

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
FEBRUARY 6, 2018**

The Vanderburgh County Board of Commissioners met in session this 6th day of February, 2018 at 3:02 p.m. in Room 301 of the Civic Center Complex with President Bruce Ungethiem Presiding.

Call to Order

President Ungethiem: Good afternoon. I would like to invite, I would like to welcome you to the Vanderburgh County Board of Commissioners meeting for February 6, 2018.

Attendance Roll Call

President Ungethiem: Madelyn, call roll please.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Here.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Here.

Madelyn Grayson: President Ungethiem?

President Ungethiem: Here. Having three members present, we do have a quorum.

Pledge of Allegiance

President Ungethiem: Would you please join me, stand and join me for the Pledge of Allegiance?

(The Pledge of Allegiance was given.)

President Ungethiem: Thank you.

Commission President Comments

President Ungethiem: Do we have any students here today? I don't see any. We've got a sports update. Memorial Tigers, I think, went on to be sectional champs last week, and they'll be going forward to the regionals. So, good luck with them, and good luck to the boys teams who are competing in the sectionals this week, I believe.

County Treasurer: Tax Sale Courtesy Letters

President Ungethiem: Alright, moving forward, action items, the first item on the list is the County Treasurer, Sales Tax courtesy letters. We have Dottie from the Treasurer's Office to tell us about that.

Dottie Thomas: Hello, good afternoon, Commissioners. Dottie Thomas, Chief Deputy Treasurer. I came in today to let you guys know we mailed out property tax, or delinquent tax letters again. We added a little something to it this year, they passed the law last year for the TRECS Program, which is a program that allows counties to collect property taxes through intercepting their income tax refund. So, we put that on the letters this year, or this month. Letters went out Thursday. We've already collected \$66,000.

Commissioner Musgrave: Awesome.

Dottie Thomas: Of those, so, I plan on giving another little update, we gave it until February 28th to have those payments in.

Commissioner Musgrave: It's \$66,000 out of what total that you—

Dottie Thomas: \$3.6 million.

Commissioner Musgrave: Okay.

Dottie Thomas: We mailed out 2,351 courtesy letters. We've had 104 of those come back in to pay, and out of that 104 it was \$66,000 so far.

Commissioner Musgrave: I know I got one call today saying, oh my gosh I got this letter, what do I do?

Dottie Thomas: I know, get in there and pay.

Commissioner Musgrave: They're reacting.

Dottie Thomas: Yep, so your property doesn't go on Tax Sale, yeah.

Commissioner Musgrave: Well, and you make phone calls in the office too, don't you?

Dottie Thomas: We do. We do. We're only able to, with everything that goes out with the bills, we usually try every January to mail out, or we do, not try, we do mail out letters every January, Tax Sale courtesy letters just to let you know that your property is eligible for Tax Sale. You have a certain date to get in here and pay by before it's certified and goes to Tax Sale. So, and then, in the middle of the year, when it starts getting closer to that time, the phone numbers that we're able to find, or if someone has given their phone number when they've paid, then we start calling those. So, we are trying every way to get it in here.

Commissioner Musgrave: Do you know what the percent collection is?

Dottie Thomas: Right now?

Commissioner Musgrave: Well, even last year, do you know what it was for the whole year?

Dottie Thomas: I don't.

Commissioner Musgrave: Do you, Brian?

Dottie Thomas: I can get that information for you.

Brian Gerth: That would be more of the Treasurer.

Dottie Thomas: Yeah.

Brian Gerth: How much is collected.

Dottie Thomas: For last year, yeah.

Commissioner Musgrave: It was just a point of curiosity, because, as you know, every dollar we get is (Inaudible).

Dottie Thomas: Absolutely, and I can get that information in no time. I can email it to you.

Commissioner Musgrave: Maybe when you come back and give us an update.

Dottie Thomas: Okay, absolutely.

Commissioner Shoulders: And, Dottie, the due date again, 2/28?

Dottie Thomas: 2/28 for us not to implement that TRECS Program, where, which we reach into intercept Indiana tax refunds.

Commissioner Shoulders: Good deal.

Dottie Thomas: Okay.

Commissioner Shoulders: Thanks for being here.

Dottie Thomas: Alright.

Commissioner Shoulders: Thanks for the hard work.

Dottie Thomas: Thank you.

President Ungethiem: Thank you.

Dottie Thomas: Have a good afternoon.

<p>First Reading of Ordinance CO.02-18-008: Amending Ch. 2.69 of the Vanderburgh County Code on the Homelessness Commission</p>
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President Ungethiem: The next item on the action list is a first reading of ordinance CO.02-18-008, amending Chapter 2.69 of the Vanderburgh County Code on the Homeless Commission. Joe, my understanding is, is this is just a clarification of the requirements for the appointment to the Homeless Commission, is that correct?

Joe Harrison, Jr.: Yeah, the only suggested ordinance change is, one of the Commissioners' appointments has been a credit counselor position, employment position, and this ordinance amendment modifies that requirement to be someone who is interested in the issue of homelessness in Vanderburgh County. I have communicated this to counsel for the city, and they are agreeable to the same ordinance change that they would have to make within the city ordinance, this is a joint commission, but that's the only change, just that one thing. It's still a Commissioner appointment, but it's just someone who is interested in the issue of homelessness in Vanderburgh County.

President Ungethiem: Okay.

Commissioner Musgrave: I brought this to the attorney's attention, because we had an opening, and this year and last year, and we had several outstanding applicants—

Commissioner Shoulders: Yeah.

Commissioner Musgrave: -- or five or six really super resumes, but they didn't have that credit counselor qualification. I just felt that we were passing over some people that we would want to be on that commission.

President Ungethiem: Okay.

Commissioner Musgrave: So, loosening it up is a good thing.

President Ungethiem: Alright. I would entertain a motion to approve.

Commissioner Musgrave: So moved.

Commissioner Shoulders: I will second, as a member of that board, I wholeheartedly agree with this. Second.

President Ungethiem: We have a motion and a second. Any public comment? Let's have a roll call please.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: Yes, and first reading is approved.

(Motion approved 3-0)

President Ungethiem: Final reading will be February 13, 20108.

Final Reading of Ordinance CO.02-18-007: Amending Ch. 2.48 of the Vanderburgh County Code on the Information Technology Advisory Committee

President Ungethiem: The next action item is a final reading of ordinance CO.02-18-007, amending Chapter 2.48 of the Vanderburgh County Code on the Information Technology Advisory Committee. I would entertain a motion to approve final reading.

Commissioner Shoulders: So moved.

Commissioner Musgrave: I will second.

President Ungethiem: We have a motion and a second. Any public comment? Seeing none, roll call please.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: Yes, and that motion is approved.

(Motion approved 3-0)

Board Appointments

President Ungethiem: Moving on, I've got a board appointment item here, but no appointees. Do we have appointees today?

Commissioner Musgrave: We do. We have one for the EMA Board, and, do you have that? Robert Weaver, yeah, for the EMA Advisory Council, and Ryan Black for the Community Corrections Complex Advisory Board.

Commissioner Shoulders: Ryan was, this is, he's a re-appointment, right, for Ryan?

Commissioner Musgrave: He was a, what do you call, a substitute last year for someone else, a proxy.

Commissioner Shoulders: Proxy?

Commissioner Musgrave: And, so we have an opening now, and so he'll be the appointee.

President Ungethiem: Okay, we've got two people listed as board appointments. Do I have a motion to approve?

Commissioner Musgrave: So moved.

Commissioner Shoulders: Second.

President Ungethiem: We have a motion and a second. Any further comment? All of those in favor signify by saying aye.

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: The board appointments are approved.

(Motion approved 3-0)

County Engineer

President Ungethiem: Moving on to department heads. John, I think you're the lone soldier here today.

John Stoll: First I have a supplemental agreement with American Structurepoint for the Kansas Road project. This is for the design of a traffic signal at Kansas and Green River Road. It also calls for additional survey work, and the supplemental agreement amount is \$22,700. I just need your approval.

Commissioner Musgrave: Move approval.

Commissioner Shoulders: Second.

President Ungethiem: We have a motion and a second. Any further discussion? All of those in favor signify by saying aye.

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: The motion carries.

(Motion approved 3-0)

John Stoll: Next I've got a notice to bidders for the street repairs in Windemere Subdivision. This is contract number VC18-02-02. I just need your approval to advertise that and get it out for bid.

Commissioner Musgrave: Move approval.

Commissioner Shoulders: Second.

President Ungethiem: We have a motion and a second. Any further comment? All of those in favor signify by saying aye.

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: The motion carries.

(Motion approved 3-0)

John Stoll: Then next is another notice to bidders, this is for street repairs in Broadlawn Subdivision, which will be contract VC18-02-03, and again, I need your approval for advertising and putting the project out for bid.

Commissioner Shoulders: So moved.

Commissioner Musgrave: Second.

President Ungethiem: We have a motion and a second. Any further comment? Seeing none, all of those in favor signify by saying aye.

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: The motion carries.

(Motion approved 3-0)

John Stoll: Then next I would like your approval to purchase right-of-way for the St. Joe Bridge project. This is the Ferguson parcel. The offer amount that I would need approval on is \$2,000.

Commissioner Musgrave: Move approval.

Commissioner Shoulders: Second.

President Ungethiem: We have a motion and a second. Any further discussion? Seeing none, all of those in favor signify by saying aye.

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: The motion carries.

(Motion approved 3-0)

John Stoll: Then last is another right-of-way purchase offer. This is for the mitigation parcel for the Green River Road project. The offer amount is \$22,800, and the parcel is owned by the Rollett Family Farms, LLC.

Commissioner Musgrave: Move approval.

Commissioner Shoulders: Second.

President Ungethiem: We have a motion and a second. Any further discussion? The only discussion here is this is the last one.

John Stoll: Yes.

Commissioner Shoulders: The last one?

President Ungethiem: So, we're done with the parcels on this particular section of Green River Road?

John Stoll: Correct.

President Ungethiem: All of those in favor signify by saying aye.

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: The motion carries.

(Motion approved 3-0)

John Stoll: That's all I have.

Commissioner Shoulders: I hope you feel better, John.

John Stoll: Thanks.

Commissioner Musgrave: John, since this is the last one, can you give us an idea of the timeline for the work on Green River Road?

John Stoll: As it stands now, we're still on a July bid letting. It will be on an INDOT bid letting. There is one pending condemnation case. The County Attorney is working with the property owner's attorney on, and we're hoping that gets resolved sometime here soon. If we can get everything wrapped up by the end of February and get everything

paid by sometime in March, then we'll stay on the July bid letting. If not, we would have to re-schedule to either August or September. But, that parcel, and then there's one other pending offer that's out on the table right now, where the property owners made a verbal acceptance of the offer, but we don't have the paperwork back on that one as of yet. So, realistically there's three unresolved parcels, one's in condemnation, one we have a verbal acceptance on. Once those are wrapped up, then we should be on schedule for July. If not, August or September would be when the project would be out for bid.

Commissioner Musgrave: Okay.

John Stoll: Thanks.

President Ungethiem: Thanks, John, and get well. Okay, any other department heads?

New Business

President Ungethiem: Moving on to new business, any new business?

Commissioner Musgrave: Well, did you want to talk about the opioid lawsuit?

Commissioner Shoulders: I mean, we can lean on our counsel to do so, but I can touch base on it, if you want, if you would like.

Joe Harrison, Jr.: I've had some discussion with, I think, all of you, and there is another attorney with another firm here in Indiana that I would like to speak with. He has contacted me, in fact, he called me yesterday and I haven't had a chance to call him back. At the next meeting, maybe I can give you a recommendation on how I would like to proceed, or how I think we might want to proceed. The litigation that's pending in Ohio, you've probably read, you may have read a newspaper article or so, it's a federal court action. We, Vanderburgh County would be a part of that action. It's a federal judge, U.S. District Court, I think in the Cleveland area. Anyway, I've obtained some information on that, and it appears that there are numerous cities and counties that are participants in that lawsuit against various manufacturers of the drugs that they are seeking a judgement from. So, I will make a recommendation, speaking to you all before the next meeting, and maybe we can proceed from there. The proposals would be, the county would, if they're a part of such litigation, would, the fees that the firm would, the law firms would receive would be a third of any monetary recovery. The county would not be out any funds at all, if there's no recovery. I know that some of the things that are being tossed around are a possible, if there's ever a settlement, would be maybe some sort of facility in various cities or counties that are participants in the lawsuit, that would be treatment centers for those on opioids. That's some of the discussion that's been out there. So, I think it's something that's going to go on for awhile, obviously, but I'll get back with you next week.

Commissioner Musgrave: When you talk to the attorney, would you please ask him about the record keeping requirements that would fall on the Health Department or the Coroner. Those are both county entities, and so who would be basically our staff—

Joe Harrison, Jr.: Sure.

Commissioner Musgrave: --who would have to keep all of those records. I would like to know how burdensome would that be.

Joe Harrison, Jr.: Well, and I've discussed that issue. The Coroner's Office has excellent records. I've communicated with Steve Lockyear several times on, he's been keeping track of the deaths, and the autopsy costs for the last several years. So, we've got good records on that end. The Health Department I've communicated with them about the issue as well. Yes, some of the information could be a little burdensome, but at least the Coroner's Office has that information, and it's easily obtainable. Whereas, some offices around the country may not, but they've got everything in hand, ready to go.

Commissioner Shoulders: Just another step towards fighting this opioid fight. So, thanks, Joe.

President Ungethiem: Okay, any other new business?

Old Business

President Ungethiem: Old business, we have one item on the agenda, which is to announce that the road hearing is, the first road hearing will be February 28, 2018 from 11:00 to 1:00 a.m.¹ in the Central Library Browning Room A.

Commissioner Musgrave: (Inaudible. Microphone not on.)

President Ungethiem: Aren't we going to have another one to talk about the—

Commissioner Musgrave: We thought about it. I worked hard with Kristin, and tried to do calendaring and find a room, and as it turns out, it looks like it would be better if we do the, our traditional road hearing, plus the release of the draft road plan.

President Ungethiem: Oh, okay.

Commissioner Musgrave: So, and we used to have the traditional road hearing, and, Eldon, I want to make sure you're listening up here.

Eldon Maasberg: I'm listening.

Commissioner Musgrave: We used to have that, or we have had that in the evening, and last year, I think there were only five or six folks who found time available during the evening to come. This time we're talking about having it between 11:00 and 1:00, and I think that's what's on the schedule.

President Ungethiem: Yes, 11:00 to 1:00.

Commissioner Musgrave: Also, Kristin is exploring doing this live on Facebook, or some other interactive way, so that if you can't make the meeting, that you could still participate in some way. So, Eldon, I hope that you're going to be free from 11:00 to 1:00 at some point in that time. If you're not, I'm available to meet with you personally at any time when you are. Okay?

Eldon Maasberg: I will plan on being there.

Commissioner Musgrave: Alrighty, good. Thanks.

President Ungethiem: Okay, any other questions about the road hearing? I had one other bit of, what I guess I would consider old business. The I-69 crossing has an open house this week, and I just wanted to remind everybody that they are actually going to be meeting tonight in Henderson, from 4:30 to 7:30 at Henderson Community College. If you don't want to cross that bridge, they will have another meeting tomorrow night, open house, from 4:30 to 7:30 at Bosse High School. They will be giving presentations at 5:00 and again at 6:30. So, if you're interested in understanding what the group has been talking about in terms of the I-69 bridge going across the Ohio River, I would invite you to go out either to Henderson tonight, or to Bosse High School tomorrow night. They'll have presentations and then they'll have a question and answer session after those presentations. There are currently three alternatives that they are discussing as possible routes across the Ohio River, and they will be able to show you all of that in that open house. So, if you're interested in the I-69 bridge, again, tonight in Henderson at the Community College, 4:30 to 7:30, tomorrow night at Bosse High School, 4:30 to 7:30. Okay?

Public Comment

President Ungethiem: Public comment? Any public comment?

¹ Should be 1:00 p.m.

Consent Items

President Ungethiem: I would entertain a motion to approve the consent items as listed on the agenda.

Commissioner Musgrave: So moved.

Commissioner Shoulders: I will second the motion.

President Ungethiem: We have a motion and a second to approve the agenda items. Any further discussion? All of those in favor signify by saying aye.

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: That motion carries.

(Motion approved 3-0)

Commissioner Musgrave: Motion to adjourn.

President Ungethiem: Anything else to come before this Board?

Mary Margaret Lloyd: Good afternoon. I'll be very brief. One of the—

President Ungethiem: State your name for the record.

Mary Margaret Lloyd: I'm sorry. My name is Mary Margaret Lloyd, I'm a Vanderburgh Superior Court Judge. One of the consent items was some employees that Superior Court is hiring. I wanted to give a very quick update to the Commissioners on the status. Last year the Commissioners signed our memorandum of understanding when we sought a Justice for Families Grant from the Office on Violence Against Women. In late September we were notified that we were awarded the grant. It was, over three years it's for \$546,000. So, a very good grant. The Auditor assisted on this, you signed on our memorandum of understanding. The grant's use is three fold; we have, one portion of the grant is going to establish what's called a Protective Order Assistance Office, which will actually be located in the courtroom. It's across the hall from one of our courtrooms. People who are coming for protective orders will go there first, before they would go to the Clerk's Office to get their protective order. If the allegations involved them being a victim of domestic violence or sexual assault, we have clerical staff there that will assist them in filling out the forms, because sometimes the forms can be a little intimidating for somebody. They will be in an office, it will be private, because some of the allegations are very sensitive. Once they complete it, the form is submitted electronically through the Clerk's Office by the Protective Order Assistant. The person would go up to the Clerk's Office, the case would be assigned to one of the judges, the judge would review, but this Protective Order Assistance Office also will be able to give them some information about the court procedure, so that it's not so unknown and a frightening scenario of what's coming up. Also, they will be able to give them information about various local agencies. We have a bunch of amazing local agencies that assist with domestic violence situations, sexual assaults, and we'll be able to assist them in that regard. So, that's one portion of the grant, and we're going to start that this Monday. We have hired the individuals, you just approved the contracts so that we can pay these individuals out of the grant. They will start on Monday, so we'll have that office up and running in the first floor of the courts building, 108. The second portion of the grant pays for supervised visits and exchanges for people who have protective orders against each other. You may have a mother and a father who need to exchange the child for visitation, but there's no contact orders, or sometimes people just don't behave appropriately. They may scream and shout in front of this child, and it's their parents. So, some of the funds will pay for using the Parenting Time Center, so the child is dropped off at the Parenting Time Center, taken care of, and the other parent who has the visit can come and take the child. So, the parents don't have to see each other, which stops a lot of conflict in the child to witness. Also, there's money

for visitations, if there's a reason why one of the parents should have supervised visitations, there's funding in the grant that we sought for that. The third purpose of the grant is we're going to be training some of our Guardian Ad Litem's, who write reports for the courts to use in family cases. They'll have a little more insight in regards to domestic violence issues. So, when they report to the court, the court will have a better understanding of the family dynamics that is going on. So, I wanted to give you the update that we are moving along, we've got the Parenting Time Center component is up and running, this Monday we will have the Protective Order Office up and running, and the training for our Guardian Ad Litem's is our final component. We're still in the process of working with that. So, do you have any questions about what we're doing so far? Alright, I just wanted to make sure you were advised, since you were kind enough to sign up and assist when we sought this grant. We appreciate your help on that.

President Ungethiem: Thank you for the update. It's always good to get the detail behind the programs.

Mary Margaret Lloyd: Alright, thank you so much.

Commissioner Musgrave: Congratulations, and let us know if you need anything as you move forward.

Mary Margaret Lloyd: Alright, thank you.

Adjournment

President Ungethiem: Okay, anybody else? Now a motion to adjourn.

Commissioner Musgrave: Motion to adjourn.

Commissioner Shoulders: I'll second the motion.

President Ungethiem: We are adjourned.

(The meeting was adjourned at 3:26 p.m.)

CONSENT ITEMS:

Contracts-Agreements & Leases:

Treasurer: Master's Touch Contract Renewal.
Supt. Of Co. Bldgs: OCH Lease: Aaron Tanner.
Commissioners: ASC Service Contract Renewal.
Superior Court: Agreements with J. Buechler, E. Rodriguez & M. Wiethop.
Auditor: KRONOS Support Services Renewal Agreement.
VCCC: Professional Services Agreements with C. Pace & N. Angermeier.

Commissioners:

Approval of the January 23, 2018 Commission Meeting Minutes.
Economic Development Coalition of SW Indiana: January 2018 Report.
UNOE: December 2017 Report.
ATA Engagement Letter for ONEP 2017 Financial Review.
W&M: 12/15/17-1/16/18 Report.
2018 Township Trustee Standards: Union, German & Pigeon.
SWCD: January 25, 2018 Meeting Minutes.
Supt. Of Co. Bldgs: Amended OCH Foundation By-Laws.

Surplus Requests:

Sheriff's Office: One Vehicle.
County Clerk: Xerox Copier.
County Coroner: Whirlpool Washer.
Superior Court: Photocopier.

County Auditor: January 2018 Accounts Payable Voucher.

County Engineer:

Pay Request No. 33: U.S. 41 Expansion TIF: \$29,640.
Waiver of Mineral Interest for GRR, Ph. VII: Parcel 11.
Travel Requests (2).
Claims.

Employment Changes:

Burdette Park (1)	Sheriff (5)	Co. Assessor (3)
Public Defender (1)	Superior Court (1)	

Those in Attendance:

Bruce Ungethiem	Cheryl Musgrave	Ben Shoulders
Brian Gerth	Joe Harrison, Jr.	Kristin Comer
Madelyn Grayson	Dottie Thomas	John Stoll
Eldon Maasberg	Mary Margaret Lloyd	Others Unidentified
Members of Media		

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Bruce Ungethiem, President

Cheryl A.W. Musgrave, Vice President

Ben Shoulders, Member

(Recorded and transcribed by Madelyn Grayson.)