind of an average so I can project a guesstimate on what we will need by squeezing it, of course, to meet that five percent benchmark. And that's what I'll try to do. I just haven't – I didn't hear that until yesterday, so I haven't had time to put all that together.

President Abell: Well, aside from salaries, you've got the first \$900,000 covered if you're going to save \$45,000 on your salt. The rest of that, five, you've got to find the rest of the five percent on anything over \$900,000.

Mike Duckworth: Well, and as I said –

President Abell: Is that right, Mr. Auditor?

Joe Gries: I would agree with that.

Mike Duckworth: As I said at the onslaught, there are going to be some that we'll be able to save a little more maybe than five percent, there are three or four, that we probably won't because of increased costs like in fuel or utilities, you know –

President Abell: Well, that's why the Council has said, they're not going to slash your gasoline budget or slash your materials, they want five percent off the bottom line and they don't care where it comes from, as long as it doesn't come out of salaries because that's up to them. So that's what I am trying – that's where I'm trying to guide you is to, you know, so you've covered five percent of the first \$900,000, so if you add it all up and you're whole budget is \$1.4 million, well, you've only got \$500,000 you've got to take another five percent out of, which is \$25,000.

Mike Duckworth: But let me just give you one example. Equipment lease and rental, they allocate \$12,000 a year. There have been numerous years I have used maybe \$1,000 out of that. Okay? So I could cut that substantially. Okay. Now, there's – and with the understanding that if I have three big trucks go down, I may have to lease something for a while, I may have to come back or for a transfer to move things around.

President Abell: Well, and I think any department has that problem, that they may have to come back. Public Defender, for instance, you know, he slashed his budget but he knows if he ends up with two big murder cases this year, his budget is going to change.

Mike Duckworth: Sure.

President Abell: We understand you may have to come back. We're talking about for budgetary purposes, the Council puts together a budget for 2013, they want to see your budget five percent less than it was last year.

Mike Duckworth: I don't think that's going to be a problem. I think there are going to be substantial cuts in many line items and some will stay flat lined as what they were this year because we could barely get by. But overall, I don't think there will

be a problem cutting five percent. But I do want to, since I have this time, point out a couple of the problems.

President Abell: Okay.

Mike Duckworth: Where I see that there is going to maybe be a need to increase and I want to be up front with you about it and tell you why.

President Abell: Okay.

Mike Duckworth: The first one is under the Highway fund, it is contractual services. We are allocated \$1,500 a year and as you see in the handout I gave you, the only bill that we pay out of that is our \$144 a month as we can, Sonitrol, which comes to a total of \$1,728 or Xerox contractual services is \$260 a month, which is \$3,120, but we currently, what we can't pay out of contractual services, we've paid out of garage & motor because these items contribute to the use of the garage and those kinds of things. So that is underbudgeted for contractual services. And so we may ask for an increase there. Occu-med, we get \$500 a year, is used to be that our DOT drug screens, we would send the invoices here and they were paid out of the general fund. Sandie indicates to us that they can't do that anymore. We're required to do those things and it looks like we're going to need another thousand dollars in that line item. And then there are two situations that are more in the line of requests to the Commissioners as much as anything. Right now, we have 781 ton of salt that we can't – we don't have enough room to put it in. We have a salt barn that is probably reaching an age of 25 to 30 years that needs a new roof. The roof is about to cave in on it, so we're going to have to fix the roof, which our employees can do the labor, we just need the materials, and then the best case scenario would be that we would build an addition to that salt storage barn and my request is for you to consider looking at approximately \$30,000 out of CCD if possible, if not this year, then possibly next year or the year after. I mean, I'm not pushing, we'll make it work, but I would much rather have enough salt on hand in the event that we have a string of these rather than being dependent upon the delivery of barges down the river and trucks coming from Mt. Vernon to get here to deliver what we need and it's just better to have it on site. The city currently has I think three locations and they can hold up to 6,000 ton. I can only hold 1,500, I have twice the miles that they have to cover. The last thing is that we have a piece of equipment, it's a gradall, to give you just a brief explanation, gradalls are our digging, debris clearing pieces of equipment. We currently have three. One is a 2005 model, that's fine. One is a 1997 model that has done pretty well. We've had minor problems with it. The third is a 2000 model that we've had nothing but problems with. Since 2008 you'll see that we have put out of our other accounts, a total of \$53,000 in to keep it running. We're throwing good money at a bad piece of equipment, but we have to have three of those to maintain the amount of work orders that we receive for ditching in the county for storm removal of debris and those kinds of things. And my recommendation, I've met with the only local distributor, they will take a few of our older pieces of equipment as a trade-in. The cost of a new piece of equipment – I'll give you these two things right here to look at – is \$273,000. The one we're looking at has 300 hours, it's been used 300 hours and they're wanting 240,000. With our trade-in allowance, they would knock that down to 160. That would mean that over a five-year lease to own purchase, we would need a little over \$34,000 a year. And I know that sounds like a lot and it's a long-term agreement, but I will remind you that all three pieces of this equipment were very vital in the removal and the workings of the FEMA events that we've had and we've received in excess, I think, over two FEMA

episodes, in excess of \$500,000 back. And I just don't think it's prudent to continue to put money into a piece of equipment that as soon as we get it back and we get it out for a couple of days, something else seems to go wrong with it.

President Abell: How much would they sell it to us if we walked in with our checkbook? Not lease to own, not five years, anything, just flat out, we'll buy it?

Mike Duckworth: I can't speak for them, but I'd say \$200,000, probably.

President Abell: I thought they'd sell it for 160.

Mike Duckworth: Well, that's with our trade-in.

Commissioner Melcher: We could still trade-in.

President Abell: Oh, I'm still talking about trading in. I'm talking about trade-in and walk in there with a checkbook open.

Joe Harrison: It would be less than 160.

Mike Duckworth: Oh, yeah, yeah. Because I think there's actually two to three percent interest included in that 34,000.

President Abell: I think there probably – if I take 160 and divide it by five years, I get 32,000, so it looks like to me they're charging us another 2,900 almost \$3,000 a year, you take that over five years, that's \$15,000. That's some pretty real money, I would think there probably aren't a whole group of people standing out there at the opening day of that shop to buy one of these, so we might be in the drivers seat if we walk out there with a checkbook in hand.

Mike Duckworth: I agree. I was trying to make it as palatable as I could.

President Abell: It's more palatable to me to buy something.

Mike Duckworth: I don't know what the financial situation –

President Abell: Well, I don't know about my other two Commissioners, I just don't like paying interest to anybody for anything. I just want to buy it, if it's something we need. Now if it's not something we need, I don't want to buy it at any cost, but if it's something we absolutely need and we have to have...

Mike Duckworth: I would just say to you, of all the equipment we have out there, and the last time I did an inventory, it was well over a \$2,000,000 inventory, I can tell you, those three pieces of equipment are vital in our operation.

President Abell: I think the Commissioners would like to see you tell us what they'd do with a checkbook in hand.

Mike Duckworth: That's not a problem. I'd be glad to – and I want to tell you that I've turned them a little bit, too, because I don't appreciate the fact that we've got a piece of equipment that we continually send out there, that is not right for us. We've had problems ever since, and I've met with actually the national gradall people, and told them that we're not happy. I have looked on the internet, I have looked around

Indiana, I've looked other places and, frankly, we need to buy locally for a couple of reasons. Number one, of course, they contribute to our local tax base, but number two, if something does go wrong, we have to have access to the local folks for warranty information, and everything else.

President Abell: Well, tell them this is their opportunity to make us happy.

Mike Duckworth: Darn right.

President Abell: We don't smile very often, so they might want to take advantage of this opportunity.

Mike Duckworth: The last thing that I will say to you, and there's not anything in writing, but I would hope that you would at least listen to me on this. And I know that there is some discussion in regards to salaries. And I'm not here for myself, although I think if you would look at the lines of people that supervise folks in this operation, that there are people paid more than I'm getting paid to supervise no one, and I've got fifty employees that I'm responsible for. But I'm more here today to get you to think about county foremen. Our county foremen make a decent salary and they're not complaining. But here's the problem: the problem is, you've got people working for them under contract, that get \$1,000 a year clothing allowance, they get their PERF paid, they get their uniforms provided, they get the opportunity to make extra money on overtime, and our supervisors do not. And I really think in the order of fairness, I would just ask for you to look at and consider the possibility of establishing an overtime account for them or looking at taking care of their PERF or something that would level the playing field, so to speak. Now, I understand the situation we're in, but I've got one supervisor that's got well over 300 hours in comp time he'll never be able to use. We understand that –

President Abell: Are these the three road foremen, is that what these are called?

Mike Duckworth: There's four, yes.

President Abell: Four?

Mike Duckworth: Yes.

President Abell: I only have three on –

Mike Duckworth: One is in Bridge. One is paid out of Bridge.

President Abell: Oh, the Cum Bridge, okay.

Mike Duckworth: So I just wanted to point that out to you. It's – and maybe it should go through Job Study, maybe it's something that they ought to look at. But there are some inequities there, and I'd like for you just to think about that, please.

President Abell: And it may have to go through Job Study. We will think about it.

Commissioner Melcher: I would be in favor of it going before Job Study.

President Abell: Yeah, it may have to go before Job Study.

Mike Duckworth: That's fine, I don't have any problem at all submitting it to them and just getting some consideration from the Council to look at what else –

Commissioner Melcher: Well, if it don't go through Job Study, then everybody is going to be arguing back and forth, why. If it goes through the Job Study, and you've got some –

Mike Duckworth: A recommendation.

Commissioner Melcher: – thing to talk about.

Mike Duckworth: Right, exactly. So, salt barn, gradall, --

Commissioner Melcher: We haven't done anything about the salt barn.

Mike Duckworth: Again, I don't know what – and I talked to President Abell and –

Commissioner Melcher: You're requesting \$30,000. You're saying –

Mike Duckworth: Saying for \$30,000 we can repair the roof of the existing and add an addition that will hold at least 1,200 extra ton a year.

Commissioner Melcher: So this, I'm confused, this is not a new salt barn then? This is repairing the one you've got and adding to it?

Mike Duckworth: And adding to it, yes.

Commissioner Melcher: So this is not a new one, because I thought you and I talked about a new one.

Mike Duckworth: Well, we talked about moving it off site, but I think that might be more than we can afford.

Commissioner Melcher: I still think off site somewhere would save us a lot of money in gas and time and everything, but I'm okay with this.

President Abell: Where off site? Do you mean like up north, around North High School?

Commissioner Melcher: Well, somewhere.

Mike Duckworth: Actually, I had spoke to the school corp people, I think they would be receptive to providing the property for us up there near the new school.

Commissioner Melcher: And that saves them from coming all the way back in and –

President Abell: That's a good idea.

Mike Duckworth: That's exactly right. And that was our initial thought, but again, I've come into this just like with the gradall, trying to spread things out and minimize because I don't know what our situation is.

President Abell: Well, why don't you find out – I'm with Steve on this and I don't know where Mr. Kiefer is, but why don't you find out if the school corporation would be agreeable. We don't want to buy any land or lease any land or dance any jigs, we just want to put our salt barn out there.

Joe Harrison: Get a license to squat.

Mike Duckworth: Okay.

President Abell: Do that and we'll talk to you about the salt barn.

Mike Duckworth: Okay.

Commissioner Melcher: And then you still need to fix the one you've got.

Mike Duckworth: Yes. We anticipate, well, I put those together. That \$30,000 –

President Abell: Will cover both.

Mike Duckworth: Will cover both.

Joe Harrison: How much would it be just to fix?

Mike Duckworth: Well, --

President Abell: He needs both, he needs a new one and –

Joe Harrison: I understand.

Mike Duckworth: To fix the one, we're estimating between 5 and \$6,000.

President Abell: Okay.

Mike Duckworth: And about 24 to 25 for the addition or the stand alone, 1,000 to 1,200 capacity additional barn.

Commissioner Melcher: So if we could put one at north, let's just say, we don't need to expand this.

Mike Duckworth: No, we need to fix the roof on it. But we don't have to expand it, that's right.

Commissioner Melcher: I think we need to fix the roof anyway. I don't think that's –

President Abell: No, water on salt doesn't work well.

Commissioner Melcher: That's what I'm trying to say. We need to approve the roof anyway.

Mike Duckworth: Well, I, to be very honest with you, I was waiting until the end of the year because I don't expend a lot this year in garage & motor, I might have enough money to do the roof out of those existing funds. So I would need less, maybe 25.



Commissioner Melcher: But the longer it goes on, the worse it's going to get and it's going to cost more.

Mike Duckworth: Yeah.

Commissioner Melcher: You got salt in there now?

Mike Duckworth: Yes, I have – she just said it.

Commissioner Melcher: Okay, so what are you going to do, put a blue tarp over it?

Mike Duckworth: It's not to that point, but it's close.

Commissioner Kiefer: Mike, have you explored – I know like Anchor Industries has an Ag Division, --

Mike Duckworth: It's exactly where I got my estimate.

Commissioner Kiefer: Okay.

Mike Duckworth: It's a subsidiary company called – I've got it right here – but they're owned by Anchor.

Commissioner Kiefer: Yeah, I've seen those, I've seen –

Mike Duckworth: Calhoun Superstructure.

Commissioner Kiefer: Yeah, I've seen those before.

Mike Duckworth: Quick cover buildings. That's exactly what it is.

Commissioner Kiefer: Okay, thanks.

Mike Duckworth: And it's, again, a local company and –

Commissioner Kiefer: Less expensive to go that route.

President Abell: Well, get some of this information back to us. We're willing to work with you.

Mike Duckworth: I appreciate that and I would tell you, we get pulled on from a lot of different areas. Today we're putting a \$12,000 culvert in Darmstadt because –

President Abell: Our contract says we have to.

Mike Duckworth: Our contract says we have to. So we do all we can and its been a –

President Abell: We need to start looking at our contracts closer.

Mike Duckworth: Yeah, that's right. I'd be glad to have you all come out and look at what I'm talking about, show you around. In fact, Pete Swaim just came out earlier, he's my liaison with the Council and he's supportive of the gradall and the salt barn.

But again, I don't know what you all can do and what we'd need to ask them to do, or whatever the case may be.

Commissioner Melcher: Well, I think we gave you some guidance now.

President Abell: Yeah, I do, too. And we want to take the pressure off the Council.

Commissioner Melcher: Okay. I'd like to get the salt barn fixed and I'd like to find out about the school corporation and what piece of property – what we could put on it for how much. Because if we get that salt from the state, you could just drop it off there.

Mike Duckworth: We get it from – they send it down the river and they would actually –

Commissioner Melcher: I thought you said the state owes us –

Mike Duckworth: Well, it's a state contract, but it's brought down the river and Mulzer holds it for the state and then they distribute it to all the different counties from Mulzer's.

Commissioner Melcher: Alright.

President Abell: Well, it's no good wet, I'll tell you that.

Mike Duckworth: That's right. Thank you all.

President Abell: Okay, we're running a little behind.

Commissioner Melcher: Yeah, you went over, Mike.

President Abell: Yeah, Mike, you went over. But we were late getting you in, you had to come get us out of –

Mike Duckworth: (Inaudible – comments not made from the microphone)

<b>Burdette Park</b>
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President Abell: Burdette Park. Hello, Steve.

Steve Craig: Good afternoon, Marsha, Steve and Joe, and Joe, and Madelyn and Joe.

President Abell: Well, you were there yesterday, so you heard the County Council and you know that –

Commissioner Melcher: So we thought you would tell us where you're cutting.

President Abell: Where are you cutting your five percent?

Steve Craig: Hmm. I have several places I think I can cut small parts and that, but the one thing that I can cut is I think our overtime for our full-time employees. We'll

probably need to take a look at the day camp and what direction we want to go with it because Joyce's job, actually, the name of the job was Bookkeeper/Day Camp Director. And she put a lot of hours in on the day camp probably from November and through the start of it. And I know that she got a lot of overtime hours once the day camp started. She was up there early in the morning and she stayed until the last child left in the evening and right away, there's some cut there. Last year, I actually had turned in \$53,000 at the end of the year from my part-time account and that would be another savings that we had. As far as – I'm having troubles with the stuff like the gas and the materials and that, I don't even know if, you know, it depends upon the weather, that I'd be able to cut any of that just because I don't know what the gasoline is, I don't know what our utilities are. You know, it's a two-headed monster, the busier you get, the more I spend because I actually have to clean the buildings and pay the materials and that. But I'm pretty confident that I can take \$30,000 off of it with no problems, but that would both come from the part-time account and the overtime. I know that we can't get into clothing allowances and that because that's mandated by the union. There's –

President Abell: Steve, what does it cost to go swimming at Burdette?

Steve Craig: It's \$7.00 an adult, and it's \$5.00 for children, and I think its been that way for, as far as we could tell, about eight to nine years.

President Abell: Is that for all adults, all children?

Steve Craig: Yes, ma'am.

President Abell: So if I'm an adult from Warrick County, Posey County or Henderson, I pay the same thing as an adult from Vanderburgh County?

Steve Craig: Yes, ma'am.

President Abell: Well, I think there's one place we can pick up five percent. I don't know how my two fellow Commissioners feel, but I strongly feel that Burdette Park is supported by taxpayer dollars of Vanderburgh County, not supported by taxpayer dollars from anywhere else. Only Vanderburgh County. So the Vanderburgh County residents are already paying for Burdette Park. I don't think that they should be paying the same thing as everybody else that goes out there. I'm not suggesting that you lower your fees to go to Burdette, I'm suggesting that if they can't produce a valid drivers license, ID or something to prove that they live in Vanderburgh County, that they have to pay a higher fee.

Steve Craig: Well, that was one of my notes was about – well, it wasn't doing it in that sense, because, you know, I agree on that to the point of even some of the building rentals.

President Abell: Oh, I mean everything that's tax supported. Let me have Mr. Melcher and Mr. Kiefer chime in and see what they think about this.

Commissioner Kiefer: I got side tracked for a minute talking to legal counsel here.

President Abell: I noticed. I'm kidding. I'm just suggesting that because Burdette Park is funded by taxpayer dollars in Vanderburgh County, that if people outside of Vanderburgh County want to swim at Burdette Park or use facilities of Burdette Park,

that they should have to pay a different fee schedule than people who live in Vanderburgh County who are already paying for Burdette Park through their property taxes.

Commissioner Kiefer: I agree with that, I don't think there's any reason why we shouldn't have – unless you think it's going to hurt revenues. I mean, we don't want to reduce revenues.

Steve Craig: That goes back to the two-headed sword, you know, where, if you're paying more there, I don't think it would affect the rentals. And, you know, we raised the rentals three percent across the board for 2013 and so there's going to be, I mean, I don't know if you can consider that cutting my budget, but you know, we are going to raise the income, I hope that it would lower our deficit. But I don't know if that counts as cutting our budget.

President Abell: Oh, that's counts as – yeah.

Steve Craig: Because we took in last year on our rental facilities alone, was \$334,000, so if you take that times three percent and was that \$10,000 or 10,000 plus dollars, and...

Commissioner Melcher: So what are you suggesting, adding a surcharge to people?

Steve Craig: When Marsha said, I know we've already got three percent across the board, --

Commissioner Melcher: So how much more can you raise it and still be competitive for out of county?

Steve Craig: I don't know, another two percent.

President Abell: What does it cost to swim other places? I don't swim, so I don't –

Steve Craig: Well, that's the problem. When the city opened their new pools and that, I think it's a dollar and I don't know what they did that for, they're not in it to make money, they're not in it to cover the cost. But I think it's a dollar and two dollars or something and I know that each – one of our pool offers a lot more than each one of their pools do individually. But I didn't understand what they did when they opened them up either, you know, they're –

President Abell: Marissa, could you check on that for me? Maybe call Denise right now, or something. I'd like to know, while he's here, what's – or do you know that it's a dollar?

Steve Craig: I think it's a dollar and two dollars. I'm not positive.

President Abell: A dollar for children and two dollars for adults?

Steve Craig: I think so. I know one thing, after –

President Abell: Hartke Pool would be a good one to compare –

Steve Craig: Is it three?

Commissioner Kiefer: I'll look it up right now on my –

Madelyn Grayson: Hartke was four –

Joe Harrison: Don't they charge more for out of county?

Madelyn Grayson: I think you get a discount if you're a Vanderburgh County resident.

President Abell: Then that's how we do it. We say that it's \$9 to swim, but you get a \$2 discount if you're a Vanderburgh County resident, and that's how we'd do it. I mean, we wouldn't say, we're charging you more, we're just going to charge Vanderburgh County less.

Commissioner Kiefer: But would it cost extra to – and the people are going to have to bring ID's showing they're from Vanderburgh County. I could see –

President Abell: Well, they've got to drive out there some way.

Commissioner Kiefer: Well –

President Abell: Somebody has got to have a drivers license.

Commissioner Kiefer: So really, like if a parent is hauling in like five or six kids, --

President Abell: Well, you're going to assume that they –

Commissioner Kiefer: Yeah, the parent would show the –

President Abell: Yeah. I mean, we're not going to card them like you do for alcohol but –

Steve Craig: It's not going to be easy to do it at the aquatic center. I mean, it will not be easy just because of the amount of people getting in, trying as quickly as you can. Now, you know, if the one adult and they've got six little kids, or five little kids and we don't care if those kids are from New York, Kentucky –

President Abell: Well, that's what I'm saying, if I walk in out there and I say I need one adult pass and five children and here's my drivers license, I'm a Vanderburgh County resident, unless those kids are extraordinary children, they're not paying property taxes anyway at seven, eight years old. But I would be and so if I happen to be their grandmother and they live in Kansas, well then, I just pulled one over on you. But I don't think we're going to police it. But I don't want busloads of people from outside of Vanderburgh County coming in here and getting the same advantages as Vanderburgh County residents.

Steve Craig: And that happens. We have schools from Kentucky come in and bring buses. We have them from southern Illinois, we have buses of kids that come in and they're from different states.

President Abell: There comes a point which Vanderburgh County can no longer be the nanny for everybody all the way around us and I think we're there. So that's what I'm getting at and I'm not picking on you, I did the same thing with the Health

Department. I just think that services provided with taxpayer dollars should be at a lesser fee to Vanderburgh County taxpayers than they are to people who do not live in Vanderburgh County.

Steve Craig: And I agree with you. I always have thought that, but in the old days, I thought we should have got a discount, you know, like we would have kept the price.

President Abell: Well, that's what we'll do. We'll just do signs that say, you know, it doesn't have to be \$9. If it's \$7 now, let's just – maybe 8 and 6. But, and just give Vanderburgh County residents a dollar discount, but I –

Commissioner Melcher: I wouldn't go down. I would keep it, if it's 8, what is it now?

President Abell: It's 7.

Steve Craig: It's 5 and 7.

Commissioner Melcher: Okay, but seven would go up to 9, and say if you're Vanderburgh County, you get a \$2 discount, that way you're still getting the same income because you're probably going to lose some that hopefully the increase will make us higher.

Steve Craig: And after they opened the two new city pools, we actually had our two largest years ever at the park at the aquatic center. We set an all-time record in 2010 and 2011. If it wouldn't have rained the whole weekend for Labor Day, I would have beaten it again and set another record.

President Abell: Well, I think your whole fee schedule of everything you have out there should be resident and non-resident. And it doesn't have to be a big difference, you know, just a little difference will break up your five percent that we're trying to come up with.

Steve Craig: Well, I mean the rentals of the buildings and that stuff with just a three percent that we already initiated, you know, is going to be pushing us toward the five percent we need, just that. Our rentals have went up every year without actually raising the price for the last ten years.

Commissioner Melcher: Well, how do we do that on rentals then? We're going to take a discount from what we just did? Or do we want to raise it a little more and then take the discount?

Steve Craig: Well, 2013, we've actually already started taking reservations.

Commissioner Melcher: I understand, but you haven't got them all yet.

President Abell: Yeah, I see what he's saying.

Steve Craig: Yeah, but I was thinking about breaking it in the middle of the year. That's something we always break on the beginning of the year. We do take money in, in advance.

Joe Harrison: You could address it for 2014, but as far as the swimming, you could certainly do that whenever because you don't make reservations for swimming.

Steve Craig: We're looking at that for 2013, most definite, that we would raise the price for that.

President Abell: For?

Steve Craig: For swimming at the aquatic center.

President Abell: Yeah, and we're talking about the 2013 budget anyway. Yeah.

Joe Harrison: Just saying for '14, since he's already got reservations, it may not be fair to charge some one amount and –

President Abell: Yeah, we might want to look at the villas for 2014, and have a different fee schedule.

Steve Craig: And the lodge, it's 2015 already because we rent it two years in advance.

President Abell: Okay, you already have anybody signed up?

Steve Craig: The day that the two years come up, the phone rings.

President Abell: Well, and they've already signed a contract or –

Steve Craig: I would say probably 90 percent of them are Vanderburgh County –

President Abell: Anyway, probably.

Steve Craig: Cause they're weddings and they're company picnics and –

President Abell: Sure. Well, I think – okay.

Steve Craig: We will initiate that into the 2015 –

President Abell: I think when you appear before the County Council, if you explain to them, if you will have your fee schedule done, and you can hand it out to them at your, at your Council meeting and you base that increase, assuming that maybe even 10 to 20 percent of your people are not Vanderburgh County residents, and multiply that over, if you had 100,000 people there last year and 10 percent of that, that would be 10,000. That's \$10,000 if you just increased it \$1. I think if you'll multiply all that out and show it to the Council, they will understand that you're making up your 5 percent by increasing fees that should have been increased anyway. You haven't increased them in ages.

Steve Craig: Okay, also, I'm going to put it out there, James Raben brought it up the other day, if we want to continue our day camp. We have 77 kids in this session. Last year we had 110. It went up to 120 in some, but for all five sessions, we're up in the high 60's, low 70's right now. A lot of the people, you and I talked, Steve, about seeing what we did to go through it, but I'd say 8 out of 10 people come in and want to sign their kids up for the whole summer. So we put them in all five sessions,

which, like I said, all of them sessions are in the 70's now. When we originally opened the camp in 1989, we went up to 250 kids. And it was a very lucrative venture for us to have that many kids. And as we came down to last year, I think the average was like right around 110. It's about a break even situation if you count in the time that Joyce had put in with overtime and the time she put in during the year. I don't know where the word got out or what, but I mean, James brought it up in the meeting yesterday, I have people coming up to me constantly and saying I heard you're not having your day camp next year. You know, and I've not said that. But I think it was taken more for granted because the city is doing the grade school and one of the grade schools is West Terrace, which was right in our – you know, that was our meat and potatoes, that area out there because it fed our day camp. So if you added their kids to ours, we'd have about a normal session. Using the day camp, go back to using the Discovery Lodge, we turn all the heat and air off in the Discovery Lodge when we do not use it. Even in the winter.

President Abell: Where do you have day camp?

Steve Craig: At the Discovery Lodge.

President Abell: At the Discovery Lodge.

Steve Craig: And that's Monday through Friday.

President Abell: 8 to 5?

Steve Craig: Oh, I've got people getting there at 6, 6:30 until –

President Abell: So it's a babysitting service.

Steve Craig: Yes, ma'am.

President Abell: Are you knocking yourself out of being able to rent the Discovery Lodge for other purposes because you have the day camp in there?

Steve Craig: Oh, it has, yes. And as soon as it's done Friday night, I have to have a crew in there to come in and clean the building and get it ready for the people that's coming in either Friday night, Saturday or Sunday. I mean, last weekend, it was, the day camp was in there until Friday evening, then we cleaned it. We had a big wedding reception on Saturday. They came in the middle of the night and cleaned it again. We had a big picnic Sunday. They came in again in the middle of the night and cleaned it so that the day camp would be ready for Monday morning. That's a normal schedule and then we had a big picnic on the pavilion.

President Abell: I think day camp is just something we can't afford. I mean –

Commissioner Kiefer: Well, it has to pay for itself. I mean, its –

Steve Craig: Well, it's borderline right now and if you did some things and restricted some things and cut down stuff, you might be able to break even. But like I said, I've got a year end report and it's got it making a little bit of money, but it doesn't take out, I was getting back to the electric bill up there is 5 or \$6,000 a month in the summer.



President Abell: And do Vanderburgh County children pay the same thing as any other child?

Steve Craig: I would say they do. I don't know that we've got a lot of out of town kids for day camp, but we could have. But I think we miss some rentals. One thing that –

Commissioner Melcher: We talked about it earlier.

Commissioner Kiefer: Steve, that's just something you'll just have to decide and analyze between now and, you know, budget hearings. But I found on the website, Mesker, Evansville's Mesker Park Zoo, and the way they do it is they just set a price. So say, like you said the price now out at Burdette is 5 bucks, \$7?

Steve Craig: For children it's \$5 and \$7 for an adult at the aquatic center.

Commissioner Kiefer: What they do here is, they would just set it a dollar higher and then the way they've got it structured is if you're a Vanderburgh County resident, you get a dollar discount. So all the prices are up one dollar and then you get a discount if you present county I.D. I just found it on the zoo.

President Abell: Who is that?

Commissioner Kiefer: This is the zoo.

President Abell: That's what we need to do at Burdette. Let us ponder day camp for a while.

Commissioner Melcher: And I guess what I'd like to find out, you said we'd had this discussion, we were going to do it or not do it, and you said the school corporation was doing it.

Steve Craig: They're doing four satellites this year –

Commissioner Melcher: Can you get a handle, you need to get a handle on that and find out how good that went.

Steve Craig: They had, I was told 58 students so that's just somebody telling me, or 58 children at West Terrace. So that's why I said, they took what I would have considered a normal one at 120 or something, they got those people.

Commissioner Melcher: And did they have a fee?

Steve Craig: Yes, and their fee is cheaper than ours and it also furnishes a meal, which don't and it furnishes an afternoon snack, which we don't. You know, there's certain –

Commissioner Melcher: Well, that might be something, like Marsha said, we might have to look at.

President Abell: Why don't you put together, put together for us a, let us see what your profit and loss was on that last year, day camp.

Steve Craig: Like I said, last year it reflected some, that there was a profit, but –

President Abell: But you also indicated that there were some expenses that weren't included.

Steve Craig: Yeah, she didn't take the utilities out and she didn't take her overtime–

President Abell: Yeah, that's why I'd like for you to put one together that reflects all the profit and loss so we can see where we are.

Steve Craig: I will do that. Because I have in my mind and deducted stuff and that and I honestly think its break even at the best. Another thing that I'm considering right now, the three girls that are running it this year who has worked for Joyce forever, two of them, one of them has got a job in Missouri, and one of them has got a job in Kansas, because I was talking about if any of them would be willing to come back during the year because there's a lot of work prepping this, you don't walk into it, you know, it's not a turnkey operation.

President Abell: Right.

Steve Craig: And two of them is moving away and the third one said she's not working. So I will go into next year with the top four people that I had, gone.

President Abell: Yeah, and I really have a problem with having that Discovery Lodge tied up five days a week. You know, I can think of a lot – class reunions, different things that might want to use that, that are not being able to use it.

Steve Craig: One thing it has cost us a couple of years are national BMX races because they want to use it Friday, Saturday and Sunday and we have told them, you know, they can't get in it until. This year, I told them for next year, they could have the Friday and we will make a short session if we run a session, because not just to Burdette, we probably won't make that much directly in our pockets, but toward Evansville, I'd say, you know, you get 2 or 3,000 people come and spend 3 or 4 days in your city that would please the Better Business Bureau immensely. But we always have that thing where we can't use the day camp and the parking lots are a conflict.

President Abell: We might want this to be our last day camp. It may be to that point.

Steve Craig: Another –

President Abell: Yeah, that's why I'm kind of hurrying you along here because John Stoll is already here for his time.

Steve Craig: Okay, the other thing is, is leasing out the concessions, but we do make money off of that. But if you leased it out, then you're not doing anything, and they just give you the money and it's a lot less work.

President Abell: Well, that would actually be my idea of the way to run the day camp.

Steve Craig: Lease it out?

President Abell: Would be to find some babysitting service that wants to pay –

Steve Craig: But there's so many of them out there right now, I mean, there's one on every corner.

President Abell: That's why I'm not so sure, but we just need to get out of that business.

Steve Craig: A couple of quick things that I –

President Abell: Yeah, the cleaning of it is a big deal.

Steve Craig: Yeah –

President Abell: Wear and tear on the building is a big deal.

Steve Craig: Well, we clean, the building will be cleaned every day for like 75 days, we have to clean it.

President Abell: Well, I'd say the wear and tear on the building. I mean, you know, every time you use it, it wears it a little bit.

Steve Craig: And day camp is pretty tough on the –

President Abell: I bet it is pretty tough on it.

Steve Craig: We have a repair week when they leave. One thing that's going to be on the horizon that we dodged a bullet just because I ran into the guy, he's from New York, but the linings on our pool are ten years old, going to be eleven next year. We had one of them that broke loose and became very loose. And I called the guy up and told him, the installer, and I said you need to come down here and look at it and he said when do you want me to be here? Make a long story short, I met with him the next morning because he was working on Garvin Park and he came out and repaired our pool free. But he told me, he said if it holds, you got another year. The one pool has got several years but this pool, he said if it holds you've got one more year. If it don't, you need to replace the liner, \$270,000 is what it will cost to put a new liner in the one family pool.

President Abell: Yeah, they're expensive.

Steve Craig: So that will be coming out of the capital improvement. We need new lawn mowers. We have two Kubota front things that mow the whole park, they're ten years old, they're going to be eleven. They will still take a trade-in of \$6,000, and that would be \$31,000. This is for CCD money.

President Abell: Are you saying you need to do this in 2012 or in the summer of 2013?

Steve Craig: Next year.

President Abell: Okay.

Steve Craig: These are next year. And the liner could be 2014, if we can get this extra year. We have Bishea building remodel, it's not been touched for a long time and we could expand it and probably get more money out of it and rent it for more

wedding receptions. Emergency, the EMT's, and this kind of fit in with the day camp, we do not have a nurse this year because we couldn't get a nurse. You don't have to have one, we just always had one, but we don't pay enough to make them – to get one very easily. We were talking about getting a golf cart that is made up for EMT's. we have EMT's on staff at our pool at all times when the pool is open. And this will give them the ability of taking care of the whole park. Total cost made out for everything with the cart on it and the meds is \$5,000. I do have that money is this year's account if we could go ahead and do that because I don't have a nurse at the Lodge. And then there's the money for the retention lake. Last year we had \$120,000, but the Council had it reappropriated, so I don't know where you're at on that, how far we want to advance it. It needs to be money collected and work done as we go along, but I don't know where, it looks like it's going to be a few years before any improvements are made.

President Abell: You need to put all of those in writing to us.

Steve Craig: I've got them all in writing for you.

President Abell: Because I will not be able to remember all this.

Commissioner Melcher: It would be better for me if you emailed it.

Steve Craig: I'll email them and then I'll just put you a packet if you want, but I will email all this stuff.

President Abell: That would be great.

Steve Craig: I did have it all for you can see it the next time.

President Abell: Appreciate that.

Steve Craig: But Mike took so long, I'm having to rush –

President Abell: Well, and let's do pursue changing the fee schedule because I think you can show that to the Council and they'll view that as a way to offset your five percent.

Steve Craig: Thank you.

President Abell: Okay, thank you.

Steve Craig: Do we need to come to the meeting? The only thing that's on the agenda is to okay the free passes for Dave Rector's people.

President Abell: You do not need to come, but I will tell you that there will be some discussion on discontinuing those in the future. I'm going to bring that up.

Steve Craig: Well, if you want me here, I'll be here, but –

President Abell: If you want to stay.

Steve Craig: I would head back to the park, but I will stay if you want me to.

President Abell: Okay.

<b>County Engineer</b>
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President Abell: John Stoll.

Commissioner Melcher: You've got 20 minutes.

John Stoll: I'll try and use 10.

President Abell: If you only use 10, that gives us time to get a soft drink before the Commissioners meeting starts.

Commissioner Melcher: We've got one person we were dehydrating.

John Stoll: This is the same spreadsheet that I emailed to you earlier today. For all practical purposes, everything, all the salaries I've just plugged in with a zero increase for the time being. I left the supplies, the mileage, the cell phones, all that, with zero increase. The rent has zero increase. I took the legal services in Cum Bridge from \$4,000 to \$2,000 because our spending hasn't been matching up to needing \$2,000. All of our legal questions usually end up being Road & Street related so down at the bottom, I still have the legal services for Road & Street plugged in at \$6,000 to match the \$6,000 we have budgeted this year. Not to jump around everywhere, but on all the capital line items there in the 4000's, I dropped the equipment down to \$8,000. I plugged in \$500,000 again for Maryland Street Bridge. That bridge is not eligible for federal bridge money because it's within the urban area, so we get to pay 100 percent local funds on that. The cost estimates are in the neighborhood of \$2,000,000, so I've been trying to plug away about a half million a year in order to get enough money accumulated that we can actually do the project. Right now, obviously, with what we've got it looks like it's probably going to be 2014 before the project can go to construction.

President Abell: That bridge will be okay until 2014?

John Stoll: It had to get a weight limit posted on it last year, so I guess worst case, it will potentially have that weight limit reduced again if the inspections show that later this year. But there's just not enough revenues in there to go ahead and plug in a million dollars to get it knocked out this coming year.

Commissioner Melcher: We don't have all the trucks going down it like we used to.

John Stoll: We did post the signs in advance, too, in hopes of trying to keep trucks off.

Commissioner Melcher: When they did Fulton, they stopped the turning of trucks.

John Stoll: That's right, I forgot about that.

Commissioner Melcher: So when they did that, trucks can't even go that way anymore, they have to go up to Delaware.

John Stoll: I know Industrial Contractors went back to the city to get an okay to run their trucks through roads that weren't previously allowed for truck traffic. So they were in the process of trying to obey the posted weight limits. Whether or not everybody does or not remains to be seen, but we did get it posted and we did put some advance signs letting people know that Wabash Avenue and I forget what intersection east, to try and make sure that people would turn off if they had an over weight load. I'm working with Joe Gries, the revenues were estimated to be around \$1.8 million and then there was another \$700,000 give or take in encumbrance money, and I guess state reimbursements and all that. So we have about two and a half million total. So I tried to keep the grand total of the engineering side of this at about the same amounts that we had last year. I haven't had a chance to get with Mike Duckworth to get the grand total of where we're at for the Bridge fund as a whole. All the bridges listed in red down at the bottom are the proposed new projects for 2013. The Old Henderson Road Bridge is a replacement and the other three, other four are rehab projects. They've got beam replacements and new surfaces on them, things like that. We've tried to narrow it down enough to where these would have to be contract projects. We've gone through the bridge inventory and there are about ten other bridges that we'll have to work with Mike's crews in order to get them all done with in-house workforce because there's just not enough money to bid all of it out as contract projects. We felt that with the beam replacements and things like that and these five that the county crews just didn't have the equipment available to do that, so that's why those five are listed in there. Down in the Road & Street accounts, once again, I left the travel account basically the same, the traffic department the same, contractual services which funds our street repairs, I left that the same. Legal services, I left that at \$6,000 again. And just like I was talking to Marsha yesterday in regard to Oak Hill Road, it just doesn't look like there's enough revenue to really start that project right now, so I didn't plug any money in there at this point on the basis that we wouldn't be able to get 3 to \$500,000 a year every year until the project went to construction, which is basically what it would take. Talking to Joe again, what were we, about a combined 1.2 million short – no, \$900,000. The shortfall in the combined Highway and Road & Street funds is \$900,000 short. So by not budgeting this \$300,000, it's not going to get us to the numbers that Joe is giving us right now, so I'm not sure what, once again, what Mike Duckworth has plugged in his budgets, but this won't get us to what the revenue projections are based on what Joe has given me to this point. And we've got so few items in there, the traffic department is through an agreement with the city, so we really can't change that, so the only other item we have available to back off on would be the contractual street repairs.

President Abell: Oh, uh-huh.

John Stoll: Which isn't good because that's the only way we get the streets fixed every year. So I don't have any good answers for how to make up those shortfalls in the Road & Street fund, but just eliminating Oak Hill Road won't get us there.

President Abell: Okay.

John Stoll: And I put some other notes down there at the bottom. It looks like on the basis of the way the dollar figures are turning out on University Parkway, we will have about \$150,000 available in the, surplus available in the line items for that project and it may be more. We still don't have all the final costs on that as of yet, but it looks like that would help offset the deficits.

President Abell: How are we on the bump?

John Stoll: Trying to get INDOT's concurrence with the proposed repair method. That bad part is, the best repair will require closure of the road. And I met with Bernardin & Lochmueller at lunch today and we were guesstimating it might be a month long road closure in order to try and get the best possible quality of repair. They could do it a lane at a time. My fear on that is that we might end up with something like some of the patches out on I-164, which they're not terrible, but they're not nearly as smooth as the rest of the –

President Abell: It's a brand new road, I'm just not interesting in us taking a second class repair job for a first class price.

John Stoll: And that's the way I looked at it. I thought, bite the bullet and just go ahead and close the road. It's not ideal but in order to fix it right, I think that's our best bet at this point.

President Abell: And who is going to pay to fix it?

John Stoll: That is, in my opinion, the contractor's responsibility. Somewhere in there, there was an elevation error and I don't have a good explanation of how that came into being, but it wasn't the county's error, that's for sure. So I've made Joe aware of the situation in case any legal issues come up.

President Abell: Yeah, we need to stay on top of that, because I don't want us paying for it. I didn't go out there and pour one ounce of concrete.

John Stoll: I was going to say, I don't think any county workers have.

President Abell: I don't know, travel and mileage, you never go anywhere, and when you do, you come back on the same day. I don't know, I don't think you've ever used that budget, have you?

John Stoll: Bits and pieces.

President Abell: I do have a question, I mean, your budget is hard to do anything with because yours are mostly service projects, stuff that is project oriented, not – but I do have a question. I'd like to go up here to your personnel. I'm assuming you're the designing engineer, is that you?

John Stoll: That's Valerie Harry. No, I'm up at the top –

President Abell: Oh, you're up at the top, you're the Highway Engineer. Okay. So is she like, really, an engineer?

John Stoll: Yes.

President Abell: And the assistant county engineer is a real engineer?

John Stoll: He does not have his engineering degree, but he's been working in engineering for nine to ten years now.

President Abell: Okay. Who is an engineering technician? What's that?

John Stoll: That is Dave Castrale.

President Abell: Well, I don't really care, what does he do?

John Stoll: He does inspections of projects. He helps in preparing the maps like I'll show you with this storm water regulation stuff. Just various tasks. Right of way research, helps with surveys, helps with construction inspection, he's been working on the ADA curb ramp inventories, just a mixed bag of whatever comes around.

President Abell: Okay. I just think it's interesting that your administrative assistant makes more than the assistant county engineer.

John Stoll: Longevity and the fact that the assistant county engineer's position is unclassified. He hasn't received any step increases. That was switched back in, some time in the 90's when a prior assistant wanted to get hired in at a salary range higher than what was allowed. They took it, because he had a masters degree in engineering, so in order to make that happen it was taken off the step scale and it's never been put back. So that's primarily the biggest reason for the discrepancy as far as why the assistant's salary is not probably where it needs to be.

President Abell: That's probably something we need to look at. Yeah, we need to look at that. Okay. Alright. Anything else you have to add?

John Stoll: Not that I can think of right now.

Commissioner Kiefer: I just want to clarify, we're going to be \$900,000 short in the Cum Bridge and Local Roads & Streets funds?

John Stoll: It's the combination of Highway and Road & Street.

Commissioner Kiefer: Oh, Highway and Roads & Streets. Thanks.

John Stoll: And I can forward you the same spreadsheet that Joe forwarded to me.

President Abell: That would be helpful.

Joe Gries: And actually, we're going to be getting 2013 estimates from the state. I was waiting to get those before I gave the Commissioners the final numbers. I've kind of just been working with John and giving him some estimates. I'd have final numbers very soon in June here. And I'll send you all the information.

Commissioner Kiefer: John, you know, you read about it in the newspaper all the time or see on the news how bridges across America are crumbling, we're having troubles with bridges and, obviously, we're dealing with this bridge crossing the Wabash River there at New Harmony, I wonder if there's any grant money out there in the federal government or wherever for bridges? I mean, I know they are county bridges but, I mean, I wonder if there are any monies out there? I wouldn't know how to go about finding it, but –

John Stoll: The state does have dedicated bridge funds. They aren't guaranteed to any one county. I don't remember off the top of my head what the total available funding is for the Vincennes district, but the bridge funds can only be spent outside the urban area boundary, and the urban boundary for this area, it goes way out. It's



all the way up Boonville-New Harmony and Green River area. I forget where the boundaries are on the west side, I believe University Parkway and Upper Mt. Vernon.

Commissioner Kiefer: So you don't think like any of these bridges would, like Old Henderson Road Bridge, that one probably wouldn't –

John Stoll: We looked at that. The problem with that is, once you start trying to meet federal aid standards on some of these bridges, you'll spend more time and money in meeting those standards –

Commissioner Kiefer: Don't want to do it.

John Stoll: Correct. You get an interstate looking bridge on a little county road, is what it amounts to.

Commissioner Kiefer: Yeah.

John Stoll: Because that was one of them we looked at a couple years ago was the possibility of trying to get federal money because it is outside the urban boundary.

Commissioner Kiefer: But maybe there's state money, you're saying or they still have the same federal standards.

John Stoll: Same deal. And the only other option we have for urban bridges is funding through the MPO, and all their money has been obligated for Newburgh and Evansville projects which, in turn, excluded the Columbia, Delaware and Maryland Street projects. So we've been striking out. If we had a large bridge outside the urban area, then it would be well worth it. If Maryland Street was outside the urban area, that would be the perfect bridge to go pursue federal money on because you're going to meet a federal aid standard for all practical purposes just to make it useable. But the way they've got it set up, we only have really small bridges outside the urban area boundary and those don't become very cost effective when you end up trying to use federal dollars because the standards are overkill for what you need.

Commissioner Melcher: So what you're saying, the MPO could come up with money for the Maryland Street bridge?

John Stoll: They don't have any –

Commissioner Melcher: I know they don't have any right now, but they can.

John Stoll: If we postpone the bridge, then there's a possibility –

Commissioner Melcher: You said we weren't going to do the Maryland till 2014, anyway.

John Stoll: And the last time I talked to them, they didn't have any – it was '15 or '16, I believe, before the money became available. And I can check with them again on that and see, because we did go ahead and do an environmental study in hopes of getting federal dollars on that project, so it probably wouldn't take a whole lot of effort to bring that up to a full-blown federal aid project. So I can check on that and let you know.

Commissioner Melcher: Yeah, I'd like you to check in on that and tell them we're interested in that.

Commissioner Kiefer: Yeah, because that's –

Commissioner Melcher: I sit on that committee and I'll support you on that.

John Stoll: Okay, I'll look into it and let you know.

Commissioner Kiefer: Thanks for looking into that, John, I appreciate it.

John Stoll: Not a problem.

President Abell: We are going to adjourn these budget hearings. We've got about five minutes before the County Commissioners meeting starts. That gives all of us that have been here all afternoon an opportunity to get a Coke. See you in five minutes.

(Meeting adjourned at 4:55 p.m.)

**Those in Attendance:**

Marsha Abell

Joe Gries

Madelyn Grayson

Gary Heck

Theresa Lloyd

John Stoll

Members of Media

Joe Kiefer

Joe Harrison, Jr.

Steve Owens

Ray Nicholson

Mike Duckworth

Steve Craig

Stephen Melcher

Marissa Nichoalds

Sherman Greer

Mark Abell

Theresa Lloyd

Others Unidentified

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded by Madelyn Grayson. Transcribed by Madelyn Grayson and Teri Lukeman.)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
JUNE 19, 2012**

The Vanderburgh County Board of Commissioners met in session this 19<sup>th</sup> day of June, 2012 at 5:04 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the meeting of the Vanderburgh County Board of Commissioners, June 19, 2012. Could we have the attendance roll call please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Would you join us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Abell: Thank you.

**Ford Center Update**

President Abell: The first order of business this evening is a presentation from the Ford Center. Good afternoon.

Scott Schoenike: Good evening. Scott Schoenike, Executive Director of the Ford Center. Tonight, just to give you a brief update on the first quarter of the Ford Center, something I'll do probably quarterly, and probably you'll see me again for the half year report in August. So, we're reporting right now the first quarter of January through March. In front of you you have the report, and it's really just a recap. As you can see, we've done 60 events in basically the 90 days, with an attendance of over 230,000 people. So, I think it was a really good, strong first quarter. Traditionally it's going to be the strongest quarter of the year. So, please don't take this and multiple it by four. It is not, but, regardless of, the second quarter will be strong as well, but the first quarter is definitely always a great month to talk about. As you can see, just to explain that a little bit on the categories, there's three different categories there as far as events, event days, and use days. To explain that a little bit is events is the number of performances, so if there's two in a day, that would actually count towards, it's only one event day. So, if you're kind of questioning what is events, what is event days mean, you know you should always have more events than event days. Then use days, as you can see is that 59, that

is, some days we're maintaining the ice, getting the ice ready for Disney on Ice or loading in dirt, or loading out dirt. So, just kind of small differences in the days, but just so you have a better understanding of that. The strength of it was really the four concerts of Jeff Dunham, Winter Jam, Lady Antebellum and Elton John. All were well attended and I think people that were attending had a great time at them. Following that is kind of a brief financial recap, these are of the Venu Works portion of it only. There are some other expenses that are out there, but this will give you a good snapshot of where we are, actual numbers compared to forecast. So, the rest of the numbers should flow fairly with that. So, as you're looking at income, definitely had a strong first quarter income-wise, quite a bit above, in all categories. Expenses are also higher, but not proportionately, compared to the revenue increases. So, then you can also see that our net income is a nice, healthy number there, but you have to take out some expenses for utilities, which the city pays for, and some Building Authority costs, but, overall, it is cash flowing positive. So, you know, like we say, we have to, we are currently working on kind of coming up with a consolidated report to help kind of add all the numbers together. So, probably by the next report here you'll see kind of more of a comprehensive, multiple department income. So, at least you can put all of the pictures together, but, overall, we're quite a bit above budget in revenue and keeping expenses in line. So, I think you'll see everything else should flow through correctly. Summer plans, now as we come into our part of this, you know, as we slow down in the summer, we're going to slow down every summer, kind of after the graduations. Real brief, this is when we kind of recharge our batteries, look at processes and procedures. I think we had a really good opening season, but there's always things that we can do better. This is when we review those, when we try to fix those, when we try to kind of bring it up to the next level. Some of the improvements we'll make, you know, we're trying to do a better green initiative, adding some things at the food service department, trying to increase the customer service there. We're working on a group sales program, and an on-going process would be sort of customer service training, we'll bring our part time staff in and give them some additional training that hopefully make the patrons, every patrons visit a little better there. Part of it I would open to you as well, if you hear things from your constituents, you know, please pass them around, pass them to me, because this is the time of year that I actually can have time to spend on them, really look at what we're doing. If there's something that we don't know about, we definitely want to know about it, so that we can at least review what we can do better for next season. Not to take up a whole lot of your night, that's kind of a brief snapshot of it. Would you have any questions?

President Abell: Commissioners?

Commissioner Melcher: Yeah, your next report I'll have a list, because I've started a list already. I just didn't think we'd get into that. So, I'll bring the list at the next quarter that I'm getting.

Scott Schoenike: Well, actually, you can give that to me. The best time is now, because, you know, I would love it, you know, if we can work on them over the summer months—

Commissioner Melcher: Okay.

Scott Schoenike: — is the best time that we can look at, you know, what suggestions, can we fix them, what would be a, you know, what we can do and then we can realign up.

Commissioner Melcher: Well, if you could leave your business card with us tonight.

Scott Schoenike: Okay.

Commissioner Melcher: Then I can e-mail it to you.

Scott Schoenike: Super.

Commissioner Melcher: One thing I do want to bring up, and I probably needed to get David up here. There's two items. David, would you mind coming up? First, I want to talk about the walkway. I've been in front of the Redevelopment Commission back when they were building this stadium, and I was lead to believe that the walkway was going to be attached to the new stadium. Then when the hotel got built it was going to go there. I know that's hurting our Centre by that not being hooked up and just sitting out there in the wind, because you and I discussed that earlier, David. I don't know if you know anything about all this, but you're going to have to know it. It's hurting us, and I know during the Home Show, that the Home Show was supposed to all be in the Ford Center, because that's what was promised during all of the hearings, and then found out they had to use both. We had good weather this year, but you're going to have bad weather some year, so how are they going to get back and forth if we don't open that up?

Dave Rector: There is a footprint that, hopefully, one day there will be a convention hotel that then connects to the old Centre/Executive Inn bridge and ties in at that quadrant at the back of the Ford Center where we would have a bridge from the hotel and to the Centre.

Commissioner Melcher: So, the Ford Center, that's the next question—

Dave Rector: That's the plan.

Commissioner Melcher: — the Ford Center, because that's what I asked for, and I thought I was getting, is already retrofitted, excuse me, for that to flow into? Because I couldn't see where it was going from the outside.

Dave Rector: It comes in at the concourse level.

Scott Schoenike: There's a stairwell, on the concourse level if you continue straight on the Martin Luther King side, it ends to a dead end, near the emergency exit wells. That actually is designed to the connecting skywalk.

Commissioner Melcher: Well, that's good, because I didn't think that happened. When I was in front of the Redevelopment Commission—

Dave Rector: I think we have some sketches, Steve.

Commissioner Melcher: Huh?

Dave Rector: I think we have some old sketches. Do you want to see that?

Commissioner Melcher: I wouldn't mind, because there was money left over from this project, and they ought to use that money to, the county's got and the city's got three million dollars invested in something going nowhere. So, we need to hook that up. It needs to happen as soon as we can. And, we get the hotel built, we could put

it over there too, and we're going to have to build a parking garage someday, we know that, because you've already, you didn't, but they tore it up two or three times with grass and blacktop and rock and everything else to get that extra parking. That would be a good place to put handicaps. All they've got to do is go straight over if they park on the second floor or whatever.

Dave Rector: The existing bridge will need some renovation work too, before a (Inaudible) project.

Commissioner Melcher: I understand that, but that was supposedly all part of it, and it never happened.

Dave Rector: I can't comment for sure—

Commissioner Melcher: The thing got built and everybody left town and we're hanging with nothing.

Dave Rector: — but I think it's in the plans. I think ERC still that in their future plans. I can't say definitely, but I know it's been discussed.

Commissioner Melcher: Well, I would like to see it move forward this year, if it's possible.

Dave Rector: I don't think you're alone there.

Commissioner Melcher: The last thing I've got, and I got an e-mail even today, you're blocking off Vanderburgh County residents from using the front of the Center when there's an event in the Ford, for handicap.

Dave Rector: Yes.

Commissioner Melcher: That should not be blocked off until after 5:00, and maybe you're not doing it until then, but we're told it's getting filled up early. That is open for the taxpayers of our community. We're open here, so we should not put our taxpayers that built the thing to go somewhere else. That needs to be there, and then if there's something in that building, they just can't, at 5:00, or 5:15 when the cars leave you start bringing it in with handicap then.

Dave Rector: Just so—

Commissioner Melcher: I don't have anything against the handicap. All of that should have been planned.

Dave Rector: — you know, we meet the ADA requirements for parking without doing this in front of the building at all. This turned into one of those things “no good deed goes unpunished”, and we're trying to provide additional ADA parking. We don't have to do that, we do meet the requirements, but what happened so quickly is the public realized that that was accessible before the building here is closed. So, they are slipping in and parking there in the ADA parking before this building closes, before they open the doors to the Ford Center. So, they've kind of figured us out.

Commissioner Melcher: That's only one hour. So, if they do it at 4:00 that's one thing, but if they do it at 2:00, that's another thing, because they would get a parking ticket.

Dave Rector: Yeah, I don't know if they're getting in there that early, but they are getting in early.

Commissioner Melcher: I just, all I'm saying is, we should not, I think we should not be doing that. We should not block it off at all until after 5:00, when we're open. If we're not open, then you can block it off all day.

Dave Rector: I'll check. I don't think we normally do, but I'm not going to say there wasn't an occasion where we had an early—

Commissioner Melcher: Well, this e-mail came in on the 15<sup>th</sup> and I was out of town.

Dave Rector: Okay, Commissioner, I'll have to check. There might have been a couple of earlier events, but usually, most of your events there's 6:00 doors, 6:30 doors—

Commissioner Melcher: And, was there an e-mail sent to the employees so they would know what was going on early? Because that usually, that thing has happened in the past.

Dave Rector: No, we don't send a public notice out to the building on that. Like I said, they've just kind of figured out that it's reserved for it, so, they're slipping in ahead of time now.

Commissioner Melcher: Alright, but the back 40, couldn't we, if we have something we know that's selling out during the day to let the employees know the day before saying tomorrow this is going to happen?

Dave Rector: I try to send a memo out to the building every time there's an event and let them know that if they have trouble parking in the back 40 there's free parking in the garages.

Commissioner Melcher: Did they know about this one for Friday the 15<sup>th</sup>?

Dave Rector: Which was?

Commissioner Melcher: It was the Jehovah's Witnesses one.

Dave Rector: Yeah, yeah.

Commissioner Melcher: So, they got that notice?

Dave Rector: Yeah.

Commissioner Melcher: Okay, because, according to this nobody knew.

Dave Rector: Actually, during the renovation of the back 40 right now, I've just sent out a blanket, if you have trouble parking back there, go to a garage and you can get in for free. Because I knew that parking was going to be short for a while.

Commissioner Melcher: Okay, that project is supposed to be done by the end of this month.

Dave Rector: About three weeks, maybe two, but I'm saying three.

Commissioner Melcher: Three is not the end of this month.

Dave Rector: We've encountered some challenges back there.

Commissioner Melcher: No kidding.

Dave Rector: I would be happy to talk to you later about it.

Commissioner Melcher: No, I don't want to know. Okay, that's all I have.

Scott Schoenike: I actually, also, with the ADA parking, I believe the police officer that's generally there, or the, I think the start time for most events is 5:00, but even if they're early, I know they've been instructed that if the person pulls up and says they're here for the Civic Center, they've been allowing them through, but, you know, so you can also, if you have somebody that brings that up, at any point, that they can say that they're coming to the Civic Center if they're open. I believe they're letting them through, because we did talk about that ahead of time if there is—

Commissioner Melcher: Well, we just need to make sure, all I want to make sure of is that they're able to get into this building when it's open.

President Abell: Did you have something, Mr. Kiefer?

Commissioner Kiefer: No.

President Abell: Thank you for the update. I have been to several events at the Ford Center and it is very nice.

Scott Schoenike: Thank you. Have a good night.

<b>EPA: Burn Ban Declaration</b>
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President Abell: EPA burn ban. Keith Kahre? Are you representing Keith Kahre, I assume.

Dona Bergman: Good afternoon, Madam Chair.

President Abell: I'm sorry, I did, you won't be here...do you mind, Public Defender? I'm sorry, I skipped over the Public Defender. Go ahead.

Dona Bergman: It won't take a few minutes. I'm Dona Bergman. I'm the Director of Sustainability with the Evansville EPA being a sub-department. Here, I wasn't sure if Chief Kahre was going to make it or not, so I wanted to be here. We are in, according to the U.S. drought monitor, we are in a severe drought in Vanderburgh County. We've got a couple of county's surrounding us that have already declared burn bans. I'm here to ask the County Commissioners to declare a burn ban, effective tomorrow, and running until conditions improve. I believe you've got a document that Kristin sent, who, by the way has been extremely helpful and nice. Then, tomorrow, the Evansville EPA will issue a burn ban for the city.

President Abell: Mr. Harrison?



Joe Harrison, Jr.: Yeah, there's an ordinance that certainly permits the County Commissioners to declare an emergency, and this fits within the ordinance and some of the provisions that were mentioned. I think it even provides in the ordinance that if someone does burn without appropriate permission from the fire, the county fire volunteer departments, there could be a \$500 fine.

Dona Bergman: Yes, sir.

Joe Harrison, Jr.: Is that right?

Dona Bergman: Yes, I believe it is.

Joe Harrison, Jr.: The document is in front of you, and I think it certainly meets the code. I think this is an appropriate occasion.

Dona Bergman: Thank you.

President Abell: How will we get the word out to the people so they'll know that they're not supposed to be burning?

Dona Bergman: Well, we'll certainly send it out to all Evansville media tomorrow morning when I get in the office. We will hope that the media will help us spread the word. With the Evansville EPA, within the City of Evansville and four miles beyond the city limits, but not outside Vanderburgh County, folks need to call in for approval to have a recreational fire, a fire on the ground, and we'll tell them that that's not allowed because there's a burn ban in effect.

President Abell: Because I know in the county a lot of people burn their paper trash—

Dona Bergman: Yeah.

President Abell: — and they may not know. Is there any grace period? Or you're just stuck with a \$500 fine if you do it?

Dona Bergman: I would imagine that would be up to the discretion of the responding Fire Chief.

Joe Harrison, Jr.: Yeah.

Dona Bergman: Okay.

Joe Harrison, Jr.: It's just whether or not they get cited.

President Abell: Because some people may not, just may ignorantly not know.

Dona Bergman: Yeah, I understand.

Commissioner Kiefer: So, it's not, it's the volunteer fire departments that enforce this and not the Sheriff Department?

Dona Bergman: I believe the code reads that, in order to get approval to have a fire during an open burn emergency, outside of the EPA jurisdiction, you would have to ask the responsible fire chief in your area for that approval.

Commissioner Kiefer: Okay.

Dona Bergman: I suppose what would happen if you were burning and the fire chief didn't like it, he could always call the Sheriff.

Commissioner Kiefer: Yeah, okay. So, we need a motion?

President Abell: I'll entertain a motion.

Commissioner Kiefer: I'll make a motion that we approve the burn ban, going into effect tomorrow.

Dona Bergman: Yes, sir.

Commissioner Melcher: I'll second.

President Abell: Further discussion? How do you lift it?

Dona Bergman: What we've done in the past, Ma'am is when, after we've talked to the firefighters and we've looked at the drought monitor map and we think, okay, conditions have improved, the EPA will lift ours, and your wording in your resolution or ordinance says yours runs concurrent with the EPA's. So, when we lift ours, it's lifted county-wide, and I don't have to come and appear before you again.

President Abell: But, you'll call the media?

Dona Bergman: Yes, yes, Ma'am.

President Abell: Okay, okay. Just wanted to make sure that our citizens know what they're doing.

Dona Bergman: Right.

President Abell: Okay

Dona Bergman: And, I would just also ask for the folks here and for the media that are covering this meeting, please tell people to be careful with their cigarette butts and that sort of thing, because the grass in the median is so dry. It's really bad.

Commissioner Kiefer: So, if there's a burn ban, then does that mean no fireworks?

Dona Bergman: The State rules supercede the city ordinance or any county ordinance. We are not allowed to regulate fireworks around certain days of the year, Fourth of July being one of those. I think there's New Year's Day, so, we honestly can't regulate fireworks even during a burn ban. What we hope is that folks would have some common sense, and we all know how that goes.

Commissioner Kiefer: Yeah, okay, thank you.

President Abell: We hope that on a regular basis. Okay, I'll call for the vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0.)**

Dona Bergman: Thank you.

Madelyn Grayson: Dona, do you want a signed one to take with you this evening?

Dona Bergman: Yes, please. Thank you. Thank you so much.

President Abell: Thank you.

<b>Public Defender: Office Renovations Discussion</b>
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President Abell: Steve, I'm sorry. Public Defender.

Steve Owens: I'm Steve Owens, I'm with the Public Defender's office. As I told some of you before, we have been working with David Rector on trying to make some renovations to our office. As you know, we are landlocked on both sides. We have Computer Services on one side of us, and City Personnel on the other side. We're trying to better utilize the space within our offices to have additional room for additional full time lawyers, whether that is through the county approving us of hiring an additional person or whether we combine part time positions into a full time position, whatever the County Council allows us to do, we need some place to put that lawyer. Basically, I was informed that there is a joint, as I understand it, a joint fund that is controlled by both the Building Authority and the Commissioners, from which these renovations can be paid for. David has informed me that there is sufficient monies in those funds to take care of this renovation.

President Abell: There is, or is not?

Steve Owens: There is.

President Abell: Okay.

Steve Owens: Isn't that right, David?

Dave Rector: That's right.

Steve Owens: It's not simply just putting up walls. I mean, we have to do some electrical, some heating and air conditioning changes—

President Abell: IT.

Steve Owens: —and maybe some IT things in terms of making the computer hook ups. I think that David has told me that he believes it will be approximately \$45,000 for that. It will probably eliminate us doing anything in the future, but it will allow us

to take all of the space we have, short of what we have for secretarial, and utilize it for offices, either now or sometime down the road. I would anticipate, as it has been in the past, that any expenditures we make would be reimburseable by the Public Defender Commission up to 40 percent. They have never had a problem with that in the past when we've added either walls or other things. I would anticipate that we wouldn't have any issues with that now. So, David has the diagram, I believe, of what we proposed, and I think he's looked at it, and we're just asking for your permission to go ahead and proceed with it.

President Abell: Do we need a motion for that?

Joe Harrison, Jr.: Yes, you need a motion to use funds from the joint County-Building Authority fund. Is that correct, Dave?

Dave Rector: Yes, excuse me, I would suggest perhaps that you make a motion not to exceed, the estimates with the contractor is about \$45,000, because we are going to do this while the Public Defender is in the office, we may have some weekend and evening work, so I suggest maybe a not to exceed \$50,000 between our joint fund. Then I'll take it to my board next week.

President Abell: Okay.

Commissioner Melcher: Okay, I'll make the motion to do the renovations not to exceed \$50,000 at this time.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Steve Owens: Thank you.

President Abell: And, we might make note here that this is also in keeping with trying to cut down expenses for your 2013 budget, as asked by the County Council.

Steve Owens: We believe that that's probably going to be the case.

President Abell: Yeah, thank you.

**MPO: Bike Path Planning Presentation**

President Abell: MPO?

Erin Mattingly: Good evening, I am Erin Mattingly with the Evansville MPO. We entered into an agreement with Vanderburgh County in December of 2010 to complete a bike and pedestrian study for the Burkhardt Road TIF district and the U.S. 41 TIF district in Vanderburgh County. We're here today just to kind of give a brief presentation of the plan and to try and answer any questions you may have. So, First off, we'll kind of go over the purpose of the plan, to improve safety to all bike and pedestrian facilities, like any one that uses bikes and walks around, they need safe facilities to get to their locations; to improve accessibility, I mean, that includes older residents, children, low income, people with disabilities, it's important for those people of our communities to have proper facilities also. To achieve a more efficient use of existing transportation system. The more people that will ride bikes and walk to destinations within the community will equal less congestion with less cars on our roadways. The quality of life, to enhance the region's quality of life, it just encourages more interaction between residents. Improving the healthier lifestyles, and promoting local air quality are all benefits of having a bike and pedestrian network in the community. Like I said, the study area is two TIF districts within Vanderburgh County. The Burkhardt Road TIF district, which goes from the Lloyd Expressway north up to Millersburg Road. It, partly, that TIF district is partly in the city also, I think that goes up to Hirsch Road. The U.S. 41 TIF district, that's up by the new North High School. Kind of the process of how we did the plan, we created a study advisory committee that included people from the City Engineer's, County Engineer's, Metropolitan Development, health officials, schools, EVSC, and they got together and we discussed points of interest within these two TIF districts. We identified residential neighborhoods, whether it was apartment complexes or subdivisions, we looked at commercial areas where people do a lot of their shopping or their recreational activities. We also looked at civic uses like schools, churches, medical offices, we just kind of located these within the TIF districts to get an idea of where people could be walking and biking. Then, from there we looked at different types of facilities that we could include on these roads within the TIF districts. We looked at a bike lane, and that's the facility that we have located on Oak Hill Road right now. It's a dedicated lane just for bicycles. Then two other options, a marked shared lane and a bike route. A marked shared lane uses a sharrow marking on the street to guide cyclists away from cars and traffic. They are usually on heavier, more traveled roads, but on roads that can't accommodate an actual dedicated bike lane. Then a bike route is similar to the marked share lane, but it doesn't have the mark sharrow. It's on a less busy road. Kind of like the Burdette Park Discovery Trails in Union Township. Then we also looked at separated trails, kind of like the greenway or the USI and Burdette Park nature trail. So, from there we tried to figure out how these facilities could work within our TIF districts while connecting the points of interest that were determined. We came out with some major routes. Burkhardt Road, from the Lloyd Expressway up to Morgan is proposed to have a separated path in the right-of-way to the east side of Burkhardt Road. Going to, then turning into a marked shared lane to get to Lynch Road, and then west on Lynch Road using a bike route in the shoulder of Lynch Road, and then Green River Road, a multi-use path along Green River Road to Millersburg Road. Then the secondary routes on Vogel Road, Cross Pointe, Heckel and Millersburg, those are kind of connector routes that will lead into these major routes. The 41 TIF district, there's a lot less going on in the 41 TIF district, so it's just about 12 ½ miles of bike routes that are proposed. Kind of just creating a loop connecting to the new

North High School. There is a small segment of multi-use paths proposed to get from the high school over into the subdivision, the development there in Kingsmont Subdivision. I think the developer is actually wanting to see that happen. For this TIF district, this can also start to create regional connections. It can connect out towards Blue Grass Fish and Wildlife Area, there have been bike routes implemented there recently. So, from there, I know that was kind of a quick—

President Abell: Erin, can I ask you a question?

Erin Mattingly: Yes.

President Abell: Back on the previous slide, talking about the Kingsmont Subdivision, does that also include Poet's, that's the newest one?

Erin Mattingly: Yes.

President Abell: Okay.

Erin Mattingly: So, I know that was a really quick overview of the whole plan, but it is important because we are creating connections between neighborhoods, commercial uses, just everyday life for people. We're also starting to connect the community with our existing bike facilities in, like along the existing bike routes that we have, and also regional connections to Bluegrass Fish & Wildlife in Warrick County. So, there's kind of the total miles added. It's overall about 30 miles could be added. Here's my contact information if anyone has any questions.

President Abell: Go ahead.

Commissioner Kiefer: Have you measured, or monitored like the current bike paths that you have and how they're being used? Like I drive up Lincoln Avenue everyday, and, you know, I've never seen a bicyclist on Lincoln Avenue. Of course, that's a pretty busy street and you're taking your life in your own hands if you're on a bicycle there.

Erin Mattingly: Not to my knowledge, I don't think we have bike counts.

Commissioner Kiefer: But, there is a bike path up Lincoln Avenue, and they reduced the number of lanes to accommodate it, and, you know, I've never seen a bicyclist up there, but, I'm just curious if that's something you track.

Erin Mattingly: Yeah, we can definitely consider, I think, tracking things like that in future.

Commissioner Kiefer: Well, the reason I'm interested is because I would like to know, I mean, I think this sounds very, very good having bike paths, but, you know, what's the cost per user? I mean, if you've got one bicyclist traveling up Lincoln Avenue, are we really getting the bang for our buck for the bike path there?

Erin Mattingly: Okay.

Commissioner Kiefer: For the bike lane, but, you know, if you said, hey, you know, hundreds of people are using it everyday, then you say, well, it might be that that's a good value for your dollar.

Erin Mattingly: I know I've seen a lot of increase in bicyclists lately with gas prices and everything like that. I know especially along like multi-use trails like the Burdette Park-USI trail, I know I see a lot of people because I live just out west from there. So, I think a lot of people are starting to use the facilities more. So, monitoring that, I think might be—

Commissioner Melcher: I would like to see city and county-wide when we're doing these paths, I don't like shared at all, because I don't think that's safe for anybody. I know in the city since this has started, it's all over the place. Bicycle things are right in the middle of the street, some are over by the curb, I think we ought to have a unified one. In other words—

Erin Mattingly: For the actual sharrow placement?

Commissioner Melcher: Where they share. It should be the same place no matter where you ride.

Erin Mattingly: We actually have worked with the Street Department on creating sharrow guidelines.

Commissioner Melcher: I think the white line needs to be there.

Erin Mattingly: Okay.

Commissioner Melcher: It shouldn't be any blank lines. That bicycle path that's like over there on Barker, or maybe it's not Barker, it's Broadway, has got, right out in the middle of the street. So, that's where they're riding, even though they've got six feet over here, because that's a wide street, they're not over there, they're riding right where those things are. So, you're going 20 mile an hour, not that it matters, but some of them bicyclists they'll turn on you, you know, and everything else. So, I'm thinking if we could just become unified with the whole plan, having the marking of the bicycle in the path. I did some traveling in the last two weeks and everybody seems to have that but us. I've never seen a bicycle path, of any city that I was in, in the middle of the road.

Erin Mattingly: Right. I know a lot of times, some of the streets that we have bike routes on, they can't accommodate an actual bike lane, they're not wide enough.

Commissioner Melcher: Well, then we shouldn't have one on there then. If we are, we need to put the bike path there and have signs saying that it's shared, but we've talked about signs before too, saying it's shared, but the bike stays within the marking. The car is going to have to be there too, if it's small, or eliminate the bicycle path on that one road. I just, it's safety, and I'm worried about the kids doing it, not the adults. So, if we have it where everybody is the same no matter where they go, then I think it will work better. That's my opinion.

President Abell: I like the looks of the Burkhardt Road one. That would be really nice.

Erin Mattingly: That would be nice.

President Abell: Yeah, that is very nice. Any other comments? Thank you, Erin.

Erin Mattingly: Thanks.

President Abell: Thanks for the presentation.

**Permission to Extend Bulk Fuel Deliveries:  
Wabash Valley Service Company**

President Abell: Debbie Spalding? Purchasing is next, the Evansville-Vanderburgh Purchasing, permission to extend the contract with Wabash Valley Service Company for bulk fuel deliveries.

Debbie Spalding: Good afternoon. I'm here, as you said, to ask for permission to extend that contract. The main departments for the county that utilize this contract would be the County Highway and Burdette Park. In 2011 Burdette Park used approximately 6,300 of unleaded fuel. This was fuel that was delivered to them, to their facility. So, this is not, you will recall that I was here a couple of weeks ago for commercial fuel, well, this is for bulk fuel deliveries. Burdette Park also used, for all of 2011, approximately 1,100 gallons of diesel fuel. The biggest user is the County Highway, and in 2011 they used approximately 23,400 gallons of unleaded fuel, and approximately 33,500 gallons of diesel fuel. So, I'm asking for your permission to extend the contract. I did contact Steve Craig with Burdette and Mike Duckworth with the County Highway and asked if they were happy with the service they had received for their bulk fuel deliveries from Wabash Valley. They said yes, and I submitted the appropriate documents to the attorney for approval, and I believe he forwarded them to you.

President Abell: Commissioners?

Commissioner Melcher: I have one question, because we have locked in 2013 now?

Debbie Spalding: For this particular bulk fuel?

Commissioner Melcher: No, for the commercial.

Debbie Spalding: The commercial? Yes, we did.

Commissioner Melcher: What was that?

Debbie Spalding: I didn't bring that with me.

Commissioner Melcher: Wasn't it \$3.13?

Debbie Spalding: It was \$3.03 for unleaded. I remember the unleaded.

Commissioner Melcher: Okay.

Debbie Spalding: Diesel, the only diesel that we, we did lock in diesel, but I can't recall the price. I can get that for you.

Commissioner Melcher: Because I think that worked out well this year, the way we did it.

Debbie Spalding: I did talk to Wabash today and they would be willing to lock in a price for this bulk fuel deliveries as well. Today they said that, well, as the market



closed on the 18<sup>th</sup> of June, yesterday, the diesel for all of 2013 they would be able to get for \$2.95 a gallon if we locked in now for 2013.

President Abell: I think we ought to lock it in.

Debbie Spalding: Then, for unleaded it would be \$2.75 a gallon.

Commissioner Kiefer: That sounds really good.

President Abell: That sounds good to me.

Commissioner Kiefer: We better go with it.

President Abell: Yeah.

Commissioner Kiefer: Joe, do we need to make a motion?

President Abell: Yes.

Commissioner Kiefer: Okay, I'll make a motion that we approve.

Joe Harrison, Jr.: It would be an extension, I think you're saying through 2013. Is that correct?

Debbie Spalding: Yes.

Commissioner Kiefer: Yeah, so I make that motion.

Joe Harrison, Jr.: For Wabash Valley?

Commissioner Kiefer: As you stated.

Debbie Spalding: In the bid documents it does talk about the appropriation of funds being a consideration, and that we are able to get out of any contract if proper funds aren't appropriated, but hopefully that won't happen.

Commissioner Kiefer: Okay.

President Abell: And, since Mr. Melcher had to step outside for a moment, I'll second the motion. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

Debbie Spalding: Thank you. Madelyn, do you have the contracts? Okay, thank you.

President Abell: Thank you, Debbie.

**Resolution CO.R-06-12-009: In Support of Economic Development  
Incentives to PGP International, Inc.**

President Abell: Debbie Dewey? Resolution, CO.R-06-12-009, in support of the economic development incentives offered to PGP International, Inc. to locate new operations in the Vanderburgh Industrial Park. This is to provide training incentives to PGP International, Inc. to locate in Vanderburgh Industrial Park with the county providing a 50-50 training grant match with the company of \$500, for the company of \$500 for every Vanderburgh County resident employee hired up to a maximum of \$20,000, which would be 40 employees.

Debbie Dewey: Right. Again, for the record, my name is Debbie Dewey. Councilwoman Abell, as you read the resolution, just a little bit of background, PGP International is one of the 21 companies owned by Associated British Foods. They are a diversified international food, ingredients and retail group with 102 employees worldwide in 46 countries. Some of the ABF brands and products you may recognize would be Karo syrup, Durkee seasonings, Mazola corn oil, Argo corn starch and Ovaltine, just to name a few. One of the things that's important to note about this is they have not chosen Vanderburgh County at this time. They've looked at about 50 sites in a number of different states, and they're down to two. One which is lot 11 in the Vanderburgh Industrial Park, and another, which we don't know the particulars of in a different state. In fact, they have hired an independent consultant to evaluate the incentive packages being offered by both communities. So, this training grant would be one portion of the incentive offer for Vanderburgh County. We also have taken a ten year tax phase in proposal for the personnel property. They're investing, let's see here, \$15 million in new manufacturing equipment, and local company Delta Properties, part of the Woodward Development Group, will be investing \$8.2 million in construction of a new 70,000 square foot facility. So, we have recommended a ten year phase-in for that, and that has gone through approval of a preliminary resolution by the County Council. In addition to these local incentives, the State of Indiana has recognized the value of this project, and they have offered a skills enhancement grant of \$105,000, as well as tax credits over the next ten years of \$320,000. The economic impact to our community of this project and these jobs and the investment in a new facility and manufacturing equipment, over the next ten years will be \$287 million. So, it's a tremendous return on the investment for training Vanderburgh County residents. Again, with the training grant, it would be a 50-50 match, and the way this would work is that the company would have to expend the training dollars first and then show proof that it was for Vanderburgh County residents that were hired, and show proof of the actual expenditures for training. So, that would be part of it. As far as the importance of this, the company has told us repeatedly that access to a highly skilled work force, in addition to even being able to hire their management staff locally is very important to them. They've even said that their equipment is so complex that it takes operators really five years to become proficient and experienced in operating this equipment. So, the training dollars are very, very important to them. That's why this local training grant, as well the state training grant would be very, very beneficial to help make our package attractive. We've also had the company talking to Grow Southwest Indiana Work Force to see if there's any on the job training monies that might be available. They've also been talking to Ivy Tech about customized training programs. So, again, they have not made the decision. It's between us and another community. This training grant would be part of the incentive package that we would offer. If there are other questions?

Commissioner Kiefer: So, if this is approved tonight, what, if you're a gambling person, what are you betting? A 90 percent chance they're going to relocate?

Debbie Dewey: You're going to make me go on camera and everything saying that. What I will tell you is that they have expressed a lot of interest. They have spent days here. In fact, I apologize that the company reps are not here tonight. Initially with the training grants, since we haven't done this before, we had them scheduled for the County Council meetings, and they have had their CEO, CFO and V.P. at those meetings, for all four of those. So, again, I apologize for them not being here. They have met with our Water and Sewer Department, our codes department, the Utilities Department, and, again, I will give feedback, they've been very, very complimentary about the level of expertise that they've experienced. They've met with our local colleges. I mean, they've really done a lot of work. I think that with a good training package and the incentives that we, you know, have a very, very good chance of getting this. They're also still in negotiations for the property, but the Evansville Industrial Foundation has been very aggressive with that as well.

Commissioner Kiefer: What did you say the average wage was?

Debbie Dewey: The average is \$24 an hour. That includes the management, but the entry level operators would be a minimum of \$15 an hour, plus benefits, but, then again, as they become more proficient that goes up. The average overall for the 40 jobs is \$24 an hour.

Commissioner Kiefer: I'll make a motion that we approve the resolution CO.R-06-12-009.

President Abell: Mr. Melcher is coming back, but I'll go ahead and second, and then he might have some more questions. We're discussing the training grant. I would reiterate, this is for anyone to be able to receive this training they would have to be a Vanderburgh County resident.

Debbie Dewey: Have to be Vanderburgh County resident.

Commissioner Kiefer: And it's a 50-50 match and we're only invoiced as it's used?

Debbie Dewey: They have to use it and then show proof, receipts of their costs.

Commissioner Kiefer: Not lump sum?

Debbie Dewey: That's right.

President Abell: And I suppose PGP International, for their 50 percent of that match, they can use that Skills Enhancement money from the state?

Debbie Dewey: We haven't defined whether or not they could, but their training costs, from what they've told us are going to be much greater than this. Again, they don't have an operator proficient for five years. So, their training grants are going to be well above this plus the state.

President Abell: Mr. Melcher, do you have any questions?

Commissioner Melcher: No, I understand this program and have kind of been involved in this from the beginning on this. So, I'm okay with it as long as we have the \$20,000 to match it. These are just things that we have to do to be competitive.

President Abell: This is in our Economic Development fund.

Commissioner Kiefer: And, we may or may not even spend this money this year.

President Abell: Yeah.

Commissioner Kiefer: It just depends as it comes in.

Debbie Dewey: Right, it will be after they're hired and go through the training and show that these—

Commissioner Kiefer: Well, the building's got to be built.

Debbie Dewey: Right, right, the building's got to be built.

Commissioner Melcher: I don't even think it will get used this year.

Commissioner Kiefer: Yeah, so it's 2013.

President Abell: I hope this will take care of some of our displaced employees in Vanderburgh County that are looking for employment.

Debbie Dewey: That's one of the reasons that we've connected them with the Grow Southwest Indiana Workforce, because some of that on-the-job training for displaced workers might be beneficial as well.

President Abell: Any further discussion?

Commissioner Melcher: I would just kind of like to see Vanderburgh County employees, Vanderburgh County residents get hired.

President Abell: Yeah, me too. Call for the vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Dewey: Thank you.

President Abell: Thank you.

**Second/Final Reading of CO.06-12-003:  
Amending Ch. 2.40: Health Department Fee Ordinance**

President Abell: Second and final reading of CO.06-12-003, an ordinance amending chapter 2.40 of the Vanderburgh County code concerning the county Health Department fees for services. I see Dr. Nick is here this evening.

Ray Nicholson: Hi, Dr. Nicholson, the Health Officer of Vanderburgh County. This resolution primarily deals with dental fees, and that's been the Achilles tendon for the Dental Clinic. We just have not raised enough money to keep it open. We've been working very hard this week and working on a situation where we believe we are going to be able to keep it open, but we're very dependent on this passing, because unless we get more money coming in we just can't do it.

Commissioner Kiefer: I'm all in favor of charging user fees, especially when people are outside the county.

President Abell: I know the Dental Clinic is a big financial issue we're going to have to address, but this is the first step in it.

Ray Nicholson: Yes.

President Abell: So, appreciate that. Further discussion?

Commissioner Melcher: Now, this is just for the dental fees, right?

Joe Harrison, Jr.: Well, there were some others.

President Abell: No, there were some others in there.

Joe Harrison, Jr.: I think there were some other fees in there, but, primarily it was the Dental Clinic fees.

Ray Nicholson: Yes.

Joe Harrison, Jr.: There were some fees that went up from—

President Abell: There were some others in there.

Commissioner Melcher: So, this separates—

Joe Harrison, Jr.: Yeah, it specifically—

Commissioner Melcher: — the Vanderburgh County residents and out of Vanderburgh County?

Joe Harrison, Jr.: For the dental fee issues. I think, most of the other requests, it's for services within the county anyway. So, they would be county residents.

Commissioner Kiefer: I don't think those have been adjusted in many, many years.

Commissioner Melcher: No, they haven't.

Joe Harrison, Jr.: No.

Commissioner Melcher: We've brought up that fact, Marsha also, she brought it up actually first about the Vanderburgh County people are paying taxes and other people aren't.

Joe Harrison, Jr.: But, this is the second and final reading of the fee ordinance.

Commissioner Kiefer: I'll make a motion that we approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<p><b>Second/Final Reading of Ordinance CO.05-12-004: Regulating Public and Semi-Public Swimming Pools</b></p>
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President Abell: Second and final reading of CO.05-12-004, an ordinance regulating public and semi-public swimming pools.

Ray Nicholson: Yes, this was discussed at your last meeting, and as you'll remember the organization of swimming pool operators objected to one very small portion of it in that they were a little bit concerned that we might be overzealous and cite people for minor infractions. We worked out the verbiage with that, and you should have a letter from the president of that, or the chairman of that organization who now approves of the language as written. He trusted the people that were currently there, but he was a little concerned about changing personnel and that they may not interpret the rules the same as, you know, ten years from now as we wrote it today. They are very happy with how it's written.

President Abell: Mr. Melcher, did you have some questions?

Commissioner Melcher: Well, I haven't had a chance to read the whole thing, because I've been gone and I just got the e-mail from the attorney. I was going to look over it some more, so I was going to ask to table this tonight until the next meeting. But, it's whatever the Commissioners want.

President Abell: If you want to make that motion, Mr. Melcher, you certainly can.

Commissioner Melcher: I would like to make the motion to table this one until the next meeting. I don't think another two weeks is going to hurt us. I just want more time to look at it. But, I do want to hear from somebody about, that was up here, I would like you to come back up and tell us that this is okay so you won't have to come in two weeks. That would save your time.

Jeff Wilhite: Thank you. Jeff Wilhite for the Apartment Association here with Pam Lovell who is on our board. Yes, (Inaudible) office, primarily through Dwayne and also the County Attorney worked everything out. Dwayne's suggestion was to classify violations as critical and non-critical, which makes perfect sense. So, for critical violations, which significantly affect health and safety, he or his predecessor in 40 years can shut us down with no notice. We're okay with that. That's a serious concern, but for a concern that's not that critical, the department agreed to require that they give us notice, you know, and an opportunity before the fines would kick in. So, I think we may have tweaked a couple other small things, but the Apartment Association is pleased with what we worked out.

Joe Harrison, Jr.: That was the main issue.

President Abell: You're happy with what's worked out?

Jeff Wilhite: Yes. Yes, we're pleased with it.

Commissioner Melcher: Well, I don't have to hold it then. That's what I was worried about.

Jeff Wilhite: Yeah, I assure you we've spent, we've gone through it word by word and we were quite aggressive making sure there was no mistakes, and I think Dwayne and the department was on the same page with us also.

Commissioner Melcher: What about hotel owners? Have we contacted any hotel owners? Are they okay?

Jeff Wilhite: We don't represent them.

Commissioner Melcher: I understand that.

Joe Harrison, Jr.: They originally, if I could add, they originally had a meeting with, I believe a month or so ago, they had a meeting I believe in May, and they presented them with a copy of it, and indicated that it was on their website. Wasn't it on your website? So, they were aware of the meeting two weeks ago and none of them were here. I think they, a lot of them, according to Dwayne said that they were glad to see it, because they wanted it to apply across the board.

President Abell: Is there anyone else here that is here tonight to address this issue?

Commissioner Melcher: We don't have to hold it then.

President Abell: Are you ready? I'll entertain—

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

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you for your work on this. We appreciate when we get these things worked out together. I think that's it.

<p><b>Health Department: MRC Deliverable Grant (Pulled)</b> <b>Application to Bill Medicaid for Dental Clinic (Deferred)</b></p>
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Ray Nicholson: There was one more, the next one.

President Abell: Which one?

Ray Nicholson: Contracts.

President Abell: The MRC Deliverable Grant?

Ray Nicholson: Yes.

President Abell: I think Mr., who called and removed this? Mine's got a mark through it.

Ray Nicholson: I just wanted to tell you that that's been taken off the table.

President Abell: Oh, it's been removed, yes. Yes, it's been taken off of our agenda.

Ray Nicholson: Then the application for the adult Medicaid?

Joe Harrison, Jr.: Well, that's going to be on the agenda for July 3<sup>rd</sup>—

Ray Nicholson: Yes.

Joe Harrison, Jr.: — because we wanted to hear if that was even going to be necessary or not.

Ray Nicholson: Then that's why I wanted to say one thing about it.

Joe Harrison, Jr.: Okay.



Ray Nicholson: We have over \$10,000 of unbilled bills that we can bill Medicaid if you pass this. We can pass that, and until it's passed we can't bill those, we can't collect that.

Joe Harrison, Jr.: And, does all of this relate to the Dental Clinic?

Ray Nicholson: Yeah, the Dental Clinic, and if the Dental Clinic should close, and I don't think it will—

Joe Harrison, Jr.: Okay.

Ray Nicholson: —but, if it should close, we still have, we can still bill this and get the money.

Joe Harrison, Jr.: Okay.

President Abell: Okay. So, is that going to be on our agenda next time.

Joe Harrison, Jr.: It will be on for July 3<sup>rd</sup>. You might know something more about the status of the Dental Clinic at that time.

Ray Nicholson: Yes, I have a good bit of information about it now, but we'll know a great deal more July 3<sup>rd</sup>.

President Abell: Will you be here July 3<sup>rd</sup>?

Commissioner Melcher: Uh-huh. Well, that's good, because even though we had our budget hearings and we talked about money, we want the Dental Clinic to keep going.

Ray Nicholson: Yes.

Commissioner Melcher: We just want the Health Department to find it in their budget to make sure it's going. Okay, thank you.

President Abell: Mr. Kiefer just told me that he won't be here July 3<sup>rd</sup>, but Mr. Melcher will and I will. So, we'll be here to address it.

Ray Nicholson: Okay, thank you.

President Abell: Thank you, Doctor.

<b>EMA: Sub-Grant Agreement</b>
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President Abell: Contracts, agreements and leases, Emergency Management program grant to provide funding in the sum of sixty two thousand, I've got a number missing. Sixty two thousand two hundred nine dollars maybe?

Madelyn Grayson: It's \$295.05.

President Abell: \$62,295.05?

Sherman Greer: \$62,295.05.

President Abell: Okay, I was missing a five, for the County Emergency Management Agency for certain allowable expenses. Mr. Greer?

Sherman Greer: Sherman Greer, Emergency Management Director. This is our EMPG Grant. It's the Emergency Management Program Grant that we have to meet a certain requirement that the Indiana Department of Homeland Security puts out for us every year. Just to let you know, in District 10, of 12 counties last year, we were the top—

President Abell: Good.

Sherman Greer: —county that got the most points as far as completing all of the progress that the state had put out to us.

President Abell: Any questions of Mr. Greer?

Commissioner Melcher: Now, this is a grant, is this, this is going to go to Warrick? I'm still confused on it, bear with me.

Sherman Greer: No, no. This grant is for our salaries.

Commissioner Melcher: So, you know where I'm going.

Sherman Greer: Yes.

Commissioner Melcher: This just comes with our budget?

Sherman Greer: This comes with ours.

Commissioner Melcher: Not the 10 budget that's going to Warrick County?

Sherman Greer: Right.

Commissioner Melcher: That's what I wanted on the record.

Sherman Greer: We don't have any other grants coming through Vanderburgh County as of right now, except for our EMPG grants, which would be an annual grant.

President Abell: Further questions?

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

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Sherman Greer: Thank you.

President Abell: Thank you.

<b>County Engineer</b>
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President Abell: Department head reports. Mr. Stoll, I know you're out there.

John Stoll: I have two items this evening, both are to recommend awarding of contracts. The first one is the concrete repair of various roads. This is contract number VC12-05-01. I would request that this be awarded to River Town Construction, LLC for \$311,990.

President Abell: To whom? I'm sorry.

John Stoll: River Town Construction.

President Abell: Okay.

John Stoll: They were the low bidder on the project.

President Abell: Okay.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The second contract is Ohio Street bridge approach repairs. This is contract VC12-05-02, and I am requesting that this be awarded to J.H. Rudolph for the amount of \$23,824.13. They were also the low bidder on that project.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

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

President Abell: I have something. Did you, were you able to let the contractor know how glad we are he's going to repair the work in Eagle Valley.

John Stoll: I still haven't had a chance to talk to him, but I still will contact him and let him know.

President Abell: I certainly would like all of the other developers in our area to follow suit. That would be wonderful. Thank you.

John Stoll: I will pass that on. Thanks.

President Abell: Any other department heads? I don't, is Steve Craig out there? Any other department heads? Mr. Duckworth, you don't have anything?

<b>New Business/Old Business</b>
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President Abell: Is there any new business to come before the Commissioners? Any old business to come before the Commissioners?

<b>Public Comment</b>
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President Abell: Any public comment? I think we have someone in public comment.

Eldon Maasberg: My name is Eldon Maasberg—

President Abell: Yes, it is.

Eldon Maasberg: — of Vanderburgh County. I thought tonight Musgrave was going to be here to ask for \$10,000. Is that on a different meeting? For mowing 41.

(Tape change)

President Abell: July 3<sup>rd</sup>, she's coming July 3<sup>rd</sup>.

Eldon Maasberg: Okay.

President Abell: I hear.

Eldon Maasberg: Well, since I'm here, I'm going to go ahead and say what I was going to say then.

President Abell: Okay, that's fine, Eldon.

Eldon Maasberg: Since Duckworth is still back there, he can defend himself. If you're going to start paying out \$10,000 to mow 41, are you going to start paying farmers to mow what Duckworth don't mow? Because he's only mowing a three foot patch, and we're going up to past the light poles, which that's on county easement. I think you ought to think twice before you start thinking about passing that thing.

Commissioner Melcher: She hasn't got her money yet.

Eldon Maasberg: Huh?

Commissioner Melcher: She's just asking for it.

Eldon Maasberg: I know, but all you got to do is ask.

Commissioner Kiefer: I don't think anybody agreed.

Commissioner Melcher: We actually didn't agree that night.

Eldon Maasberg: I just thought I would bring it up. There's a lot of farmers out there and a lot of homeowners mowing all the way to the blacktop. There's a lot of bridge bannisters that Duckworth ain't mowed yet.

President Abell: Mr. Duckworth can defend himself, but I'm going to chime in. They work from sun up to sundown. I mean, we've got so much to do, and we don't have a lot of equipment, and we don't have a lot of money—

Eldon Maasberg: Well—

President Abell: —so, we do appreciate the farmers chipping in and helping our community look better.

Eldon Maasberg: —that's my point, you ought to give that \$10,000 to him so he gets more workers to mow it.

President Abell: We don't have an extra \$10,000 laying around to give to anybody, to tell you the truth.

Eldon Maasberg: Thank you.

<b>Consent Items</b>
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President Abell: Consent agenda, Madelyn.

Madelyn Grayson: The consent items for the June 19<sup>th</sup> meeting are as follows; approval of the June 5, 2012 meeting minutes; employment changes for the Commissioners approval, there's one for the Centre, seven for Burdette Park and two for the Public Defender; the Evansville-Vanderburgh County Building Authority has a Centre chiller replacement energy rebate; there's a waiver of Centre fees, not overtime for Girls in Bloom 2013, the date is to be determined and the Prosecutor has a joint meeting on June 19, 2012 of Indiana and Illinois Attorney Generals Offices regarding methamphetamine and synthetic drug issues; the Vanderburgh County Ozone Officer has the May 2012 monthly report; the Hillcrest Washington Youth Home has the 2011 financial report; Weights and Measures has the April 16-May 15, 2012 monthly report; Commissioners have a notice to bidders of sale of county owned property at 821 Jefferson Avenue; the County Clerk has the May 2012 monthly report and the County Treasurer has the April 2012 monthly report; the County Engineer has pay request number 153 for TIF projects in the amount of \$42,769 and there's a waiver of partial mortgage release for two properties the county is purchasing for the next phase of Green River Road and a department head report.

President Abell: I'll entertain a motion to accept the consent agenda.

Commissioner Kiefer: I'll make a motion, and I think we have one point of discussion on the consent agenda.

Commissioner Melcher: Yes.

President Abell: Are you going to pull one out?

Commissioner Melcher: We don't have to pull it out. I think, before we make the motion, I think, we need to discuss, we have stopped almost all non-profits from getting waivers for the Centre. The last one that did it was the Boy Scouts and we stopped that one. The Girls in Bloom has been going on for a long time, and we have discussed this back and forth what we're going to do. We're going to go ahead and do this year, but that will be the last year for it. From now on there won't be any non-profits getting that, just the government agencies that use it. We're even scrutinizing them, because the lights are on and all that's over there, but sometimes we lose money that we could be getting. So, this will be the last year we're going to do the Girls in Bloom.

Commissioner Kiefer: I think it's nothing critical of any not-for-profit, they do a great job, it's just more of a cash flow for the county. We just don't have the money to give away the—

Commissioner Melcher: And, I think you're going to see that everywhere.

Commissioner Kiefer: Yeah.

Commissioner Melcher: It's going to start getting tougher and tougher with the tax caps that everybody voted for. The only ones that's got money now is the State, because they didn't vote themselves a cap. So, they're sitting, they're flushed and

all of it (tape flip), so we just have to make it up every way we can. The County Council is telling us to cut our budget, we're jumping the Centre to get the revenue up, yet we have it out there 100 days free.

President Abell: Yeah.

Commissioner Melcher: And we can't afford to do that anymore. So, it's something that we're really going to have to look at. So, right now we just thought it would be fair to let everybody know tonight that we're not going to be able to do it anymore. So, we would like to do it, but it just can't happen. It's not fair to everybody else that's paying. So, if you make that motion again, I'll second it.

Commissioner Kiefer: Yes.

Commissioner Melcher: I'll second it.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Second/Final Reading of Rezoning Ordinance VC-3-2011  
Petitioner: JBI Construction  
Address: 6000 Millersburg Road  
Request: Change from AG to M-2 with UDC  
Action: Continued Until 7/24/2012**

President Abell: Okay, the second and final reading of VC-3-2011, JBI Construction, 600 Millersburg Road<sup>1</sup>. This was continued from our last meeting.

Janet Greenwell: Janet Greenwell with Area Plan Commission. Like you said, this was continued. There was no discussion at the last meeting. This is a request to rezone 39.75 acres to M-2 with a use and development commitment. It was heard May 10<sup>th</sup> at the Plan Commission and received a no recommendation vote, with six yes, two no, and one abstention. If approved for the M-2 we are asking for maintenance of buffers and green space, which would be required of any M-2 in any district. I had some concern over the use and development commitment being enforceable, and I would ask, I believe I talked to Joe about that issue. I would ask that you not approve a use and development commitment that cannot be enforced.

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<sup>1</sup>Should be 6000 Millersburg Road.

In particular there was a section, and hopefully Krista can address that, section five of the use and development commitment says that the Keep Evansville Beautiful will maintain at their expense, and when they came to our meeting they said they did not agree to that. It has no place in the use and development commitment. We want an ordinance that's enforceable with the use and development commitment attached to it. So, I just wanted to get that in the record. We had expected that it would be changed, either with the Keep Evansville Beautiful agreeing and signing the use commitment or it would be altered, amended and take that section out. That's really all I have.

Commissioner Melcher: Well, I kind of agree with you on there. I don't think we ought to passing anything that's not enforceable.

President Abell: Mr. Harrison, I have a question. What does Keep Evansville Beautiful have to do with this? Other than they're, I mean, they're a remonstrator, they don't like something that's going on, but they're not a government agency, they're not elected by the people of this community. I don't know why we're giving much credence to them in a use and development commitment.

Joe Harrison, Jr.: I think we'll maybe hear some of that here in the next few minutes, but what I do want to do is...all of those who want to testify this evening in connection with this rezoning please raise their right hand. Anybody that wants to testify. Do you swear, affirm the testimony that you are about to give is true and accurate, so help you God?

Krista Lockyear: I do.

(Others in audience with hands raised indicated they agreed with this statement.)

Joe Harrison, Jr.: Thank you.

President Abell: I'm sorry.

Krista Lockyear: Madam President, members of the Commission, Krista Lockyear representing the petitioner, JBI Construction, Inc. Let me kind of change around my request here a little bit and address the issue that was just raised by Area Plan Commission. We have reached an agreement with Keep Evansville Beautiful. Their attorney was kind enough to meet us out at the property. We drove around the property and came to a resolution that takes out the paragraph that Mrs. Greenwell was referring to as being unenforceable. That was my client was previously willing to give them an easement, but they would have to maintain it because of financial considerations. We have revised that use and development commitment, that provision is removed. The resulting changes were that my petitioner, my client continues to agree to leave what had been referred to as the sunflower area as a natural vegetative buffer. That's between the existing borrow pit and I-164. So, it provides some green space to shelter anything. That's going on to the property, that's 120 feet to 140 feet of invariable (Inaudible), so it's pretty considerable, I think that's almost seven acres of green space. Just to the west of that sunflower field, if you will, and, again, we're not committing to always keeping it in sunflowers, but in some type of natural vegetation, there is a drainage ditch that has naturally growing trees, some evergreens, many deciduous, that are really doing a nice job of providing the buffer that Keep Evansville Beautiful is interested in acquiring. So, as we looked at that property, and my client agreed and he has every intention of not clearing any of that natural vegetation in the ditch, allowing that to grow on its own



and provide, rather than my client having to pay for a lot of trees, those trees should expand and provide a very nice buffer. I do want to advise that, you know, we put into the agreement that should anyone seek enforcement to require us to remove drainage, we'll let Keep Evansville Beautiful know. They've been involved in some of these actions before, and would assist my client in maintaining that drainage ditch and the vegetation therein. The final agreement that we came to that is new for this Commission is that, as my client has said previously, his intention really is to fill this borrow pit. The reason we had to come in front of Area Plan Commission and you Commissioners for a rezoning was because the Army Corps of Engineers put a stop on the fill because of natural waterways of the U.S. and a wetlands situation. My client has been working through the permitting process to mitigate that wetland situation. In the meantime, he had materials that were backing up and began recycling the concrete material on the property. That rose to the attention of Area Plan Commission as being a commercial activity and my client was advised that we have to rezone if we're going to have commercial activity on the property. So, all along my client has really been interested in filling this borrow pit, bringing that property up to a level where the real estate in the future can be developed, but, he doesn't have any current plans to develop that in any other fashion. So, he has agreed that after his current recycling and filling business is ended, and that may be, is estimated even 20 years from now, once that operation is done, he would come in and seek to down zone the property back to Ag or residential, because, again his original intent was simply to fill the borrow pit, cover it with top soil and go back to farming the property. So, he has agreed that he would rezone or if the rezoning doesn't work or for some other reason the commercial use is attractive at that time, at that point in time we would put in the trees, at my client's expense, that Keep Evansville Beautiful has requested as an additional buffer along the highway. It's really a win-win situation. It gives Keep Evansville Beautiful the ability to meet their goal of protecting the view of folks coming in to Evansville down that corridor, and yet it doesn't force an unnecessary on my client at this point in time to plant those trees and maintain them. So, I know Mr. Schopmeyer is here, as I have requested, and I would appreciate him giving you his thoughts and comments, but that's the change in the use and development commitment and the removal of that unenforceable provision.

Commissioner Melcher: Could I ask—

Krista Lockyear: Certainly.

Commissioner Melcher: — that's not answering Marsha's question or mine, but I didn't ask it, she did. Who went to who on this property?

Krista Lockyear: I'm sorry? Who went to—

Commissioner Melcher: Did you go to Keep Evansville Beautiful and say do you want this property? Or did they come to you and say we would like to have that property?

Krista Lockyear: No, we're not giving them any property.

Commissioner Melcher: Well, at one time you were.

Krista Lockyear: It came about through their remonstrance at Area Plan Commission initially, and their request that my client, on his own expense, put this buffer line of trees along the property boundary.

Commissioner Melcher: And that's done in a lot of zonings, buffering--

Krista Lockyear: Sure, sure.

Commissioner Melcher: -- hills. They didn't ask anything that they haven't asked anybody else.

Krista Lockyear: Correct. Through our discussions we said, hey, look we'll give you the buffer area, but we can't afford to plant the buffer area at this point, given that, you know, we're really a fill and recycle operation. We're not developing the site right now as any kind of industrial park or commercial business park or anything of that sort. So, the typical buffering that you see associated with those developments where there's a lot of money in the end being made, just doesn't exist there. So, it was not practical. So, that was our attempt at compromise with Keep Evansville Beautiful. We'll give you this area to buffer, if you can come up with a way to plant the trees at your own cost. Keep Evansville Beautiful as of the last, two weeks ago when we were in front of the Commission, said, no, we don't want that. We don't have the funds either to do this planting. Again, I hope I'm not putting words into Mr. Schopmeyer's mouth, but my understanding is that they didn't want that. So, we removed that provision and came to the agreement as presented.

Commissioner Melcher: Do we have this new...I haven't seen it.

Joe Harrison, Jr.: I received it, I think before 5:00, before I came over here, and I did e-mail it quickly to Kristin before I left my office, but I've got, here it is right here. Here's the red line and then the--

Commissioner Melcher: Does Janet have it?

Krista Lockyear: No, Janet does not have it.

Joe Harrison, Jr.: No.

Krista Lockyear: I e-mailed it to the Area Plan Commission attorney, but, again, Mr. Melcher, there aren't any commitments that are Vanderburgh County Commissioner requirements--

Joe Harrison, Jr.: Right.

Krista Lockyear: -- in this use commitment. It is only a commitment by my client that he will either provide the buffer, at such point in time that there's commercial development other than the recycling and filling on the property, or he will down zone back to Ag or residential.

Commissioner Melcher: I don't see anybody ever down zoning on that. So, that one I don't understand, but, go ahead.

Krista Lockyear: Alright, I'll just move on real quickly and go through my other points on the rezoning and then we'll let the other parties here speak. Again, I did indicate that the rezoning was as a result of that, we needed to do something with this fill material until such time as we can fill it. So, the commercial recycling activity came into being. We were requested by Area Plan Commission at that time to rezone. The rezoning originally went forward just to accommodate what my client needed to do on the property. We've revised to change, in the use and development

commitment, and this has been going on, this has been there for a long time, the only uses that would be allowed on the property are really C-4 uses, those use groups, and the few commercial, or industrial uses that are associated or could very well be associated with my client's recycling activity. We have also had a lot of allegations, if you will, from folks at Area Plan Commission, if you read the minutes, a couple of times about illegal activity that my client had not followed through with the permitting process, and I want to, for the record, identify again on May 15<sup>th</sup> we sent a letter to the Vanderburgh County Plan Commission, copied the Building Commission, as well as you Commissioners identifying our permits from the Indiana Department of Environmental Management as early as 2009. Environmental Management, again in 2011 regarding the fill; Indiana Department of Natural Resources, and we've provided information showing our permit application with the Army Corps of Engineers, which we have been advised—

Commissioner Melcher: How long has he been there doing this?

Krista Lockyear: I'm sorry?

Commissioner Melcher: When did he start doing this?

Krista Lockyear: He started with the permit—

Commissioner Melcher: No, not permit. When did he start doing, filling the borrow pit?

Krista Lockyear: 2009.

Commissioner Melcher: 2009?

Krista Lockyear: Yes.

Commissioner Melcher: Okay.

Krista Lockyear: We have a permit, a Title V permit from IDEM for 2009.

Commissioner Melcher: So, he didn't have any work on the site at all? He just owned the site?

Krista Lockyear: Correct. The borrow pit was created not by my client—

Commissioner Melcher: Right, it was done when they built the highway. When did he buy the property then?

Krista Lockyear: I don't have that information.

Commissioner Melcher: Okay.

Krista Lockyear: The remaining permit that we are waiting on for the fill to go into the borrow pit is the Army Corps of Engineers. We've been advised that that permit is forthcoming. There are other larger projects that the Corps is working on. So, as soon as that does happen then we can start utilizing, for clean fill only, it's all permitted again under the various State agencies. I've indicated that we have been working continuously with Keep Evansville Beautiful to try and satisfy their concerns. One other issue I didn't mention, in the use and development commitment, they

requested that we restrict the number of billboards along that corridor. Again, reaction to areas of town where there are a lot of billboards, and maybe not as attractive as what some would like. So, my client did agree to only allow one billboard on that property in future development. We have a neighbor who has a rental property immediately adjacent to my client's property, a Mr. Titzer. I have called him a couple of times and he is not interested in any type of compromise or agreement that we could provide to him, but I do want you to know that for any, if this property is rezoned, for any storage or commercial equipment being parked on the property, the code requires that an eight foot tall, opaque fence be erected to shelter that residential property from the view of our storage and/or commercial vehicular parking. There's also a requirement, pursuant to the code, that there be 40 feet of green yard space between, I'm sorry, 20 feet of green yard space between the two properties. So, there are restrictions that are built into the ordinance that we will do for Mr. Titzer, all being, we haven't reached any agreement with him. We understand that there have been some concerns about heavy equipment. What's happening on this property, obviously, trucks from construction projects are bringing concrete and fill material to this property to either be used for the borrow pit once we get our permits, or recycled. It's heavy equipment. My understanding, on Millersburg Road there's not a weight limit, however, to the extent that damage does occur, my client is willing to work with Vanderburgh County to provide materials and/or equipment to assist any repairs. In fact, I believe Mr. Stoll and my client worked on this before, in 2010 or 2011 my client did, in fact, participate in the repairs to the road, and, again, we would express to the County Commissioners we would continue to do that. In summary, we've jumped through a million governmental hoops to get this property to where it can be done, something can be done with it. As it sits now it's a borrow pit, and pretty useless to Vanderburgh County or anyone else. What we would like to do is to be able to fill that up, change the nature of this property from unproductive, really property that's not generating any tax revenue for Vanderburgh County, to a point where in the future, and, albeit it may be quite some time before that gets filled up, but it will be income producing property for the county, tax revenue for the county, and productive for Vanderburgh County just in general. I mean, it's a prime site right there on 164, you know, when I-69 gets developed, etcetera. We have done what we can to protect that site, based on Keep Evansville Beautiful's requests and input. Again, we just are asking that we can move forward with fill and recycling operations at this time, and would put in additional buffers should anything else occur.

President Abell: Commissioners? Maybe we could have you come back.

Krista Lockyear: Certainly.

President Abell: We'll kind of breeze through this (Inaudible). Mr. Schopmeyer?

Mike Schopmeyer: First we want to thank you for providing the extension of time last time. That enabled us to work through the issues on behalf of KEB. We have consistently, on I-164, Lloyd Expressway, Highway 41 and Diamond Avenue appeared when there is not others appearing to address the issue of the appearance from our entryways. That's why KEB was here. We're in agreement with the compromise that's been reached. We think it's a decent compromise, a win-win solution. There was, as we visited the property, because of the ditch that's there, there is a natural tree line that will develop and is developing, and we had noted that before, particularly on the southern end. Our primary concern on this property is entry from the north. That may take a little time, but as you walk through that area, and it shows up on this, the aerial photo you had up earlier. You can see the line.

This photo is probably older. If you were to look at that photo today you would see that line which is the ditch through there is growing up pretty well. The only complaint that we would have is that a lot of those trees are deciduous, but there's quite a few cedars in that. There's a lot of natural growth cedar in there, which are evergreens, year round. So, we're in agreement. We appreciate what the property owner has done working with us. We don't speak for the neighborhoods, we don't get involved in neighborhood issues. We're here simply for the view from Highway 41, and we have consistently done that. Ms. Abell, you raised the question why we're here, that we've been consistent in showing up in front of the Commissioners. The only time in my practice, one time I had a gun pulled on me and another time I'd been hit, is at one of these proceedings on I-164. Hit pretty good in the belly on another one of these. So, we don't get paid to do this. We come in here on behalf of citizens—

President Abell: I don't think that was what I said, Mr. Schopmeyer.

Mike Schopmeyer: Okay.

Commissioner Melcher: That's not what—

Mike Schopmeyer: Okay, I misinterpreted.

President Abell: What I said was that I didn't think you had standing to be part of the use and development.

Mike Schopmeyer: We don't. We agreed with that.

President Abell: That's what I said.

Mike Schopmeyer: In the APC we agreed, and that's why we got it taken out. I didn't want that to be misinterpreted. We knew that, and they had spoke to us, and we got that changed today. Again, we appreciate, by providing the extra time we were able to work this out. We think it's a win-win. It's not everything we wanted, it's not everything they wanted, but they worked with us and we appreciate it. So, I would be happy to answer any questions.

Commissioner Melcher: So, we're down to one billboard now?

Mike Schopmeyer: Yeah, we would have preferred zero. We also testified on the billboard ordinance. I mean, we were heavily involved in the re-writing of that, and as a result I believe there are 25 fewer billboards today than we had when we passed that new ordinance. So, these are things that KEB's consistently been involved in here and nationally. KEB's are outgrowths of chamber of commerce, they've been spun off years ago in most communities. Keep America Beautiful has been long involved in litter and campaigns and we too have limited funds. Like the government, we've seen the same problem. That's why we couldn't take on the trees. We've never taken on the trees on any project.

Commissioner Melcher: Well, I think that was part of our question too, was why would you want to take on property when you don't have enough money to do what you got now? That's why I wasn't going to agree to any of that.

Mike Schopmeyer: We couldn't, and we consistently at the Plan Commission, we worked this out, because, number one, you've got the natural line there, they've agreed to put it in, they've agreed to zone back, which is a pretty big deal. They've

agreed that if a developer goes in we'll work out a plan for more formal planning, but if you look at that line it has water to make tree grows, and we had a similar problem on the south side on one, which we lost on, and it was ultimately stopped because it was in the floodplain. It's all grown back up, because if you, that's quaking, it's the same thing that we have in Bluegrass, if you go across the road—

Commissioner Melcher: I know.

Mike Schopmeyer: —it will grow up handsomely. So, it's a good compromise, and we appreciate the property owner working with us on that. So, from the highway view, we can't speak for the neighbors, we can only speak from I-164 we think we've done a, we've come up with a decent compromise and we would recommend that you pass it.

Commissioner Melcher: Since I haven't read all of this that we just got handed, you're not involved in it after tonight though? After tonight you won't be involved in it anymore?

Mike Schopmeyer: We can only be involved in that we can ask the Plan Commission to enforce if they didn't comply.

Commissioner Melcher: Okay, I understand that, but I'm talking about you're not going to maintain any trees, you're not going to do any grasses or nothing?

Mike Schopmeyer: No, but we're pretty good at policing to see that they do what they've done—

Commissioner Melcher: No, I understand that.

Mike Schopmeyer: —that pretty consistently. We've had a couple that it hadn't worked out well on, but we keep trying. I would be happy to answer any other questions. I, again, we do appreciate, you didn't have to extend this last time, and that enabled us to work this out. So, thank you.

President Abell: Commissioners?

Commissioner Kiefer: I have a question for Krista. I mean, I'm sure there will be other questions later, but, Krista, when you and I had met you had mentioned, since we're talking about trees—

Krista Lockyear: Certainly.

Commissioner Kiefer: — and buffers, you had mentioned doing something along that corner of Millersburg, at Millersburg Road, but, I guess, maybe I'm not seeing that in this use and development commitment.

Krista Lockyear: We could not get any agreement from the abutting property owner for anything along those lines. So, again, that's why I indicated what we will have to do is the fencing and the 20 foot green space per the code.

Commissioner Kiefer: Okay, yeah, but I would have, you know, I mean, even though they wouldn't agree to it, I mean, I had understood that you were going to do that.

Krista Lockyear: I was kind of told to leave them alone, with all due respect.

Commissioner Melcher: No, we're, I think what he's trying to say, and I could be wrong, you guys could have done it anyway.

Commissioner Kiefer: Yeah, you didn't necessarily have to—

Commissioner Melcher: You didn't necessarily have to have his agreement.

Krista Lockyear: And we will have to do the 20 foot green space and the fencing anyway.

Commissioner Melcher: So, does that mean those buildings are going to be moved?

Krista Lockyear: There's one building there, and it will have to be moved if it's within the 20 feet, yes.

Commissioner Kiefer: Okay, that's all I had.

Krista Lockyear: And, may I also point out along those lines, the building does not have to be moved, nor do we have to have any green space nor fencing if this property remains Ag. Once we obtain the Army Corps of Engineers permit, this operation can continue under the Ag zoning, albeit not the recycling business, but everything as it stands, storage and material and fill and building can stay as they are without buffering. So, this rezoning would force some buffering for the abutting property owner.

Commissioner Kiefer: Okay, thank you.

Commissioner Melcher: But, the only thing it's going to give him is the 20 feet.

Krista Lockyear: And/or fencing if there's storage.

Commissioner Melcher: It's not going to give him nothing else.

Krista Lockyear: Correct.

Commissioner Melcher: Unless we do something. Unless we want it added.

Commissioner Kiefer: Can you add, I mean, you can't add to this use and development commitment at this point, can you?

Commissioner Melcher: We could add, why not?

Commissioner Kiefer: I mean, that's what I'm asking.

Commissioner Melcher: We could do that, as Commissioners. We can't do it as Commissioners? Who's signing it?

Joe Harrison, Jr.: No, it's not with—

President Abell: It's not us.

Joe Harrison, Jr.: —it's part of the ordinance, but it's not signed with us.

Krista Lockyear: Right, it's a commitment that the property owner is making that runs with the title to his property. So, it's the property owner that has to make that commitment.

Commissioner Melcher: So, you're saying we can't ask you to add more?

Krista Lockyear: You can ask.

President Abell: You can always ask.

Commissioner Kiefer: Well, I mean, I would only like to have what you had committed to me at that meeting. You and JBI looked me in the eye and told me you would do that.

Krista Lockyear: Well, our commitment was to work with that property owner, and that's been impossible.

Commissioner Kiefer: Well, I understand that, but, I mean—

Krista Lockyear: I have used, I have tried to work with that property owner—

Commissioner Kiefer: —okay—

Krista Lockyear: — and it's not been pleasant.

Commissioner Kiefer: I know, but—

Krista Lockyear: Quite honestly—

Commissioner Kiefer: —I'm talking about me, Joe Kiefer. You made a commitment to me that you would put some green space there. Now, if you're changing your mind on that, then I may have to—

Krista Lockyear: No, it's not a changing of mind. The commitment was with the neighbor's consent, and we don't have his consent. So, I apologize—

Commissioner Kiefer: Okay, well, let me re-phrase that then—

Krista Lockyear: — if there was a misunderstanding there.

Commissioner Kiefer: — I'm asking you now for a commitment to add some additional shrubbery green space there that, well, he was there at that meeting, he understood what I was asking for. I would just like to know, you know, that when we had some discussion—

Mike Metzger: Mike Metzger, JBI—

Commissioner Kiefer: Yeah.

Mike Metzger: — I live in Warrick County. Correct me if I'm wrong, I don't understand then, is it a 20 foot—

Commissioner Kiefer: It was some green space between that and the neighbors neighboring houses so that way it would block some of the visibility.



Mike Metzger: You're talking about trees.

Commissioner Kiefer: Trees, yeah, some trees and shrubbery.

Mike Metzger: Is it going to be trees and an eight foot fence? Or just the trees?

Commissioner Kiefer: Trees and whatever else the code calls for. I'm not asking for any fencing.

Mike Metzger: Well, the code calls for a 20 foot green space, if I'm correct, and an eight foot fence. So, do I, do you want me to put trees against the fence, or in the 20 foot green space? It's not that big an area, I would be glad to plant some trees there.

Commissioner Kiefer: Yeah, that's all I wanted to hear.

Mike Metzger: Yeah, I mean, but Mr. Titzer's been very difficult to even talk to, so.

Commissioner Kiefer: Yeah.

Mike Metzger: It's not, so, am I allowed to plant trees against the fence without his permission?

Commissioner Kiefer: Well, if it's on your property.

Mike Metzger: Then again, with that eight foot fence, would that have to extend beyond his property, the back of his house? How far would that have to go? How far would the trees have to go?

Commissioner Kiefer: Yeah, what I'm looking for—

Mike Metzger: Is right next to his house. I agree to that, Joe, no problems at all.

Commissioner Kiefer: Yeah.

Mike Metzger: Down to where the building is, because that's the back of his house—

Commissioner Kiefer: Yeah, that's what I was talking about.

Mike Metzger: —and his barn?

Commissioner Kiefer: Yeah, that's exactly what I was talking about.

Mike Metzger: Not a problem, if that's what you guys want, I'll do that.

Commissioner Kiefer: Yeah, I mean, I would like to have something added to this that covers that. That will satisfy me.

Mike Metzger: Very good.

President Abell: Did you have something?

Janet Greenwell: Yes. Janet Greenwell again. A few weeks ago we came before you and asked you to amend an ordinance to allow petitions to go forward, come back

to County Commission without having to go back to Plan Commission to be reheard for changes to agreements. I would like to point out to you that the ordinance, as filed, includes things that are not enforceable. That ordinance has not been amended. The whole intent of that ordinance was to keep private covenants and agreements from being an issue on the floor. You know, they're saying things on the floor, we see nothing in writing. What you're voting on is the ordinance as filed.

Commissioner Melcher: As filed, I agree with that.

Janet Greenwell: It has not been amended.

Commissioner Melcher: I agree with that, that why I was asking about this.

Janet Greenwell: That's why I would ask that it, you know, give them an opportunity to amend it before you take a vote, please.

Commissioner Melcher: See, I think they think they've amended it.

Janet Greenwell: They have not.

Commissioner Melcher: Well, and that's where I'm at.

President Abell: Can't we amend it on the floor?

Commissioner Melcher: It has to be in writing, according to the ordinance.

Joe Harrison, Jr.: Well, it needs—

Commissioner Melcher: It has to be in writing tonight.

Joe Harrison, Jr.: Mr. Kiefer has raised some issues that they may want to include, they should probably include within the use and development commitment, because they're not in there.

Commissioner Kiefer: When does this use and development commitment get signed?

Joe Harrison, Jr.: Well, it's passed with the ordinance. It's not passed, it's not signed until it's approved.

Commissioner Melcher: But, when you pass the ordinance—

Joe Harrison, Jr.: Then it's signed.

Commissioner Melcher: — it's approved. Right. According to the ordinance, it has to all be in writing tonight, right now, when the meeting starts.

Joe Harrison, Jr.: It's got to be in, all of the information would have to be in there when it's approved.

Commissioner Melcher: That's why he was trying to get it to us at the 11<sup>th</sup> hour today.

Commissioner Kiefer: There's remonstrators, so.

President Abell: Okay. There are people that want to speak. I would just say, start on this end and work your way down, since we didn't have anyone sign in.

Commissioner Melcher: Go ahead.

President Abell: If you want to speak, yes. I would like for you to limit your comments to the subject at hand.

Paul Gehrhart: My name is Paul Gehrhart, I live and own the property to the south of what you're discussing. Ms. Abell, Mr. Kiefer, Mr. Melcher, this, I urge you to vote no on this for two big reasons. One, in the Keep America Beautiful person brought it out, the tree drainage, that ditch was put in when 164 was put in to drain the property to the south, which runs to the north. It is now grown up in trees, it blocks the drainage, and this guy is bragging about how good it looks. That floods me, and I take offense at that. We have a Drainage Board that should watch this. Drainage should be kept open. The drainage was moved there to fill that lake and the previous owner got that approved. Now, we get another owner that obstructs the drainage, and wants to fill the lake. Now, this don't work. The second thing is, the storage of cancer causing materials on that property. I have been in correspondence with the Corps of Engineers, pavement, used pavement is cancer causing product and it's stored on that property, which you can see mounds of it. They informed me that that was temporary, and it would not increase. It has increased and it is still there. I urge you to vote no on this and put a stop to this. Ms. Abell, Mr. Kiefer, Mr. Melcher, me and my neighbors will remember how we vote on this tonight. Thank you very much.

President Abell: Next. The next person that would like to speak.

Ron Titzer: My name is Ron Titzer. I own the property due west. I do have a rental property there, a rental house, and one of the issues I have is the loud banging noises when they're using their dump trucks. They start sometimes as early as 4:30 in the morning, and I have trouble with renters putting up with that noise, waking them up at that time of day. That's one problem. Another problem is their dump trucks that they're operating are tri-axles and they're running 69,000, that's the legal limit is 69,000 pounds on that road, and they eat that blacktop or asphalt up rather quickly. Agreeably, JBI has come and dug some of that out and replaced it. He has to do that about three times now in the course of the three years that he claims he's been there. That's one other problem, another problem is all of the dust, which is fugitive dust as I understand it. That comes off of the trucks and the dumping and the grinding, and that all blows right over on these properties. It's ruining our property values. Now, he says he's going to increase that property value, but I doubt seriously, but that's my opinion. I know he's going to decrease my property values, my tax liability won't go down, but my property value will go down. To me, I think that's encroaching on my ability, I've lived there or owned the property since my mother died in '92. I was born and raised there, born in '38 and we've paid taxes on that from practically forever. My grandfather owned the property and I hate to see it destroyed because someone, out of the county, that wants to make a quick buck. That's just about what it amounts to. I certainly hope you vote no. Thank you.

President Abell: The next person that would like to speak. Is there anyone else that wants to address this issue?

Krista Lockyear: Members of the Commission, to address Mr. Kiefer's concerns, we are willing to ask for a no vote tonight on this, and to put in the written commitment that we will install some trees along Mr. Titzer's property line there at the entrance.

I can't help but have to say, I mean, I probably should stop there, but it, Mr. Titzer and the neighbors and everybody else need to understand that the trucks, the damage to the road, the dust, the noise and the fill material can go on if we don't get this rezoning.

President Abell: That's right.

Krista Lockyear: In all honesty, I have never had people treat somebody so rudely in something that, really, in the end, all we're trying to do is give and give and give. I don't mean the Commissioners, but the neighbors have not done a thing to help us, and maybe that's why this process has been so tough. Usually in rezonings that are contested, like Mr. Schopmeyer and I we get together and we work out our issues, you know, it's tough when you aren't in that position. Again, I know I probably shouldn't even go on to say that, but I just want the record to reflect that my client has done and given and given a lot, and that the Ag use, actually, will continue all of the things the neighbors are complaining about, and yet not give the buffer along 164 or the buffer along Mr. Titzer's property. We're still willing to go ahead and amend and to that, but, I think, we're about at the end of our rope. So, I would ask that you entertain a motion to postpone this to give us leave to add the agreement to buffer along Mr. Titzer's property.

President Abell: You are in agreement to us not voting on this tonight?

Krista Lockyear: Yes.

President Abell: Mr. Kiefer has just told me that he will not be back, he will not be here for the July 3<sup>rd</sup> meeting. So, it would be July the 24<sup>th</sup>. Mr. Melcher, will you be here on July 24? We will all—

Commissioner Melcher: You're going to need all three.

Krista Lockyear: July 24<sup>th</sup>.

President Abell: Is that agreeable, Mr. Metzger?

Mike Metzger: I probably won't be here the end of July myself.

President Abell: Well, you're lucky.

Commissioner Kiefer: I don't think you need to be.

Mike Metzger: Well, I'm about ready to give out and withdraw my request and move the crushing and the operation out of there. That might make the neighbors happy and you guys happy too, I don't know. But, legally I can still use the property to dump, I won't have to do any buffers, it's easier for me to leave it agricultural. It's better for me to leave it agricultural than it is to rezone it.

Commissioner Melcher: We're not getting you on the record. When you turn around it doesn't get on the record.

Mike Metzger: I don't understand what they think that big, dumb hole is for. What could it be used for? So, the record or not, I'm just about—

Commissioner Kiefer: I'm going to make a motion that we hear this on July 24<sup>th</sup> at our meeting on that date, so they have time to amend their use and development commitment. So, that's the motion.

President Abell: That is not because of you, Mr. Metzger. That's just to make Area Plan Commission happy with the way that we've done it.

Mike Metzger: I understand.

Commissioner Kiefer: I'm sorry, if I would have had a copy of this earlier, I would have pointed it out to Krista at that time, but I didn't get it until it got on the floor.

Mike Metzger: Joe, we took it out, excuse me, we took it out really because we thought the 20 foot green space and eight foot fence would suffice. Why would you need trees there if you have an eight foot fence?

Commissioner Kiefer: Right, I understand. You know, if you're willing to make that adjustment, then we can hear it on the 24<sup>th</sup>, if that's okay. I made a motion.

Commissioner Melcher: I'll second it.

President Abell: Is there any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Krista Lockyear: Thank you.

President Abell: We'll see you back here on the 24<sup>th</sup>.

Krista Lockyear: Okay.

President Abell: Thank you. Being no further business to come before the County Commission—

<b>German Township Fire Department Check Issue</b>
--

Commissioner Melcher: I do have—

President Abell: Oh, I'm sorry.

Commissioner Melcher: I should have done this under—

President Abell: Public comment?

Commissioner Melcher: –new business or something.

President Abell: Okay. I'm sorry.

Commissioner Melcher: I guess, while I was out of town some things came up in German Township about, I guess, a check that was written to the fire department earlier this year. I guess, due to the cut back from the State, they didn't have enough money to cover what they thought they were going to have. So, they had to take that check back and redo it. So, basically, because of the County Commissioners are involved over the Trustees, I kind of would like to have time to go out and try to find out exactly what happened with this bounced check. We just don't want anything happening to other townships. So, I think–

President Abell: Would you do that?

Commissioner Melcher: Yeah, I could do that. It's German Township. I'll get with the Township Trustee, I'll try to get all of the particulars on it. It's not good for us writing government checks and they bounce.

President Abell: Alright.

Commissioner Melcher: I'll, we'll have to see what happens, but I do think it's probably because the State, we know what we're getting, but they don't always send us the amount that we're supposed to get. So, I'll do that. That's for German Township.

President Abell: Any further business to come before the County Commissioners?

Commissioner Melcher: No. Move to adjourn.

Commissioner Kiefer: Second.

(The meeting was adjourned at 6:45 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the June 5, 2012 Commission Meeting Minutes.  
EVCBA: Centre Chiller Replacement Energy Rebate.  
Girls in Bloom: Centre Fee Waiver for 2013.  
Prosecutors Office: Centre Fee Waiver for 6/19/2012.  
Hillcrest Washington Youth Home: Fiscal Year 2011 Financial Report.  
Notice to Bidders: Sale of County Owned Property: 821 Jefferson Ave.

**Employment Changes:**

Burdette Park (7)	Public Defender (2)	The Centre (1)
Superior Court (3)	Prosecutor (5)	Circuit Court (1)
Sheriff Office (5)	Recorder (1)	

**Ozone Officer:** Department Head Report.

**Weights & Measures:** 4/16-5/15/12 Monthly Report.

**County Clerk:** May 2012 Monthly Report.

**County Treasurer:** April 2012 Monthly Report.

**County Engineer:**

Pay Request No. 153: TIF Projects: 42,769.  
Waiver of Partial Mortgage Releases (2): Green River Road.  
Department Head Report.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Schenk
Madelyn Grayson	Scott Schoenike	Dave Rector
Steve Owens	Dona Bergman	Erin Mattingly
Debbie Spalding	Debbie Dewey	Ray Nicholson
Sherman Greer	Jeff Wilhite	Eldon Maasberg
Janet Greenwell	Krista Lockyear	Mike Schopmeyer
Paul Gehrhart	Ron Titzer	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)



**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
JULY 3, 2012**

The Vanderburgh County Board of Commissioners met in session this 3<sup>rd</sup> day of July, 2012 at 5:01 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: Good evening. I would like to call to order the July 3, 2012 meeting of the Vanderburgh County Board of Commissioners. Could I have attendance roll call please?

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Commissioner Melcher, would you lead us in the Pledge of Allegiance?

Commissioner Melcher: Sure.

(The Pledge of Allegiance was given.)

**Permission to Open Quotes: VC12-07-01:  
Bridge Repairs on Pfeiffer Road Bridge #1710**

President Abell: Before we get started with our business, I would like to take a little liberty here and welcome my husband to the meeting this evening, along with our son, Captain Brian Barnhart of the United States Army who is spending the 4<sup>th</sup> of July with us. We're happy to have him here with us. I would entertain a motion for permission to open the quotes for VC12-07-01, bridge repairs on Pfeiffer Road bridge number 1710.

Commissioner Melcher: So moved.

President Abell: Since Mr. Kiefer isn't here, I will second that. All in favor say aye.

Commissioner Melcher: Aye.

President Abell: Aye. Opposed?

**(Motion approved 2-0)**

President Abell: Mr. Harrison, would you like to open those?

**Supplemental Declaration of Emergency Ban on Open Burning:  
Including Fireworks in Vanderburgh County**

President Abell: Under the action items, we have supplemental declaration of emergency on the fireworks ban. Mr. Greer, did you wish to make some comments on this for us?

Sherman Greer: Yes, Madam Chair, the volunteer fire departments out in the county, the Fire Chiefs Association has adamantly said that they would support this, to have a ban for fireworks in the county.

President Abell: We are, the reason this is a supplemental declaration, in the way of explanation for our viewing audience, and also for the media that's here, we actually did a ban two weeks ago, which was on open burning, and, consequently we are adding this to that ban. It will be in effect until lifted by the Vanderburgh County Commissioners?

Sherman Greer: Yes, it will be in effect for seven days, and then after that seven day period, if it has to go any longer then it would be seven more days. I think it's up to 21 days that you can do it over again.

President Abell: Okay, we'll sign that this evening. It will be effective upon signature. I'll need a motion.

Commissioner Melcher: Is there any fire chiefs here from any of the counties?

Sherman Greer: No, I spoke with Chief Kahre from the Scott Township Fire Department, which he's the chair of the Chiefs Association, and I expected to see some, but there's nobody here.

Commissioner Melcher: Well, I thought there would be here two weeks ago when Joe brought it up and everything, and Dona Bergman said we didn't, that didn't fall under us.

Sherman Greer: Yeah.

Commissioner Melcher: Okay.

President Abell: Mr. Harrison has pointed out that the actual State statute provides that fireworks can be shot until July the 9<sup>th</sup>, but this ban will supercede that, and consequently, by the time it expires, fireworks will no longer be legal in the county anyway.

Joe Harrison, Jr.: Yeah, State law requires, or only permits fireworks to be shot off certain holidays throughout the year--

Sherman Greer: Right.

Joe Harrison, Jr.: -- and between June 29<sup>th</sup> and July 9<sup>th</sup> in each year. Since today is the 3<sup>rd</sup>--

Sherman Greer: Right.

Joe Harrison, Jr.: – you add seven days to the 3<sup>rd</sup>, that's the 10<sup>th</sup>, no one is permitted to shoot off fireworks after the 9<sup>th</sup> anyway.

Sherman Greer: Alright.

Joe Harrison, Jr.: So, this will take care of it, if that's what they want to do.

Sherman Greer: Thank you, sir.

President Abell: I'll entertain a motion to add the banning of fireworks to the burn ban that is already in effect in Vanderburgh County.

Commissioner Melcher: So moved.

President Abell: I will second that. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

Madelyn Grayson: Sherman, I'll give you a signed copy here.

Sherman Greer: Okay.

Commissioner Melcher: Sherman, do you know if the fireworks is going to go off for the city?

Sherman Greer: I haven't heard otherwise. I think it's still in effect as of today.

President Abell: I just spoke to, the Mayor's assistant just came in just now and told me that they are watching the winds–

Sherman Greer: Right.

President Abell: – and they could make a change, but as of right now, the fireworks are on for the city for tomorrow evening.

Sherman Greer: Yeah, I'd heard that also, prevailing winds, depending upon the way the winds are blowing and the speed, how fast it's blowing could determine it.

President Abell: Thank you, Mr. Greer.

Sherman Greer: Okay.

President Abell: We have signed it. It is now in effect in Vanderburgh County.

**Treasurer: Request to Renew Cashbook Contract with ONB**

President Abell: County Treasurer, request to renew the cashbook contract with Old National Bank for one year. Rick Davis, County Treasurer is here. Good evening, Mr. Davis.

Rick Davis: Good evening. Rick Davis, Vanderburgh County Treasurer. Currently we have a two year contract with Old National Bank that was bid out last year. It expires at the end of this year. State law allows us to go out to renew an existing contract up to two years if the contract, if the terms are the same or better. I talked with County Commissioner Attorney, Mr. Harrison, and he noticed that in our contract it allows for a one year renewal. So, Old National is fine with that. They feel that it's a good contract, and at this time I would like to recommend that we renew our existing contract with Old National Bank for one year. I have given you a copy of the current contract, and I also gave that to Mr. Harrison several days ago, and he's looked it over, and I've also given you a spreadsheet showing what our checkbook basically costs the county on a monthly basis. This is basically, for the folks at home who don't know, the county has a checkbook, basically, where we pay salaries out of, we pay our bonds, we pay our bills, and this is a depository agreement. So, all funds that come into this account are handled, all of the county's funds go through this account. It's about a half a billion dollars a year in all the revenue when it comes and goes combined. One of the benefits of this contract, and it's a huge one, we are getting a minimum of .25 percent interest on the funds that go into that account. That is huge, because under the previous contract with Old National we were getting a quarter a percent or the Fed rate, minus the Fed rate. The Fed rate is right at a quarter of a percent, so we, the first two years I was in office were getting zero percent interest on the funds that are in this account. For the past year and a half we've been getting .25 percent. Recently we put out a quarterly bid for some funds that the Commissioners have with DMD, that's a good barometer to find out what other banks would be willing to give us for an interest rate on our funds, and for one million dollars for a full year the highest bid was .35. That million is locked. We can't touch it for a year. We had a quarterly amount, and they came in at .18 for Legence Bank and .05 for Fifth Third Bank and German American. That was \$150,000 for a quarter. That gives you an idea of what, the .25 turns out to be. This is liquid money. It's earning .25, but it's not tied up like a CD would be. So, I think that's incredibly important, and I think it's spectacular for the county in this investment environment. We also have the ability, Old National takes our property tax bills in six counties, two states, and 20 total branches, so, if people have property in Vanderburgh County, but they live in Hatfield, Indiana, for instance, they can go to the Old National branch in Hatfield and pay their property taxes there, rather than mailing it here or coming to Vanderburgh County to pay. So, I think that is also a very good benefit for the taxpayer at home. I would be glad to answer any questions. If it has anything to do with legalities, I would obviously want to defer to Mr. Harrison, because I'm not an attorney.

President Abell: I just noticed that the interest is higher in May and November. I'm assuming that's because that's when we collect property taxes.

Rick Davis: Yes, exactly.

President Abell: I have no questions. Mr. Melcher?

Commissioner Melcher: Neither do I. I'll make a motion to accept it.

President Abell: I'll second that. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

President Abell: Thank you for this good report.

Rick Davis: Thank you very much. I appreciate it. You guys have a great afternoon.

Commissioner Melcher: Thank you, Rick.

President Abell: You too. Have a nice holiday.

<p><b>Resolution CO.R-07-12-010: Adopting Nepotism Policies Regarding Employment Matters and Matters Related to County Contracts</b></p>
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President Abell: Resolution number CO.R-07-12-010, adopting nepotism policies regarding employment matters and matters regarding county contracts. Effective July 1<sup>st</sup>, Indiana's new anti-nepotism law goes into effect. All counties are required to adopt an anti-nepotism policy before the State of Indiana will consider approving a county's budget. Mr. Harrison, would you like to explain briefly?

Joe Harrison, Jr.: Sure. This resolution was prompted by a measure that was passed in the Indiana General Assembly this past winter. It went into effect July 1<sup>st</sup>, and it requires governmental bodies; cities, towns, counties to adopt a policy with regard to nepotism issues. This particular policy that is before you in the resolution, essentially affects things going forward from this day on, according to State law. Many offices might have relatives working within the office at this time, this particular measure will not affect that. It will not affect promotions by those that might be relatives within the same office or department within the county. It will also not affect contracts that may be in effect currently with relatives or businesses that may have shareholders or officers or directors that are relatives of one of the County Commissioners. But, what it does do is, in the future, it limits and prohibits elected officials from hiring relatives to work within their own office. So, it would apply to the County Auditor, it would apply to the County Treasurer who was just here, it would apply to the County Commissioners from hiring relatives to work in the Commissioners Office. Then, as far as contracts are concerned, it would prohibit new contracts from being entered into between the County Commissioners and any relatives of theirs, or any businesses that may have ownership interests by relatives, but it would not affect on-going contracts, if there are any, with any relatives. This relates to new situations, and it relates to new hires for county elected officials. The resolution is one that also requires the elected officials to report to the County Commissioners by the end of each year that they've complied with this particular policy. It's a certification that they will have to submit to the County Commissioners, and then the County Commissioners then have to report to the State. I will certainly remind the county elected officials of their obligation as set forth in this policy. So,

again, Vanderburgh County isn't the only county doing this. This is all throughout the State of Indiana, and many of the counties have already done this and did it a few weeks ago. It's the appropriate time for the Commissioners to consider it at this time. Also, for your information, I have passed on a copy of the resolution and discussed it with County Council Attorney, Jeff Ahlers, and, so he has it and will be discussing the same with the County Council members, but they don't, they're not obligated to pass it, but they have to be aware of it because it affects them as well as all other elected county officials.

President Abell: Will we have a form they fill out and present to us at the end of the year?

Joe Harrison, Jr.: We will.

President Abell: Okay. I have one question, and I looked through the contract and I did not read it word for word, but so what's the or else? So, if they do do this, then what happens? Does the county official lose their job, or does the other one, or do they both? Do they go to jail for 30 days?

Joe Harrison, Jr.: Well, no, I think there are issues with the approval of the county's budget. That's where it kind of comes into play. So, again, I think, I don't know about all of the "all else's", I would think if you submit something that's not accurate, that's an issue. That will have to be dealt with accordingly, because the certification is under oath.

President Abell: Okay.

Joe Harrison, Jr.: So, (Inaudible) that will play out.

Joe Gries: Commissioner Abell?

President Abell: Yes?

Joe Gries: This information will also be given to the State Board of Accounts—

Joe Harrison, Jr.: Right.

Joe Gries: —and the county is audited every year, and it could require the State Board of Accounts to put a finding on our audit, if all of the elected officials were not in compliance.

Joe Harrison, Jr.: Yeah, Mr. Gries, you've attended, I guess, some workshops, and this has been a hot topic of—

Joe Gries: It has.

Joe Harrison, Jr.: —discussion in some other counties. I mean, in many counties there are a lot more relatives working in offices, in smaller counties.

Joe Gries: Right.

Joe Harrison, Jr.: So, it certainly has, I think, drawn a lot of attention around the State.

Joe Gries: Absolutely.

Commissioner Melcher: Let me guess, the bottom line is this started because of township government hiring a bunch of family. It's mandated, the wording is mandated by the State what's in here. It's not basically what we wanted, but it's what the State required us to have.

Joe Harrison, Jr.: Right. This is required. You have to do this or otherwise our budget is probably not going to get approved, or won't get approved for next year.

Commissioner Melcher: Right. I understand that. Now, does that affect the School Corporation, the Levee Authority, the, all those other taxing entities? Does it affect them? Do we know that?

Joe Gries: I'm not sure, to be honest.

Commissioner Melcher: Because when you said the County Council, they take all of their budgets, the Library, they take their budgets to the County Council. That's why I was asking that question.

Joe Gries: They do have non-binding resolutions that they have to pass on those budgets. I think it's something that all taxing units will have to determine, and the State will have rules for possibly different taxing entities.

President Abell: Surely, a School Board member, if your child goes to college and is a school teacher, that surely won't prohibit them from working in the EVSC.

Joe Harrison, Jr.: I think, it only affects units of government.

Joe Gries: Right.

Joe Harrison, Jr.: I believe that would only be cities, towns, counties, townships.

Commissioner Melcher: Okay. That's why I'm asking.

Joe Gries: It mentions, I think in the resolution and the statute direct line of supervision—

Joe Harrison, Jr.: Right.

Joe Gries: —is part of it. So, you have to have direct line of supervision over a relative.

President Abell: Okay, well, we'll certainly be working on it. It will be a couple years before I'm sure we'll have some issues that come up.

Joe Harrison, Jr.: But, anyway, I would ask that you entertain a motion to approve the resolution, and from there we'll make sure that it is on file and included within the records of the county and make sure that all of the elected county officials have a copy of the policy.

Commissioner Melcher: I don't think we have a choice. So, I'll make the motion that we accept it.

President Abell: I'll second that. Roll call vote please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

<p><b>Health Dept: Medicaid Clinic Provider Enrollment Application</b> <b>Sheriff: AT&amp;T ISDN Prime Contract Renewal</b></p>
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President Abell: Health Department, IHCP group and clinic provider enrollment and profile maintenance packet for submission to the State. If approved by the State, the County Health Department will be able to receive distribution, not distribution, reimbursement for services it provides on behalf of Medicaid patients. The Health Department is apparently holding approximately \$10,000 worth of Medicaid patient invoices it intends to send to the State for reimbursement. Gary, did you have something that you wanted to add to this?

Gary Heck: Just if you had any questions.

President Abell: If you can submit bills to the State and get your money, we're all in favor of that. I'll entertain a motion.

Commissioner Melcher: So moved.

President Abell: I'll second it. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

Madelyn Grayson: Yes.

**(Motion approved 2-0)**

President Abell: Sheriff, AT&T ISDN prime contract renewal. Renewal of the phone service contract between the county and AT&T concerning the county's Sheriff detention complex. The renewal contract is for a period of three years at a negotiated Indiana government rate of \$250 a month for the prime phone lines, prime line phone services. I don't—

Joe Harrison, Jr.: He's not here.

President Abell: You didn't want, you're not here to discuss that are you.

Unidentified: No.



President Abell: Okay, we've read about it. I don't have any questions.

Commissioner Melcher: I don't have any questions.

Joe Harrison, Jr.: I discussed it with him.

President Abell: Okay.

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

President Abell: Second. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

<b>County Engineer</b>
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President Abell: Department head reports. I'm sure Mr. Stoll has a report.

Commissioner Melcher: He's got a list.

John Stoll: I've got a few items here. First is a supplemental agreement with Structurepoint. This is for the mitigation site design on the Green River Road project on the section between Millersburg and Kansas. The supplemental agreement is for a fee of \$67,500, and this covers the design, permitting and post construction monitoring reports of the mitigation site. The reason we have to deal with this is there's a Corps of Engineers jurisdiction ditch that our project drains through that is affected by the project. So, they will mandate the mitigation site since we need to pipe this ditch. Joe Harrison has reviewed the supplemental agreement and he found it to be okay. So, I would request its approval.

Commissioner Melcher: So moved.

President Abell: Second. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

John Stoll: Then, next, I have some letters from David Matthews and Bob Reid for appraisals for the surplus properties along University Parkway that the county is trying to sell. The fees are \$750 per appraiser per parcel. So, the grand total of the appraisal fees will be \$3,000. I once again had the County Attorney review the letters submitted by Bob Reid and David Matthews. He said those were acceptable, in an acceptable format for an agreement. So, I would request that you approve those, and then we'll proceed with getting the surplus properties appraised.

President Abell: Are they both going to do some of the work? Or is one of them going to do all of it?

John Stoll: They, the way the statutes were written, we have to get two appraisals.

President Abell: Both of them, okay. Are we going to cover, get enough out of this to cover our fees?

Joe Harrison, Jr.: Yes, we're going to add, this is going to be added to the price.

President Abell: The fee, good.

Joe Harrison, Jr.: Hopefully.

John Stoll: Right.

Joe Harrison, Jr.: We think we should be able to cover the cost.

President Abell: Yeah, I would hate to spend more money than we get out of it.

Joe Harrison, Jr.: But, it's something we had to do to sell it.

President Abell: Yeah.

John Stoll: Otherwise we couldn't do it.

President Abell: Okay.

Joe Harrison, Jr.: I think we've got—

John Stoll: There's two interested parties.

President Abell: I'll entertain a motion.

Commissioner Melcher: So moved.

President Abell: Second. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

John Stoll: Next I have a change order for University Parkway. This is for a decrease of \$2,927.59. This is due to the way INDOT specs are written regarding testing of the retroreflectivity of the striping on the project. The striping met the minimum requirements set forth in the INDOT specifications, but it did not meet the requirements that allowed the contractor to get full payment of the striping. So, this was a 30 percent deduction, and that's why it, we have a decrease. It met the minimums, but we just don't justify paying the full amount. Kind of not the way the spec was written, but that's the way INDOT specs were composed, and the project was bid according to INDOT spec.

President Abell: So, we're coming out almost \$3,000 to the better?

John Stoll: Correct.

President Abell: Do we need a motion to accept money back? Okay.

Commissioner Melcher: I'll make that motion.

President Abell: I know we need it to spend. I thought surely we could just take it.

Commissioner Melcher: I'll make the motion to get the money back.

President Abell: I'll second it. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

John Stoll: It barely missed meeting the spec for full payment. So, we got probably the best deal we could. The next item I have is an administrative settlement for the Roth parcel. This is parcel number 46 on the Green River Road project. The right-of-way buyers indicated that the Roth's wanted an amended legal description that provided a meets and bounds for the entire parcel, minus the county's right-of-way take. We typically don't provide that. So, as a compromise this settlement will pay the Roth's an extra \$500 and they can proceed to hire a surveyor and they can take care of it themselves.

President Abell: Oh, okay.

John Stoll: Once again, I had Joe review that, and he found it to be okay and so did I. So, I would request approval of the settlement.

President Abell: Okay, yeah (Inaudible). I need a motion.

Commissioner Melcher: So moved.

President Abell: Second. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

John Stoll: Next I've got a notice to bidders for the U.S. 41-I64, Interstate 64 utility project. This is for the construction of water lines, gravity sewer lines and a lift station up near the southwest corner of 41 and 64. This is part of the project that was authorized by the Redevelopment Commission last December. This will be paid for with the U.S. 41 TIF funds. Based on this schedule we'll open bids on July 24<sup>th</sup>.

President Abell: I'm glad to see us get that corner cleaned up. This will be a nice improvement for our community. I would entertain a motion.

Commissioner Melcher: I'll be glad to make this motion. Yes.

President Abell: I'll second it. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

John Stoll: The next item is a change order on Millersburg. This is for an increase of \$12,116.32. This covers a test pile driven for the new bridge over Furlick Creek. This item should have been in the original contract documents, but it was omitted. Basically this consisted of driving a pile to confirm that the soil borings provided the correct data on the depth that the piling had to be driven. After five days they had to go back and test it again to make sure it didn't drive down any further. The cost of doing this was the \$12,116.32. I would recommend approval of this change order.

Commissioner Melcher: So moved.

President Abell: Second. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

John Stoll: The last item I have is another administrative settlement. I didn't get this sent out on my initial e-mail to you this morning, but this is for the Rueger parcel. This is parcel number 29. This is an increase of \$3,000, from \$10,500 to \$13,500. This deals with some driveway issues and culvert issues. Once again, Joe and I were reviewing that and both thought that this was a better way to proceed. I would request approval of this administrative settlement as well.

President Abell: Where is this?

John Stoll: This is, I'm sorry, this is on the Green River Road project, between Millersburg and Kansas.

President Abell: Okay. I'll entertain a motion.

Commissioner Melcher: So moved.

President Abell: Second. Roll call.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

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

President Abell: I don't have a question, but I might tell you that I met with Troy Woodruff and Rusty Fowler last Friday morning, and talked to them at some length about some situations that they're looking at here in our area. They were very, very pleased with University Parkway.

John Stoll: Good. Maybe they can provide some funding for us then.

President Abell: That's what we were talking about.

John Stoll: Good deal.

Commissioner Melcher: More funding.

John Stoll: Exactly, a lot more.

President Abell: Yeah, it's a lot more, but that's what we were talking about.

Commissioner Melcher: I was talking to a consultant today about that same thing.

John Stoll: It would be great if we could get it. It would be a great project to keep moving on, but dollar-wise it's pricey, to say the least, as you well know.

President Abell: Well, they would like to see us do it, because then they would like to get rid of some of the inside of the donut and give it back to the city.

John Stoll: That only makes sense.

President Abell: Okay.

John Stoll: Thanks.

President Abell: Thank you, Mr. Stoll.

**New Business/Old Business**

President Abell: Let's do them right before the consent items. How's that? Airport Authority, oh, that's not on here, never mind. New business? Anybody have any business to come before the Commissioners? Everybody wants to get home and get on their holiday. Old business?

**Public Comment**

President Abell: Public comment?

**Consent Items**

President Abell: Consent items. Madelyn?

Madelyn Grayson: The consent items for the July 3<sup>rd</sup> meeting are as follows; approval of prior minutes, we have the June 5, 2012 special meeting minutes, and the June 19, 2012 Commission meeting minutes; employment changes for the Commissioners approval, there are seven for Burdette Park, three for the County Highway, eight for the Health Department, one for SWCD slash Commissioners, and one for the Co-Op Extension; the Auditor has continuing disclosure documents; the Commissioners have sale of tax default property at 611 East Maryland and sale of tax default property at 1413 Gibson; Evansville ARC has the May 2012 report of activities and meeting minutes; the County Treasurer has the May 2012 monthly report; the County Engineer has pay request number 154 for TIF projects in the amount of \$301,859.93 and a department head report; Weights and Measures has the monthly report from May 16<sup>th</sup> through June 16, 2012 and the annual report for June 16, 2011 through June 15, 2012.

President Abell: I'll entertain a motion to accept the consent items.

Commissioner Melcher: So moved.

President Abell: Second. Roll call vote.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

<p><b>Reading of Quotes for VC12-07-01: Bridge Repairs of Pfeiffer Road Bridge #1710</b></p>
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President Abell: Any further business to come before the Vanderburgh County Commissioners?

Commissioner Melcher: We've got bids.

President Abell: Oh, I'm sorry we do have. I'm sorry, Joe, I forgot.

Joe Harrison, Jr.: We have, the quotes that were opened up regarding bridge repairs on Pfeiffer Road, I guess it's bridge 1710. There were two responses, one from Ragle, Inc., the total bid amount was \$61,200. John, do you want me to read off the individual items or not? Okay. So, that was Ragle's total bid. The other bid was from Blankenberger Brothers, and their bid amount is \$59,450, \$59,450. I would ask that the Commissioners take these two quotes under advisement and have Mr. Stoll get back with us at the next meeting.

Commissioner Melcher: So moved.

President Abell: Second. Roll call vote, please.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

President Abell: I'm sorry, Mr. Harrison. Is there any further business to come before the County Commissioners?

Commissioner Melcher: Move for adjournment.

President Abell: We are adjourned.

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

**CONSENT ITEMS:**

**Commissioners:**

Approval of the June 5, 2012 Special Meeting Minutes.  
Approval of the June 19, 2012 Commission Meeting Minutes.  
Sale of Tax Default Property: 611 East Maryland.  
Sale of Tax Default Property: 1413 Gibson.  
Evansville ARC May 2012 Report of Activities and Meeting Minutes.

**Employment Changes:**

Health Dept (8)	Co-Op Extension (1)	SWCD/Comm. (1)
Burdette Park (7)	County Highway (3)	Prosecutor (6)
County Clerk (2)	Recorder (1)	Circuit Court (1)
Assessor (1)	Sheriff (12)	

**Auditor:** Approval of Continuing Disclosure Documents.

**Treasurer:** May 2012 Monthly Report.

**County Engineer:**

Pay Request No. 154: TIF Projects: \$301,859.93.  
Department Head Report.

**Weights & Measures:**

Monthly Report: May 16-June 15, 2012  
Annual Report: June 16, 2011-June 15, 2012.

**Those in Attendance:**

Marsha Abell	Stephen Melcher	Joe Gries
Joe Harrison, Jr.	Marissa Schenk	Madelyn Grayson
Sherman Greer	Rick Davis	Gary Heck
John Stoll	Others Unidentified	Members of Media

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)



**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
JULY 24, 2012**

The Vanderburgh County Board of Commissioners met in session this 24<sup>th</sup> day of July, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the July 24, 2012 meeting of the Vanderburgh County Board of Commissioners. Could we have the attendance roll call please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Commissioner Kiefer, would you lead us in the Pledge of Allegiance?

Commissioner Kiefer: Yes.

(The Pledge of Allegiance was given.)

President Abell: Thank you.

**Open Quotes/Bids:**

**VC12-08-01: Old Princeton Road Bridge No. 1571**

**VC12-07-02: Highway 41/I-64 Utility Improvements**

President Abell: I would entertain a motion for to open the quotes for VC12-08-01, Old Princeton Road Bridge number 1571 and bids for VC12-07-02, Highway 41 and I-64 utility improvements.

Commissioner Kiefer: I'll make a motion.

Commissioner Melcher: Second.

President Abell: All in favor say aye.

All Commissioners: Aye.

President Abell: Opposed?

**(Motion approved 3-0)**

President Abell: Mr. Harrison, will you open those bids for us?

Joe Harrison, Jr.: Sure.

President Abell: We'll continue on with our action items.

<b>Request for Burdette Pool Passes: Army Reserves</b>
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President Abell: We have a request from Burdette, for Burdette pool passes for a family day for the Army Reserves returning from combat. Staff Sargent Davenport is here for the request, as is Steve Craig the Director of Burdette Park. Would you both like to come forward?

Steve Craig: Steve Craig, Manager of Burdette.

Jarrad Davenport: Staff Sargent Davenport.

Steve Craig: Do you want to explain yourself to them?

Jarrad Davenport: Yes, sir. We have approximately about 100 combat vets that are coming back from Iraq and Afghanistan. Some that came back before, like myself, that were injured, and we want to do something for the returning members. They're all straggling back in, we have an actual date with the last member touching ground, which should be Friday.

Steve Craig: This Friday?

Jarrad Davenport: Yes, sir.

President Abell: Would you like to have a day that we actually honor all of them and open the park up to them?

Jarrad Davenport: Yes, Ma'am. We actually have August 5<sup>th</sup>, which should be a Sunday, is the day that we're looking at.

Steve Craig: My idea on this was that I was hoping that we would have a building that would be open so that they could use this as a central meeting area where they could all at least be in contact with each other, instead of coming to the park and, you know, meeting at the pool or whatever. Not everybody may want to go swimming and that. I would like to extend an offer from Burdette Park to allow them to use an unused building at the park for a meeting point, and to offer them free entry into the Aquatic Center for the day, or free miniature golf if they would rather do that than swim.

President Abell: I think, that's an excellent idea. Commissioners?

Commissioner Kiefer: I would like to thank Staff Sargent Davenport for being here today and for your service to our country. I appreciate that, and thanks to all of the members that are returning. It's really something small that we can do. I just feel really good about even being able to offer this.

Commissioner Melcher: First, Steve, do you know about what building you're talking about?

Steve Craig: No, I just found out August 5<sup>th</sup> was the day.

Commissioner Melcher: Okay. Alright.

Steve Craig: So, no, I don't, but I think we'll have one open, and, if not, we can use the pavilion on the back. I mean, you know, it may not fill it up or something, but, you know, I just want to give them a meeting point.

Commissioner Melcher: No, I agree with that, that's why I was asking.

Steve Craig: But, I don't know right now. I'm sure I'll find them something where they could have it.

Commissioner Kiefer: So, you could coordinate with him, Staff Sargent Davenport?

Steve Craig: I'll (Inaudible) take care of all of it.

Commissioner Kiefer: Get it all coordinated and worked out.

Steve Craig: Yes, sir.

Commissioner Kiefer: No, I'm in favor of doing something.

Commissioner Melcher: So am I. As a veteran, I do appreciate your service, and they're service that's coming back, because it means something to a lot of us in this country. So, with that I want to make the motion that we approve this.

Commissioner Kiefer: I'll second that.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Well, this is definitely one vote I can feel very good about. Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: I vote yes, as a mother of young man who just returned from Afghanistan. Thank you.

**(Motion approved 3-0)**

Jarrad Davenport: Thank you.

Steve Craig: Thank you all.

Commissioner Kiefer: Will the rest of the meeting feel so good?

President Abell: Yeah.

**Old Courthouse Update: Interior Renovations Presentation**

President Abell: Old Courthouse update. Is Kelley Coures, yes, he is. Mr. Coures?

Kelley Coures: You knew me by my pink shirt, didn't you?

President Abell: We have it on our t.v. screens, so we can see it.

Kelley Coures: Okay, good. Well, Joe Kiefer called and asked for a meeting with myself and Dennis Au, about a month ago. I'm sorry it's taken me so long to get this together for you. We walked through the Old Courthouse, the Old Vanderburgh County Courthouse. We've spent, the Old Courthouse Foundation, in the last seven years since I've been President, we've spent about \$500,000, most of it private money, not that much of it has been public money, most of it private, to restore the public rooms on the second floor. The old ballroom, which had not been generating any income for years, and is now one of the most used venues in town for weddings and dances and things like that. The old superior courtroom we partnered with the Evansville Bar Foundation and the Bar Association to restore that courtroom in 2011, as part of the Bar's 100<sup>th</sup> anniversary. So, Joe called and said that he wanted to talk about the way the Old Courthouse looks, the interior, the corridors, the hallways, the stairways and all of that. So, we walked through and the interior of the building, you know, the whole thing, 1891 is when it was built, and most of the interior is as it was in 1891. There are some, I'm going to show you some pictures that Mike Shoulders and his staff at VPS Architects took for us, because Joe said he wanted to know how much it would cost to bring the interior of the building into a modern look. To make it clean and presentable. We have a partnership with F.C. Tucker/Emge Realty, who's our leasing agent to lease commercial space and office space in the building, and I'm happy to report that they're doing a very good job in keeping that building occupied. We did lose a major anchor tenant, we had a t-shirt screening operator in the basement that rented a significant space down there, and he did retire, and he didn't sell his business to anyone else. So, it is gone. So, that space is available in the basement, but, I thought I would give you a walk through as to what the interior of the building looks like now. I sent Marissa a document that Mike Shoulders did for us with his estimate of what it would cost on each floor. I asked him to break it out for the Commissioners, you know, in case you wanted to do part, if you want to do one floor at a time, however you decide that you want to do it. But, Commissioner Kiefer made a very, very brilliant observation that either the county wants to be in the business of maintaining this building and leasing it and operating it, you know, for profit, or it doesn't. I think that was, that was the best case I've heard in the seven years that I've—

Commissioner Kiefer: That's accurate.

Kelley Coures: – yeah, that I've run that, that I've been the President of this board. But, we start with the general cleaning, ceilings and walls, on your document if you look at that, I'm going to show you some pictures, the marble floor tiles in the building, there are some loose marble floor tiles, and the floors, they have not had a real good cleaning since I've been there. It may have been prior to the current configuration of the Foundation, it may have been during the old Conrad Baker

Foundation days, the last time these floors were really cleaned, but there are some loose marble floor tiles. These are all original to the building, these were installed in 1891. Can we go to the next slide? There are some broken tiles on the main floor. There's several broken tiles, I think in all of the floors, as you would expect for marble that's over 120 years old. Can you go to the next slide? This is the basement, not the, now this is, you know, there's a sub-basement to the building that's leased out to Phil Wolters, who operates a theatrical haunted house at Halloween time in the basement, the old catacombs, they're rented out to him, that's private space. He's done a lot of work in maintaining the old sub-basement. You know, that building was the turn around basin of the Wabash-Eerie Canal in the 1850's. Then it took two sub-basements to get all of the water out. The Wabash-Eerie Canal wasn't good at holding water, but the basin was. So, it took a long time to get that out. So, that's why there's two basements. There's a sub-basement down there, but Phil has that and he maintains that very, very well. This is the second basement, if you will, or the first basement, I guess, and it is, the floors down there are just painted concrete. There's no ornamentation down there. Those floors really need to be sanded and re-painted in a bad way. But, there's, you know, the tenants down there, we had that silk screened printer, the AIDS Resource Group has significant space down there, and the rent is fairly low for that agency because it's in the basement and it's not expensive. We don't spend a lot of money to replace it. If you want to go to the next one, there are some cracked slate, you know, the stairs are the original black slate, and, you know, I walked through there the other day and I was thinking, you know, do we want to change those out? Because you can still see the grooves where people walked when that was the county government's building. You know, the floors for 120 years, those people that went up and down those stairs all of those years, attorneys and judges and workers, you know, I'm not sure that we really want to change those old slate floors, but there are some that need to be repaired. There's some more damage to floor tiles. This is the ceiling on the third floor. The third floor, the very top floor is the smallest area that is occupied. The County Engineer's is up there, and, unfortunately, it bore the brunt of the water damage and the moisture damage over the years, before the roof was repaired and before the guttering was repaired. In fact, I think 2003 was when the roof was redone, before any of that significant work, and then we had to go back, if you recall, I had to come here and talk about some tuck pointing and filling in cracks all around the ceiling about a year ago. There was some water seeping in. So, the third floor has really born the brunt of all that. You can see the plaster and the discoloration there is really, is pretty bad. The County Engineer's office had some damage in it as well, in terms of the walls and the ceiling. Let's move on, there's some more, you can see a little close up there of what's going on up there. I don't think there's any, there's no structural danger, I mean, you know the roof's not going to cave in. I mean, but it's just kind of ugly and it needs to be repaired. Now, these are, I don't know how long it's been since you've been in the Old Courthouse, but there were some ventilation shafts that are now covered with skylights. These ventilation shafts, Mike's called them light wells, there's some moisture damage and some plaster work that needs to be done in those old light wells. This is the ceiling on the second floor, there's some, in the corridors there's a little bit of plaster damage on that ceiling as well. The other issue that we have in the corridors is the lighting. I think that it could be improved in a thrifty way by increasing what they call the lumens, you know, a brighter type light that are in those round fixtures up there. Ideally, we would like to see some additional lighting in the corridors, because it's fairly dim, which, you know, in an historic building like this, you know, it kind of gives a little atmosphere, but if you're trying to lease it out as commercial office space, I mean, modern, people looking for office space are looking for bright areas. I think a fresh coat of paint and a brighter color, a brighter hue in the hallways and a little

bit brighter light I think would work wonders in there. There's another view of some of the plaster damage, that's on the first floor, what I call the first floor, the one above the first basement there. There's, in some places there's some missing marble in the wainscoting. This is on the first floor. The pink marble that you see there, in the ballroom we were able to recoup some, there were some pieces that we could reuse that have been stored. But, there's some marble pieces of the wainscoting that need to be replaced. Actually the quarry that we, the county bought the pink marble from in Georgia is still in operation. So, I mean, we can still, I'm sure the prices have gone up, you know, inflation. If we want to move on, there's another look at some of the missing marble, the wainscoting, it's, I would think it would be fairly easy, Mike said it's not a difficult operation to replace and repair the marble. You can still get that. There's some places where it's actually been cut out, which is kind of weird, and I'm not sure why that was done, but there were several restoration attempts in the building in the 1920's when the courtrooms were reconfigured from two to four at each end. So, who knows what other County Commissioners did at other times. This is the basement, under the rotunda, that Vulcan man, who was just removed. So, this picture is a little out of date, because Vulcan man is no longer there, he's at the museum. He moved his office to the museum and exited the Old Courthouse. I kind of miss him, because I kind of liked him being down there. I could tell him things that I can't always tell politicians. This is a view of the rotunda from the second floor. In my opinion, it's probably the most beautiful spot in Evansville, Indiana. Unfortunately, the lighting dates back to the 1920's. All that you see there are some outlets for screw in type light bulbs. What I would like to see, at each level of the rotunda, would be some halogen lights banded around the rotunda, which I think would make it really pretty. This is the roof of the rotunda. This is the dome, the first dome of the Old Courthouse looking straight up from the second floor. Happily, there is no damage to the interior of the rotunda that we can find. It needs to be cleaned a little bit, it needs a little bit of cleaning, but I believe that it has escaped all of the water damage over the years that has plagued the other ceilings and walls in various parts of the Old Courthouse, which if you're standing on the first floor and looking up, it really is a dramatic sight. I think halogen lighting in that rotunda would make it even more beautiful than it already is. That's the, those are the slides that I have for you. As you can see, the Old Courthouse Foundation Board, our goals, the goals that I set for the building were, number one, to restore the public rooms so that they could be used to make money for the county, and, then, two, to increase the tenancy to increase the rental, to try and offset the expense of maintaining the building and running the building from the taxpayers to tenants to make it sort of pay for itself. I think the building is on the verge of that. To that end, we just finished, and I'll be inviting you all to a ribbon cutting, we just finished new doors on the Vine and Court Street entrances that are gorgeous. You're going to really like them when you see them, and they're more energy efficient, they're triple pane glass and they are solid, a beautiful wood. They are insulated and they got, you know, I was standing there last winter with that cold air in January blowing right through the doors and they're solid now, there's nothing that's going to get through there. So, I think you'll be really pleased when you see them. So, there's, this is Mike Shoulders' estimate, and, you know, you can talk about whatever, you know, whatever expense you want to go to. Some of those things, you know, once you bid them out, these are just raw estimates that he made, you know, once you start bidding things out, bids may come in much lower than that. This is his contingency estimate of what it would cost to restore, I had him break out each level of the building and each project, one by one, so that Commissioner Kiefer could see what exactly as he asked for. So, as always, be careful what you ask for, because you might get it. That's just always my advice. The architectural engineering fees, that would be to VPS, and Ratio out of Indianapolis partner with VPS, is who came

in and did a lot of the work in the ballroom and in the courtroom and the installation of the catering kitchen, which services the ballroom, which is state of the art. I mean, it's a beautiful catering kitchen in there. VPS and Ratio did the plans and all of that on those two rooms. So, I think we're on the way of making that Old Courthouse something, you know, I wanted to make it a destination place for people, and I think it is. I think, you know, we need to do a little work in the interior and the corridors. So, that's my report, Madam President.

President Abell: Thank you, Mr. Coures. Mr. Kiefer, would you like to say something?

Commissioner Kiefer: Yeah, I would like to make a few comments. First, thank you for putting this together and presenting this. I appreciate that. I think the pictures, there's some pictures that told the story, but, obviously, if you walk through that building yourself you can see, the appearance, especially in the common areas, which is what I was concerned about, the common areas, because that is open to the general public and you can walk in and around. It's really, really bad right now. I mean, I was really saddened to see how bad of repair some of these common areas were in. As I had mentioned, I thought, you know, this is an historic building, it's a treasure to Vanderburgh County and all that's going to happen if we do nothing is it's just going to continue to mount. The costs aren't going to go away. The repairs aren't going to go away, they will probably get worse without having some work done. There were things in there that I still would like to see addressed, like some of the display areas, it looked like at one time there might have been a bust of, you know, some historic figure in Evansville, well, it's gone. You know, like somebody stole it or something, so you have this empty display with just a pedestal with no bust on top of it.

Kelley Coures: Some of them were stolen.

Commissioner Kiefer: Yeah, some of them were stolen. So, there's things I think we need to do that probably wouldn't even be that costly, you know, to replace some of those missing pieces that have been taken. Perhaps there's some added ones we want to add to it, you know, like the second floor—

Kelley Coures: They're all empty.

Commissioner Kiefer: Yeah, they're all empty.

Kelley Coures: The display areas are all empty.

Commissioner Kiefer: So, I really think this is such an important historic treasure to our community, that we need to do something, and the very least, and this looks like it will get it up, you know, the minimal part taken care of on the painting and the walls and the marble replacement. But, I think if somebody came into Vanderburgh County, a visitor, never been here before, obviously that would be a building that would say, hey, yeah, we ought to go check it out, and then they go inside and be really disappointed in those common areas. I agree with you, what you've done down in like that courtroom area, it looks very, very nice, you know, in some of the ballroom areas, but the common area needs to be taken care of.

Kelley Coures: Oh, I agree.

Commissioner Kiefer: Not included in this, it would be really nice if someday we could replace that entryway on the west end of the building, it looks like a 1970's structure that was put in there.

Kelley Coures: That was, I believe that was put in while it was still, county government was still operating in there, because, I think, because, you know, the opposite entrance your talking the Fifth Street is one of the, I think the oldest still in use revolving doors, which needs significant work, because it's not energy efficient, and it needs some, it needs some repair work. You know, if the county decides to do all of this work to restore the interior of the building, you know, one of the things, one of my projects that I have, the old probate courtroom needs to be finished and it's all white right now. It's adjacent, it's opposite the ballroom, and a lot of these people who use, who rent the ballroom, they also use the old probate courtroom. They will have their wedding in the probate courtroom and then they'll have their reception in the ballroom. That, you know, that room the floors need to be restored, but there are other things that the Foundation can do with the money that we have in reserve, you know, we can work on getting that revolving door—

Commissioner Kiefer: Kelley, do you know, so did your restoration of the doors, of some of the doors repaired....because when I was there, there's like gaps.

Kelley Coures: Oh, not any more.

Commissioner Kiefer: Yeah.

Kelley Coures: The new doors don't have those gaps there.

Commissioner Kiefer: Okay, because—

Kelley Coures: They're insulated—

Commissioner Kiefer: —talk about energy efficiency, I mean, we had gaps that were an inch, two inches wide that, you know, just any kind of air, but it sounds like you've got that part repaired.

Kelley Coures: We've got that, we've got that one, those two doors are, they're perfect. I hate to say the word perfect, but they are as good as humanly possible, you know, and if you guys do all this we could probably put a bust of, you know, Joe Harrison and Joe Kiefer and Marsha Abell—

Commissioner Kiefer: No, I don't think that's why we—

Commissioner Melcher: We'll pass on that.

President Abell: We'll pass.

Commissioner Kiefer: There's a lot, at least for my part, there's a lot of great people that have been in this community that would deserve that.

Kelley Coures: Well, a lot of the busts were of judges, and Mayor Bosse, Benjamin Bosse had a bust in there, and some of them have been stolen. One of them we have in the historic, have you all been to the restored courtroom and seen the history exhibit that the Bar Association did? The bust of John Law is part of that historic exhibit in the—



Commissioner Kiefer: But, I think the bottom line is, we need to do something, and where we would come up with this money, that's a whole nother discussion, but something has to be done.

President Abell: I did have a question about this, has the Foundation applied for any grants, or are there any out there that are available that we could apply for?

Kelley Coures: Dennis has looked for things in the past, and with Stewart Sebree with Historic Indiana, there are things out there, but, you know, the stipulations on some of those things are so rigorous that occasionally they don't apply to what we're trying to do. I think they're, Dennis is always looking for grant money. That's our, one of the key things that we want to do is that revolving door. We're trying to find some grant money for that revolving door, because it's so historic, you know, it was built by International Steel right here in Evansville, Indiana. So, we certainly want to preserve that, that revolving door as much as possible.

President Abell: Maybe one of the three of us could talk to some of our friends in Indianapolis, and they might be able to find some money for us.

Kelley Coures: Well, I know the flag is not flying on top of the—

Commissioner Melcher: I was going to bring that up. I was waiting—

Kelley Coures: I knew you would.

Commissioner Melcher: —because that's exterior.

Kelley Coures: I knew you would.

Commissioner Melcher: I'm just sitting here waiting to jump in.

Kelley Coures: I know, well, I was talking to Marissa about that today, and one of the issues is finding someone with equipment tall enough to get up there, because the rope is gone, the rope deteriorated. It's finding someone with equipment tall enough to get up there.

Commissioner Kiefer: Maybe Skanska or somebody like that would like to do something as a local—

Kelley Coures: I defer to the Superintendent of Public Buildings, she and I talked about that today and they don't have a piece that's tall enough to get up there. So, one of the things that Marissa and I were talking about, about that flag pole issue, for Commissioner Melcher, and for the other two, but if it's so cost prohibitive to get up there and replace that flag pole, it may be that I could rouse some, maybe the Rotarians and the Kiwanians to do a flag pole exhibit on the grounds, like there is in front of the Civic Center where you have the U.S. flag and then the Indiana flag. So, because, you know, that was a Kiwanis, downtown Kiwanis project that installed those flag poles at the Civic Center in 1973. If it simply is cost prohibitive, it may be that we can do a flag display, you know, something lighted and make it really nice on the Old Courthouse grounds.

Commissioner Melcher: Yeah, I think we need to do something, even the Coliseum, our poles on top of the Coliseum are rusting and we couldn't hang flags up there

anymore. It took us two and half years to raise about \$11,000 to put a new one, and we've got a new one up now down on the ground, like you're talking about.

Kelley Coures: Well, it's just one of the things that I thought of that might be a solution, you know, if it costs \$10,000 to get someone to truck in equipment from Ft. Wayne to, you know, get up there and replace that rope on the flag pole, it may be just more reasonable to do something on the ground. You could make that really nice, you know, something with concrete and, you know, make a little display and make it lighted so that, you know, the flag flies, you know, all the time. It would be easier to change, easier to maintain. The Rotarians and the Kiwanians are all very patriotic, so, you know, if you start a fund drive with those guys, it's just like that.

Commissioner Melcher: Okay. The other thing I have to say, you talked about, you started out about cleaning, we only have one person cleaning that building. So, he's got to clean that whole building, and he doesn't really have the right equipment to clean it. We've been looking at a scrubber over there for about two years, because a scrubber would work better, but that's a lot of money too.

Kelley Coures: Poor Otis, he schleps around that building like crazy, and it's just almost impossible for one person to do all of that.

Commissioner Melcher: We need at a least a scrubber, a good scrubber to keep those floors clean.

Kelley Coures: Well, you know, and if you have one for the Old Courthouse, you could use it for all of the public buildings, I would think.

Commissioner Melcher: Yeah, I just think that's something, if we're going to do this, let's look into maintaining it after we do it. Okay.

President Abell: Well, Kelley, you've given us a lot to work on. We appreciate it.

Kelley Coures: Well, I appreciate everything you do, Madam President.

President Abell: Thank you.

Kelley Coures: Thank you.

Commissioner Kiefer: Thank you, Kelley, appreciate it.

<b>Permission to Award VC12-07-01 :Pfeiffer Road Bridge No. 1710 Repairs</b>
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President Abell: Mr. Stoll, permission to award quote for VC12-07-01, bridge repairs on Pfeiffer Road bridge number 1710 to Blankenberger Brothers, Incorporated for \$59,450.

John Stoll: We only received two bids on that project, and Blankenberger's bid was low. So, I would request that that contract be awarded to them.

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

Commissioner Kiefer: Second.

President Abell: Any questions or discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**First Reading of Ordinance CO.07-12-005: Amending Title Eight  
Requiring Decontamination of Contaminated Methamphetamine  
Activity Properties and Sites**

President Abell: First reading of CO.07-12-005, an ordinance requiring decontamination of contaminated methamphetamine activity properties and sites. The proposed ordinance provides a mechanism whereby the Health Department can legally require the clean up of meth contaminated properties located within the county. The ordinance requires the owner of the contaminated property vacate and clean up the contaminated site as ordered by the Health Department within a certain period of time, or face civil penalties as set forth in the ordinance.

Dwayne Caldwell: Good evening. Nice to see you all again. Dwayne Caldwell, Vanderburgh County Health Department. I got a few slides that I would like to show you just to set the stage for our discussion. This first one here is a copy of the code as it stands now. It's a State code, it does require that any property used for the manufacture of methamphetamine be cleaned up and decontaminated. We'll just use those interchangeable. If you would advance that please. This shows that in order to do that, the responsible party, the owner, has to contact a qualified inspector, licensed by the Indiana State, or sorry, the Indiana Department of Environmental Management to make sure these things are done correctly. Now, this has been going on since 2007, and we've cleaned up several properties, but checking my records right now, I have 43 dating back to 2009 that people have just not cleaned up. So, they are either sitting vacant, or people are inside being poisoned basically. I brought this up to Sheriff Williams, and he was kind enough to get together with me and Mr. Harrison, and we kind of worked out what we thought needed to happen. The first thing was to be adopting the State code as a local code so that we could enforce it. The second being that there had to be some impetus to follow the code, which is the problem with using a State code, they're very good about writing what you should do, but they don't say what will happen if you don't. So, it's basically a toothless tiger. One of the things we discussed was that if we had some type of a civil penalty, that more people would go ahead and comply, because they want to avoid a civil penalty. It makes much more sense to go ahead and comply with what you are supposed to do anyway, than to incur penalties. So, we've put that together. Here's basically why we're worried about it. Everybody I talk to about this, when they come up against it, well, the Police and Fire Department took away everything, so now everything is safe. That is so incredibly wrong I can

hardly believe it. They take away the precursors, they take away the glassware, all of those things, but what we're worried about are the residues that are on the horizontal surfaces, those things that have soaked into the couches, into the drywall, all of these things that are basically gas traps. When the temperature changes, when activities of daily living change, these things come back out and they poison folks again. Now, if you'll notice, we have about five to seven pounds of hazardous materials created for every pound of meth that's being made. So, there's a lot of meth out there, but there's a whole lot more hazardous material. Go ahead please. Just to back up the fact that this is a bad problem, out in Colorado, they did a controlled study, they had an abandoned house, went in and did two cooks, created some meth there, then 18 hours later they put some firemen in tie back suits and had them go in and simulate the activities of daily living, one of which was a person crawling around on the floor to simulate what a child would have happen. If you all don't mind doing that again, here's what happened, just keep in mind that the action level that requires clean up in Indiana is 0.5 micrograms per 100 centimeters squared. These readings are micrograms per square centimeter. So, if you, all things being equal, all of these things would be higher than Indiana's action level. So, it is a real problem. If you all don't mind advancing again there. These are some of the things that are going to happen to you should you unwittingly move into a house that's not decontaminated. It attacks basically every system in the body, from kidneys, to central nervous system, reproductive, everything. You all have heard all of the stuff that goes into this meth, you know it's nasty stuff and it's going to hurt you in every part of your body. If you all don't mind again. This is the 2011, just throw this in for emphasis, here in Vanderburgh County we have a bit of a problem, and we're working to stop it. Part of this will be prevention, I believe. Every year, myself, Jeff Wilhite, the EPD get together and put on a training for the landlords, and we say this is the things you can do to prevent people from getting into your properties and causing us problems. You can do different leases, you can, you know, there's a host of things and we teach them all this, but not enough people take that seriously. I believe that if there is a reasonable expectation that if you don't follow the things that we're trying to teach and there is a problem, then perhaps you're going to take that a little more seriously. This is just a map showing the meth labs in the county. It's out a little bit far, the yellow are meth labs and the pink are dump sites where people have gone out and dumped the materials. This one is in a little bit tighter. On Google Earth when you zoom out too much a lot of things tend to be covered up by others, so you don't get the full impact. I believe that's the last one, isn't it? So, just to wind down, this is a real problem, and we need to be dealing with it. We need to deal with it proactively. I sincerely believe this is a good way to both attack it on the front end and on the back end too. So, I would entertain any questions.

President Abell: Mr. Kiefer?

Commissioner Kiefer: Yeah, I have a question, and I'm glad you're looking at this and addressing it, because, obviously, from your pictures it looks horrifying knowing that we have that many meth labs in Vanderburgh County.

Dwayne Caldwell: Yes, it is.

Commissioner Kiefer: Okay, so, say this is passed and you have a landlord and you say, okay, I need you to clean it up and you have the penalties, but say they, you know, can't afford to do anything to it. Will, ultimately, the county then acquire the property? Is that what we're aiming, I mean, is that the end result that we would take it in like a Sheriff's sale? I mean, what happens if somebody cannot pay to have the work done?

Dwayne Caldwell: Well, first off, insurance pays for a lot of this quite a bit now.

Commissioner Kiefer: Okay, that's good.

Dwayne Caldwell: So, we won't have that problem, I don't think, more than a handful of times. Secondly, Joe was wise enough to put in there a fund that when we collect monies that it would go into that fund to allow us to give help to people. Say you have a homeowner who was just barely hanging on, you deal with them a little bit differently than you deal with somebody who owns four or 500 properties—

Commissioner Kiefer: Right.

Dwayne Caldwell: —and can afford to have this done, just chooses not to.

Commissioner Kiefer: Right. Okay. So, projection wise, how do you feel like a year from now, how many of these do you think we'll be at? What percent will be able to clean up do you think? Fifty percent, 75 percent, 100 percent?

Dwayne Caldwell: Right now, I would say we're probably running about, I'm going to guess between 40 and 50 percent. If someone knows that there is actual repercussions for not complying with the rule, just that alone I would expect that's going to kick it up at least another 20 or 30 percent.

Commissioner Kiefer: Are these homes, basically are unsellable as they are. So, if they get cleaned up, they can get a clean environmental inspection report then that will allow these people to sell their houses? I guess, what I'm saying is, if they're cleaned up properly, they should be habitable and able to sell.

Dwayne Caldwell: Yeah, that's correct. Forgive me, I should have explained that a little better. When the Drug Task Force basically Brock Hensley, who most everybody knows, a very good fellow, sends me a report that a meth lab has occurred at 123 XYZ Street, the first thing that needs to be done is one of these qualified inspectors goes in and they do white tests in several areas of the home, and make sure that areas of that everything is below that action level. Unfortunately, cooking once, or even just using it in a house can put you above, but, say for the sake of argument it's below, well, they issue a statement that says it's below the action level and we release our order on the property, you do whatever you want with it. If it comes back high, then it has to be cleaned, and you can either do that yourself under the supervision of your qualified inspector, they will make you out a plan and say, well, Mr. Kiefer, you need to triple wash these walls, you need to replace this flooring, etcetera, etcetera, etcetera, and you follow that plan. They retest and it comes back clean, they issue what's called a certificate of decontamination. After that we release the order and everything is fine, you go back to using the property as normal.

Commissioner Kiefer: Okay, thank you very much.

Dwayne Caldwell: Of course.

Commissioner Melcher: Is there anything, and I haven't read it all the way through here, you were talking earlier how people do these meth labs and then they're gone and the house is tagged, and then people move back in.

Dwayne Caldwell: Yes, they do.

Commissioner Melcher: Now, is there any teeth so that won't happen?

Dwayne Caldwell: Well, that goes back to the first slide we had there where it said that you won't reoccupy the property, I think number two they said you won't reuse the property etcetera, etcetera, but you're dealing with the State code again. For me to enforce that I have to bother Mr. Harrison quite a bit, and then he doesn't take me out to lunch anymore, and I don't care for that. So, if we had a local ordinance, that said, you know, if you move somebody into this property, and you haven't cleaned it up, that, you know, that you could either be fined or we could take you to court and say this is against the code, here's the penalty. I think that would stop it in its tracks.

Commissioner Kiefer: Right, so, this local ordinance is really—

Joe Harrison, Jr.: That's what it does.

Commissioner Kiefer: — just duplicating a State ordinance, it's just giving you the ability to enforce the State ordinance.

Dwayne Caldwell: You've hit the nail right on the head, sir. All that is is we're saying that if you do not obey the State code in Vanderburgh County, then there are penalties involved. It's stuff that you are supposed to be doing anyway, and for one reason or another many aren't.

Commissioner Kiefer: Okay, thank you.

Dwayne Caldwell: Glad to be of service.

President Abell: Is there anyone in the audience that wants to speak to this issue? Okay, I'll entertain a motion.

Commissioner Kiefer: I've got one last question.

President Abell: Go ahead.

Commissioner Kiefer: You have discussed this with local Apartment Association and local landlords and different, I mean, you've worked—

Dwayne Caldwell: We've, actually I'm sitting on the Mayor's Meth Task Force as well, because I just can't get enough meth, it's just a lot of fun to do this kind of stuff, and he has asked that we come up with a city ordinance as well. Monte Fetter, whom I'm sure you know—

Commissioner Kiefer: Sure.

Dwayne Caldwell: — he's another excellent fellow, he and I are going to be sitting down with the City Attorney and working on a city ordinance as well. So, yes, they are more than aware of it.

Commissioner Kiefer: Okay, great. I appreciate it. Thank you.

Dwayne Caldwell: No problems.

Commissioner Kiefer: I'll make a motion to approve this first reading of CO.07-12-005, an ordinance requiring decontamination of contaminated methamphetamine activity properties and sites.

Commissioner Melcher: I'll second it.

President Abell: Is there any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: This will move to second reading. Thank you.

Dwayne Caldwell: Thank you very much.

**MOU: Health Dept & EFD: Services in Case of Civil Emergency  
MOU: Health Dept & Red Cross: Services in Case of Emergency  
MOU: Health Dept & National Red Cross & Medical Reserve Corps  
Health Dept: Clinical Education Agreement with U of E  
Interlocal Agreement with City: Paving of Oak Hill Cemetery**

President Abell: Memorandum of understanding with the Evansville Fire Department regarding public health emergency response. This is for an understanding between the parties regarding the Evansville Fire Department services to be provided to the Health Department for the local community in case of a civil emergency. Mr. Heck, are you here to address this?

Gary Heck: Yes, Ma'am.

President Abell: What, did I miss something?

Madelyn Grayson: The interlocal agreement.

President Abell: Oh, I missed the County Highway. He can wait. Go ahead.

Gary Heck: Gary Heck, Vanderburgh County Health Department. I believe we have three memorandum of understandings with various local agencies, all of them are regarding working through public health emergencies, and it delineates the responsibilities of each organization should that happen. We've had these in the past, these are just updated versions that brings us into current times with them. I would be happy to answer any other questions, but it's my understanding that every

so often you need to review these, get them updated, and that's what this is an attempt to do.

President Abell: Commissioners, are there any questions?

Commissioner Melcher: No, I'll make a motion to approve.

Commissioner Kiefer: I'll second it.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Memorandum of understanding with the American Red Cross, this is an agreement drafted by the State of Indiana declaring that it is the policy of the State to authorize Indiana counties to provide coordination activities relating to disaster prevention, preparedness, response and recovery efforts with respect to local civil emergencies.

Gary Heck: That's basically the same thing.

Commissioner Kiefer: Move to approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**



President Abell: Memorandum of understanding with the American National Red Cross and the Medical Reserve Corps to define the working relationship in preparing for and responding to disaster relief situations at all levels within Vanderburgh County. This memorandum of understanding relates to the joint efforts by the Red Cross and the local Medical Reserve Corps unit in providing disaster, health and mental volunteers, volunteer services in the case of an emergency in this area. It is effective July 1, 2012 and will run until July 30, 2017.

Gary Heck: This one is slightly different in that it's one from the National Red Cross through their local chapter, and it involves the Medical Reserve Corps unit that Dr. Nicholson has formed with local volunteers. So, it's not the Health Department specific, but it's the Medical Reserve Corps volunteer unit that's organized. That's part of a national Medical Reserve Corps. You all have previously approved us to have a Medical Reserve Corps.

Commissioner Kiefer: I'll make a motion that we approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Clinical education agreement between the University of Evansville, Dunigan Family Department of Nursing and Health Services, and the Vanderburgh County Health Department. This is to permit the University of Evansville faculty members and nursing students to use the Health Department's facilities, at no cost, for teaching related purposes between August 1, 2012 and July 31, 2012. This partnership has been an on-going beneficial relationship between the parties.

Joe Harrison, Jr.: That should be 2013. July 31, 2013, it's for a year.

President Abell: Oh, yes, it would be yeah. That's a correction on ours.

Commissioner Melcher: So, with that, I'll make the motion to approve it with the correction.

Commissioner Kiefer: I'll second it.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: Thank you. Mr. Duckworth, I'm sorry I ran past you. Contracts, agreements and leases, the County Highway an interlocal agreement with the City of Evansville to pave roads in Oak Hill Cemetery, for the County Highway to pave a road located within Oak Hill Cemetery in return for the payment of \$14,144 to the county for labor and equipment. The city will pay the county's asphalt vendor directly for the materials used in connection with the roadway project.

Mike Duckworth: Good afternoon, Mike Duckworth, better known as the Rodney Dangerfield of county government. No, I'm here this evening to ask for your permission for our department to assist (tape flip) and saving them money, and at the same time for them to, in return, pay our department for our labor use and use of our equipment, which is based on the FEMA calculation that we use during disasters. It would generate \$14,144 in revenue from the city paid to the county. This is a past practice that we have paved not only cemeteries, but fire department properties as well because we have the equipment and they do not. It also allows them to do more with less and to not contract this work out. So, we don't do this work until our paving of our county roads is completed, but the process takes a while because it has to go through several entities, and that's why I'm here today. We probably will not get around to doing this until sometime in September. The only thing that we may end up doing this before would be the Peck Road project. We are paving, as our last paving project part of Peck Road that will meet up with what the School Corporation is doing in their widening project, and that's gotten a late start. So, I anticipate this will be sometime in September, and I bring it to you for your consideration.

Commissioner Kiefer: Mike, so, this would be during maybe some down time with our crews or something?

Mike Duckworth: Toward the end of our paving season—

Commissioner Kiefer: Yeah.

Mike Duckworth: —before we clean our equipment and put it up for the season we'll see if the city has anything, small jobs that they need to have done. We've gone into cemeteries, we've done fire houses—

Commissioner Kiefer: Yeah, it sounds like a good way offset some of our expenses and costs.

Mike Duckworth: It helps the city and we do depend on them for certain services as well.

Commissioner Kiefer: Okay, I'll make a motion to approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Mike Duckworth: Thank you.

<b>County Highway</b>
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President Abell: Do you want to just stay? Haven't you, it has you next for County Engineer, or County Highway Superintendent report.

Mike Duckworth: The report I have, let me get my note here.

President Abell: Yes, Mr. Dangerfield.

Mike Duckworth: The last report I have has to do with the consideration and information that I would provide to you for the 2012-2013 salt bid. As you're aware, the county joins the State in the salt bid to buy at lower prices, somewhere at about \$64 and some odd cents per ton, which is much less than we could do with another vendor. So, we try to accomplish our purchasing through them and through the local purchasing department here, and the city does this and other counties and cities around our tri-state area try to join this bid, but I wanted to provide you with the information because we do have to basically, verbally agree to take the salt, because they have to make a massive order for all of the communities in Indiana that participate. We currently have about 1,200 ton on the premises, left over from last year. We still have not had 780 ton of salt delivered from last year, for a total of 1,980 ton that we will have on hand by the end of this year. What this bid requires is for us to do a minimum order, which represents, I think, 70 percent of what we ordered last year, which equates to right at 2,100 ton. We have then to further purchase 80 percent of that, which is 1,680 ton, which is about \$107,000. We could, it gives you the flexibility, if you have a very harsh winter to go up to 120 percent of that order, which goes to \$161,000. Of course, we don't know that we'll have a mild winter like we had last year, but in the case that we get bombarded, it is available to us. A normal winter, we will use somewhere between 3,500 and 4,000 ton of salt.

Our 2013 budget we've requested \$141,000 in Highway Materials in our line item and \$893,000 in Local Roads and Streets Materials. So, dependent upon what we do in paving sometimes depends on how much we have to use in salt, because it's all balled together under the Materials account. So, my estimation is that there's plenty of money on a normal basis as allocated to us. I've met with Joe Gries and John Stoll because 2013, as Joe has said in many meetings, is probably going to be a grim year fiscally because of revenues being down, expected from gasoline, excise and wheel taxes. So, we're cognizant of that, but we also understand that this is a matter of public safety and we have to, of course, clear our roads to allow emergency vehicles and folks to get to and from work. So, I'm bringing this to you this evening to get your go ahead to proceed with the bid. I have put this in my budget information to the County Council, and I've contacted my liaison, Councilman Swaim, regarding this as well. So, it's a matter of information. I don't know that, just really what I need from you is the okay to proceed.

President Abell: Should we—

Joe Harrison, Jr.: That's fine. If you're willing to proceed in that fashion just have him go ahead and try to go obtain extra salt through the State purchasing bid system.

President Abell: I'm seeing three people shake their heads okay.

Mike Duckworth: Okay.

President Abell: So, I guess, it's okay.

Mike Duckworth: Alright, thank you very much.

President Abell: Thank you, Mike.

Joe Harrison, Jr.: Why don't you go ahead and make a motion just for the heck of it.

Commissioner Melcher: I'll make the motion to approve that he goes ahead and do it.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: County Attorney, do you want to report on the bid opening? Or am I premature? Are you ready?

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

President Abell: Okay.

Mike Duckworth: I'm sorry, there is one more thing for the record.

President Abell: No, you can't, no, no.

Mike Duckworth: I do think we need to make it pending budget and Council approval of this. The State of Indiana certainly understands that. So, I think we need to put that in the record as well.

President Abell: Okay.

Mike Duckworth: Thank you.

<b>County Attorney</b>
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Joe Harrison, Jr.: Okay, as far the bids are concerned, there were two items that were opened. One was the old bridge, I'm sorry, Old Princeton Road bridge number 1571, and the three bids are as follows; Adler Excavating LLC, they're out of Haubstadt, that bid amount was \$38,291.20. The second bid was from J.H. Rudolph and Company, they're out of Evansville, \$39,855, \$39,855. The final bid was from Blankenberger Brothers out of Cynthiana, \$42,628. So, Adler, \$38,291.20; J.H. Rudolph, \$39,855; Blankenberger Brothers, \$42,628. So, I would ask that these three quotes be taken under advisement.

Commissioner Kiefer: I'll make a motion that we take these three quotes under advisement as you stipulated.

Commissioner Melcher: Second.

President Abell: Roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Joe Harrison, Jr.: The next grouping of bids related, or relates to the Highway 41/I-64 utility improvement project, VC12-07-02. There were four bids that were submitted.

There were some alternates that were submitted with each particular bid. I am not going to read all of those into the record. John, is that okay? But, what I am going to do is read the lump sum, then the unit price, then the total lump sum and unit price. The first bid, Deig Brothers Lumber and Construction out of Evansville, the lump sum, \$748,965, seven hundred and forty eight thousand nine hundred sixty five dollars. The unit price amount, the total unit price amount, \$25,960. So, the total lump sum and unit price bid seventy seven, I'm sorry, \$774,925. So, that's seven hundred seventy four thousand dollars nine hundred and twenty five.

President Abell: That's Deig Brothers?

Joe Harrison, Jr.: Yes, \$774,925. The second one, Blankenberger Brothers, lump sum, \$498,900, four ninety eight nine hundred. The unit price amount, \$12,100. Total lump sum and unit price, \$511,000. The third bid, Koberstein Contracting out of Princeton, bid amount, \$669,000. Unit price amount, \$21,560. Total lump sum and unit price, \$690,560, six ninety five sixty. The final bid is from BMB out of Newburgh, the bid amount is \$657,000. That's the lump sum amount. The unit price amount, \$7,700. The lump sum and unit price total amount, \$664,700, six sixty four seven hundred. So, those are the four bids, and I would ask that the Commissioners take those under advisement so Mr. Stoll and myself can take a look at them.

Commissioner Melcher: I'll go ahead and make the motion to take them under advisement on the Highway 41 project.

Commissioner Kiefer: I'm abstaining.

President Abell: I'll second the motion.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Abstain.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0. Commissioner Kiefer abstained.)**

President Abell: Thank you, Mr. Harrison.

Joe Harrison, Jr.: That's it.

<b>County Engineer</b>
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President Abell: County Engineer, John Stoll.

John Stoll: First I have two administrative settlements on the right-of-way acquisition on the Green River Road project. These are both settlements that I've discussed with the County Attorney, and we're both in agreement these are worth the county

pursuing. The first is on the Taylor property, this is parcel number 61. An increase of \$1,250 has been requested for a grand total of \$4,700. The reason for the increase, the property owner was questioning the appraised value and the adjustment. He's willing to settle for this increased price, if it's adjusted and approved by the Commissioners. So, I would request approval of offering a total of \$4,700 on the Taylor parcel.

Commissioner Kiefer: I would like to make a motion to approve.

Commissioner Melcher: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The second one is on the Wolf property, this is parcel number 34. An increase of \$2,725 has been requested, for a grand total of \$15,975. The, here again the property owner was questioning the appraised value, and they also asked for some additional money to deal with trying to create a tree buffer in order to deal with traffic noise. I would request approval of this revised amount of \$15,975.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next I have a sidewalk waiver request for Section 6 of Wynnfield Subdivision. Wynnfield's out at the southeast corner of Green River and Kansas. Section 6 is in the southeast corner of the property that's currently developed out there. The sidewalk waiver would cover, they're developing a handful of lots right now, the sidewalks as they're already approved in the subdivision come in off of Windham Drive. Anyone who would want to get out to Green River Road and then out to the sidewalk the county is going to build in conjunction with the Green River Road project can use the walks out on Windham Drive to get to Green River. So, I would request approval of this sidewalk waiver request.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: I have a question.

John Stoll: Sure.

President Abell: Are we going to be, when these are built, we're not going to have any problems with handicap accessibility and that kind of stuff?

John Stoll: By waiving it, no, we would not.

Joe Harrison, Jr.: No, not if there's no sidewalks.

John Stoll: We would have sidewalks in the first five sections of Wynnfield, but it's my understanding the developer wants to waive sidewalks in all of the remaining sections, and this would be the first one.

President Abell: And, nobody is going to come in and make us put them there or anything?

Joe Harrison, Jr.: Not if you waive them.

President Abell: Well, then, that's, because we're just now doing the study, as you know. I wanted to make sure we're in compliance. Okay. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, also, I have a street plan approval request for Section 6 of Wynnfield. This would cover 440 feet of asphalt street with curb and gutter. I've



reviewed the plans. The engineer has made a couple of changes we'd asked for, so, I would request approval.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next, I have the Rule Five notice of intent application for the 41 and 64 utility project. This is just the IDEM paperwork that we have to file in order to get the erosion control plan approved.

Commissioner Melcher: I make a motion to approve.

Commissioner Kiefer: I abstain.

President Abell: I'll second it.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Abstain.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0. Commissioner Kiefer abstained.)**

John Stoll: I ended up with one other item that I hadn't e-mailed you about. We received a request from J.H. Rudolph to extend the completion deadline to August 10<sup>th</sup> on the Ohio Street bridge approach repaving project. They are having a problem getting a sub-contractor out there to replace the sections of curb that need to be replaced. The original completion date was July 27<sup>th</sup>. I see no problem with this request. They haven't started the project, so it hasn't been interfering with traffic. So, I would recommend approval of the time extension.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

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

Commissioner Kiefer: Thank you, John.

President Abell: Thank you, John.

<b>Health Department</b>
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President Abell: The next order of business is board appointments, and I have been sitting here trying to....oh, I'm sorry. Dr. Nicholson wants to make a report.

Ray Nicholson: I'm Dr. Nicholson, the Health Officer of Vanderburgh County. I have a very important statement to read for you. We wanted to be sure it was correct, so we have a written statement.

“Effective Wednesday, August 1, 2012, the Community Dental Clinic will be temporarily unable to operate due to a staffing shortage. The Vanderburgh County Board of Health and Vanderburgh County Health Department have been working with county officials to continue to provide basic and essential dental services to adults with limited resources for dental care, the uninsured and the under-insured. Part time dentists have been identified and are available for one or more days for the next few months. Approval from the County Council is required to replace the dental clinic staff members who resigned recently to pursue full time employment opportunities elsewhere. The Board of Health will discuss the Community Dental Clinic at their board meeting on August 9, 2012. Between June 26, 2006 and June 30, 2012 the Community Dental Clinic provided 32,016 service during 13,654 patient visits. Currently the clinic serves 5,263 patients, 2,717 males and 2,546 females. Over 95 percent of the patients came from local referral sources. Over 92 percent of patients are between 20 and 69 years of age. Almost 86 percent of patients are Vanderburgh County

residents. The Community Dental Clinic produced services valued at \$2,162,984 during this time period.”

Ray Nicholson: I would be glad to answer any questions.

Commissioner Melcher: I’ve got probably several. The first one is, the persons leaving is that the dentist is leaving?

Ray Nicholson: The entire staff, the dentist and—

Commissioner Melcher: The whole, entire staff left at one time?

Ray Nicholson: Yes. They will be gone August 1<sup>st</sup>.

Commissioner Melcher: All of them had a new job right away?

Ray Nicholson: Yes, they actually have—

Commissioner Melcher: It almost sounds like a coup. I mean, you very seldom have this. So, is there something wrong there that you don’t know about maybe?

Ray Nicholson: No. I would like to say that the article that appeared in the paper Friday by Jared Council was true as written at that date. It was very well written and I thought very favorable. At that time we thought we would be able to stay open, probably through the fall. Every day we’ve been hit with problems, and we just have, it’s not feasible. The dentist had already given a resignation, and to their credit I have a whole bunch of dentists that have offered their services to work as part time people, during August particularly, but probably would come in throughout the fall. However, this is just going to be part time, the clinic staff needed full time jobs. They need to have their fringes, insurance, health insurance and so forth paid for. So, they began probably looking for jobs that we didn’t know about. We received their resignations just in the last couple of days. So, consequently, even though we do have some dentists lined up that could work for us in August, you cannot operate the clinic without a staff. You have to have receptionists, dental hygienists, assistants and so forth, and they’re just not there. I don’t think it was a coup. I think that they realized that they were losing their full time jobs, they all needed to work full time, and they were not able to work part time. I think it’s going to be most difficult, we have not quit, we are going to make every effort to try to find ways to keep the clinic open and operating. We have every hope for the future. There is a group of people working together to try to make arrangements to open the clinic permanently. We’re not going to quit, we’re going to make every effort, we’ve never given up. So, we’re going to try to deliver and do what we can as a community as a whole. In my book there’s no one individual or organization that are at fault. It’s a community project, it has to be solved by the community, by various people, and I hope that we’ll be able to do that.

Commissioner Melcher: So, when did they turn in their resignations?

Ray Nicholson: I received one this morning, one, I think it was yesterday morning, and one Friday afternoon.

Commissioner Melcher: Okay, today and Friday?

Ray Nicholson: Pardon?

Commissioner Melcher: Friday and today?

Ray Nicholson: Yes. It was today or yesterday.

Commissioner Melcher: Well, I for one, and I know the Commissioners want to keep this Dental Clinic open. So, I urge you to try to get some people in there that we could get it back open for our public.

Ray Nicholson: We're right with you 100 percent. That's exactly how we feel.

Commissioner Melcher: Because the Commissioners aren't stopping this Dental Clinic, we're pushing forward.

Ray Nicholson: Yes.

Commissioner Melcher: That's all I have.

President Abell: Any other comments? Well, Dr., I hope the next time you come before us you have a little better news about the health, the Dental Clinic. We would like to see it back in operation.

Ray Nicholson: Well, we're going to continue to give it our best shot.

President Abell: Thank you so much.

Ray Nicholson: Thank you.

### **Board Appointments**

President Abell: Next, under board appointments, we have three appointments to make, and I'm afraid I'm having a little problem with finding the names here. The Airport Authority, David Gunn's term had ended at the end of June and the Airport Authority has asked that he be re-appointed. He is a retired CPA and he is helping them with the relocation of one of their runways, which is going to cause the closing of Oak Hill Road, and he's in the middle of this project. So, I would entertain a motion that we re-appoint David Gunn to the Airport Authority Board.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: The Library Board of Trustees, each Commissioner received an e-mail regarding the resignation of Walt Lowe for health reasons. The Library Board of Trustees has recommended an attorney that they have dealt with on some other projects. His name is Patrick Koontz, K-o-o-n-t-z. I would entertain a motion to appoint him to the Library Board of Trustees.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Now the Disability Services Board, I have a recommendation for this. The recommendation came from Rob Kerney who sits on that board. I unfortunately cannot find the e-mail with the name of the lady that he has recommended, but she does meet the requirements of being a person with disabilities. Mr. Harrison, can they vote to put her on without the name, and I can advise her? Or do we have to have the name? I'm sorry, I just can't find it in my e-mails. It's my fault.

Joe Harrison, Jr.: You know, I would probably prefer that you have the name. I've never—

President Abell: Okay. Well, I was just taking a stab at it.

Joe Harrison, Jr.: Yeah, I, you know—

Commissioner Melcher: Can I describe her?

President Abell: It's my fault, I'm sure it's, I have 2,226 e-mails here, and I just can't seem to find it in there.

Joe Harrison, Jr.: No, I understand. I, our next meeting is when, the 14<sup>th</sup> of August?

President Abell: Yes. Just have it on that meeting?

Joe Harrison, Jr.: Yeah.

President Abell: Okay, then I would like to entertain a motion to postpone this to our next meeting.

Commissioner Melcher: That's fine.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>New Business</b>
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President Abell: New business?

Commissioner Melcher: The only thing I might have under new business, and, John, you might want to come up. We were talking about, tell us about the Green River Road project, the next phase we're going to be doing. Real quick.

John Stoll: The next phase would either be Kansas to Boonville-New Harmony or Kansas to 57 depending on whether or not you wanted to split it at Boonville-New Harmony. The MPO's long range plan calls for doing reconstruction on Green River all the way up to 57. However, their plan calls for five lanes that entire section, and I think we need to take a long look at the traffic numbers to make sure, I'm skeptical we need five lanes in the piece between Boonville-New Harmony and 57. Otherwise, everything from Kansas to Boonville-New Harmony would be a five lane road, based on the long range plan.

Commissioner Melcher: So, you're recommending that we go ahead and do both phases together?

John Stoll: The main break point is Boonville-New Harmony, so you could split it there, but if you want to proceed with going to 57, that's fine with me. It's one of those things where we'll pick up the majority of the traffic by going to Boonville-New Harmony, but if we go ahead with the section up to 57 now, you'll probably see some additional discounts on the construction pricing, because it would be lumped in with the mile and half section between Kansas and Boonville-New Harmony. So, you

would see a lower price. We get to replace a bridge, the only down side is we have to deal with INDOT permitting at 57, and we have to deal with the bridge permitting with DNR and we would have a railroad crossing, but, it's not going to get any cheaper, so we might as well do it now.

Commissioner Melcher: Yeah, I'm okay with going to 57.

President Abell: What if we request, can we request proposals for both?

Commissioner Melcher: Split them up?

President Abell: Split them up and request proposals for both. Can you write that for us?

John Stoll: Do an RFP?

President Abell: Uh-huh.

John Stoll: Yeah, I can do that.

Commissioner Melcher: For both of them.

John Stoll: Yeah.

Commissioner Melcher: I'm okay with that.

President Abell: Do you want to make a motion.

Commissioner Melcher: Yeah, I make the motion that we go ahead and do an RFP, separately on both of them.

Commissioner Kiefer: I'll second that.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you, John.

John Stoll: You're welcome.

President Abell: Any other new business?

**Old Business**

President Abell: Old business?

**Public Comment**

President Abell: Public comment?

**Consent Items**

President Abell: Madelyn, consent items.

Madelyn Grayson: The consent items for the July 24<sup>th</sup> meeting are as follows; approval of the July 3, 2012 meeting minutes; the employment changes for the Commissioners approval, there are two for the County Highway, and one for the Health Department. It was for the Dental Clinic, so I don't know if that needs to be pulled or not. Gary?

Joe Harrison, Jr.: Gary? Or, Dr. Nicholson, there was an employment change for the Dental Clinic, are those resignations or what?

Gary Heck: I think one of them was returning from Family Medical Leave.

Madelyn Grayson: Yes, that's the only one I have.

Gary Heck: It's a return from Family Medical Leave.

Joe Harrison, Jr.: So, I guess that would be until the end of the month, right?

Gary Heck: Well, the letters Dr. Nick got were two week notice letters. It's not like they, you know, the letters he referred to—

Joe Harrison, Jr.: Oh, okay.

President Abell: Oh.

Gary Heck: They were two weeks notice.

Joe Harrison, Jr.: Okay.

Gary Heck: The dentist isn't leaving until July 31<sup>st</sup>.

Joe Harrison, Jr.: Okay.

Gary Heck: So, it's not, that's why the effective date was August 1<sup>st</sup> on the announcement that he made.

Joe Harrison, Jr.: Okay, so we'll go ahead. Thank you.

Gary Heck: You're welcome.



Madelyn Grayson: The County Auditor has the statement of salaries and wages and the approval of the June 2012 A/P vouchers; the County Engineer has the waiver of partial mortgage releases for two properties that the county is purchasing for the next phase of North Green River Road widening; pay request number 155 for TIF account projects in the amount \$474,568.90, and a department head report; the County Clerk has the June 2012 monthly report; the IBAP Gatekeeper June 30, 2012 periodic report; the Commissioners have the Walt Lowe Library Board resignation letter; the Evansville Police Department has a waiver of Centre fees/not overtime for Exhibit Hall for Board of Governor's Police Academy on August 2, 2012 from 4-6 p.m. and for the Walnut Room for Criminal Intelligence Analysis course on October 15<sup>th</sup> through 19<sup>th</sup>, 2012; the Soil and Water Conservation District has a department head report; Hillcrest Washington Youth Home payment for second quarter 2012 services; Legal Aid Society, June 2012 statistics and report of non City-County United Way funds; Weights and Measures has the June 16-July 15, 2012 monthly report; Adult Probation has a request to surplus one broken computer monitor and one broken typewriter for disposal; the Sheriff has requested to surplus and disposal of a 2000<sup>1</sup> Dodge Ram; and the Purdue Extension Office has county employee request for leave of absence.

President Abell: I would entertain a motion to accept the consent agenda.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Is there any further business to come before the Commissioners?

Commissioner Kiefer: I move that we adjourn.

Commissioner Melcher: Second.

President Abell: We are adjourned.

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

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<sup>1</sup>Should be 2002.

**CONSENT ITEMS:**

**Commissioners:**

Approval of the July 3, 2012 Commission Meeting Minutes.  
IBAP Gatekeeper June 30, 2012 Periodic Report.  
Walt Lowe Resignation Letter from the Library Board of Trustees.  
EPD Centre Fee Waiver: 8/2/12 & 10-15-10/19/12.  
SWCD Monthly Department Head Report.  
Hillcrest Washington Youth Home: 2<sup>nd</sup> Quarter 2012 Payment for Services.  
Purdue Co-Op Extension: Employee Leave of Absence Request.

**Employment Changes:**

County Highway (2)	Health Dept. (1)	Assessor (2)
Prosecutor (5)	Sheriff (2)	Superior Court (4)
Sheriff (2)	County Clerk (2)	Circuit Court (6)

**Auditor:**

Statement of Salaries and Wages (Form 144's).  
Approval of June 2012 A/P Voucher.

**County Engineer:**

Waiver of Partial Mortgage Releases: GRR: Parcels 35 & 40.  
TIF Pay Request No. 155: \$474,568.90.  
Department Head Report.

**County Clerk:** June 2012 Monthly Report.

**Legal Aid:** June 2012 Statistics & Report of Non City-County United Way Funds.

**Weights & Measures:** June 16-July 15, 2012 Monthly Report.

**Surplus Requests:**

Superior Court: Adult Probation: Computer monitor & typewriter.  
Sheriff: 2002 Dodge Ram.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Schenk
Madelyn Grayson	Steve Craig	Jarrad Davenport
Kelley Coures	John Stoll	Dwayne Caldwell
Mike Duckworth	Gary Heck	Ray Nicholson
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
AUGUST 14, 2012**

The Vanderburgh County Board of Commissioners met in session this 14<sup>th</sup> day of August, 2012 at 4:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: Good afternoon. I would like to call to order the August 14, 2012 meeting for the Vanderburgh County Board of Commissioners. Can we have attendance roll call please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Mr. Harrison, would you lead us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

**Issues Relating to North Green River Road between Lynch & Millersburg**

President Abell: Thank you for your attendance here at this early meeting today. We are here to discuss some issues relating to North Green River Road between Lynch and Millersburg. Unfortunately, the county has recently noticed several areas along North Green River Road between Lynch Road and Millersburg Road which have apparently settled since the portion of North Green River Road was widened and opened to traffic last year. I feel it would be a good idea if the project contractor, Blankenberger Brothers; the project design engineers, DLZ and Bernardin Lochmueller and Associates; and Beam Longest and Neff, the consultant which performed construction observation services on the project, would assess the situation and submit written reports to the County Commissioners within the next 60 days with a plan to remedy the roadway deficiencies. In addition, I would expect that the cost associated with any necessary roadway repairs not be the responsibility of Vanderburgh County. I do know that several of the North Green River Road project engineers and the general contractor are in the audience this afternoon, if any of you would like to address the Board, this would be the time. Is there anyone who would like to address the Board of Commissioners regarding the problems on North Green River Road? Is there a motion to require the project engineers and the project general contractor to prepare written reports and submit the same to the County Commissioners within the next 60 days setting forth the problems with the roadway along North Green River Road, between Lynch Road and Millersburg Road, and a specific plan to correct such issues at no cost to Vanderburgh County?

Commissioner Kiefer: I would like to make that motion.

Commissioner Melcher: Second.

Commissioner Kiefer: During discussion I've got a comment.

President Abell: It is discussion.

Commissioner Kiefer: I had, one of our constituents who had complained and written a letter, Bill, anyway, I actually met with him today and we drove that road. I was really astounded by how frequently, and you could see at every one of the storm drains there was a dip in the road. Every single storm drain, as we drove it, you took that little dip. I was astounded by that. I didn't, it's, you know, until you're out there driving it, you'll really, definitely notice it. I was glad that we have citizens in the community that actually contact us on this and bring it to our attention, because the people that drive it every day definitely notice it. I noticed it today when I drove it. So, I'm all in favor of this motion, and hope that we get a positive response back from the people on this list that you just talked about.

Commissioner Melcher: I'm okay. I don't have to add anymore.

President Abell: Mr. Harrison, I have some questions. How are we going to track this? Who, should we put Mr. Stoll in charge of this? I mean, we could leave here tonight and that could be the last I hear of this for 60 days, and I don't want that to happen.

Joe Harrison, Jr.: I think that would be a good idea. The bottom line is, you said 60 days from today's date, today is August 14<sup>th</sup>. So, we're looking at, you know, August 14<sup>th</sup>, 13<sup>th</sup>, around then<sup>1</sup> for a report to be submitted to, not only John Stoll, but I would say to the County Commissioners. I would ask that the reports from the contractor and engineers be submitted to Mr. Stoll and the County Commissioners. Then they will be reviewed from there, and we'll have another meeting shortly thereafter to discuss what the Commissioners want to do next.

Commissioner Kiefer: Well, I would be deeply concerned if we do not get a response back from the engineers and contractors on that, because, I mean, these are people that we look for to do projects for this county on future work. So, I think getting a response back from them will be a positive sign that they're interested in continuing doing work with county projects. If they don't respond, then, I guess, I would take that as an expression that maybe they don't have interest in doing projects in our county.

President Abell: Is there any of the engineering firms in the audience that are prepared to step forward and be the lead on this? Please come forward. I'm glad to see somebody's interested.

Commissioner Melcher: While he's coming up, I'll go ahead and say, if we're going to get the e-mails from them and John, we might as well send it to Joe, our attorney, because he's going to be....if it gets to that point, he might as well be in on the ground floor.

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<sup>1</sup>Should be October.

David Matson: My name is David Matson with Beam Longest and Neff. We performed the inspection on the project. We take a great deal of pride in the work that we do. I think that is true with all of the parties that worked on this project. We're very interested in assisting the county in any way that we can to make it come to a resolution. I would be happy to work with John Stoll as the lead, or in any capacity you would want me to to make sure that you get the answers you want.

Commissioner Kiefer: Thank you.

President Abell: John, could you come up too? Since this is a highly unusual thing that we're doing, I want to make sure that everyone understands where we are. I'm not expecting Beam Longest to do this all by themselves. I'm expecting, but since they have come to the plate, and I want to tell you how much I appreciate the fact that you have, we would like for them to lead it, call on you when they need you. I would hope that everyone else involved will cooperate 100 percent with you. Certainly feel free to contact me if you have any issues or problems at all. John, I would hope that you would follow up with phone calls and make sure that this thing continues to go, because I can tell you, 60 days from now I'm going to be sitting here hoping that someone has given us some remedy as to what we're going to do with that road. I'm with Mr. Kiefer, that is not a pleasant road to ride on.

John Stoll: I have been in contact with all the consultants and the contractor, and everybody has seemed receptive to working together to come up with a plan. So, that won't be a problem to keep you updated on the status of things.

President Abell: Okay, then I would expect I will hear from you too. Okay, thank you. Joe?

Commissioner Kiefer: Thanks.

President Abell: Steve?

David Matson: Thank you.

President Abell: I have a motion on the floor. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you, gentlemen. If there's any of you in the audience that want to leave, this is the end of the discussion on Green River Road. You can stay if you wish, but it's not the most exciting show in town, but you can stay if you want to. Thank you one and all for coming.

**Road Closure Request: Bob's Gym 5K Run**

President Abell: We're going to go a little bit out of the agenda, for those of you who are maybe following it. We are not going to open the quotes until later, because we advertised that any quotes, any bids on this project would be due by 5:00 today, and it's only 4:15, so, they would have 45 minutes yet to get a bid in. So, we're not going to do that until 5:00. We will go ahead with our action items, which is item number six if you're following the agenda. This is the road race request, the See Bob Run Charity 5K Run on October 27, 2012. This request has been reviewed by the Sheriff and was approved in past years. Jim Bush with Bob's Gym is here to answer any questions, I think. Is he here? I assume he did not get notice that we were going to be doing this early. Where's, Sheriff Williams, Sheriff, do you have any issues with this?

Eric Williams: It's okay with us.

President Abell: It's okay?

Commissioner Melcher: We got an e-mail from the Sheriff.

President Abell: Okay.

Commissioner Melcher: I'll make the motion to approve it.

Commissioner Kiefer: Second.

President Abell: Any further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**First Reading of Ordinance CO.08-12-006:  
Amending Ch. 6.05: Animal Control Ordinance**

President Abell: First reading of CO.08-12-006, an amendment to the animal control ordinance. Mr. Harrison, I think you would like to have a little time to explain this to us a little bit in depth.

Joe Harrison, Jr.: Yes, this is an amendment proposal to the current Vanderburgh County animal control ordinance. It's a first reading. There will have to be a second reading, but, essentially, what the proposal does is it allows the Animal Control Department, the joint City-County Animal Control Department, to enforce Indiana

State statute, with respect to the impounding of dogs that may venture off their owners property and bite someone on another property a second time. So, if the Animal Control Department is aware of a previous bite by the animal, State statute now, and has for several years, permitted the impoundment of such animal. It's just that our county ordinance did not have language in it that enabled them to enforce, the Animal Control Department, to enforce this particular State statute. In addition, the proposed ordinance will allow the Animal Control Department to cite, under State law, those owners who have dogs that bite someone a second time for such conduct. So, this is something that is needed. Presently the county ordinance allows the Animal Control Department to impound a dog that may bite someone, but really only for ten days. This would allow an extended period of time, maybe forever, depending on the circumstances set forth under State law. So, I would ask that the Commissioners consider this on first reading. There has been some complaints to the Commissioners office over the last several months of the need for the ability to have such an ordinance provision, and this will at least be a first step for the county to have some other options and some flexibility to deal with animals, dogs that are vicious and bite people.

Commissioner Kiefer: Joe, does this get us more in line with what the city ordinance is?

Joe Harrison, Jr.: Well, the city—

Commissioner Kiefer: I know theirs is like 45 pages long.

Joe Harrison, Jr.: — is a little different. Obviously, the city is urban, it's an urban related ordinance, as opposed to rural.

Commissioner Kiefer: I mean, but as far as concerning dogs and, you know, what we're trying—

Joe Harrison, Jr.: It gets us more in line, at least on the impoundment issue.

Commissioner Kiefer: That's what I'm talking about, yeah.

Joe Harrison, Jr.: Yes. The Animal Control Department, I don't know if they're here. Is anyone from Animal Control here? They indicated that they would, if they're not here tonight, that they would be here on second reading, but they had specifically requested this authority. This will give them some options, and I think will serve the residents well, because this is something that's been needed.

Commissioner Kiefer: Okay. I'll make a motion that we approve first reading.

Commissioner Melcher: Second.

President Abell: Further discussion? Well, I think all three of us recall we actually had a gentleman here who's wife had been bitten.

Commissioner Kiefer: Right.

President Abell: Oh, did you want to, are you just letting me know you're here, or would like to speak on this? Are you, does this—

Michael Gottman: Both.



President Abell: Okay, come on up.

Michael Gottman: My name is Michael Gottman. I was here on March 20<sup>th</sup>, and I am just, possibly if it's okay, to ask a couple specific questions on all of these 'whereas' and so on and so forth to better understand this. I'll use my situation as an example. So, we have a situation where a neighbor was, my wife was bitten, and that is the second one on record. Now, this particular situation also involves other animals being bitten and requiring veterinary attention. So, does that come into play at all or not? I mean, I'm just bringing up points. Unfortunately, I've gathered a lot of information on trying to figure out what to do. I just prefer that whoever is in my situation or my wife's situation after we get past all this has a less headache than I have experienced so far this year.

Joe Harrison, Jr.: The statute that would be able to be enforced is IC 35-46-3-6. 35-46-3-6, and really all of 35-46 that really relates to neglect of, you know, animals, and animal fighting, things like that, you know, there are some other provisions that are contained that could be enforced. The main issue, at least Animal Control believes is going to be a situation where someone is bitten a second time. When the dog ventures off the owners property. IC 35, I'm sorry 15-20-1-4 specifically says that the owner of such a dog that would bite somebody a second time off its property commits a Class C misdemeanor. So, they could be cited for that as well, but, specifically it's IC 35-46-3-6, which really relates to the biting a second time. If a law enforcement officer has been given authority to impound animals and is given that enforcement power under county ordinance or city ordinance, then they can enforce that particular provision. It's just, I know the feeling of Animal Control, that this would certainly be a good option and flexibility for them. Because, I know in your situation, had this been out there, you probably wouldn't have had to go to court.

Michael Gottman: Correct.

Joe Harrison, Jr.: So, that would have saved you a lot of time and unnecessary expense and worry.

Michael Gottman: And, that's, I guess, basically my second question is, having gone to court, having gotten a court order—

Joe Harrison, Jr.: Your court order is going to be good.

Michael Gottman: Well, my challenge is, in the current environment, when the owners of the animal were given 30 days to either build a privacy, a six foot privacy fence or install a kennel, of which neither of those have been met, at which time I contacted the Sheriff's Department and Animal Control, and neither stated they could do anything with this court order. It was up to us to file for contempt of court. So, and, again, I recognize we're not under the new rules and regulations yet.

Joe Harrison, Jr.: Sure.

Michael Gottman: So, I guess, again, my point being, if this happens at some point in time, it will, Animal Control has the authority to do this?

Joe Harrison, Jr.: Yes.

Michael Gottman: That's what we're saying is going to happen?

Joe Harrison, Jr.: Yes, they do have the authority–

Michael Gottman: But, they don't now.

Joe Harrison, Jr.: – but, I can tell you this, just for your information, I did check with Animal Control, and they gave me a little different story than what you've communicated to me. I would ask that you contact them regarding the kennel issue.

Michael Gottman: Okay.

Joe Harrison, Jr.: Okay?

Michael Gottman: Yeah, because I've called multiple times.

Joe Harrison, Jr.: Yeah, but call Kerry Kamp , K-e-r-ry K-a-m-p, about that issue.

Michael Gottman: Yeah, I've been working with Monica Freeman.

Joe Harrison, Jr.: Right, well, she's been gone for over two months, I believe.

Michael Gottman: Yeah, we called about, the issue was, the court order went into effect–

Joe Harrison, Jr.: Right.

Michael Gottman: – on March 23<sup>rd</sup>, and I think we called at the end of –

Joe Harrison, Jr.: Call Kerry Kamp, okay, at the Board of Public Works. In fact, you might want to go down the hallway and see if he's still there.

Michael Gottman: Okay.

Joe Harrison, Jr.: It's probably about six doors down on the left.

Michael Gottman: Gladly.

Joe Harrison, Jr.: But, this will certainly help you out tremendously.

Michael Gottman: Okay.

Joe Harrison, Jr.: If it passes.

Michael Gottman: I understand. Thank you very much for your time.

Joe Harrison, Jr.: You're welcome.

President Abell: Thank you for coming down this evening. I have a motion and a second on the floor. Is there any further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>County Health Insurance Discussion</b>
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President Abell: Our next order of business is county health insurance discussion. Are the representatives of Torian Hofmann Dillow and Flittner ready to make a discussion with the Commissioners, or at least the beginning of one?

Tony Flittner: I am. I have—

President Abell: Could you come to the microphone please?

Tony Flittner: My name is Tony Flittner. I am prepared to begin a discussion. My technical guy isn't here to put things up on the screen, but I have paper that I can give to you that represents what I want to talk about.

President Abell: Do you know how to work that?

Tony Flittner: Well, he has the site that I need to go to to get it.

President Abell: Oh, okay.

Tony Flittner: He'll be here soon.

President Abell: That's fine.

Tony Flittner: We could probably put it up there as I—

President Abell: Would you like to wait for him? We can go on and do a couple other things.

Tony Flittner: We could wait a minute.

President Abell: Okay. Is that okay, Joe?

Commissioner Kiefer: It's okay with me.

Tony Flittner: Thank you.

President Abell: Okay. We will go to the next item of business.

**MOU with the Health Department and Catholic Charities  
Health Dept: Business Associate Agreement with Joe Harrison, Jr.  
Health Dept: 2013 MCH Grant Agreement  
County Assessor: DS Parker Family Assessor Services Agreement  
County Assessor: Contract with CEI Appraiser Group  
OCH Lease Agreement with Matt Wagner Design  
Sheriff: Domestic Violence STOP Grant Agreement**

President Abell: A memorandum of understanding with the Catholic Charities and Diocese of Evansville. It's an understanding between the parties as to certain services and buildings which will be available to the County Health Department in the event of a public health emergency situation in this area. Gary, I assume you're here to discuss that?

Gary Heck: Only if you have any questions.

President Abell: Oh, I missed one of yours. Sorry, well, go ahead, we'll talk about that one now and, we're out of order anyway.

Gary Heck: This is similar to the other memorandums of understanding we've presented in the last few months and meetings. This is just in preparation should something happen, that we would be able to use facilities through the Catholic School Corp, or the Catholic Charities and the Diocese of Evansville. So, it's facilities is really what we're talking about, using one of their locations to set up a clinic to provide medication, vaccines, whatever.

President Abell: Like a gymnasium or something?

Gary Heck: That's correct.

President Abell: Okay. We need a motion I assume for this.

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

Commissioner Melcher: Second.

President Abell: Any further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Okay, let's go back to the one I skipped. Business Associate Agreement with Joe Harrison, Jr.

Gary Heck: This is a, this is for the protection of our County Attorney and the Health Department. Even though there's attorney-client privilege, we found a ruling under HIPPA that in some other part of the country where there was an attorney-client privilege, the only reason they were cited was because they didn't have a Business Associate Agreement in place for the inadvertent disclosure of any protected health information. While that certainly wouldn't happen here, it's a protection to make sure that the county doesn't experience a fine for not having this paper signed. That's really—

President Abell: So, this is an agreement that allows you two to talk about things that you wouldn't talk about in open—

Joe Harrison, Jr.: That's correct.

Gary Heck: That's correct.

President Abell: Did you prepare that?

Joe Harrison, Jr.: I reviewed the document that he prepared, and it's certainly in order and it's probably something that we should have done at the beginning of the year.

President Abell: Okay. Then I'll—

Joe Harrison, Jr.: We just didn't know.

President Abell: – entertain a motion to accept.

Commissioner Kiefer: I'll make a—

Commissioner Melcher: So...go ahead.

Commissioner Kiefer: I'll second that.

Commissioner Melcher: Whatever. We did it.

President Abell: Further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: 2013 MCH grant for the sum of \$104,000 for prenatal care coordination and education for local women and children with special needs and those who do not have access to health care services. This runs from 10/1/12 through 9/30/13.

Gary Heck: This is the maternal child health grant, and it's a continuation of a grant that we currently have. We need it to continue to do the work that we're already started to do.

President Abell: Do you pay someone out of this too? Or does this just take care of the services?

Gary Heck: We do have some staff that are paid out of this as well, that's correct.

President Abell: I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: Thank you, Mr. Heck. County Assessor, DS Parker Family, LLC assessor services agreement for profession, commercial and industrial assessing services to be provided to the County Assessor in connection with the 2012 assessment. DS Parker is to be paid \$37.50 per hour. The contract sum is not to exceed the sum of \$15,000, to be paid from the County Assessor Reassessment budget. Mr. Fluty?

Bill Fluty: Bill Fluty, County Assessor. Any questions? It's a similar agreement that we've had with him. He's a licensed appraiser. He's helping us with our appeals and kind of bridging the gap between our office and what's going on out in the market. He's done a very good job.

Commissioner Kiefer: I'm familiar with Steve Parker. He has an excellent reputation. He does a great job. He's got a good resume, and, you know, he's highly qualified. So, I think you've got an excellent person there. So, I'm in favor of it.

Bill Fluty: Thank you. Appreciate that.

President Abell: I'll entertain a motion.

Commissioner Kiefer: I'll make the motion to approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Before we get to your next contract I have a question.

Bill Fluty: Okay.

President Abell: You may not be able to answer, but I have been noticing around town that a lot of vacant buildings are being torn down, and, obviously coming off our tax rolls, which is concerning me. Like, for instance, Diamond Avenue and First Avenue, I think at one point I looked and that maybe that was assessed at around \$63,000, something to that effect, with the buildings on it, and now, with the buildings gone, obviously, it's going down. Are you watching any of that? Or, being able, would you be able to put together any report that could let us know where we're going to be? I mean, it's a concern if it continues, that we're going to be short of money.

Bill Fluty: Not short of money.

President Abell: Not short of money?

Bill Fluty: Of course, the Assessed Valuation fluctuates up and down, due to new construction or the loss of, whether it be the Executive Inn or it be that facility that was on Diamond, and I think similar happened out on the west side where the old Wal-Mart—

President Abell: Right.

Bill Fluty: —was located. Some of those older buildings that have declined over the years, their assessed value has also declined, because they are not in use. They would have a higher assessed valuation than they would dark as they've been for quite a few years. So, it is off the tax rolls, but you remember we start out with \$11 billion in Assessed Valuation, and then to the net comes in a little bit under \$7 billion.

So, it's kind of a flow back and forth. Even though it seems like it would make a difference, there's still stuff being built on the other side that's outplaying that. What's really happening more than anything is just the willingness for people to pay for property now, and it's kind of dropping the Assessed Valuation kind of in different areas in the county. Some are holding very well that are more desirable, and others are fading a little bit. So, but, I would say, you know, it's just balancing out, I think in all. We do look at tear downs, I guess, we would call those, demolition permits all the time and monitor those and the decrease in that. Along with that, there's many more building permits coming back the other way.

President Abell: Okay. Well, I just hate to see us sit here one night trying to decide how we're going to balance the books because we haven't been watching it.

Bill Fluty: That part will work out.

President Abell: Okay. We'll go on to your next item then. A contract with CEI Appraisal Group, Inc. to assist in establishing a value for several parcels on Green River Road. The contract price is \$4,500, and the funds will come from the County Assessor's Reassessment budget.

Bill Fluty: This is actually having an appraisal done on some, on an appeal that's gone to the IBTR, which is basically we believe it's at this value, so we're going to go forward to get an appraisal on it to move to that case when that case is actually going to be heard. So, this is just evidence that we need.

President Abell: Okay. Commissioners?

Commissioner Melcher: I'm okay.

President Abell: I need a motion.

Commissioner Melcher: I make a motion to approve it.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Bill Fluty: Thank you. Appreciate that.



President Abell: Thank you, Mr. Fluty. The next item is a County Commissioners item, the Old Courthouse lease agreement with Matt Wagner Design for rental of office space in suite 301 of the Old Courthouse. It's a one year agreement running from September 1, 2012 to August 31, 2013 unless renewed. The rent is \$640 per month. I don't know what Matt Wagner Design is, does anyone else? Do you have any idea, Marissa?

Marissa Schenk: I think he's just like a graphic design business.

President Abell: Oh, okay.

Joe Harrison, Jr.: It's my understanding the lease, Mr. Wagner has signed the leases, and he will, the lease will start September 1.

President Abell: Okay. Questions?

Commissioner Kiefer: Yeah, Marsha, I wonder if we could get our leasing agent to do some comps for us. You know, this may be a great deal, \$7.91 per square foot, per year gross lease, includes utilities. It seems like it's a good deal for the tenant anyways, but I don't know, without them running some comps for the like type space if that is actually a good deal for us. I mean, it's cheap rent and maybe it's good just to cover the utility costs. I don't know what the pro-rated amount of utilities for that space would be. I mean, it's a small space, it's less than a thousand square feet, but, again, you know, we don't know if this is enough to even cover the utilities for the space. It might be, it might be a great deal, but it would be nice for them, for the leasing people to do some of this work for us so they could tell us, hey, this is what other rent rates, you know, across the street, down the street, whatever.

President Abell: They're probably not old courthouses, what do you think?

Commissioner Kiefer: No, they're not old courthouses, but you do have comparable like—

President Abell: Yeah.

Commissioner Kiefer: — the Hulman Building is probably, I wouldn't say too many steps above the Old Courthouse, you know, I mean, there's some space in there that's not exactly—

President Abell: Yeah.

Commissioner Kiefer: — I mean, I just want to know.

President Abell: Sure.

Commissioner Kiefer: I mean, I don't know what our utilities—

President Abell: Marissa, would you mind contacting them about that? Maybe they could get a report to us by our next meeting.

Commissioner Kiefer: Yeah.

Joe Harrison, Jr.: Kyle Bernhardt, do you know Kyle with Tucker?

Commissioner Kiefer: Yeah.

Joe Harrison, Jr.: He's the one that's the leasing agent for us.

Commissioner Kiefer: Yeah, I mean, the question, my question would be, you know, like right now, I mean, the utilities, I mean, you know how that goes. You could have thousand dollar a month utility bill for a space. I mean, do they control the utilities? Is there a thermostat in their unit that they can crank up or crank down? I mean, those ceilings are really tall in the Old Courthouse. I'm not saying I'm against this, this might be a great deal, but I think we need some guidance from the leasing agent to tell us, hey, basically, we're going to make money on the deal, because utilities on the average run \$200 a month in that size unit. I mean, I don't know.

President Abell: Yeah, right.

Commissioner Kiefer: I just hate to, you know, it sounds great to say, hey, let's get a tenant in there, but if it's going to cost us a thousand a month to run the utilities for that space, well, then we're losing money.

President Abell: Right.

Commissioner Kiefer: But, again, I'm not saying it's a bad deal, it might be a great deal, I just don't know.

President Abell: Marissa, can you work with them, the leasing agent? Maybe you could get that report for us? I think one of the other issues with this is that we have so many of our county offices that are looking for other places to go, and we need to be looking at our own space first before we start renting space out other places.

Commissioner Kiefer: Again, you know, I don't know what the timeliness, Joe Harrison told me that, you know, this is a timely agreement here, lease agreement. Do we have to approve it tonight for him to move in September 1 or something? I mean, I know we have—

Joe Harrison, Jr.: I would recommend you do that. It's a year lease. Our next meeting is the 28<sup>th</sup> of August.

Commissioner Kiefer: Yeah, I mean, obviously, they are wanting to move in September 1. You know, maybe this might be, I would love to know at the end of this next year did we lose money on this tenant, or did we make money, or did we break even?

Commissioner Melcher: Maybe we ought to take it a little further. Maybe we ought to find out what the total utilities are over there. Find out what is rented, try to break it down by some square foot and get a report on all of it, and the rent. That way it's not just one we're looking at, we'd be looking at all of them.

Commissioner Kiefer: Again, I'm not sitting here trying to say that this is a bad deal or not. I just don't know without enough information. Now this is, you know, a small enough deal that's it not going to break us if we end up losing ten dollars on it, but, still, I think it's important to know these things.

Commissioner Melcher: I agree with you, but if we're going to do it, we need to go ahead and do it for the whole building.

Commissioner Kiefer: Yeah, I agree. The leasing agent should be equipped to help us with that.

President Abell: We can put that in your trusty hands, Marissa?

Marissa Schenk: Yes.

President Abell: Okay.

Commissioner Melcher: I'll move to accept the agreement.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes, with the caveat that we get this information for future leases. So, when they present a lease to us, you know, we can have some type of analysis to know whether or not we're going to make money or lose money on the lease agreement.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: The next item of business, the Sheriff, domestic violence STOP grant for the sum of \$29,991. It's used to pay the county's domestic violence investigator and case coordinator. It runs for a period of 12 months from July 1, 2012 through June 30, 2013. The Sheriff is here if anyone has any questions of him. I would entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Resume Discussion of County Health Insurance</b>
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President Abell: Before we go to department head reports, I would refer back to Mr. Flittner, if you're ready for your presentation. We're waiting for the computer to decide to cooperate, I guess. Are you ready?

Tony Flittner: We can begin some discussion while the computer comes up.

President Abell: Okay.

Tony Flittner: If that's okay.

President Abell: Sure, that's fine.

Commissioner Melcher: It's not working.

President Abell: It's not working? No, it's working, they just had the monitors off.

Tony Flittner: It's just coming up.

Madelyn Grayson: Do you want to use the portable mic? Testing.

President Abell: Do you want the portable mic in case you walk around?

Tony Flittner: I'll stay put.

President Abell: No one ever does.

Tony Flittner: My name is Tony Flittner. I'm with Torian Hofmann Dillow and Flittner Insurance Agency. I'm the agent of record for Vanderburgh County for their employee benefits plans. Back in mid-June, Welborn Health Plans announced that they were going to cease operations, effective December 31<sup>st</sup>, for an effective date of January 1, 2013. Right now, Vanderburgh County's employees are covered by Welborn Health Plans with two of their plans of coverage. Consequently, along with the announcement that Welborn Health Plans was going to leave the business, Anthem Blue Cross and Blue Shield had information and had the ability to come in and offer some quotes to the people who were going to be left uncovered by Welborn Health Plans. We have those quotes, and we've worked with Anthem Blue Cross and Blue Shield to make the plan as similar to your current plan as possible. We've also gone to the market to quote your group with other carriers. We've quoted your group with Aetna, United Healthcare and Humana. So, we've covered four carriers here. Aetna has declined to quote your group, based on the claims information and competitive quote information. Thank you, Andy. United Healthcare has not quoted your group, they have drug their feet. In essence, I've talked to them, they just don't want to provide a quote that's not competitive. That's where they are. Humana is pretty much in the same place. They have not quoted your group at this time, and they're just waiting, they're just not going to provide a quote. That's common with carriers, if they can't provide a competitive quote, they really don't want everybody to see their numbers and be able to compare, and say, well, you know,

you're ten percent above the market. So, as we sit today, we do have a favorable situation. We have quotes that were offered to us through Anthem Blue Cross and Blue Shield. They've quoted a plan design that's very competitive to your current plan. It has the same deductible. It has the same office visit co-pay features. It has drug co-pay features that are extremely similar to your current plan design. Their pricing is, believe it or not, just a bit underneath your current Welborn Health Plan pricing. When all of this began, they originally offered a plan that would begin August the 1<sup>st</sup>. We asked them for some leverage or some leniency, and they allowed us to back that offer up to September the 1<sup>st</sup>. Right now we're in the middle of August, so we're in a bit of a time position. I asked them today to back the offer up to October the 1<sup>st</sup>. They told me that they would allow us to either accept their offer for September the 1<sup>st</sup> or October the 1<sup>st</sup>, okay? Which I think is very congenial on their part, because the idea was, you know, get these offers out, get the enrollment done, and that's that. So, we have a little bit of, a little bit different situation even this afternoon than I thought what we had earlier today, okay? If you look down through the spreadsheet that is.....yes, sir?

Commissioner Melcher: You know, I was at a meeting where they said they weren't going to do that. Now, they said they're doing it. Did you get an e-mail or something from them? I think I would feel better if they would put that in some kind of writing—

Tony Flittner: Absolutely.

Commissioner Melcher: — to say that October 1<sup>st</sup> is it.

Tony Flittner: Okay.

Commissioner Melcher: Because the meeting that I was in when they were talking to a bunch of people, and I was just there representing our county, they acted like they weren't budging at all. It was take it or leave it. If you didn't take it, you had to re-negotiate next year's.

Tony Flittner: I understand.

Commissioner Melcher: So, I would feel more comfortable, and you probably would too if you had something in writing from somebody that could say that.

Tony Flittner: I'll get that. That's no problem. I don't know that—

Commissioner Melcher: I know you're telling the truth of what they're telling you, I'm just trying, I don't want to be here in September and they say you missed it, now you're going to be paying, I think we were supposed to pay about 15 to 18 percent based on our usage.

President Abell: Ten.

Commissioner Melcher: No, it was ten because that's what—

Tony Flittner: Ten, the offer that they made was, essentially, just underneath a rate hold, so you would save maybe, approximately \$5,000 per month for the remaining months of 2012, and then a ten percent renewal rate increase for the year 2013. Which, with all things compared is a pretty good offer. It's a very good offer, at a renewal rate of ten percent for 2013. The two offers go together. The remaining part of this year and the 2013.

Commissioner Melcher: That's what they said, they had to go together.

Tony Flittner: They have to go together.

Commissioner Melcher: If you didn't do it, then, that's what I was getting at, because I know we were at one time 90 cents on the dollar. They said our cases could be more, so we could go up, that ten could go up.

Tony Flittner: That's right, if they pull the offer off the table and re-evaluate based on claims experience, which is the way these carriers ordinarily do things. They could re-evaluate and say that the renewal rate offer is higher, but they are telling me that they will allow us an October 1 effective date, at the rates they've quoted us for the balance of this year, that are represented on this spreadsheet on the screen.

Commissioner Melcher: Okay.

Tony Flittner: They will allow us the renewal rates, at ten percent, that are the last page of this presentation.

Commissioner Melcher: Alright, thank you.

President Abell: That's if we make our decision by October 1<sup>st</sup>.

Tony Flittner: We really need to make it before that.

Commissioner Melcher: September.

President Abell: Well, I said by October 1<sup>st</sup>. September is the month right before October 1<sup>st</sup>, though.

Commissioner Melcher: We started too early tonight.

Tony Flittner: It threw me off, I'll say that.

Commissioner Melcher: Gary has his hand up.

Gary Heck: I just had the request that since the three columns to the right don't mean anything to us anyway, can you make it bigger so that people can see it?

President Abell: I don't know. I know nothing about the (Inaudible). Can you make it bigger?

Gary Heck: (Inaudible. Not at microphone.) Just click on that plus sign. It will make it bigger. He can eliminate those three columns or something.

Andy Dillow: It takes a technical person to click the plus sign.

Gary Heck: I think it must.

Tony Flittner: Is that what that is?

Gary Heck: You can probably even do it one more.

Tony Flittner: Okay.

Commissioner Melcher: That one works for me. I don't know about everybody else.

President Abell: That works for me.

Commissioner Melcher: My tri-focals just got right on them.

Tony Flittner: Thank you technical person.

Andy Dillow: Just use the wheel to move it up and down.

Tony Flittner: Sure.

Andy Dillow: Now you may have to, as you get to this second page (Inaudible. Not at microphone.)

Tony Flittner: So, what we have here are the plan comparisons. Today, with Welborn Health Plans, there are actually three plan designs, or three different plans. Two of those plans are identical in design, they both have \$250 deductibles, they both have the same office visit co-pays, they have all of the identical features between the two of them. The only difference is in the network. One of them offers a network that involves Deaconess Hospital only, the other one offers a network that involves St. Mary's and Deaconess Hospital. As it turns out, with Anthem Blue Cross and Blue Shield, their network is so extensive that there's no reason to offer two separate ones, it would just be their one, combined network that is, that by far outweighs Welborn's networks. Okay? So, when we look at the Anthem plans, we're really looking at two plans. We have the \$250 deductible plan and then we have the \$500 deductible plan. It's my understanding that the \$500 deductible plan was put into place before I became the agent of record here, because it offered out-of-network benefits. I think a lot of, or a number of people wanted out-of-network benefits so Welborn designed that plan for them. One thing that is really nice about the Anthem plans is that they both offer out-of-network benefits. So, you're not held to the tight constraints of an HMO plan. Anyone can go out of network, if they so choose. They just have a higher deductible and a higher out-of-pocket limitation, but in addition to that, they can easily stay in network with Anthem Blue Cross' Blue Access network. It's one of the, if not the largest, provider network in the insurance industry, and it does go nationwide. So, as you look down through the comparisons, you'll see that there are a huge amount of similarities. As we look down at the rates, we have a total rate with Welborn Health Plans at the present time that equals, based on the census that we captured at this time, okay. The monthly premium for Welborn Health Plans is \$1,183,940. With Anthem Blue Cross Blue Shield the total would run \$1,178,720 and change. Obviously, we have a little bit lower rate. In my opinion, you have plan designs that your employees are going to like better with Anthem Blue Cross and Blue Shield. So, they have provided a very competitive quote. I have other information that, I don't have my tech guy, but I know I can move this over. If we take the plans separately and lay them next to the Welborn plans, we can view them in this sense and look at what components of the plan designs are the same and which ones are different. These are informational pieces that we can hand out to all of the employees to help make things as easy as possible on them. You'll note that a lot of the differences are better than they are worse. A lot of the coverages are the same, you'll see that. You'll see that particularly, with this \$250 deductible plan, we do add out of network benefits. Your Welborn plan doesn't have that. We have a lower co-pay for allergy injections. For inpatient hospitalization we've eliminated the co-pay that happened first, and it's just deductible and co-insurance. With the ambulance, we've eliminated the co-pay that existed first, but we did add

co-insurance. So, after the deductible you have co-insurance. Then for therapies, with Welborn Health Plans you had a deductible, I'm sorry co-pay, deductible and then co-insurance. For those therapies we eliminated the co-pay first. So, added all up, you have a plan that's more attractive than your current plan. If we compare the \$500 deductible plan you have a real similar situation, only you have more items that are the same, because your \$500 deductible plan with Welborn had an out-of-network benefit. Okay, so in those respects the plans are the same. Lower co-pay for allergy, same office visit co-pays, same prescription drug co-pays at the retail pharmacy. Mail order, both of the Anthem plans do have a higher co-pay for the two higher prescription drug, you know, the formulary and the non-formulary, or the two higher tiers. In the first tier the co-pay is lower, but in the second two tiers the co-pay is higher. That's the same on the first plan that I went through. Again, with the therapies we've eliminated a co-pay first when you go in for therapies. So, given the choice, I think any one of the employees would look at the plans and say I would rather have the Anthem plan. The following pages simply show the renewal for 2013 on the Anthem Blue Cross Blue Shield quote paperwork. One of the most important parts would be the price, and you can take the rates that we're looking at today and add ten percent to them and you have these rates for either plan.

President Abell: The \$1,236,021, that's for the year 2013?

Tony Flittner: Well, unfortunately, you can't really use that number, because the census that they've quoted based on is different than the census that we've captured from your renewal when we quoted your renewal. We wanted this information to line up and look the same as what you looked at at your renewal. So, you're going to have a few singles that came off or came on, you're going to have a family that came off or came on, children off or on.

President Abell: Oh, yeah.

Tony Flittner: New hires, employee terminations, those sort of things. So, those, the totals wouldn't necessarily be what we would be focused on here, it would be the employee only cost, the employee spouse, you know, the four tier break, okay. Essentially, it would just represent that those rates are ten percent higher than the current rates that they've offered at this time for the balance of this year, okay. Now, it could so happen that you would come to the point near 2013 and you would say, we need to evaluate our plan design. You know, maybe you can't afford the premiums that this represents. You, at that time you would have the option to modify the plan design with Anthem Blue Cross and end up with a relative rate, okay. So, in other words if you, let's say you took the \$250 deductible plan up to \$500, and the \$500 deductible plan up to \$1,000, you would get a lower rate from Anthem Blue Cross Blue Shield. You would get their rate for those plans relative to these numbers. Okay, so, if you, in accepting the renewal rate for 2013, you're not locking yourself into a plan design.

President Abell: So, we could say, if we are so inclined to want to stay with Anthem Blue Cross, we could say we're willing to stay with you for 2013, we're willing to agree to a ten percent increase, however, we may be looking at a different coverage plan than what we currently have to make this figure fit within the budget that the County Council gives us?

Tony Flittner: Exactly.



President Abell: In other words, I added that up and I think that was around \$14 million, if the County Council comes back and says you have to stay at twelve, then we can alter this plan to stay at the twelve?

Tony Flittner: Exactly, yes. But, again, at this time, the offer to continue, or to offer you a plan for the balance of this year is coupled with a renewal agreement.

President Abell: Right.

Tony Flittner: Okay?

President Abell: So, we, as you are aware, have been contacted by other carriers wanting to tell us how wonderful their product is. So, we've got a couple weeks we can, the three of us can read through the information that we get—

Tony Flittner: Uh-huh.

President Abell: — and by that time ascertain what the decision is going to be, not necessarily on the coverage for each individual employee in the county, but for what company we're going to settle in with, correct?

Tony Flittner: Right.

President Abell: Okay.

Tony Flittner: You could, you do still have the opportunity, if you would choose, to accept a September 1 effective date with Anthem Blue Cross Blue Shield.

President Abell: If we got it done quickly enough, yeah.

Tony Flittner: Yes.

President Abell: How much time would Anthem need to be able to get cards ready and things for our employees?

Tony Flittner: Ten to 14 days.

Joe Gries: Commissioner Abell?

President Abell: Joe, did you have a question?

Joe Gries: I did. Mr. Flittner, the changes to the rates, does that affect the information that we have to pull from employees, as far as their amounts, you know, we have an employee portion. Does that change that?

Tony Flittner: Well, I mean, you're going to be using the same percentages, but the numbers are going to be a little different.

Joe Gries: Okay.

President Abell: Yeah. Apparently they will be a little bit less.

Tony Flittner: Right.

President Abell: Yeah.

Joe Gries: The only reason I'm asking is because within the payroll system we would have to make those changes.

President Abell: Sure.

Joe Gries: So, the timing might be of an issue too for us.

President Abell: Oh, I guess, that's right. You would need a little time to—

Joe Gries: We can get it done. We'll get it done, but I just want to understand, you know, what the changes would be.

Tony Flittner: Yes, the premiums are not identical to the Welborn premiums.

Joe Gries: Right, okay. Thank you.

President Abell: Commissioners?

Commissioner Kiefer: So, we're not acting on anything tonight, we just need to look to do that within the next meeting or two?

President Abell: Yeah, we need to get busy in the next couple of weeks and really—

Commissioner Kiefer: Right.

President Abell: — look at all of our options.

Commissioner Kiefer: I would say, hopefully, by the first meeting in September we'll be able to vote on something.

President Abell: Yeah. I suppose we could change in the middle of a month. There's nothing spectacular about the end of a month, is there?

Tony Flittner: Well, no, you would only change for the first of a month.

President Abell: Okay.

Tony Flittner: Okay, you would—

President Abell: I guess, Joe would need that much time anyway.

Joe Gries: Depending upon when payroll falls and that, it's usually the, I believe it's the first, no, it's the second pay of the month where the health insurance comes out of employee paychecks.

President Abell: Okay.

Joe Gries: So, if it was September 1 and that's the date, we would then pay that premium in October and it would go forward from there.

President Abell: Okay.

Tony Flittner: Right.

Commissioner Kiefer: Tony, just a quick question, you know, it says plus vision coverage on the, so is that something you're saying we don't have now is the vision coverage?

Tony Flittner: It's something that you have now. It's something that I included in the pricing of the spreadsheet at the top—

Commissioner Kiefer: Yeah.

Tony Flittner: —but, vision coverage is not included in those prices—

Commissioner Kiefer: Okay.

Tony Flittner: —that you see on that page. The vision coverage is pretty nominal.

Commissioner Kiefer: Gotcha.

Tony Flittner: It's, you know, is a dollar twenty a month for—

Commissioner Kiefer: Plus whatever the vision coverage is.

Tony Flittner: Plus the vision coverage, right, but it's all relative to the numbers that are up at the top.

Commissioner Kiefer: Okay, thank you.

Tony Flittner: Okay.

President Abell: Any other questions, Commissioners?

Commissioner Kiefer: So, do we need a motion? Not at this time? Okay.

President Abell: No, we just needed the information, and the three of us are not allowed to meet unless in a public forum, and, consequently that's why we asked you to come down.

Tony Flittner: Right, I understand.

President Abell: So, that we now have the information.

Tony Flittner: Okay.

President Abell: We will be looking at everything in the next couple of weeks. I'm sure we'll all three be calling you—

Tony Flittner: Okay, that's no problem.

President Abell: —for more information.

Tony Flittner: We'll be available. One other thing that I wanted to bring up, just real quick, I'm sorry.

President Abell: No, go right ahead.

Tony Flittner: I just wanted to let you, make you aware, and when you're looking to other carriers, you want to make sure that this applies the same. If you change your plan from one carrier to the next, you know there's always the question about your deductible that's been spent. Anthem Blue Cross and Blue Shield will credit deductible that has been spent with the current carrier, okay. So, that would be credited against the deductible they would incur for the balance of this year. Deductibles are calendar year. Co-insurance or out-of-pocket limitations are calendar year typically, and in this case they are. The co-insurance spent would not carry over, okay. So, if someone has incurred some co-insurance expense, that won't carry over to the new carrier.

President Abell: Okay.

Tony Flittner: Okay?

Commissioner Melcher: Are you talking about a different carrier than this one?

Tony Flittner: No. I mean, with Anthem.

Commissioner Melcher: Okay.

President Abell: He means this one. As of October 1<sup>st</sup>.

Tony Flittner: The co-insurance would not carry over, but the deductible would.

Unidentified: Tony, as a result of a request we made with Anthem, I did get approval to provide the co-insurance expense as well.

Tony Flittner: Oh, we did?

President Abell: Mr. Flittner, you're going to need to repeat that, because—

Tony Flittner: I'm going to get another e-mail, I guess, from Anthem Blue Cross.

Commissioner Melcher: I heard, again, I thought the co stuff, they said everything was going to carry over.

Tony Flittner: Well, they're saying now it will.

Commissioner Melcher: If we did the year.

Tony Flittner: They're saying now that it will.

President Abell: If we do the 2013?

Tony Flittner: Yes.

Commissioner Melcher: I'm sure. That's why I was asking that.

Tony Flittner: Yeah.

President Abell: Commissioners, any other questions? Mr. Flittner, thank you for coming down this evening. We appreciate it.

Tony Flittner: My pleasure, thank you.

Madelyn Grayson: Tony, do you have a hard copy for the record? Or something that can be e-mailed to us?

Tony Flittner: I can give them to you right now.

President Abell: I know we have some employees in the audience. If you would like to address this Commission on the plan, or what we're doing, we will entertain that. We are not going to discuss special coverages and cases tonight, because this is not the time for that, but if any of you want to discuss the plan itself, please feel free to take the microphone.

Anthony Bushrod: Anthony Bushrod. I've just got one question. For claims that are hanging out there with Welborn, if they take the money and, you know, run, who's going to be responsible for those claims?

President Abell: Mr. Flittner, can you answer that question?

Tony Flittner: I'm sorry.

President Abell: If people have claims that are pending with Welborn right now—

Tony Flittner: Yes.

President Abell: —will those be continued to be paid out of Welborn funds?

Tony Flittner: Absolutely. Yes.

President Abell: I'm assuming Welborn has funds they're holding aside to pay claims.

Tony Flittner: Yes. Welborn Health Plans, to my understanding is not broke. They, you know, they're solvent, they're a going business concern. They plan to continue business through the end of the year. If you want to continue with them through December 31, 2012, you're more than welcome. There's been no talk of any claims issues or payment problems.

Anthony Bushrod: Would it be possible to have them put up like some "good faith" money or "bond" money or something like that? Because, you know, from what I'm hearing, I'm assuming, you know, I mean, when you have a contract with any other business you have them put up bond money. They shouldn't mind if they don't plan on doing nothing wrong.

President Abell: Well, I don't, I would have to refer that to Mr. Harrison, but I would suspect the answer is no, because we pay them monthly. So, if they quit paying their claims, we just quit paying them monthly, but, Mr. Harrison?

Joe Harrison, Jr.: Well, they've got a contract with us, so, with the county. I don't envision any issues on that. Now, obviously, at the end of the year they're not going to be paying anything, but if there's a switch done in October, that will certainly give

them several months to facilitate all of the claims, which should resolve everything. It's not like there's going to be a claim submitted in December for them to pay.

Tony Flittner: Right, there's really, there's not good reason to expect that they won't fulfill their contract. Other carriers, unfortunately, you know, over the past couple of years there have been a couple of other carriers that decided to get out of the health insurance business. It's, that's very unfortunate, I mean, we have fewer and fewer carriers to choose from, but those carriers paid every bit of their claims. There was absolutely no problems. One of those includes a carrier called, by the name of American Community Mutual out of Lavonia, Michigan who really got into financial trouble, they paid every one of their claims. There's a State fund that's set up—

President Abell: That's what I thought.

Tony Flittner: – to back that up. All of these things are handled through the Department of Insurance through the State of Indiana, and it's not something that you just go and say, we're just not going to pay your claims. It's more difficult than that.

President Abell: I understand your concern, Tony. Appreciate the question.

Anthony Bushrod: Anybody else got any questions?

Bill Jeffers: Bill Jeffers, County Surveyor. As you know, there are current employees and office holders who by virtue of their years of service and age, when they retire they will be eligible to carry the health insurance until they're eligible for Medicare. I didn't hear any of that mentioned tonight. I wondered what the status of that will be after January 1<sup>st</sup>?

President Abell: Well, the county's policy is unchanged. The county's policy is unchanged, so whoever we have our insurance with will go, our retirees will—

Tony Flittner: That's right.

President Abell: – yeah.

Tony Flittner: There would be no difference.

President Abell: Does anyone else have a question regarding the plan? Okay, thank you, Mr. Flittner.

Tony Flittner: Thank you.

<p><b>Permission to Open Quotes: VC12-08-02: Baseline Road Bridge No. 200 County Assessor Vehicles</b></p>
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President Abell: Resuming our meeting. I would like to have permission to open quotes for VC12-08-02, Baseline Road bridge number 200, and the bids for the County Assessor vehicles. Do we have to do them one at a time, or can we take a motion for both of them?

Joe Harrison, Jr.: You can make a motion to that effect.

Commissioner Kiefer: I make a motion that we open bids for both of those items.

Commissioner Melcher: Second.

President Abell: Okay. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Do you want to do that, Mr. Harrison, while we continue the meeting?

Joe Harrison, Jr.: Yes, I'll go ahead and do it, and then in a few minutes I'll report back.

President Abell: We, no more were brought in in the last 45 minutes?

Joe Harrison, Jr.: Not that I'm aware of.

President Abell: Okay.

<b>County Engineer</b>
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President Abell: Department head reports. I see Mr. Stoll out there.

John Stoll: The first item I have is a request to award the Highway 41/I-64 utility project to Blankenberger Brothers for the amount of \$511,000. That was the low bid on the base bid for the project. The contract documents stipulated that the award would be based on the base bid, without any alternates.

President Abell: I really hate to hold this project up, because I know it's been going on a long time, and I know it needs to get done. I am just leery about giving Blankenberger any business until I find out what's going to happen on North Green River Road. I just, that's just me, I don't know how Mr. Melcher or Mr. Kiefer feel, but I don't even know how you feel about it, Mr. Stoll, but I am just very, very leery of passing out more business when we've got a road out there that is in bad shape, and I didn't see anybody jumping up and down to pay for it tonight.

John Stoll: As far as delays, on the award, it would just alter the completion date. Probably the only issue there would be, I thought we had the completion date set up for the end of November, as we delay the bid, then it could potentially drag it out into

next year, depending on the weather, of course. Depending on how bad the winter was, they may or may not be able to get the project done until next spring.

Joe Harrison, Jr.: (Inaudible. Microphone not on.)

President Abell: It's lower, it's the lowest bid.

Joe Harrison, Jr.: What was the spread on the bidders on that?

John Stoll: I don't recall specific numbers, but the next lowest bidders were both six hundred and something thousand. I believe it was over \$100,000 difference.

Joe Harrison, Jr.: So, it was more than, it was close to \$150,000 difference?

John Stoll: I can't remember specifics, but I know it was over \$100,000.

President Abell: Well, since this started before, I'm still, I'm really, I really am uneasy about this, I assume if we vote in favor of this tonight you will be contacting Blankenberger Brothers. You can feel free to get a copy of these minutes or something, but I would hope that in some way they would learn of our uneasiness about giving them more work when we are sitting on a road that is sub-par, to say the least.

John Stoll: If I remember correctly, the vast majority of this is not under pavement, it's all across bare ground. I don't recall the force main crossing any of the roads that we've built out there. I'm not going to guarantee that, but I don't recall, off the top of my head, where it crossed.

President Abell: Well, it's not actually, and I heard Mr. Harrison said that too, it's not actually the road work that I'm concerned with. I'm concerned about putting more money in the pocket—

John Stoll: In general.

President Abell: — of somebody who has yet to step up to the plate when we've got a problem right now. You know, I would have felt a lot better about it if when we were in this meeting at 4:00 about Green River Road and the condition of that, if Blankenberger had raised their hand and said, yeah, we want to help, but, I didn't see anybody doing that. I was less than happy about the way that this was handled at 4:00. Not from your standpoint or from ours, but from the response we got when we said we've got a \$25 million road that is in bad shape. Nobody seemed nearly as concerned about it as the three of us sitting up here. I'll entertain a motion, because this is a project that needs to go forward, but I think we're going to have to stop accepting any bids on any further projects until we find out what the people involved in Green River Road are going to do. I just don't think you can continue to put money in their hip pocket when they are not acting like they care about what they left us with. So, I'll entertain a motion to pass on this one.

Commissioner Melcher: Okay, I'll make the motion to approve it.

Commissioner Kiefer: I abstain.

President Abell: I'll second. Roll call vote please.



Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Abstain.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: I reluctantly say yes. Okay.

**(Motion approved 2-0. Commissioner Kiefer abstained.)**

John Stoll: I'll get a copy of the minutes from Madelyn and pass that on to Blankenberger whenever we work out the start dates and all that so they'll have that.

President Abell: Thank you. Appreciate that.

John Stoll: The next item I've got is a street acceptance request for Section Three of Creekside Meadows Subdivision. This acceptance covers 558 feet of Wildflower Drive. It has been inspected by our office, and we would request acceptance of the street.

President Abell: Motion to approve?

Commissioner Kiefer: I'll make the motion to approve.

Commissioner Melcher: I'm going to second it, but I'm always scared about approving these roads.

President Abell: We're really gun shy up here.

Commissioner Melcher: I guess, I should have known a little bit more about this one. Is houses and all of that complete up there on this road now?

John Stoll: No.

Commissioner Melcher: Has it been awhile?

John Stoll: No. I haven't been up there. I'm assuming houses have been started. Yes, houses have been started, but they aren't occupied as of yet.

President Abell: But, construction vehicles have gone over the road and it's not being damaged, is that a fair statement?

John Stoll: When our inspectors were last out there, no. Now, does that mean that at any given time with any given delivery truck that they haven't damaged it since, that I couldn't say. That's where we don't really have any control. We're not even involved in the permitting process on the individual houses, so, other than having inspectors just show up and take a look at things, we wouldn't even know when houses are being built. There is a one year period where we will go back and get repairs made if the streets are damaged. So, I know, obviously, we don't want the

damage done in the first place, but we will go back to the developer and ask them to make any repairs found within that first year.

Joe Harrison, Jr.: That's part of the county ordinance. It's at their cost if there's anything within a year. I think we've done that recently.

President Abell: Well, I have a meeting set up, I'm coming up with Mr. Pedtke because he's heard my reluctance to pass on these roads, and a lot of the contractors are wanting to meet with a Commissioner. I guess, I'm it, and that's fine. I think Mr. Melcher and I are sitting here talking and we feel the same way, is that we are just getting so gun shy about this getting on the back of the taxpayers down the road, but I don't think we have any legal reason to hold this one up. Do we, Mr. Harrison?

Joe Harrison, Jr.: No, we don't.

President Abell: Yeah, that's what I thought.

Commissioner Kiefer: John, I thought maybe you were going to, and maybe I misunderstood, like for these street acceptances you were going to start bringing some pictures showing, you know.

John Stoll: I e-mailed all of those—

Commissioner Kiefer: Okay, maybe I missed it, because I got the e-mail, maybe I just missed being able to open the attachment or something.

John Stoll: Okay, I'm sorry. I did send out an e-mail. It was last week—

Commissioner Kiefer: Okay.

John Stoll: — with a series of pictures for all three subdivisions I've got here. I didn't realize that you weren't able to open it.

Commissioner Kiefer: That's okay. That's fine. I take your word for that. I appreciate it.

John Stoll: I'll make sure that I follow up with some e-mails in the future to make sure you got the pictures.

Commissioner Kiefer: No, that's fine. That's fine. We're good.

President Abell: I'll entertain a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then my next request is also on Section Three of Creekside Meadows. This is for the storm sewers located outside of street rights-of-way. There is a total of 482 feet of storm sewers, and the two dollar a foot fee resulted in a payment of \$964 being made. Once again, those were all inspected, and I would request acceptance of the off right-of-way pipes.

President Abell: I'll entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next is a street acceptance request for Section Two of Poet Square Subdivision. This involves 631 feet of Haiku Road, 292 feet of Tess Drive, and 328 feet of Edgar Allan Road.

President Abell: I'll entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second. We got it. I'm seconding it.

President Abell: You're covered. Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then the third acceptance request is for Buckingham Woods. This is 791 feet of Palace Drive, 303 feet of Kings Cross Drive, and 266 feet of Bucks Lane. In that subdivision numerous houses have been built. There were, the asphalt surface was not initially placed, there were some areas of deterioration, those were all patched to the satisfaction of our inspector, so, in this case it has seen quite a bit more construction traffic. All the repairs were made and the surface was placed, so I would request acceptance of these streets as well.

President Abell: I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, next I would like to request award of Old Princeton Road bridge number 1571 to Adler Excavating for \$38,291.20. They provided the low bid on that project.

President Abell: I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The last item I have is to request approval to make a right-of-way purchase offer on Green River Road. This is parcel 30, owned by Sterchi Development. The appraisal amount was \$35,650. Joe Harrison and I have both reviewed it, and would request approval to make the offer.

President Abell: I would entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: I'll second it, but is that a large area?

John Stoll: It, there are numerous lots.

Commissioner Melcher: Numerous lots? That's, when I seen the price, I thought it had to be that, so I wanted to ask it.

President Abell: That is a large amount.

John Stoll: There are some other issues.

Commissioner Melcher: I know there was nothing on it.

John Stoll: There are some other issues too that I'll have to work with Joe Harrison on, as far as, there was a letter of credit for some street improvements that lapsed from a prior developer, and it's, this is all linked together, but we need to at least get the offer out on the table initially.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: That's all I have.

President Abell: Could you tell me, when someone calls you and says we want you to come out and look at our road, we want you to accept them, what the process? I mean, I don't want an engineering lesson, just a quickie.

John Stoll: We request that we be notified when they have the dirt prepared, before the rock goes down, and then also when the rock is placed as well. Basically, what we use is the INDOT spec that requires a proof roll, which the simplified method of that is load up the tri-axle truck and go out and drive on the dirt surface, as well as the rock surface and check for rutting. Assuming it doesn't rut, then they're okayed to approve, they're approved to proceed to either placing the stone or placing the asphalt. If it does rut, then those areas need to be excavated and repaired and tested again. Then, once they get the surface placed, we'll go out and do a final inspection. The developer's consultants provide us with as-built plans so we can check and make sure the pipe elevation, everything is flowing in the correct directions, and then that's when we bring it to you.

President Abell: Okay.

Commissioner Kiefer: John, was that process the same one that was used like on Green River Road then where we're having problems at now?

John Stoll: No, that would have been much more extensive, as far as the testing requirements out there, because that followed INDOT specs for a full blown road construction project. The subdivision street standards we have aren't to INDOT spec.

Commissioner Kiefer: So, really Green River Road specs were more strict, because it was INDOT standard. So, I guess, I'm back to INDOT, I mean, back to Green River Road, I guess, I'm confused on how they would have missed, I mean, how do you have so many problems? I mean, how would they have missed all that?

John Stoll: At this point, I couldn't give you an answer on that. It appears to be compaction issues associated with the pipe backfill.

Commissioner Kiefer: Yes.

John Stoll: From talking to the contractor and the consultant, they said everything tested out okay. Nobody really had a good handle on what might be the source of the problems we're seeing now, because, although I haven't seen it, there's supposed to be tests out there that showed that they met the density requirements when the backfill was placed. So, I just don't have those records, so I can't verify that. The consultant and the contractor should have those. The only data I was given from the consultant was all of the final material tickets providing all of the background paperwork for pay items.

Commissioner Kiefer: Well, if we have this ordinance that contractors are liable for at least a year afterwards, does that not apply to Green River Road?

Joe Harrison, Jr.: Well, this is, no, this is subdivision approval. Green River Road wasn't a subdivision.

Commissioner Kiefer: No, I understand that. I just—

John Stoll: It had a provision in there as far as a warranty period and all of that.

Joe Harrison, Jr.: Yeah, and there was warranty in the contract document, but that's different from our county ordinance.

Commissioner Kiefer: Has the warranty expired then?

Joe Harrison, Jr.: Well, we're checking on that.

Commissioner Kiefer: Okay, good deal. Hey, sorry to digress, but, you know, we're talking roads.

President Abell: I would certainly hope that the period of time on warranty doesn't become an issue on Green River Road.

Joe Harrison, Jr.: It shouldn't be an issue.

President Abell: Because, that wouldn't sell too well with these three people sitting up here. You might pass that word along too.

John Stoll: I understand.

President Abell: Okay. Is that all you have, John?

John Stoll: Yes.

President Abell: Thank you.

John Stoll: Thanks.

President Abell: Other department head reports? I don't see anybody else out there. Mike Duckworth, do you have something?

Mike Duckworth: No, Ma'am.

President Abell: No? Okay.

**Reading of Bids:  
VC12-08-02: Baseline Road Bridge No. 200  
County Assessor Vehicles**

Joe Harrison, Jr.: Do you want to do the bids?

President Abell: Sure, let's open the bids.

Joe Harrison, Jr.: I did open the bids, and the first item would be the, it's the vehicle, County Assessor vehicle. There were two bids submitted. One was from D-Patrick, the bid amount says \$16,264.15, plus the performance bond of \$398. So, that's their bid amount. Town and Country Ford also submitted a bid, a total bid of \$17,500. So, those are the two bids; \$17,500 for Town and Country Ford, and D-Patrick was \$16,264.15 plus the bid performance bond of \$398.

President Abell: Town and Country, evidently, included the performance bond in their bid.

Joe Harrison, Jr.: Yes.

President Abell: What are we buying?

Joe Harrison, Jr.: It is a vehicle for the County Assessor. I think Debra's here, but it must be for them to go out and inspect.

President Abell: But, I mean, what is it?

Joe Harrison, Jr.: Oh, I'm sorry.

President Abell: Is it a bicycle?

Joe Harrison, Jr.: No, it's a Ford, go ahead, it's a Ford Fusion, I think.

Debbie Spalding: They requested a Ford Fusion, but we did put or equivalent information, in case there were other bidders that wanted to provide an equivalent midsize sedan.

President Abell: Okay.

Joe Harrison, Jr.: Both are Ford Fusions.

President Abell: Are those like, are those the generic type vehicles that can take either gas, or are they all gasoline?

Debbie Spalding: I believe they were gasoline. We did put in there we would compare the pricing to the State QPA pricing, and if that was more advantageous for the county to purchase off the State QPA that they would be doing that. But, this was just to provide an opportunity for local vendors to beat the State QPA pricing.

President Abell: Oh, okay, good. Do we vote on those?

Joe Harrison, Jr.: No, just I would ask that you take both of these under advisement, and let Debra Spalding take a look at them and see how they compare with the State QPA, and she'll come back with a recommendation, right?

Debbie Spalding: Right. Thank you.

Commissioner Melcher: I'll make that a motion that we take them under advisement.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?



Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Okay, Baseline Road bridge number 200?

Joe Harrison, Jr.: Yes, we had two bids. One was E&B Paving, Inc. out of Chandler. The base bid amount, total quote amount, \$33,770. The other bid was from J.H. Rudolph, out of Evansville, and their bid is \$32,694. Thirty two six ninety four. So, I would ask that these two quotes, by the two contractors, be taken under advisement, and Mr. Stoll will get back with us with his recommendation, I guess, at the next meeting.

President Abell: Okay.

Commissioner Melcher: I'll make that motion.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Board Appointments</b>
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President Abell: Board appointments, I was going to make this one at the last meeting, and I neglected to bring the lady's name, but we are appointing to the Disability Advisory Board, Della Sandage, S-a-n-d-a-g-e. She comes to us as a recommendation from a current member of the board.

Commissioner Kiefer: I'll move that we accept her and make the appointment.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Marissa, would you let her know that she's been appointed? There was another one that inquired about it, would you let him know that we have no further appointments available? Thank you.

**New Business/Old Business**

President Abell: Is there any new business to come before the County Commissioners? Is there any old business to come before the County Commissioners?

**Public Comment**

President Abell: Is there any public comment? Seeing none.

**Consent Items**

President Abell: Madelyn, would you go through the consent agenda please?

Madelyn Grayson: The consent items for the August 14<sup>th</sup> meeting are as follows; approval of the July 24, 2012 meeting minutes; employment changes for the Commissioners approval, there are five for the Health Department, one for the Centre, one for the Public Defender, and five for Burdette Park; the Commissioners have the sale of 821 Jefferson Avenue, a transfer request, and an appropriation request; the County Auditor has the July 2012 A/P vouchers; the Sheriff has a request to surplus various electronics for disposal; Veterans Services has a request to donate fax machine to the Veterans Council for use at the Coliseum; the Building Authority has pay requisition number 96 for jail construction fund; the County Clerk has the July 2012 monthly report; Evansville ARC has the June 2012 report of activities and meeting minutes; and the County Engineer has pay request number 156 for TIF accounts in the amount of \$269,290.31, and a waiver of partial mortgage release for parcels 9, 18 and 57 for the next phase of the North Green River Road widening, and a department head report.

President Abell: I would entertain a motion to accept the consent items.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: There being no further business to come before the County Commissioners, we are adjourned.

(The meeting was adjourned at 5:36 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the July 24, 2012 Commission Meeting Minutes.

Quit Claim Deed: Sale of 621 Jefferson Avenue.

Transfer Request & Appropriation Request for County Council.

EVCBA: Pay Requisition No. 96 for Jail Construction Fund.

Evansville ARC: June 2012 Report of Activities & Meeting Minutes.

**Employment Changes:**

Health Dept. (5)	Public Defender (1)	The Centre (1)
Burdette Park (5)	Sheriff (3)	Treasurer (2)
Recorder (1)	Superior Court (3)	Prosecutor (2)
Auditor (1)		

**Auditor:** July 2012 A/P Vouchers.

**Surplus Requests:**

Sheriff: Various electronics for disposal.

Veterans Services: Fax machine to donate to Veterans Council for Coliseum.

**County Clerk:** July 2012 Monthly Report.

**County Engineer:**

Pay Request No. 156 for TIF Accounts in the Amount of \$269,290.31.

Waiver of Partial Mortgage Releases for N. GRR: Parcels 9, 18 & 57.

Department Head Report.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Schenk
Madelyn Grayson	David Matson	John Stoll
Michael Gottman	Tony Flittner	Anthony Bushrod
Bill Jeffers	Gary Heck	Bill Fluty
Debbie Spalding	Eric Williams	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
AUGUST 28, 2012**

The Vanderburgh County Board of Commissioners met in session this 28<sup>th</sup> day of August, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the August 28, 2012 meeting of the Vanderburgh County Board of Commissioners.

**Pledge of Allegiance**

President Abell: Mr. Melcher, would you lead us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

**Attendance Roll Call**

President Abell: Madelyn, can we have attendance roll call, please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Second/Final Reading of Ordinance CO.08-12-006:  
Amendment to Animal Control Ordinance: Ch. 6.05**

President Abell: Under the action items, second and final reading of CO.08-12-006, amendment to the animal control ordinance. I'll entertain a motion to approve.

Commissioner Kiefer: So moved.

President Abell: Do I have a second?

Commissioner Melcher: I'll second it for discussion.

President Abell: And, now we can have discussion.

Commissioner Melcher: Well, I just want to know if, weren't there some things brought up that were going to be checked.

Joe Harrison, Jr.: Is Mr. Kamp here? Are you all from Animal Control?

Kerry Kamp: Good afternoon. Kerry Kamp with Animal Control. Lisa Webster is here, she's the new Superintendent at Animal Control if you would like to talk to her too.

Joe Harrison, Jr.: Two weeks ago the Commissioners approved first reading, Kerry, of the proposed ordinance, and you all have had a chance to discuss the matter with me, and your department's in favor of this change to the ordinance, is that correct?

Kerry Kamp: Yes, we are.

Joe Harrison, Jr.: And, it's going to give you all some more flexibility on issues that arise out in the county after you become aware of a dog that bites someone on someone else's property?

Kerry Kamp: Yes, it will. It will give us more authority to, for IC 35 and Indiana Code, I think it's 15, it will give us more authority to enforce those.

Joe Harrison, Jr.: Again, what it will, it's my understanding from discussing this matter with you several months ago and weeks ago, that this will give you the ability to pick up an animal, a dog, after you're aware of a first bite on someone else's property and hold the dog until a resolution with respect to whether or not the owner of the dog can get the dog out of the facility. The homeowner could be cited as well, whereas, before you just didn't have that ability under this particular provision that's in the State code.

Kerry Kamp: Yes, under this provision of the two codes, yes, we did not have that ability.

Joe Harrison, Jr.: And, I know that, now, the city has some different provisions in their city ordinance, but this is a first step, do you believe, that would be beneficial to those who live in the county who want to be protected from vicious dogs?

Kerry Kamp: Yes. Yes.

Joe Harrison, Jr.: And, up until this time, what was basically your few options?

Kerry Kamp: Our few options were to go out and investigate the situation, and to go by whatever the county ordinance gave us the authority to do at that time.

Joe Harrison, Jr.: And, basically, you could only hold the dog, what was it, seven to 10 days?

Kerry Kamp: Depending upon whether it had bitten or not.

Joe Harrison, Jr.: Yeah, right.

Kerry Kamp: If it had bitten, we were, according to State ordinance, or State code, we were only able to hold it for ten days, yes.

Joe Harrison, Jr.: Right, well, and that was under the county code. The county code didn't give you any other leeway.

Kerry Kamp: No, right, that's right.

Joe Harrison, Jr.: But, in the city, there's some more flexibility, probably, because the city is more urbanized, and they've got some other provisions, but this will certainly give you all some teeth to your enforcement abilities in the county. That's something that you've had complaints over the years, haven't you?

Kerry Kamp: Yes.

Joe Harrison, Jr.: Do you feel this is a good first step for those that may have an issue with dogs that come onto someone else's property and bite them?

Kerry Kamp: Yes.

Joe Harrison, Jr.: And, as far as other maybe precautions that may be able to be, or amendments to the county code down the road, will you be looking at things to see if there are some other provisions that might be warranted down the road that might give you all some more flexibility?

Kerry Kamp: Yes, if we come upon anything, we will be coming back to ask the County Commissioners to give us that flexibility, yes.

Joe Harrison, Jr.: But, this is a good first step, isn't it?

Kerry Kamp: Yes. Yes, it is. We appreciate it. Thank you.

Joe Harrison, Jr.: Do your, now I know you've got some of your Animal Control officers here.

Kerry Kamp: We have one of our officers here, Mr. Yarde, and we have Lisa Webster here, who is the current Superintendent of Animal Control, and the Executive Director of Transportation Services is also here, that's the department that oversees Animal Care and Control currently.

Joe Harrison, Jr.: Thank you.

Kerry Kamp: Yes.

Commissioner Kiefer: I've got a question.

President Abell: Go ahead.

Commissioner Kiefer: Kerry, in your experience, I know you work both sides here doing city business, how often do you see people having repeat fines? I mean, I noticed like the first violation is \$50, the second is \$100, the third is \$500. Do you normally get people that are repeat offenders where you give them more than one violation?

Kerry Kamp: If you don't mind, I would like to let the officer, Mr. Yarde, come up and answer that. He's probably more familiar with that.

Commissioner Kiefer: Then, I guess, the second question is, what's the time frame, you know, what's considered a second violation? If a dog bites somebody, and then three years later they do another bite, is that a second violation? Or is it from the lifespan of the dog? What is that?

Kerry Kamp: Yes, it would be the lifespan of the dog. Kelly, would you like to come up?

Joe Harrison, Jr.: But, I can tell you this, with this statutory authority, if there's a second bite that they're aware of, they're subject to misdemeanor charges. The dog may never come back to the owner, whereas before this was passed, that wasn't the case. So, they've got a lot more flexibility now. Whereas before it was just the citations.

Commissioner Kiefer: Okay, right.

President Abell: Kerry, before you sit down—

Kerry Kamp: Yeah.

President Abell: — maybe in six months, eight months, a year you might come back to us. Let us know how it's working. Just give us a little update as to whether or not, you know, you think that it's working out real well, or that maybe we need to add to it, take away from it, or whatever, okay?

Kerry Kamp: Yes, we will do that.

President Abell: Thank you.

Kerry Kamp: This is officer Kelly Yarde. He can answer, probably better equipped to answer how often we have repeat offenders and that sort of thing.

President Abell: Sure.

Kelly Yarde: Animal Control officer, Kelly Yarde, 815 Uhlhorn. To answer your question, sir, the more and more of the subdivisions that are going up out in the county area, and they're going from a rural status to a more of a residential area, we're getting more and more repeat offenses as far as the running at large and the animal bites. The more you get people in a confined area, the more pets are out there, the more likely bites are going to happen. We would use this as another tool in our tool box to help fight that before it gets out of hand.

Commissioner Kiefer: Are these, one last question, are these fine amounts, is that something that's typical Statewide? Are these lower or higher? I was just curious, how does it stack up with the city, or is it the same as the city's?

Kerry Kamp: In this particular instance, these are Statewide. This is what the city code, or State code, I'm sorry, this is what the State code says.

Commissioner Kiefer: Okay, so, these weren't just some arbitrary numbers?

Kerry Kamp: No.

Commissioner Kiefer: Okay, thank you very much.

Kerry Kamp: I believe that's right. They're in the State code.

Kelly Yarde: No, are you talking, I'm sorry, Commissioner Kiefer, are you talking about the ones that's—



Commissioner Kiefer: Well, the first violation is \$50–

Kelly Yarde: Fifty dollars.

Commissioner Kiefer: –the second \$100, and the third–

Kelly Yarde: That's not State code. That's set, like in the city, the first offense for running at large is \$80, the second one is \$150, and then subsequent it gets higher.

Commissioner Kiefer: Well, I was just questioning it, because I thought these numbers should match up to what the city is doing.

Kelly Yarde: That's something we have discussed, and going back to President Abell's, it's coming back further to see how this toolbox is getting and to reinforce the county ordinance–

Commissioner Kiefer: Sure. Okay.

Kelly Yarde: – because, we don't want to take this lightly.

Commissioner Kiefer: Okay, thank you.

Kelly Yarde: I don't know if that answers your question or not, sir.

Commissioner Kiefer: No, that's good.

Joe Harrison, Jr.: But, really up until now, if this gets passed, on a bite situation, they just didn't have this flexibility at all to hold the animal for maybe ever, or, but seven to 10 days was basically it.

Kerry Kamp: Ten days.

Joe Harrison, Jr.: Ten days.

Kerry Kamp: I'm sorry, Commissioner, about the fine. I thought that was in there. I'm glad officer Yarde was here.

Joe Harrison, Jr.: Again, with this provision, if an owner has a dog that bites someone and they're aware of it, it's in their records a second time, there's criminal possibilities there as well.

President Abell: But, that doesn't apply to an animal that bites its owner.

Joe Harrison, Jr.: No.

President Abell: Okay.

Joe Harrison, Jr.: No, well, no.

President Abell: If you want to have a dog that bites you, you can.

Joe Harrison, Jr.: That's your problem.

Kerry Kamp: But, I still have to report it that it's been bitten.

Joe Harrison, Jr.: You're supposed to report it, but it's not part of this ordinance.

President Abell: If you go to the doctor, I think they make you. I got dog bit once.

Kerry Kamp: Yes.

President Abell: Okay. Thank you, gentlemen. Is there any public comment on this ordinance? Did you want to speak to the ordinance? No? Okay.

Michael Gottman: I just wanted to thank you for your time (Inaudible. Not at microphone.)

President Abell: Oh, well, thank you. Thank you. Anyone want to make a public comment on this? I will call for the roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I just wanted to make sure that the Animal Control understood what we're trying to accomplish. That's why I wanted to get the discussion going. It will also give the opportunity for other people to speak if they wanted to talk for or against it. So, with that, I'll vote yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you.

<b>County Assessor: Permission to Award Purchase of Vehicles</b>
--

President Abell: County Assessor, permission to award purchase of vehicles. Mr. Fluty? I think I saw him here.

Bill Fluty: Everybody's leaving.

President Abell: There goes our audience.

Bill Fluty: Bill Fluty, County Assessor. I think it was two weeks ago we had two bids, one from D-Patrick and the other from Town & Country Ford. We would like to award one to D-Patrick and one to Town & Country Ford, as submitted. It was straight forward.

President Abell: Okay. Commissioners?

Commissioner Kiefer: I think it looks okay with me.

President Abell: I'll entertain a motion to accept.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Any further discussion? Does either Commissioner have any questions?

Commissioner Melcher: Is there a reason why you were splitting them?

Bill Fluty: Those were the only two bids we got. One had one vehicle that we wanted, it met the requirements—

Commissioner Melcher: And the other one?

Bill Fluty: —and the other one had the other one.

Commissioner Melcher: Well, that's—

President Abell: That's good for them.

Commissioner Melcher: — no, I wanted that on the record.

Bill Fluty: Yeah, I wasn't, we only had two. So, we didn't make anybody mad. Very unusual.

President Abell: Yeah, it is. Okay, roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Bill Fluty: Thank you.

President Abell: Thank you, Bill.

<p><b>Permission to Award VC12-08-02: Baseline Road Bridge No. 200 Deck Replacement: J. H. Rudolph</b></p>
--

President Abell: Permission to award VC12-08-02,. Baseline Road bridge number 200 deck replacement to J.H. Rudolph and Company for \$32,694. Would somebody nod to John Stoll out there and tell him to come in? Oh, I did skip Emergency Management. I'll do that right after Mr. Stoll. Come on, John, let's get this out of the way. I'm sorry.

John Stoll: Is that the—

President Abell: J.H. Rudolph.

John Stoll: — yes, we recommend you award the contract to J.H. Rudolph. They provided the low bid on the project. We received two bids, and theirs was about a thousand dollars lower than the other bid we received.

President Abell: These were the bids we opened last meeting?

John Stoll: Last week, I mean, last meeting.

President Abell: I'll entertain a motion to accept.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you, John.

<b>Emergency Management Agency: Approval of Mitigation Plan</b>
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President Abell: I'm sorry, I did skip the Emergency Management. I did see Sherman Greer here. Okay, Emergency Management Agency, approval of the mitigation plan. Commissioners, did you see this. It was left for us. We have a major copy of it here.

Sherman Greer: Sherman Greer, Emergency Management Director for Evansville-Vanderburgh County. The mitigation plan that you have in front of you, or the one that we left for you, we had a digital and also two hard copies of it, that plan was financed by the Federal Emergency Management Agency, it was from a grant. Once it is approved by you, then I can go out and get bids on getting copies of it made. We figured about 50 copies of it to be made, to be distributed out to department heads, libraries and different things like that, so that we can be able to, people can be able to get a hold of it itself and look at it.

President Abell: Would it be possible for us to accept this next week so we can have an opportunity to look at it? I mean, I may not understand what it says, but I would

like to at least take a look at it.

Sherman Greer: Okay. Alright, yes, I guess so, if that's your wish and everything.

President Abell: Or, do you need it tonight?

Sherman Greer: I don't need it as much as Area Planning thinks that they need it and everything. I think we're okay with another week or two weeks.

Commissioner Kiefer: I have a question. I mean, I've not really had an opportunity to go through it. I mean, I saw that you left it here tonight, but is there like a significant difference in the plan from your previous plan?

Sherman Greer: This is a mitigation plan. This is what FEMA looks at when they come in here after we've had a major disaster. If we do not have this plan, we're not eligible for any type of finance or reimbursement.

Commissioner Kiefer: Right.

Sherman Greer: This plan here—

Commissioner Kiefer: But, we currently have a plan, and this is the new plan?

Sherman Greer: We have a comprehensive Emergency Management Plan for response--

Commissioner Kiefer: Right.

Sherman Greer: – to a disaster. This is mitigation after the fact.

Commissioner Kiefer: So, this is a new plan completely?

Sherman Greer: This has to be done every five years. Let me give you an example on what it is used for. When we had the tornado in 2005, the mitigation plan that we had at that time helped us to get \$312,000 to do strapping down of manufactured homes within Vanderburgh County. Also, it would help out in a flooding type situations, to where there is something that can be done, a ditch to be dredged, or anything like that that can be done, that we can get the feds to pay for 75 percent of it. We have to meet 25 percent of it. That's in our mitigation plan. So, those type of things is what they'll look at in there and say—

Commissioner Kiefer: Yeah.

Sherman Greer: – we can help you fund this.

Commissioner Kiefer: Are we obligating ourselves to certain capital projects by approving this mitigation plan?

Sherman Greer: None. None whatsoever.

Commissioner Kiefer: Okay.

President Abell: I note on the cover that FEMA wrote back to you that it evidently met their required criteria. So, I mean, I'm sure they know more about it than I do.

Sherman Greer: Well, they probably know more about it than I do. So, yeah, as long as it goes through—

President Abell: We could assume then that this is a—

Sherman Greer: It goes through the process of going through the State also, and then from the State it goes into FEMA Region V up in Chicago. It has taken about two months for us to get, they go through it pretty thoroughly.

Commissioner Kiefer: Have you gone through it pretty thoroughly?

Sherman Greer: Yes, sir.

Commissioner Kiefer: What is your opinion?

Sherman Greer: My opinion is it is, the plan that we have presented for this year, 2012-2017, is going to be an adequate plan for any type of emergency or disaster that we may have.

Commissioner Kiefer: Any shortcomings in your opinion?

Sherman Greer: There's always shortcomings. There's things that you can't foresee, there's those unforeseens that's going to happen in those type of, any type of disaster that we may have. So, you know, I can't say it's a perfect plan. There is no such thing as a perfect plan.

Commissioner Kiefer: But, really, if there was anything that needed to be changed in this, we would have to through the whole process again?

Sherman Greer: Right, well, if there's anything that's going to be changed in that, yes, we would have to go through the process. It would have to be approved by the State and by the feds.

Commissioner Kiefer: Okay. Thank you.

President Abell: I really don't see any reason to hold it up then. I mean, Commissioners, how do you feel?

Commissioner Kiefer: It's not committing us to any capital dollars or anything like that?

Sherman Greer: No.

Commissioner Melcher: Without it we don't get any dollars.

Sherman Greer: Without it, you don't get any dollars.

President Abell: I wouldn't know what I'm looking at.

Commissioner Kiefer: Yeah.

Commissioner Melcher: I'll make the motion to approve it.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Madelyn Grayson: Sherman, do they need to sign anything on that? Or the minutes—

Sherman Greer: We would like to have a letter of approval from the County Commissioners that you accepted the mitigation plan.

Commissioner Kiefer: Sherman, you know, are we one of the few counties now that have this mitigation plan? Or, does every county in Indiana have one?

Sherman Greer: All 92 counties are supposed to have a mitigation plan. I would say this, that we were the first, we were the second one in the State of Indiana that had a mitigation plan when we first started these about 15 years ago.

Commissioner Kiefer: Okay, alright. Thank you.

Joe Gries: President—

President Abell: You might e-mail some verbiage to Marissa, and she'll get us a letter put together.

Sherman Greer: We can do that. To me, it would be in the minutes of the meeting. That was enough for me. Some people want something else. So, that's fine.

Joe Gries: If we could have the letter, it also goes in the record, and then if anybody ever wants to see that it was approved by the Commissioners, the Auditor's office would be able to pull that up pretty quickly.

Sherman Greer: Good deal.

President Abell: Or, would you like to see it, Mr. Harrison?

Joe Harrison, Jr.: That's fine. I mean, it's my understanding you probably want something done ASAP so that we can have something prepared tomorrow or the next day and get it signed off, okay?

Sherman Greer: Okay.

President Abell: Okay, thank you.

Joe Harrison, Jr.: We'll just date it for today.

Sherman Greer: Alright.

President Abell: Thank you.

Sherman Greer: I appreciate it. Thank you.

**Superior Court: Home Verification Officer Agreement: John Helfrich  
Commissioners: OCH Lease Agreement: Krowl Law**

President Abell: Contracts, agreement and leases, Superior Court home verification officer agreement with Deputy Sheriff John Helfrich. This is off-duty home verification services to be provided to the courts. He will be paid \$29.14 an hour for his services. The contract runs from August 14, 2012 to December 31, 2012. Is there anyone—

Joe Harrison, Jr.: It's probably not really even the Sheriff's deal.

President Abell: It really isn't.

Joe Harrison, Jr.: Since this is an off-duty arrangement with the courts for security for Probation Officers when they call on those on probation. This is the same price, or rate of pay that they're paying the other deputy Sheriff's for their work. I've had this conversation with the Auditor, and this is in line with the other agreements.

Commissioner Kiefer: I have a question. Why just from, until the end of the year? Was it replacing somebody? Did somebody have this and then they pulled out? I guess, I mean, I don't understand why—

Joe Harrison, Jr.: They usually have new agreements each year.

Commissioner Kiefer: Okay.

Joe Harrison, Jr.: At the beginning of the year. I don't know if you recall, but we approved a bunch of them in January or February.

Commissioner Kiefer: I mean, it just seems kind of weird that we're coming in mid August, late August approving something for a couple months.

Joe Harrison, Jr.: I don't have that answer.

Commissioner Kiefer: Okay.

Joe Gries: Commissioner Kiefer, this may be a replacement of another officer.

Commissioner Kiefer: That's what I was thinking.

Joe Gries: I can get you that information.

Commissioner Kiefer: That's fine. That's what I was assuming.

Joe Gries: Yeah, I'll check on that.



Commissioner Kiefer: Okay. I'll move to approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: From the Commissioners, we have the Old Courthouse lease agreement with Krowl, is that correct? Krowl, K-r-o-w-l Law, LLC. It's a one year lease for office space in the Old Courthouse. The rent is \$350 per month. Is that standard? Is that a yes, Marissa?

Marissa Schenk: Yes.

President Abell: Okay, thank you.

Commissioner Kiefer: I would like to comment on this. I think, Marissa did an Excel spreadsheet for me that showed that the rent does exceed the utilities. I mean, to me it's still very cheap rent. I mean, gosh, \$350 a month just sounds unbelievably cheap for a gross lease, but apparently it at least covers the utility costs. It would be great if they could get a little bit more dollars out of it, but it is what it is, so.

President Abell: Maybe when we spruce it up and make it look nicer we can.

Commissioner Kiefer: Yeah, I agree, but with that, I'll go ahead and make the motion to approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Health Department**

President Abell: Department head reports. Mr. Head, Mr. Head? Mr. Heck, Gary Heck, I see you out there, do you have a report?

Gary Heck: We don't have anything specific?

President Abell: Okay.

Gary Heck: Would be happy to answer any questions you have.

President Abell: Don't think we have anything.

**County Engineer**

President Abell: Mr. Stoll? You always have a report.

John Stoll: I've got one item, and that's a change order on the Highway 41/I-64 utility improvement project. The way the specs on that contract were written, we had a series of alternate bids, and that was in order to get a base bid that we knew we could afford within the allotted money in the TIF district. Long story short we had five of these alternates we would like to award. The way the specs were written it stated that the base, the award of the contract would be based on the base bid submitted by the contractors. I was talking to Joe Harrison about how we would proceed with making the award of the alternates, and they would be done with a change order. This change order would be in the amount of \$110,100. This will cover the insulation of a flow meter, an air relief valve, a PVC liner in the wet well in the lift station, it will cover water main extensions, and it will provide insulation in the pump station building. I wanted to point out that this, the addition of these alternate bids would not change who the low bidder was on the base bid.

President Abell: Okay.

John Stoll: Even with all of the alternate bids included, this is still lower than the base bid provided by the original bidders. I mean, the next lowest bidder on the original bids.

President Abell: Okay.

John Stoll: So, with that being said, I would request award of the change, I mean, approval of the change order.

President Abell: Okay. I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: I'm abstaining.

President Abell: I'll second it. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Abstain.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0. Commissioner Kiefer abstained.)**

John Stoll: That's all I have.

President Abell: While you're standing there, I would like to, since we are on the record, just make a couple of comments about a couple of projects we've got in the hopper. I have met individually with the engineer from BLA; Mr. Kiefer has met with the engineer from BLA; Mr. Melcher has not met with them, he's meeting with them tomorrow. They've shown us core samples of the concrete at University Parkway, and they have given us the, their advice on how to handle the bump in the road. I think that we are going to be able to come to a resolution—

John Stoll: Okay.

President Abell: – that will be acceptable to the taxpayers of Vanderburgh County, and also protect us from any future premature aging of that bridge, without a warranty. I think we're going to have an extended warranty or something to cover it. So, I'll keep you informed on that.

John Stoll: Okay.

President Abell: The other, of course, is our favorite project, the North Green River Road. I have spoken with Mr. Blankenberger, of Blankenberger Brothers, and I am to talk to him again regarding the work that they're doing. He's indicated they've done some core sampling and they've sent them to the lab and some different things, I just wondered if you've gotten any reports from anybody since our last meeting?

John Stoll: No reports, but we've been gathering the data that you had asked about in the letter you followed up the meeting with. I've been working with Beam Longest and Neff. Beam Longest and Neff has had a contractor come in and run cameras through the storm sewers to try and see if there were any problems with the storm sewers that would have led to the settlement issue. No problems have been found. They are also out there running a straight edge on the road today and again tomorrow in order to try and map out where all of the deficiencies are. For the most part we know where they are just by virtue of driving over it, but they wanted to get that as a baseline for comparison. So, they've been running the straight edge test out there today. They are supposed to be getting me a memo stating what other data they would like me to help gather from their sub-consultants, as well as the contractors. We've been preparing some GIS contour maps that we submitted to both Beam Longest and Neff and Blankenberger yesterday and last Friday that, trying to identify the limits of the flooding, since last spring's flooding was one of the

issues that had been brought up as far as may have been a potential cause. So, we wanted to map where the high water elevations were and how that, where that was relative to the road, just again as another cross check. So, we've been just primarily gathering the data, but no formal reports have been generated as of yet.

President Abell: Okay. Commissioners, do you have any questions of Mr. Stoll regarding either one of these projects? Just keep us informed.

John Stoll: Will do.

President Abell: Thank you.

John Stoll: Thanks.

**Burdette Park**

President Abell: Steve, do you have a report?

Steve Craig: No.

**Soil & Water Conservation District**

President Abell: Any other department heads? Yeah, I see him, he doesn't have a report. Soil and Water doesn't have a report, or does Soil and Water have a report?

Mark Abell: Well, I have an update to the report that I turned in.

President Abell: Okay, come to the microphone.

Mark Abell: I am Mark Abell with the Vanderburgh County SWCD. In light of the drought that we have been afflicted with, I just wanted to let you know that the NRCS, who we work with, has come forward in the last few weeks with \$1.5 million of local assistance money to local farmers, through various different programs. I'll put this, when we get it all wrapped up, I'll put that in a report. I thought that was pretty good news.

President Abell: That's great news. I hope the farmers, that will help them out somewhat.

Commissioner Kiefer: Okay, so they're getting \$1.5 million, and who is that coming from?

Mark Abell: That's through the NRCS.

Commissioner Kiefer: Okay.

Mark Abell: Which is the Natural Resources Conservation Service.

Commissioner Kiefer: That's a federal—

Mark Abell: That will be federal dollars that come through the State.

Commissioner Kiefer: Right. Okay. How is that money distributed?

Mark Abell: Each farmer that wants to partake in the program, and this program was just recently buttressed with more money to handle this, each farmer comes forward and applies for an amount of money to be given per acre that they have.

Commissioner Kiefer: That's just for Vanderburgh county, that amount?

Mark Abell: That's for the entire State, but the \$1.5 million is for our area.

Commissioner Kiefer: For our area? Okay, so, if, for example, a farmer doesn't get production due to the drought, he can apply for some of these funds?

Mark Abell: These particular funds come in the form of cover crop.

Commissioner Kiefer: Okay.

Mark Abell: The thing with these agencies, you have to fit into different programs that were already existing, because they didn't have time to just break out an entire new program. This allows farmers to recuperate \$42 per acre for cover crop seeding, which is a drought resistant measure that will actually assist more in the future years. It is income that comes into their pocket. They do perform some measures that will protect the soil for upcoming future problems that might exist. It also helps contain soil and water on farm land and keeps it from flowing into streams and rivers.

Commissioner Kiefer: Okay. Alright, thanks, Mark. Appreciate that.

Mark Abell: One more thing, we are to have our new office within a few weeks. A specific date has been set, but I'm a little leery to mention a specific date, because things do crop up, but within the next few weeks.

President Abell: Yeah, you've been in Boonville for two years.

Mark Abell: Furniture has, what makes me so, feel this is going to happen this time is we've ordered furniture, it is to be delivered in the middle of September. So, we will be there.

President Abell: And this is none of our money paying for any of this?

Mark Abell: No, this was all paid for through the NRCS.

President Abell: Yeah.

Mark Abell: And the FSA, which is the other agency that is within the office that we work out of. That will be in North Park next to the Pie Pan.

President Abell: Good.

Mark Abell: We'll have an open house, at which time we'll send out some invitations.

President Abell: I would, while you're here, I would like to ask you what the, if there's an update on the problem with the logjam at the Warrick County-Vanderburgh County line?

Mark Abell: There is. We have been busy with that. Doug Nusbaum who works with, he administers the LARE grant, which is a Lake And River Enhancement program

that the logjam's funding comes from. Doug Nusbaum administers that, and I'm not sure who Doug works for, frankly. He does not work for the county. I believe he's a State agent. He's been here. He's looked at the logjam. He said it was the second worst logjam he has seen. It is a sizable logjam that everybody agrees needs to be taken care of. We have just recently received three bids that we will submit to Doug. He will then have an application process, which starts in January that, at that time I'll probably come in front of you to ask you to sponsor that application, but tentatively, right now, we don't have all of that lined out. So, that will be something down the road, that if you would sponsor that, that doesn't mean money coming out of the county coffers, but it enables us to have a county controlling entity to run it. But, the money will come from LARE, and that will all take place in 2013.

President Abell: Would you mind making a phone call to Tim Mosbey? He's a Warrick County Commissioner.

Mark Abell: I know Mr. Mosbey.

President Abell: And advise him so that he can contact, there's a couple of farmers in Warrick County that are affected by the logjam in Vanderburgh County, and maybe he can contact them and give them a little update on where we are on that.

Mark Abell: I would be happy to do that.

President Abell: Commissioners, anything else. Thank you.

Mark Abell: Okay, you're welcome.

President Abell: Good news. Thanks. Any other department heads? Sheriff, do you have anything you want to talk to us about? Everything is going fine? Thumbs up, good.

<b>New Business</b>
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President Abell: New business, request for partial funding for a facilitator for the Evansville-Vanderburgh County Commission on Homelessness retreat in the amount of \$1,000. I think Mr. Melcher knows something about that.

Commissioner Melcher: I sit on that committee, and we're, it's kind of like a four way split, two private sectors are donating \$500 each. The city is going to donate \$1,000 and we're donating \$1,000 to help our homeless board out. Basically, it's the, we had a charrette where we paid some money to have a woman come in and update us on our plan. Now, this is going to be somebody's taking that plan and that update and try to explain it in layman language. What we need to be doing and what we can do. So, I'll make the motion to approve it.

President Abell: Do I have a second?

Commissioner Kiefer: Second.

President Abell: Thank you, Mr. Melcher. Can I have a roll call vote please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Old Business</b>
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President Abell: Is there any old business to come before the County Commissioners? Seeing none.

<b>Public Comment</b>
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President Abell: Is there any public comment to come before the Commissioners?  
Madelyn, would you do the consent items, please? Did you have something?

Casey Williams: Yes.

President Abell: I'm sorry. I saw you stand up after I had kind of gone on . Come ahead.

Casey Williams: My name is Casey Williams. I'm the Public Relations Coordinator with Smokefree Communities here in Evansville. July 1, 2012 was the year anniversary for the county smoking ordinance that you guys passed in 2011. We held a fundraiser at Back Stage Bar & Grill and raised some money for Touch. We had a packed house of people that supported the ordinance. We also celebrated the three month city ordinance. I'm here tonight to present you guys with this plaque just honoring your leadership. I really do believe that passing that ordinance in 2011 got a lot of things started and got a lot of people thinking in Evansville that possibly led to passing the Evansville ordinance, and, you know, local communities, each one that passes a strong ordinance gives people at the State level a reason to make a State-wide law. While we did pass a State-wide law this year, you know, we would liked to have seen less exemptions, but fortunately here in Evansville and Vanderburgh County we do have great ordinances. So, I just want to thank you all again, and if it's alright, I would like to present you guys with this.

President Abell: Thank you so much.

Casey Williams: You're welcome.

President Abell: Very nice. Thank you.

Casey Williams: You're welcome.

President Abell: Would you like to see it?

Commissioner Melcher: No, that's alright. I voted against it.

President Abell: I knew that, but you can still look at the plaque.

Commissioner Melcher: No, we're fine.

<b>Consent Items</b>
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President Abell: Okay, Madelyn, you can read the consent items.

Madelyn Grayson: The consent items for the August 28<sup>th</sup> meeting are as follows; approval of the August 14, 2012 meeting minutes; employment changes for the Commissioners approval, there's one for Area Plan, three for the County Highway and three for the Health Department; the Evansville Police Department has a waiver of Centre fees/not overtime on August 24<sup>th</sup> and 25<sup>th</sup>; the Prosecutor has a request to surplus a conference table and 14 chairs; the Public Defender has a request to surplus various office equipment, and the State Public Defender request for reimbursement for the second quarter 2012; the County Engineer has waiver of partial mortgage releases for five properties the county is purchasing for the next phase of North Green River Road widening, it's parcels 27, 42, 58, 61 and 64, and a pay request number 157 for TIF projects in the amount of \$40,650, and a department head report; the County Treasurer has the June and July 2012 monthly reports; the IBAP Gatekeeper has the July 31, 2012 report; Weights and Measures has the July 16-August 15, 2012 monthly report; and Evansville ARC has the July 2012 board meeting minutes and report of activities.

President Abell: I would entertain a motion to approve the consent items.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Discussion? Could I ask the Public Defenders office something? Have you found a place, is someone going to do something with your surplus office equipment?

David Bunner: I'm David Bunner with the Public Defenders office. We are going to put it out on the computer to the city and county offices. Right now we have it in basically one room so they can come up and look at it. There's, I think, three pieces that are in the basement. Most of the items will probably not be desirable to any of the other offices, and beyond that we'll either, just dispose of them.

President Abell: Okay, because Mr. Rector has made it very clear they are not to go to the basement.

David Bunner: Yes, and he, the items we have down there now had to be moved out of our office while they were doing the remodeling.

President Abell: Right.

David Bunner: Dave was fine with that. He just said get them out of here as soon as you can.

President Abell: I just wanted to make sure—



David Bunner: Yes.

President Abell: – we all knew that they're not going to stay down in the basement.

David Bunner: Yes. No, they are not.

President Abell: Maybe somebody watching this from a not-for-profit organization might have the need for some of it and will give you a call.

David Bunner: Sure. Okay, thank you.

President Abell: Thank you, David. Any further discussion on consent item? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Being no further business, I'll entertain a motion to adjourn.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: We are adjourned.

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

**CONSENT ITEMS:**

**Commissioners:**

Approval of the August 14, 2012 Commission Meeting Minutes.

EPD: Centre Fee/Not OT Waiver Request: 8/24-8/25/12.

IBAP Gatekeeper: July 31, 2012 Report.

Evansville ARC: July 2012 Meeting Minutes & Report of Activities.

**Employment Changes:**

Health Department (3)	County Highway (3)	Area Plan Comm. (1)
Assessor (2 )	DADS (1)	County Clerk (3)
Prosecutor (1)	Drug Court (1)	Circuit Court (1)

**Surplus Requests:**

Prosecutor: Conference Table & 14 Chairs.

Public Defender: Various Office Equipment.

**Public Defender:** Second Quarter 2012 Reimbursement Request.

**County Engineer:**

Waiver of Partial Mortgage Releases: N. GRR: Parcels 27, 42, 58, 61 & 64.

TIF Pay Request No. 154: \$40,650.

Department Head Report.

**Treasurer:** June & July 2012 Monthly Reports.

**Weights & Measures:** July 16- August 15, 2012 Monthly Report.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Schenk
Madelyn Grayson	Kerry Kamp	Kelly Yarde
Sherman Greer	John Stoll	Gary Heck
Steve Craig	Mark Abell	Casey Williams
David Bunner	Michael Gottman	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
SEPTEMBER 4, 2012**

The Vanderburgh County Board of Commissioners met in session this 4<sup>th</sup> day of September, 2012 at 5:05 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: Thank you for being patient. I'm sorry for the delay. I would like to call to order the meeting of the Vanderburgh County Board of Commissioners of September 4, 2012.

**Attendance Roll Call**

President Abell: Could I have attendance roll call?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Dr. Nick, would you like to lead us in the Pledge of Allegiance this evening?

(The Pledge of Allegiance was given.)

President Abell: Thank you.

**County Health Insurance**

President Abell: Under action items, for those of you who are following the agenda, you will see the first item we have is the county health insurance. We have about two issues that we are not able to tie up on how we're going to transition from Welborn HMO over to an Anthem Blue Cross policy, and, consequently we are not going to vote on this this evening. We are going to have a special meeting in this room, next Tuesday, at 5:00 to vote on it, once we make sure we have those couple of items tied up. Mr. Harrison, do I need a motion to that effect?

Joe Harrison, Jr.: Yeah, why don't you have a motion just to, for a special meeting next Tuesday, that would be the 11<sup>th</sup> of September, at 5:00 p.m. for the sole purpose of discussing county insurance.

Commissioner Kiefer: I'll make a motion to do what Joe Harrison, Jr. just stated.

Commissioner Melcher: That's what I was going to say, however he said it.

Commissioner Kiefer: Okay.

Commissioner Melcher: Second.

President Abell: Okay, I have a motion and a second. Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Rescind County Burn Ban on Open Burning and Fireworks</b>
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President Abell: The next item is the county burn ban. It's to rescind the ban on open burning and fireworks. The vote to lift the county ban on open burning and fireworks, Dona Bergman has been notified that the county ban will be lifted and has advised that the city plans to lift their ban effective tomorrow. I would entertain a motion to rescind the county ban on open burning and fireworks.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Any further discussion?

Commissioner Melcher: I'm just glad we're able to do this, remove it. Did Bergman call us?

President Abell: No.

Commissioner Kiefer: We got a lot of calls from constituents though.

Commissioner Melcher: That's right, that's what I'm trying to say. I think we ought to send her a message that whenever this happens they need to get back to us when it's time to lift it, not just leave us out here hanging, because we only meet every other week.

President Abell: That's correct.

Commissioner Melcher: So, that's what I want to say.

President Abell: Okay, and I also want to, for those of you who are watching on television, please be aware, there are still some restrictions on fireworks that have been on the books for years, and we still have to obey those laws. This doesn't override the permanent laws on fireworks, but this does take off the ban that we had effective around July 4<sup>th</sup>. It also takes off the ban on open burning in the county. This does not affect the city. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Health Dept: BPRS Grant Agreement for 2012-2013</b>
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President Abell: Contracts, agreements and leases. The County Health Department, the bioterrorism preparedness response supplemental grant, FY 2012-2013, years 2012 to 2013, \$20,000 grant awarded to the Health Department to further public health of bioterrorism preparedness. The grant begins August 10, 2012 and runs through June 30, 2013. Mr. Heck?

Gary Heck: Gary Heck, Vanderburgh County Health Department. I would be happy to answer any questions. This, I believe last year our grant was for \$10,000, so this is an increase. It's basically a deliverable grant, where we have certain activities that we need to conduct, or a certain report that we need to work on, and some of the ones that we've started on would be those MOU's that have been coming before you with the Red Cross, with the Police Department and the Sheriff, those types of things. Once we get all of those types of deliverables—

President Abell: Excuse me, could you, I know what MOU means—

Gary Heck: Oh, I'm sorry.

President Abell: – maybe the public needs to know what that means.

Gary Heck: I apologize. A memorandum of understanding is an MOU. So, this is just a continuation of those types of grants. I think there is an increase in the dollar amount. I think the one we had for last year was for \$10,000. So, that's the only really substantial change. Other than that, it's about the same time period, and we have a whole set of tasks that we need to perform.

Commissioner Kiefer: I have a question. Is the county fully prepared, at this point, for bioterrorism?

Gary Heck: Well, we work with all of our other partners, including the Emergency Management Agency, but from a public health standpoint, yes. We are always prepared for what we have to deal with. I would say yeah, but you have to deal with, there's so many different aspects when you say bioterrorism. So, it's going to involve Sherman Greer's organization, and then all of the various other groups that you work with. In public health, or in the health annex we're going to be working with the hospitals, with private physicians, we'll work with the Red Cross, we'll work with nursing homes, and there's a plan that is in place that we review, we exercise and drill throughout the year. So, we feel comfortable that if something were to happen, we would be able to address it and take care of it.

Commissioner Kiefer: I only ask the question because it seems like week after week, month after month, we have various departments coming here with grant money, and I often time wonder, you know, I'm amazed that, you know, no wonder our national debt and our national budget is so big and trillions of dollars in debt because there's just grant money given out week after week after week. Maybe this is an absolute necessity, and we will be in grave danger if we don't do it, but on the other hand, you know, if we are prepared, you know, it just....and I'm not saying I'm going to vote no to this. It's just, it's a concern to me that, you know, week after week it's just there's a lot of grant money, and I'm thinking multiply that by how many cities and how many counties are across the United States and you wonder why the federal budget is busted.

Gary Heck: Well, I guess, I look at it a little bit differently, and I come at it from a standpoint that some of the federal grants are actually a return of tax money that's been collected in Indiana and sent to the feds, and this is one way that Indiana tax money is returned to Indiana to be used for the benefit of the communities here. I don't disagree with you, I guess, that you can, there's a lot of tax money that gets spent, but when you look at public health, public health across the entire country, Indiana funds public health, we're dead last in public health, the amount of money that's spent in public health. So, any money that comes to the Health Department is certainly needed and certainly, I can assure you is put to good use, and we stretch it as far as we can here. I can't speak for every other department, but I know that the partners that we work with, all of the first responders, they exercise, train, drill constantly. So, this would be firemen, law enforcement, emergency medical services, all of those folks are the ones that we work with. I'm not sure where they get all of their funding.

Commissioner Kiefer: Sure, okay, well, I was just, like I said, I'm not here to vote no on this. I just wanted to express a concern.

Gary Heck: Yes, sir.

Commissioner Kiefer: Have we made a motion already?

President Abell: We have not, I need a motion.

Commissioner Kiefer: I'll move that we approve.

Commissioner Melcher: I'll second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: I'll vote yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: Thank you, Gary.

<b>New Business/Old Business</b>
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President Abell: I have department head reports, and actually, I see the County Engineer, but we've got you further down the agenda. So, there's no other county department head here. Is there any new business to come before the County Commissioners? Any old business?

<b>Public Comment</b>
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President Abell: Any public comment?

<b>Consent Items</b>
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President Abell: Madelyn, consent items.

Madelyn Grayson: The consent items for the September 4<sup>th</sup> meeting are as follows; approval of the August 28, 2012 meeting minutes; employment changes for the Commissioners approval, there's one for Burdette Park; requests for Centre fees waiver, not overtime, the County Clerk for poll worker training on October 24<sup>th</sup>, 25<sup>th</sup> and 27<sup>th</sup>, and Evansville Fire Department for applicant testing on April 27<sup>th</sup> and May 4, 2013; the County Commissioners have a mediation services agreement; the County Engineer has pay request number 158 for TIF projects in the amount of \$522,318.07, and a waiver of partial mortgage release for two properties the county is purchasing for the next phase of Green River Road widening, and a department head report; and the County Auditor has approval of the August 2012 A/P vouchers.

President Abell: I'll accept a motion to accept the consent items.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>County Engineer</b>
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President Abell: John, I'm sorry, I saw County Engineer back here, I thought you were going to address these items, but I'm sure you have something, and if you don't, I'm sure we have something for you.

John Stoll: The two items I have, first is a notice of the sale of surplus properties on University Parkway. This is the two parcels, one is opposite West Terrace and Eickhoff Road intersection on the west side of University Parkway, and the other is at the southeast corner of New Harmony and University Parkway. I've been working with Joe Harrison to get all of the correct legal proceedings followed, but we're now at the point where we can advertise for the sale of the parcels. The parcels, as the legal descriptions were written, were based on the old addresses, and the one opposite West Terrace was 145 Eickhoff Road. The minimum offer amount on that will be \$6,500, and the minimum acceptable offer on the New Harmony Road one will be \$7,300. I just need your approval to allow Madelyn to proceed with advertising, so we can try to get these parcels sold.

President Abell: Okay, I'm looking at it right now. Let Mr. Melcher take a look at it. Now I would entertain a motion to approve.

Commissioner Kiefer: I move that we approve to purchase these parcels at—

Joe Harrison, Jr.: No, sell.

Commissioner Kiefer: Sell, I'm sorry, I got it backwards. Sell these parcels—

President Abell: We already own them.

Commissioner Kiefer: — as stipulated by the County Engineer. I think there was prices on there, one parcel for \$6,500 and the other for \$7,300, is that correct?

Commissioner Melcher: Yes.

Commissioner Kiefer: Yeah, so, I'll make that motion.

Commissioner Melcher: I'll second the motion to sell them.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?



Commissioner Kiefer: Just one comment, that, you know, these again are parcels that have really no value to the county, and we want to get these on the taxpayer roll so we can start collecting property taxes on this. With that, I vote yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0.)**

John Stoll: I failed to mention it, but the purchase offers will be due back by October 2<sup>nd</sup>. The other item that I have is a right-of-way purchase offer on the Green River Road project between Millersburg and Kansas. This is for parcel number 66. The owner is Goebel, and the offer amount, based on the appraisal, is \$1,300. I need your approval to proceed with making that offer.

Commissioner Kiefer: I make a motion to approve.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: That's all I have.

President Abell: I have something. We have, all of us have gone out to University Parkway. We've seen the core sample for the concrete, we've heard about the grinding of the bridge. I think we all feel like that's the only thing we're going to be able to do. I need to address you and Mr. Harrison, and I want this on the record that that extension of warranty has got to go at least five years, or they're going to have to put up some kind of a bond. We're not going to accept grinding down the road and then them walk off. So, I need to know if we need that in writing, if we're going to put together an agreement, how are we going to handle this?

Joe Harrison, Jr.: I think it ought to be five and some sort of bond.

John Stoll: I have had those discussions with the contractor. So, they are willing to do that, we just don't have all of the final details worked out. I spoke to the contractor and the consultant both today, so, I think we're headed in the right direction as far as getting the work scheduled, as well as getting the bond.

Joe Harrison, Jr.: Yeah, it's got to be both.

President Abell: Okay, and I want that before we do the work schedule, because I don't want any grinding going on out there—

Joe Harrison, Jr.: Oh, no, it's got to be done first.

President Abell: – unless we've got everything written, signed and approved.

Commissioner Melcher: So, we won't vote on anything until Joe Harrison and the Engineer brings it to us.

President Abell: Okay.

Commissioner Kiefer: Some kind of purchase, I mean, some kind of agreement?

Joe Harrison, Jr.: Well, what it would be is a, we can probably get, yeah, we'll get an agreement that they're going to do the work, but what we want is a guarantee for five years and a performance bond in the sum of at least \$200,000, don't you think?

John Stoll: That's one of the things that Bernardin Lochmueller is trying to evaluate. What's the actual repair cost? What's the appropriate dollar figure on the bond? So, that's one of things we're looking into.

Joe Harrison, Jr.: So, somewhere in that range, but it's both.

President Abell: Okay, I just don't want it falling through the cracks.

Joe Harrison, Jr.: Right. No, no.

President Abell: Coming in here in two months and knowing that somebody's ground the bridge down, and now water is in there, and we've got all kinds of problems and nobody wants to pay for it.

Joe Harrison, Jr.: Well, we'll see if we can have it at the next meeting on the 18<sup>th</sup>, the regular meeting.

President Abell: Okay.

Commissioner Melcher: And, this is going to be with the contractor, not BLA?

John Stoll: Correct.

Commissioner Melcher: Okay.

John Stoll: Yeah, this is the repair of a problem that the county won't be charged for any repair costs. If we got an acceptable bond amount, I could e-mail you and Joe Harrison. Just for scheduling purposes, would it be possible to maybe get it going before hand if we worked it all out and I sent Joe and the Commissioners an e-mail

stating we've got this dollar figure on the bond amount, we've got all of the conditions you're looking for? I just don't know what kind of schedules you're looking at as far as getting the work done, but I thought if we could get something worked out in advance of the next meeting, that might allow them to get it finished sooner.

President Abell: We, actually, can we do it next Tuesday at our special meeting?

Commissioner Melcher: Yeah.

Joe Harrison, Jr.: Well, not now that we've indicated that it was going to be for the purpose of health insurance. But, if you would go ahead and make a motion that we have a bond and a five year guarantee of an appropriate bond, then that's what it has to be. Now, the dollar amount is still in question, but it's going to be, you know, probably in the \$100,000 to \$300,000 range.

John Stoll: If we can't get something worked out to your satisfaction between now and the next meeting—

Joe Harrison, Jr.: To that, then we'll have to do it on the 18<sup>th</sup>.

John Stoll: Right.

Commissioner Melcher: Okay. So, I'll make the motion that we do that.

President Abell: I'll, I'm sorry, go ahead and second.

Commissioner Kiefer: Second.

President Abell: Further discussion? I'm okay with it as long as Mr. Harrison is okay with it, because he's the one that's going to have to make sure it's a legal, binding—

John Stoll: Right.

President Abell: —deal. I don't want to be sitting here with any loose ends when they start grinding that bridge down.

Commissioner Melcher: If he doesn't, we won't be voting on it.

President Abell: We what?

Commissioner Melcher: We won't be voting on it if he doesn't.

President Abell: That's right. Okay. Okay, roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you, John.

John Stoll: Thanks.

President Abell: I know that seemed like kind of a long way to get to where we were going, but it's a pretty serious problem. Is there any further business to come before the County Commissioners? If not, we stand adjourned.

(The meeting was adjourned at 5:22 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the August 28, 2012 Commission Meeting Minutes.  
Mediation Services Agreement

**Employment Changes:**                      Burdette Park (1)                      Prosecutor (1)

**Centre Fee Waiver Requests/Not Overtime:**

County Clerk: Poll Worker Training: 10/24-25 & 27, 2012.  
EFD: Applicant Testing: 4/27/13 & 5/4/13.

**County Engineer:**

TIF Pay Request No. 158: \$522,318.07.  
Waiver of Partial Mortgage Releases: North GRR: Parcels 62 & 63.  
Department Head Report.

**Auditor:** August 2012 A/P Vouchers.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Schenk
Madelyn Grayson	Gary Heck	John Stoll
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
SPECIAL MEETING  
SEPTEMBER 11, 2012**

The Vanderburgh County Board of Commissioners met in special session this 11<sup>th</sup> day of September, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding. The sole purpose of the meeting was to discuss and vote on county health insurance benefits.

**Call to Order**

President Abell: I would like to call to order the special meeting of the Vanderburgh County Board of Commissioners on September 11, 2012.

**Attendance Roll Call**

President Abell: Could I have attendance roll call please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Sheriff Williams, would you like to lead us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

**Moment of Silence in Remembrance of 9/11/01**

President Abell: I'm going to go a little off script for just a few minutes. I think that all of us are very mindful of having driven around the city today and seeing the flags at half staff and remembering that today is September 11<sup>th</sup>, a day that all of us will always remember. The day when the terrorists struck our country. I would like for us to just take a few minutes of silence and remember, especially not only the people who were killed that were working and were aboard the airplanes, but also, certainly, our first responders who went in to save people. If we could just have a moment of silence for that.

(A moment of silence was observed.)

President Abell: Thank you.

**Discussion and Vote on County Employee Health Insurance**

President Abell: We are here today to discuss the county employee health insurance vote. To give the audience a little background on what we've done, Welborn HMO gave us notice that they would no longer be writing health insurance, and, consequently, as of January 1, 2013 we will no longer be able to be insured by them. We, the three Commissioners, have independently talked to many, many people in the insurance industry, and tried to figure out what was the best thing to do for the county. Quite frankly, I will admit to being in way over my head. If I can't compare apples to apples, it's too hard for me to try to figure out what the rest of the comparisons are. So, it became a daunting task, and we have done, what we feel, is as much as we can do to this point, and are at the place now where we feel like we should go forward with the proposal from Anthem Blue Cross to take over for Welborn HMO. I don't know what kind of an agreement they had. I don't know if it was a purchase, or how they worked it, but they got the book of business from Welborn HMO one way or the other. They have indicated to us that they will take over our insurance as of October 1<sup>st</sup>, and continue us for the rest of this year. Basically, the biggest change is, I think the network will grow. Other than that, I don't think there's going to be a lot of change in the coverage. Between October 1<sup>st</sup> and January 1<sup>st</sup> is when the three Commissioners will be working with the staff and the employees here in the county to look at what Anthem is proposing for the year 2013. Our notice from them is that they will guarantee us no more than a ten percent increase, which is still a substantial increase when you look at the total amount of our health insurance coverage. So, consequently, you know, we will be held to the constraints that the County Council puts us under and we will make every effort to buy the best possible coverage we can at the price that we, the money that we've been allotted by the Council. Many of you who are sitting here in the audience tonight who are working, or who are employees of the county, probably remember that Anthem Blue Cross is not a stranger to Vanderburgh County. We, in fact, had Anthem Blue Cross for several years before Welborn HMO became the provider. So, we're hoping it's as seamless and as painless as it can be, and that everyone will be satisfied with what they are getting. We'll certainly use these next three months as a period to entertain questions and comments and talk to the employees. With that said, I would entertain a motion to accept Anthem Blue Cross as our carrier through the balance of 2012 and for the year 2013. If I can get a motion and a second, then we can have further discussion.

Commissioner Kiefer: I'll make the motion.

Commissioner Melcher: I'll second it.

President Abell: Further discussion? Yes?

Charlene Decker: I have a pretty simple question.

President Abell: Give us your name for the record.

Charlene Decker: My name is Charlene Decker, I work for the Auditor's Office. My question is, if you've met your, if you've paid your \$250 deductible, and you've met your \$1,000 out-of-pocket maximum for this year, and the calendar year was supposed to be January to December, is Anthem going to absorb that and honor

that? Or, if you have further things that you have to have done, are you going to have to repay the out-of-pocket maximum?

President Abell: That's a great question. I think they're going to absorb it, but, Mr. Flittner is here and we'll let him answer that.

Commissioner Melcher: He told us that they would accept that, but let's hear it from him on the record.

Tony Flittner: That's correct. My name is Tony Flittner, and I did say that Anthem will allow credit for the deductible that was spent with Welborn Health Plans, as well as co-insurance. So, they are going to credit you that amount.

President Abell: Does that answer your question?

Charlene Decker: Yes, but I have another question.

President Abell: Okay, go ahead.

Charlene Decker: My other question would be, is there going to be a change in what we're paying currently? Or do you guys even know that yet? Like between October and December, because I know Welborn was broken down into different tier levels. So, if you picked Deaconess/St. Mary's dual combination it was a little bit more than if you picked Deaconess only. So, and I know that Anthem has a broader network, which is a good thing, I just didn't know if our premiums would change any.

President Abell: I don't think their premiums are going to change, are they, Mr. Flittner?

Tony Flittner: They will change a little bit, a few dollars, depending on which plan a person had. So, there will be a few dollars and change. The actual gross, the total monthly premium with Anthem Blue Cross and Blue Shield for the balance of 2012 will go down just a small amount. So, there will be a little bit of difference in change, or in premiums.

President Abell: But, as I recall, it wasn't—

Tony Flittner: It's not significant.

President Abell: Yeah.

Tony Flittner: It's insignificant.

President Abell: But, once we get it, we certainly will entertain anyone, if there is an issue with it, certainly don't hesitate to let us know about it.

Charlene Decker: Okay.

Joe Gries: President Abell? If I may, I want to ask Tony a question.

President Abell: Yes, Joe.



Joe Gries: Will Anthem have a layout of the premiums for the Auditor's office that we may use that to get that information into the—

Tony Flittner: Oh, absolutely.

Joe Gries: Okay. This is a change that we will have to make in our payroll system so that we deduct the correct amounts out of employee paychecks. The sooner we can receive that, the better off we'll be.

Joe Harrison, Jr.: It's possible it could be less, couldn't it, for some?

Tony Flittner: Yes, for some it should be a little less, and depending on, the Deaconess only people, it could be a little bit more.

Joe Harrison, Jr.: Yeah, just depending.

Tony Flittner: Yeah.

President Abell: Okay. Tony?

Tony Bushrod: Tony Bushrod, Voter Registration. For people that have procedures scheduled, in town, out of town, people who may be in the hospital now, where does that put them? Then, also when will we get the benefits sheets to compare what we have with what we're going to get?

President Abell: Mr. Flittner, I'll defer that to you also.

Commissioner Melcher: You might as well just keep staying up there.

Tony Flittner: I think I'll just stay up here. For procedures that are scheduled, all those sort of things, just continue business as usual. What you'll want to do is make sure that you're still with a provider that's in network. More than likely, if, you know, if you're working with a Welborn Health Plan provider, it's likely that they're also going to be a Blue Cross and Blue Shield Provider. So, it's, the network is going to grow greatly. So, they're going to cover those things. They're not going to, there's not going to be an pre-existing condition exclusions on those people.

Tony Bushrod: Say somebody's got a by-pass surgery scheduled down in Nashville or something—

Madelyn Grayson: Tony, we won't get your comments on the record if you're not at the microphone.

Tony Bushrod: Oh, okay.

Madelyn Grayson: I mean, if you want to step to the microphone so we can make sure we get it on the record.

Tony Bushrod: What if someone's got a by-pass surgery scheduled, or a hernia operation?

Tony Flittner: Same thing there.

Tony Bushrod: Okay.

Tony Flittner: Those procedures are going to be covered by Anthem Blue Cross and Blue Shield just like they would be covered by Welborn Health Plans. Again, you just want to make sure that the providers that you're using are in-network if you want to be in-network. Of course, if you don't want to be in-network, with Anthem Blue Cross and Blue Shield you have that choice. That's a choice that you didn't have with Welborn Health Plans on some of the plans.

Commissioner Melcher: While you're up there, Tony, you might explain, like we asked you to do for us, about all of the doctors all over that's on that list. Like if they're in Nashville or Indianapolis, there's doctors there, where they weren't under our old plan. Isn't that correct?

Tony Flittner: Right, that's right. The network is so much larger now with the National Blue Card is what the network is called when you're out of this area. It's going to open a lot of opportunities for you for being in-network when you're not in this area. So, nationwide you can find network providers.

President Abell: You know, Tony, one of the, this Tony, Tony Bushrod, one of the things I think I would recommend to you and also to any of you who are out here that work with people in your offices, and we'll certainly make this information available to Marissa and our staff is that if you have a problem, or if you foresee that there's a problem, do not hesitate to give Torian Hofmann Dillow and Flittner a call, because they're going to have to walk us through this procedure. I don't know that, I'm sure they've seen it before, but we've never had this happen to us before. So, there are going to be a few things that are going to be difficult.

Tony Bushrod: Okay.

President Abell: So, please, rather than allowing it to build to be a point of contention or frustration, just give them a call and say, here's where I am, here's what I think, is this correct? Because he may say, no, that's not right and lead you in the right direction.

Tony Bushrod: You have an answering service, right? 24 hour answering service?

Tony Flittner: We do.

Tony Bushrod: Okay.

Tony Flittner: We have a 24 hour answering service, we've enhanced your connectivity to us ten fold, compared to any other agency you've ever dealt with. We have a website for you to look on, we've put up posters in the building, we've made sure that you have every bit of information in getting in contact with us.

Tony Bushrod: And, you are down here twice a month?

Tony Flittner: Yes, we are.

Tony Bushrod: Do you want to tell everybody what days and times, in case they've got questions?

Tony Flittner: We're down here twice a month, we have what we call agent on-site, where we have an agent here, on-site, for you on the second and the fourth Tuesday of every month from ten until 12 a.m., or, well, 10:00 a.m. to twelve noon.

President Abell: Yeah.

Tony Flittner: So, and that occurred today. That person was here today. Okay?

President Abell: I think, also, for the benefit of everyone listening, we're going to have new cards that will be distributed to you that will have the new information on them.

Tony Flittner: You'll have new i.d. cards, and as far as the explanation of benefits, the summary benefit plan designs, we can get those out to you right away. So, we can have those by e-mail, and you can circulate them around however you want. Or, if you want paper copies of it, we can take care of that. We can throw that onto the website that everybody has available to them. So, all they have to do is go on that website, click on the new plan, and they'll have it all right there.

Madelyn Grayson: President Abell? I had a question. On this paperwork that you submitted, Tony, on the vision rates, is that additional to the rate that is there?

Tony Flittner: Yeah, it is, but that's all been calculated in the premiums that we've discussed.

Madelyn Grayson: The other thing it says effective date August 1, 2012, should we cross that out before we vote?

Tony Flittner: That's a glaring error.

Madelyn Grayson: Can I just cross that out and put October?

Tony Flittner: Yes, please.

President Abell: Well, it was going to be sooner, but we Commissioners were dragging our feet.

Commissioner Melcher: We postponed the meeting two or three times, because we kept getting questions and answers from people, and we kept working as long as we could to try to get everybody to this point.

Tony Flittner: Right.

Commissioner Melcher: Today was, I guess, the final, final, final deadline that we could have done it.

Tony Flittner: It was after, after, after the deadline.

President Abell: Yeah, this was our drop dead—

Commissioner Melcher: We had two deadlines before and we—

Tony Flittner: But it still works.

Commissioner Melcher: – pushed that, but we can't push this one.

President Abell: Yeah.

Commissioner Kiefer: Tony, when will those cards be distributed?

Tony Flittner: They should have those out within probably ten to 12 business days after I get all of the paperwork into them.

Commissioner Kiefer: Okay.

Joe Harrison, Jr.: Before the end of the month?

Commissioner Kiefer: Before the end of the month.

Tony Flittner: Hopefully, before the end of the month.

President Abell: Yeah, this is effective September 1.

Commissioner Kiefer: No, October 1.

President Abell: I mean, October 1.

Tony Flittner: October 1 would be the effective date, but don't throw away your Welborn cards. Hang on to them, don't do anything irrational, just wait for things to work through the process.

President Abell: Any other questions from anyone?

Joe Gries: I have.

President Abell: Oh, I'm sorry.

Joe Gries: Go ahead, Teri.

Teri Lukeman: Hi, Teri Lukeman. I work in the Auditor's Office. My question has to do with our prescription drug plan. Will there be any change in those benefits, in our co-pays?

Tony Flittner: No. For prescription drugs, the co-pays are going to remain the same. The drug, the carrier, Express Scripts, for the prescription drugs, it's a third party prescription benefit manager, is the same company that Welborn had. You could find that there are different, some minor differences in the formulary listings. So, you know, once we get the information out, if you have prescription drugs that you're taking, you'll want to check and make sure that the tier that that drug falls into is the same as it is today. It could fall into a better tier, a lower co-pay tier. It could fall into a higher one. It just depends. We don't expect that many drugs will move. It should be a minor issue at best.

Commissioner Melcher: If nothing was changed, Express Scripts, I can't pronounce it now, why would it change any at all?

Tony Flittner: Because, Welborn Health Plans has a different formulary list set up than what Anthem Blue Cross has.

Commissioner Melcher: Okay.

Tony Flittner: So, the Express Scripts, even though it's the same company, they'll work with the carriers and design formulary lists for those carriers.

Commissioner Melcher: Alright, then, I guess, the question I'll have then is, remember the conversation I've had with you a couple of times about them forcing us to sign papers within a certain time period—

Tony Flittner: Uh-huh.

Commissioner Melcher: – every year. Is that still going to happen?

Tony Flittner: That was unique to Welborn Health Plans.

Commissioner Melcher: Well, I'm asking because that's what I was told by Express Scripts, but I couldn't believe it.

Tony Flittner: At this time, I would have to tell you that with Anthem Blue Cross and Blue Shield you shouldn't have to do that. If we stayed with Welborn Health Plans, then, yes, you would have continued the same procedure, but at this time, Anthem Blue Cross does not have that procedure in place. I've not heard of them saying that it's going to be in place.

Commissioner Melcher: Well, they give you a short window, and you could even be gone during that window, and then all of a sudden you're not on it anymore.

Tony Flittner: Right. It certainly wasn't something that I came up with. Welborn Health Plans put that procedure in place mid-year, and it was something they could do, unfortunately, and they did, and it was a bit of a headache for some people. I understand.

Commissioner Melcher: Okay.

President Abell: Joe, did you have a question?

Joe Gries: More of a comment. Commissioner Abell, you mentioned the next three months the Commissioners will be negotiating for next year, remember that the Auditor's Office has to put in those new numbers really by the end of November. Not to push you, or stress you out further

President Abell: Oh, no. Not like we haven't been sleeping with insurance rates.

Commissioner Melcher: We've already been working on that.

Joe Gries: I'm sure. You also have the open enrollment period, and that usually happens in November as well. So, there's a pretty tight window that, you know, not to say that those things can't be adjusted and changed, and we'll be happy to, you know, work around anything that needs to happen, but just to keep that in your forethought as well.

President Abell: As soon as I get my, the amount that we have to hit from the Council, we'll be working on it. Any other questions from anyone? Mr. Flittner, thank you for coming down this evening, we appreciate it.

Tony Flittner: Thank you.

President Abell: If there is no further discussion and no further....go ahead.

Commissioner Melcher: I guess, we need to say one more thing. I think what led us to this thing for 2013 was our rate was high, and they were going to raise us, I think, Tony, you said something they could raise us at least 12 to 15 percent. Isn't that about right?

Tony Flittner: Well, you—

Commissioner Melcher: Because of our rate of using it?

Tony Flittner: —your renewal rates with Welborn Health Plans were locked in contractually, and they're driven by your claims experience.

Commissioner Melcher: Exactly.

Tony Flittner: At this time, the last time we checked, it looked like you were pushing, you were at an 11 percent rate increase. So, Anthem Blue Cross and Blue Shield has offered a ten percent adjustment, which compared to everything else we've seen, is—

Commissioner Melcher: Well, and I think that needs to get out, because we're talking, we could have had as high as 15. This way we knew we were locking in at ten.

Tony Flittner: That's right.

Commissioner Melcher: Even though that's still high.

Tony Flittner: Right.

Commissioner Melcher: But, it's not as high as what it actually would have been, because our rates were going up at the time.

Tony Flittner: Right.

Commissioner Melcher: You get into accident season in November and December, we would have been paying more.

Tony Flittner: That's right. It's a very favorable offer. It really is.

Commissioner Melcher: Well, I know everybody else that has it, that dumped it, I mean, what was it, 20 companies or more? That Welborn dropped?

Tony Flittner: Employers?

Commissioner Melcher: Yeah.

Tony Flittner: Oh, I had more than 20 myself.

Commissioner Melcher: Alright, didn't they all renew on this?

Tony Flittner: Most of them have renewed, or they've moved to Anthem Blue Cross and Blue Shield.

Commissioner Melcher: Right, that's what I was told.

Tony Flittner: Hardly any have done anything else. Or, you know, done something other—

President Abell: But, I don't think everybody got as good an offer from Blue Cross Blue Shield.

Tony Flittner: Well, that's right.

President Abell: Because I know someone, I know a company owner who did not.

Tony Flittner: You're right. You're right. The ones that didn't, you know, didn't move to Anthem Blue Cross and Blue Shield, they didn't get as nice an offer.

Commissioner Melcher: The ones that got a little better offer were smaller companies, I understand, that didn't have any claims hardly at all.

Tony Flittner: Right.

Commissioner Melcher: And, theirs was like five or six percent.

Tony Flittner: In a lot of cases, but, you know, I have some cases that were pretty marginal. I mean, if you looked at the numbers you would say, I'm not sure why they're offering this premium to them, and they still did. So, I would say you guys, we've negotiated a deal for you guys that, by far, outweighs any other employer that I've seen. It's size, well, it's size, that's what it amounts to.

President Abell: Well, we're going to work really hard on getting healthy in 2013.

Tony Flittner: That's what I wanted to hear.

President Abell: So, we can bring our rates down.

Tony Flittner: That's great. That's great. We'll go for lower rates.

President Abell: We're going to let the Sheriff's Office give us some exercises and some tips on losing weight.

Tony Flittner: Thank you.

President Abell: Thank you, Mr. Flittner. I'll call for the vote please. Or, did you have something?

Commissioner Kiefer: No, I was just clearing my throat.

President Abell: Okay.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: I will say, before I vote though, that this is going to give us an opportunity to work throughout 2013 and find even the best type of deal for 2014. We are under tremendous pressure, you know, with increasing costs every year, so, and we're very aware that, or, I know the Commissioners are very aware that good health insurance is important to our employees of the county, and we want to do what we can to provide that important service to our employees. With that, I'll vote yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I won't repeat what Joe said, but that's pretty much the same thing, except we worked hard at this. We did talk to a lot of people. I talked to different people individually, and this was probably about the best deal we could get at this time, it being known that we were being dumped right away. So, I'll vote yes.

Madelyn Grayson: President Abell?

President Abell: Well, my comment is, I probably know more about health insurance right now than I ever wanted to know, and I want to thank Mr. Flittner for walking us through it, because it was pretty hard for all of us who don't do this day in and day out. We appreciate your assistance. With that, I vote yes.

**(Motion approved 3-0)**

President Abell: Is there anything else to come before the Vanderburgh County Commissioners?

Commissioner Kiefer: Move to adjourn.

Commissioner Melcher: Second.

President Abell: All in favor say aye.

All Commissioners: Aye.

**(Motion approved 3-0)**

President Abell: We are adjourned. Thank you people.

(The meeting was adjourned at 5:22 p.m.)

**Those in Attendance:**

Marsha Abell

Joe Gries

Madelyn Grayson

Tony Bushrod

Members of Media

Joe Kiefer

Joe Harrison, Jr.

Tony Flittner

Teri Lukeman

Stephen Melcher

Marissa Schenk

Charlene Decker

Others Unidentified



**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
SEPTEMBER 18, 2012**

The Vanderburgh County Board of Commissioners met in session this 18<sup>th</sup> day of September, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the Vanderburgh County Board of Commissioners meeting of September 18, 2012.

**Attendance Roll Call**

President Abell: Attendance roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: President Abell?

President Abell: Here. Mr. Melcher is away this evening.

**Pledge of Allegiance**

President Abell: We'll have the Pledge of Allegiance. I would like to ask Elizabeth, our youth job shadow tonight if you would like to lead us in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Abell: Thank you.

**West Terrace PTA 4K for Kids Race: Road Closure Request**

President Abell: Under action items, our first item is the West Terrace PTA 4K for kids road race request. The event is scheduled for September 29, 2012. This is the third year for this event. The organizers have been working with the Sheriff's Office on this. I see a representative from the Sheriff's Office. It's been approved by the Sheriff, I understand.

Jana Wade: I believe so.

President Abell: Are you here to address it? Come to the podium please. State your name.

Jake Oberholtzer: It's Jake Oberholtzer.

President Abell: Are you the chairman of the race?

Jake Oberholzter: Yeah, my wife and I are organizing this.

President Abell: Okay, I don't have any questions. Does anyone?

Commissioner Kiefer: I don't have any questions. Is this something that needs a motion?

Joe Harrison, Jr.: Yes, because it's a road closure request.

Commissioner Kiefer: Okay. I'll make a motion that we approve.

President Abell: I will second that motion. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

President Abell: Just continue to work with the Sheriff and make sure everything is fine.

Jake Oberholtzer: Okay. Alright.

President Abell: Have a good event.

Jake Oberholtzer: Thank you.

President Abell: Thank you.

<p style="text-align: center;"><b>Resolution CO.R-09-12-011: Regarding Transfer of Property with Governmental Entity</b></p>
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President Abell: Resolution CO.R-09-12-011, transfer of certain county-owned properties acquired through tax default to the City of Evansville. A transfer of 18 residential properties to the City of Evansville for the sum of \$8,100. The \$8,100 amount represents a price of \$450 for each parcel, which covers the county's cost for title work, attorney fees, recording costs, previous certified mailings, and previous legal publication costs. I need a motion to approve.

Commissioner Kiefer: So moved.

President Abell: I'll second. Is there further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

**First Reading of Ordinance CO.09-12-007:  
Amending Ch. 10.16: Speed Limits**

President Abell: The first reading of CO.09-12-007, an amendment to the ordinance concerning speed limits on county roads and highways. This is only the first reading. We'll have second reading in two weeks. I need a motion to approve.

Commissioner Kiefer: I'll move that we approve.

President Abell: I'll second. Is there further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

**EMA: Grant Effectiveness Measures Letter  
Health Department: Red Cross CPR/AED Training Agreement  
Health Department: Medical Reserve Corp Grant Applications**

President Abell: Contracts, agreements and leases, the Emergency Management Agency emergency management program grant effectiveness measures. This is a document to be submitted to the State of Indiana verifying that the EMA staff employees have completed all of the required training and exercise requirements to qualify for the Emergency Management Performance Grant. I don't think there's anyone here from EMA. Do we need a motion to accept that?

Joe Harrison, Jr.: Yes.

Commissioner Kiefer: I'll make a motion that we accept.

President Abell: I'll second. Any further discussion? Joe, is this something that they do every year? I think it is.

Joe Harrison, Jr.: I think it is. The staff members at the EMA had to have signed off that they've qualified and participated under the required certifications needed for this grant.

President Abell: Okay.

Joe Harrison, Jr.: So, they've already signed off indicating that they qualify.

Commissioner Kiefer: This money comes from the State of Indiana?

Joe Harrison, Jr.: That's correct, right.

President Abell: Okay. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

President Abell: Health Department, I see Mr. Heck and Dr. Nick are here. American Red Cross agreement for CPR/AED training for professional rescuers and health care providers for certification and training for 38 Health Department employees. This is a required certification, and it is good for two years. The cost of the training is \$3,620.

Gary Heck: Thank you. This will take place in January. This is just the contract arranging for it to happen. So, I would be happy to answer any additional questions, if you have any.

President Abell: Is 38 the number of your total employees?

Gary Heck: No, we have 62 employees, but these are the ones that are—

President Abell: Required to have it?

Gary Heck: – required to have this particular training.

President Abell: Okay.

Commissioner Kiefer: I'll move that we approve.

President Abell: I'll second. Further discussion?

Commissioner Kiefer: None.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

Gary Heck: Thank you.

President Abell: Grant application for Medical Reserve Corps regarding two limited funding grant requests by the County Health Department on behalf of the Vanderburgh Medical Reserve Corps for approval. One of the requests is for funding between \$2,500 and \$5,000. The other request is for funding between \$5,000 and

\$10,000, both requests are for 2012-2013 capacity building awards and the County Medical Reserve Corps. You might have to explain that a little bit. I don't have any idea what that is.

Gary Heck: The Medical Reserve Corps is something Dr. Nick started at the request of Sherman Greer and the Emergency Management Agency. It's a group of professional medical folks who volunteer during times of emergency or disaster, and they receive special training. This capacity building grant is a limited opportunity to apply for two different grants that would help train those particular volunteers that they would be prepared, should they happen to be called out. Dr. Nick wanted to talk to you about one of the special requirements—

President Abell: Okay.

Gary Heck: —because it was something that he found very interesting. I know he wanted to mention it to you.

President Abell: Okay.

Ray Nicholson: One of the grants is, there were two grants, and one we get automatically, everybody gets it. The other one is a competitive grant and you have to have very special things that you want to do in order to get it. We decided to go with the veterinary side of this. In the Joplin tornado and the Henryville here in Indiana, pets, farm animals and everything were all over the place. So, we found out that the government facility, you can't bring your pet. People after Katrina would not leave their houses, because they couldn't bring their pets along. So, they've approved of this, and asked us to do this, so we're going to be getting a corp of people trained in gathering these animals. You won't believe this, but CPR for the dogs and cats and things like that. It's, the whole grant is going to be based mostly on the veterinary part of this, in the case of a disaster like that, a tornado or an earthquake.

President Abell: Will that also include a place to take the pets then, so the people will get out of their homes?

Ray Nicholson: Yes, it would. (Inaudible) application, we'll be buying cages and so forth. We have the blessing of the veterinarians. We'll have a lot of veterinary people working with us, it's part of the corps. That part of it, we have a veterinary division.

President Abell: Good, as a pet owner.

Ray Nicholson: It was kind of interesting, I thought.

President Abell: They're important also.

Ray Nicholson: I'm anxious to learn how to do the CPR on a snake or something.

Commissioner Kiefer: I'll let you do that.

Gary Heck: All of the information has been prepared to go into an electronic submittal. So, we didn't have anything actually, like a contract for you to sign, but we needed your permission to do the submission. So, that's what we're really here for.

President Abell: So, you'll get a copy of the minutes that will show where we...yeah.

Commissioner Kiefer: Okay, I'll move that we approve.

President Abell: And, I second. Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

Gary Heck: Thank you so much.

<b>County Attorney</b>
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President Abell: Department head reports, County Attorney.

Joe Harrison, Jr.: I have one item that the Commissioners have considered in the past. It's the vending service contract between the county and the State of Indiana regarding the provision of vending machine services at the Community Corrections Complex. The Sheriff has negotiated this contract with the State of Indiana officials, and the State then places a contractor who provides the vending machine operations at the Community Corrections Complex. I have in front of you, I believe Madelyn may have the three agreements for you to sign, which run for a period of four years. The agreement, technically, runs through June 30<sup>th</sup>, I believe, of 2016. It technically starts in July, July 1<sup>st</sup> of this year. I will add that pursuant to the agreement, the Sheriff is going to receive a small percentage of the adjusted gross sales. I think a 1.5 percent commission off these sales each month to go into his, I guess, his Commissary Account or whatever. So, I would ask that this agreement be approved. State law requires that governmental entities enter into agreements with the State for vending machine operations, and the State then places a contractor in. It's a requirement by law, for instance, there's a vending contractor that's placed here in the Civic Center Complex that operates—

Commissioner Kiefer: But, the one you're talking about is—

Joe Harrison, Jr.: Is out at the Community Corrections Complex.

Commissioner Kiefer: Community Corrections.

Joe Harrison, Jr.: The one that's here in this building was an agreement entered into between the Building Authority and the State.

Commissioner Kiefer: Right.

Joe Harrison, Jr.: Because the Building Authority owns the building.

Commissioner Kiefer: Right.

Joe Harrison, Jr.: So, I would ask that you approve this agreement. Again, it's for another four years.

Commissioner Kiefer: Okay, I'll make a motion to approve.

President Abell: I'll second. Further discussion? I would just like to point out one thing, Mr. Harrison, just for those who happen to be watching our meeting on the television, is that although some of this will go to the Sheriff, it doesn't actually go to the Sheriff personally. It goes in his Commissary Fund which he uses for the betterment of the Sheriff Deputies and the facilities.

Joe Harrison, Jr.: Oh, that's correct, and, again, it's a very small percentage.

President Abell: But, it's turned back into helping the county.

Commissioner Kiefer: I'm sure the County Council knowing that he has that extra money in his fund will ask him to pay for all sorts of things.

President Abell: I just wanted to make sure that everyone understood that the Sheriff isn't walking home with that money.

Commissioner Kiefer: Yeah.

President Abell: With that said, roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

<b>County Engineer</b>
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President Abell: County Engineer, Mr. Stoll.

John Stoll: The first item I have is a request for an administrative settlement on the Green River Road project. This is parcel number 41, owned by Alexander. They've requested an increase from \$2,100 to \$4,000 in order to cover the replacement of some landscaping, as well as provide a fence that would act as a sound barrier once the road is widened and comes closer to their house. I've discussed this with the County Attorney and he agrees that this is the best thing to do as far as settling this rather than having to go to condemnation.

President Abell: Which house is there's?

John Stoll: I just have the parcel number. I didn't bring the address.

President Abell: Okay, but it must, it must abut up on Green River Road?



John Stoll: Yeah.

President Abell: The side of it probably, I guess.

John Stoll: Yeah, everything that we're buying property from has frontage on Green River, except for maybe a couple of parcels on Kansas Road.

President Abell: Okay, I guess, we need a motion to approve.

Commissioner Kiefer: I'll make a motion to accept. Yes, I'll make that motion.

President Abell: I'll second. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

John Stoll: Then, next, I have a change order on the Ohio Street bridge repair contract. This is an increase of \$2,506.95. This replaced the section of curb and a curb inlet casting that had broken, and we think it was because of the excessive heat just caused the expansion to buckle the curb. The increase was because of those two items having to be added to the contract. That wasn't broken at the time we put the specs together. I e-mailed you some pictures on that—

President Abell: Yeah.

John Stoll: —probably six weeks ago.

President Abell: It was an increase of how much?

John Stoll: \$2,506.95.

Commissioner Kiefer: I move to approve.

President Abell: Second. Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

John Stoll: Last, I've got a street acceptance request for Section Six of Wynnfield Subdivision. This would be an acceptance of 428 feet of Wynnfield Drive. This is

towards the southeast portion of the construction of Wynnfield that's been built to date. They're adding a section that's kind of back towards the back near the lake.

Commissioner Kiefer: I move, I move to approve.

President Abell: Second. I'll second. Now, your office has been out, I think you even had some pictures—

John Stoll: Yes.

President Abell: — that I recall looking at. Everything okay?

John Stoll: Yes, it was lime stabilized, so that gave a good solid base to work off of, and the inspectors were out there throughout the construction.

President Abell: Okay, we'll take your recommendation. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

John Stoll: That's all I have.

President Abell: While I have you at the microphone, I just might tell you that yesterday, during the torrential downpour, I did go down to, is it Sunrise, is that the name of the street off Old State Road?

John Stoll: Yes.

President Abell: At the time I was there, I understand Pat Seib was out there and took some pictures, and I think maybe you went out and took some pictures, and the ditch was over its banks. I was out there in the afternoon and it was only about half full. It was flowing pretty good. It had a really good current in it, but there was a little debris still in the, a couple branches. You know, the one entrance that goes to the property that sits way in the back, there was some branches there, and I think maybe we need to, the homeowner needs to be pretty aware that they need to keep that cleaned out if they want to keep it out of their house. I didn't see any, to me there was no possibility of going in the home at the time I was there.

John Stoll: I think Pat was out there probably 2:30 or 3:00 whenever we got the pictures showing the water sheeting across the driveway. Pat was out there with Mark Taylor of the Highway Department, and shortly after that was when I got the e-mail stating that the property owners will be signing off on the temporary right-of-way to get the pipe removed. So, once we get that, then we can get with the Highway Department and start scheduling the removal of it. So, it will help, it won't prevent any future flooding problems, but, just like we saw yesterday, it will help out situations like that.

President Abell: Yeah, I thought it was flowing pretty good yesterday.

John Stoll: Yes.

President Abell: I was pretty happy with it. Okay, thank you.

John Stoll: Thanks.

#### **New Business/Old Business**

President Abell: Is there any new business to come before the County Commissioners? Any old business?

#### **Public Comment**

President Abell: Public comment? I do understand there's someone here that wants to address the Commissioners? Yes, come to the podium and state your name please.

James Carter: My names is James Carter, and I think you have a letter that I had sent you. I'm a resident of Perry County, excuse me, I've been moving too much, the allergies are killing me. Let me give you a little bit of background, so you know where I'm coming from and understand. My position in Perry County is the Humane Society President. I heard you say that you had an animal, and, basically, the reasoning that where I come up with all of this is the fact that I've been, actually every year for the last six years at this time, obviously, I approach the County Council in Perry County to try to get funds for animal projects that we put together. Every year I approach them, and actually each year, the last three years especially, they give me the answer that it's well planned, it's well documented, but, Mr. Carter, we just don't have the money. So, I thought possibly there was some way I should be able to find money, other than grants, which we tried to get for our own purposes, but this is for the public. So, anyway, I started doing some research, and in the meantime, in April of this year, obviously, all of us noticed that the State announced this two billion surplus, which has changed, every month I've heard a different amount, but, obviously, the State announced a large surplus. So, I thought, well, there is a way for the counties, or Perry County, to get some money. So, I thought, well, if Perry County deserves some of this money, why should not other counties. This little map that I gave you, I started by doing research on the smallest per population counties in the State of Indiana, and you'll see that the counties that are surrounded in green there are actually the 20 counties that are per square mile by population. The reason that I basically chose that is because I knew, since Perry County is in one of those, that we have major infrastructure problems that are going to be coming up, and we have a very small tax base. I actually started in Martin County and Crawford County, because both of those counties have a common denominator with Perry County, and that is over 50 percent of their land is owned by the National Forest or Crane Naval Depot, the federal government. We get \$1.53 per acre for our tax base, which is practically nothing, it doesn't hardly cover anything, and, basically, I thought, well, if this is happening to these counties, then let me take a look, and so I did some research and I found the 20 counties that were on the smallest counties per population. So, I thought, okay, how can I get help for the smallest 20 counties? There's 92 counties in the State of Indiana, and I had to come up with some kind of a formula and something that every county would be interested in. I realized that infrastructure was the answer. So, in my research I came up with the fact of a ten

percent figure from the surplus, and I kind of did some little math and ended up with a very small amount for this type of county, but for the small counties a large amount, which is a two million dollars spread over six years, directly back into the infrastructure. It would go into a special account for infrastructure. That way the smaller counties would then have an amount that they could rely on. In fact, I've talked to 30 Auditors, actually more than 30 Auditors now in 30 counties in 14 days, and I'm, basically, I'm wore out, but I'm trying to actually reach by the end of October every Auditor in the State of Indiana and ask them the same question. Would you rather have an exact amount, a certain amount every year for six years? Or, would you rather have an unknown amount, it could be higher or lower, spread over the same amount based on per capita? Almost every one of the Auditors said they would rather have a set amount. So, instead of going per capita, I went for this basic, simple thing, whatever the surplus would be, you would divide that by 92 counties and you would know exactly what, the Auditor would then know exactly what they were dealing with. Like I said, this was just a suggestion. So, knowing that, I approached the administrator of the AIC conference, which I assume some of you are going to the AIC conference, this was about a month ago, and asked them how they were going to try to get some of the surplus funds back to the counties. The impression I got was they really were not really pushing for the surplus, they were actually going for the Highway Funds. It kind of took me back a little bit until I did some more research and I thought, wait a minute, as I was telling Joe, 38 percent of the Highway funds is dedicated as, right now, to the State Highway Police, and the rest of those funds are fought for every year. So, I couldn't understand why the Association of Indiana Counties would be trying to get, allocate money from an approximately \$300 million, and that varies, from a fund that's already allocated, when they've got close to two billion that's not allocated, other than what's already being sent back to the taxpayer. So, I called back to some of my friends in Northern Indiana and the information they got is that there's going to be a big push to try to get a huge portion of that surplus to build a minimum access highway to loop around Chicago, approximately 20-25 miles south of Chicago. Approximately if you know where Kentland is. Actually, on that map you'll see, there's actually three counties that would actually be affected by that minimum access, and whether you can believe this or not, most of the people there are all farmers. There's approximately 23 people per square mile, and this minimum access would help them zero. So, even the collar counties that are up there that's in the green that you see, this minimum access would not help them whatsoever. It's going to help Chicago, and it's going to help approximately ten percent of the people in the State of Indiana, mostly LaPorte, Lake County, and maybe if it intersects with South Bend, the South Bend metropolitan area. So, I thought, you know, this is not right, and so I had to do something on my own, because I could not, at the time I had, I only had 30 days before the AIC conference, and, so that's when I started my quest to try to reach every county that I could in Southern Indiana, and approach the Commissioners. What I'm asking you to do is, whoever is going to the AIC conference, would you please try to get some of this surplus, instead of the money from the Highway Funds. Instead of fighting people, why not just ask for what you deserve? I agree the Governor did a great job of leadership, of giving us a state that everybody in the United States that actually looks at, but now it's time for some of that money to come back to the counties, because a lot of that money came from the backs of the counties. They had to cut costs, everybody is cutting costs, and I believe if we put it in infrastructure, that's a common denominator for every county in the State of Indiana. So, that's the reason I'm talking to you now. I'm asking Vanderburgh County if they could get to that AIC conference, and if they could talk it up, maybe they can get some legislators to listen and we can get something going. Does anybody got any questions on that?

President Abell: I don't have, I'm not sure exactly what we could do. I can tell you that my understanding is that none of the three of us are going to the AIC conference.

James Carter: I see, nobody from Vanderburgh county, probably not.

President Abell: Mr. Stoll, our Engineer may go up on Friday to receive an award on our behalf, but the three of us just do not have the time available to go to that.

James Carter: I understand.

President Abell: We had not planned to go. Have you talked to your State Reps and Senators?

James Carter: Oh, yes. Actually, four months ago I started talking to the Reps, but I thought, you know, in order to get sometimes the legislature to listen you have to hear more than one person. So, I actually have wrote every newspaper in Southern Indiana in this last week, and I've wrote every Auditor south of, actually, almost south of Marion County. You'll see there's three lines on there, my goal was first to get Southern Indiana, and then after AIC, you see, there's also the legislative portion of the AIC coming up in November, and so that's my second goal is to get the second third of Indiana before then, and try to even get the third. But, if we can get, my point is, is the very end thing that I want to do is in January I want to go to the State, I want to lobby personally, if nobody else wants to help, to try to tell the State that anytime that you have a surplus, and that you've rebated the basic taxpayer the first part of that surplus, whatever is net, the counties deserve ten percent of whatever that is. Whenever they take that ten percent, then they divide that by 92, and you, the Auditors would know then that they're going to get that portion, and they won't have to worry about, okay, what's the per capita, because every year, as you know, that number varies, so they would never even know until April or May. As I was talking to Joe, contractors are already set up by May. So, anything that you would have for your money wouldn't even be able to do it until the end of the year or the next year. So, what I'm saying is really a simple formula, and it really makes sense that we get a small portion, and ten percent is not being greedy. Ten percent is common sense, and so I'm asking that someone sponsors a bill to do that very thing. In order to do that, I'm trying to get the people behind me so that they contact the legislature. That's what I'm doing on my own. Like I said, I'm almost 70 years old, and I'm wearing out fast.

President Abell: So, you're just wanting us to put a little bug in the ear of our—

James Carter: Absolutely, that's the point.

President Abell: Joe, are you going to the AIC?

Joe Gries: I am not.

President Abell: Yeah, we're on a very tight budget in Vanderburgh County.

Joe Gries: Especially with travel.

President Abell: We don't have any travel allowance.

James Carter: Well, like I said, I'm trying to get a third of a million dollars right into infrastructure, and that was the reason why I said, again, why I didn't ask for per capita, because if you would take whatever the surplus would come back, the ten percent, by the time you would finish per capita, these little counties would get bread crumbs. They're the ones most hurting. So, the other thing that I want is we need, people need to start supporting their counties, and counties need to start supporting their collar counties. If you'll notice there Dubois County is totally surrounded by these very poor counties, and I'm going to be going to Dubois County, actually next week, and just say, listen, these little counties need your help. They come to all of your functions, these little counties, like the Fall Festival here in Evansville, your street functions, the things that you have down on the walkway, you draw a tremendous amount of people that come from these counties spending their money. Sometimes I think it's time for the counties, instead of us all being greedy, why don't we share equally, instead of saying per capita? Let's not say just because we have this, or just because we have that, let's start doing things and help all of these small counties. So, anyway, I thank you for your time, I hope that what I told you makes sense and thank you for your time.

Commissioner Kiefer: Thanks for coming.

President Abell: Thank you, sir.

Commissioner Kiefer: It sounds like a laudable goal. I admire you for the work that you're doing on that. That's quite an outreach.

James Carter: Believe it or not, the only county that has rebuffed me is my own county. It's not a direct rebuff, it's just that those people think that because in the last six years I've been doing so much research, they think I'm going to be running against them politically.

President Abell: I assume you have no problem with us making copies of your letter and handing it to our State officials?

James Carter: Absolutely, every person that you give it to me, it's another set of ears and another set of eyes that can understand what I'm trying to do. So, thank you very much.

Commissioner Kiefer: Thank you.

President Abell: Thank you.

James Carter: Thank you, Joe.

<b>Consent Items</b>
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President Abell: Consent agenda, Madelyn.

Madelyn Grayson: The consent items for the September 18<sup>th</sup> meeting are as follows; approval of prior minutes; we have the September 4, 2012 meeting minutes, the September 11, 2012 special meeting minutes and the September 18, 2012 Executive Session summary minutes; employment changes for the Commissioners approval, there's one for Burdette Park; the County Assessor has waiver of Centre fees/not overtime for Manatron Indiana Pro-Val training class on October 11, 2012;

the Commissioners have appropriation requests, notice to bidders for 1223 Henning, 211 and 213 West Michigan, and for tax code 82-08-18-007-136.062-024 on Smith Diamond Road; sale of property at 1055 Pennsylvania Avenue; County Auditor, request to surplus various office furniture and equipment; the County Clerk has the August 2012 monthly report; the County Engineer has pay request number 159 for TIF projects in the amount of \$7,968.97 and a department head report.

President Abell: I would entertain a motion to accept the consent agenda.

Commissioner Kiefer: So moved.

President Abell: I'll second it. Any further discussion. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 2-0)**

President Abell: There being no further business to come before the County Commissioners, I would entertain a motion to adjourn.

Commissioner Kiefer: I move that we adjourn.

President Abell: So moved. Drainage Board will start immediately.

(The meeting was adjourned at 5:29 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of September 4, 2012 Commission Meeting Minutes.  
Approval of September 11, 2012 Special Commission Meeting Minutes.  
Approval of September 18, 2012 Executive Session Summary Minutes.  
Appropriation Requests (3).  
Notice to Bidders: 1223 Henning, 211-213 W. Michigan & Smith Diamond Rd.  
Sale of County Owned Property: 1055 Pennsylvania Avenue.

**Employment Changes:**

Burdette Park (1)	Prosecutor (1)	Circuit Court (3)
Superior Court (2)	County Clerk (1)	Sheriff (4)

**County Assessor:** Waiver of Centre Fee Request: 10/11/12: ProVal Training.

**County Auditor:** Surplus Request Letter: Various Office Equipment/Furniture.

**County Clerk:** August 2012 Monthly Report.

**County Engineer:**

Pay Request No. 159: TIF Projects: \$7,968.97.  
Department Head Report.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Joe Gries
Joe Harrison, Jr.	Marissa Schenk	Madelyn Grayson
Jake Oberholtzer	Gary Heck	Ray Nicholson
John Stoll	James Carter	Elizabeth Schuler
Jana Wade	Others Unidentified	Members of Media

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

(Recorded and transcribed by Madelyn Grayson.)



**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
OCTOBER 2, 2012**

The Vanderburgh County Board of Commissioners met in session this 2<sup>nd</sup> day of October, 2012 at 5:03 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the October 2, 2012 meeting of the Vanderburgh County Board of Commissioners.

**Attendance Roll Call**

President Abell: Could I have the attendance roll call please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Would one of our students, would you like to lead us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

President Abell: Thank you.

**Permission to Open Purchase Offers for Parcels on University Parkway**

President Abell: I would like to request permission to open the purchase offers for the parcels on University Parkway.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Are you going to open, will you be opening those?

Joe Harrison, Jr.: Yes, I'll go ahead and open them—

President Abell: Okay.

Joe Harrison, Jr.: —and then report back in a few minutes.

President Abell: Okay.

Joe Harrison, Jr.: Is that okay?

President Abell: That will be fine.

<p><b>Second/Final Reading of Ordinance CO.09-12-007: Amending Ch. 10.16: Speed Limits</b></p>
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President Abell: Under the action items, we have the second and final reading of CO.09-12-007, amendment to the ordinance concerning speed limits on county roads and highways. Could I have a motion to approve?

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Further discussion?

Commissioner Kiefer: I think this is just in line with what the city was doing when we made the changes on annexation and other things. It's nothing new or ground breaking here.

President Abell: Right. Any public comment? Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

(Motion approved 3-0)

<b>Permission to Advertise the 2012 General Election Vote Centers</b>
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President Abell: I would entertain a motion for permission to advertise the 2012 General Election vote centers.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I would just like to make one comment. We didn't do it this year because I just looked at it in the primary and I'm going to look at it in the fall again, but the County Highway Garage seems not to be a good place. A lot of people couldn't turn into the garage when I was there for a couple hours in the primary. Some of them seen the signs on the fence and it said admittance only for personnel, so they backed back out on that busy street. That's a busy corner, and I'm just thinking if we have a bad winter, we need to find somewhere else. I thought I would wait and look at it one more time this fall. So, I'll be out there, and if that's the case, then for 2014 we might move it. So, with that I'll vote yes.

Madelyn Grayson: President Abell?

President Abell: Yes, however, I will echo what you said. We don't have an election next year. It would be a great year for us to look at all of these vote centers.

Commissioner Melcher: Exactly.

President Abell: It would be a good year to do that. Would you be willing to head that up?

Commissioner Melcher: Oh, I could do that.

President Abell: Okay.

Commissioner Melcher: Well, we also, as candidates, got a letter saying that we couldn't have, and I'm okay with this, but we couldn't have large signs, we couldn't do this, couldn't do that because the vote centers didn't like them. Well, half of these vote centers were part of the 130 some odd—

President Abell: Right.

Commissioner Melcher: — we had before. So, I don't know what's changed because of that.

Commissioner Kiefer: I think the size of the signs. If you've noticed, over the years have grown dramatically.

Commissioner Melcher: Well, no, and I understand. I know you can't take a post hole digger, and I think somebody did that, but I just think we ought to be reasonable about it. I think, who cares about that. I think another reason they said the signs weren't being hauled off. Well, because we went to vote centers, the committeemen used to haul them off, D's and R's. So, now the committeemen don't think they have a job now because of all of these vote centers. So, maybe, on county elections, we ought to have one of our trucks go around in the morning, the day after every one and just throw it in the back of their dump truck. The same way when it's a city election, they could do the same thing. Since, that way we won't get any complaints.

President Abell: That's probably a good idea.

Commissioner Kiefer: Well, since there's not that many vote centers compared to what we used to have.

Commissioner Melcher: That's right, 23.

Commissioner Kiefer: Yeah, that shouldn't be difficult.

Commissioner Melcher: They could get that done in a few hours. That way we wouldn't make the people mad who we got the votes in. I could head that up next year.

President Abell: Actually, I hope that, and I want you to head that up, that would be good, and I hope that you'll work on keeping the signs, because a lot of people that's how they know where to stop and vote, because they see all of the signs.

Commissioner Melcher: Well, that's true. I want to keep the signs, but I just think that, I think that we're getting too restrictive.

President Abell: Yeah.

Commissioner Melcher: Because, I just believe that. So, with that I will, and we will have a new Clerk regardless. So, I'll try to work with that person.

President Abell: Okay, appreciate that, Mr. Melcher. We have had three votes, so that passes.

**(Motion approved 3-0)**

**Vacation Ordinance: CO.V-10-12-001:  
Vacation of Lake Maintenance and Storm Detention Easement:  
5504 Foundation Drive  
Receive Petition & First Reading of Ordinance  
Set Public Hearing Date & Permission to Advertise Public Hearing Notice**

President Abell: Receive the petition and first reading of vacation ordinance CO.V-10-12-001, vacation of lake maintenance and storm detention easement at 5504 Foundation Drive. We need to set a public hearing date, and the Auditor is going to

have to advertise that, and then we're going to vote on this vacation for second reading on October 16<sup>th</sup>. So, when do we need to set the—

Joe Harrison, Jr.: It will be on October 16<sup>th</sup> will be the date for the petition, to hear the petition, but a first reading on the ordinance will be, it's supposed to be tonight. Then the final reading on the ordinance will be on the 16<sup>th</sup> as well, it will be noticed.

President Abell: And, that's when the public can speak?

Joe Harrison, Jr.: Yes, the public hearing will be then.

President Abell: That will be on October 16<sup>th</sup>. Okay.

Joe Harrison, Jr.: But, a first reading on the ordinance, if there could be a motion on that to move it forward.

President Abell: Okay, this is a vacation of lake maintenance and storm detention easement at 5504 Foundation Drive.

Commissioner Kiefer: So, I'll move to make a motion that we set the public hearing on October 16<sup>th</sup>, give the Auditor permission to advertise notice of the public hearing, and have a vote to move the vacation ordinance to second reading on October 16<sup>th</sup>.

Commissioner Melcher: I'll second that, because the second reading is the final reading.

Commissioner Kiefer: Right.

Commissioner Melcher: Okay.

President Abell: Any further discussion? Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Discussion of Old Courthouse Repairs &amp; Lighting Upgrades</b>
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President Abell: The next order of business is the discussion of the Old Courthouse corridor repairs and lighting upgrades. Is there someone from the Old Courthouse here, or are you going to do that, Mr. Kiefer?

Commissioner Kiefer: Well, we definitely have our Building Superintendent, Marissa, but, I mean, I can address it. I mean, basically, we had, Mike Shoulders and his firm walk through the building with me, and we looked at the first floor only to, because, obviously to do all three floors and the basement at the same time is cost prohibitive. So, basically, just remove, you know, flaking, falling off paint, which there's a lot of it, and repair and repaint those walls. Repair the marble tile that's falling off the walls, and repair some of the damaged marble flooring, part of the tile flooring. So, there's a scope of work, which, I think, hopefully you guys each got a copy of. So, that's what it is, to do that scope of work. What we're asking to do is put this out to bid, receive some bids on it. I mean, he gave us an estimate of \$125,000 to do all of this work, but, obviously, we may get a better deal. You know, I thought the next step would be let's at least put it out to bid and get some estimates to see if we can get a better deal than this. But, to finish stating this, this shows lighting systems in the rotunda, right now they've just got regular old 100 watt light bulbs screwed in there, kind of exposed like that, kind of ugly. The lightwells patching and painting, stairwells patching and painting, marble wainscot repair and shoring, marble floors slate stair repairs, main floor plaster patching and painting, and just a general clean up. That's mainly anywhere on that first floor, you should be able to look from eye view, you know, looking up the corridors, looking up any of those common areas that lead to the upper levels or lower levels, within your eye view is where they're talking about cleaning it up. So, at least the first floor looks good. Then we can worry about the other floors in future years. That's what it would be, and I've talked to the realtor about this, and they agreed that improvement to that common area should help us with increased rents, because they said that's one of the problems with rent. I mean, it's not a total excuse, because there's other problems like parking and other things, but, I mean, obviously, if you walk in the building it looks very much deteriorated just from the paint work, you know, the paint and the wainscoting and the marble stuff falling off the walls. So, that's what it is. I would like for us to at least allow some bids to be received, you know, to have this submitted out for bids. I don't know if I can do that in the form of a motion.

Joe Harrison, Jr.: Well, the thing is, what they've done is, if I could just add is they've kind of given a general breakdown of what they think it may cost to do the work. Then, I'm talking about Veazey Parrott and Shoulders—

Commissioner Kiefer: Right.

Joe Harrison, Jr.: —and then there's a design and engineering fee for them to take care of the work and bid it out, and that is set forth. It appears that what you may want to do is to hire them, if that's what you want to do, to do the work to design the specs, the engineering work, and then to go forward, assuming you've got sufficient funds, to bid it out to do the work. But to hire them, it looks like the design and engineering fee is \$21,000. Then there could be some additional costs not to exceed \$6,000 for certain things, reimburseable expenses. That would be the first step, and then from there, you know, you would have to, it would be bid out and go from there.

Commissioner Kiefer: So, we're open for—

Joe Harrison, Jr.: That's what's on here today.

Commissioner Kiefer: — discussion, but, I mean, it's something I think would be worthwhile. I mean, the building has considerable deferred maintenance on that first

floor. I mean, on all floors, but I just thought attacking that first floor might be reasonable.

President Abell: Marissa, how are we on money?

Marissa Schenk: There's actually just under \$100,000 in a Contractual Services account in CCD that we can use. I've talked to Joe about it, and we can also split that, the remaining portion up and pay it out of infrastructure. So, we're fine financially—

President Abell: We could pay it.

Marissa Schenk: —assuming that the bids come in close to what's been presented.

Joe Harrison, Jr.: We've got sufficient money to at least hire them, Veazey Parrott and Shoulders?

Marissa Schenk: Yes.

Joe Gries: Also, if I just may add, if the money, if the contracts are signed this year, maybe the work isn't completed this year, we can encumber this year's money into next year with a letter from the Commissioners, from Marissa. So, we can do that as well.

Commissioner Kiefer: Okay, so, if it pleases the Commission, I would move that we hire Veazey Parrott and Shoulders for the design and engineering fee, not to exceed \$21,000. It could be less than that, if we find out the bids are higher, well, obviously they don't have to supervise the work, you know, if we don't do it. But, we could say not to exceed, the design and engineer fee, to get the estimates and the bids at \$21,000.

Commissioner Melcher: I'll second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Kiefer: Thank you.

President Abell: Are you gonna contact—

Commissioner Kiefer: Yeah, I'll contact Mike Shoulders and let him know.

President Abell: Okay.

**Sheriff: Agreement with Gary Wright: IT Services  
Old Courthouse Event Lease Agreement: Kraftwerks  
Health Dept: WIC Peer Counselor Grant Agreement  
Health Dept: 2013 WIC Grant Agreement  
Health Dept: MRC Grant Agreement**

President Abell: The Sheriff has a request for an independent services agreement with William Gary Wright for IT services for a part time IT computer services on behalf of the Sheriff's Department at the rate of \$15 an hour. Mr. Wright will be paid from User Fees collected by the Sheriff's Department in connection with its Community Corrections program.

Commissioner Melcher: Move for approval.

Commissioner Kiefer: Second.

President Abell: I have a motion and a second. Further discussion?

Commissioner Kiefer: I just want to clarify that it's our understanding that this is, obviously coming out of funds from the Community Corrections program, or fees collected by the Sheriff, and that this is not a county employee. It's a contractual, somebody that he contracts with. So, you know, it seems pretty easy to accept.

President Abell: Okay. Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Old Courthouse lease agreement with Kraftwerks, Inc. for use of space within the Old Courthouse by Kraftwerks, Inc. for a craft show on November 10<sup>th</sup> and November 11<sup>th</sup>. Kraftwerks has been conducting a craft show at the Old Courthouse for many years and the event lease is similar to the previous leases with respect to the annual event. I would entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Further discussion? Is there anyone here from Kraftwerks?



Commissioner Kiefer: I have a question. Maybe Marissa can answer this, do you know, do they provide any kind of insurance certificate to us? Do the people that lease these things?

Joe Harrison, Jr.: Yes, they do.

Commissioner Kiefer: Okay, that's what I wanted to make sure. Thank you.

Joe Harrison, Jr.: They will end up signing this document after you all. Or they'll sign a counterpart. They've got a copy, I don't think it's been provided yet to Marissa. Or, has it?

Madelyn Grayson: Yes, they've signed it.

Joe Harrison, Jr.: Oh, okay, good. Thank you.

Commissioner Kiefer: Okay, so, did we already make a motion?

President Abell: We do have a motion and a second on the floor.

Commissioner Kiefer: Okay.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Health Department, I see the Doctor, and also Mr. Heck here. Peer counselor grant agreement between the State of Indiana and the county for funding of up to \$44,066 for the Health Department's WIC program. The grant agreement is to run from 10/1/12 through 9/30/13. Mr. Heck?

Gary Heck: All of that is true. This is a continuation, if you will, or a renewal of an existing grant agreement. I do believe there's additional funds this year than what we've had previously. Unless you have any other questions, I would encourage you to approve it for us.

President Abell: Further discussion, Commissioners?

Commissioner Kiefer: Gary, just for the public, I guess, what is the end result of the use of this money? I mean, what service is the public getting?

Gary Heck: The peer breastfeeding, or the WIC breastfeeding peer counselors are individuals that are independent contractors that work with moms or soon to be moms to encourage breastfeeding. They go through coaching and counseling on the best way for that to happen, the benefits for the mom and for the child, and all of the research that's been done along those lines. That's sort of the benefit, it's an educational program for those folks.

Commissioner Kiefer: What kind of success have you found with this program in the past?

Gary Heck: Well, our rates were low. They've been increasing. That was a nationwide trend. So, there's, it's a great improvement. So, we're seeing more and more.

Commissioner Kiefer: I mean, I know this is grant money, but this is a general theme I constantly have is, you know, this is one reason why we have such debt is, you know, we do these grants. It sounds like a great program, but I've often wondered, you know, isn't this something that mothers have been doing since the beginning of time? You know, people question that, they say, wow, you're spending money to teach something that seems should become natural over the course of the history of people.

Gary Heck: I think from an encouragement standpoint, it also talks about the benefits on building up immunities for both the mom and for the baby. So, there's a lot of bonding, social structure that takes place. I like to look at it as a return of tax money that's already been paid by Indiana folks back to Indiana. So, I guess, we look at it a little bit differently. I'm certainly not opposed to changing the tax laws or whatever, but as long as taxes are being paid, I think Indiana and Vanderburgh County should be sure to get their portion of the money back, if at all possible.

Commissioner Kiefer: Okay, no, further comment.

Gary Heck: Okay.

President Abell: Roll call vote.

Madelyn Grayson: I don't think we have a motion or a second.

President Abell: Oh, we don't have a motion and a second, I'm sorry. I'll entertain a motion.

Commissioner Melcher: I'll make the motion to approve it.

Commissioner Kiefer: I'll second it, just with the caveat that, boy, it sure bothers me that we're spending \$44,000 to have women learn how to breastfeed, but, you know.

Gary Heck: Well, it's certainly more than just learning. It's an encouragement, and it's really in the best interest of the community to have this program go on.

Commissioner Kiefer: Okay.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: I take your point, but I'll vote yes, but if you take \$44,000 and you multiple it by every county in the United States—

Gary Heck: I don't know that they get the same amount, because it's all based on population too, so.

Commissioner Kiefer: Yeah, but, still, I mean, it's a large sum of money and we're sitting on trillions of dollars of deficit.

Gary Heck: I can't disagree with that portion, I guess.

**(Motion approved 3-0)**

President Abell: The next item of business, USDA WIC program grant agreement between the State of Indiana and the county for funding of up to \$803,071 for the Health Department's WIC program for women, infants and children up to age five who meet the requirements. The grant agreement is to run from 10/1/12 through 9/30/13.

Gary Heck: This is an increase over what we have from last year. It will allow us to increase some staffing, because we do have an increased case load. So, this is a very beneficial program as well. It's monies that is used to make sure that infants, children and pregnant women get the nutritions they need as the fetus is developing, if you will. Then, for young kids, especially infants and children, to get the nutrition that they need while they're developing when it will do the most good, so that they can have a good chance of being healthy, strong and to go forward. This program is in every state as well.

Commissioner Kiefer: Gary, I have a question. So, when you say get the nutrition, do we actually provide to them—

Gary Heck: They're provided vouchers that they use at the local area grocery stores. It's for, in some cases it's, for women that aren't able to breastfeed it buys infant formula, but it also is for fresh fruit and vegetables, cheese, cereal, all of the types of grains and the balanced meals that developing families and young kids need. This is a program, it's not an entitlement, but there is an income test to it. It's not the same as an entitlement program, but it is a very important program. Nationally, WIC is the program that also does voter registration as well. So, I should mention that as well. That's one of their requirements is to offer, to make sure that people know that they have an opportunity to vote. In Indiana, and in other states, the voter registration is all handled through the WIC programs. There's reports that go out—

Commissioner Kiefer: So, the Health Department is actively involved in voter registration?

Gary Heck: No, the WIC program is actively involved in voter registration.

Commissioner Kiefer: But, it's run by the Health Department.

Gary Heck: Well, we're the local sponsor.

Commissioner Kiefer: Okay.

Gary Heck: We don't run it, but we manage it here, if you will.

President Abell: Is it similar to the license branch registering people to vote?

Gary Heck: It's very similar, except that WIC just happens to be one of the sites that the State of Indiana chose to run that program, because there's clinics in every county, and in some counties there's multiple clinics. So, it is one of the grant requirements.

Commissioner Kiefer: Gary, I would be interested in this year you tracking and keeping some statistics showing us, or showing me at least, I would like to see what success we're having. Because if we're going to approve these kind of dollars, I want to know that they're making a difference. Because I don't, you know, I don't care where the money comes from, it's taxpayer dollars. I want to see that there's improvements. I would like for you guys to keep some kind of statistic or a pie chart, whatever you want to do, however you want to display it, I want to see what improvements are being made so I can feel good about voting for these kind of dollars.

Gary Heck: Sure. I would be happy to get that for you. All of the stats are tracked for Vanderburgh County to the state and to the feds, and there's a plethora of statistics. I would be happy to get that for you.

Commissioner Kiefer: Okay, well, give me something—

Gary Heck: I'm making a note right now.

Commissioner Kiefer: — give me something that I can easily understand and not, you know, overload it with too much information that's complicated to sift through.

Gary Heck: Okay. I'll try my best to do that.

Commissioner Kiefer: Thanks.

President Abell: I still don't have a motion.

Commissioner Melcher: Yeah, I'll make the motion to approve it.

Commissioner Kiefer: Okay, second.

President Abell: Any further discussion?

Commissioner Kiefer: I think I made my point.

President Abell: I think you will have another opportunity. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: 2013 Medical Reserve Corps bioterrorism hospital planning grant agreement between the State of Indiana and the county for funding in the sum of \$10,000 for preparedness activities relating to the support, development and sustainment of Vanderburgh County Medical Reserve Corps. The grant runs from 9/17/12 through 6/30/12. That's '13. It's '12 written here, but it's a typo.

Commissioner Kiefer: That works.

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

Commissioner Kiefer: Second.

President Abell: Discussion?

Commissioner Kiefer: I think it seems self explanatory, that one. I won't grill them on this one.

President Abell: I have a question about it though. Do you work with Sherman Greer on this?

Gary Heck: We do. Sherman Greer actually requested the Health Department, he requested of Dr. Nick that he start a Medical Reserve Corps unit that could be trained and then deployed in time of need for Vanderburgh County. This is a grant to help make sure that the recruitment and the training of those volunteers can take place.

President Abell: Okay. I have a motion and a second. Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

Commissioner Melcher: Hey, Gary, before you go—

Gary Heck: Yes, sir.

Commissioner Melcher: – I was waiting until we go these three done, all these grants that come, Joe's right, all these grants that come through, and I wouldn't believe WIC was voters registration. I don't know how you could put those two together at all, but—

Gary Heck: It's nothing I did, it's up at the feds.

Commissioner Melcher: I know, so be it, that the federal government, but some of the grants if we could, the way we're getting grants if there's some way we could get grants and try to use our Dental Clinic as where we could get extra money for our Dental Clinic? In other words, I would think that falls under health also.

Gary Heck: I think there's a solution that's being worked out on the Dental Clinic—

Commissioner Melcher: Well, that's today, but it might not be three years from now. I'm just thinking if we could start looking at other grants.

Gary Heck: Well, I can tell you that the Health Department looked at it when we had it, and we weren't able to qualify for any of the oral health grants that a lot of other not-for-profits qualified for, because we were a government unit and received tax support. That's really, we weren't able to even apply for several grant opportunities that are out there. I believe the solution that the County Council and the other community leaders are working on would actually have a not-for-profit take over the operation of the Dental Clinic, and then they could apply for those grants that the Health Department, as a government unit wasn't able to apply for.

Commissioner Melcher: So, we're talking like somebody like ECHO.

Gary Heck: Well, it's somebody. I don't know that I can mention anything, but it would be somebody like ECHO I guess you could say, yes.

Commissioner Melcher: Because we believe in the Dental Clinic.

Gary Heck: As the Health Department does.

Commissioner Melcher: And I just always felt like it should be run, even if the Health Department had to find it in their budget, we need to keep it going. I'm still getting calls from people that say they need it.

Gary Heck: Oh, I understand, and we get calls daily from it. The problem is the Health Fund no longer has money to support it. We've supported it at \$100,000 a year for the last four years out of the Health Fund. That's in addition to the monies that came from the Riverboat. It's just that the Health Fund doesn't have that money in it anymore because of the property tax caps. I wish I could say it was different, but it's not. If we had the money we would have continued operating the Dental Clinic ourselves, but the money is just not there.

Commissioner Melcher: Well, that's not going to go away. So, it looks like the Health Department, in the next few years then is going to have to start to cut other programs, because the same thing is going to happen.

Gary Heck: It's, well, I don't have a crystal ball, but it hasn't gotten better in the last two years. It's gotten tougher and tougher.

Commissioner Melcher: Well, and it's going to continue to get tougher.

Gary Heck: I kind of agree with that, that I think it might. If I was predicting, I would look at it and say the same thing. We're trying to position ourselves, when we look at other revenue streams, to make things like that work.

Commissioner Melcher: Okay, thank you.

Gary Heck: Well, you're welcome, sir.

President Abell: Mr. Heck?

Gary Heck: Yes, Ma'am?

President Abell: Along the lines of the Dental Clinic, since Mr. Melcher has brought it up, we take, we, the county, gives \$130,000 out of our Riverboat Funds toward that, does the city give any money out of their Riverboat Funds?

Gary Heck: There hasn't been any money that I'm aware of that has come directly to the Dental Clinic from the city. I mean, you specifically asked about Riverboat Funds, there's no Riverboat Funds that I'm aware of that has come from the city.

President Abell: Interesting. I wonder, where do you think the largest percentage of the people that go to the Dental Clinic come from? The city or the county?

Gary Heck: Well, I know 85 percent of them come from the county, and I would say the vast majority come from zip codes that we, since we keep track of that, that are within the city.

President Abell: I think we ought to ask the city to contribute. Councilmen? Or Commissioners?

Commissioner Kiefer: Perhaps, Gary, you could, yeah, I'm going along that line, Gary, maybe you could produce a report showing, for us to see, showing where those users are coming from?

Gary Heck: Well, every monthly report we put out had a brief, it had like the top zip code areas, but we would be more than happy to give you the historical numbers. They haven't changed much.

Commissioner Kiefer: That would be good to look at those.

President Abell: I do think the city should be contributing, certainly an equal amount. They get more of the Riverboat Funds than we do, and I think they probably get more of the service out of the Dental Clinic than the county does.

Gary Heck: The Health Department is not, I guess, considered a joint department, per se. When you look at–

President Abell: You have your own budget though. You're not considered part of our budget either. You're not in our General.

Gary Heck: Well, that's true. You certainly would be in a better position to know that than I.

President Abell: Yeah.

Gary Heck: But, I would be more than happy to provide you with the numbers and have whatever discussion, although I don't believe it's going to be in the Health Department's realm much longer, but, I would still be happy to provide that information and numbers to whoever I can.

President Abell: Okay, appreciate that. Thank you.

Gary Heck: You're welcome.

<b>County Engineer</b>
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President Abell: Department head reports. Mr. Stoll, I think you have a report. I got an e-mail from you about that.

John Stoll: I've got two requests this evening. The first is a change order on the Old Princeton Road bridge number 1571 contract. This is for an increase of \$491.98. It's due to some changes in asphalt quantities.

Commissioner Kiefer: I move to approve.

Commissioner Melcher: Second.

President Abell: Discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The next request is for a storm sewer acceptance for the storm sewers located outside of street rights-of-way in section six of Wynnfield Subdivision. This is for 258 feet of storm sewers, and the developer will pay a fee of \$516 upon acceptance of the pipes.



Commissioner Melcher: Move for approval.

Commissioner Kiefer: Second.

President Abell: Further discussion? Is section six the last section? I was out there yesterday, I'm trying to....is it the one near the lake?

Commissioner Melcher: Yes.

John Stoll: Yeah, it's the southeast part of the developed ground.

President Abell: Okay.

John Stoll: But, there's still quite a bit of vacant ground for more lots, and they're working on those plans now.

President Abell: Okay. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: That's all I have.

President Abell: Thank you, Mr. Stoll.

John Stoll: Thanks.

<b>Burdette Park</b>
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President Abell: Any other department heads? Mr. Craig?

Steve Craig: Steve Craig, Manager of Burdette. I was wanting to invite everybody to the Burdette-USI trail ribbon cutting. It's going to be on 10/10 at 10:10. It's going to be at the USI sports complex on Broadway. We're going to have several distinguished speakers, a ribbon cutting, refreshments. I don't know what else you could want on a nice fall morning, but I invite everybody to come out for the ribbon cutting out at the sports complex. I wanted to remind everybody that we have buildings and that available for holiday rentals right now for Thanksgiving and Christmas. We still have some left. Then we have some chalets that are still open, in case you've got relatives coming in from out of town and you might not have room. Or maybe you don't even want them staying with you. They could come to Burdette

and rent a chalet, but just wanted to remind everybody that we're still out there and we still have buildings available.

President Abell: And the chalets are very nice.

Steve Craig: Well, thank you.

President Abell: Very nice. The rain, in the event of rain, the ribbon cutting will be held at the Discovery Lodge?

Steve Craig: Yes, Ma'am, it will be at the Lodge.

President Abell: Okay, I encourage everyone to attend.

Steve Craig: Thank you.

President Abell: Thank you, Mr. Craig.

Steve Craig: You're welcome.

<b>County Attorney</b>
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President Abell: Any other department head reports? Mr. Harrison, do you–

Joe Harrison, Jr.: Where do you want me, or what spot to read the bids?

Commissioner Melcher: Right now.

President Abell: How about right now?

Joe Harrison, Jr.: That's what I was wondering. Okay. We received two bids on the surplus properties. The first bid relates to the property located at 8420 New Harmony Road, and that bid was submitted by Diana and Terry Kulenkamp, K-u-l-e-n-k-a-m-p, for the sum of \$5,750. I would ask that the Commissioners take that bid under advisement so we can look at it with the County Engineer to see if that meets the requirement as listed in the notice to bidders that went out, and covers all the costs of the county.

Commissioner Melcher: I'll make the motion to accept it.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Joe Harrison, Jr.: Then we'll report back at the meeting on October 16<sup>th</sup> on that one. Then we have one more. The other property is at 145 Eickhoff Road. That bid was submitted by Gene Pfeiffer, P-h-e-l, I'm sorry, P-f-e-l-f-e-r. Gene Pfeiffer. The bid amount was \$6,550, and, again that tract is located at 145 Eickhoff Road. Again, it's one of the University Parkway surplus properties. I would ask that you all take that bid under advisement and we can come back on October 16<sup>th</sup> and see if it's in line with the notice to bidders.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Joe Harrison, Jr.: Thank you.

President Abell: Any other department heads have a report?

<b>New Business</b>
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President Abell: Seeing none, I would entertain new business.

Commissioner Kiefer: I don't know if this, what I have to bring up, I don't know if this is old business or new business. Regarding the rental of the Centre, I know there's been some confusion, we've done some situations where we have allowed the Police Department and other bodies to rent it, but then there was recently a situation where I think, you know, we abated the rent, but then they used some audio/video equipment or something like that. They said, wait a second, I thought we were getting charged on this. I was just wondering if we need to clarify in any formal manner, you know, how that's handled? I guess, my current understanding is that we are no longer giving away, I mean, we're honoring what we promised in the past, but to the future we're no longer allowing the Centre to be used at no charge.

President Abell: That's partially correct.

Commissioner Melcher: That's my understanding too. What happens when we rent them to the Police Department free, and others, that's for the basic rental. Anything they ask above that, they should be charged for. They're saying that they haven't been charged in the past, but since we've been saying we're going to start collecting that, now the Centre is starting to add those to them. They knew up front whatever they used, that's my understanding, they knew if they were going to use something they were going to have to pay for it.

Joe Harrison, Jr.: You're just waiving the rental of the room.

Commissioner Melcher: That's all we're doing.

President Abell: Yeah.

Commissioner Kiefer: Well, that's what we have done in the past, but to the future, like any new, we're not taking any new requests that allows even rental abatement, base rental abatement. Am I correct on that?

Commissioner Melcher: We've even talked about not even renting it free, even to the Police Department, starting in 2013.

Commissioner Kiefer: Right, so what I would like to do is, so that way they don't come back and complain later, say, hey wait a second, you know, we just did this and now you're....I think we need to send out some kind of notice to any of the groups that have used it in the past and just say, hey, look, we want to make sure you understand that, you know, from this day forward we're not allowing, you know, unless we've already made an agreement with you for 2012, we're not doing anymore free rent. I mean, would that be prudent? I mean, what do you guys think? I just wanted to open it up for discussion, because I think Marissa just had something recently that came up, and that's why I wanted to address it.

President Abell: We, I guess we could do it. Could we do like a resolution? No? What would we need to do? I mean—

Commissioner Kiefer: This is more of a what, policy?

Joe Harrison, Jr.: Just we're not going to waive rental anymore.

Commissioner Melcher: We've already said that.

President Abell: But, we've said that once, and—

Commissioner Kiefer: Then we need to send out, we probably need to send out a letter. Maybe, Marissa, you could send out a letter to anybody that's ever received free rent from us—

Joe Harrison, Jr.: Or this year.

Commissioner Kiefer: Or this year, at least, saying, hey, just so you know for budgeting purposes for 2013 we're not giving away free—

Joe Harrison, Jr.: Rental space.

Commissioner Kiefer: — rental space.

Marissa Schenk: We can do that. I do know that when we do receive requests from entities that are not government, like EPD, if we receive outside requests, we do send them a standard form letter saying, thanks, but we're not waiving the fees, the Commissioners aren't doing this anymore. So, they do get a response back from us when they do submit something to us, but we can certainly go back and see—

Commissioner Kiefer: Well, at the very least, you know, these other governing agencies, or quasi-governing agencies, whatever they might be that have asked for...I just want to make sure we don't come up with the problem that you just encountered again.

President Abell: Well, I think we were pretty specific that we were going to allow the Police Department to use the Centre for their training purposes, but we even had the caveat on there that if we got the opportunity to rent it, we weren't even going to let them have it—

Commissioner Melcher: That's right.

Commissioner Kiefer: So, are we continuing with the Police Department in 2013?

Commissioner Melcher: Well, we've talked about charging them a rent, but we haven't got to that.

Commissioner Kiefer: A rent at cost, you know.

President Abell: At cost.

Commissioner Melcher: That's exactly what we're talking about.

Commissioner Kiefer: To cover our basic—

President Abell: The utilities and everything, because, basically, what happens, when we waive the fee at the Centre, the taxpayers are paying for it. Somebody's got to pay for it. It doesn't go away. I mean, you turn on the lights, somebody's got to pay that electric bill. So, if we're not renting the building out and we're waiving it, the taxpayers are paying it, because somebody's got to pay for it.

Commissioner Kiefer: Right.

Commissioner Melcher: And, as I've talked to Darren, if they're going to lease something, he has to turn the heat on. The taxpayers are paying the heat for that.

Commissioner Kiefer: I mean, I'm in favor, I just want to make sure that we're all together on this, and that Marissa can be instructed to send out this notification again, just to reiterate so that we don't create hard feelings and they know what's expected.

Commissioner Melcher: No, I think we're all on the same page. So, I think we understand it.

Commissioner Kiefer: Okay. Any questions, Marissa? Because you're the one sending out the notice.

Marissa Schenk: Just to clarify, do you want this to go out to county offices even that have requested use of the Centre for trainings and other things? We're going to charge them starting next year as well?

Joe Gries: To give you an example, the Assessor's office brings training down here so that they don't have to travel, trying to save money that way. They'll have other counties and the trainers come here locally, so they don't have to drive and use gas and stay over night and things of that nature. You know, obviously, something the Commissioners may want to talk about.

President Abell: Come here?

Joe Gries: For training.

President Abell: Yeah, but come here, this building, or the Centre?

Joe Gries: The Centre, sorry.

President Abell: They come to the Centre?

Joe Gries: Yes, they come to Vanderburgh County from other counties.

President Abell: They rent it, is that what they do?

Joe Gries: They've asked for—

Commissioner Kiefer: Rent abatement.

Joe Gries: Yeah.

Commissioner Melcher: I guess, my understanding, and maybe this was just me, my understanding it meant any county office, we would waive it.

President Abell: Yeah.

Commissioner Melcher: Basically, but we can't waive it for other....I think we've had some people, I think the feds or somebody one time wanted to rent something over at the Courthouse, I mean, free, but we said we couldn't do that.

Commissioner Kiefer: But, Steve, then we have these joint, I mean—

Joe Harrison, Jr.: Only county.

Commissioner Kiefer: So, if it's jointly funded, that's excluded, but if it's county funded only, then we would consider them on a case by case basis.

Commissioner Melcher: I think so, or we could decide all of this before the end of the year.

Commissioner Kiefer: Yeah.

Commissioner Melcher: Instead of just talking about it tonight, because I think we've got to start making some money over there. We haven't gotten the hotel yet, which

brings in people to spend the night that pays taxes that uses that Centre. We're actually being penalized right now. We've got a walkway going to nowhere.

Commissioner Kiefer: But, we hamstring, I mean, what happens is, we tell SMG, look we want that thing to be profitable, we crack the whip on them, we want, we want, we want, but then, you know, they're looking at their available dates, well, we committed this to the Police Department, so we know we're going to have to schedule around that, you know, we commit to—

Commissioner Melcher: Yeah, but we got the thing set that anybody we commit that to, they know they're possibly going to get moved.

President Abell: They get bumped.

Commissioner Melcher: They get bumped.

Commissioner Kiefer: Okay.

Commissioner Melcher: So, it's not as difficult as it sounds right now.

Commissioner Kiefer: Yeah, okay, I just wanted the clarification on it.

Commissioner Melcher: Yeah, it's a lot clearer than what I think—

Commissioner Kiefer: Has that cleared it up for you? Clear as mud?

President Abell: Well, you know, the three of us are accessible. You've got all of our cell phone numbers. If you get a call and you don't know how to answer it, you can call one of us and we'll be happy to take the call for you. I just have to echo what Mr. Melcher said, we've got to get that place out of the red.

#### **Old Business**

President Abell: Any old business?

#### **Public Comment**

President Abell: Any public comment?

#### **Introduction of Teen Advisory Council Job Shadows**

President Abell: We've got two students here, would you like to turn on your microphones and tell us who you are and what school you're with?

Melissa Blythe: I am Melissa Blythe, and I'm a senior at Central High School, shadowing for Teen Advisory Council.

Ariel Ramirez: I'm Ariel Ramirez, I'm a senior at Bosse, and I'm also shadowing for Teen Advisory Council.

President Abell: Welcome to our meeting this evening. I see some young people in the audience. Are any of you also shadowing for your....you are? Would you like to

come to the microphone and tell us your name and what school you are with? All of you that are here for that.

Commissioner Melcher: Just go to that microphone up front.

President Abell: Yeah, the microphone right there at the podium will be fine.

Jacob Kerr: I'm Jacob Kerr, I'm junior, and I'm shadowing for TAC. I go to North.

President Abell: Okay.

Wesley Mandel: I'm Wesley Mandel, and I go to Central High School, I'm a senior, and shadowing for TAC, or Teen Advisory Council.

President Abell: Okay. Welcome to all of you this evening. Is there any other public comment?

<b>Consent Items</b>
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President Abell: Madelyn, would you do the consent agenda?

Madelyn Grayson: The consent items for October 2<sup>nd</sup> are as follows; approval of the September 18, 2012 meeting minutes; employment changes for the Commissioners approval, there's two for the County Highway, one for SWCD, and one for DADS; the Auditor has the September 2012 A/P vouchers; the Commissioners have a transfer request, a notice to bidders for 1623 West Florida, sale of county owned property on Smith Diamond Road; the County Treasurer has the August 2012 monthly report; Area Plan Commission has the CRS recertification, annual multi-hazard mitigation plan progress report; Evansville ARC has the August 2012 report of activities and meeting minutes; Weights and Measures has the August 16<sup>th</sup>-September 15, 2012 monthly report; the IBAP Gatekeeper has the August 31, 2012 report; the County Engineer has pay request number 160 for TIF projects in the amount of \$124,918.44 and a department head report. There's no other department head reports submitted.

President Abell: I would entertain a motion to accept.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.



**(Motion approved 3-0)**

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

Commissioner Kiefer: I move to adjourn.

Commissioner Melcher: Second.

President Abell: We are adjourned. There is no Drainage Board meeting this evening.

(The meeting was adjourned at 5:50 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the September 18, 2012 Commission Meeting Minutes.

Transfer Request: From Rent to Self Insurance.

Notice to Bidders: Sale of County Owned Property: 1623 W. Florida.

Quit Claim Deed: County Owned Property: Smith Diamond Road.

Evansville ARC: August 2012 Report of Activities & Meeting Minutes.

IBAP Gatekeeper: August 31, 2012 Report.

**Employment Changes:**

DADS (1)	County Highway (2)	SWCD (1)
Assessor (2)	Sheriff (13)	County Clerk (3)
Recorder (1)	Superior Court (4)	Area Plan (1)
Prosecutor (2)	Circuit Court (1)	

**Auditor:** September 2012 A/P Vouchers.

**Treasurer:** August 2012 Monthly Report.

**Area Plan Commission:**

CRS Recertification.

Annual Multi-Hazard Mitigation Plan Progress Report.

**Weights & Measures:** August 16-September 15, 2012 Monthly Report.

**County Engineer:**

TIF Pay Request No. 160: \$124,918.44.

Department Head Report.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Schenk
Madelyn Grayson	John Stoll	Gary Heck
Steve Craig	Melissa Blythe	Ariel Ramirez
Jacob Kerr	Wesley Mandel	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
OCTOBER 16, 2012**

The Vanderburgh County Board of Commissioners met in session this 16<sup>th</sup> day of October, 2012 at 5:04 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the October 16, 2012 meeting of the Vanderburgh County Commissioners.

**Attendance Roll Call**

President Abell: Roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Would you please join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

President Abell: Thank you.

**Introduction of Teen Advisory Council Job Shadows & Students**

President Abell: I see we have a number of young people in the audience this evening. We have several up here with us. Would you turn on your mic, give us your name and your school up here, and then I would ask the rest of you to come up to the front mic and do the same.

Jacob Kerr: I'm Jacob Kerr. I'm a Junior and I go to North.

Elizabeth Schuler: I'm Liz Schuler, and I go to Memorial.

Melissa Blythe: I'm Melissa Blythe, and I'm a Senior at Central.

Ariel Ramirez: I'm Ariel Ramirez, and I'm a Senior at Bosse.

President Abell: We're well represented. Would you like to come up?

Amanda Schmitt: Is this on? I'm Amanda Schmitt, I'm a Senior at Central.

Mariah Adcock: I'm Mariah Adcock, I'm a Senior at Central.

Megan Huff: I'm Megan Huff and I'm a Senior at Central.

Candy Hagan: I'm Candy Hagan, I'm a Senior at Central.

Wesley Mandel: I'm Wesley Mandel, I'm a Senior at Central.

Jesse Hold: I'm Jesse Hold and I'm a Senior at Central.

Austin Henson: I'm Austin Henson and I'm a Freshman at USI.

President Abell: Even a college student is with us this evening.

Adrian Casanova: He was dying to come. He begged me. I'm Adrian Casanova, I'm a Senior at Central.

President Abell: Anyone else? Are all of you with the Youth group, Youth Resources? All of you are?

Amanda Schmitt: Only them.

President Abell: Oh, just these? What are you, are you all just here because you love us and want to hear us?

Unidentified: Yes.

Commissioner Melcher: You know that's right.

President Abell: And you don't care that you're not going to get credit, you're just really thrilled to be here this evening actually. Okay. We'll take that. I would entertain a motion to approve the minutes of the September 18<sup>th</sup> meeting.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Breast-feeding Peer Counselor Presentation**

President Abell: I guess, under action items the first business is the breast-feeding peer counselor presentation. Joyce Hatler<sup>1</sup> is here, and we Commissioners have a handout from Ms. Hatler.

Commissioner Kiefer: I would just like to briefly comment. This came about because of my questioning of how we spend grant money. While I still think it's worthwhile to question department heads on grants, Ms. Hatler was very quick to point out to me some of the benefits to the program and asked if she could come and speak. I thought that would be worthwhile. Janice, thank you for coming tonight.

Janice Hatler: Oh, you're welcome. Good evening. As Joe said, my name is Janice Hatler. I'm an RN and lactation consultant at the Women's Hospital. Thank you for this opportunity to talk to you about the importance of your continued support for the WIC's breast-feeding program. After reading the article in the Evansville Courier and Press a couple of weeks ago, I met with Joe concerning his remarks. No one is more grateful than I am for his desire to be fiscally responsible for how federal dollars are spent, particularly with today's large financial deficits. However, I realized when he posed the question to Mr. Heck concerning why federal dollars should support an infant feeding practice that "mothers have been doing since the beginning of time", Mr. Kiefer simply wasn't aware of the statistical data supporting the importance of breast-feeding, nor the relevance of the WIC breast-feeding program in our community. After our discussion, Mr. Kiefer requested that I present this same information to you, and I promise to keep it short. The Surgeon General, in 2010, culminated decades of research and put it into this book that I have given you. Research on human milk has been conducted for over a century, and the results reveal time and time again that human milk has unique components and properties, has many short and long term health benefits, provides protection against acute and chronic health conditions, and offers economic savings to both families and our nation. So, the Surgeon General put together this book. It is a hundred page evidence-based document that provides great detail about not only why more women should choose to breast-feed their babies, but how families, communities, businesses and health care providers can promote, encourage and support breast-feeding families. There are three studies I wish to briefly highlight that demonstrate these cost savings when infants are fed human milk. The citations are provided for you to do your own further reading. The first one is done by Ball and Wright in 1999. They looked at three common infant illnesses and the frequency that they occurred in formula fed infants, 1,000 formula fed infants, and 1,000 infants exclusively breast-fed for three months. The three diseases they looked at were gastrointestinal infections, like diarrhea and vomiting, otitis media, which is ear infections, and respiratory tract infections. Their findings show that formula feeding is associated with excess illnesses and health care costs. So, he computed the data and it showed that there are 2,000 excess extra office visits, 212 excess hospitalizations, 609 excess prescriptions, and the direct medical cost per infant was \$331 to \$475 per infant. The second study was done by Weimer in 2001. This study was conducted by the USDA, which supports the WIC program. Mr. Weimer looked at two factors, the direct and indirect cost of treating three common infant illnesses; ear infection, gastroenteritis, and Necrotizing Enterocolitis. Necrotizing Enterocolitis can be a lethal disease primarily found in the premature infant. It's usually developed

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<sup>1</sup>The correct name is Janice Hatler.

within the first two weeks of life, and sometimes it can occur within the first month, but, typically, it's in the first two weeks. It, actually what happens is the gut actually dies. It is a very expensive disease to treat, costing anywhere from \$150,000 to \$200,000 per infant. Okay? So, his, what he looked at were the direct costs, the costs of purchasing formula, the fees for physicians clinics, hospitalizations, laboratories and procedures. The indirect cost was the lost wages of the families. In his estimation, healthy people, the goals by Healthy People are set by the CDC. So, they set those for breast-feeding rates as for many other health initiatives. So, if the breast-feeding rates were increased to meet the goals of Healthy People 2010, increase initiation rates, that is when a mom initiates breast-feeding after birth, within the hospital, to 75%, and increasing the exclusive breast-feeding, exclusive means there's no juice, there's no formula, there's no water, cereal until the infant is six months old, which is recommended by the American Academy of Pediatrics. If that is increased to at least 50%, we would save \$3.6 billion a year. \$3.1 billion of that is by preventing the premature deaths of the premature infant, and a half a billion by reducing direct and indirect costs. The third study was recently done in 2010. Mr. Bartick expanded the previous study I just explained by Weimer and he used similar computation methods, but he looked at ten infant illnesses. I'm not going to go over those, but three of those are the same as in the other studies. This has been the most comprehensive study to date. So, what he did is he computed the direct and indirect cost for each disease, as well as the premature death for certain diseases, primarily Necrotizing Enterocolitis. In his findings, if 90% of all pregnant women would breast-feed for six months exclusively, our country could save \$13 billion a year and prevent an excess of 900 deaths. If 80% chose to breast-feed, we could save \$10.5 billion. If women would just reach the Healthy People 2010 guidelines and 75 or 50% would breast-feed for six months, we could save two point ten million dollars.<sup>2</sup> As you can see, duration rates are very important in the health of the newborn, particularly when it's exclusive breast-feeding. So, let's look at some current data about how we're doing as a nation and state. As you can see these are initiation rates, again, when a woman initiates that within the hospital. So, really, Indiana is doing quite well compared to the state, or the country as a whole. Our 2020 goals are 70% initiation. Then these are the duration rates. You can see Indiana does pretty well compared to the national average. Our 2020 goals are listed for you there. We don't have too far to go in some parts of that. So, who breast-feeds? This chart shows you breast-feeding according to ethnicity and education level. Exclusive rates are lowest among our African American women, women who participate in WIC, and that's predominantly because formula is easily accessible to them, women who are unmarried, and women who live in the southern regions of the country. While the highest rates are among women who are educated above high school, they're older, and they have a higher income level, but all rates, across the board, regardless of ethnicity and socioeconomic levels, drop around three to four months. The most common reason for this is because women are returning to work from maternity leave, and, number two, there's such a huge lack of support in the communities. So, who influences women to breast-feed? This chart shows you the influences that a woman receives prior to pregnancy and at pregnancy. What you can see is that the obstetric staff has a very short time with these moms, okay? OB doctors have a pretty, of course, they have influence over them for the eight or nine months that they're with them, if they're getting prenatal care. But, the hugest influence, maybe not so much while they're pregnant, but certainly after they go home with that baby, and as the baby ages, and then, of course, pediatric staff has influence and commercial marketing does as well. So, Indiana WIC, as you know WIC provides

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<sup>2</sup>Handout statistic stated \$2.2 billion.

nutritional services to the vulnerable and at risk in our society. The food packages and breast-feeding support ensure that our mothers and babies can stay healthy. We are fortunate to have a well trained staff in Vanderburgh County. Our breast-feeding coordinator is an RN and a certified lactation consultant. Two of the three peer counselors are certified lactation consultants and IBCLC's which is the highest level you can obtain in the lactation world. One counselor is bilingual in Spanish, so she's able to offer breast-feeding services to the Hispanic population. Two basic requirements of all counselors is that she had breast-fed at least one child, and that she had been on WIC some time during her life. This allows the counselor to be truly empathetic in understanding the population which she is serving. The role of the peer counselors is vital in our community. They support these mothers and babies, and these women probably need more support than other women, just because of their socioeconomic status. Both of Evansville's maternity hospitals collaborate with WIC, the breast-feeding counselors, to communicate to them about those WIC clients who initiate breast-feeding after birth, and any needs or concerns prior to being discharged at home. If needed, the counselors will come to the hospital and see their clients. For the client, or for the infant that's admitted to the NICU, WIC provides them with a hospital grade pump once they're discharged, so they can continue to provide their own milk for these very ill infants. As you saw in the Weimer and Bartick studies, treating Necrotizing Enterocolitis is extremely expensive. So, encouraging and supporting these mothers with these fragile babies is critical in terms of morbidity and mortality. Just to let you know, in case you didn't, Indiana has two breast-feeding laws. One protects them, they can breast-feed in public wherever they are allowed to be, and the last, the other one and the federal law are work site laws that protect them in the workplace. Indiana has the better law, so it supercedes the federal law. What that is, is that 25, a business that has 25 or more employees must provide a woman the time, which is unpaid, and a place to pump her milk outside of a bathroom. Not too many of us eat in a bathroom, and that's where a lot of women are told to go to breast-feed their child or to pump. Finally, just so that you all know, that in 2009-2011 the lactation, the Women's Hospital, in conjunction with the Welborn Putting Communities Prevention to Work Grant from the CDC, and Mayor Weinzapfel, I can't even say his name right, and Dave Rector helped us put lactation spaces in city buildings. Dave donated all of the materials, he was really fabulous about that, but, so we have lactation spaces at the Centre, and they are provided upon request. You have two in the Civic Center, one on the third floor and one on the first floor. The nursing nook at Mesker Park Zoo is being nationally recognized. They have come and filmed our zoo's lactation space and interviewed Amos and some of his employees, and they're going to be put on a national data base for work sites. That's a really big kudos for our zoo. Then, finally, the Ford Center has a lactation space in the first aid center. I just hope that the information I have provided you today helps you to understand why breast-feeding is important and the vital role that our peer counselors at the WIC office provide to our community. Thank you for your time.

Commissioner Kiefer: Janice, thank you so much. I really appreciate you coming tonight.

Janice Hatler: Did I stay within ten minutes?

Commissioner Kiefer: You were great.

Janice Hatler: Okay.

Commissioner Kiefer: You covered a lot of information, and found it very valuable. I really appreciate you taking time to come down to the Civic Center, because I know you have a busy life as well, but I know you are committed to this and it's very much appreciated. Thank you.

Janice Hatler: Thank you.

President Abell: Thank you so much.

Janice Hatler: Thank you.

President Abell: I don't know if anyone wants to speak with her, but are you going to stay around for a little while? Maybe someone would have some questions later or something. Thank you.

**Public Hearing & Final Reading of Vacation Ordinance CO.V-10-12-001:  
Vacation of Lake Maintenance & Storm Detention Easement:  
5504 Foundation Drive**

President Abell: We have the public hearing and the second and final reading of vacation ordinance CO.V-10-12-001, vacation of lake maintenance and storm detention easement at 5504 Foundation Drive. I think Krista Lockyear is here to present.

Krista Lockyear: Thank you, Madam President, members of Commission. Krista Lockyear on behalf of the current owner of the property, AGNL Bottles, LLC. Just a bit of background for you, and I'll be brief. The property at lot 12 in the Vanderburgh Industrial Park, well the entire park actually was platted in 2008, obviously before any properties were built. When my client who are actually Woodward Commercial Realty, Steve Kahre and Evan Beck, came in to build the Graham Packaging property, it was determined that it would be located where this lake maintenance and detention easement was platted. Throughout the design review/site review process, everybody saw the drawings that said that this easement was to be vacated. Somehow the construction commenced, everybody was real excited to bring Graham Packaging in at the time, and the formal vacation of this easement never was completed. When my clients went to sell to the current owners this summer, the survey disclosed that this easement still exists, actually underneath the majority of the Graham Packaging building. So, we're asking that you approve the formality to vacate this easement. The actual drainage and detention pond is located to the north on this lot, and we do have a new easement, the clients that own the lot now are located in New York. They have signed that easement. I've provided a draft to Mr. Harrison to review and we will record that as soon as I get the original in place. I would be happy to answer any questions, but that's kind of, in a nutshell, what we're asking, why we're asking to vacate this easement.

President Abell: Any questions?

Commissioner Melcher: No questions.

Commissioner Kiefer: It makes sense to me. I don't have any questions.

President Abell: To get it on the floor, I will entertain a motion to approve.



Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Are there any remonstrators? It appears not.

Commissioner Melcher: I move for a do pass.

Joe Harrison, Jr.: This will be the final reading.

President Abell: This is final reading.

Commissioner Melcher: This is the public hearing too.

Joe Harrison, Jr.: Yes, the public hearing.

Commissioner Kiefer: Okay.

President Abell: I have a motion and a second. Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Krista Lockyear: Thank you.

President Abell: Thank you, Ms. Lockyear.

<p><b>First Reading of Vacation Ordinance CO.V-10-12-002: Vacation of 15' Drainage Easement at 2441 Wheaton Drive</b></p>
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President Abell: This is the first reading of vacation ordinance CO.V-10-12-002, vacation of 15 foot drainage easement at 2441 Wheaton Drive, which I think is Windemere Farms, I believe is where this is. This is first reading.

Joe Harrison, Jr.: This is essentially like the other one where it's a first reading of the ordinance. A request has been made to set a public hearing for November 13<sup>th</sup>, which would be the next Commissioner meeting.

President Abell: Our next full meeting, yes.

Joe Harrison, Jr.: Then the final reading of the ordinance and petition will be heard at that time.

President Abell: I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Any further discussion?

Madelyn Grayson: Does that include also allowing us to advertise the public hearing, that motion?

Joe Harrison, Jr.: Yes. Is that right?

Commissioner Kiefer: Yes, that includes that.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Treasurer: Official Payment Services Agreement  
Recorder: Fidlar Life Cycle Recording Agreement Extension  
Assessor: CEI Appraisal Group Property Appraisal Agreement  
Arbors at Eastland HUD Land Use Restriction Amendment  
Old Courthouse Lease Agreement: Steven Land  
Bohannon Estates Sewer Project OCRA Grant Agreement  
Sheriff: IDOC Grant Amendment  
Sheriff: KRONOS Timekeeping Agreement  
Health Dept: American Red Cross CPR/AED Agreement  
Health Dept: Emerson Network Power Agreements (2)**

President Abell: Contracts, agreements and leases, the County Treasurer, the Official Payment Services agreement. Mr. Davis is here.

Rick Davis: Good evening. Rick Davis, Vanderburgh County Treasurer. Sometime a few weeks ago I received notice that there were some industry standards that were going to change with point-of-sale transactions with debit cards, that there would be a minimum fee imposed. It's industry standard, it's not affecting just us, it's across the nation. When I found that out, I thought it was time to renegotiate our current

service agreement with our provider to see if I could lessen the fees that people are paying when they're paying by credit or debit card, either online, by telephone, or over the counter. So, I'm going to give you a brief run down. The first slide I'm showing you is a pie chart with a number of transactions in 2011. The fiscal year is actually from July 1 to June 30<sup>th</sup>. It's not December, January 1 through December 31<sup>st</sup>. As you'll see, on 2011, the DISC is Discover card, only 7% of folks were using Discover card. When I came into office in 2009 that was the only card the Treasurer's office was taking over the counter. You can imagine the number of people who came in and wanted to pay with a Visa or MasterCard or American Express and were told we only accept Discover. That was one of the first things I did when I got in office was to accept all major credit and debit cards over the counter. The average payment overall in 2011 was \$424 for personal property. Personal property includes mobile homes and business equipment that reside inside businesses. In 2012 it was \$459. We also have a feature, electronic checking, which was three dollars, and that average amount was \$732 in '11 and \$1,283 in '12. The next slide, we'll go by real estate, which is for most people at home, your house, if your paying your house. Again, look at Discover in 2011 and 2012, six and four percent. I think opening it up to all major credit cards has had a big impact on how people are paying and for convenience. Whoops, I slipped, there we go. Thank you. The average overall payment in 2011 was \$1,034, and in 2012 it was \$980. American Express is the big winner, it has the highest amount of people who are paying with American Express at \$1,300 and \$1,500 from one year to the next. E-check remains popular as well, \$1,700 is about the average for 2011 and 2012. Now we'll get to this slide. This shows that people are really using their debit and credit cards and electronic checking, either paying online or over the counter. From 2010 to 2012 we've seen a 63% increase in the number of transactions. I think that is huge. It went from \$1,711 to \$2,789. The average payment in 2010 was \$702 and in 2011 \$1,002, and in '12, \$956. Now, what everybody really wants to know, how is this going to affect me? Previously, our Visa debit, American Express, Visa credit cards, MasterCard debit and credit cards, Discover debit and credit, were all at 2.75%. Under the new agreement, the Visa debit will go to \$3.95, a flat fee, regardless of how much you're paying, which is a very big cost savings for people if they're at a thousand dollars average, which is what we saw in the previous slide. American Express, Visa credit, MasterCard debit and credit, Discover card debit and credit all go down to 2.6%. That's a 5.5% savings for people who pay online. The minimum convenience fee is \$3.95. To give you an idea, it takes only \$110<sup>3</sup> to reach that amount. So, people were already hitting that \$3.95 fee, and more when they were paying online. Going back to what I was saying earlier, the rate decrease is 5.5% for people who are paying the 2.75 going to 2.6, and the electronic check goes down to \$1.05 difference. To give you an analysis, basically, for people at home. If you're paying online \$1,000, which was about our average with a Visa debit card, you would have a \$27.50 fee. Under the new agreement, hopefully you'll sign here shortly, that will be a \$3.95 flat fee. That's a savings of \$23.55. If you're paying with a MasterCard credit card, your fee would be \$27.50 at 2.75, and that's, you know, only \$1.50 savings at \$26, but it's still a savings and it's money who people that live here can keep that money in Vanderburgh County rather than going to a credit card provider not from here. That's really all I've got for the presentation. I appreciate you listening to my presentation tonight.

President Abell: Commissioners, do you have anything? Go ahead.

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<sup>3</sup>Per County Treasurer, correct minimum amount would be \$151.

Commissioner Kiefer: Rick?

Rick Davis: Yes?

Commissioner Kiefer: Question, is there any potential that we could, that the county could get, because it looks like the credit card companies are making a lot of money, even with the new plan. Is there any potential that we could get a rebate back from the credit card company for allowing their credit card to be used?

Rick Davis: I doubt it. Keep in mind, this system works a little differently than businesses. If you go to Target and you get \$100 of clothes and you use your card, well, you don't pay that fee as a consumer, Target pays that fee. We can't do that in government, because I can't tell the, for instance, the Levee Authority, oh, by the way everybody paid their property taxes online and used a debit card, and you're going to have to do without by 2.6%. We can't do that. So, this is a user fee, a convenience fee that goes directly to the credit card provider. I am still trying, and I tried to get them down to 2.5%. They said that they can't do it right now, but they're leaning for it in the near future. So, I do see us going down, but they are providing a service to the county. We did not pay for the internet site or the technology that went into allowing people to pay this online.

Commissioner Kiefer: Okay, thank you.

Rick Davis: Yes.

President Abell: I don't know if you have any data on this, but have you noticed an increase in people paying their property taxes now that we have this capability?

Rick Davis: Really, I can gage that by the property tax sale. Every fall the people who are delinquent from the previous spring, we have a property tax sale. Generally it starts out around 1,200 people who on July 1<sup>st</sup> meet the criteria to go to property tax sale, and by the time the sale actually occurs, by notifying people and making phone calls, it's the same people at the front counter every year. It gets down to about 500-530 properties every year. So, I haven't noticed that big of a difference between the amount of people who are paying property taxes. I mean, when I was at Card Management a long time ago, and they said around four percent of people were just, they were going to skip out on their bill in the credit card industry. We have a different type of leverage, we can auction off the lien on their property for not paying their property taxes. Discover card and Visa card can't do that. So, really, it comes down to about 500 to 530 people, or properties I should say, per year that end up going to tax sale. That's about average every year.

President Abell: Okay. Good work.

Rick Davis: Thank you. I appreciate that.

President Abell: Thank you.

Rick Davis: As soon as this is signed, I see this going into place as soon as possible. They have to do some programming on the other end of the line, but, at least this is our current provider. We're not going to a new one where we would have to jump through a lot of hoops to get things done.

President Abell: Do we have it here to sign?

Rick Davis: I would like to take that time to tell everyone that property taxes are due November 13<sup>th</sup> this year. November 10<sup>th</sup> falls on a Saturday, and lucky for everyone at home, Monday is a bank holiday. The State allows us to take, if there's a bank holiday on the due date, it's the following day so that people can pay at the bank. So, November 13<sup>th</sup> is when property taxes are due this year.

Commissioner Melcher: So, that was the good news?

Rick Davis: That's great news. That's three extra days for those procrastinators at home. We'll be out there till midnight collecting property taxes at the drop box too. So, we've given you every reason to pay on time by November 13<sup>th</sup>.

President Abell: We'll be in here having a meeting on November 13<sup>th</sup>.

Rick Davis: Oh, absolutely.

President Abell: Thank you.

Rick Davis: Thank you, Rick.

President Abell: There's no action needed on this except to sign the agreement, which I assume you have.

Joe Harrison, Jr.: Well, it's in the consents, but if you want to make a motion to approve it now you can.

President Abell: Well, we can. Go ahead, I'll entertain a motion.

Commissioner Kiefer: Motion to approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you, Mr. Davis.

Rick Davis: Thank you.

President Abell: The next one actually is the Recorder. I didn't, oh, here she is. I didn't see you walk in, Ms. Tuley, I'm sorry. This is for the Fidler life cycle recording

agreement. This is an extension of the existing Fidlar Technology software license agreement for another five years. The cost is \$117,265 each year from 2013-2017 to be paid out of the Recorder's Perpetual Fund. I wrote Ms. Tuley an e-mail and asked her if she was happy with them, and she indicated that they do a good job.

Z. Tuley: They're wonderful. They're not just in the State of Indiana, they're nationwide. I don't know how far west they go exactly, but it's almost nationwide, I guess, I should say. Very happy. Other Recorder's that have other companies, in the State of Indiana, when I talk to them at conference they're not near as happy about their providers as I am.

President Abell: Commissioners, any questions? I'll entertain a motion.

Commissioner Kiefer: So moved, and it's nice to be happy.

Z. Tuley: Yes.

Commissioner Melcher: If you're happy, then I'll second it.

Z. Tuley: Thank you.

President Abell: Any further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Z. Tuley: Thank you.

President Abell: The County Assessor has a contract with CEI Appraisal Group, Incorporated to assist the County Assessor in establishing a value for two commercial properties in Vanderburgh County. The contract price will be no more than \$4,100 for each property, and the funds to be paid for the services will come from the County Assessor Reassessment Fund. The Commissioners approved a similar contract with CEI Appraisal Group for two other commercial property appraisals at the August 14, 2012 meeting. I don't think the County Assessor is here.

Joe Harrison, Jr.: No, I don't believe he is here, but I've reviewed it—

President Abell: You've looked at it?

Joe Harrison, Jr.: — and it seems to be in order. Did you speak with him?

Joe Gries: I spoke with him early today—

Joe Harrison, Jr.: Okay.

Joe Gries: – and he wanted me to mention that this is something that has been done in the past and they do have the funds available in the Reassessment Fund in a line item.

Commissioner Kiefer: I have a comment, please.

President Abell: Go ahead.

Commissioner Kiefer: This price on here, did he get a couple prices on, because I get commercial appraisals done all the time. It may be that this is just a big piece of property or big project, but–

Joe Harrison, Jr.: Well, it is.

Commissioner Kiefer: – oh, okay, because I thought \$4,100 might have been–

Joe Harrison, Jr.: And the deal, apparently, if, it's the same company, it's a CBS, and we'll get a 50% discount on the second one if the comparables and, which most of the CBS buildings are similar, but if they can use it for the other building, the contract says it will be a 50% discount on the second one.

Commissioner Kiefer: Okay.

Joe Harrison, Jr.: The price is not to exceed \$4,100 per appraisal. So, it could be \$4,100 and \$2,100 or \$2,050.

Joe Gries: I didn't have a whole lot of information about the process they went through.

Commissioner Kiefer: Yeah, well, I was just curious if he had gotten multiple bids on it and other things, because, I know, I mean, I'm not saying that's out of line–

Joe Gries: Right.

Commissioner Kiefer: – because it depends upon the project, but, I just thought it seemed pricey at a glance.

President Abell: I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: The Arbors at Eastland HUD amendment to land use restriction agreement. This is the Arbors at Eastland is seeking to refinance their HUD loan, as a condition of the refinancing the land use restriction agreement must be subordinated to the new mortgage. The previous county economic development bond issuance has been paid off, but the land use restriction agreement is in effect until 2018. The HUD amendment transaction has no monetary effect on the county. I'll take a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Now discussion?

Commissioner Melcher: Maybe, Joe, you ought to explain a little of this.

Joe Harrison, Jr.: Yeah, what it was, was there are some restrictions apparently in the land use agreement to, I think, have certain low income housing, I think, apartments. So, that condition is there until 2018, and will remain there, but the bonds, the economic development bonds, which had no monetary effect on the county were paid off several years ago. When they refinanced, first they refunded the bonds, then they refinanced through HUD. So, this is something that HUD's requiring, and HUD will keep an eye on them. Essentially what it is, is that the land use restriction is subordinate to the HUD loan, but that will remain in effect, it's recorded, this will be recorded, and the land use conditions will remain in effect at least through 2018.

President Abell: 2018?

Joe Harrison, Jr.: They need this to complete their refinancing. I think it's tomorrow. That's my understanding, that someone is going to pick it up and take it wherever they've got to go. So, I've looked at it, I've discussed it with their bond counsel, and there's no issue with the county doing this whatsoever. It's just something to facilitate their refinancing.

Commissioner Kiefer: So, they're refinancing, do we get reimbursed for any of our expenses related to doing this?

Joe Harrison, Jr.: No.

President Abell: We don't have any expenses?

Joe Harrison, Jr.: No, I mean, it would just be—

Commissioner Kiefer: Well, no, I just mean—

Joe Harrison, Jr.: — but, no, we're not out any costs or any hard costs, but, no.



Commissioner Kiefer: Okay.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Old Courthouse lease agreement with Steven Land. A one year lease agreement for Suite 113 for \$325 per month. Motion to approve?

Commissioner Kiefer: Well, I would like to make a comment. This is a small space, and he's wanting, they're going to lease it for a one year lease, but, you know, I would hope that in the future, you know, it seems like we ought to have a minimum amount of \$500 to cover all of our expenses, you know, utility costs. I mean, that's a great deal really still for somebody—

President Abell: Oh, yeah.

Commissioner Kiefer: — I mean, most people have \$300 utility bills every month. But, I'm not saying that is particularly a bad deal for the county, because we have utility costs anyway, but, you know, I would like to think in the future that we have some kind of minimum of \$500. You know, I mean, we're talking, this is dirt cheap stuff here. So, anyway, but I'll make the motion to approve. I just want to be aware that in the future we ought to really look closely at what we're leasing this for.

Commissioner Melcher: I'll second.

President Abell: Further discussion? Well, one thing we might note is we have a vacancy on the Old Courthouse Board that we need to make an appointment to, and maybe we need to talk to the board about doing some kind of a survey and seeing what they think we should be charging for the Old Courthouse. Since we have a professional commercial realtor here on staff—

Commissioner Kiefer: That's true. Well, that's why I bring this up, because, you know, I can tell you, I mean, you know, what Gene Hahn has, you know, the properties he owns, like Washington Square Mall and other properties, you know, are older space things like that. I mean, he just says it's not even worth doing something for less than \$500 just for administrative purposes, Joe's time and other time that's involved.

President Abell: Yeah.

Commissioner Kiefer: You know, you almost have to have at least \$500 just to cover the administrative aspects of it.

President Abell: Yeah.

Commissioner Melcher: Well, I think we also talked about, as people renewing their leases over there, from a prior meeting that we're going to start raising those rents over there.

Commissioner Kiefer: Yeah, and this is just a one year lease. So, you know, I think we're okay with this tonight, but I just wanted to point it out, to the future, we ought to really be a little bit more aware that we're getting below market value probably.

President Abell: Okay. Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Bohannon Estates sewer project Community Development Block Grant. The grant agreement amount for the project is \$497,000. The grant agreement requires that the project be bid out by 3/13/13 and completed by 3/13/14. Good evening.

Debbie Bennett-Stearsman: Good evening. If I could have a minute of your time.

President Abell: Certainly.

Debbie Bennett-Stearsman: First of all I wanted to congratulate you very much on getting the grant. I've kind of made just a cover sheet that I'll review very quickly for you to see.

President Abell: I think we should thank you for your hard work on this.

Debbie Bennett-Stearsman: As you said, the grant is coming from, it's a federal grant, and it's coming from the Indiana Office of Community and Rural Affairs. The total amount of the grant is \$497,000. The grant will be matched by \$70,000 from the Evansville Water and Sewer Utility, and it makes the total project \$567,000. If you'll notice, for future use, the reference number for the grant is CF-12-111, and you did review the important deadlines for the grant. The environmental release is by November 30, 2012, and we have already completed this, so, you've met that deadline. The project must be bid out by March 31, 2013, release of the grant funds must be by May 31, 2013, and the grant contract completion date is March 31, 2014. If you do not meet any of these deadlines, they will deobligate the grant funds. In

your package you have the grant contract. There's also two other documents, and one of the documents is an authorized signature for payment request, this should be executed by the chief elected official of the county, which is the Commission President, and the chief fiscal officer of the county, which would be the Auditor. These are the only persons that are allowed to draw any funds down on this grant and to sign off on any reports from the grant. Should the positions change, we'll have to send in a new grant agreement cards for the changes. Quickly, the budget page, there's a budget page in the grant agreement, and I wanted to review for you what those would pay for. Out of the grant funds there is \$458,000 that will go towards the entire project construction, and there's also \$39,000 for grant administration fees. There's local funds in the amount of \$67,000, which \$62,000 is to pay for the engineering contract, and there is \$5,000 extra for any legal surveying or recording fees. There's also \$3,000 in local funding to pay for the environmental review, which we have already completed, but we haven't been paid. The contract for these services, the engineering services and for our portion for the environmental review will be with the Evansville Water and Sewer Utility, because they will be paying those payments, the local match payments. Contracts for both of these are going to be submitted to that agency later this week, and copies of the executed agreements will be available to the county. This type of grant is a draw down grant, so there won't have to be any funds given up front and then reimbursed. So, as payments, pay requests are made and approved by the county, we will draw the money for you and then you'll pay that money out. Our office will be doing all of the grant administration and processing of the claims for the county. The draws will be made at the Auditor's office, received electronically, and then must be dispersed within five days of the receipt. We are going to schedule a meeting with the Auditor's office to review the entire draw process and how it will work in the future. We don't anticipate making any draws, I don't think this year yet. So, we will be getting with you and going through that. The project is a Davis-Bacon prevailing wage project. It will require bid, performance and payment bonds, as well as liability insurance certifications and the project will carry a one year warranty after completion. Our office has been coordinating all the efforts with John Stoll, Mike Labitzke of the Evansville Water and Sewer and Easley Engineering. Note that there will also be mandatory pre-bid conferences and pre-construction conferences. We did meet about two weeks ago and we've come up with this proposed timetable since the project is already designed and permitted and ready to go, we would like to submit to you by November 13<sup>th</sup> the notice to bidders and have it approved at that meeting. Advertise it on November 16<sup>th</sup> and the 23<sup>rd</sup>, conduct a pre-construction, sorry, that should be pre-bid conference on November 27<sup>th</sup> at 9:00 a.m., receive bids on December 4<sup>th</sup> at the Commission meeting. Then we have to submit several documents to OCRA and get a release of funds by December 10<sup>th</sup>, and award the bids December 18<sup>th</sup>. We anticipate starting construction around the first of January, and that's going to be dependent upon weather. It's going to be around, I think he said a four to five month construction process. So, as you can see, we're going to beat the deadlines that are in the grant agreement, because we're really ready to go with the project. Our office is sending a letter out tomorrow to the residents. We've been meeting with them on a monthly basis and we'll be advising them of the time schedule, and then giving them our contact information if they have questions and who the other contractor, etcetera will be once they have been procured. We will be submitting a grant administration contract to you in the near future, but I haven't done it yet because no contract is to be signed, that's paid from grant funding, until after that release of funds date, until after we've taken the bids. So, we'll do that at a later time. I think that pretty much covers it quickly for you. We will be reporting back to you, and if you have any questions you know who I am, and I will be the primary contact for the grant. In our office we have two other staff members that will

be working with the Auditor's office. Just wanted to run it by you and tell you congratulations. It was, I'm telling you you did very well in the scoring and it was something for you to get it, because we had a lot of hurdles to overcome. Thanks to all of the people that, Steve came to the site visit, that helped quite a bit, and John, hey, they want to see a presence there. John has worked a lot with us to help us get this through.

President Abell: Well, I think the residents of this area are, to say they are happy is an understatement.

Debbie Bennett-Stearsman: Right, that's right.

President Abell: They've needed this for a long time.

Debbie Bennett-Stearsman: That's right.

President Abell: We just want to tell you how much we appreciate all of your hard work on this.

Debbie Bennett-Stearsman: Well, we hope that if there's other projects like this, that we could get grant funding for that too. We're always there.

President Abell: Oh, I'm sure we could find some.

Debbie Bennett-Stearsman: I know.

President Abell: I need a motion to approve.

Commissioner Kiefer: So moved.

President Abell: I guess, don't I? I saw the County Attorney frown at me. Maybe he didn't like that comment.

Commissioner Kiefer: Well, it doesn't hurt to approve it.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I'm glad to be able to say yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you so much, Debbie.

Debbie Bennett-Stearsman: Thank you, Commissioners.

President Abell: These are the kind of grants we like. We have another one here. The Sheriff has a DOC grant amendment. Under this amendment the Sheriff's Department will house up to 12, up to 20 Indiana Department of Correction offenders per day in the Community Corrections work release facility at the rate of \$25 per day, for a total sum of \$120,000 for the remainder of the current IDOC grant agreement, which previously was approved by this Board. The current IDOC grant agreement runs until June 30, 2013. I see the Sheriff is here.

Eric Williams: Good evening, Sheriff Williams. Again, the grant is an amendment to the current Department of Corrections grant that runs the Community Corrections Complex. Really there's nothing overly magic about it, we already have those inmates more often than not, but the way they fund them, if we put them under this granting agreement we get paid for them. So, those funds will go towards the User Fees which will allow us to hopefully rehire some of the staff that we've lost because of the decline in User Fees.

President Abell: Commissioners, any questions of the Sheriff? I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you, Sheriff.

Eric Williams: I have another one on there.

President Abell: Oh, the KRONOS, yeah, I didn't think that was yours, but I see it is yours. The timekeeping contract, the contract is for the department, for the development, installation and training required for a new timekeeping system at your office. The cost of the contract will be at least \$29,659, it could go up as high as \$45,000 if additional training is required.

Eric Williams: The KRONOS system is the system that the county settled on years and years ago, and we've had the same version for many years. With the Auditor's change to the Munis system, which created a few issues for us, that coupled with the, how old the KRONOS system was, it is very, very difficult for the Sheriff's Office

to track all of our timekeeping and make the kind of reporting that we like to be able to make to various funding bodies, the Council primarily. Being that that system was never designed to handle a 24/7 operation with three different working agreements. We have two different contracts and then county employees all with different sets of rules. This system, we hope, we believe after looking at it, consulted with the County Auditor on this, and he's been supportive of it to this point. It will allow us to do a lot better job of reporting the type of overtime, how we're using our time at the Sheriff's Office on a graphical basis, I guess to put it.

President Abell: Did you have any comments, Joe?

Joe Gries: I just echo the sentiments the Sheriff has made. The new timekeeping/payroll system that we have is quite a bit different than what we've had in the past. I think this will bring the Sheriff's Office to this century as far as being able to track his time and meet his needs. Then we'll also be able to report that better and more efficiently to our office as well. There's always issues with payroll and we don't like to not, we want to make sure that everybody gets paid correctly.

President Abell: Well, it's a large office and a lot of hours, strange hours, and I'm sure it is difficult to deal with.

Eric Williams: Well, we go through overtime, and we always get the question from Council, how is that overtime used. We can put it into very large categories, but it's very difficult to pinpoint specific, large cases that create a lot of overtime, or certain kinds of court appearances that create overtime, which would allow us better to report to other offices that impact our work schedules on what that change has done to my office as far as my having to go beg for money from Council to pay overtime.

President Abell: Okay, do I have a motion on the floor? Do I have a motion? No? Okay, I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Eric Williams: Thank you.

President Abell: Thank you, Sheriff.

Commissioner Kiefer: One comment for the Sheriff. Eric, I got your e-mail about how much you spent on pharmacy at the jail, you know, it's just a surprising, even though you've done a great job reducing that, it's still, it's an astounding number.

Eric Williams: Well, I think that information is always important to share with you all so that you have an idea of, and the point of that last e-mail was to show the importance of keeping that system moving as fluidly and as efficiently as we can, because you never know which inmate is costing you a lot of money. Like I said, there were five inmates out of my total population that generated almost 90% of the bills in the medical area. If those were the five that we could move the fastest, every day that we get them through the system, it's that much money that we've saved.

Commissioner Kiefer: Yeah, definitely a case for moving their, it's good to move their cases quickly through the system.

Eric Williams: Absolutely.

President Abell: Thank you, Sheriff. The Health Department, the American Red Cross CPR/AED for professional rescuers and health care. The providers review agreement for CPR/AED training to be provided to 19 health department employees. The cost is \$3,480. This training is required. It has been provided by the Red Cross for a number of years. The certification is good for two years. I see Mr. Heck is here.

Gary Heck: Yes, Ma'am. We were here with a Red Cross agreement just a couple of weeks ago. This is actually to replace it, because there was a new policy that went into effect that required us to change that structure around to meet the Red Cross system. So, the old contracts are basically null and void because of that. So, this is the replacement that will keep us certified the way we need to be certified.

President Abell: No major changes, like duration or expense or anything like that?

Gary Heck: No, it's a couple dollars more, but that's because of a different class that someone has to take.

President Abell: Okay, I would entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Emerson Network Power renewal and AC/DC capacitor replacement, for the replacement of all AC/DC input and output filter capacitors for the sum of \$3,162, and an essential services maintenance agreement in the sum of \$5,701 for the County Health Department for the year 2013.

Gary Heck: The essential service is an annual maintenance agreement that we've had on our battery back ups for our laboratories. I believe in an e-mail I told you it was probably a calendar year. It's actually like December the 8<sup>th</sup> of this year through December 7, 2013. So, it's not quite a calendar year. It's a full year, but it's not a January 1<sup>st</sup> to December 31<sup>st</sup>. The AC/DC capacitor replacement is something that's required between the 7<sup>th</sup> and the 10<sup>th</sup> year that a piece of equipment has been in service. This particular piece of equipment has been in service for eight years, because we've been at the, it was installed right before we moved into the Oak Park Professional Building. In October of this year we celebrated our 8<sup>th</sup> year there. So, it needs to be done either this year or next year, or the following year. We haven't had any problems yet. We would like to avoid having those problems. So, we're electing, since we have the funds available to try to do that replacement this year.

President Abell: I'll entertain a motion to put this on the floor.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Discussion, Commissioners?

Commissioner Kiefer: I mean, I think it makes sense, especially in light of the fact that you said it could be transferred over to the new facility when that should happen. So, I think with that I'm comfortable with it.

Gary Heck: Okay.

President Abell: Anyone else?

Commissioner Melcher: The only thing I can say is, you might go ahead and let Dave Rector know, unless you've already told him about it, because if we do get that new facility, he might as well be looking at it early, because you can't do it overnight.

Gary Heck: These, there's two pieces of equipment that weighs about 1,600 pounds.

Commissioner Melcher: Yeah, I read your e-mail.

Gary Heck: So, they, it's a matter of just making sure, and Dave Rector, he and someone did a walk through the Health Department about a month ago, just to physically look at things. I spoke to him about it then. So, I know he's at least aware of it, but I will be happy to mention it to him again.

Commissioner Melcher: You said something in your e-mail, and I don't have it with me about it, the electrical, as long as the electrical and everything hooks up. So, is there—



Gary Heck: Well, it takes a 50 amp circuit. So, it's a 50 amp circuit that feeds it, and it's a 50 amp/240, I believe.

Commissioner Melcher: Yeah, and that's what I wanted to know.

Commissioner Kiefer: I have one last question. Gary, is there any like recycling value to the existing one?

Gary Heck: The AC capacitors?

Commissioner Kiefer: Yeah.

Gary Heck: I don't think so, because they've, in essence, lived their useful life.

Commissioner Kiefer: So, there's, this is not like something that could be, it just has to be scrapped? It can't be reused or rebuilt or whatever?

Gary Heck: It will be disposed of however it's properly disposed of by the company, but it has no other value that I'm aware of.

Commissioner Kiefer: Okay, thanks.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: Thank you.

<b>Request for Special Meeting: 2013 Employee Insurance</b>
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President Abell: Department head reports? I think I'll start with Joe Gries. Do you want to tell us about the meeting, the special meeting you want us to set up?

Joe Gries: This involves the insurance for 2013 for county employees. Essentially, the time line that we would hope to get things done, we would need new rates in place hopefully by the end of the month. We don't have another Commissioners meeting until the 13<sup>th</sup> of November. So, it probably would require a special meeting at some point to approve new rates. Once those rates are approved, then we would go through the open enrollment process, and that is usually the first two to three

weeks in November. We would then collect the changes and any insurance rate changes in the Auditor's office, we would then input those into our payroll system so that we can properly deduct the right amounts in December so that we can pay the invoice for the January time period. So, that's basically the time line that we have. There's some things that the Commissioners may want to look at down the road as far as, you know, the rates and getting those things in place, but, that's again, where we are as far as what we hope to happen in the next couple of months, the next few weeks.

President Abell: Did you have a question, Mr. Harrison, about setting this up? Would you, are you going to be getting with Mr. Flittner about this?

Joe Gries: I can, if you would like me to.

President Abell: I think you kind of have a better handle on it.

Joe Gries: Sure.

President Abell: Then, get with Marissa and we'll get it on the calendar. I would recommend that we look at November, or October 30<sup>th</sup>, which is two weeks from tonight.

Commissioner Melcher: That's just what I was looking at. The 30<sup>th</sup> sounds good, but is that too short a notice.

Joe Gries: That's fine. I think we can, Mr. Harrison, we can publicize—

Joe Harrison, Jr.: Oh, we could advertise. That's plenty of time. It's just whether the meeting room, if this room is available. Typically they are in the evening.

President Abell: Yeah, and we would still start it at 5:00?

Commissioner Melcher: That's the fifth Tuesday, so there probably wouldn't be nothing in this room.

Joe Harrison, Jr.: Right.

President Abell: I'll ask Marissa, if this room is not available two weeks from tonight, let us know. Otherwise, let's schedule this for two weeks from tonight at 5:00 p.m.

Joe Harrison, Jr.: If I could just have a motion to that effect, and then we'll advertise it. If there's some change, if that's the case, we'll have to do it yet this month.

Commissioner Melcher: We could do it in 307.

President Abell: Yeah, we could do it in the other room. It's just to set the health insurance rates. So, it's not that big a deal.

Commissioner Melcher: Yeah, I'll make the motion that we meet at 5:00, either in this conference room or the other one on the 30<sup>th</sup> for the special meeting.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: That will have to be advertised?

Joe Harrison, Jr.: Yes, and it will be for the sole purpose of a discussion about county health insurance.

Joe Gries: We'll make sure we send you a copy, Joe, just to maybe approve it, then we'll get it in.

Joe Harrison, Jr.: Yes.

Joe Gries: Thanks.

Joe Harrison, Jr.: Thanks.

President Abell: Okay, gentlemen put it on your calendars.

Commissioner Melcher: I'm writing it down right now.

President Abell: Okay.

<b>County Engineer</b>
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President Abell: Other department heads. I think the County Engineer has something.

John Stoll: I've got a few items here. The first is a street acceptance request for Five Oaks, Section Two. This is a subdivision off of Hedden Road, just south of Kansas Road. The street acceptance request is for 673 feet of Furlong Drive, and 313 feet of Trotter Circle. These streets were never previously accepted because they did not, they were not completed, they had some deterioration of the concrete. The letter of credit was called in on these subdivisions, so we included this repair work in our current concrete patching contract. The repairs are being paid for through the letter of credit funds. So, it's not any expense to the county. That work was completed. So, I would like to request acceptance of the streets now that they've been properly finished.

Commissioner Melcher: So, we've already called it in to get the money and that?

John Stoll: Yes, we had the money in county accounts, and I don't think we've been billed as of yet, but whenever we do get billed we will pay for this portion of the repairs off of the letter of credit funds.

Commissioner Melcher: Okay, I'll make the motion to approve it.

Commissioner Kiefer: Second.

President Abell: Any further discussion? This isn't exactly about that, but I just want to tell you that I have been driving through some subdivisions, most specifically the one out behind North High School, and also by Scott School, and the roads are not in good shape. I'm a little concerned about what's happening out there. Scott, that subdivision out by Scott School, there are several of those inlets that have gone in, and several patch jobs that have gone down. So, maybe, I mean, we'll vote on this, but maybe you and I and the County, the Highway Garage could get together, and maybe we need to take a second look at what we're doing. Maybe we're not, I don't know if, maybe we're not doing anything wrong, but I am driving through all of the county subdivisions and I've noticed that some of the roads are not in very good shape, that I would have thought would have been still in pretty good condition.

John Stoll: Okay, just let me know.

President Abell: I will.

John Stoll: I'll meet with you.

President Abell: Just wanted all the contractors out there to hear me say that. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next I have a change order on the Baseline Road bridge project. This is contract number VC12-08-02. This is for an increase of \$2,767.90. This was due to the extra asphalt as a result of the beams not all being the same height as shown in the pictures that I e-mailed you this afternoon.

President Abell: I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Kiefer: I just want to comment. John, thanks for the pictures, boy, those things paint a thousand words, you know. I'm sitting here looking at these now again, and it's amazing.

John Stoll: We had no idea that the beam heights were different until the asphalt was all removed, but, I guess, it was.

Commissioner Kiefer: The pictures were great and I appreciate that.

John Stoll: I'll try to get you some more the next time we've got a change order situation like that.

Commissioner Kiefer: Yeah.

President Abell: They do help.

Commissioner Kiefer: They just really paint a great picture, and I appreciate it.

Commissioner Melcher: Well, they do, and you said it was because they widened that?

John Stoll: Yes, the two exterior beams.

Commissioner Melcher: So, they put in a different size.

John Stoll: Yep. It appears that because the exterior beams were longer they had to be a different height than the interior beams. The next item I have is in regard to the bids—

President Abell: Do we need to accept that change order? I believe, don't we?

John Stoll: Oh, I'm sorry.

Madelyn Grayson: You already did.

President Abell: Did we? Oh, okay. Oh, that's right, he had discussion after we voted for it. Okay. That threw me off.

John Stoll: Next I've got bids that we took on the surplus properties on University Parkway at the last meeting. I would like to request that you approve one, accept one and reject one.

President Abell: Oh.

John Stoll: I would request that you reject the one for 8420 New Harmony Road. This was a bid of \$5,750 provided by Diana and Terry Kulenkamp. It did not meet the \$7,300 minimum requirement that was placed in the legal ad. So, I would like to request that that one be rejected. The other one is an acceptance of the bid provided by Gene Pfeiffer for the property at 145 Eickhoff Road. He provided a bid of \$6,550, and the minimum required bid was \$6,500.

President Abell: Let's take them one at a time.

Commissioner Melcher: I'll make, one at a time, or both?

Joe Harrison, Jr.: Why don't you do one at a time.

President Abell: Yeah, I think we should.

Commissioner Melcher: Alright, I'll make the motion for the 8420 New Harmony Road is rejected.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Commissioner Melcher: Okay, now I'll make a motion to accept the 145 Eickhoff Road.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next, I would like to request your approval to have the City-County Traffic Department remove three street lights along Shoshoni Drive.

President Abell: I'm sorry, remove three what?

John Stoll: Street lights along Shoshoni Drive. This is located in Indian Woods Subdivision. It's down between Covert and Pollack, it's east of Green River Road. We have tried to determine who installed those street lights. The county doesn't pay for street lights anywhere, so they're not the county's. They're not the neighborhood association street lights, and they're not Vectren's.

Commissioner Kiefer: Who's paying for them?

John Stoll: We can't even identify who that is. We went through Vectren and they didn't have anybody listed as paying electric service.

Commissioner Kiefer: Then why not just leave them there and let good enough go?

John Stoll: The residents—

Commissioner Kiefer: Want the lights down?

John Stoll: — yeah, they aren't in good shape. It looks like they're the old, if they're not the same lights that came from the walkway, they're very similar to that. The four globe ones that—

Commissioner Melcher: You had a picture of them.

John Stoll: Yeah.

Commissioner Melcher: I was going to ask the same question, why do we have to take them down?

John Stoll: They're in the right-of-way, and just because their encroachment—

Joe Harrison, Jr.: Yeah, if they're in the right-of-way, they're encroached in there. No one knows really when they were put up, and the City Traffic Department is going to take them down, aren't they?

John Stoll: Yes.

Commissioner Kiefer: Oh, so it's not going to cost us to remove them?

John Stoll: No, and the city has some in the city maintained portion of Shoshoni Drive as well, and the Traffic Department is already in the process of getting those removed.

Joe Harrison, Jr.: So, they just want to take them all down?

Commissioner Melcher: So, the city is taking them out?

John Stoll: Yes. It would be through the Traffic Department.

Commissioner Kiefer: If you think that's the best—

Commissioner Melcher: Usually it's the other way around, we get calls for lights, not taking them down.

Commissioner Kiefer: I know, that's what—

President Abell: Yeah, that is kind of strange.

Commissioner Melcher: Now, under the agreement with Vectren, does that mean that at one time you could only get a street light when one came down, because there was only so many that the city was able to have. So, if they take these down, then, in other words, there's, some neighborhoods could get a street light now.

John Stoll: The city maintained portion of Shoshoni has the standard city street lights already out there too. So, both kinds are out there. So, I don't know how that would affect the city's agreement, but for whatever reason there's two different kinds of lights out there.

Commissioner Melcher: And, we don't have an agreement because we don't have lights?

John Stoll: Correct.

Commissioner Melcher: Okay.

President Abell: I would entertain a motion.

Commissioner Kiefer: You know, this is really strange to entertain a motion to remove street lights, but, I guess, I'll make the motion.

Commissioner Melcher: I'll second the motion, but, the e-mail I read, I thought there was just one person requesting this.

John Stoll: It's my understanding that it was coming from the neighborhood on behalf of her. I'll verify that to be sure.

Commissioner Kiefer: It would be nice to know, because if we start getting complaints after it goes down.

President Abell: But, we don't provide street lights.

Commissioner Kiefer: I know, but, I mean, it is something that's there now.

Joe Harrison, Jr.: There's no encroachment agreement or anything with the county.

John Stoll: I'll verify that and let you know before I talk to the Traffic Department and have it removed.



Commissioner Melcher: Well, I would feel more comfortable if you did, because I know one neighborhood wanted their ditches opened back up once, and the city did that because of that, and found out that 90 percent of them didn't want that.

Commissioner Kiefer: Yeah, I think I would like to remove my motion, because I think I would like to drive out there and take a look at that before I do this. This can wait another meeting. I mean, it's not like it's urgent and it has to be done tonight, does it?

John Stoll: Not that I know of.

President Abell: Well, is the city out there doing it?

John Stoll: It will make them have to make a second trip at the most. So, I don't know their schedules as far as when they were going to get the city ones out, but, at the most they would have to send the crews out there a second time.

Commissioner Kiefer: I mean, I live out in that area, close by there. I mean, it takes me, you know, on my way home tonight I would like to drive by there and just take a look at it.

Joe Harrison, Jr.: Do they work?

John Stoll: No.

Joe Harrison, Jr.: The lights don't work?

John Stoll: As far as I know, no. I haven't checked that, but our—

Joe Harrison, Jr.: Well, that makes a difference, I think, if they're not working.

John Stoll: The globes are broken out of at least one, if not two of them.

Commissioner Kiefer: Okay, well, then I'll go ahead and make the motion again.

President Abell: Well, are they wired? I mean, are the wires underground that they ever did work? Or are they just put up there for looks?

John Stoll: It's my understanding that they worked at one point.

Commissioner Melcher: You don't have to make that motion, nobody seconded.

Commissioner Kiefer: Okay.

Commissioner Melcher: So, it's still live.

Commissioner Kiefer: Okay. So, we have a motion—

Commissioner Melcher: And a second.

Commissioner Kiefer: —and a second, but can you at least, before you act on it, I would like to at least drive by there. You know, you'll have permission to do it, but, I mean, I would like to at least drive by there and take a look at it.

John Stoll: That's fine, and I can verify too, like I said, make sure that this is from the neighborhood association or residents as a whole and not just one individual.

President Abell: Very strange. Okay, roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Last, I've got a sidewalk waiver request for The Stables Subdivision. This is on the east side of Green River between Pollack and I-164. It's, I forget the number of lots that will be in the subdivision, but it's just one street that makes a big loop. As usual, we have problems with sidewalks being constructed properly, with the ADA specs. So, I would recommend that the sidewalks be waived.

Commissioner Melcher: I'll make—

President Abell: When you say waived, we don't have to, don't have to comply?

John Stoll: We wouldn't install any sidewalks. The only sidewalks that will, actually they're not going in, when they cut the new street in off the east side of Green River Road, they'll end up having to put two ADA compliant ramps where the street cuts through the existing sidewalk, but, there would be no new sidewalks internally within the subdivision.

President Abell: Okay.

Commissioner Kiefer: Are we setting a precedent if we—

Joe Harrison, Jr.: No.

President Abell: No, we don't want to start doing sidewalks.

Commissioner Kiefer: Okay, in that case I'll make a motion to approve.

Commissioner Melcher: I'll second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: That's all I have.

President Abell: Sorry, John, I have a question.

John Stoll: Sure.

President Abell: In my touring around subdivisions, I noticed a subdivision that has alleys, are we going to have to maintain those alleys?

John Stoll: Are you talking about the new subdivision that's under construction?

President Abell: Yes.

John Stoll: No, we made sure that that was not part of the county's maintenance. The subdivision ordinance, I don't remember the exact language, but it's set up to discourage alleys in new residential subdivisions. The county didn't have any standards for the design and construction of alleys, so, when the plats were recorded it had all kinds of provisions as far as the lot owners being responsible for the maintenance of the alleys, as well as the pipes within those alley easements.

President Abell: So, we don't have to take the snow off of them, we don't have to repave them?

John Stoll: We'll probably get the calls, but, no, it's set up where it's privately maintained.

President Abell: Thank you.

John Stoll: Sure.

President Abell: Other department heads? I guess, Mr. Craig left? Okay.

<b>New Business</b>
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President Abell: New business? I have something under new business. Angel Mounds requested a little work to be done, and, I guess, the city has agreed to do some of it and they've asked the county to do some. Do you have those pictures? Is that what you're looking at?

Commissioner Melcher: Yeah, I was just getting them out.

President Abell: Did you see these pictures, Mr. Kiefer? I'm, I think we need to vote on if we want to do this. I've talked to Mike Duckworth, he says they can do the work, it's not a big deal, and it doesn't cost, it won't cost us a lot of money or anything. My concern is, is that this is not a county park. This is a State park, and it's really the

State's obligation, but, I guess, they're having some run out there and they need this cleaned off and have asked us to help. So, I just wanted to know how the fellow Commissioners feel about this.

Commissioner Kiefer: I'm okay with it, but is someone going to contact the State and ask them or request of them to do something I wonder?

President Abell: I don't think so. I don't think anyone has contacted the State.

Commissioner Kiefer: I mean, I would be okay with it, but it would be nice if someone would contact them first and see, you know, we could be the back up plan.

President Abell: Are you familiar with this, Mr. Harrison?

Joe Harrison, Jr.: No. What event is going on out there? Or, is this just in general?

Commissioner Melcher: Do you want to read this?

President Abell: I'll read this into the record, maybe this will help out. This is from—

Commissioner Melcher: Mike.

President Abell: — Mike Duckworth. Attached are pictures of trees and limbs at Angel Mounds. They are requesting that we load and mulch these up for them to facilitate the Cross Country course and the walking/running track on their property. I attended a meeting with the Mayor and he instructed the City Garage to work on this venture as well. They did, in fact, assist in the hauling of numerous loads of dirt to Angel Mounds so that the course could be leveled out. County Highway equipment and manpower was used to spread the dirt and the majority of the prep work so that a few fall events could take place. Angel Mounds has secured inmates to gather and do some of the preliminary work on the brush, but the work left appears to be significant. It says we initially gave permission to do the dirt work, but wanted to check and see about scheduling this work. Mr. Duckworth recommended that we might want to talk to the Mayor or call someone in the Governor's office to see if the Department of Natural Resources or the Indiana Department of Transportation might be able to do something since this is State property. Mr. Duckworth said he can do this, and, frankly, sometimes it is easier to just do it than it is to try to get a bunch of groups together to agree to it.

Commissioner Kiefer: Yeah, but, I don't want, I can see us going in there and doing this and then the State coming in and slapping our hands saying, oh, you're not allowed to touch anything on our property like that. It's because they want things to be done natural or whatever.

Joe Harrison, Jr.: Yeah, I think, that would be my preference is to—

President Abell: I was going to ask you, what do you think we should do?

Joe Harrison, Jr.: — that we do not, maybe we could bring this up in November, but check with the State first to see if they will do it. If they say, no, we won't, but you can do it, send us a letter to that effect. That's my feeling.

President Abell: Marissa, would you contact Mike Duckworth and ask him to call the County Attorney and get some further advice on this? Thank you.

Joe Harrison, Jr.: I mean, when were they wanting to—

Commissioner Melcher: It doesn't say.

Joe Harrison, Jr.: Okay, well, we could probably wait three weeks. Maybe we'll hear something between now and then.

President Abell: Any other new business?

<b>Old Business</b>
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President Abell: Old business?

<b>Public Comment</b>
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President Abell: Public comment? Yes, state your name and tell us what your issue is, please.

Charles Yockey: My name is Charles Yockey.

President Abell: When you get to the microphone, sir.

Charles Yockey: Hello, my name is Charles Yockey. I live at 732 East Riverside. I own my home. I took some pictures today of the property next door. It's Commissioners property right now. I would like you to look at the pictures of this tree. In the spring a huge limb dropped in my backyard, where the kids play, and I called then, and they come out and said, at first, well, this tree is on your property. I've got pictures of it right here. Then, they a couple days later called me, no, it's not, we'll take care of that. Months went by, I made another call, we'll take care of it. A couple more months went by, I called this morning, we're going to call the Highway, we'll have them call you today. They didn't call, I snapped some pictures, got them developed, and here I come.

President Abell: What is the address of the property you say we own?

Charles Yockey: 730 East Riverside.

President Abell: Is the one we own?

Charles Yockey: And it's up for auction now. I've got a picture of the roof, it's condemned, it should be tore down. I'm afraid to let the kids play.

President Abell: Who did you call?

Charles Yockey: The Commissioners office.

President Abell: Marissa, do you know anything about this?

Marissa Schenk: I had correspondence with the County Highway back in the beginning of September, I think, it was close to then, and they said that they were going to send a foreman out to look at the property. Then, I contacted them again today to see what the follow up was and I haven't heard back yet.

Charles Yockey: It's a dumping ground. It's been like that all summer, rats, roaches. I maintain—

President Abell: This is the property we have taken and we have on auction?

Charles Yockey: Yes.

President Abell: Is your house the one—

Charles Yockey: It's green.

President Abell: It kind of looks like it might be green beside of it?

Charles Yockey: Yes.

President Abell: Yours is the well kept one and ours is the junky one.

Charles Yockey: I try, we try.

Madelyn Grayson: Mr. Yockey, can we keep those pictures for the record?

Charles Yockey: Yes.

President Abell: Just hang tight just one moment. I have a feeling we're going to get something done. Is it, do we have title to this property, Marissa?

Marissa Schenk: Yes, we do.

President Abell: And, we're supposed to put it up for sale when?

Marissa Schenk: November 8<sup>th</sup>.

Commissioner Kiefer: Yeah, I just checked the Assessor's website and it's got our name on there.

President Abell: Well, I think we ought to clean up our property.

Commissioner Kiefer: Yeah.

President Abell: We expect everybody else to clean up theirs.

Charles Yockey: The tree is dangerous. It's rotten. It's going to fall on—

President Abell: I agree with you.

Charles Yockey: — in my yard.

Joe Harrison, Jr.: Well, the Commissioners are going to have to take care of it.

President Abell: Yeah.

Charles Yockey: Okay. Am I done?

Joe Harrison, Jr.: Yeah.

Charles Yockey: Thank you.

Commissioner Kiefer: Thanks for bringing it to our attention. Appreciate it.

Charles Yockey: Thank you.

President Abell: Marissa, would you get a hold of Mike Duckworth first thing in the morning and tell him that this has got to get this done? Thank you. Any other public comment?

<b>Consent Items</b>
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President Abell: Madelyn, consent items.

Madelyn Grayson: The consent items for the October 16<sup>th</sup> meeting are as follows; approval of the October 2, 2012 meeting minutes; employment changes for the Commissioners approval, there are four for Burdette Park, one for DADS, and one for the Co-Op Extension; the County Clerk has the September 2012 monthly report; Legal Aid has the September 2012 statistics; the Vanderburgh County Ozone Officer has the September 2012 monthly report; the County Engineer has waiver of partial mortgage release for Green River Road, phase five, parcel 41, and pay request number 161 for TIF account in the amount of \$208,244.81; the Evansville Police Department has a waiver of fees for the Centre for October 26<sup>th</sup> and 27<sup>th</sup>, 2012 for promotional interviews; we have sale of county owned property at 211 W 213 Michigan Street; we have second and final notice to bidders of 1223 Henning; then we have notice to bidders for all of the following properties; 1022 Keller, 1624 West Florida, 1317 Keller, 1300 East Sycamore, 1110 Baker Avenue, 1020 Harriet, 1012 Oakley, 1817 Fares Avenue, 1703 Delmar Avenue, 24 Washington Avenue, 311 East Franklin, 315 South New York Avenue, 700 East Gum, 703 East Blackford, 704 Baker Avenue, 708 Baker Avenue, 819 Jackson Avenue, 922 Lincoln Avenue, 837 Blackford Avenue, 1608 Uhlhorn Street, and for the tax code that is relevant to Sweetser Avenue, and the next one is for North Alvord next to 2515 North Alvord, and on State Road 57.

President Abell: I would entertain a motion to accept the consent items.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: There being no further business to come before the County Commissioners, I would entertain a motion to adjourn.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: We are adjourned.

(The meeting was adjourned at 6:27 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the October 2, 2012 Commission Meeting Minutes.

Legal Aid: September 2012 Statistics.

County Ozone Officer: September 2012 Monthly Report.

EPD: Waiver of Centre Fee/Not OT: October 26-27, 2012.

Quit Claim Deed: 211 W 213 Michigan Street.

Notice to Bidders: 1022 Keller, 1624 West Florida, 1317 Keller, 1300 East Sycamore, 1110 Baker Avenue, 1020 Harriet, 1012 Oakley, 1817 Fares Avenue, 1703 Delmar Avenue, 24 Washington Avenue, 311 East Franklin, 315 South New York Avenue, 700 East Gum, 703 East Blackford, 704 Baker Avenue, 708 Baker Avenue, 819 Jackson Avenue, 922 Lincoln Avenue, 837 Blackford Avenue, 1608 Uhlhorn Street, and for the tax code that is relevant to Sweetser Avenue, and the next one is for North Alvord next to 2515 North Alvord, and on State Road 57.

**Employment Changes:**

Burdette Park (4)

Co-Op Extension (1)

DADS (1)

Circuit Court (1)

County Assessor (1)

Sheriff (3)

Prosecutor (1)

County Clerk (1)

**County Clerk:** September 2012 Monthly Report.

**County Engineer:**

Waiver of Partial Mortgage Release: GRR, Phase Five, Parcel 41.

TIF Pay Request No. 161: \$ 208,244.81.

Department Head Report.

**Those in Attendance:**

Marsha Abell

Joe Kiefer

Stephen Melcher

Joe Gries

Joe Harrison, Jr.

Marissa Schenk

Madelyn Grayson

Janice Hatler

Jacob Kerr

Elizabeth Schuler

Melissa Blythe

Ariel Ramirez

Amanda Schmitt

Mariah Adcock

Candy Hagan

Wesley Mandel

Jesse Hold

Austin Henson

Adrian Cassanova

Krista Lockyear

Rick Davis

Z. Tuley

Debbie Bennett-Steersman

Eric Williams

John Stoll

Charles Yockey

Others Unidentified

Members of Media



**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
SPECIAL MEETING  
OCTOBER 30, 2012**

The Vanderburgh County Board of Commissioners met in special session this 30<sup>th</sup> day of October, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding. The sole purpose of this meeting was to discuss and vote on health, dental and vision benefits and rates for county employees for 2013.

**Call to Order**

President Abell: I would like to call to order the special meeting of the Vanderburgh County Board of Commissioners of October 30, 2012.

**Attendance Roll Call**

President Abell: Would you, could we have roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here. Thank you.

**Pledge of Allegiance**

President Abell: Would our two young guests like to lead us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

President Abell: Thank you.

**Discussion & Vote on 2013 County Employee Insurance Benefits**

President Abell: We only have one piece of business for this special meeting this evening, and that is to set in our rates for our 2013 county employee health insurance benefits. With us is Mr. Tony Flittner from Torian Hofmann Dillow and Flittner. Would you like to take over?

Tony Flittner: Yes, good evening. My name is Tony Flittner. I'm with Torian Hofmann Dillow and Flittner Insurance Agency. We need to look at what we need to do for the coming year, 2013, with regard to the health insurance plan for the employees of Vanderburgh County. I have some handouts I want to hand out to each one of you that has some information. Okay, we have the renewal for the health insurance plan coming up, January 1, 2013. Obviously, we've been through a lot of things this past

year when it comes to health insurance. We had a health insurance plan through Welborn Health Plans, a carrier that decided to get out of the business, effective January 1, 2013. It forced us to go to the market, look around, do some different things that we didn't really want to have to do. But, we did go to the market, look at other options, we came up with a very nice, viable option through Anthem Blue Cross and Blue Shield. Effective October 1, 2012, we made a change to Anthem Blue Cross and Blue Shield, they are now the health insurance carrier for the employees of Vanderburgh County. 2013 brings a renewal, renewals mean that, essentially, the insurance carrier once a year re-evaluates the claims experience that they have, they re-evaluate the things that are happening in the medical industry, the trends that are pushing the cost of medical care up, and all of those sort of things. With all of that information they produce what they call their health insurance renewal. Effective January 1, 2013 we're looking at a renewal rate increase of 9.9555, so let's just call it about ten percent, okay? Based on that renewal rate adjustment, we, essentially, have to look at the budget that's allowable, the money that's there to pay for the health insurance premiums and all of the different things, based on the information that I've received from the Auditor's office and other people, I'm going to make a recommendation on a plan design that I think fits your budget and gives you the best plan design for the money. Right now you have two plan designs through Anthem Blue Cross and Blue Shield. They're commonly known as plan number one and plan number two among most of the employees. Plan number one has a \$250 deductible, and plan number two has a \$500 deductible. Plan number one has a \$1,000 out-of-pocket maximum per person, per year, and these are calendar year events, deductibles and out-of-pocket maximums. Plan number two has a \$1,500 out-of-pocket maximum per year. Based on the information that we have, the budget and all of those pressing forces, it looks like we're going to be able to save a lot of the primary components of the plan that most people use in a given year. We'll be able to have the same office visit co-pay feature, that wouldn't change at all. We would be able to have the same prescription drug co-pay features. Those won't change at all. We would have the same urgent care facility co-pay. That wouldn't change at all. The emergency room co-pay would be the same, that wouldn't change at all. The therapy limits and co-pays would all stay the same. The only difference would be that we would need to put everyone on plan two and eliminate plan one, in order to meet the budgetary constraints that we have.

Commissioner Melcher: Are you talking the budget constraints (Inaudible).

Tony Flittner: Right, the budget restraints that provide the numbers that I understand that you have to work within, that's correct.

President Abell: Is this the plan?

Tony Flittner: Yes. Really you have that plan on the first page that I gave you, it's in the right hand column. Then that plan appears again, side by side with some other alternate plan designs that we had looked at, that, fortunately, we won't have to necessarily discuss, because they offer higher deductibles and things of that sort.

President Abell: Well, I have different totals.

Tony Flittner: Pardon?

President Abell: Are they different totals? On the first page—

Tony Flittner: Yeah, the totals are going to be a little different, because the first page combines the two plans together, the \$250 deductible plan that's in force right now, and that total. The second page puts everybody on the \$500 deductible plan.

President Abell: So, the second page is actually what it is.

Tony Flittner: That's the total, that's right.

Commissioner Melcher: And not the first page?

Tony Flittner: That's right.

President Abell: So, the total is \$13,657,018.75?

Tony Flittner: That is correct, with the current census that we've captured at this time.

President Abell: Okay.

Tony Flittner: The current number of employees covered, with families, dependents and all of that.

President Abell: Okay.

Tony Flittner: That's correct.

President Abell: Okay.

Tony Flittner: Okay? So, essentially, we can maintain the benefits that almost everybody uses all year long, the same office visit co-pay features, the same drug co-pay features, the same urgent care facility co-pay features, the same emergency room co-pay, the same co-pays for therapies, the same number of therapies are allowed. All of those sort of things. The only thing that would be different is that we've changed the deductible to \$500, and the out-of-pocket maximum to \$1,500. Fortunately, most people probably won't incur those increased expenses in the year 2013. You would probably need to have an out-patient surgery, have an in-patient sort of procedure, or a fairly serious medical concern, in most cases, before you're going to have to incur your deductible and co-insurance.

President Abell: Refresh my memory, about how much of an increase are our employees going to be paying? I know it's going to differ from—

Tony Flittner: Okay, that's a good question. Those, that information is on the last two pages. These are some numbers that the County Auditor put together.

President Abell: Oh, okay.

Tony Flittner: The current 2012 employee rates, or the cost to the employees, are in the top table. If you look at the second table, the right hand column, where it says option one, plan two rates, that's what the new rates would be, as far as monthly deductions go for the employees. So, we're able to hold those down to a nominal increase. You can see that the difference is less than five dollars per month for a single employee.

President Abell: That's great.

Tony Flittner: So, I think we've accomplished a lot here with everything that we have to work with.

President Abell: Commissioners?

Commissioner Kiefer: I think it's a good, job well done. Just real quick, snap shot, I just did a quick calculation, for what the county will pay of the \$13,657,018, that roughly equals out, if you divide that equally by each employee, and I know that it's not exact because some employees have families, but it really works out that the county is paying over \$17,000 per employee. So, that's a big benefit when you look at the total cost, you know.

Tony Flittner: That's a good point.

President Abell: Mr. Melcher?

Commissioner Melcher: Well, we just come from a long way from when we started a week or two ago.

President Abell: We have.

Commissioner Melcher: The two hour meeting that you and I had yesterday—

Tony Flittner: Right.

Commissioner Melcher: —trying to get to where the County Council wanted us to be, or said we had to be.

Tony Flittner: Right.

President Abell: Well, let's open it up for our people in the audience. Maybe you could stay around, please, Mr. Flittner—

Tony Flittner: Absolutely.

President Abell: — in case there's a question I can't answer.

Tony Flittner: Okay.

President Abell: Does anyone have any questions they want to address, come up to the podium.

Jane Laib: I had just one question. It's probably self-explanatory.

President Abell: Give us your name please for the record.

Jane Laib: Jane Laib. On the co-insurance, the in-network, it's still 90/10?

Tony Flittner: That's right. The co-insurance percentages will stay the same. In-network, after the deductible, the co-insurance split is 90/10. The insurance company pays 90 percent, 90 cents on the dollar, okay, until you've met your out-of-

pocket limitation.

Jane Laib: Okay.

Tony Flittner: Okay?

Steve Craig: My question is simple. Steve Craig, Burdette Park. You said the single went up five dollars, but what did a family plan go up? I didn't have the sheet.

Tony Flittner: Oh, I'm sorry.

Joe Gries: It's right, it's just over 16 dollars.

Steve Craig: Sixteen dollars a month is what it went up over this year's?

Joe Gries: Uh-huh.

President Abell: Did it go up that much?

Tony Flittner: Yeah, sixteen dollars and change.

President Abell: Oh, yeah, I see.

Tony Flittner: This might be confusing.

Steve Craig: Yeah, give me something simple.

Tony Flittner: Joe, I think you're going to be, won't you be sending out information with regard to the amounts, the premium amounts?

Joe Gries: We do. We had started with an e-mail last Friday to let everybody know approximately when the open enrollment period would be. We also have what we call a rate sheet that we create. We'll get that out to all employees as of tomorrow.

Steve Craig: Because they will start asking me all these questions as soon as I get back.

Joe Gries: That's right. It will show you the employer portion, the monthly premium will show the employee portion of the monthly premium for the different tiers, you know, the single, employee plus spouse, employee plus child.

Tony Flittner: Right. This sheet happens to have a lot of different options on it. He has one, but it can be very confusing if you really don't know the whole set up.

Steve Craig: That's fine, whenever they get something they will send it.

Tony Flittner: I think it will be a lot easier for you if, yeah, okay.

President Abell: Well, give to Marissa, and Marissa can do it. Have Marissa do it.

Tony Flittner: Okay, but this, you know, this sheet has like five different options on it.

President Abell: Yeah, I think it's a little confusing.

Tony Flittner: Somebody might say, was it option three, and here's what mine should be, and, you know, I mean, I think that's a recipe for confusion.

Joe Harrison, Jr.: The other thing you can do is, they can just call out this first option two and just show everybody that. Do you know what I'm saying. Maybe Marissa can run that out or something, where you don't have to see the other ones.

Tony Flittner: Right, and we're going to begin having meetings tomorrow.

Joe Harrison, Jr.: Okay, so you can give that out.

Tony Flittner: We will have a meeting here tomorrow. I'll be here from 11:00 till 2:00, and, Marissa—

Marissa Schenk: In room 318.

Tony Flittner: Room 318, thank you. In room 318 for anyone to attend, and we're going to have three of those meetings here for people to come and ask, you know, if they have questions about the plan design and the rates, or, you know the premium deductions and all of that.

Steve Craig: Are you going to come out to like the park or the garage?

Tony Flittner: Mr. Craig, if you would like that, I'll do that.

Steve Craig: Well, it would be like herding cats to get all of my people down here for a meeting.

Tony Flittner: Right.

Steve Craig: So, if you could come out one day, we'll set a time up.

Tony Flittner: Sure. I'll do that. Okay?

Commissioner Melcher: Tomorrow when you come you could have this all on one sheet.

Tony Flittner: Right, now, absolutely. We won't have—

Commissioner Melcher: Could you go ahead and e-mail us the one sheet?

Tony Flittner: Sure.

President Abell: Yeah, just get rid of everything we're not going to do, so it's not confusing.

Tony Flittner: It's, actually, it will be this column.

President Abell: Yeah, yeah.

Tony Flittner: This one column, okay?

President Abell: Any other questions from anybody. Joe?

Joe Gries: Yes, Mr. Flittner, just a question about how the Auditor's office will need to move people from one plan to the other. Will we need to do paperwork to Anthem for that? Or how will that work?

Tony Flittner: No, you won't.

Joe Gries: Okay.

Tony Flittner: I'll handle all that.

Joe Gries: Okay.

Tony Flittner: We will just migrate, effective January 1—

Joe Gries: Okay.

Tony Flittner: —everyone who's covered will migrate to this plan.

Joe Gries: So, the employees that are on plan one now, they won't need to fill out another application for that plan two to be moved over?

Tony Flittner: No.

Joe Gries: Okay. Great.

Tony Flittner: Good question.

Joe Gries: Thank you.

President Abell: So, I guess, the only thing that you need from our employees is if they add or take away somebody, otherwise, there's only one plan available, everybody will be on it, and if they have the same dependents as last year they don't need to do anything.

Tony Flittner: That's right. That's right. The average employee will need to do nothing, because unless they want to change their enrollment, they want to take dependents off, put dependents on, or something like that, they won't need to do anything. They'll just automatically migrate to the new plan. Their deductible will be a little different, their out-of-pocket limitation will be a little different and that's it.

President Abell: Okay. Any other questions? Tony?

Tony Bushrod: Yeah, would—

President Abell: A different Tony. I'm sorry, Tony Flittner. Tony Bushrod.

Tony Bushrod: For the people that go to a different plan, will they receive new cards?

Tony Flittner: Yes.

Tony Bushrod: Will it take as long as it did to get the other cards, to get the



replacement cards?

Tony Flittner: Well, Tony, they will get new cards, yes. Everyone will get new cards.

President Abell: Everybody will get new cards.

Tony Flittner: So, yes, and, fortunately, we're going to have a little more lead time this time. So, everybody will get their cards in due time. Okay? In ample time.

Tony Bushrod: Could you tell everybody where your office is in case they have to come out there and pick them up?

Tony Flittner: Absolutely. Well, you know what, we've actually helped anyone who has a problem. We've e-mailed cards to people, temporary I.D. cards, before Anthem ever sent cards out. We've helped people get temporary I.D. cards. We've e-mailed them, faxed them, or whatever the case may be. If someone wants to stop by our office, we're located at 3000 Division Street. That information has been communicated in numerous places around Vanderburgh County, through the website that we set up for you folks and all over the place. So, we have contact information to us. We handed out I.D. cards, or little pocket cards for everybody so that they had our contact information, our phone number, everything that they need. So, yeah, absolutely, we can help people at our office at 3000 Division Street here in Evansville if they want.

President Abell: But, January 1 we'll all be getting new cards, correct?

Tony Flittner: Yes, Ma'am.

President Abell: Okay. Any other questions?

Madelyn Grayson: Commissioner Abell?

President Abell: Commissioners?

Madelyn Grayson: I think you also need to address the Health Resources dental plan renewal for 2013. This was...or, do they not need to do that tonight?

Tony Flittner: No.

Madelyn Grayson: Okay.

President Abell: We don't have to?

Joe Gries: Those rates will be staying the same, we understand?

Tony Flittner: Right.

Joe Gries: Okay.

Tony Flittner: It's a rate hold.

Joe Gries: Okay.

Commissioner Kiefer: Do we need a motion?

President Abell: Yes, I have to have a motion, uh-huh.

Commissioner Kiefer: Okay, the motion is then to accept the Anthem renewal option number two?

Tony Flittner: Correct.

Commissioner Kiefer: Correct? As of January 1, 2013, as outlined in this paper here, I guess, that shows option two.

Commissioner Melcher: I'll second it.

President Abell: Any further discussion? I would just like to add the caveat that that is the one that is, as of tonight, is \$13,657,018.75, subject to—

Commissioner Kiefer: For the total annual premium, yeah.

President Abell: Excuse me.

Tony Flittner: Bless you.

President Abell: Subject to a little plus or negative based on when they get everything done, but that's about it.

Tony Flittner: That's right.

President Abell: Okay, I have a motion and a second. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Well, I just hope this makes the County Council happy that we've had to raise the deductible. So, I'll vote yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: I will entertain a motion to adjourn.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: We are adjourned.

(The meeting was adjourned at 5:21 p.m.)

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Schenk
Madelyn Grayson	Jane Laib	Steve Craig
Tony Bushrod	Tony Flittner	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
NOVEMBER 13, 2012**

The Vanderburgh County Board of Commissioners met in session this 13<sup>th</sup> day of November, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the November 13, 2012 meeting of the Vanderburgh County Board of Commissioners.

**Attendance Roll Call**

President Abell: Could I have the attendance roll call please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: I see we have a great number of young people with us this evening, would you like to stand and join us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

President Abell: Thank you.

**Introduction of Teen Advisory Council Job Shadows**

President Abell: Would you like to turn the microphones on, we'll start over here and you can tell us who you are and what school you go to.

Haley Combs: I'm Haley Combs and I go to Harrison High School.

Liz Schuler: I'm Liz Schuler, and I go to Memorial.

Katelyn Martin: I'm Katelyn Martin and I go to Memorial.

Audrey Vincent: I'm Audrey Vincent and I go to Memorial High School.

Carson Kinner: I'm Carson Kinner and I go to Central High School.

Cassidy Kinner: I'm Cassidy Kinner and I go to Central High School.

President Abell: Thank you, and welcome to our meeting this evening.

**Permission to Open Quotes: VC-15-2012: Health Dept Vehicle**

President Abell: I would entertain a motion for the Commission to open quotes for VC-15-2012, the Health Department vehicle.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Mr. Harrison, do you have those?

Joe Harrison, Jr.: Yes, I'll open them up and read them later on with my report or during new business. Then we'll probably take them under advisement.

President Abell: Okay, thank you.

**Pigeon Creek Canoe Launch Update**

President Abell: Under action items, the first item of business is a very happy item. This evening we're going to have the canoe launch update from Mr. Brian Williams.

Brian Williams: Madam President, I have with me Pepper Mulherin who is our Vice President, which means in about a year and a half she'll be president of the downtown rotary. As I think many of you know she is with AT&T. It is a pleasure to be here this evening. I've attempted to share with each of you a brochure that we have on this project. I also have, if I may approach quickly, I'll give each of the Commissioners, I'm not sure if any of you really need it, but you may recall that last December 20<sup>th</sup> I appeared before the Commission to report on this project and to indicate, with your permission, that we would move forward with seeking to raise the funds necessary to construct the rotary proposed canoe/kayak launch on what is, in essence, the southeast quadrant of the main Pigeon Creek bridge with Green River Road. We worked closely with John Stoll, the County Engineer, and Matt Wannemuehler of Bernardin Lochmueller, and Jeff Deig, who's a member of rotary and president of what most of us know as Industrial Contractors on some of the details of this project. We're please to be able to report to you this evening that we

have reached our financial goals and are prepared to proceed forward with the construction phase. I'm here to answer any questions. We've been very fortunate, if I may, our supporters have included Alcoa, the Welborn Foundation, Vectren, the Bussing Foundation, the Koch Foundation, Crescent, Cresline and Wabash, Evansville Commerce Bank, Old National Bank, and of course many individuals and businesses associated with rotary. I can go into great detail if the Commission likes, but I know you have a busy agenda. So, I'm certainly happy to entertain any questions you may have. Also, we have put up on the t.v. screens pictures, a few pictures of course taken at a little sunnier time than today. In terms of the location, we anticipate that folks will use it because we've generated a lot of excitement as we've attempted to promote the project and raise the funds.

President Abell: What's your time frame?

Brian Williams: Well, all of you are familiar with the saying, the good Lord willing and the creek don't rise.

President Abell: The creek always rises there, Mr. Williams.

Brian Williams: Yes, I know. Obviously, the first portion of that's important no matter what the project is, the second portion of that statement tends to be more important, as you indicate here. I'm going to let the construction folks answer that in terms of when they bid. Obviously, the creek is at a lower level now, which would be beneficial for construction. I don't know if the winter weather will create any particular problems. If it increases the cost, then, obviously, we would have to wait until after the spring rain and the spring flooding before we would be able to do it. Currently, we would remain hopeful that we could do it before spring flooding, but it will be dependent upon what our, you know, what the folks that do the project say. What we do know, and what we attempted to anticipate is that we do have all of our permits from the State. Often that can be a delay, we went ahead and did that while we were raising funds in anticipation that we would meet that goal. So, Matt Wannemuehler at the Bernardin Lochmueller firm did proceed forward, and told us a few weeks ago that our permits from the State have been received. So, if we get a bid and they want to build it, we can get it done.

Commissioner Kiefer: I have a question.

Brian Williams: Yes, Mr. Kiefer?

Commissioner Kiefer: Brian, just so I understand, because I wasn't here in 2011—

Brian Williams: Right.

Commissioner Kiefer: —but I just want to make sure I understand. You're going to, the rotary, along with other participants is building the kayak launch, and then once it's completed the county will then, that will become a county property? Just like we accept a road, or accept other things?

Brian Williams: Yes, that is correct.

Commissioner Kiefer: We would control it, maintain it and everything?

Brian Williams: Absolutely, yes.

Commissioner Kiefer: Okay.

Brian Williams: And, just, perhaps, this is on county property, you're correct. I'm making an assumption as it relates to the Commissioners, which doesn't apply to you, if you look at that picture right there, and it will rotate off of there, you may recall that there was a temporary bridge that was built during the Green River Road expansion project. It was built, we used it, we all used it, it was then torn down. That presented a unique opportunity here to utilize the property that had to be purchased for that temporary bridge. So, we're able to use the property that's owned by the county that has already been cleared, you know, of any vegetation so that we're not, you know, destroying any trees or taking any trees down. So, it provided the unique opportunity to leverage, in part, what the county has already purchased and put it to some useful purpose that the public can use.

Commissioner Kiefer: Okay, and I assume you probably have projections on the return on investment and how many users that will probably use it over the years?

Brian Williams: Unfortunately, all of those grant folks that we asked to give us money, you know, wanted those kind of projections. One of our grant givers is actually providing \$10,000 to be sure that one of our local youth organizations utilizes it very well in the first year to two years that it's up and running. So, yes, I think we have a good indication from folks that they're looking forward to it. Again, to assist you, Mr. Kiefer, catch up in terms of where we were last year when you weren't on the Board, there is one canoe/kayak launch now on Pigeon Creek. It's located at Heidelberg, and has been there for decades. One canoe/kayak launch is nice, but some of you have even utilized the Pigeon Creek, usually you put in at one place and float down and take out at another.

Commissioner Kiefer: Gotcha.

Brian Williams: In this instance, in our community, it probably hasn't been utilized as much because if you put in at Heidelberg and float down, really the only place to take out is the Ohio River. For most canoers or kayakers, the Ohio River and finding a way to get to Dress Plaza or someplace to get out is a little bit intimidating. So, as John Stoll and I initially talked about this years ago, he estimates that using the GIS map that it will be approximately six miles from this location to the Heidelberg location. We'll be able to put in, obviously, at Green River Road, take out at Heidelberg and have a very positive, roughly six mile experience that, of course, will take you beneath the Oak Hill Road bridge, beneath Stringtown bridge, beneath the U.S. Highway 41, past a couple of golf courses and through a fair amount of wooded land that, of course, is adjacent to the Pigeon Creek.

Commissioner Kiefer: Okay, thanks.

Commissioner Melcher: We talked over the phone about this. If you remember we were talking about what it would cost us and that. Why don't you explain how that's going to work through the Highway Garage.

Brian Williams: Sure.

Commissioner Melcher: Because that was my question to you.

Brian Williams: Absolutely, Mr. Melcher. We shared the concern, we did an (Inaudible), you know, what's it cost to deal with it on an annual basis. We thought

the best estimate of that was to go to the Parks Department, which is responsible for the Heidelbach launch, since it seems to be the most comparable, and they estimated that it's approximately, for them, a \$1,600 a year expense. I don't know if that's gone up a little bit or not. In your instance it would seem, if it's county owned, that the local garage could take care of it. As you might imagine the issues are dealing with the remnants after it has flooded. So, usually, as with Dress Plaza, the fire department would come down, spray down the mud that may collect, and there may be, you know, drift wood or those kind of things on occasion. There may need to be heavy equipment to address any kind of drift wood, but otherwise removing the mud after a flood or any driftwood are typically the expenses that are associated with a canoe/kayak launch.

Commissioner Melcher: This is what we were talking about on the phone, because after we had this meeting, we got e-mails wanting to know how much this was going to cost, who's going to take care of this, who's going to take care of that? So, I just wanted to get it on the record tonight that it's going to run somewhere around \$1,600 maybe two grand or less and the Highway Garage, maybe you can get a volunteer fire department to go out there and help too.

President Abell: Sure.

Commissioner Kiefer: Do we need to notify insurance that, you know, this is new public property that will be utilized by the public?

Joe Harrison, Jr.: Yeah, once it gets to the point where it's going to be open, just make sure, Brian, if you could give us a heads up—

Brian Williams: Sure.

Joe Harrison, Jr.: — maybe enough notice.

Brian Williams: We would anticipate, I mean, we were talking about whether or not there should be a ground breaking, but more importantly will be a ribbon cutting, and, obviously, all of you will be on that invitation list.

Commissioner Melcher: We need to invite our insurance person to that too.

Brian Williams: That's fine.

President Abell: Well, I just think this is great thing for government to have a private organization working with us to do a thing that is just, increases the live ability of our community. It's wonderful and we appreciate it.

Brian Williams: Thank you. It will be our first blue trail in this area. That's pretty exciting. A blue trail being one that is water related that the public can use. So, it actually leverages, I think, very nicely the investment the county has already made through the expansion improvement of Green River Road and we're using property that the county had to purchase that was really going unused and putting it to a useful purpose for the public.

Commissioner Kiefer: I was going to say, it's a nice use of our natural resources.



President Abell: Yeah, it really is. We also just learned, I learned a little bit earlier that there's going to be some work done on Pigeon Creek to clean it out a little bit with some money that's coming down to us. So, that's pretty exciting too.

Brian Williams: So, what we're here today for is just your final approval that we can move forward with this project. We appreciate it.

President Abell: I would entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you so much.

Brian Williams: Thank you. I guess we will work with Mr. Stoll in terms of—

President Abell: Yes.

Brian Williams: — just the details. He keeps you all informed then of anything that you need. Is that correct?

President Abell: He does.

Brian Williams: Great. Thank you so much.

President Abell: We look forward to seeing it.

Brian Williams: Thank you.

<b>Bohannon Estates Sewer Project</b>
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President Abell: Next on the agenda is Bohannon Estates. Debbie Bennett-Stearsman is here to discuss this. Good evening, Debbie.

Debbie Bennett-Stearsman: Good evening. Debbie Bennett-Stearsman with the Economic Development Coalition. We've got several items to review this evening. I guess, should we take them one at a time?

Joe Harrison, Jr.: Yes.

Debbie Bennett-Stearsman: Okay. The first is an engineering contract with Easley Engineering. I have Justin Shofstall with Easley Engineering here. The contract is for \$62,000 for the engineering design, construction, bidding and construction inspection. That is the amount of money that we submitted in the grant application. Those fees will be paid from the City of Evansville's local match, which should be in the hands of the county by the 16<sup>th</sup>. I have forwarded that document to your attorney for review prior to the meeting this evening.

Joe Harrison, Jr.: I have informed them that all of the documents that you are going to be presenting are in order, and they are okay for them to consider at this time. I know you're on a tight schedule.

Debbie Bennett-Stearsman: So, that's the first item.

Joe Harrison, Jr.: That's the first one. If you want to—

President Abell: (Inaudible)

Debbie Bennett-Stearsman: Yes.

President Abell: Are you taking them with you tonight?

Debbie Bennett-Stearsman: I've made arrangements with Madelyn to get them tomorrow.

Joe Harrison, Jr.: You should consider each one separately.

Commissioner Melcher: Okay, I'll make the motion we accept the contract with Easley Engineering.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I'm going to vote yes, because I know Easley's been working on this a long time, and they need to get paid. Thank you.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: Okay, the second document that I have is the agreement with our organization for environmental review services, which have already been completed. Those will also be paid out of the local match from the City of Evansville's \$70,000.

Commissioner Kiefer: Okay, I'll make a motion to approve the agreement with the Economic Development Coalition for environmental review services.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: Okay, the third item I have is an agreement with our organization to do the grant administration, labor standard services, and these will be paid from grant funding as was submitted in the grant application.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: Okay, and then I have the notice to bidders that the project will be placed for bid and advertised on November 16<sup>th</sup> and November 23<sup>rd</sup>. Also in that notice includes a pre-bid conference that will be held on November 27<sup>th</sup> at 9:00 a.m. It will be in our training room at 318 Main Street, and that is in the notice

to bidders. Then it also indicates the bid opening for the project will be at the December 4<sup>th</sup> Commissioners meeting at 5:00 p.m.

Commissioner Kiefer: So moved as you just described. I'm not going to try to repeat that.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Bennett-Stearsman: Then, the last document that I have is called a request for release of funds and certification. This is the basic first document that begins the release of funds from the State to the county for the project.

President Abell: Is there a motion?

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Debbie, on behalf of the residents out there, thank you. Thank you so much.

Commissioner Kiefer: That was a lot of work. Good job.

Debbie Bennett-Stearsman: Thanks.

Commissioner Melcher: Thank you from the Commissioners too, because you have done a good job on this.

Debbie Bennett-Stearsman: Thank you.

**Public Hearing & Final Reading of Vacation Ordinance CO.V-10-12-002:  
Vacation of 15' Drainage Easement at 2441 Wheaton Drive**

President Abell: Final reading and public hearing of vacation ordinance CO.V-10-12-002, the vacation of 15 foot of drainage easement at 2441 Wheaton Drive. I'll entertain a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Public comment.

Commissioner Melcher: This is a public hearing.

Joe Harrison, Jr.: Yes.

President Abell: Oh, it's a public hearing, yeah, I thought I read that it was a public hearing. I'm sorry.

Bret Sermersheim: My name is Bret Sermersheim with Morley and Associates. I'm representing the petitioner, Susan Hirsch. She's wishing to vacate the drainage easement for placement, she's going to put a pool and pool house, pool deck, and then also put landscaping to utilize the space better. We would just like to get rid of that easement.

President Abell: What does 2441 Wheaton Drive back up to? What's in her backyard?

Bret Sermersheim: There is another section to Windemere.

President Abell: Okay.

Joe Harrison, Jr.: So, what would need to be done is to, first of all approve the petition, and second of all approve the ordinance vacating the drainage easement.

President Abell: I'm assuming that there are no remonstrators? I didn't see anyone stand. I'll entertain a motion to approve. Well, I have a motion on the floor. Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Bret Sermersheim: Thank you very much.

President Abell: Now, we have to have a second and final reading of the ordinance.

Joe Harrison, Jr.: Well, yeah that was for the petition.

President Abell: This is on the ordinance. I'll entertain a motion to approve the ordinance.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Commissioner Melcher: Let's ask one more time for remonstrators.

President Abell: Any remonstrators?

Commissioner Melcher: I just feel better.

President Abell: Okay, I guess there are none. Okay.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: I think that does it. Thank you.

Bret Sermersheim: Thank you very much.

**County Assessor: Woolpert, Inc. Agreement  
Purdue Co-Op Extension Lease Renewal  
HRI 2013 Contract Renewal  
City-County Interlocal Agreement: Property Transfer: 420 SE 8<sup>th</sup> St  
Superior Court: Professional Services Agreement: Toy Widmer  
Superior Court: Independent Contractor Agreements with SECO (2)**

President Abell: The County Assessor, the Indiana Office of Technology Geographic Information Systems Division agreement for the county-wide imagery flyover. This is an agreement with the State of Indiana for Woolpert, Inc. to provide GIS flyover orthophotography services with respect to assessment needs for the Vanderburgh County Assessor. Similar services are provided for all counties in Indiana. The cost is \$31,698.04 to be paid out of the Assessor's budget. Mr. Assessor, I have a question. I was looking at this—

Joe Gries: I'm not the Assessor.

President Abell: I'm sorry. You're the Auditor, where is the Assessor? I'm sorry, Bill. Bill, I'm so used to you being up here. It's just been two years. You would think, it takes me a while to catch on.

Bill Fluty: He could answer it, I'm sure.

President Abell: I saw, IT showed me that the imagery could be really, really clear, and then the other one is not. Are we getting the really clear one here?

Bill Fluty: Yes.

President Abell: Okay.

Bill Fluty: This is, I don't have the technical terms, of course, Mark does, and, yes, it will be as clear as they have been.

President Abell: Yeah, the difference in money would have been well worth it.

Bill Fluty: Yes.

President Abell: Because the imagery was so much better.

Bill Fluty: We're in partnership with the city on this, because they also need this. The will be paying half of the \$31,000. So, it's going to be less in the Reassessment Fund, through the Building Commission it's in their budget.

President Abell: Oh, okay.

Bill Fluty: It's a joint project.

President Abell: I just wanted to make sure that you were getting the really good one, because I was looking at them.

Bill Fluty: This is the straight down overhead.

President Abell: Okay, thank you so much.

Bill Fluty: Okay.

Commissioner Melcher: Being a straight down, will that pick up the levels of floors and everything too?

Bill Fluty: No, it won't.

Commissioner Melcher: We did that the last flyover.

Bill Fluty: That's more of what Pictometry gives us. You kind of have these at different stages. We'll come back and do that one at a later date, but before this year's out, if we're successful, we'll be contracting out with a street level view of each home in Vanderburgh County. So, that will give that part (Inaudible).

Commissioner Melcher: I know earlier when we voted on that before, they bragged how much, that's more of a public safety. It's more that if something happens in a building you know what floor it's on.

Bill Fluty: Yeah, we still have that, and that's still available.

Commissioner Melcher: So, we've still got that?

Bill Fluty: Yes, as those pictures, we do those every three to four years, because is much higher.

Commissioner Melcher: Well, I know, that's why I was asking, because I didn't think there was enough.

Bill Fluty: For that picture we're talking close to \$200,000.

Commissioner Melcher: Okay.

Bill Fluty: That has some other features.

Commissioner Melcher: But, it has, it's really good for our community too.

Bill Fluty: Yes, yes. We'll do that, but we've got to let a couple years go by and do that one, but this gets us a little closer to right now what we need.

Commissioner Melcher: I'm okay.

President Abell: Alright.

Commissioner Kiefer: Bill, I appreciate you doing this, because as somebody that uses this, it's a really important tool. I know economic developers, site selectors, a lot of people use this more than just government agencies. I mean, there's people looking to move their companies or businesses, for them to have this tool is very, very useful. I think it gives us a competitive edge over other counties that don't have it. So, anyway, I'm glad you're doing it. Thank you.

Bill Fluty: Anytime any developers would like to have some maps or some overhead views of certain properties, we can view that, some side views, they are in color when you look at the top, or maybe Harrison's new ball stadium, you'll see the "H", and Reitz's field, and you'll see a very nice structure. It's good quality.



President Abell: Yeah.

Bill Fluty: So, we can go from that or vacant land or anything they would like . Glad to do it.

President Abell: I'll entertain a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: I'm glad to say yes on this one.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Bill Fluty: Thank you.

President Abell: Thank you, Bill. Purdue Co-Op Extension Services office space lease renewal. Renewing the lease with Steve and Karen Kahre for the office space utilized by the Vanderburgh County Purdue Extension Service at 13301 Darmstadt Road. The current three year lease expires on January 31, 2013. We're renewing this for three years at the same rental rate of \$3,312 per month, and will rent from February 1, 2013 through January 31, 2016. Anyone here to address this?

Joe Harrison, Jr.: I don't believe Mr. Kahre is here. I think he's out of town.

President Abell: I don't see him.

Joe Harrison, Jr.: But, he did indicate that he would get it signed after it was done.

Commissioner Kiefer: I looked at this lease as well, and, you know, it looks like a fairly good deal for the county. I mean, I looked at it, the rent rate is reasonable, and it's staying the same, and no cost of inflation rate increases or anything. So, I feel comfortable with it.

President Abell: Mr. Melcher, do you have any questions?

Commissioner Melcher: No.

Commissioner Kiefer: I'll make a motion that we approve.

Commissioner Melcher: I'll second it.

President Abell: I just want to make one brief comment and that is that it runs through 2016, and according to the terms, I may not be a Commissioner in 2016. I will vote on it, but I do not particularly like voting on contracts that extend beyond our terms, but since the two of you just got re-elected, you'll be here for four years, and you outweigh me so it's okay.

Commissioner Kiefer: Yeah, and I agree with you, Commissioner Abell. I think, you know, I don't like going long term on these things, but, you know, this is like six dollars and twenty cents per square foot and they're locking it in, you know, no rate increases. It seems like a fair deal for us. So, I'm comfortable with it.

President Abell: Okay.

Commissioner Kiefer: I made a motion to approve.

President Abell: Did you second it?

Commissioner Melcher: I seconded it.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Next is Health Resources, Inc, the county dental renewal plan for 2013. I guess, we need a motion to accept that.

Joe Harrison, Jr.: That's correct.

President Abell: This is for our employees.

Commissioner Kiefer: I'll make a motion to accept the dental renewal plan for 2013.

Commissioner Melcher: I'll second it.

President Abell: Roll call vote. Is there anyone here that wants to address that? I doubt that there is. Okay, roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I do think it needs to have a higher cap than what it's got. You cap out at \$1,200 and if you get a crown or something you're wiped out for the rest of the year. I vote yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Interlocal agreement with the City of Evansville/Board of Public Works for acquisition and transfer of property at 420 Southeast Eighth Street. I think we have some people here to address this.

Carolyn Rusk: Yes, I'm Carolyn Rusk. I'm the Brownfield Coordinator for the City of Evansville. We're asking the County Commissioners to support this interlocal agreement, which would allow for you to take title to this property that's gone through Tax Sale. I believe at this point it's got a little over or a little under a half a million dollars in taxes and liens that have accumulated over the years, and then subsequently transfer to the City of Evansville, which you may be aware of from the newspaper that we did work out a \$1.2 million insurance settlement to take care of remediation of the property.

Commissioner Melcher: Did we get anything out of the owners at all?

Carolyn Rusk: Pardon?

Commissioner Melcher: Did we get anything out of the owners at all?

Carolyn Rusk: Did we get anything out of the owners? It's the owners, the prior owners insurance companies, there's four or five of them that are assisting with this \$1.2 million settlement. That's where it's coming from, the owners old policies.

Nick Cirignano: Nick Cirignano here on behalf of the City Attorney's office. Swanson Nunn is an insolvent business entity.

Commissioner Melcher: No, I understand. I know the original, I knew who they sold to, and we've had this problem over there a long time. I kept thinking everybody knew about it, but nobody's doing anything about it. It's really a problem over there.

Nick Cirignano: Well, fortunately, because of the existence of insurance policies, that the city didn't pay for, but Swanson Nunn paid for over the years, the city was able to initiate a lawsuit and force the insurance companies to pay for this remediation. So, there's no tax dollars being spent on this.

Commissioner Melcher: So, since we've never accepted this, we've never accepted this property, right?

Joe Harrison, Jr.: No.

Commissioner Melcher: So, what we're doing tonight is accepting it?

Joe Harrison, Jr.: No, not for a while yet, but we're indicating we will briefly, for a short period of time, then it's going to be transferred immediately to the city.

Nick Cirignano: Correct. If I might, I could take you through the time line of how it would proceed. Currently, as with all properties that haven't sold at Tax Sale, the county runs title on it, and then ultimately can petition the court for a deed sometime in early January. Then it takes about 60 days after that in order for the county to get an order directing the Auditor, I believe, for a deed conveying the property to the county. At that point then, pursuant to Indiana law, the county can convey it directly to the city. You should be happy to know, and take comfort from the fact that well within environmental laws put liability for contamination onto a government entity that takes title merely pursuant to a tax sale or that type of activity. So, there really should be very little risk, or none, to the county. Moreover, the city has agreed to compensate the county for any expenses, and indemnify it for any exposure resulting from it.

Joe Harrison, Jr.: So, if by chance there was any exposure to the county, the city says, it's on us. It's on them during that interim period before they get title to the property, which will only probably be a couple of weeks, if that.

Nick Cirignano: Yeah, and as I said, in the interim it will really just be the time between when you get the deed to when you can have a meeting and take action to convey it to the city.

Commissioner Melcher: It just seems like every time we get city property, there's always problems with it, and we have to solve it. I don't want to get anymore property from the city and solve it. It needs to be solved before we get it.

Joe Harrison, Jr.: I think that's the good thing about this agreement is, and thankfully, normally when that happens there's never any insurance money out there to clean it up. But, they're saying it's all on them, we've got no risk—

Commissioner Melcher: So, we have that all in writing?

Joe Harrison, Jr.: Well, that's what will be approved tonight.

Commissioner Melcher: Okay, that's—

Joe Harrison, Jr.: That's what an interlocal agreement is.

Commissioner Melcher: I know, but I read it, I have to go by what you say.

Joe Harrison, Jr.: I really wish they would do more of these for the county, because then we wouldn't have any issues on them. One thing that a colleague of Nick's will, Os, will come to the Commissioners in a week or two and give a report on the Commissioners sale the other day. At least at that sale, where the county did acquire a bunch of properties, I think it was what, 238?

Joe Gries: 240.

Joe Harrison, Jr.: They sold every one of them at the Commissioners sale the other day. This is one that's not going to go through that process and the county gets title through this process, which we're anticipating it will happen through the Tax Sale, it will probably be in our name a week or ten days.

Nick Cirignano: Correct, and during that time it will be an option on the city's insurance policy. So, all liability will be taken care of on that, on the city's insurance policy. Furthermore, the city has agreed to indemnify the county for any liability arising from that short period of time in which the county owns the property.

Commissioner Melcher: So, this is that whole square block? The building to the parking lot and everything?

Carolyn Rusk: The property or parcel lines are pretty much the building itself. Much of that parking lot on, to the north side, that is owned by Carver Day Care. So, there isn't any parking lot associated with that. That's, the only area that there would be space that is not covered by the building is in the rear, is just a small gravel area. The rest of this parcel is all either—

Commissioner Melcher: I should have drove by it tonight on the way here. I was thinking there was a, some parking back there but has always had a bunch of storage on it. Is that included in this?

Joe Harrison, Jr.: They're acquiring the whole parcel. The whole parcel that was owned by Swanson Nunn.

Carolyn Rusk: That's left, yes. Some of the Swanson Nunn property has been owned by Carver for ten, 12 years.

Joe Harrison, Jr.: Yeah, any part that was still in their name, or is still in their name.

Carolyn Rusk: Exactly, just one parcel.

Commissioner Kiefer: I think this is a good deal for the community. I mean, this is going to clean up that parcel. It's going to help neighboring properties, because they're going to get any environmental problems away. So, we won't have to worry about it leaching over further into neighboring properties. I'm in favor of this, and I would like to make a motion to approve.

Commissioner Melcher: I'll second it.

President Abell: Do we have any idea what's going to, what that parcel is going to be used for?

Carolyn Rusk: No, at this point we don't. We anticipate the remediation will take two to three years. So, we haven't looked at that. At this point it's removal of the building and the subsurface contamination that exists today. We need to deal with that first.

President Abell: Obviously, we would very much like to see a taxpaying entity go on that property.

Commissioner Kiefer: Yeah, something that pays property taxes.

President Abell: Since we're already down a lot of money.

Carolyn Rusk: We'll see what we can do.

President Abell: We would like to recoup some of our money.

Carolyn Rusk: Well, I think that is the essence of us being able to take title to it. Had we settled this, done the remediation, it still would have been an orphan property. That was the impetus for the city saying as part of this agreement we want to take title to it as well so that we could have control of that kind of turnover.

Commissioner Melcher: Once it's done we'll know the level, that it could be apartments or housing or industrial.

Commissioner Kiefer: Or a retail site.

Commissioner Melcher: At different levels says, like we can't do housing where the Greyhound is, but we could do industrial there.

Commissioner Kiefer: Right.

Carolyn Rusk: I would say at that location the only thing I can for sure guarantee you is that it will not be industrial use.

Commissioner Melcher: So, we're going to take it pretty deep then?

Carolyn Rusk: Yes, subsurface, right, and mostly for the vapor extraction is what we need to do, because of the prior dry cleaning fluids that have seeped down so deep and that's why it's a very expensive clean up.

Commissioner Melcher: That will also help Carver next door.

Carolyn Rusk: Exactly.

President Abell: Okay, I have a motion on the floor. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you.

Carolyn Rusk: Thank you.

President Abell: Bring us something that is going to bring a lot of jobs in, lots of money. Juvenile Court, three independent contractor agreements are to be paid from an improvement grant awarded to the court. The first one is an independent contractor agreement with Toy Widmer for facilitation for substance abuse support groups for the CHINS Drug Court. The cost is \$1,500 per month for 12 months. Joe, do we need to vote on each one of these separately?

Joe Harrison, Jr.: Yes, I would.

President Abell: Okay.

Bernie Faraone: Good evening. Bernie Faraone, Juvenile Court.

President Abell: Does anyone have any questions?

Commissioner Kiefer: This is paid for from the improvement grant?

Bernie Faraone: That's correct, through the State grant money, and it was just recently renewed for another year, October to next September. The grant goes to help fund specialized problem solving court that's run by Judge Niemeier. It's been a model problem solving court for ten years. We're glad to have it.

Commissioner Kiefer: Okay. I'll make a motion to approve.

President Abell: Okay, Steve?

Commissioner Melcher: Second.

President Abell: This has nothing to do with the grant, but do you have a lot of CHINS cases?

Bernie Faraone: Yes.

President Abell: Do you?

Bernie Faraone: This here grant actually is attached to a smaller specialized program of this court, it addresses CHINS cases where the kids are removed from homes for abuse and neglect. It's been discovered that the parents have a drug issue. They get referred from this program, some get accepted, some don't. It's an attempt to try to avoid them from getting charged and convicted with a record. It gives them a chance to get their kids back.

President Abell: Keep the family unit intact?

Bernie Faraone: Yes. Other than that, Juvenile Court has probably hundreds if not thousands, unfortunately, of CHINS referrals.

President Abell: Well, just chisel away at them a little at a time.

Bernie Faraone: Yes.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: The next one is an independent contractor agreement with South Evansville Community Outreach for use of space for support group meetings associated with the CHINS Drug Court, and costs \$400 per month for 12 months.

Commissioner Kiefer: Motion to approve.

Commissioner Melcher: Second.

President Abell: Anything you want to add?

Bernie Faraone: I just want to say that both Toy Widmer and SECO, we've been working with them for the last several years. So, it really is a renewal, and we're glad that they're available to help us.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Independent contractor agreement with South Evansville Community Outreach for child care and meals for support group participants associated with CHINS Drug Court. The cost is \$1,800 for six months or \$3,600 for 12 months. Which is it? You can't get it for 12? Or, I don't know if you can?

Bernie Faraone: Oh, yes, it is, but it's \$300 a month. We submit for reimbursement every three months or so. So, they can keep afloat.

President Abell: I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?



Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Bernie Faraone: Thank you very much.

President Abell: Thank you. Thank Judge Niemeier for us.

Bernie Faraone: Will do.

<b>County Engineer</b>
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President Abell: Department head reports. County Engineer? Mr. Stoll?

John Stoll: The first item I have is a request to file travel requests from the County Council for Valerie Harry to attend the county bridge conference at Purdue on January 30<sup>th</sup> and 31<sup>st</sup>, for me to attend the storm water drainage conference at Purdue on February 14<sup>th</sup>, and then for both me and Valerie to attend the road school on March 5<sup>th</sup> through 7<sup>th</sup>. We want to attend the conferences that will provide licensing credit for both of us for our engineer's licenses, and also the Storm water Conference provides credit in regard to IDEM's storm water mandates.

President Abell: I'll entertain a motion to approve.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, next I have an INDOT permit for the Bohannon sewer project. We have some small portions of that project that lie in INDOT right-of-way. The manhole that ties into the northwest corner of 57 and Boonville-New Harmony is in the State right-of-way, and there's a short run of the sewer down on the south end of the project that also comes up into the State right-of-way. We just need to get the INDOT permit for that.

President Abell: Okay.

Commissioner Melcher: I make a motion for approval.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next, I've got the final change order on the University Parkway project. This is for an increase of \$36,540.73, but whenever all of the final numbers come in, the total cost difference will be a net decrease of \$419.24. So, even though this change order is for a pretty good sized increase, when all of the numbers are tallied the project would have a net under run of about \$400.

Commissioner Kiefer: Move to approve.

Commissioner Melcher: Second.

President Abell: What's this for?

John Stoll: INDOT procedures require that any items that change by \$20,000 either increase or decrease had to be reflected in a change order. So, this covers all of the items that had a \$20,000 difference. The biggest one of those is the pavement bonus. The way the INDOT specs are written there's an incentive bonus payment with the contractor to hit certain specs for pavement smoothness, thickness and strength, and it's all stipulated by formulas in the INDOT specs. I think per item it was \$93,000. So, the vast majority of this is that \$90,000 increase. It was offset by a number of decreases, but this is just all of the pay items throughout the entire project that were altered by \$20,000 more or less.

President Abell: We're not paying anything in here that we're not supposed to be paying are we?

John Stoll: We better not be.

President Abell: Well, there were some problems out there, and I want to make sure we're not paying for them.

John Stoll: No, that is not included.

President Abell: That one may be hidden in there and I don't know about it. So, okay, roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Then, next the part of the project close out I have the final acceptance form for the University Parkway project. This is one of the forms that INDOT requires to be submitted in order to close out the contract and release the contractor from any further obligations on the project. The date of the last work on that project was October 1<sup>st</sup>. So, the project is completed. This is just one of the forms that is needed in the final construction record that has to be submitted to INDOT.

President Abell: Then we have one year warranty on it from the time we accept it, is that correct?

John Stoll: There is no warranty.

President Abell: We're done? So, if we release it tonight we're done? That's scary.

Commissioner Kiefer: I thought we were getting a warranty on that repair work.

John Stoll: On the bridge work there is a five year warranty, but the project in general there is no warranty provision in the federal aid projects.

Commissioner Kiefer: Okay.

John Stoll: We found that out the hard way out at Green River and Millersburg where that settlement took place on the north leg of the Green River and Millersburg intersection.

Commissioner Kiefer: Okay, but we're still covered on that other issue?

John Stoll: Correct. That is a separate issue for the bridge specifically to cover that. We have the bond. It does run five years and there we'll do annual inspections on that. The balance of the project doesn't have a warranty.

Commissioner Kiefer: Okay, I'll move to approve.

Commissioner Melcher: Second.

President Abell: You're telling us that you think it's, we should do this?

John Stoll: Everything I've seen out there, it's all done according to plan, so, yes.

President Abell: Steve's laughing at me.

John Stoll: I'm not aware of any problems.

President Abell: We're a little gun shy here. We don't want another North Green River Road on our hands. Okay, roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The next item is an acceptance form for the final phase of the Burdette-USI bike path as well. This is the same thing, this is part of the final construction record. In this case the final date of work on the project was July 31<sup>st</sup> of this year. It just needs your approval. This covers the section from roughly 1,500 feet south of Broadway Avenue down to Nurrenbern Road.

Commissioner Melcher: So, this is all done?

John Stoll: Correct.

President Abell: And very nice.

Commissioner Melcher: Is there any warranty on this one?

John Stoll: No.

Commissioner Melcher: Didn't think so.

John Stoll: Same thing. It's a federal aid project following the same INDOT provisions.

Commissioner Melcher: Okay, I'll move for approval.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next I have a set of street plans for The Stables Subdivision. This is a subdivision that's on the east side of Green River Road roughly half way between Pollack Avenue and I-164. The street plans are curb and gutter streets. They showed alternates for concrete pavement or asphalt pavement, but I've reviewed the plans, the consultant made the changes. It's Sitecon, Incorporated and all the changes were made that I had requested. So, I would request approval of the street plans.

President Abell: Motion to approve?

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: We're just approving the street plans?

John Stoll: Correct.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: Next I have an administrative settlement for parcel seven owned by Brooks on the Green River Road project. This is the section of the project between Millersburg and Kansas. This is for an increase of \$2,875 for a grand total payment of \$6,500. This is to cover the cost of a fence and an additional easement that was added to the project. I've discussed this with the County Attorney, and given the fact that this increase would still be significantly less than the cost of condemnation, I would request approval of the increase of \$2,875.

President Abell: Okay, I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I guess that's additional lands for the drainage easement. So, with that I'll vote yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: The last item I have is a deed and a sales disclosure for the surplus property on University Parkway that will be sold by Gene Pfeiffer. We had received a bid from Mr. Pfeiffer of \$6,550. The minimum bid required was \$6,500. So, we got a valid bid. This is for the roughly half acre parcel of land that's on the west side of the Parkway, pretty close to being opposite the West Terrace intersection. It's a landlocked surplus parcel. The county had no use for it. We followed all of the procedures that the County Attorney provided in regard to statutes associated with the sale of surplus properties. So, once we get the deed signed we can contact Mr. Pfeiffer and get the check and get rid of a property that's of no benefit to the county.

President Abell: Okay. I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

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

President Abell: Thank you, Mr. Stoll. Does anyone have any questions?

Commissioner Melcher: No, I'm glad you're e-mailing all of this to us so we get a chance to look at it before the meeting. Thank you.

John Stoll: Thanks.

<b>County Attorney</b>
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President Abell: County Attorney, do you have the bids?

Joe Harrison, Jr.: Yes, I have the quotes on the vehicle that was requested bids on by the Health Department. Two bids were submitted, the first bid was from Town and Country Ford at 7720 East Division Street. They indicated that they were quoting a price for a 2013 Ford Fusion, which is what they were seeking. The amount of the bid is \$17,700. That's Town and Country Ford, bid amount \$17,700. The second bid is from D-Patrick Ford, located at 500 Walnut Street, downtown Evansville. They indicated they were quoting a price for a 2013 Ford Fusion, like Town and Country. Their bid amount is \$17,405.12. So, those are the two bids for the Ford Fusion, and I would ask that the Commissioners take these two bids under advisement, and Mr. Heck can take this information, review it with the Purchasing Department and come back to the next meeting maybe on the 20<sup>th</sup>, if possible, and indicate which way they want to go. One bid \$17,700 and the other bid by D-Patrick was \$17,405.12.

Commissioner Melcher: I make the motion that we take these bids under advisement.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Mr. Harrison, do you have anything else?

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

President Abell: Okay.

<b>Board Appointments</b>
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President Abell: Board appointments. We have the Old Courthouse Foundation Board, we have, evidently it looks like we have two openings there. We are appointing Mike Hinton and Judge Carl Heldt. I did not talk to either one of these gentlemen. I'm assuming that one of you two did.

Commissioner Kiefer: I talked to Mike Hinton, and then because it was my thought that, you know, getting some, there's a lot of good people on that board, no question, but I thought of getting someone in the private sector that you know has the ability to help raise money and do other things would be useful. He agreed to do it. Then, Judge Heldt's name came forward from Dennis Au, and, so, you know, obviously, you know, everybody knows Judge Heldt, and I think he would be an asset as well.

President Abell: Has Dennis talked to him?

Commissioner Kiefer: I think, I think he asked Dennis. I think it was a request from Dennis, I mean, from Judge Heldt to see if he could serve on it. Perhaps Marissa might know more about this?

President Abell: I don't know.

Marissa Schenk: No, I don't.

President Abell: Well, let's advise Judge Heldt and make sure that he'll accept it.

Commissioner Melcher: So, you only want to do one tonight?

Commissioner Kiefer: Yeah, let's vote on Mike Hinton if you don't mind. I would like to get him started.

President Abell: Let's vote on Mike, and will you let us know by the next meeting, Marissa, if Judge Heldt's interested and we can appoint him at the next meeting.

Commissioner Kiefer: Okay.

President Abell: I'll entertain a motion to appoint Mike Hinton to the Old Courthouse Foundation Board.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.



Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: We'll take up Judge Heldt at the next meeting.

<b>New Business/Old Business</b>
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President Abell: Is there any new business to come before the County Commissioners? Is there any old business to come before the County Commissioners?

<b>Public Comment</b>
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President Abell: Is there any public comment?

Commissioner Kiefer: Yes, I have a public comment please. I just want to say that I'm happy that the election is over. I think we're going to see some changes in local government. We have a new Treasurer, we have a new County Clerk, I mean, I just want to congratulate all of those people that ran for public office. I know it's a big amount of work to even run for public office. I want to congratulate everybody that ran, whether they won or lost. I'm just proud to see that, you know, our community has people actually interested in public office and willing to serve. It was also very nice to have a referendum vote where our people actually got involved, on both sides of the issue, you know, yes or no on the consolidation. It was very, very encouraging how the community was so involved in that on both sides. So, I just wanted to congratulate all of the people that were involved in the election. Welcome aboard to the new elected officials to 2013.

Commissioner Melcher: And we have a new elected Surveyor also.

Commissioner Kiefer: A new elected Surveyor, thank you for pointing that out. So, that's the only comment I have.

President Abell: Well, I think just to tag on to that, the three of us know that we're now going to have separate city-county governments. So, we will go forward with our business. We had put some of it on hold, and we now have projects that can go forward.

<b>Consent Items</b>
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President Abell: Madelyn, do you have the consent items for us?

Madelyn Grayson: The consent items for the November 13<sup>th</sup> meeting are as follows; approval of prior minutes, we have the October 16, 2012 meeting minutes and the October 30, 2012 special meeting minutes; the employment changes for the Commissioners approval, there's one for Area Plan Commission, one for the County Highway, and two for Legal Aid; we have second and final bid notices for the following properties; 2128 Sweetser, 24 Washington, 819 Jackson, and 1028 Adams. We have sale of county owned property at 1223 Henning, 1020 Harriet, 1300 East Sycamore, 1608 Uhlhorn, 1623 and 1624 West Florida, 1703 Delmar, 1817 South Fares, 311 East Franklin, 315 South New York, 700 East Gum, 703 Blackford Avenue, 922 Lincoln Avenue, State Road 57, and 837 Blackford Avenue. The County Engineer has pay request number 162 for TIF projects in the amount of \$80,853.99, and a department head report, and a request to surplus computer towers and miscellaneous computer components; the Auditor has the October 2012 A/P vouchers; the Treasurer has the September 2012 monthly report; Hillcrest Washington Youth Home has the third quarter fees for service; Evansville ARC has the September 2012 report of activities and meeting minutes; Weights and Measures has the September 16<sup>th</sup> through October 15, 2012 monthly report; SWCD has the October 2012 monthly report; the IBAP Gatekeeper has the September 30, 2012 monthly report, and the County Highway has the 2012 paving projects summary report.

Commissioner Melcher: Before we vote, I thought I would just bring up, we talked to a lot of these people, like Hillcrest and them and it came up about the funding. If you'll notice in this, it says according to our contract operation of Hillcrest we're pleased to have a check for \$173,844.10. If you remember that was all the discussion we had, and we wanted to clear this up with all the misunderstanding that actually we give out the money, but we get paid back. So, I think this kind of proves what we were talking about that night.

President Abell: Thank you, Mr. Melcher. I'll entertain a motion to accept.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Is there any other business to come before the County Commissioners? We are adjourned.

(The meeting was adjourned at 5:57 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the October 16, 2012 Commission Meeting Minutes.

Approval of the October 30, 2012 Special Commission Meeting Minutes.

Second/Final Bid Notices: County Owned Property: 2128 Sweetser;  
24 Washington, 819 Jackson, 1028 Adams

Quit Claim Deeds: Sale of County Owned Property:

1223 Henning	1020 Harriett	1300 E. Sycamore
1608 Uhlhorn	1623 W. Florida	1624 W. Florida
1703 Delmar	1817 S. Fares	311 E. Franklin
315 S. New York	700 E. Gum	703 Blackford
922 Lincoln Ave.	SR 57	837 Blackford

Hillcrest Washington Youth Home 3<sup>rd</sup> Quarter Fee for Services.

Evansville ARC September 2012 Report of Activities & Meeting Minutes.

SWCD October 2012 Monthly Report.

IBAP Gatekeeper September 30, 2012 Monthly Report.

**Employment Changes:**

Area Plan Commission (1)	Legal Aid (2)	Co. Hwy. (1)
Sheriff (3)	Superior Court (1)	Circuit Court (1)
County Clerk (6)		

**County Engineer:**

TIF Pay Request No. 162: \$80,853.99.

Department Head Report.

Surplus Request Letter: Computer Towers & Miscellaneous Computer Components.

**Auditor:** October 2012 A/P Voucher.

**Treasurer:** September 2012 Monthly Report.

**Weights & Measures:** September 16-October 15, 2012 Monthly Report.

**County Highway:** 2012 Paving Projects Summary Report.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Schenk
Haley Combs	Liz Schuler	Katelyn Martin
Audrey Vincent	Carson Kinner	Cassidy Kinner
Debbie Bennett-Steersman	Brian Williams	Bret Sermersheim
Bill Fluty	Carolyn Rusk	Nick Cirignano
Bernie Faraone	John Stoll	Madelyn Grayson
Others Unidentified	Members of Media	

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
NOVEMBER 20, 2012**

The Vanderburgh County Board of Commissioners met in session this 20<sup>th</sup> day of November, 2012 at 5:04 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: I would like to call to order the November 20, 2012 meeting of the Vanderburgh County Board of Commissioners.

**Attendance Roll Call**

President Abell: Could I have attendance roll call please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Could I ask the military personnel to lead us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

President Abell: Thank you. We're honored to have you with us this evening. Thank you.

**Introduction of Teen Advisory Council Job Shadows**

President Abell: I see we have some young people sitting up here with us. At least younger than Joe and Steve and I are. Maybe we could go around the table and you could tell us where you go to school and what your name is.

Audrey Vincent: I'm Audrey Vincent, and I go to Memorial High School.

Katelyn Martin: I'm Katelyn Martin, and I go to Memorial High School.

Carson Kinner: I'm Carson Kinner, and I go to Central High School.

Jennifer Blythe: I'm Jennifer Blythe, and I go to Central High School.

Cassidy Kinner: I'm Cassidy Kinner, and I go to Central High School.

Commissioner Melcher: So, we've got Memorial on one side and Central on the other.

President Abell: We could have a little face off.

Commissioner Kiefer: Welcome.

President Abell: Welcome, we're happy to have you.

**Army Reserves: Burdette Park Family Day Presentation**

President Abell: I do not have on here... oh, we've got the right, they're Drainage Board minutes, never mind. I'm getting confused too. Under action items, Sargent Davenport from the Army Reserves is here for the Burdette Park Family Day presentation. The Commissioners approved pool passes for a group of Army Reserves returning from combat over the summer as part of a family day for the group at Burdette Park. Sargent Davenport is here to talk about the event. I would also like to make note that the Burdette Park Director, Steve Craig, is here.

Jarad Davenport: Thank you, Ma'am. I just want to give you guys a quick overview of the whole situation that happened out there. We had a great time. We wanted to say thank you. I know, Madam President, you came out there as well, and when it was, just the faces on the soldiers of someone actually doing something above and beyond what they expected. It was really, I mean, grateful and appreciative from everyone out there. What we want to do is actually give you guys a certificate of appreciation from our command. We actually have Sargent Whitmore and Sargent First Class Plaja here as well. The first one, if you could give me the first one here, is actually, and I'll read it to you, it says;

"This is to recognize that Marsha Abell, for the First Annual HHD 380<sup>th</sup> Quarter Master Battalion Family Day for the United States Army Reserves, she has earned grateful appreciation for her dedication to her community, her nation, and the soldiers of the HHD 380<sup>th</sup> Quarter Master Battalion. Her unselfishness, devoted service, and her unfailing support helped to make this possible at this lasting and memorable event for the HHD 380<sup>th</sup> Quarter Master Battalion and their families."

We wanted to say thank you.

President Abell: How nice. Thank you, thank you for your service. How nice.

Jarad Davenport: Also, Mr. Kiefer, if I'm pronouncing that right—

Commissioner Kiefer: Yes.

Jarad Davenport: —we also have one for you, and Mr. Melcher, we also have one for you too, sir. We also have some water bottles for you guys.

President Abell: Oh, nice. I'm sitting here with a plastic one. Thank you.

Jarad Davenport: This is just a small token of our appreciation. We can't begin to say thank you enough. We also wanted to hand out an award to Mr. Craig. Mr. Craig also worked tirelessly out there with us. I mean, from the cooking staff, as well as,

Mr. Craig, would you come up here please? We have one more for you, sir. We wanted to say thank you to him as well.

President Abell: Absolutely.

Jarad Davenport: From him driving up the burgers from the bottom all the way to the top, working relentless just to make sure that everything went off without a problem. We want to say thank you, sir.

Steve Craig: Thank you.

Jarad Davenport: We also have a water bottle for you, sir.

Steve Craig: I've got one thing I want to say real quick. I just want to thank the Commissioners, that you guys let us do things like these. You don't know, the people out there that day had a wonderful time, and I just appreciate all the Commissioners allowing us to put on functions like this. Thank you.

President Abell: We've got a lot of water bottles.

Commissioner Kiefer: I would just like to comment that really it's not the three of us that deserves any thanks, it's you and all who serve in the military that deserve the thanks, because you're the ones that are sacrificing. This is, you know, the least that we can do as elected officials. We owe you so much more than what we're able to give you, but we do, from the bottom of our hearts, we do really appreciate the service that you provided to our country. We thank you very much.

Jarad Davenport: Thank you.

President Abell: Thank you very much. Steve, did you have something that you wanted to say?

(Applause)

Commissioner Melcher: I just want to say that I think it's great that the military is getting the recognition now than what we used to get. Like when my generation came home, you know, a lot of people were against the Vietnam War, but a lot of us served our country. I think it's great now that this country has turned completely around. So, with that, I salute all three of you and all of the people you represent. Thank you.

President Abell: I echo what they said. You know, we can't possibly thank you enough, and, actually, I did come out that day, and, as you may recall, I brought my son with me who had just returned from Afghanistan. You know, so, we're certainly an Army proud family at my house, and we're very proud of our son who has spent two tours in Iraq and one in Afghanistan. It means a lot to us as a family to know that the military do have the respect that they've needed for so many years. This was a very, very small thing for us to do. It meant more to us probably than it did to any of you. We appreciate having the opportunity to do it for you. Thank you so much, and it was fun to see the children out there having a good time that day.

Crystal Whitmore: Thank you so much. We really appreciate each and every one of you.

President Abell: Thank you.

**Health Dept: Permission to Award VC-15-2012: 2013 Ford Fusion &  
State Acknowledgment Letter for Grant Agreement**

President Abell: Health Department, permission to award for VC-15-2012, a purchase of a 2013 Ford Fusion, and acknowledgment of exclusive use of the vehicle by the Health Department, as required by the grant agreement. Gary Heck is here.

Gary Heck: Thank you, Madam President. Gary Heck, Vanderburgh County Health Department. We're just requesting permission that the Commissioners award the purchase of the 2003<sup>1</sup> Ford Fusion to the low bidder of the bids that were opened at your last Commissioners meeting. That would be to D-Patrick Ford, and the low bid price was \$17,405.12.

President Abell: Who was the other one? I can't remember.

Gary Heck: Town and Country Ford also submitted a bid, and then—

President Abell: They were very close.

Gary Heck: They were close.

President Abell: I'll entertain a motion.

Commissioner Kiefer: I'll move that we approve.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Then the other thing was just to, the grant funds that we have has an agreement that it's to be used for the exclusive use, and we have a letter that we would ask you to sign acknowledging that fact. I think it's in the packet as well.

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<sup>1</sup>2013.



President Abell: Okay.

Gary Heck: I don't know that, does that require action?

Joe Harrison, Jr.: Yes, just a motion to approve.

Commissioner Melcher: That it's going to be the exclusive use—

Gary Heck: Of the Health Department, I mean, so, no other department in Vanderburgh County should be able to use it, according to the grant funds. That's what it means.

Commissioner Melcher: I was trying to understand if it was just for a certain part of the Health Department, but you're saying for the whole Health Department?

Gary Heck: It could be anyone in the Health Department could use it, but someone outside the Health Department isn't allowed to use it by the terms of the grant funds.

Commissioner Melcher: I'm sure if we had an emergency, and we needed vehicles, you would be okay with that maybe?

Gary Heck: As long as I had a Health Department driver I think the answer is yes.

Commissioner Melcher: Okay.

Gary Heck: We would loan it to you for whatever you needed to use it for.

Commissioner Melcher: Okay, I'm just saying, you never know when you have an emergency.

Gary Heck: It's public health related.

Commissioner Melcher: Exactly.

Commissioner Kiefer: Okay, so we need to make another motion?

President Abell: Yeah, yes.

Commissioner Kiefer: I'll make that motion.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: Mr. Heck, I just want to say I'm glad we could award the purchase of that vehicle to a local dealer.

Gary Heck: You all instructed me the last time, if it's ever possible to try to do it, and we did it, and we're glad we can do it too.

President Abell: We like using our local dealers. Thank you.

Gary Heck: Thank you.

<b>IT Audit Discussion</b>
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President Abell: Okay, next item under the Commissioners is the IT audit discussion. I guess I'm going to lead that. I've been meeting on this for sometime. There is, the Mayor has contracted with a company to do an audit on our IT Department. As all of you know, we are currently functioning without a Chief Information Officer. That position was held by Matt Arvay and he has left. Mark Rolley with the consulting company that actually does our computer work here is trying to cover both positions right now, but it's very tough, because Matt Arvay's position was actually that of independent of Mark Rolley's company. We're, you know, we're getting by, but what the Mayor is proposing at the more than expressed request of the City Council, was to do an audit on the IT Department to make sure that we're getting what we're paying for, we're not paying for things we're not supposed to be paying for, and everybody's doing what they're supposed to be doing. With all of that said, the contract price really ran the gamut, all the way up to several hundred thousand dollars. We picked, not the lowest, but next to the lowest, McGladrey, I think is their—

Joe Harrison, Jr.: McGladrey.

President Abell: McGladrey, yeah, Company. The cost of the audit is \$86,500, plus expenses, which are estimated to be between \$8,000 and \$14,000. I guess, at this point, I would like to entertain a motion that we would spend up to half of \$100,000, in other words, our contribution would be no more than \$50,000 toward the IT audit, and that motion would also have to include our, giving our permission to them to do whatever is necessary in the way of looking at our records to complete their audit.

Commissioner Kiefer: I agree with that. I think this is a good idea really to, we haven't done this, I don't think before.

President Abell: Once, but a long time ago.

Commissioner Kiefer: Once? Okay, but it's been a long time ago, so, I think doing this every so many years, every five years or whatever is probably a good thing, to make sure, because we spend so much money, I mean, just the enormous amount of dollars that we spend in our IT Department, I mean, I think it's money well spent. So, I'll be glad to make a motion to approve, as stated by President Abell.

Commissioner Melcher: Second.

President Abell: Further discussion? I would just like to point out one thing here is that, for the people at home that are viewing this, one of the reasons that I feel we have to have an audit is because I hardly know how to turn my computer on. They could tell me anything and I wouldn't know whether it's true or not, because I don't know computer lingo. I think that all of us are pretty much in that same position. So, this way it gets an extra set of eyes on it that really have no skin in the game, they just want to tell us whether we're doing the right thing or not.

Commissioner Kiefer: It probably has a lot to do more with like, there's so many things that, there's rebates, there's, you know, there's software licensing, there's so many different things that are involved that are beyond my imagination that I agree with you that it's important to have this other set of eyes come in and do this audit.

President Abell: With, is there anyone else that would like to address this issue? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<p><b>Sheriff: Paper Lite Software Agreement</b> <b>OCH Lease Renewal: David Miller &amp; Toby Ellis</b></p>
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President Abell: Under contracts, the Sheriff, electronic filing software agreement with Paper Lite, a master services and licensing agreement and invoice for electronic filing software and related forms for the Sheriff's Department. The cost is \$38,194.75 to be paid from the Sheriff's budget. I see the Sheriff in the audience. Are you just here in case we have any questions? Does anyone have any questions of the Sheriff? Then, I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Yeah, I move a second to approve it.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Under the Commissioners, we have the Old Courthouse renewal lease agreement between Vanderburgh County and David Miller and Toby Ellis for rental space of suite 4B in the basement of the Old Courthouse. The rental involves 920 square feet of space at the rate of \$300 a month. Mr. Kiefer, did you have something you wanted to—

Commissioner Kiefer: Well, I think what our game plan should be, you know, we're going to have this common area remodeled, it's going to look really sharp after we get done. I think starting in 2013 we've got to let our broker know that we just don't want to bring renewals without some type of inflationary rate increase, and we have to, at minimum, cover the cost of utilities, because, I think there's thermostat control, the tenants have thermostat control. So, we've got to make sure we're not leasing something out less than what it's costing us in utilities. Does this \$300 do it? You know, my understanding is they only use it a couple times a month, it's in the basement, so, you know, we might be okay with that, but, you know, Marissa, you might have an opinion on that. I mean, since you have charge over that Old Courthouse as our appointed person to do that.

Marissa Schenk: The price per square foot when you break it down, what Miller and Ellis pay is just above what the price per square foot is for utilities. So, in this case, I mean, you've got about a twenty cent differential as far as what the price per square foot of utilities versus what they're paying.

Commissioner Kiefer: So, basically—

Marissa Schenk: If that's where you want to be, that's a different story.

Commissioner Kiefer: — it's a break even deal on this.

President Abell: No, we're twenty cents ahead.

Commissioner Kiefer: Well, we're making twenty cents. So, I mean, it's up to the pleasure of the Commission.

President Abell: I don't know, I think this one we should go ahead with, but I do think we need to take a look in 2013 at all the leases, and as they come around we need to make some adjustments.

Commissioner Kiefer: I don't understand why we can't at minimum get some kind of CPI inflationary increase, because the rents are so cheap. I just don't see people leaving over \$20 or \$25 per month.

President Abell: Well, especially if they know we're going to upgrade the common areas, which is going to make their offices more attractive.

Commissioner Kiefer: Right, I agree with you. Commissioner Melcher?

Commissioner Melcher: Oh, I agree. I think we ought to have some kind of a rate per square foot. I think we ought to be looking at that, because just because it breaks even, that's fine, but, you know, we've got ongoing maintenance, so we've got to start putting some money back for that. So, I think, on every lease that comes up, starting next year, January 1, there's going to be an increase in the rent. Some of them has got three years and two years, so, I think that's something we really need to look at. If they come here and it's not an increase, I don't think we should approve it.

President Abell: I agree.

Commissioner Kiefer: I agree. I agree, unless there's some extenuating circumstance, I think point well taken.

President Abell: I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Health Department</b>
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President Abell: Department head reports. Mr. Heck, did you have anything further?

Gary Heck: I could just tell you that I just reviewed the CPI increase that was published in October for September, because the Health Department's lease is tied to that, and it's 1.99 percent increase will be for the Health Department for our rent for 2013 based on the CPI. So, for whatever that's worth. You look at it every month—

Commissioner Kiefer: Sure, so it is an increase. It's not like it's a negative.

Gary Heck: It's as close to two percent as you can get without getting there.

President Abell: Right at two percent, yeah.

Gary Heck: So, for whatever that's worth for your discussion.

President Abell: Oh, we appreciate that. So, two percent then of thirty dollars, or \$300 a month is six bucks.

Commissioner Kiefer: But, it's still something.

President Abell: I agree.

Commissioner Kiefer: It's an increase. We, you know, they would be paying that elsewhere.

President Abell: Well, I'm saying, you said they wouldn't mind, that's not any amount of money, I mean, two percent of \$300 really isn't that much.

Gary Heck: And, I don't think it's unusual for—

President Abell: It's lunch.

Gary Heck: — leases to be tied to the Consumer Price Index.

President Abell: Oh, I agree.

Gary Heck: I mean, that seems to be a standard practice.

Commissioner Kiefer: Well, I think in 2013 as these come up, then we'll make sure we add those in there.

President Abell: Yeah. Thank you.

Commissioner Kiefer: Thanks, Gary.

President Abell: Steve, did you have anything further you wanted to talk to us about? Sheriff? That's our total audience. I guess, there's nobody else.

Commissioner Kiefer: Then we can assume that there's no public comment.

President Abell: Yeah, I don't think we're going to have any, and we don't have any further board appointments. We do? No, we had one we were waiting on, yeah.

#### **New Business/Old Business**

President Abell: Any new business to come before the County Commissioners? Any old business?

#### **Public Comment**

President Abell: I'm sure there's not any public comment, although if anybody wants to talk, they can.

#### **Consent Items**

President Abell: Madelyn, would you like to do the consent items?

Madelyn Grayson: The consent items for the November 20<sup>th</sup> meeting are as follows; approval of the November 13, 2012 Commission meeting minutes; we have employment changes for the Commissioners approval, there's one for the County Highway, one for Burdette Park, and two for the Health Department; the Commissioners have a transfer request for change of venue line item, a corrective quit claim deed for 34 West Morgan Avenue, waiver of Centre fees, not overtime for the Sheriff's Office recognition and swearing in ceremony on November 27, 2012, a sale of county owned property at 1055 Pennsylvania Street; the County Engineer has pay request number 163 for TIF projects in the amount of \$15,975 and a department head report; the County Ozone Officer has the October 2012 report; the County Clerk has the October 2012 monthly report; and the IBAP Gatekeeper has the October 31, 2012 report.

President Abell: We are waiving the fees for the Sheriff's Department. I'll entertain a motion to approve the consent items.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Did you—

Joe Harrison, Jr.: We can bring this after the fact.

President Abell: After we vote on this? Okay, roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Sheriff, I would just like to tell you that all three of us are going to be in a meeting in Indianapolis and not, although we weren't invited, but we would have loved to have come to the swearing in, and we would like to come in the future just to show our support to your new deputies. So, please keep us informed when you have some.

Eric Williams: I would have assumed you were on the invited list, but I'll see to it that you are in the future.

President Abell: Well, we're all three going to be in Indianapolis on November the 27<sup>th</sup>, so we won't be able to be here, but I'm glad you've got some new deputies to swear in.

**Approval to Execute Deeds from Commissioners Sale**

President Abell: Mr. Harrison, did you have something you wanted to address?

Joe Harrison, Jr.: One thing I was going to mention, you might want to consider a motion to approve execution of deeds regarding the surplus sale—

President Abell: Those 250 that we're signing right now?

Joe Harrison, Jr.: Yes, yes.

President Abell: Okay.

Joe Harrison, Jr.: Again, I think as we mentioned at the last Commissioner meeting there were what, 238?

Marissa Schenk: 240.

Joe Harrison, Jr.: 230?

Marissa Schenk: 240.

Joe Harrison, Jr.: 240 properties that were sold at the Commissioners sale on November 8<sup>th</sup>. What I would ask for is that the Commissioners just make a motion to approve execution of deeds necessary to transfer property from the county to those individuals who purchased the property.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you, Mr. Harrison, for keeping us legal. Is there any further business to come before the County Commissioners?

Commissioner Kiefer: Move to adjourn.

Commissioner Melcher: Second.



President Abell: We are adjourned.

(The meeting was adjourned at 5:27 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the November 13, 2012 Commission Meeting Minutes.

Transfer Request for Change of Venue Line Item.

Corrected Quit Claim Deed: 34 W. Morgan Avenue.

Waiver of Centre Fees/Not OT: Sheriff: November 27, 2012.

Sale of County Owned Property: 1055 Pennsylvania Street.

IBAP Gatekeeper: October 31, 2012 Report.

**Employment Changes:**

Burdette Park (1)

County Highway (1)

Health Dept (2)

County Clerk (3)

Circuit Court (2)

Sheriff (4)

Prosecutor (1)

Superior Court (1)

**County Engineer:**

TIF Pay Request No. 163: \$15,975.

Department Head Report.

**County Ozone Officer:** Department Head Report: October 2012.

**County Clerk:** October 2012 Monthly Report.

**Those in Attendance:**

Marsha Abell

Joe Kiefer

Stephen Melcher

Joe Gries

Joe Harrison, Jr.

Marissa Schenk

Madelyn Grayson

Audrey Vincent

Katelyn Martin

Carson Kinner

Jennifer Blythe

Cassidy Kinner

Jarad Davenport

Crystal Whitmore

Gary Heck

Steve Craig

Others Unidentified

Members of Media

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS  
DECEMBER 4, 2012**

The Vanderburgh County Board of Commissioners met in session this 4<sup>th</sup> day of December, 2012 at 5:00 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

<b>Call to Order</b>
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President Abell: I would like to call to order the December 4, 2012 meeting of the Vanderburgh County Board of Commissioners.

<b>Attendance Roll Call</b>
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President Abell: Could I have attendance roll call please?

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

<b>Pledge of Allegiance</b>
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President Abell: Mr. Melcher, would you lead us in the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

<b>Permission to Open Bids for Bohannon Estates Sewer Project</b>
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President Abell: I would entertain a motion to open the bids for the Bohannon Estates sewer project.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: All in favor say aye.

All Commissioners: Aye.

**(Motion approved 3-0)**

President Abell: Mr. Harrison, will you do that please?

Joe Harrison, Jr.: Yes, I'll do that.

President Abell: Thank you.

Joe Harrison, Jr.: Thank you.

<b>Evansville ARC Update</b>
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President Abell: Under the action items this evening we have a presentation from Deidra Conner. Good evening, Deidra, from the Evansville ARC. It looks like you have a visual presentation for us. Would you like to start?

Deidra Conner: Thank you, and thank you for letting us be here tonight to speak with you. My name is Deidra Conner, I'm the President of Evansville ARC. For those of us who may not know about Evansville ARC, I always try to give a little a bit of information. Evansville ARC's been around almost 60 years. We were started in 1957 by a group of parents who had small children at home at a time where special education services were not available in the public school system. So, Evansville ARC started as a school in the basement of the East Side Christian Church. That has grown today to be an independent, non-profit organization that serves approximately 750 children and adults on a daily basis through a variety of services. Our goal is to help people with disabilities live independent lives in our local community. When we were here earlier this summer, during some of the budget discussions, one of the questions that was raised about Evansville ARC, or a question that came to us from your group was, what are you doing from a donor, development, grant writing, that kind of thing to become more independent financially. So, we wanted to make that the focus of our presentation tonight, to give you some history and background on what we've been working on. Denise Seibert, our Director of Development is here with me, and she's handing out a presentation, a copy of the materials. We do have an in-house development department at Evansville ARC. We do annual giving special events, fundraising, many of you know The Big Show, The Really Big Show, that's our signature fundraising event. We have had a capital campaign in recent years. We focus a lot on volunteer programs, and one of your Central students in our audience tonight is one of our volunteers. So, we engage people at all ages and all levels within the community. Despite being about 60 years old, we are still really what I consider in the infancy stages of fundraising. We were fully funded, adequately funded for many, many years by State funders. So, we've really only been working on true fundraising and philanthropy for the last ten years. So, that's not a long time given our history. Typically we raise somewhere between \$300,000 and \$400,000 per year that we can put towards programs and services, which is not insignificant, but when you think about a budget of ten million dollars annually, we have a long way to go to build that, to become more financially independent. We have a strategic plan that we worked on with our board. Our goal is to be able to raise a million dollars a year by 2013-2015. That's a big task that we've tasked ourselves with, but we take that very seriously. So, I thought it might be helpful if Denise could just share a little bit more information with you about our history and fundraising (Inaudible) we currently do today.

Denise Seibert: Good evening. If you'll look on slide two, this just gives you a glimpse of our last fiscal year. Our fiscal year ends June 30<sup>th</sup>. This kind of breaks it down into those buckets that you guys will see. Annual fund, for us, the majority of that are individual contributors. So, that is an area we've really been focusing on growing, and that's where we've really seen a lot of growth lately. Capital campaign, some of you may be familiar, we're doing some renovations to our facility on Virginia Street. That's been a long process, but those funds were restricted to those capital

improvements. Grants and then a lot of people are probably most familiar with The Really Big Show, the net of The Really Big Show. I want to point out that the 2012 show, which is the net revenue seen on your sheet, that was our tenth year to host this event, and in the whole ten years of The Big Show, we've raised over \$920,000 through that event. Plans are being made for our 11<sup>th</sup> Big Show, we still see that as a success, because we have a lot of awareness that we've generated. A lot of people became familiar with us initially because of The Big Show, and then, you know, have stayed supporters in other ways, or volunteers after being familiar with The Big Show. I want to point out that you guys may be familiar that Evansville ARC is a United Way organization, however, this does not include United Way allocations or designations. This is strictly fundraising that we oversee. You know, to kind of give you a glimpse of how things have been, you'll see a listing of our fundraising revenue since 2007. You can see we had some really big years, and then you'll see decline. I contribute that to two reasons; first of all, because our capital campaign started in some of those years, we had a lot of large multi-year gifts that made, the pledges were recognized in the years that you see, like '07, '08, '09, however, people were making three to five year pledges. So, that revenue was recognized in those years, but they were being paid off over time. The other thing, I think we experienced some decline just because of the recession. Which, I think, if you've talked to many non-profit leaders, that was pretty common. A lot of the research and experts I've talked to, think it will take us about ten years to get to that 2007 level, that pre-recession level. From our experience, we're seeing some increases, we're maintaining things, but I firmly believe it is going to take ten years to really get to that point again. Then, finally, to give you an idea of where things stand, you'll see, there's a chart here, and it breaks down our fundraising revenue into the different buckets; foundations, corporations and individuals. You'll see that corporations are about 24 percent of our revenue, individuals are about 35, and foundations are about 41 percent. The parentheses behind that are when you look at the national studies for last year, what the national giving trends are. The good news is not all of our eggs are in one basket. About ten years ago I was doing some research, we had over 55 percent of our funding from corporations. So, we're diversifying our giving, however, you know, the majority of giving comes from individuals and that's what we're really trying to focus on moving forward. We still need those corporations, we still need those foundations, but long term sustain ability is going to come from our individuals. So, that's where you're seeing us spending a lot of our time and energy.

Deidra Conner: What you see for Evansville ARC is pretty much the norm with ARC's across the country. People who know the ARC and use the ARC services are people who have given to the ARC in the past, but the general public has been unaware for many, many years of the work that ARC does. So, we are kind of behind the eight ball in building donor recognition and building recognition in the community. I think Evansville ARC and Denise and I have done a good job in the last five to eight years to bring ARC more out into the forefront, but we went many, many, many years kind of being that sleepy, behind the scenes organization that people knew about if they needed us, but if they didn't, you know, they just weren't aware of us. So, we are genuinely pursuing a culture with our board and internally of philanthropy and the importance of donor relations. So, we will continue to work on that. Do you have any questions about the materials that Denise presented or our fundraising efforts in general?

Commissioner Kiefer: I would just like to make a comment, Deidra. I'm very impressed with your organization.

Deidra Conner: Thank you.

Commissioner Kiefer: How well, for what little amount that you have available how good of a job that you do and how well you apply those limited dollars. I think other organizations could follow your example, because this is really good. We get people that come before us that want money that don't have these type of contributions from other institutions or individuals or foundations. So, it's impressive what you're able to do there.

Deidra Conner: Thank you. One of the best compliments anyone has ever given us as an organization, in my opinion, outside of what we hear from families, are donors who will say to us, I've never felt as thanked and appreciated as I have been from the folks at Evansville ARC. We do genuinely value our supporters. We know people have a lot of choices when it comes to giving their money. We know that about you as a Commissioners group, and how appreciative we are of your support year after year after year. So, we do want to say thank you to you as well, and just extend an open invitation to you and others who are listening. We love to have people in our building. We love to show off what we do, but we do genuinely and sincerely appreciate the support that you have given to us as well. You've been a long time supporter of ARC. That really helps with just the foundation of all of the cuts that we've taken through the years from the State. You help make sure critical services get to people who need them. You're helping change lives in Evansville, and that does not go unnoticed by us, by our board, by our staff. I want to say thank you for that. We are open to suggestions. If anyone has any suggestions on ways we could become better as a, you know, a fundraiser or as an organization in Evansville, we would love to hear your feedback.

President Abell: Thank you, Deidra. You do a great job. We appreciate all of your work.

Deidra Conner: Thank you. Thank you so much.

President Abell: Thank you.

<b>Emergency Response Center Update</b>
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President Abell: Emergency response center. Is Mr. Rector here? Sheriff Williams?

Dave Rector: Dave Rector, Building Authority. Sheriff Williams is here and Adam Groupe with EMA is here. As you recall, a few months ago your board, along with our board approved funds from our joint Building Authority-County Commissioner fund for design for the emergency response center at the new jail and the space that we had to build out in. Since that time we've designed it, we've bid it, we opened bids at our October 30<sup>th</sup> meeting. The bids are good for 60 days. They came in, low bids with contingencies, with some moving and some equipment, for about \$550,000. If we have to do a new generator also, it would probably be about another \$50,000. We aren't sure about the generator right now. So, for \$550,000 to \$600,000 for the project. With your permission we're going to approach Council in the morning about this funding, but I thought the Sheriff and Adam could probably better address why they're wanting to do this project.

Eric Williams: Good evening. I think I've probably spoken to everybody about the project, but I would be happy to answer questions. I would just start off by saying that I think this is a win-win-win for our community by doing this. We're going to be able to utilize existing unencumbered space within our secure facility at the confinement

center to co-locate or re-locate our current Emergency Management operations from a leased space off campus. So, we'll bring a city-county government facility into an existing building. We're going to be able to create a place to have a back up Central Dispatch center, something that our community doesn't have currently. You know, right now we're dependent on a single entity for our dispatching services. We've got this programmed to have a mini dispatch center so we could deal with an emergency. It is going to be a location that we'll finally settle on a place to have our data recovery for the city-county operations in this building. We would also have office space allocated for not only the EMA during their normal working business hours, but for in a disaster should something tragic happen to this building and we've got to put government back online, city-county government could go to work in this facility and start delivering services back to the people and get itself back together. I believe this facility is ideal for us because it is probably the most secure facility in our community. Not only is it very difficult to get out of, it's very difficult to get into when we want it to be. It is very structurally sound. We have, if this is going to be an emergency response or emergency back up center, we have 24 hour nursing and medical facilities on board, we've got a kitchen on board, we've got a lot of facilities that make it ideal to run a 24 hour recovery operation out of. We've talked about this for a long time, we've finally gotten to a point where we think we're close to fruition and seeing it happen. We just need permission to go to Council tomorrow and ask for the approval of the funding. I would be happy to answer any questions if you have any.

Commissioner Kiefer: I would just like to make a comment. Eric, I know you've been working on this a long time. I remember when I was on the County Council I was out, walked through the site with you and I think it's a great idea, because if we're going to invest money in EMA, you know, I would rather invest it in a property that we own rather than a place that we're renting. Plus, I think this Commission and this Board of Commissioners has been saying we want to get away from renting from outside private sector and utilize buildings that we own. So, I think it's right on track. I would like to, I don't know if we need to do this, but I would like to make a motion to support it so when you go to the County Council you can say you have support from the Commissioners, support and approval to go, yeah.

Commissioner Melcher: I'll second it.

President Abell: Any further discussion from anyone? I'll just make a little note to you, Mr. Rector, you said a generator, are you talking about like a generator to generate power? Is that what you're talking about?

Dave Rector: A back up generator.

President Abell: Well, we happen to have one out at the County Garage. It was taken off of Roberts Stadium—

Dave Rector: I know where it came from.

President Abell: — and we cannot adapt it for the County Garage. You might want to check with Mr. Duckworth and see if you could utilize it.

Dave Rector: I'll do that.

President Abell: Okay.

Dave Rector: I'm kind of familiar with it.

President Abell: Yeah, I thought you might be.

Dave Rector: The best of intentions.

President Abell: Yeah, it just didn't work out.

Eric Williams: Before you cast your vote, Adam is here from the EMA if you want to hear from them, because it would become their day to day working operations. We've worked closely with Adam and Sherman in this. They know very well what their needs are. They've got space that does not get used as often as we would like, because it's kind of dedicated for some training and emergency operations, and we, thankfully, don't have those every day. Co-locating it in our facility would allow my office and other agencies to also use that space when it's not in action for training purposes, meeting purposes and a variety of other things so. Again, if, Adam?

Adam Groupe: There's really just two points that we really support this on. Number one, we are paying a lot of money in rent that could be going back into the city and county, and it's almost silly to put that into the private pocket. Additionally, the increased security, we leave our vehicles out there at night. More than once we've had damage to our vehicles that we've had to repair. We don't expect this to happen at the Sheriff's Department.

President Abell: No, I wouldn't either.

Commissioner Kiefer: I just came last week from the County Commissioners conference, and I sat through a session on emergencies and what to do in critical situations, and the folks from Henryville, they're in Clark County, were there and I can tell you that I think this is a smart move, because the more we do to prepare and the better set up we are as you're suggesting, I think it would be foolish, or foolhardy not to proceed with a plan that makes us better positioned to protect our community in a time of need. So, with that, I guess I'm ready to vote.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I'm supporting it because I already know we've got a great, great EMA and with the Sheriff's Department and Police Department and all of us, we all work together. We're known throughout the State, because I had to go with Sherman one time to do one of those classes that you went through, so with that I'm going to, to keep us number one here I'm going to vote yes.

Madelyn Grayson: President Abell?

President Abell: I vote yes.

**(Motion approved 3-0)**

Eric Williams: Thank you.

Adam Groupe: Thank you. If I could just mention we already have one of the state of the art emergency operations agencies in the State to begin with, and it's only going to improve and provide better services. Thank you.

President Abell: Thank you. Thanks for coming tonight.

<b>Swift Athletics: Road Race Road Closure Request</b>
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President Abell: Swift Athletics, "Run this Whey" road race request. I'm looking around, I want to make sure the Sheriff doesn't leave. I want to make sure that you have approval on these road requests. Thank you. It's to be held December the 16<sup>th</sup> from 1:00 to 5:00 p.m. It will affect roads in Union Township, but no county roads will need to be closed. All forms and certificates of liability have been submitted to the Commissioners and sent to the Sheriff. It sounds like you've done all of your work. Would you like to give us your name and tell us what you want?

Rebecca Paxton: My name is Rebecca Paxton, and my husband and I own Swift Athletics. We put on a ten mile race called "Run this Whey". It is to benefit the Galactosemia Foundation. Galactosemia is genetic condition that our daughter has.

President Abell: Did you do this last year, I think?

Rebecca Paxton: This is the fourth year.

President Abell: I thought this was something—

Rebecca Paxton: It was called the Parents of Galactosemic Children last year.

President Abell: Okay.

Rebecca Paxton: They've renamed it because they don't want just parents involved, they want, you know, community members and grandparents and siblings and everybody else involved.

President Abell: Okay. Sheriff, are you okay with this? You are shaking your head yes, that's affirmative? Okay. Is there any further discussion on this? Roll call vote, oh, I need a motion.

Commissioner Kiefer: I move to approve.

Commissioner Melcher: Second.

President Abell: Now I'll take a roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.



Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Rebecca Paxton: Thank you very much.

President Abell: Have a successful race.

Rebecca Paxton: I plan to. If the weather is anything like last year it's going to be absolutely perfect. It was 55 degrees. The year before that it was about 20 and a blizzard. So, we'll go with the 50 degrees.

President Abell: It's been good this week.

Rebecca Paxton: Yes, thank you much.

<b>Greater Evansville Runners &amp; Walkers Club Road Closure Request</b>
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President Abell: Greater Evansville Runners and Walkers Club New Year's Day 5K road race request. It's to be held on January the 1<sup>st</sup> from 10:00 to 10:30 a.m. The race begins and ends at Burdette Park and will affect county roads in the vicinity. All forms and certificate of liability have been submitted to the Commissioners and sent to the Sheriff. Welcome.

Chris Thomas: Hi, I'm Chris Thomas, President of the Greater Evansville Runners and Walkers Club. This is our annual New Year's Day race. All of the benefits we use for this will go for scholarships for high school boys and girls athletes going to college, and then also our free track meets. To date we've given out over the last eight years \$16,000 in scholarships. Then we do four free track meets at either Central High School or Harrison High School. They're not free, but we have to rent the stadium and we give medals to kids that do the 50 yard dash and all of this stuff. So, last year at our first meet we had 120 kids in the 50 meters and the 100 meters and stuff. So, this race helps our scholarships and our track meets and our stuff that we do during the summer.

President Abell: Are you going to be utilizing the pathway from Burdette to USI?

Chris Thomas: No.

President Abell: Okay.

Chris Thomas: I'll probably, honestly, I'll probably never use that. It's too difficult to deal with USI.

President Abell: Oh.

Chris Thomas: Because you've got to...it's a great, it's absolutely a great place to run, and Steve Craig is great to work with. I work out at Toyota, and I use Burdette Park for two of our Toyota only races that we put on for the employees and stuff, and he is super duper to work with, but, USI, I don't know, there must be something

special out there. You've got to go out and turn around and come back, I don't know, anyway—

President Abell: Well, I'm sorry to hear that.

Chris Thomas: – but it's beautiful.

President Abell: Because it is a beautiful area.

Chris Thomas: Oh, you guys did a fantastic job. Just to walk out there and look at the bridges, there's one part that's 30 feet down a gulley, and, I mean, it's really nice.

President Abell: It's very nice.

Chris Thomas: It's really nice. So, but we, this is just out and back.

President Abell: This is out on the park.

Chris Thomas: We'll use three Sheriff's, Brian Traylor, I got a hold of him, he'll line up three police force, we'll use REACT, and we'll have other volunteers. When we get in the park we'll have, you can't really shut down a whole course, but you just try to let people know to slow down, things are going on and stuff.

President Abell: I see the Sheriff in the back, Sheriff, would you like to shake your head yes or no? You're okay with it? He gave me the sign, a thumbs up. I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Have a good race.

Chris Thomas: Thank you.

**Vacation Petition: CO.V-12-12-003: 7215 Hogue Road  
First Reading of Ordinance & Permission to Advertise Public Hearing**

President Abell: Receive petition and first reading for vacation of ordinance CO.V-12-12-003, vacation of easement at 7215 Hogue Road. I need a motion to approve.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Any discussion?

Commissioner Kiefer: Just that–

President Abell: Roll call–

Commissioner Kiefer: – I was going to say this is a pretty simple–

President Abell: You’ve read this.

Commissioner Kiefer: – yeah.

President Abell: I read it too. You’ve read it, Mr. Melcher?

Commissioner Melcher: Uh-huh.

President Abell: Okay. Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Now I need a motion for the County Auditor to advertise the notice of public hearing.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: The second and final reading of this ordinance will be on December 18, 2012.

<b>Resolution CO.R-12-12-014: Refinancing EVCBA Jail Bonds</b>
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President Abell: Resolution CO.R-12-12-014, the refinancing of Evansville-Vanderburgh County Building Authority jail bonds. Mr. Harrison, would you like to explain that to us please?

Joe Harrison, Jr.: Mr. Rector is here too, General Manager of the Evansville-Vanderburgh County Building Authority. This is the third phase of the refinancing of the jail bonds. There was one last year, and I believe one—

Dave Rector: The previous year to that. This is the third setting.

Joe Harrison, Jr.: — the year before. The savings on this particular last phase appears to be, is going to be in the range of \$1.3 million. So, it's going to be a total of three million over the three refinancings to the county. This is real net savings to the taxpayers, since this is paid by property taxes. So, the bonds, I think there's about 15 more years still left on payment of the jail bonds. Is it 15?

Joe Gries: 2028.

President Abell: Okay.

Joe Harrison, Jr.: So, anyway, this will be a substantial savings. This is the first step. The County Council is to consider a similar resolution tomorrow. The Building Authority already did pass the resolution at its last meeting last Tuesday, and then in January the actual bonds and everything will be issued or refinanced. So, I would ask that the Commissioners consider this resolution. Mr. Rector is here to answer anything regarding—

President Abell: This is good work guys.

Dave Rector: It is a good thing. On a side note, we actually have an opportunity with the Centre early in '14. We can't get started until late of '13, but in early '14 we think we have an opportunity to also refinance some of those.

President Abell: That's great. That's wonderful news. Glad to hear it.

Joe Harrison, Jr.: Yeah, rates are low.

President Abell: Yeah.

Commissioner Kiefer: That's the only good thing about having a bad economy is the interest rates have dropped.

President Abell: That's right.

Dave Rector: I think that's three million dollars comes, what is it, a couple hundred thousand dollars a payment?

Joe Gries: I believe so.

Dave Rector: Yeah.

Joe Gries: We make two payments a year, so we're saving probably saving in the range of \$100,000 to \$120,000 a payment. So, it's significant money.

President Abell: Yeah, that's good work. We appreciate it.

Dave Rector: Thank you.

President Abell: I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Dave Rector: Thank you, Commissioners.

President Abell: Thank you.

<b>County Auditor: Amendment to Tyler Technologies Agreement</b>
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President Abell: Next is the County Auditor, amendment to the County Auditor's current financial software and payroll system contract between the county and Tyler Technologies that was signed last year. The amendment provides the County Auditor's office with additional training hours and fewer consulting hours. This

contract modification was requested by the County Auditor and agreed to by Tyler Technology and does not change the cost of the agreement. I think the Auditor was here earlier.

Joe Harrison, Jr.: He's right here.

President Abell: Oh, I'm always looking for Bill Fluty. I am so sorry.

Commissioner Melcher: He changed.

President Abell: A long time ago. It just takes me awhile to catch on to new things. I'm sorry, Joe.

Joe Gries: This is just a simple kind of moving the contract around a little bit to give us more flexibility if we need any further training as we progress over the next year.

President Abell: Does this require a signature?

Joe Gries: It does, and Madelyn has that.

Joe Harrison, Jr.: It's simply an amendment to the contract. So, they can have, is it more training?

Joe Gries: It is more training instead of consulting.

President Abell: Will we need a motion?

Joe Harrison, Jr.: Yes.

President Abell: Okay. I'll need a motion to amend the contract.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Burdette Park**

President Abell: Department head reports. Mr. Craig, can you either be quick or you can let Mr. Stoll go first, one or the other?

Steve Craig: He can go first.

President Abell: He's going to be a while.

Steve Craig: I can be quick. The first thing I would like is I was wanting to be before the County Council to get a new employee to replace an old one that we had. I need to go to Council to get this permission. I was wanting the Commissioners to give me that permission.

President Abell: I'll entertain a motion, but I don't want you to hire that person.

Steve Craig: That's correct.

President Abell: Okay. This is just for him to go to Council to ask for the permission to replace this employee.

Commissioner Kiefer: And the actual hiring of the person will be delayed until he talks to us?

President Abell: Yeah.

Steve Craig: Yes.

Commissioner Kiefer: Okay, I'll make that motion.

Commissioner Melcher: I'm going to second the motion, but I'll be there with you tomorrow.

Steve Craig: Well—

President Abell: He has another issue.

Commissioner Melcher: I've got another issue trying to hire a Veteran's Secretary.

Steve Craig: Okay, well, I was not going to be at the meeting, because I was not on the last agenda. This would be for the meeting on December 12<sup>th</sup>.

President Abell: Oh, okay.

Commissioner Melcher: I'm going anyway.

Steve Craig: Because, well, I would appreciate it if you attended the one December 12<sup>th</sup> with me also.

Commissioner Melcher: Send me an e-mail.

President Abell: I may be there on the 12<sup>th</sup>. I have another issue with them also.

Steve Craig: Okay.

President Abell: Then, I need, well, I've got a motion and a second. I need a roll call vote.

Steve Craig: Then, the next thing I have—

President Abell: Wait a minute we've got to vote on this.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Okay.

Steve Craig: I recently spoke to Ms. Sherry Wargel and John Maxwell representing the Mad Max 5<sup>th</sup> Annual Ride for the kids at Riley. It's a great event, with a great cause, and to date the group has raised over \$110,000. It goes directly to the health care for many of Indiana's sickest children. A portion of that always stays in Evansville through the Deaconess Riley Foundation. The folks from the Mad Max Ride for Kids are wanting Burdette to become the ending destination to their great event. The benefit to Burdette Park is the rental of the campgrounds, chalet rentals and this is one of the reasons they want to move the finale back to Burdette Park. One of the other ones is their grandmother was Louise DeVoy and she was my mentor at Burdette and also the building, the main office is named after their grandmother. Burdette would get exposure from this from t.v. spots, radio spots and the local news media covering several days of the event. I believe that the exposure we receive with the chalet rentals and that will make the event a win-win situation for Burdette Park and Vanderburgh County. It will definitely be a win-win for the kids at Riley. With that in mind, the rental expense would take a large chunk of what they are working so hard for, and they would appreciate any assistance you could give them in regard to the rental. What it is, it's the open air pavilion that's not even open at that time. The other races use it for a rain venue when we have it, but I wanted to come to you, there's no air condition, heat, anything. They will set it up, they will clean it up, it will be no cost to the park.

President Abell: Okay.

Steve Craig: If you have any questions, they are here. There they are. It's a great thing, I mean, we're going to expose the park to, they had over 400 riders last year. So, they will definitely take care of filling up our campgrounds and our chalets and that.

Commissioner Kiefer: Yeah, Steve, I would like to make a comment, if that's okay.



President Abell: Sure.

Commissioner Kiefer: You know, I like the idea because not only are we doing good for a great organization, but we're actually going to make money because they're going to be renting the chalets and other things. We're just, the pavilion is where we're not making money, but we're going to make it up because there's going to be a lot of people out there. How many do you estimate?

Steve Craig: There's going to be 400 riders. There will probably be 600 to 800 people that's involved with this.

President Abell: Right.

Commissioner Kiefer: So, we're going to be filling up the chalets and other things. So, it still will be profitable for us, and at the same time helping out the organization.

President Abell: Sure.

Steve Craig: Our Give Hope Run started with a small event, and I think last year they had 1,300 kids, or 1,300 people in that event. So, these events just keep growing every year and it's just exposure to the park. We don't use the pavilion in April and May. It's not even opened up. Like I said, we don't, they'll take care of getting it ready and there's really no cost to the county.

Commissioner Kiefer: Plus, it's good for the local economy. I'm sure there's going to be people going to the restaurants and shopping and stuff like that.

Steve Craig: Yes.

Commissioner Kiefer: If it's okay, I would like to make a motion to approve.

President Abell: Sure.

Commissioner Melcher: Second.

President Abell: Further discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Before I vote, and, you know, some things we do don't bring money into the county, they're just, we just do them because they are good for the community, and this is one of them.

Steve Craig: I agree.

President Abell: Thanks for bringing this to us, Steve. I vote yes.

**(Motion approved 3-0)**

Steve Craig: Was that quick enough?

President Abell: That was plenty quick. Thank you.

Steve Craig: Thank you much.

President Abell: Let's see if Mr. Stoll can do as well.

Commissioner Kiefer: Thanks, Steve.

<b>County Engineer</b>
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President Abell: Mr. Stoll? Mr. Stoll, I asked you to come, I know you're here, you have another reason, but I want to talk to you about, I had a complaint, I've had phone calls on the Kansas Road project, which is not a county project. But, I think when we have county people that take their time to call me to tell me that their business is financially suffering because there are people dragging their feet on the Kansas project, and I want to know what's going on. I appreciate the fact that you gathered some people to come here tonight so that we could have an open discussion about this. I think Mr. Jeff Dike is here, if he would raise his hand, since I don't know Mr. Dike. Okay, Mr. Dike's business is suffering from this and going to suffer even more because of the delays in this roadway. Maybe you can bring these Commissioners and me up to speed as to what's going on on Kansas Road.

John Stoll: Okay, and I do have, I invited R.W. Armstrong to send some of their engineers here, and several representatives of R.W. Armstrong are here to address questions since they've been involved with the design side and permitting side of this. My understanding of the delay is primarily the railroad. This evening I have a petition that I was going to ask you to authorize me to sign on behalf of the county so that way it could be submitted to INDOT in hopes of getting the railroad crossing expansion underway, at least from the INDOT perspective. For several months now, the County Attorney and I have been working with R.W. Armstrong and the airport's attorneys in trying to work out an agreement with the railroad for the expansion of the railroad crossing there at Kansas and 57. The railroad has some very unrealistic demands stated in the current agreement. They think that the county should be responsible for maintaining overhead utility lines going across their right-of-way. We don't own, operate or maintain utility lines. So, obviously, we're not going to accept that provision. There are provisions in there that state that the county would be obligated to provide their maintenance of traffic for any closures of the crossing in the future that they would initiate. To do that next to an INDOT highway, there are specific standards that INDOT has as far as the amount of barrels and barricades that must be used. I don't even think we've got enough at the County Highway Department, but, once again, it's not the county's obligation to provide traffic control for the railroad. Those are just a couple of provisions that are in that agreement, and Joe and I have been making revisions and submitting e-mails back and forth to the airport's attorney, which in turn, working with R.W. Armstrong they've submitted it to the railroad, the railroad has not been willing to make any of the changes we've requested. So, we've kind of hit a stalemate there. In hopes of maybe shaking something loose, I had some discussions with R.W. Armstrong about going ahead and submitting the petition to INDOT because the statutes require a separate petition to go through INDOT in order to make alterations to a railroad crossing. We

had hoped to have the agreement in place in advance of the petition. That's not going anywhere, so, now we thought maybe if we got the petition in INDOT's hands maybe they could help referee this situation and get some workable terms. That being said, that is the primary reason why things have been at a standstill out there on Kansas Road. The county has a bridge that's going to be replaced immediately east of this railroad crossing. The bridge couldn't be built because there's some overhead utility lines out there that can't be moved until Vectren gets an agreement with the railroad. I think Vectren's having similar problems as the county as far as getting some acceptable terms in the agreement. So, with no agreement the utility lines couldn't be moved, which in turn prevented the bridge from being built. Things just snowballed. That prevented the project from moving ahead as planned, because the roundabout, the bridge, all of this was supposed to be constructed in this 60 day time frame. In talking to R.W. Armstrong, there was also another issue that came up recently, there's a sewer line that they were initially informed wasn't, didn't have to go back to IDEM to get State approval on the reconstruction of the sewer line. They have since been told it did have to go through IDEM. So, they were ready to build it was my understanding, and that was another problem that they ran into.

President Abell: They were told by whom?

John Stoll: Pardon?

President Abell: They were told by whom?

John Stoll: The Water and Sewer Department. So, that's a summary of the delays that I know of. R.W. Armstrong provided a memo that I set on your desks up there that they gave me this evening as far as the status of the project. If I haven't addressed everything properly, R.W. Armstrong has representatives here, so they could probably clarify anything that I can't.

Joe Harrison, Jr.: John, could you just basically point out, up to this point the county's role in this whole thing has not been involved with the construction. The project was bid out by the airport, but what will be the county's role after the road is constructed fully?

John Stoll: The city limits lies on the new portion of Oak Hill that was just built between Millersburg and Kansas. The city annexed probably half way, I don't remember the exact location of that line, but somewhere about half way between Millersburg and Kansas Road is the city limits line. So, the county will be responsible for maintaining the new portion of Oak Hill from that point north to Kansas, the roundabout that will be constructed at Kansas and Hedden, and then the reconstructed portion of Kansas between the roundabout and 57, as well as some improvements on the west side of 57. But, your correct, this was all bid in conjunction with the project to extend the runway to address the problems that the airport had with the FAA on some regulatory issues.

President Abell: Is the sewer issue held up by the local sewer department, or is that now held up by the Indiana Department of Environmental Management?

John Stoll: I'll have to get R.W. Armstrong.

Todd Schultheis: IDEM.

President Abell: Would you come to the microphone please?

Todd Schultheis: Evansville Water and Sewer provided us an allocation letter to provide to IDEM last Monday, and on Tuesday we submitted that to IDEM. So, we've been in contact with them trying to push this along, and they said they will take note that we need to move this, move their part along. It's just a relocation, there's no additional, you know, waste that's being allocated to that. So, it's just a relocation.

President Abell: Do you feel comfortable that it will be moved along prior to the time we make a final agreement with CSX?

Todd Schultheis: Absolutely. We had a meeting–

President Abell: So, even if you had IDEM's approval, you couldn't go forward because you're being held up by CSX?

Todd Schultheis: Correct.

John Stoll: It's not CSX.

President Abell: It's not CSX?

Todd Schultheis: Well, it's not CSX.

President Abell: Oh, I'm sorry. Who is it?

Todd Schultheis: Indiana Southern Railroad.

President Abell: Okay, Indiana Southern Railroad, I mean, let's, we're televised, I want them to have as much bad publicity as they can get. So, let's tell them who they are.

Todd Schultheis: So, no, we talked to–

President Abell: And, I apologize to CSX.

Todd Schultheis: – the contractor today, and they can absolutely have that sewer in place well before we're going to get the road issues resolved.

President Abell: Is this petition, Mr. Harrison, do you think this is going to push, you might want to stay there, some others may have questions.

Joe Harrison, Jr.: Well, the petition will also be filed by the airport. So, it's a joint petition between the airport and the county, and we believe that it will push things along. John, you might have some thoughts on that.

John Stoll: Yeah, we're hoping that since INDOT deals with these petitions regularly, in conjunction with any expansion or alteration of a railroad crossing, we're hoping that maybe they can help facilitate–

Joe Harrison, Jr.: And it had to be done anyway.

John Stoll: Right.

Joe Harrison, Jr.: It had to be done, it's just that the railroad, I think, was pushing to have an agreement in place before the petition was filed, and we're going to do it a different way.

John Stoll: Since we hit a roadblock as far as not being able to get the terms of the agreement worked out. We thought this was worth a try.

President Abell: So, what if you went ahead with your road construction without an agreement? What are they going to do? They can't...have the Sheriff arrest you? I mean, really what's the consequences if we go ahead?

Joe Harrison, Jr.: Well, it's not our contract, but it's the airports.

John Stoll: Maybe Todd can elaborate, but the biggest problem as far as trying to get the road work done was the overhead utility lines didn't let the bridge get constructed, because the bridge is right up next to the railroad crossing, and the overhead utility lines couldn't be moved until Vectren got something worked out with the railroad. So, there was a series of conflicts.

Todd Schultheis: We have a work around now for the Vectren issue. So, they are going to temporarily take a line out of service, so they'll back feed power from another direction. So, we're going to be able to proceed with the bridge regardless of the railroad.

Commissioner Melcher: So, we don't have to worry about the Vectren thing then is what you're saying?

Todd Schultheis: Correct.

President Abell: And we think the sewer will be cleared up, so the only problem is the railroad?

Todd Schultheis: Correct.

President Abell: Do you have to like dig it up, I mean, I don't know what's going on, I mean, I'm not a contractor. Are you going to have to dig up the railroad?

Todd Schultheis: The crossing is being widened out to about seven lanes through there. So, their crossing itself there, they're going to self perform that, that work, and all of the signalization has to be moved to accommodate that, and they are going to self perform that. So, they've gotten bids to do that work themselves, but they're waiting to proceed until we get these agreements in place.

President Abell: So, we're hoping that INDOT will push them to get this done?

Todd Schultheis: Yes. We're also getting support from the FAA seeing if they can talk to the U.S. Transportation Secretary to help push the railroad as well.

President Abell: Okay, Commissioners, if you have any other questions of him.

Commissioner Melcher: Yes, we need your name for the record though.

Todd Schultheis: Todd Schultheis with R.W. Armstrong.

Commissioner Melcher: And might as well have the other one too.

Matt Wiggins: Matt Wiggins with R.W. Armstrong.

Commissioner Melcher: That way all of our records are clear who said what, when.

Commissioner Kiefer: You might have said this before, but I was kind of reading through John Stoll's e-mail earlier about the document that you want permission to sign. Is this thing still accurate the way you want it to be read?

John Stoll: Yes.

Commissioner Kiefer: And, you still need permission to sign that document?

Joe Harrison, Jr.: That's the joint petition? Yes, and the city, or the airport is going to, I guess, sign it, or if they haven't already, they're going to sign it.

President Abell: Well, that's the next person I'm calling up. There's somebody here that represents the airport. Would you like to come up please. Because Doug Joest told me he was—

Commissioner Melcher: Same thing, you'll have to give your name and who you are with and that.

Nate Hahn: Sure, I'm Nate Hahn, I'm the Operations Manager for the airport.

President Abell: Are you going to help us push this through? I mean, this is a really serious thing to the people out on Kansas Road.

Nate Hahn: I completely agree. We've done, we're pushing all of the buttons that we have to our ability. Also, when it comes down to just getting the agreement taken care of with the railroad.

President Abell: I guess, I just, you know, Mr. Harrison, you're our attorney and we've got all of the people here that are working on the project, and, I guess, it's just something, I don't quite understand everything, but, you know, if you've got enough money and you've got enough power you ought to be able to get something done. I just can't imagine that we're sitting here causing businesses to look at closing their doors, and all we can say is we can't seem to get anything done.

Joe Harrison, Jr.: This petition will help, because now we're going to kind of go a different route. I think it will help. Do you guys concur?

Todd Schultheis: Yes.

Joe Harrison, Jr.: Okay.

Commissioner Kiefer: If things go accordingly, after this petition is signed, do you got a time line for these guys? I mean, they can't be sitting on their hands guessing and wondering when they might have something accomplished. Do you got some kind of time line you can shoot out some projections on?

Todd Schultheis: The plan is to go ahead and proceed with the construction of the bridge starting on January 7<sup>th</sup>, and so then they would need like a two month time

span to complete that. The batch plants, to be able to get the approaches and things to the bridge, the batch plants for asphalt won't open back up until sometime around April 1<sup>st</sup>. So, there may be a stretch there where, you know, we either have an aggregate surface or the road continues to be closed, but beyond that we've got plans that we could work around to tie back in once the asphalt plants are back opened up. So, even if we don't have the railroad completely figured out and they get in there to do their construction, we can get that intersection opened back up.

President Abell: Mr. Dike, did you want to come to the microphone?

Jeff Dike: (Inaudible. Not at microphone.)

President Abell: Sure. Come ahead.

Jeff Dike: Jeff Dike, I own and operate Jeff W. Dike Farms and Farm Market. I have a lot of issues with this Kansas Road closure that's not being addressed. It's nothing that what we was told about has happened. You know, I talked to R.W. Armstrong. Matt Wiggins has done a good job. I will say he's one of the only ones that has held to his word. Hell, I had field tiles that's been cut on Oak Hill Road since March. As of yet as of tonight they have not yet been fixed. I can't even get field tiles, a four inch drain tile fixed coming out of my fields on the new Oak Hill Road. They promised me it was a 60 day closure, everything was intact, ready to go. I've got a disaster out there. They tell me the roundabout is not going to be built until spring. It's been the bridge issue. How could a 60 day closure be granted and permitted to even do this? I don't know. I have made a huge investment into Vanderburgh County, I have eight employees on my time clock. I'm on the verge of laying all of them off or even closing my doors. You know, I know winter is slow for the type of work that I do. We put in a bakery last winter, it was a huge investment into the store. We can't sell bakery goods because we can't get people in. People are sick and tired of the construction. They won't come and patronize my business. I know Doug over here is suffering. The asphalt plant I was told is closing the 15<sup>th</sup> of December, whether I get an entrance into my store, nobody seems to care. I had to appeal to you guys for some kind of help. You know, Blankenberger Brothers has done a tremendous job, they're on it seven, six days a week. The contractor does a, I mean, give them guys a pat on the back, and, again, Matt has been civil to deal with, but I can't afford much more. I mean, I'm running in a hole now. To see the mess, I mean, you know, you can blame it, well, you know, why we're behind, you know, bad weather, rain, we ain't had any of that. It's been excellent weather to move dirt. You know, I'm not laying the blame, but, you know, I've run heavy equipment in my time. You know, the dirt out there is perfect to move. You know, then we had the sewer, you know, I don't know where to go anymore. You know, I'm trying to do all of the channels correctly, but it's going to be a disaster for me. I raise strawberries, I've got six greenhouses, I have three in another county, I have three down here that's going to be up in full production in another week. All of that stuff gets sold out of my market. If I have to face the closure in the spring, you guys aren't going to get your taxes, and we'll have a business folding up basically. I mean, it's bad for me.

Commissioner Melcher: I guess I would like to ask, is there, and I don't know this, because the airport's doing this, can somebody tell me why you can't get his entrance to his business, asphalt?

Todd Schultheis: Kansas Road between Hedden and State Road 57 will be closed, but the new Oak Hill Road to Kansas, that intersection will be open back up by December 21<sup>st</sup>.

Commissioner Kiefer: So, can he get access to his—

Todd Schultheis: From the new Oak Hill Road, how they are currently accessing it, that intersection there will be open.

Commissioner Kiefer: And he'll have a way to get a curb cut to get into his parking lot?

Todd Schultheis: His existing driveway and curb cut are open.

Commissioner Kiefer: Okay.

Todd Schultheis: They won't be disturbed.

Commissioner Kiefer: Well, can you guys cooperate by getting some directional signs up or something to help this guy?

Jeff Dike: It's not working. I mean you've seen the logistics of the mess out there. I mean, people are complaining, and, Doug, you can back me up on this on the Oak Hill—

Commissioner Melcher: I'm sorry—

President Abell: You need to come to the microphone.

Commissioner Melcher: —we're not getting you on the recording.

Commissioner Kiefer: Jeff, you need to go to this mic.

Jeff Dike: You know, everywhere you go out there it's a blockage. You know, I'm not getting the McCutchanville business. You know, if the asphalt closes on the 15<sup>th</sup>, I don't humanly see a way that they're going to get me opened up off Oak Hill Road in ten days if they can't get the IDEM permit.

Commissioner Kiefer: You know, the—

Todd Schultheis: We met with the contractor today, and the asphalt contractor is willing to keep the plant open through the 21<sup>st</sup> to get this work done.

Commissioner Kiefer: The pity about this is, I know Jeff, I've known him for a while, and I know he's a good, honest, hard working business man. I know he cooperated with you guys early on on some land and other things that you guys needed. It sure would be nice to have that extend the opposite direction. I hate to see Jeff suffer here and have to close his business. That's not good for Vanderburgh County. I don't know the solution. Like Commissioner Melcher said, it's not our project, but, you know, if we can use any of our weight to help him, I would like to do that.

Commissioner Melcher: That's what I want to see, I want to see us get him back, you know, as soon as possible. What about the field tiles? That's the drainage part, are you guys going to be doing that?



Matt Wiggins: Yeah, there are a few drain tiles that were cut during the project and were opened up into the existing ditch. The work on that is actually going to taking place, finishing up this week on it.

Commissioner Melcher: Alright, so what you're telling us now, you could have this done in a week and a half or so?

Matt Wiggins: Only the drain tile part is what I'm talking about.

Commissioner Melcher: Well, the drain tile is something that he's getting.

Matt Wiggins: Yes, and they will be done this week.

Commissioner Melcher: But, if we could get him where people could get to him, and you said that plant's going to stay open longer?

Matt Wiggins: The plant is going to stay open until the 21<sup>st</sup> to help try to move as much, get as much work done this year as we can.

Commissioner Melcher: Well, I think what we want, as Commissioners, to get him and the other gentleman's, help people get to their businesses. You know, it's a problem when you have this, every time we do a project it seems like we're always falling into different people and different time lines, and I don't know what we could do about the railroad, I wish it didn't exist, but they seem to always be a problem.

Commissioner Kiefer: That's Indiana Southern Railroad that's causing the headache.

President Abell: That's right.

Commissioner Melcher: Indiana Southern, right.

President Abell: Mr. Stoll is trying to pull that area up on our screens here for us. I guess, while we're waiting, I just want to reiterate what Mr. Melcher said is because, you know, this is the third project this year that we have had major problems with that we had nothing to do with. It was not our fault, you know, this one isn't even a county project, but, you know, we cooperated very well with the airport, and we bent over backwards to get along with you all, and I would expect you to really, really push hard on the contract that you let to get this project done so this gentleman and this gentleman don't close their doors. Because this group up here is about economic development, and this isn't economic development, this is an economic disaster. We're not happy about it. Let's see if we can look at the area here on the map. John, you'll have to tell us what we're looking at.

John Stoll: Yeah, I'm trying to get it zoomed out.

Commissioner Melcher: He's trying to find it.

President Abell: Yeah, when you find it. Okay. There's the railroad.

John Stoll: This area right here, where the cursor is, is where the realigned Oak Hill is going to run. The roundabout that everybody's been discussing is up connecting Hedden Road, Kansas Road and the realigned Oak Hill. The railroad crossing is right here. Mr. Dike's operations are here. As far as the railroad crossing itself, there will be significantly more lanes in this area. The crossing is going to be more than

twice as wide through this area in order to accommodate all the lanes associated with needing to move the traffic once Oak Hill is realigned. So, I mean, once—

President Abell: Is that Kansas and 57?

John Stoll: Yes. This east-west road is Kansas. This is 57 at the diagonal here. This is the Indiana Southern railroad. This is a crossing surface that we've been trying to get the agreements on as far as expanding the width of the crossing. The bridge is located right here, that's going to be replaced with a precast concrete structure. Let me zoom out here again. The roundabout was going to be here. Did this section here get paved?

Todd Schultheis: They're working on that.

John Stoll: Okay, I was going to say, this is the part that the contractor's were working on getting paved when I was out there last week. They were cutting at the final grade. I don't know if I can give you any other details—

President Abell: Where is Elite Fitness on this?

John Stoll: It's right here on the west side of 57.

President Abell: Okay.

Commissioner Melcher: It's on the other side.

President Abell: Yeah.

Todd Schultheis: Between State Road 57 and Hedden.

John Stoll: This piece right here?

Todd Schultheis: Yeah.

John Stoll: Oak Hill will be open up to here, up to Kansas to provide access to the Hedden Road area and the airport industrial park businesses. If I'm understanding correctly, and Todd or Matt may be able to correct this, if I'm stating it incorrectly, but it's this portion that would be opened up to provide access to Mr. Dike on the realigned Oak Hill, but there still would be no through traffic on Kansas, is that correct?

Todd Schultheis: Correct.

John Stoll: Okay.

President Abell: So, to get, if I wanted to get to Mr. Dike's business from 57, I couldn't just turn and come down Kansas Road to get to it?

John Stoll: No.

President Abell: Will I ever be able to? I mean, is that part of the plan that it will be opened up? Yeah.

John Stoll: I can't zoom it out enough to show the whole thing, but there's a roundabout that was constructed, it loses the aerials every time I try to zoom out. Oak Hill gets realigned, is open, the roundabout is out in the middle of this field here, that's where Oak Hill runs due north now. The new section of Oak Hill was built in conjunction with the airport project. This southeast leg of the roundabout ties into the county's Millersburg Road project. These aerials just aren't new enough to be able to see all of that, but it all runs through this area. That's where you continue northward, it, the balance of the Oak Hill project up towards Kansas.

Joe Harrison, Jr.: As far as getting to Mr. Dike's business from 57, would it be off Hedden? What is that road now that you can get down there?

Todd Schultheis: You would take Oak Hill Road and then the new Millersburg and the roundabout intersection they would go through that and get on the new Oak Hill Road and it takes them down to there.

Joe Harrison, Jr.: Okay.

Commissioner Melcher: Yeah, but none of that is open. How do they do it today? Show us up here how you get into his property?

President Abell: Today.

Commissioner Melcher: Today, right.

Matt Wiggins: You have to go down Oak Hill. You have to take 57 to Oak Hill and then get on that new road that they made.

Joe Harrison, Jr.: There's a light there now, right?

Matt Wiggins: At Oak Hill and 57 there is.

Joe Harrison, Jr.: And 57.

Matt Wiggins: Currently Mr. Dike is accessing that from 57 to go down Oak Hill and then through the new roundabout on the south and then back up to Hedden Road right now, which goes to his drive. Our project actually begins to the west of his drive through there, then also he has access from Green River Road down Kansas.

President Abell: Mr. Dike are there good directional signs out there if I wanted to try to find your place?

Jeff Dike: You know, Armstrong and airport made up some plastic signs, we've taped them up, we put them on posts along the road. I've got one on 57 and Oak Hill, I've got one on the roundabout, but 75 to 80 percent of my business comes off of 57 through the McCutchanville area and is accessed up Kansas Road. That's how it is, but then when they're coming around Oak Hill Road, they've got construction on both sides of Oak Hill Road, which today was nothing but a mud spray mess. I had one lady drive in that went around it, she said, just look at my car. I went out and looked at it. She said, you know, I said, it rained. She said, well, the whole Oak Hill Road is covered with mud, you know, they're constructing on both sides of the road. She said this is it, she said, I'm not coming out no more. I said, well, you know, I said, you know, I can't wash your car for you, you know. It's just one obstacle, I know we've got to do the construction out there. You know, I moved down here in 2009

and I'm going to acquire a piece of industrial property, the next thing I know the airport wants an expansion. I've talked to Joe about it, and I've had a relationship with Joe on another issue, and, you know, I was at my wits end, finally, you know, we got the road realigned. The first ordeal they was going to go right through the middle of my store which I built. So, I begged and pleaded and we did get the road realigned on the south end of my property, which, you know, I did, I'm thankful for that at least. You know I was aware of a 60 day closure. I was okay with a 60 day closure. You know, I've been in construction and I farm, and you know we're going to have obstacles, but this, I think, is a little bit much.

Commissioner Kiefer: I have a question please.

President Abell: Go ahead.

Commissioner Kiefer: This is, I guess, for you gentlemen, does Rexam have access? I mean, do people have, from Kansas Road can they get into that Rexam Plastics?

Todd Schultheis: Yeah, I've got an exhibit. Do you want me to bring it forward and show you?

President Abell: Sure.

Commissioner Kiefer: Yeah, I wouldn't mind taking a look at that. The reason I'm asking is because his property is next to Rexam, I was just wondering if you guys could—

Todd Schultheis: They're coming up Oak Hill Road—

Commissioner Melcher: Would you want to come up here too? That way you could kind of help.

Madelyn Grayson: Todd, would you make sure you turn and speak into one of those microphones if you're going to make comments so that we can get them on the record.

Commissioner Melcher: Here just—

Commissioner Kiefer: Show us how you get into Rexam today.

Todd Schultheis: The new Oak Hill Road comes up through here, they have access through here.

Commissioner Kiefer: But, for somebody to get to his property you can't come all the way up here?

Todd Schultheis: We're going to repave some stuff on this intersection by the 21<sup>st</sup>, and that will be how it is through the winter.

Commissioner Kiefer: I guess, my question is why can't you guys put down some kind of chat or something?

Todd Schultheis: Well, it's going to be paved, it's going to be asphalt.

Commissioner Kiefer: No, I'm not talking about the road, I'm talking about building, like you do a construction site, you give it temporary access like a—

Jeff Dike: (Inaudible) right through the middle of my strawberry fields to do that.

Commissioner Kiefer: Oh, okay, well, that's—

President Abell: Oh, this is your strawberry field?

Commissioner Kiefer: Well, I didn't know if up on the right-of-way or something they could—

Jeff Dike: I think what I need an answer for is, you know, we get a top coat, you can't put the final coats of asphalt down. So, are you going to get all of this constructed with the weather, and then in the spring are we going to have to close it back down again to do the resurfacing? How long is that going to be?

Todd Schultheis: Yes, it will have to be reclosed in the spring to build the roundabout portion.

Jeff Dike: That's, you guys have no idea what that's going to do. That will destroy me, literally.

President Abell: When it's closed again?

Jeff Dike: Yeah, I mean, I might as well just hang it up. I mean, I do 80 percent of my business in April, May and June.

President Abell: It's like closing Macy's at Christmas.

Commissioner Kiefer: What I was trying to get at is, you know, maybe along the right-of-way or something, you know, would a ten foot wide temporary road up to your business help if we could figure, you know, something could be figured out to do, you know, chat or something, gravel.

Todd Schultheis: The contractor's intent is to have this curb line in place and that asphalt in place. So, any pavement we have to do there in the spring would be just the surface portion, but the roundabout, the concrete associated with that roundabout, the median part of that, that would have to be where they're working out there. So, this, he would still have access there without having to build a temporary road.

Commissioner Melcher: Well, I think that's what he was asking you when he said would it be closed?

Todd Schultheis: Well—

Commissioner Melcher: So, you're saying it's not going to be closed now?

Todd Schultheis: — we'll have a lane that will be open to get there, but the intersection is going to be closed.

President Abell: Where was the railroad track? Why is that affecting this?

Jeff Dike: That's what I don't understand, the whole issue here, and that's what I can't–

President Abell: Why is this affecting this? Why don't we just forget that and go ahead and do this?

Todd Schultheis: At this point the batch plant and everything close down for the winter, they can't produce through the wintertime, and so we're just up against–

Jeff Dike: But, you know, we closed this the first of November for a 60 day closure. I can understand, but we've had equipment sitting out there for over three weeks that hasn't even been moved, and then all of a sudden last Thursday, or Wednesday we start grading and we start doing a lime stabilization and then all of a sudden we're in a dire need to get this done here, and, you know, we've had too many good days. That's what I can't understand. You know, this roundabout could have been constructed without even the issue with the railroad, without even the Vectren issue. Then all of a sudden we start moving here, and now we get an IDEM issue. I've worked with IDEM, I used to have a dairy farm, I know what IDEM is, it's 30-60 days for a permit. You're not going to get one over night or in a week. I've dealt with them. You know, we've got all of this perfect conditions to do the dirt work out here and get this roundabout done, but, you know, Blankenberger's sitting here willing, they're chomping at the bit with their equipment to get it done, but they can't get it done because, I don't know why.

President Abell: Where's the gentleman with the airport?

Nate Hahn: Yes, Ma'am.

President Abell: Is there some reason you can see why they can't do this? Just because this is more expensive, is that an issue?

Nate Hahn: Well, the initial delays were the sewer and the Vectren.

President Abell: Yeah, well we can't do anything about what happened yesterday, I'm looking at for tomorrow.

Nate Hahn: I mean, it obviously would be an increased cost for the airport, which they have to support the funding, there's that side of it from our standpoint of–

Commissioner Melcher: What increased cost?

Nate Hahn: Increased cost, if they have to remobilize. We would have to go back to (Inaudible) is my understanding.

Todd Schultheis: Yeah, we would have to revisit that with Blankenberger. I'm not sure what they can get accomplished there.

President Abell: Tell them we would really appreciate it.

Todd Schultheis: I understand. So, we'll get with Blankenberger and we'll follow up with you.

Nate Hahn: We understand. I mean, this delay is causing delays to the next four or five, six, seven, eight packages of our project. We're pushing for–

Commissioner Kiefer: Delays cost a lot of money too. So, I mean, if we can get something going here, that might save you guys money in the long run on other delays.

Nate Hahn: Agreed, yeah, the initial delays, like I said, the Vectren pole and the sewer, now those are no longer delays we can start working on some of that, but that goes back to what we said, the asphalt plants.

Commissioner Melcher: But, I guess, what I don't understand, I kind of agree, this thing could have already been started. I mean, if you were waiting on delays down there, that wouldn't have stopped you from going there, to me.

President Abell: We sure would like to see this done before spring. Tell Blankenberger that the County Commissioners would like to see them do a little extra to get this done. I think they understand why I said that. I think they know we're not happy with them. We might be a little happier if they work hard at that.

Commissioner Kiefer: I'll make a motion to approve this petition.

Commissioner Melcher: I'll second it.

President Abell: Did you have something to add to this?

Bill Jeffers: Yes, Ma'am.

President Abell: Okay.

Bill Jeffers: It's nothing about the petition, but I just wanted to say that I live out there, and I've worked around construction, and I've worked around farmers all my adult life.

President Abell: Mr. Jeffers, would you give your name?

Bill Jeffers: Bill Jeffers, County Surveyor, 2641 Malibu Drive. I'm the third house north of the new end of the runway. So, I'm well aware at 5:30 in the morning of the construction, until 6:00 at night, six days a week. I've been around construction and farmers, worked with them since I was 14 years old, to the present. I will say that Blankenberger Brothers has done an excellent job. I wish they had some way to muffle their tailgates when they're dumping loads, one every two minutes, and banging their tailgates at 6:30 in the morning, but that's life in the big city. I know Jeff Dike. I've known him since he came down to get his permits. I've never seen a farmer, never met a farmer work harder than Jeff Dike, ever. He not only is a farmer in two counties, maybe three counties, he might be in Warrick too. He's got straw fields and hay fields all over the county. I see him down there at 5:00 in the morning. He's hands on the entire time. He's done all of his own irrigation. He has thousands of pot grown mums on top of black plastic that he put the plastic down himself, landscape fabric. He's filled all the pots with potting soil, and these are huge pots like this, he's growing these huge mums, every one of them is drip irrigated. He connects all of the drip irrigation lines. I've seen him out there all summer long in 108 degree weather. His greenhouses are full of bedding plants and ornamental flowers, ferns and stuff. He hand waters every one of them. I've been down there talking to him, try to talk to him, because he's running around like a mad man, I can't even get a chance to talk to him. I know where his customers are coming from, because I'm the precinct, I was the precinct committeeman out there until I gave it up. I know his

customers. I see where they're coming from. I know most of his customers. They're coming from across those tracks on the west side of 57, and half the time I would go up there during strawberry season I couldn't get any strawberries. Here's Jeff Dike out there, himself, picking strawberries as fast as he can, running them up to his market, people are buying them as fast as he's bringing them in there, and I can't even get two quarts of strawberries. I mean, he's a working fool. All the people who are buying those strawberries are coming from the west side of 57, driving across the railroad tracks. If you look at the map, or the map that was up there, the new Oak Hill Road took half his strawberry patch. He spent tens of thousands of dollars putting field tile drainage underneath that strawberry patch. That was a muddy field, in a flood plain, just a soy bean field that was zoned M-1, I think, or M-3. He came in there and made tens of thousands of dollars of just field drain improvements to drain that field to where it will grow strawberries. They took about half of it. I saw him down there this fall, I went down to talk to him, couldn't talk to him, he had about six or eight people out there on the back of these tractor planters and they were planting a new strawberry field to the south. I was hoping to get some strawberries this spring. I'm going to tell you something, his customers are from the Mercedes district. They are not going to drive down 57, through all that traffic, down to Oak Hill Road where there's two or three full load dump trucks at every stop light, I mean, I live right there, I can watch it all the time. Every stoplight sequence there's three dump trucks coming from the hill across from the airport, loaded, turning into Oak Hill Road to haul up and dump on the new runway apron, and three empty ones coming back out on that sequence, dust flying, semi trucks from the dog food plant coming down the new Oak Hill Road, coming out that way to get back on 57. People driving their Mercedes and driving their Lexus' and stuff are not going to be driving through all that construction traffic. Half the time there's a flag around there stopping them, dust flying everywhere. It's not going to happen. It's a real shame, I mean, I just talked about his drainage improvements, he put up three greenhouses, they are full all the time. He has some of the nicest help in that farm market. It's a beautiful farm market. It's spotless all the time. I've never seen a bad piece of fruit in there. His bakery is running, it looks great, smells great. I think he's even got some delicatessen stuff in there now. If that closes down, I used to go up there every morning to get fruit, the man's a friend of mine and I don't even go up there anymore. It's a P-I-T-A to drive up there. It would be a pity if it closes down, it truly will. That is one of the finest farm markets I've ever seen.

Commissioner Kiefer: I've seen, I've seen this happen more than once where governments come in, whether it's INDOT or some other government agency, they come in, they close off traffic, and it really, truly does affect a business. Hopefully, this petition that we made a motion for helps you. I think the plan is at least set in motion tonight, and hopefully we can get something accomplished.

Commissioner Melcher: I would like to say that anything else you need from the Commissioners we'll give you.

Jeff Dike: Thank you for your support. I think this gentleman would like to get a word in (Inaudible. Not at microphone.).

Doug Heiman: I would like to say one thing—

Commissioner Melcher: Just state your name and that for the record.

Doug Heiman: My name is Doug Heiman, I own Elite Fitness Center. I'm located at the northwest corner of 57 and Kansas Road. My business is probably down 25 to



30 percent since they closed down Kansas Road, and that's significant. My property taxes are over \$1,800 month. Some of my competitors don't have to pay property tax, but I do. It hurts a lot. It just, it blows my mind that there's two or three hundred foot of road that they have to shut down for four months because of the railroad. I live in Keystone Subdivision, I had to deal with that Green River Road project for over a year, they built a temporary bridge going over Pigeon Creek for Christ's sakes, they think they could do something for two or three hundred foot of road. It just doesn't make any sense with the technology we have today. That's all I have to say.

President Abell: We appreciate your comments, and also, Mr. Dike, thank you for coming. I think we three County Commissioners have made our opinions very clearly known to the people that are doing this project. We may not have any control over this project, but you're going to want to do another project in Vanderburgh County, and we're going to be sitting here. So, don't forget it. Take care of these people. I have a motion on the floor. I'll entertain, roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Mr. Stoll, did you have anything else to bring before...thank you. Are there any other department heads that have a report this evening?

<b>Reading of Bids: Bohannon Estates Sewer Project</b>
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President Abell: Before we go further, Mr. Harrison, do you want to tell us the results of the bids?

Joe Harrison, Jr.: Yes, on the bids on the Bohannon Estates sewer project. There were four bids that were submitted. The four bids are as follows; first BMB, Inc., the bid amount \$352,340; the second bid was from Deig Brothers Lumber and Construction, that bid amount, \$664,335; the third bid is Blankenberger Brothers, their bid is \$373,121.20, \$373,121.20; and the final bid is Koberstein Contracting, that bid amount, \$439,497. So, that's \$352,340 on BMB, \$664,335 on Deig, Blankenberger, \$337,121.20, and on Koberstein, \$439,497. I would ask that those bids be taken under advisement.

Madelyn Grayson: Joe, is Blankenberger 373 or 337?

President Abell: Yeah, you said 373 the first time.

Joe Harrison, Jr.: \$373,121.20. Sorry.

Commissioner Kiefer: I'll make a motion that we take this under advisement.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>New Business</b>
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President Abell: Under new business, I should have a proclamation here. Thank you. I'm going to read a proclamation that the County Commissioners are going to sign this evening. This is a proclamation honoring James R. Price:

"Whereas, James Price served as the First Ward City Councilmember from 1973 to 1994 and as Knight Township Trustee from 1994 to 2006; and, Whereas, James Price dedicated 34 continuous years of his life to serving the citizens of Vanderburgh County and the City of Evansville; and, Whereas, James Price represented the constituents and the taxpayers of Vanderburgh County to the best of his ability, often going above and beyond the call of duty; and, Whereas, James Price passed away on Thursday, November 29, 2012; Therefore, in honor of this dedicated public servant, Tuesday, December 4, 2012 is hereby proclaimed as James R. Price Day in Vanderburgh County."

Executed this 4<sup>th</sup> day of December, 2012 by the Board of Commissioners of Vanderburgh County. We'll be signing that this evening to honor Mr. Price, and as a little personal note, and I'm sure Mr. Melcher has one and so does Mr. Kiefer, I served as the City Clerk when Mr. Price was a City Councilman and could not have served with a more dignified gentleman and someone that serving the people meant any more to than Mr. Price. The community owes him a great deal, and he will be greatly missed by all of us.

Commissioner Kiefer: I worked with Jim at SIGECO when I first got started there, and he was finishing up his career, but it was amazing watching him, because he knew how to work with people. Whether it would be some indigent person coming in needing assistance or working with a business, dealing with their utilities, or doing his City Council work, he knew how to work with people. He's one of those gentlemen that gave elected officials a good name. I mean, so often you hear negativity about politicians, I think Mr. Price was just the opposite. He knew how to give politicians and elected officials a good name. I would like to, I know that I won't

ever meet up to his standards, but I would sure like to, you know, follow in his footsteps and try to, strive to be as much like him as I can be, because he was just that kind of quality individual. I can't say enough about Jim Price. I hate to see him gone.

Commissioner Melcher: Well, the one thing I know is that when I first got on, the same time Marsha became Clerk I became a City Councilman, and he won his term out there also, another one. He was a veteran, so we were veterans so we talked a lot. He helped me on a lot of things. He said, you know, when you're up here you have to vote your conscience, don't tell anybody how you're going to vote until they turn on the microphone. He said, now sometimes you get orders from your party, but then you sometimes just have to go against your party. He just told me how he did it. I've been trying to follow his advice on some of that, but, you know, he was a good man, and he always showed up, and always had something to do. I will say this, every year he was the first one that proposed the eight percent homestead credit, every year. So, if he had been on the City Council the year that it didn't come out, it would have come out if Mr. Price would have been on there, because he would have brought it up right off the bat. He knew right around the end of February or March it had to come out, and he would say it every time. He would always say, well, this is my yearly deal, I'm making a motion now that we give eight percent and he hadn't even talked to the Mayor yet. It happened, it really happened. So, he was a good man, and this community lost a lot with him passing away, but he brought a lot more to this community than what people will ever know. Thank you.

Commissioner Kiefer: I'll take pride to make a motion that we approve this proclamation.

Commissioner Melcher: I'll second it.

President Abell: Roll call vote please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you so much. Is there any other new business to come before the Council, the Commission? We talked about City Council too.

<b>Old Business</b>
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President Abell: Is there any old business to come before the County Commissioners?

**Public Comment**

President Abell: Any public comment? I thought you were here for the Drainage Board.

Eldon Maasberg: I've got a comment about (Inaudible. Not at microphone.)

President Abell: Uh-oh. You've got to give us your name.

Eldon Maasberg: Yeah, I know.

President Abell: Like we don't know.

Eldon Maasberg: Eldon Maasberg, 14747 Lutterbach Road, Evansville. My question is, I used to always listen to the program up there on Channel 9, and it is not being put on there anymore. When can you get it back on public t.v.?

President Abell: It's on Channel 12.

Eldon Maasberg: I don't have Channel 12.

President Abell: Well, do you got an antennae on top of your house?

Eldon Maasberg: That's exactly right. Now it's time for you to get back on Channel 9, like you were, because I enjoyed listening to whether it was County Commission, City Council, whatever it was, I always listened to it. When can you get back on? Thank you.

President Abell: Well, they're watching this now at the station, so, they just got your message.

Eldon Maasberg: I hope you're right.

President Abell: Any other public comment?

Bill Jeffers: The last guy in Vanderburgh County with no cable.

Eldon Maasberg: Thank you, Bill. I'm just a tightwad.

**Introduction of Teen Advisory Council Job Shadows**

President Abell: We have a tremendous number of students with us tonight. Would the ones in the audience please stand. Are all of you here for the same purpose? Are you from the same school?

Unidentified: Yeah.

Commissioner Melcher: Would that be Central?

President Abell: You are from Central? Okay.

Commissioner Melcher: That one sweatshirt gave it away.

President Abell: There's a few sitting up here, so how come you aren't sitting up here? Were there no seats?

Commissioner Melcher: These are Teen Advisory.

President Abell: Oh, these are the Teen Advisory's, and you're just, okay.

Unidentified: Government.

President Abell: Gotcha, thanks for coming tonight. You picked a really great night to come. Would you like to give us your name and your school?

Evan Karcher: I'm Evan Karcher, and I'm from Mater Dei.

Audrey Vincent: I'm Audrey Vincent, I'm from Memorial High School.

Caitlyn Martin: I'm Caitlyn Martin, and I'm from Memorial High School.

Haley Kopps: I'm Haley Kopps, and I go to Harrison High School.

President Abell: Thank you, happy to have you with us this evening.

<b>Consent Items</b>
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President Abell: If there's nothing else, Madelyn, would you like to do the consent items?

Madelyn Grayson: The consent items for the December 4<sup>th</sup> meeting are as follows; approval of the November 20, 2012 Commission meeting minutes; there are no employment changes for the Commissioners approval this evening; the Commissioners have sale of county owned property at 1028 Adams, a Sweetser Avenue parcel, and 819 Jackson, and there's a 2013 Anthem renewal letter; the Sheriff has a request to surplus and dispose of five Ford Crown Victoria's and one Dodge Ram 3500; the County Engineer has pay request number 164 for TIF projects in the amount of \$267,653.31 and a department head report; the Auditor has the November 2012 A/P vouchers; Weights and Measures has the October 16<sup>th</sup>-November 15<sup>th</sup> monthly report; and the County Treasurer has the October 2012 report. The department head reports listed there were just the County Engineer.

President Abell: Right, okay. I'll entertain a motion to accept the consent items.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

**Rezoning Petitions: First Readings: VC-1-2013  
Petitioner: Brenda J. Fishburn  
Address: 1400 Tupman Road  
Request: Change from Ag to C-2 with UDC**

President Abell: We have a first reading for a rezoning this evening, VC-1-2013. The petitioner is Brenda J. Fishburn, it is 1400 Tupman Road, which is on the west side of Evansville, change from Ag to C-2 with a use and development commitment. We will hear that on second reading at the next meeting.

Madelyn Grayson: Actually it's going to Area Plan Commission next.

President Abell: Oh, it goes to Area Plan Commission then it will come back to us, yeah.

Commissioner Melcher: We send it there.

President Abell: I would entertain a motion to accept it on first reading.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: If there's no further business to come before the County Commissioners, I'll entertain a motion to adjourn.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: We are adjourned.

(The meeting was adjourned at 6:35 p.m.)

**CONSENT ITEMS:**

**Commissioners:**

Approval of the November 20, 2012 Commission Meeting Minutes.  
Quit Claim Deeds: 1028 Adams, Sweetser Ave & 819 Jackson.  
2013 Anthem Renewal Letter.

**Employment Changes:**

Superior Court (1)                      County Clerk (1)                      Sheriff (3)

**Sheriff:**

Request to Surplus and Dispose of (5) Crown Victoria's & (1) Dodge Ram 3500.

**County Engineer:**

TIF Pay Request No. 164: \$267,653.31.  
Department Head Report.

**Auditor:** November 2012 A/P Vouchers.

**Weights & Measures:** October 16- November 15, 2012 Report.

**Treasurer:** October 2012 Monthly Report.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Schenk
Madelyn Grayson	Deidra Conner	Denise Seibert
Dave Rector	Eric Williams	Adam Groupe
Rebecca Paxton	Chris Thomas	Steve Craig
John Stoll	Todd Schultheis	Matt Wiggins
Jeff Dike	Doug Heiman	Bill Jeffers
Eldon Maasberg	Evan Karcher	Audrey Vincent
Caitlyn Martin	Others Unidentified	Members of Media

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)



**VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS  
DECEMBER 18, 2012**

The Vanderburgh County Board of Commissioners met in session this 18<sup>th</sup> day of December, 2012 at 5:05 p.m. in room 301 of the Civic Center Complex with President Marsha Abell presiding.

**Call to Order**

President Abell: Good evening. I would like to call to order the December 18, 2012 meeting of the Board of Vanderburgh County Commissioners. This is our last meeting of the year.

**Attendance Roll Call**

President Abell: Attendance roll call please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Here.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Here.

Madelyn Grayson: President Abell?

President Abell: Here.

**Pledge of Allegiance**

President Abell: Would you please stand and join us in the Pledge of Allegiance? I'll ask Mr. Harrison to lead us.

(The Pledge of Allegiance was given.)

**Introduction of Teen Advisory Council Job Shadows**

Madelyn Grayson: President Abell, there's a couple of Teen Advisory Council students that have to leave for another engagement at, I'm not sure exactly what time, but they just wanted you to know that so if they got up and left you didn't think they were being rude.

President Abell: I'll be quite offended. Would you like to turn on your microphone and tell us your name and what school you attend.

Cassidy Kinner: Cassidy Kinner, and I'm a senior at Central.

Carson Kinner: Carson Kinner, and I'm a freshman at Central.

Hayley Cobbs: Hayley Cobbs, and I go to Harrison High School.

President Abell: Okay, thank you for attending this evening. If you need something signed you probably should get it over to us.

Madelyn Grayson: I already signed them.

President Abell: Oh, she's already signed it, okay. Well, that's very nice to have you here this evening.

**Moment of Silence for Sandy Hook Elementary School Tragedy Victims**

President Abell: As we see these young people sitting up here, I would like for us to be ever mindful of all the young people that lost their lives this last week in Connecticut. A dreadful thing that we certainly have an attachment to anybody in the United States who has something like this happen to them. I would ask that we have a moment of silence for that city and for the parents and the lost children.

(A moment of silence was observed.)

President Abell: Thank you for your attention.

**First Reading of Ordinance CO.01-13-001: 2013 Meeting Dates**

President Abell: We have the first reading of CO.01-13-001, 2013 Commissioners meeting dates. You should have them in your packets. Does anyone have problem with the meeting dates? They've been scheduled around all of our State called meetings that we would be going to, and any days that the Civic Center is closed.

Commissioner Melcher: I make a motion to approve.

Commissioner Kiefer: Second.

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

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: For everyone's information, our first meeting in January will be January the 8<sup>th</sup>. That's seven days after the first of the year, January the 8<sup>th</sup>.

**Resolution CO.R-12-12-015: ADA Requirements & ADA Transition Plan**

President Abell: Resolution CO.R-12-12-015, ADA requirements and ADA transition plan. Title II of the Americans with Disabilities Act requires Vanderburgh County to name an ADA coordinator, adopt a grievance procedure for resolving ADA disputes concerning county property and facilities, and publish to the public regarding the above matters by 12/31/12. The County Engineer, John Stoll, will serve as the county's initial ADA coordinator. I need a motion to approve the resolution.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: This is the resolution to appoint our ADA coordinator. Roll call vote, please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Before I vote, I just want to congratulate John Stoll on his new position. I vote yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Well, let me second that new position. Yes.

Madelyn Grayson: President Abell?

President Abell: Well, John, congratulations on being the draftee.

Commissioner Kiefer: Unfortunately, it does not include more pay.

President Abell: Yeah. It's just a free, gratis job. We appreciate your doing it.

**(Motion approved 3-0)**

President Abell: Now, I need a motion to approve the resolution, I need a motion to approve the transition plan.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Discussion? Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Joe Harrison, Jr.: Actually, that would have been the resolution itself was—

President Abell: Was the first one we voted on.

Joe Harrison, Jr.: Yes, and as a part of that resolution John is appointed the ADA coordinator, and the overall plan was the second.

President Abell: Yes, and, John, of course, if you need any assistance we'll be happy to help find you somebody.

<p><b>First Reading of Vacation Ordinance CO.V-12-12-004: Vacation of Portion of Drainage Easement: 8400 Churchill Court</b></p>
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President Abell: We need to receive the petition and the first reading of the vacation ordinance CO.V-12-12-004, vacation of a portion of a drainage easement and underground public utility easement at 8400 Churchill Court. I need a motion to approve this on first reading.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Is there any public discussion? The public hearing for this will be held January 8, 2013. I need a roll call vote on the motion, the first reading motion.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Now, I need a motion to allow the Auditor to advertise the notice of public hearing.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: The second and final reading of this ordinance will be held January 8, 2013.

<p><b>Final Reading &amp; Public Hearing of Vacation Ordinance CO.V-12-12-003: Vacation of Easement at 7125 Hogue Road</b></p>
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President Abell: Final reading and public hearing of vacation ordinance CO.V-12-12-003, vacation of the easement at 7215<sup>1</sup> Hogue Road. I need a motion to approve this on the second and final reading.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Okay, and I, is there any discussion? It's a public hearing, if anyone wants to—

Keith McCarty: Well, I'm the landowner.

President Abell: Please come to the microphone and give your name.

Keith McCarty: Okay.

President Abell: That looks nasty.

Keith McCarty: Yeah, I'm having fun. Good evening. My name is Keith McCarty. I'm the property owner, I'm the one seeking the vacation. I'm just here if you have any questions or anything you want to ask me about it.

President Abell: Commissioners?

Commissioner Kiefer: None.

Keith McCarty: No questions?

President Abell: We're fine. Are there any remonstrators?

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<sup>1</sup>Should be 7125.

Keith McCarty: No, I don't think so. I talked to all of them, and they didn't seem to have any problems.

President Abell: They don't care? Okay. I'll have a roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: It's yours.

Keith McCarty: Alright. Thank you. Thank you very much.

<b>Burdette Park: YMCA Summer Camp Proposal</b>
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President Abell: Burdette Park, Steve Craig is here, the YMCA summer camp proposal. The YMCA proposed to rent cabin 18 for \$5,000 to provide summer camp services to 60 children per week, ages five through 13. The program operates from 6:30 a.m. to 5:30 p.m. starting on May 28<sup>th</sup> and ending on August 9<sup>th</sup>. In addition the YMCA will commit to bring their other day campers, approximately 350, to the park and pool four times each over the course of the summer at the rate of five dollars per charge. The expected revenue to Burdette Park is \$12,000. I would like to also add, as Steve is aware, I spoke to a mother last year at some length about the camp, and this is not, while it does bring in some money to Burdette Park, this is a huge service to the parents on the west side of Evansville for a place for their children when school is out. So, with that it's.....Mr. Craig?

Steve Craig: Do you have any questions that you would ask before, you know, pretty well you guys have the proposal in front of you and went over it. If there's any questions I can answer them. If they get too intricate I will have to call one of the young ladies back here to back me up. I think I know most of the answers if you've got any.

Commissioner Kiefer: I don't have any questions, but I just have a comment. I think this is a really good idea, because we've tried this day camp doing it ourselves, and it's not to say that we as government don't do good jobs at things, it's just, I think, putting this out to the private sector like this really, especially to a group like the YMCA who has a lot of experience and history in running these day cares, really provides a better service to our community, plus guaranteed income for us, which, I know the last couple of years we were always pivotal on whether or not we were going to make money or not. So, I think this is a win-win situation, as President Abell said, provides the service to our community, plus we're guaranteed revenue for our facilities. So, I'm in favor of doing this and support it.

Steve Craig: The one part that you brought up, they are the largest provider of child care and camping programs in the county, and have been at it for quite a few years. So, that has to say something in their favor that they've been around a long time and that they are the largest. I had talked to Barb when we were entertaining the idea of doing something different with ours, and she had told me that they had wanted to expand into the west side of Evansville over the years, but because of Burdette and other day camps that they did not do that. This would give them an opportunity to cover more of the county with their programs. I think it's a win-win situation myself. I mean there's some other factors about the rental of the lodge and that comes into play, and they've all been positive from what I can see. This thing is for one year, and it's just as a trial thing to make sure everything is the way we want it, and if we have to tweak it at the end of the year or something, you know, we want to change and that, we will be able to do it then, but it was for a one year period. I guess, the question I would be is if they would probably need to get you their contract that they use at their other facilities, have you go over it, and I'm not sure who their attorney is, but, you know, the two of you can figure out if there's anything that's needed to be tweaked and we'll go from there.

Joe Harrison, Jr.: That sounds good.

Commissioner Kiefer: I just would like to make a motion to take this under advisement, so they can get the agreement to Joe Harrison and then we can approve the contract at a later meeting.

Steve Craig: The one, oh—

Commissioner Melcher: I'll second that motion, but I would like to say the same thing. I know that we've been looking at this the last two or three years, but at one time we were one of the few ones that did it. Then when everybody else started getting in it, that's when our numbers started changing. So, I'm glad we was able to keep it up this past year, and I'm glad we're able to move on with somebody. We shouldn't be in that business. We should be taking care of Burdette Park and have the opportunity for other people to do that.

Commissioner Kiefer: One final comment too, I think these kids that come through Burdette Park will be future, you know, adults and young teenagers that will enjoy and know this park and have an attachment to it, because they spent time with their daycare here, and, hopefully, they'll be back when they get a little bit older to spend time for recreational purposes. So, hopefully, long term it's good for the park and good for our community.

Steve Craig: I think you're right. Most of my workers have went through our day camp and everything else at the park. You know, what you're exposed to as a young child and that, if it's a pleasant experience it brings you back. They need jobs, and then when they want to get married, we've got the Discovery Lodge that they're there and there's proms. I think your basis you start at a young age, and that's what we've done, and I intend on still doing that with the Y's day camp. I see the busses every morning pulling up, and, you know, these are from different day camps across the county and a lot of them from down in Kentucky come over and that's their field trip is a day at Burdette. I think as long as we keep doing this we'll keep a good basis for, you know, people coming back in the future. The one thing, I know they're going to go over the contract and that, but they do want a commitment that we want to go forward with this when they get the contract straightened out, because they've got all of their advertising that's ready to go out.

Commissioner Kiefer: I can amend my motion to include that we support the concept and we're taking this under advisement so you can get the contract out with our legal counsel. So, Steve, are you okay to amend your second?

Commissioner Melcher: Yeah, I'll amend it. To me they were the same, but that's fine.

Commissioner Kiefer: Yeah.

Commissioner Melcher: I'll amend it.

President Abell: I think we have no problem with it at all. We just need to take a look at the contract and get it signed—

Steve Craig: Yes.

President Abell: —so everything's lined up, but I think it's fine. I think we're going to be fine with it. I can take a roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: I will be glad to vote yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Steve Craig: Thank you very much.

President Abell: Feel free to do anything you need to get ready for it.

Steve Craig: Thank you very much. I don't have anything else. So, I probably will be leaving for my department head report.

President Abell: Oh, okay.

Steve Craig: Okay?

President Abell: Okay.

Steve Craig: Thank you very much. You all have a good Christmas.

President Abell: Thank you. You too, Steve.



**Superior Court: Home Verification Officer Agreements (3)  
Juvenile Court: House Arrest Service Agreement with Hi-Tech  
Prosecutor: Adult Protective Services Grant Agreement (IN FSSA)  
Purdue Co-Op Extension: Contract Amendment No. 5  
EMA: Sub-Grant Agreement (Computer Related Items)  
Health Dept: IN Medicaid Clinic Provider Enrollment  
AT&T Mobility Pricing Discount: Government Offices  
City-County Interlocal Agreement: Virginia-Burkhardt Project**

President Abell: Under contracts, Superior Court, are you here for that? No, yes? One of them, home verification officer agreement with Deputy Troy Hardin. That's not you?

Joe Harrison, Jr.: He's got the house arrest one.

President Abell: Oh, okay, okay. Then, we also have, we have three agreements, do we vote on all three of these separately, Mr. Harrison? For these three different deputies.

Joe Harrison, Jr.: I would. Those are just home verification agreements with off duty Sheriff deputies.

President Abell: Yeah, I would entertain a motion for approval of the agreement with Deputy Troy Hardin.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: I would entertain a motion for approval of the home verification agreement with Deputy John Helfrich.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: I would entertain a motion for the agreement with Deputy Dion Wingerter.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: These contracts with these three Sheriff deputies when they are working off duty and they are paid at the rate of \$32 an hour for their work in verifying and monitoring and the drug/alcohol testing of individuals on probation. This runs from January 1, 2013 to December 31, 2013. Juvenile Court, sorry about that.

Bernie Faraone: That's alright.

President Abell: House arrest service agreement with Hi-Tech. The cost is \$32,500. Hi-Tech will provide certain electronic juvenile court house arrest monitoring services and drug/alcohol testing for Juvenile Court. The county has a similar contract with Hi-Tech at the present.

Bernie Faraone: Yes, actually we have a different vendor that we'll be terminating services with. The method of billing that we've been working with them is, they submit a bill every month and it fluctuates based on the number of GPS, house arrest units that were used. I think we contract with them for a set amount, like maybe 15 devices, and if we go above that then there's an extra charge. Of course,

some of the kids are on house arrest for five days out of the month, some might be on for the whole month. So, that's taken into consideration in the billing. All the monthly bills for this past year, I just did an account inquiry, the lowest was a little over \$2,600, the highest was a little over \$3,000.

President Abell: Monthly?

Bernie Faraone: Yes. So, by approving , if you would be so kind to approve this new contract, it helps the county, it helps our office. They agreed to a locked in fee. They promised a minimum of 20 devices to be available. If you notice, in the contract they agreed to have up to another 20 immediately available if we need it at no extra charge. They provide another bonus to our court, while monitoring house arrest, they agreed to actually drug test the juvenile boy or girl that is on house arrest at least twice during the period that they are on house arrest and relay that information to us.

President Abell: This is a new company? This isn't the company we've been with?

Bernie Faraone: Yeah, we've been with a company called Behavior Interventions, and they've been notified that the contract is terminating, per the contract, they were given seven days notice. We'll still have the January invoice for December's service to pay them. Then we would ask that Hi-Tech, that their contract be effective January 1<sup>st</sup>.

President Abell: I'm assuming this company's well qualified to do what they say they're going to do?

Bernie Faraone: Yeah, in fact, Hi-Tech is local, and we deal with them on other services. Behavior Interventions actually operates out of Boulder, Colorado.

President Abell: Okay. Well, who's Hi-Tech owned by? Do you know? Is that the name of it, Hi-Tech?

Bernie Faraone: Yes.

President Abell: Okay.

Bernie Faraone: It's an agency that does drug screening for both adult and juveniles courts, and they also do other private investigations. They're office is located right off of 41 and Washington Avenue—

President Abell: Okay.

Bernie Faraone: —big sign, Hi-Tech.

President Abell: Well, if you feel like they're good, I just want to make sure that they're capable of doing what they are proposing to do.

Joe Harrison, Jr.: You are using them now for other services?

Bernie Faraone: Yes, we are.

President Abell: Okay.

Joe Harrison, Jr.: Yeah.

Bernie Faraone: Yes, and I submit other invoice claims for that agency.

President Abell: Okay.

Commissioner Kiefer: Yeah, I remember hearing of them. I think you did good work on this. It's going to save us money, and they're qualified. I think locking it down for 12 months where you've got a known rate, I think that's good work on that, appreciate it.

Bernie Faraone: Thank you.

President Abell: I would entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Bernie Faraone: Thank you very much.

President Abell: Thank you. Is the Prosecutor, I didn't see the County Prosecutor here. Adult Protective Services grant agreement, the amendment is listed as amendment number three and will increase the State's funding for the Vanderburgh County Prosecutor's Office an additional \$8,000 up to \$440,388. I really see absolutely no downside to that.

Joe Harrison, Jr.: No, that's probably why he's not here.

President Abell: I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Purdue Cooperative Service amendment number five to the contract services agreement with Purdue University for 2013 services. The cost for 2013 is \$73,295. This is the amount that has been approved by the County Council. I'll entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Any discussion?

Commissioner Kiefer: Do you know, was that an increase or a decrease? I can't imagine the County decreasing it.

Joe Gries: The amount in the contract here tonight is the same that was budgeted for 2011 and 2012.

Commissioner Kiefer: Okay.

President Abell: That's good.

Commissioner Kiefer: Thanks.

President Abell: Do I have a motion and a second?

Commissioner Kiefer: Yeah.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Emergency Management Agency, I see Sherman Greer is here. Emergency Management sub-grant agreement EDS#C44-P-3-163B for a term of two years and will pay the county the sum of \$4,054. The funds will be used to purchase computer related items as set forth in Exhibit A of sub-grant agreement.

Sherman Greer: This is the Emergency Management performance grant, competitive sub-grant agreement that we have. This is where we have to meet certain benchmarks every year, and each one of those benchmark things you accumulate points. I'm glad to say that Vanderburgh County has been the, has gotten the highest points in the last two years as far as our performance and everything. So, it's not a lot of money, but every little bit helps.

President Abell: Absolutely. It's coming the right direction.

Sherman Greer: Exactly.

President Abell: I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Go right ahead.

Sherman Greer: Thank you.

Commissioner Kiefer: Before, are you going to be here during the department head reports, or should I just—

Sherman Greer: Yes.

Commissioner Kiefer: Okay, because I was going to, I wanted to ask him about the generator and some questions like that, but I can wait until then.

President Abell: Okay.

Sherman Greer: Yeah, I've got some other things.

Commissioner Kiefer: Okay, thanks.

President Abell: We'll have you back up here then. Thank you, Mr. Greer. Health Department, I see Gary is here, the Indiana Medicaid clinic provider enrollment and profile maintenance packet. This will enable the Vanderburgh County Health Department to continue to bill Indiana Medicaid for certain services provided to Medicaid patients. This is a re-validation. It's the first time, to my knowledge, we've had to re-validate since we initially applied. We had to do this for the Dental Clinic earlier this year, and this is just our time to do it for the Health Department. So, I would be happy to answer any questions. If we don't have this, we're not able to bill Medicaid for services that we provide.

President Abell: Commissioners?

Commissioner Melcher: Well, I mean, we need to make a motion then to approve it.

Gary Heck: Yes.

President Abell: Okay.

Commissioner Melcher: So, I do.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Gary Heck: Thank you.

President Abell: Thank you. Out of the Commissioners budget, AT&T Mobility pricing discount expiration for Vanderburgh County government. The agreement provides that the county will receive certain discounts pursuant to the State of Indiana AT&T Mobility QPA, if the county chooses to purchase AT&T provided equipment, products or services down the road. This is not for a specific project, and it is not a guarantee of purchase.

Joe Harrison, Jr.: I think Debbie Spalding might be here.

President Abell: I don't see her. Oh, I'm sorry, I couldn't see you behind Gary's head. Yes, Debbie?

Debbie Spalding: Good afternoon. Yes, exactly what you said, it's basically piggybacking on a bid that was done by the State of Indiana at an earlier time. It just allows any county departments that would like to participate on this agreement to participate and get the discounts.

President Abell: Is that just county departments, or is it also employees within the county?

Debbie Spalding: It's just for departments. It's not for employees.

Commissioner Kiefer: I asked that same question.

President Abell: Well, I knew there was something with the Computer Services that we could purchase things. So, I was just checking. It never hurts to ask. Okay, I will entertain a motion.

Commissioner Kiefer: So moved.

Commissioner Melcher: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

Debbie Spalding: Thank you.

President Abell: Thank you, Debbie. Interlocal agreement for the reconstruction of the Burkhardt Road-Virginia Street intersection. This will allow the county to proceed with plans to reconstruct the Burkhardt Road-Virginia Street intersection. In 2004, R.W. Armstrong prepared the plans and specs for the reconstruction, and the county secured an 80 percent federal fund participation from the federal government. The remaining 20 percent will come from the Burkhardt Road TIF funds. Since 2009 this intersection has been in the city limits, however, the county wishes to proceed with the project due to the federal fund participation. The Board of Public Works approved this interlocal agreement at their meeting this week. Mr. Stoll, do you want to address this? Or, not really? I have a question. The Burkhardt Road TIF, who gets that money? Does the county still get that money?

John Stoll: Yeah.

President Abell: Will the county continue to get any money in there?



John Stoll: As far as I know. Joe probably has—

President Abell: So, the city will never participate?

John Stoll: In the costs of the project?

President Abell: No, in getting, I don't mind if they want to participate in the costs, I want to know if they're going to participate—

Joe Harrison, Jr.: No, it's the county's.

President Abell: It's still ours?

Joe Harrison, Jr.: Yes.

President Abell: Okay, that's all I wanted to know.

Commissioner Kiefer: This agreement doesn't allow them access to that TIF then?

Joe Harrison, Jr.: No. No, we're, the county is continuing with the agreement. Really it may, with the State or Feds, to get their 80 percent participation.

John Stoll: Yeah, this all started ages ago when the TIF district plan was amended back when Green River and Millersburg and the Green River Road reconstruction project and all of that was added. I don't remember what year that was, but this project was one of those, but all of the revenue projections that were generated from the TIF district at that time showed that there was funding for this project. I'm not sure if the annexation affected the revenue stream, but there's still money, the county still gets those revenues and the money is still there to be able to pay for the project through the county funds.

President Abell: Okay.

Commissioner Kiefer: John, I think I remember seeing some drawings on this. So, that's going to improve the flow of traffic on Virginia and Burkhardt. I think it improves the turn lane—

John Stoll: Right.

Commissioner Kiefer: —and some things like that.

John Stoll: It will add a turn lane on the west leg of the intersection. It adds a northbound right turn lane at Columbia and Burkhardt. It fixes the offset alignment of the left turn lanes at the traffic signal where Wal-Mart and Best Buy are. Right now there's, the left turn lanes don't line up correctly.

Commissioner Kiefer: Right.

John Stoll: We'll lengthen the northbound left turn lane on Burkhardt at Virginia. We'll lengthen the northbound right turn lane on Burkhardt at Virginia, and we add another lane on the east leg of Virginia at Burkhardt as well. I think that covers all of the...oh, and we'll lengthen the southbound left turn lane on Burkhardt at Virginia.

President Abell: What did you say about the turning into the area where Best Buy is?

John Stoll: Right now the line of sight is not very good, because the left turn lanes don't line up directly opposite one another. That will be corrected. There's a median on the north side of that intersection that shifts the southbound left turns further over to where the two aren't lined up properly and you don't have a good line of sight to make your left turn. It will fix that alignment issue.

President Abell: Not that this can be changed, but do you have any idea, that is the worst left hand turn lane I've ever seen in my life. Traffic was backed up today all the way across the Lloyd.

John Stoll: Oh, for the northbound lefts into—

President Abell: Yes, there's just, maybe I don't know how many cars can get in that lane, but not many, and everybody was seeming to want to turn into there. It was totally stopped. Nothing was moving. That was a poor design on whoever's part, but it was a poor design, because that traffic is backed up a lot, but today was just terrible.

Commissioner Kiefer: John, can you just give a very succinct or brief time line, you know, when would you anticipate construction to start. You know, I know you've got all of the planning and engineering ahead of you.

John Stoll: We've been trying to set that up for quite some time as far as trying to figure out specifics. It's going to hinge on the right-of-way, but, ideally, we would try to get it to construction in early 2014 and have it finished before Christmas of 2014, because the last thing we want is any barrels out there. Just like Commissioner Abell said, this isn't the time of year to have construction going on out there.

President Abell: No. Red and green, no orange.

John Stoll: That's where, hopefully, we can make it work. That's the tentative schedule that we're shooting for. It would be 2014 for construction.

Commissioner Kiefer: Sounds good. I think it would be a good improvement for the area. Do you need a motion then?

President Abell: I do.

Commissioner Kiefer: I'll make the motion to approve.

Commissioner Melcher: I'll second it, but I would like to ask the Auditor a question. Joe, does that sound right that we're still going to get the TIF money? Even though they annexed that area.

Joe Gries: That area has been annexed for several years—

Commissioner Melcher: Right.

Joe Gries: — and we've continued to receive the TIF funds. The city's tax rates do take off a little bit of the money that would go into that TIF, because their tax rate has to be applied as well, but that's additional money that wasn't there anyway.

Commissioner Melcher: That's right, so, it's kind of like the abatement thing, we get to keep the old—

Joe Gries: Yes.

Commissioner Melcher: – and they get the new.

Joe Harrison, Jr.: Exactly right.

Commissioner Melcher: Well, I thought that would be a better understanding for everybody. I kind of thought that, but I wanted to get it out of you, because I knew you would know.

President Abell: We have a motion and a second. Roll call vote, please.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: Thank you.

<b>County Engineer</b>
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President Abell: You might as well stay up here. We're at department head reports, and you can be the first one.

John Stoll: Okay. All I have tonight is two encroachment agreements. They are right-of-way encroachments at the entrances to Creekside Meadows Subdivision and Carrington Meadows Subdivision up on Petersburg Road, north of Boonville-New Harmony. There are some light poles and landscaping that encroach in the county right-of-way. This agreement will address those saying that the developers and homeowners associations are responsible. I've had the County Attorney review it, he was okay with it. I was okay with what they submitted, so, I would request your approval.

President Abell: Should we vote on these separately, Mr. Harrison?

Joe Harrison, Jr.: Yes.

President Abell: There's two separate—

John Stoll: Two separate subs, yes.

President Abell: –subdivisions. The first one was Creekside Meadows?

John Stoll: Yes.

President Abell: I'll entertain a motion for the encroachment agreement.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

President Abell: The second one was—

John Stoll: Carrington Meadows.

President Abell: – Carrington Meadows, that's correct. I'll entertain a motion.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

John Stoll: That's all I have.

President Abell: Thank you.

John Stoll: Thanks.

President Abell: Is there any other department head that has a report?

**New Business/Old Business**

President Abell: Is there any new business to come before the County Commissioners? Is there any old business to come before the County Commissioners?

**Emergency Management**

Commissioner Kiefer: Oh, I'm sorry, I guess, our—

President Abell: What?

Commissioner Kiefer: –Emergency Management, oh, there he is. I wanted to ask about the generator.

President Abell: Oh, that's right. Okay, in department head reports?

Commissioner Kiefer: Yeah.

President Abell: Okay.

Commissioner Kiefer: I wanted to ask you, I know we had this generator that we got from the stadium—

Sherman Greer: Roberts Stadium.

Commissioner Kiefer: – and then, so, it's been sitting out there with Mike Duckworth, but it's really not doing any good just sitting there. Mike told me that really to get some good use out of that we need to spend a little money. He showed me, or at least I saw an e-mail correspondence, that included you, that stated, hey, you thought maybe there was some funds that might be allocated to do the work to repair those, to repair that generator, and then you could use that at your new home where you are getting ready to move to, right?

President Abell: No, they're going to use it at the County Garage.

Commissioner Kiefer: Oh, you're going to use it at the County Garage?

Sherman Greer: The County Garage.

Commissioner Kiefer: Oh, okay, well, that's where I was mixed up was where it was going to be used at, but it still would serve your purposes of having that, to have that done in case there is an electric outage or something you would have it as a back up generator?

Sherman Greer: We have had, through our Homeland Security funds that we've been getting over the last five or six years, one year we tried to get generators for all of the Highway Departments. The feds would not approve it, you know, that we could spend money to do that, but with these funds that we have here, and I talked to Mr. Gries earlier about this, with the funds that we have here, these funds were from the 2005 tornado that was set aside for disaster relief funds. Those funds were

to be used for any type of situation that we may have here, like a windstorm or something like that, that we know that we're not going to get a Presidential declaration out of, and we can use those funds for. We had about \$182,000, and I think it's down to about \$111,098.88 right now. To me, and in my e-mail I said that it seems like that this would be warranted to be able to be used to be able to get that generator hooked up out there. Those guys go to work whenever their electricity is out out there and everything like this, and completely working in the dark, as far as I'm concerned and everything. I would think, maybe, if we've got the generator, which the biggest cost is the generator itself, and then trying to get it hooked up and get the proper switches on it and everything so it can automatically start up and everything would be a good thing for the County Highway Garage to have, because, there again, we depend upon them when we have ice storms and we've got downed trees from windstorms and different things like that to be able to get out there and do their job. Starting out by working in the dark is not a comfortable thing, I would think. So, that's just the way that I looked at it myself, and Mike asked about some money, wanted to know if I had some grants, and if we could get some grants and everything on that. I thought about this. Now, from you, you let me use some of these funds for our mitigation plan that we got, well, we just received the final copies of it, but that was a grant that I had for mitigation. Whenever I used it for a mitigation grant, I would return, I would use the money and then return that money back into this account. With this project, we will not be returning that—

President Abell: Right.

Sherman Greer: – approximately \$25,000 back into it.

Commissioner Kiefer: But, you're okay with it?

Sherman Greer: It's not really my decision. It's really up to you guys.

Commissioner Kiefer: I know, but what I'm saying is, you're not objecting to us using those funds for that?

Sherman Greer: Not at all.

Commissioner Kiefer: Okay.

Sherman Greer: Because of the reason, I have another vested interest, my wife works out there too. So, yeah, I would like to see that that would be a place to where they could go into and be able to, I mean, really do their job more comfortably than with flashlights or lights lit up and things around out there. There's a lot of equipment out there, you know, very expensive equipment, things like this, so, you don't want something to happen. Then, more important than that, one of the guys could get hurt out there, or somebody could get, you know, really hurt and everything in that dark. That's just my take on it.

Commissioner Kiefer: Well, I mean, I thought it was a good suggestion, but, obviously, we, you know, this is not something we've talked about, but, you know, if the generator can be used and it's, you know, has some useful life left in it, and it could help the county, it could make our guys, or our men and women more productive when they work, if there's an outage. I would be in favor of it, but I don't know the process, or, you know, what we need to do to make it happen.

President Abell: I also would be in favor of doing it. If we need a generator, if we need it, we need it. I mean, I'm not trying to get away from that. My issue is this, and I will discuss this with Mr. Duckworth, first of all, I'm not sure that that's the generator we need. I understand that generator is big enough to run—

Sherman Greer: Half the city.

President Abell: Yeah, something ten times bigger than the County Garage.

Sherman Greer: Yeah, yeah.

President Abell: The other thing is, it's already 20 years old, or more. I think he said it was 26 maybe is what Mr. Rector told me. I would want someone to say to me, I don't want to put \$20,000 into something that's already 26 years old and maybe it's life expectancy was 20 years and it's going to die next year, you know.

Sherman Greer: I would say, generators, the generators that I have and everything, the first thing I'm going to look at is how many hours its run, and if this generator hasn't run a whole lot of hours—

President Abell: It has not.

Sherman Greer: —then you've got a lot more life into it. Of course, you need to go through that generator, because there's things in there that have to be maintained on an annual basis—

Commissioner Kiefer: Which I think is what was done when they went through and gave them a quote to repair—

Sherman Greer: Right.

Commissioner Kiefer: — or to have it to where it would operate. I think they went through that.

Sherman Greer: My generator that I have at the EOC, the Emergency Operations Center, is on an annual maintenance program to where it is looked at to make sure that everything is operational and everything else like that. So, the generator could be 20 years old, but it may have a minimal amount of hours on it that it's, you know, but that's required or anything like that.

President Abell: Actually, Mr. Rector told me the only time it's been used is that they turn it on once a week for an hour or something like that.

Sherman Greer: And, that's a good thing because our generator, we run it, when we do the sirens every Friday, we run it for an hour, and we have it to take five loads off of the, to run the building and everything, to make sure it's operational.

Commissioner Kiefer: I guess, the next question I have is, and you probably don't know this answer, but, do we have a bill of sale that this is actually our property? Because I know the city gave it to us, but then I also heard a rumor, you know, that the Mayor was going to, or the city was going to sell that thing. They didn't think we were using it, and they were going to sell it.

President Abell: Well, I just talked to the Mayor this afternoon.

Commissioner Kiefer: Oh, okay.

President Abell: That will be all taken care of.

Sherman Greer: Yes.

President Abell: He just, if we're not going to use it, he wants to sell it, and if we're going to use it we can have it, but he doesn't want it just sitting out at the County Garage.

Sherman Greer: That's the reason I got the phone call from him today.

President Abell: I think the Mayor has called a lot of people today about it. He wants to know what's going on, and I don't blame him. He, it's actually his generator, but I'll talk to Mr. Duckworth also.

Commissioner Melcher: I guess, I only have a couple things, I know this is going to be kind of high, but I think I would like to see what a new one would cost.

President Abell: Me too.

Commissioner Melcher: I would like, because you said this runs a whole city. Let's find out what, and I know you're exaggerating—

Sherman Greer: Yeah.

Commissioner Melcher: — but let's find out what they really need. A brand new one that they've got five, ten years warranty on. Can we find that out too?

Sherman Greer: Yes, and I, we just purchased one through IDHS for smaller communities that have water departments that, you know, their electricity may go out and we can over, and we got a 150K generator, and it cost us \$53,000. So, that's, that would give you an estimate on that.

Commissioner Kiefer: What size generator is this?

Sherman Greer: 150K.

President Abell: Is that what we would need at the County Garage?

Sherman Greer: I don't know.

President Abell: Oh.

Sherman Greer: See, you'll have to spec that out.

President Abell: See, we don't know either.

Sherman Greer: Like with—

Commissioner Melcher: Well Evapar does that.

Sherman Greer: Yes, Evapar, yeah, I can go out—



Commissioner Melcher: Evapar will go out there and tell you exactly what you need.

Commissioner Kiefer: That's what we need to do.

Commissioner Melcher: And, do we want to hook it up to natural gas, because that way we don't have to worry about it at all.

Sherman Greer: I would have someone to come out and spec the building, find out exactly how much you are going to be able to run out there and everything. There again, and Evapar would be a good one, Shekell would be a good one. Either one of those would be able to tell you.

Commissioner Melcher: And they're home based, that's what I like about them.

President Abell: Now, I have a question for you that is in your expertise. If we hooked it up to natural gas and we had an earthquake, would that puncture that line and we may not be able to use it?

Sherman Greer: With an earthquake type situation, we may not be able to use a lot of things. You know, there's nothing that's earthquake proof, but we can do resistance on it and different things like that. There can be flexible lines added to it for flexibility.

Commissioner Melcher: They can do flexible lines to the units.

Sherman Greer: Yeah.

President Abell: Like on my hot water heater and that?

Sherman Greer: Yeah. So, I mean, those are the things, that's really hard for me to answer on that one.

President Abell: I think we'll get a hold of Evapar and have them work with Mr. Duckworth.

Sherman Greer: That would be a good thing.

Commissioner Kiefer: But, I wanted to hear from you—

President Abell: It sounds like to me it's something that Mr. Melcher should spearhead.

Commissioner Kiefer: I make a motion to that effect.

Commissioner Melcher: I don't mind doing that.

Commissioner Kiefer: Thank you.

Sherman Greer: It sounds like he knows a little bit about it.

President Abell: He does. He sounded so knowledgeable, and I didn't even know—

Commissioner Melcher: I guess you've got to watch what you say.

Sherman Greer: Yeah.

President Abell: It sounds like a good Mr. Melcher project.

Commissioner Melcher: Okay.

President Abell: Okay, I don't think we need a motion then on that.

Sherman Greer: Mr. Kiefer, did you have another question?

Commissioner Kiefer: No, I was just saying, you know, I'm glad we brought it up, I'm glad we had discussion, because hearing what you had to say, at least in regards to the funding mechanism was useful, and I appreciate that. Thank you.

Sherman Greer: You're welcome.

President Abell: But, while you're there, I think we should all make note of the fact that you went to New York and helped in the efforts after the large flooding that they had.

Sherman Greer: You know, we have flooding around here, it's nothing to what a hurricane can do for you. I mean, when you have four feet of sand in your homes and salt water and everything, any car that was out there was destroyed, because once that salt water gets in it, not only eating away at it, but a lot of cars just spontaneously caught on fire because of the salt water. Salt water is a conductor and it got into those computers and it would just, they would just, you know, start a fire and everything, burn completely up. I had tears in my eyes when they were pulling away a little black Porsche and knowing that it was going to a scrap yard and everything. It was—

President Abell: I'm sure the pictures we've seen did not—

Sherman Greer: A lot of homes and everything and lives, but I'll say one thing that we're really proud of, and Indiana had a couple of teams out there, but we're really proud that the, Thanksgiving Day, our mission was until Thanksgiving Day, and we left after Thanksgiving Day to come back home, but with the Emergency Management Agencies from New York, from Indiana, from business and industry and local government and everything, we put together a Thanksgiving dinner for people. We fed 1,500 people there.

President Abell: That's wonderful.

Sherman Greer: It was comforting to them to know that they had a good Thanksgiving. A lot of them had a good Thanksgiving and everything there. So, it was comforting to us also that we did something really good.

President Abell: Well, even though they're far away, they're still our neighbors, and we're glad you were able to help them.

Sherman Greer: The only down thing to me was sleeping on a cot in a fire house for 14 days.

President Abell: Oh, that will keep you young.

Sherman Greer: Yeah, thank you.

President Abell: Thank you for going. We appreciate it.

Sherman Greer: Thank you, appreciate it.

<b>New Business Re-Visited</b>
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Commissioner Kiefer: I would like to bring something up under new business, if possible.

President Abell: You missed new business.

Commissioner Kiefer: I know. I apologize.

President Abell: Okay.

Commissioner Kiefer: Just, it reminded me, you know, we sometimes think of Emergency Management just for natural disasters, but, you know, there in Connecticut, you know, we had all of these people that, you know, suffered casualties because a gunman came in. Then, I think the week before that I heard somebody went in, in Oregon, there was a mall shooting, or there was a threat of a mall shooting, and then, of course, you know, earlier this year we had the situation in the movie theater, you know, where people got killed. I'm just wondering if, you know, we don't need to have a community discussion, you know, we have our schools, we have government buildings, which I think we've done a good job here securing this building, but we have other government buildings. You know, there's, of course, private property, such as malls and shopping centers. You know, I don't know how to prevent these incidents where people's lives are taken recklessly and needlessly. But, I wonder, just like we plan ahead for natural disasters such as earth, I mean, earthquakes or tornados or floods, do we need to have community discussion in regards to public safety when it comes to crazy people out doing crazy things killing people with different type of weapons, but especially guns.

President Abell: Well, that might be, Sherman?

Sherman Greer: There again, those are almost, right now, it's almost impossible to figure out who's going to do what when, but your public discussions and everything, I think, would be a good thing to have, because it would put people's mind at ease and everything that we are trying to do something. That should be spearheaded by the Police Chief and the Sheriff. Law enforcement would be the ones to be, the ones to more or less call that to order and to work something out, and let us know that we, you know, with the schools, North High School out there, as far as it's out and everything, we just had a hazardous materials exercise out there two weeks ago on what we were going to do if there was a train derailment out there and there was some hazardous material that's floating toward the school and everything else. You know, the school's got a good plan, and that would work to a certain extent, but still yet we never can prepare too much, you know, or discuss these things too much to be able to say, okay, what resources do we have and how are we going to be able to use those resources to the best of our ability. I think that's where, when you sit down and you're face to face with people you get a lot more things accomplished than somebody writing a plan in a vacuum and saying, okay, this is our plan here. So, I think it would be a good thing.

Commissioner Kiefer: Well, maybe we could invite the Sheriff to one of our next meetings, and even the Police Chief, you know, it wouldn't hurt to invite them and see if, you know, maybe they're, we need to have—

Sherman Greer: And the School Corporation.

Commissioner Kiefer: – and the School Corporation, maybe we need to have this community discussion started, and, you know, maybe the Mayor and the Commissioners can get together and assign a task force, or I'm just thinking out loud here, but, you know, maybe we can get some volunteers.

Sherman Greer: And, you know, you can find out from the Police, from the EPD and also from the Sheriff's Department what they already have in plan. You know, they practice all the time about these school shootings and different things like that. So, they've already got some things in plan, which they're not going to make it public to John Q. Public out here as much as possible, because they want the element of surprise needs to be on both sides.

Commissioner Kiefer: Right, okay, well, thank you, Sherman. I appreciate your input on that.

Sherman Greer: Thank you.

President Abell: Maybe you could give the Sheriff a call.

Commissioner Kiefer: Yeah.

President Abell: I'll call the Mayor.

Commissioner Kiefer: Yeah, that sounds good.

President Abell: Okay.

Commissioner Kiefer: Thank you.

Commissioner Melcher: I'll take care of the generator.

Commissioner Kiefer: Okay, I'll contact the Sheriff—

President Abell: I'll call the Mayor, and he's going to take care of the generator. Okay.

Commissioner Kiefer: Hey, that generator could be, could come in handy.

President Abell: Okay, we're getting a little goofy up here.

<b>Public Comment</b>
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President Abell: Public comment, is there anyone who wants to address the County Commissioners?

<b>Consent Items</b>
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President Abell: Madelyn, would you like to do the consent items?

Madelyn Grayson: The consent items for the December 18<sup>th</sup> meeting are as follows; approval of the December 4, 2012 Commission meeting minutes; we have several employment changes for the Commissioners approval, there's two for the Legal Aid Society, I'm sorry, I should have had these ready, four for the Health Department, one for Burdette Park, and one for the County Highway; the County Auditor has a permission letter for the Auditor as Financial Officer to certify Vanderburgh County with the State Board of Accounts in the State Gateway system, and a surplus letter; the Commissioners have a request for approval to roll over department leave. The County Assessor has Centre fees waiver request for IAAC courses for February 5-7, 2013; July 15-19, 2013 and October 28<sup>th</sup> through November 1, 2013. Did I say 2019? The Evansville ARC has the October 2012 report of activities and meeting minutes; Kraftwerks Old Courthouse craft show has the 2012 financial report; Soil and Water Conservation District has the December 2012 report; the County Clerk has the November 2012 monthly report; the County Engineer has pay request number 165 for TIF projects in the amount of \$79,500, and a department head report; and the Health Department has a request to surplus a 1994 Chevy pick up truck.

Commissioner Melcher: I'll move for approval.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Board Appointments</b>
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President Abell: We have many, many board appointments that need to be made for the year 2013, and we will do those at our next meeting, but there are a couple that we need to do tonight because they will have a meeting before our next meeting. One of those is the Area Plan Commission, our appointment on there is Stephen Melcher. His appointment expires at the end of this month, and Steve has agreed to accept that for the year 2013. So, we want to appoint Steve to that. Do we have to vote on these all separately? Or can we vote on them all at once?

Joe Harrison, Jr.: I think we can vote on them all as a group.

President Abell: They're all Commissioner appointments of Commissioners.

Joe Harrison, Jr.: All as a group at the end.

President Abell: Okay. The other Commissioner appointment is for the Homeless Commission. That was Mr. Melcher for this year, and for the year 2013 it will be Mr. Kiefer. I think those are the only two appointments—

Commissioner Melcher: MPO.

President Abell: – oh, MPO, that's right. Where is MPO? Mr. Melcher will be reappointed to the MPO for the year 2013.

Commissioner Melcher: I move for approval of those appointments.

Commissioner Kiefer: Second.

President Abell: Roll call vote.

Madelyn Grayson: Commissioner Kiefer?

Commissioner Kiefer: Yes.

Madelyn Grayson: Commissioner Melcher?

Commissioner Melcher: Yes.

Madelyn Grayson: President Abell?

President Abell: Yes.

**(Motion approved 3-0)**

<b>Recognition of Bill Jeffers' Years of Service as County Surveyor</b>
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President Abell: We have one other little piece of business. Mr. Jeffers, can you come up here a minute to the microphone? Well, Drainage Board will start immediately after this, and it will be your last Drainage Board meeting as our County Surveyor. I, on behalf of the County Commissioners, cannot tell you how much you have meant to us. Your advice has been crucial in our decisions that we've made. I see the next Surveyor out there, and you've got some big shoes to fill. Mr. Jeffers has been an extremely good Surveyor. This isn't much, but we do have a plaque for you and we would like for you to come up. Mr. Melcher, do you want to read it to him, and tell him what that little thing is at the top?

Commissioner Melcher: Oh, those are some—

President Abell: Our lapel pins.

Commissioner Melcher: – emblems that we found in our office that we didn't know we had. So, we're starting to give them out.

President Abell: It's like a key to the city.

Commissioner Melcher: It says Vanderburgh County, and you see them on Highway trucks and that. Anyway;

“Presented to Bill Jeffers, the Vanderburgh County Surveyor, for 30 years of service. December 31, 2012.”

Bill Jeffers: Thank you very much.

Commissioner Melcher: Thank you for your commitment.

(Applause)

Bill Jeffers: I appreciate it.

Commissioner Kiefer: Congratulations!

Bill Jeffers: Thank you.

Commissioner Kiefer: I would just like to make a comment. Not only have I worked with the County Surveyor, Mr. Jeffers, as a City Councilman, County Councilman and Commissioner, but I also had the pleasure of working with him on projects as a commercial broker and developer, and I have to tell you he's always been very professional, always knew every rule, every bit of, I mean, the man was knowledgeable. I mean, and he was very helpful and creative on how to solve problems. He just didn't say, no, the rule says this, you're out. He gave you creative solutions to solve the problems and get the job done. I really appreciate, Mr. Jeffers, the work you've done and the help, regardless of party politics, he was always there to help. It didn't matter if you were Republican or Democrat, he did it because he wanted to do the job and help people. I appreciate that. Thank you.

Bill Jeffers: Thank you.

Commissioner Melcher: I want to add to that, of the years of your office when I was on the Council and we redid the district lines, you guys did a yeoman's job in you heading that up. I also said this many times before, Bill, and you know this, of all of the office holders and department heads that I've worked with in 21 years, you come to the top on detail on reports. I know people say you get too windy, but we have to know what happens. I've never said that. The reports you give us are factual, to your best belief, and your heart was always in it. I even told people in the past, if you ever left, they ought to hire you as a consultant from time to time, because they are going to need your help. We got a great engineer that does the same thing, John Stoll. In my 21 years, you two are the tops, as far as department head and office holder. I can't fathom anybody better than you. I do think our new Surveyor, even if it would have been Linda, would have had big shoes to fill, considering what you do for this community, and the pride and integrity you take into it, and knowledge. Just like when you came up last meeting and talked about the problem that we've had out there with the airport expansion, you know all that stuff, and that's what this county is going to miss. Thank you for your service.

Bill Jeffers: I appreciate that, Steve. Madelyn, do you got anything to say about my windiness?

Madelyn Grayson: Yes, I do. I'll say even though I sometimes complain about having to type your sometimes lengthy speeches, you are always very accurate and it's been helpful in doing research and things. So, we do appreciate that.

Bill Jeffers: Thank you.

**Discussion of January 1, 2013 Inauguration Ceremony at the Centre**

President Abell: Okay, we have one more piece of business, and then we'll get into the Drainage Board meeting. I understand Mr. Melcher has something.

Commissioner Melcher: Yes, I have two things. First, I didn't even know this myself and I was a member of it for seven years, the National Guard just celebrated their 376 years as a military organization. It was founded on December 13, 1636. Next, reading into that, Joe and I have just been re-elected and we're being sworn in on January 1 at noon at the Centre, for all of you that are watching and that. We're making this a salute to our veterans. So, all of the office holders of Vanderburgh County that got elected, we'll be swearing in some judges, I think we have a School Board member. I think it won't last very long, there's not going to be any big speeches, but it will be something to come down to if anybody's never been there. We're going to have the procession of the colors by the Marine Corp League, the Junior ROTC is going to be there. It's just going to be all about, you know, veterans and about us being sworn in to start off the new year with. I want to thank Marsha for all of the help she's doing to help us with this, because Joe and I have been trying to put this together with Marissa and Kristin in the office, and they're doing a great job trying to keep on us about getting this thing done. So, we're doing that, we're going to salute all the veterans that work for the county, that we got their names and their families that are away. Like we have a son in Turkey right now with his wife, but she's still in the Air Force. He's retired, but she's still in. But, I think that's what our community is about is we are celebrating our veterans, all the veterans too. Joe, do you have anything?

Commissioner Kiefer: Well, I just, I think it's so appropriate because, you know, you having served in the military and all the veterans that have worked, that work for the county and their families, they give us this right to run for office. They give the people the right to vote for our, whoever they choose to vote for. That is such a wonderful right that we take for granted so often. So, I think it's only appropriate that we thank our veterans this way. That day is dedicated to the veterans. The swearing in ceremony is just the occasion that we're using to thank them. I know, Marsha, you have a child in the military, and we appreciate that as well. So, that's all I wanted to add. I think it was a great idea, Steve, that you had, and I'm glad we're doing it.

President Abell: Anything else? Anything else anyone wants to say? I think Sherman Greer is ready to get out of here. He's standing up like he's looking for the door. I'll entertain a motion to adjourn.

Commissioner Melcher: So moved.

Commissioner Kiefer: Second.

President Abell: We are adjourned.

(The meeting was adjourned at 6:05 p.m.)



**CONSENT ITEMS:**

**Commissioners:**

Approval of the December 4, 2012 Commission Meeting Minutes.  
Request for Approval to Rollover Department Leave.  
Evansville ARC October 2012 Report of Activities and Meeting Minutes.  
Kraftwerks OCH Craft Show 2012 Financial Report.  
SWCD: December 2012 Report.

**Employment Changes:**

Health Dept (4)	Co. Hwy. (1)	Burdette Park (1)
Legal Aid (2)	Prosecutor (2)	Sheriff (2)
County Clerk (2)	County Council (1)	Circuit Court (2)
Assessor (1)	Treasurer (1)	Surveyor (1)

**County Auditor:**

Permission Letter for Auditor to Certify Vand. Co. with SBOA in Gateway System.  
Surplus Request Letter.

**County Assessor:** 2013 Centre Fee Waiver Requests for IAAC Courses.

**County Clerk:** November 2012 Monthly Report.

**County Engineer:**

TIF Pay Request No. 165: \$79,500.  
Department Head Report.

**Health Department:** Request to Surplus 1994 Chevy Pick-Up Truck.

**Those in Attendance:**

Marsha Abell	Joe Kiefer	Stephen Melcher
Joe Gries	Joe Harrison, Jr.	Marissa Schenk
Madelyn Grayson	John Stoll	Keith McCarty
Steve Craig	Bernie Faraone	Sherman Greer
Debbie Spalding	Bill Jeffers	Cassidy Kinner
Carson Kinner	Hayley Cobbs	Others Unidentified
Members of Media		

**VANDERBURGH COUNTY  
BOARD OF COMMISSIONERS**

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**Marsha Abell, President**

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**Joe Kiefer, Vice President**

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**Stephen Melcher, Member**

(Recorded and transcribed by Madelyn Grayson.)