

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
FEBRUARY 27, 2018**

The Vanderburgh County Board of Commissioners met in session this 27th 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 welcome you to the February 27, 2018 Board of Commissioners meeting.

Attendance Roll Call

President Ungethiem: Madelyn, call attendance 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 here, we have a quorum.

Pledge of Allegiance

President Ungethiem: Please stand and join Mr. Shoulders in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Ungethiem: Thank you.

Moment of Silence for Parkland, Florida Students

President Ungethiem: Ben, do you want to make a comment?

Commissioner Shoulders: Yeah, I just wanted to say we're all aware of the horrible and tragic school shooting in Florida. So, we would just like to take a quick moment of silence for the victims and their families, if you don't mind.

(Moment of silence observed.)

Commissioner Shoulders: Thank you.

President Ungethiem: Okay, thank you.

Introduction of New Vanderburgh County Sheriff Deputies

President Ungethiem: I have a notation here that we have new Deputies in our presence. Could we have some introductions?

John Strange: John Strange, Chief Deputy Sheriff. We have five, we've hired a total of seven recently, we have four at the Academy right now. Three of them have had law enforcement experience, so they'll be going as a waiver student. Then two just recently graduated from the Academy. So, if you would like for them to come up and...okay. Chelsea? She is one of our recent Law Enforcement Academy graduates.

Chelsea Trail: Hi, Chelsea Trail.

John Strange: Chelsea formerly worked in our jail as a Confinement Officer.

President Ungethiem: Okay. Thank you.

Chelsea Trail: Thank you.

Jordan Kuester: Hi, I'm Jordan Kuester. I worked in the jail prior to becoming a Deputy as well.

John Strange: He is also a legacy. His father is one of our Detectives.

President Ungethiem: So, that's called a legacy candidate?

John Strange: I think that's what it's called.

President Ungethiem: Okay.

Michael Brown: Hi, Michael Brown. I come from the Owensboro Police Department.

President Ungethiem: Welcome.

Jared Zwilling: Hello, I'm Jared Zwilling. I'm a Central High School graduate, but I was with the Metro Nashville Police Department the last four years.

Clint Stanton: Hi, my name is Clint Stanton. I grew up in the area, been a Ball State Police Officer for the last five years, just moved back down here. Thank you.

Commissioner Musgrave: What made you decide to come back?

Clint Stanton: My wife and I are from this area, and we have our first kid on the way. So, we're kind of getting back around family and trying to reconnect to the area.

Commissioner Musgrave: Well, wonderful.

Clint Stanton: Thank you.

Commissioner Musgrave: Welcome back.

President Ungethiem: Okay.

John Strange: I think that was the case with you and Jared as well, right? Relatives and connections here? So, thanks for allowing them to come up and introduce themselves.

President Ungethiem: Alright.

Commissioner Shoulders: Thank you, and congrats.

President Ungethiem: Thanks to all of you, and welcome aboard.

All New Deputies: Thank you.

<p style="text-align: center;">Permission to Open Bids: VC18-02-02: Street Repairs in Windemere Subdivision & VC18-02-03: Street Repairs in Broadlawn Subdivision</p>
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President Ungethiem: The next item on the list is permission to open bids for VC18-02-02, street repair in Windemere Subdivision. I would entertain a motion.

Commissioner Musgrave: Move approval.

Commissioner Shoulders: Second.

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

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: Okay.

(Motion approved 3-0)

President Ungethiem: We will open those bids, and, Joe—

Joe Harrison, Jr.: (Inaudible. Microphone not on.)

President Ungethiem: Yeah, the second one is permission to open bids for VC18-02-03, which is street repairs in Broadlawn Subdivision. I would entertain a motion.

Commissioner Musgrave: Move approval.

Commissioner Shoulders: Second.

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

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: That motion is passed as well.

(Motion approved 3-0)

President Ungethiem: So, Joe, you're...just like Christmas, you get to open a lot of packages there. We'll get back to that a little later in meeting.

American Structurepoint: CIPP Presentation

President Ungethiem: Moving on to action items, we are going to hear from Ken Olson at Structurepoint. This is about our ongoing study of roads, and the upcoming road hearing.

Ken Olson: Well, good afternoon. My name is Ken Olson with American Structurepoint. On behalf of the Vanderburgh County Commissioners, we have assembled a Capital Improvement Plan and Program for Vanderburgh County. The purpose and mission of this Capital Improvement Plan is to develop a prioritized list of needed infrastructure projects based on a 20 year horizon that is not financially constrained. So, I'll go through a little bit of how we developed this document, and get into the difference between a Plan and Program, and get into some of the numbers we were seeing with the amount of roadways we identified. Starting out we looked at some of the past existing plans that are present today, looked at numerous different roads that were programmed for different planning items. We took some of those roads, or we were taking any of the roads for Vanderburgh County and starting to compile a list. We then met with multiple countywide stakeholders, discussed, or to try to gather their input on the needed infrastructure projects. We discussed items such as traffic congestion areas, safety issues, pavement issues, the location of future development areas. Then we got into discussing any geometric issues, maybe there were some horizontal site/vertical site distance issues at intersections. So, we included all of those different types of projects on the list. This list of projects includes any infrastructure projects within Vanderburgh County, outside of the City of Evansville limits, and the Town of Darmstadt limits, and none of these projects include any of the maintenance, some of the different mill and resurface projects, things of that sort. So, these are focused solely on capital improvement projects. As we're continuing to develop this list, we then started to apply project costs to these different projects. We used the standard INDOT unit prices, and applied some contingency factors for items such as design, construction inspection, some estimations on land acquisition and added those contingencies in to build project costs for, to apply to these different

projects. So, that, taking that list of projects we were then able to compile the Capital Improvement Plan, which is a 20 year list of 51 road, seven railway and five drainage projects, that total around \$650,000,000 in Capital Improvement Projects. Project examples, these projects can be anywhere from road widening projects, road reconstruction, new roadway alignments, potential bridge underpasses at railroads or any other bridge widening locations. Also railway construction, we looked at drainage improvement locations, and also some beautification locations to start getting it on this list for capital improvements. So, the entire list was generated within the Capital Improvement Plan for the 20 year list, non-financially constrained. Then the next step was developing a Capital Improvement Program, which takes an outlook at a five year horizon for what are the top priority projects within the county. So, we started to apply some scoring criteria, such as safety, or if there's any existing accident history, injury history, fatalities. We looked at the ways that these projects could improve those, so those would get higher scoring. Any sort of connectivity to different trails to get multi-modal improvements from different bike trails or any sort of connection pieces as well. TIF development areas, also any sort of connection to park areas, schools, universities, and then connectivity just in general with missing links and how those would score. So, taking a look at that list we were able to identify 16 projects of a road, bridge and then we had, in addition, three railway projects that made that list as well, to be roughly about a hundred, \$185,000,000. So, with the current spending trends from past capital projects, which include only Vanderburgh County funded projects, was roughly \$2.8 million per year. We looked at existing projects over a 15 year timespan, and took the total, and then took the average and started to look at trends and what the past capital project spending was. This excludes any maintenance work and operations. So, these costs were able to identify so how many, or what are the next projects able to be completed. So, we identified that there was two at the top that could be completed within that \$2.8 million a year, at about fourteen to fifteen over the five year period. So, that's, and those costs include multiple different funding mechanisms within the county, so those are obviously subject to change. None of those costs include any of the federally funded, either through INDOT or any other sort of grant. So, in summary, we have the 20 year list, with all of the different projects that were communicated with different stakeholders, and any sort of Vanderburgh County projects, and then we took that 20 year plan and developed a five year program. So, I would be happy to answer any questions.

President Ungethiem: Any questions for Ken on this?

Commissioner Musgrave: Well, Ken, I know that this is still a working draft, and that it will be available for the public to look at tomorrow at our road hearing, which is from 11:00 to 1:00 at the Browning Room in Central Library. Where we will not only discuss this document, but also roads that the public would like to address, whether it's maintenance or reconstruction desires. So, this is still a work in progress and we'll have a final document at some point in the future. But, I want to thank you for the amount of work that has gone into it. For me, this has helped format, in my own mind, the huge number of projects that we have. Again, you put it in the Executive Summary, and it said it so well, nearly \$650 million worth of work that we can identify right now. That would take, was it 65 years at the current funding levels?

Ken Olson: With that top list, yes. So, the top program, those top 16 projects, at the current spending trends, it would take 65 years. And, for the \$650 million was 225 years.

Commissioner Musgrave: Sadly that spending trend was a little unrealistic, because of the borrowed money from TIF districts.

Ken Olson: Yeah.

Commissioner Musgrave: And, a lot of the projects are not inside a TIF district. So, it's quite a daunting list. So, then the question becomes how do you break that down into something manageable and within budget?

Ken Olson: Correct.

Commissioner Musgrave: So, it is a tough call. It will be a tough call for the Commissioners to handle at any year from now into the indefinite future.

Ken Olson: Right.

Commissioner Musgrave: But, thank you for the work that you've done. It certainly does give us a place to all get on the same page.

Ken Olson: Thank you.

Commissioner Shoulders: Thanks, and we look forward to tomorrow as well.

Ken Olson: Thank you.

President Ungethiem: Thanks.

Notice of Public Hearing to Consider Transfer of Tax Sale Certificate to Full Gospel Mission, Inc.

President Ungethiem: Okay, next up on the action items, is a notice of public hearing to consider transfer of Tax Sale Certificate to Full Gospel Mission, Incorporated. This will be a notice for public hearing in the Courier & Press on March the 1st, regarding a public hearing which will be on March the 13th. I would entertain a motion to move that forward.

Commissioner Musgrave: I'll move to move that forward.

Commissioner Shoulders: I will second the motion.

President Ungethiem: We have a motion and a second to give notice of a public hearing for the tax sale. Any further discussion?

Commissioner Musgrave: Certificate.

President Ungethiem: Tax Sale Certificate, yes. Any discussion from the audience? 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)

Resolution CO.R-02-18-002: Assignment of a Tax Sale Certificate For Property at 1408 Stringtown Road

President Ungethiem: The next item on the list is a resolution CO.R-02-18-002, assignment of Tax Sale Certificate for property at 1408 Stringtown Road. I would entertain a motion to assign that Tax Sale Certificate.

Joe Harrison, Jr.: Well, actually, if I could just mention, actually it's kind of the initial process to get that done. At the hearing on the 13th of March, if it's approved, then that would be done at that time.

President Ungethiem: Okay.

Joe Harrison, Jr.: So, this is a resolution which starts the process, probably should have approved the resolution first before the notice to be put in the paper, but that's fine. But, this is the initial step, and I would ask that this resolution be favorably considered, and, again, it's the property located at 1408 Stringtown Road. What is being proposed is an assignment of a Tax Sale Certificate for that property. If that's approved on the 13th of March, then that will move forward.

Commissioner Musgrave: Alright, I'll move to approve the Resolution CO.R-02-18-002.

Commissioner Shoulders: I will second the motion of this resolution.

President Ungethiem: We have a motion and a second to approve Resolution CO.R-02-18-002. 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)

Agreement for Professional Services with Cohen & Malad

President Ungethiem: The next item is an agreement for professional services with Cohen and Malad, LLP. These, this is a law firm that would be representing Vanderburgh County to pursue litigation against certain pharmaceutical companies who have responsibilities for damages incurred by Vanderburgh County as a result of the opioid epidemic. This is a lawsuit that claims deceptive and unfair marketing and distribution schemes by those companies. There are a number of counties, cities and communities in the State of Indiana, and in other states as well, who are joining in this litigation. This is just a formality of getting Vanderburgh County in that litigation as well. Joe, anything further to add?

Joe Harrison, Jr.: Other than what is being contemplated is that Vanderburgh County would be a part of pending litigation that is going on in the State of Ohio, in Federal Court, I believe in the Cleveland area, and we would be in on that particular litigation. Cohen & Malad is representing a number of counties in Indiana, including Marion, Monroe, Marshall, Jennings, Lake, Benton, Sullivan, Lawrence, Fayette, Madison, several counties throughout the state. This is an agreement where they would receive a percentage of any monetary recovery by Vanderburgh County. There's also a possibility of other types of recovery should a settlement or trial of the matter result in a successful conclusion for Vanderburgh County. This is just the start of this process for Vanderburgh County, if you would like to move forward.

Commissioner Musgrave: I will move approval of the agreement for professional services with Cohen and Malad, LLP.

Commissioner Shoulders: I will second that. Yet another step in the fight against the opioid epidemic. So, I will second the motion.

President Ungethiem: We have a motion and a second. Any further discussion? As a point of clarification, this agreement will not result in any tax dollars being used, any Vanderburgh County tax dollars being used. This is an agreement that's, that they are going to recover their fees through the litigation and through the—

Joe Harrison, Jr.: Yes, that is correct.

President Ungethiem: -- settlement. So, it will not cost us—

Joe Harrison, Jr.: No recovery, no fee, and no out of pocket costs to Vanderburgh County. There may be some work by the Coroner's Office and –

Commissioner Musgrave: The Health Department.

Joe Harrison, Jr.: --some other departments and offices to provide them with the necessary—

President Ungethiem: Data.

Joe Harrison, Jr.: --data. But, maybe testimony, at some time, by the Coroner, if that's required, either in court or by affidavit, or deposition. The cost will be fronted by, and paid by the attorneys.

President Ungethiem: Okay. Alright, we have a motion and a second. Any further discussion? Seeing none, all of those in favor to approve the agreement for professional services with Cohen and Malad signify by saying aye.

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: The motion carries.

(Motion approved 3-0)

Board Appointments

President Ungethiem: Okay, moving on to board appointments. We have two listed on the agenda, one is Vanderburgh County Redevelopment Authority, that's Tara Barney; and one is Greenway Advisory Board, Alexis Giannini. I would entertain a motion to approve both of those.

Commissioner Musgrave: I'll move approval, and note that Tara Barney is the incoming CEO of the Chamber, and she'll start at the end of the month.

Commissioner Shoulders: I will second the motion.

President Ungethiem: We have a motion and a second. Any further discussion? Any comments? Seeing none, all of those in favor of the board appointments 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: Okay, moving on to department head reports. John, do you want to kick it off?

John Stoll: The first item I have is a request for approval on a contract with United Consulting for the design of Baseline Road between Korff Road and Old State Road. The contract amount is \$371,100. This would be a continuation of the project that we currently are getting ready to buy right-of-way on between the entrance to North High School and Korff Road. I had the County Attorney review the contract, we made a couple of changes, but I would request approval on proceeding with the design contract. It would be paid out of the 41 TIF funds.

Commissioner Musgrave: I'll move approval, and I'll note that it is one of the projects described in our plan.

Commissioner Shoulders: I will second the motion.

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: Next I've got a notice to bidders for the replacement of St. Joe Avenue Bridge No. 1921. This is the bridge located just about a tenth of a mile south of Wimberg Road. This is a Community Crossings project. So, 50 percent of the project costs will be covered by the Community Crossings grant from 2017. I just need your approval on the notice to bidders, and approval for advertising.

Commissioner Musgrave: So moved.

Commissioner Shoulders: Second.

President Ungethiem: We have a motion and a second of notice to bidders for St. Joe Avenue Bridge. Any further discussion? One notation, I think, John, we talked about this when this construction occurs, we will have a temporary way around this bridge, so as not to interrupt traffic. Is that correct?

John Stoll: We'll put in a temporary traffic signal. So, we'll keep one lane open on St. Joe. I don't remember off the top of my head what the lane width will be, but the intent is to allow the trucks to continue through. So, we haven't used temporary traffic signals before on any of our bridge projects, but they've been around in this area in a number of INDOT projects, so, this will be our first go around with that, but it will keep one lane open.

President Ungethiem: Okay, very good. 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: Next I have a street acceptance request for Section 2 of Heartland Crossing Subdivision. This is for 393.44 feet of Blessing Way and 676.73 feet of Faith Way. This covers, this excludes the section of Faith Way between Blessing and Hogue Road. That's the only section of road that won't be accepted. There are some sidewalk issues, and I'll bring an acceptance form for that once the sidewalk issues are resolved. I just wanted to make note that this does not include every bit of Faith Way in Section 2 of this subdivision. But, everything is good to go with the streets, so I would request approval.

Commissioner Musgrave: So moved.

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: Next I have a street acceptance request for Section 3 of Heartland Crossing. This is 1,250.53 feet of Wolf Creek Court, 384.14 feet of Cub Cove and 1,522.02 feet of Blessing Way. Again, the streets have been inspected, and they are ready for acceptance.

Commissioner Musgrave: Move approval.

Commissioner Shoulders: Second.

President Ungethiem: We have a motion and a second to accept the street request for Heartland Crossing, Section 3. 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: Next I've got a right-of-way encroachment agreement for Berry Plastics at Oak Hill and Kansas Road. This is to put signs at the driveways on Oak Hill road, just south of Kansas Road. This is out near the roundabout at Kansas and Oak Hill. I reviewed the encroachment agreement, the County Attorney has reviewed it, we're both okay with it, so I would request approval.

Commissioner Musgrave: I get more phone calls and comments from people about those roundabouts and getting lost on them. Not being able to understand them. Is this going to make that worse?

John Stoll: No, these are on the driveways to the Berry Plastics site south of the roundabout.

Commissioner Musgrave: Okay.

John Stoll: So, they won't really be in the immediate roundabout area.

Commissioner Musgrave: Okay, alright. I'll move approval then.

Commissioner Shoulders: I will second the motion.

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: Last, I would like to request approval on some options on constructing a trail along Green River Road, between Lynch Road and Heckel Road. VS Engineering did some preliminary alternatives to look at some costs for constructing that trail. Out of the options they proposed, this would be option #2, which would put a trail along the west side of Green River, between Heckel and High Tower that would cross over at High Tower, and then run on the east side of the road the remainder of the way to Lynch Road, if possible. We've got some issues where I'm not exactly sure what the final end point would be. It may be the Delaware Trace Apartments, it may be the new street the city constructed, but the southern endpoint will be in the vicinity of Lynch Road. Their estimate was about \$6 million for that project, and, if approved, that project would be funded with Burkhardt Road TIF funds. Then, also in conjunction with that, if there were sufficient TIF funds, we would also look at the possibility of pursuing another trail between Heckel and Millersburg, which would be on the west side of Green River. The ballpark cost estimate for that was about \$3 million. So, requesting approval to pursue those two projects, and

then also to hire VS Engineering to begin working on a contract for the Lynch to Heckel section immediately.

Commissioner Musgrave: I'll move approval for both of those things, and note that our initial conversations with City Councilmembers are going very favorably. They have to approve bonds for, I believe, any part of the TIF district, as part of the geography of the TIF is now within the city. But, they are, I would say beyond, the ones I've talked to, very enthusiastic about this particular project.

Joe Harrison, Jr.: I might just add, I have had conversation with bond counsel and the county's financial advisor with London Witte about this project, and a couple of other projects that might come down the road, and they're working on some numbers and things like that right now. Obviously, it will take a little bit, but, you know, we could certainly get going on that here in the next few months, if that's what you all want to do.

Commissioner Shoulders: I mean, I would second the motion and believe that that area is needed for sidewalk and accessibility, roads (Inaudible), so, I would second the motion to move forward on this project.

President Ungethiem: We have a motion and a second. Any further discussion? John, can you give us an idea of what the next step is on this project?

John Stoll: I will get with VS Engineering, we'll get a contract worked out, and then they'll have to begin the design process to see what right-of-way we need. There will be some bridge work associated with this. There are four bridges on that section between Lynch and Heckel, so there's quite a bit of work to make it happen, but it would just be a matter of getting a contract signed and then they could begin design work.

President Ungethiem: Okay.

John Stoll: I don't have any estimated time tables as of yet. I just haven't talked to the consultant in that detail to this point.

President Ungethiem: Sounds like we've got a few things, like the agreement with the city, and that kind of thing—

Commissioner Shoulders: The bond would have to be in place too.

President Ungethiem: --before we finally move forward.

Commissioner Shoulders: Right.

President Ungethiem: Okay.

Commissioner Musgrave: We can move forward with the contract with the consultant, no question.

Joe Harrison, Jr.: On the design.

Commissioner Shoulders: Yeah, with the design, but the second piece of it is the bond, but, yeah, the design would...yeah.

President Ungethiem: Alright, 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 is approved.

(Motion approved 3-0)

John Stoll: That's all I had, unless you had any questions on anything.

County Attorney

President Ungethiem: Do you want to hang around for a second if Joe's got these—

John Stoll: Yeah.

Joe Harrison, Jr.: Oh, I've got, yeah, sorry.

President Ungethiem: Joe, are you ready with the, while John's up here are you ready with the bids?

Joe Harrison, Jr.: Yes, on the bids, there were two projects, one is VC18-02-02, that's Windemere Subdivision street repairs. The first bid came in from E&B Paving, and that bid amount is \$95,959. Ninety five, nine fifty nine. The second bid was from JH Rudolph, that bid amount was \$97,111.50. Ninety seven, one one one fifty. Those were the only two bids on that project. So, I would ask that those bids be taken under advisement and reviewed and John can come back, we can discuss them and come back with a recommendation at the next meeting on March 13th.

Commissioner Musgrave: Motion to take under advisement.

Commissioner Shoulders: Second the motion to take under advisement.

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: We'll take those under advisement.

(Motion approved 3-0)

Joe Harrison, Jr.: Then on the second subdivision street repair project, that was Broadlawn Subdivision. Where is Broadlawn Subdivision?

John Stoll: It's up north of Heinlein and east of Baumgart.

Joe Harrison, Jr.: Okay, that project number VC18-02-03, there were two bids. Again, the same two contractors submitted bids, the first bid submitted by E&B Paving, that bid amount is \$118,695. One eighteen six ninety five. Then the second bid, and that was submitted also by JH Rudolph, was \$166,228.50. One sixty six two twenty eight fifty. I would ask that these bids be taken under advisement and reviewed and Mr. Stoll can come back March 13th with a recommendation.

President Ungethiem: Do I have a motion to take these under advisement?

Commissioner Shoulders: I will make the motion to proceed.

Commissioner Musgrave: I'll second the motion to proceed to take these under advisement.

President Ungethiem: We have a motion and a second to take these under advisement. 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 is carried.

(Motion approved 3-0)

President Ungethiem: One question I had, we only received two bids on each of these. How many did, how many submittals did we send out?

John Stoll: We just advertised it in the legal ads.

President Ungethiem: Oh, we just advertised it. We didn't, and we're only receiving two bids. I guess, my concern here is as we move into the season of paving roads, are we going to have an issue with getting enough contractors to actually do this work? My guess is, is that we are, and is there anything that we can do about that as we move forward to get additional contractors to bid on these projects?

John Stoll: We could call contractors directly, but not knowing their schedules I don't know that that would lead to additional bids or not. But, your correct, that as the contractors get more and more work, it will potentially lead to maybe even one bid. We ran into that situation late last year on a couple of projects. So, it could happen again. I mean, we can always call and talk to the contractors, but again, it may not lead to an actual bid being submitted. I don't know what else we could do other than make the phone calls.

President Ungethiem: Okay, I'm just, I'm concerned that we're, number one, getting fewer and fewer contractors that are actually submitting bids, and if it gets to the point where there's only one contractor, then we're not going to wind up with competitive pricing. We're going to wind up paying more for road and for infrastructure improvements than a competitive bid process would allow. So, if there's anything that you can think of that we could do to offset that, we would be interested in hearing ideas.

John Stoll: I'll need to go back and look to see what we have in the Contractual Account. I don't remember off the top of my head, but these two projects will take roughly \$200,000-\$225,000, which I believe is about half of what we had budgeted for 2018. I know there's more money we can go appropriate, so, probably I need to get an appropriation filed, and then the sooner we get other projects out for bid the better. So, after tomorrow's road hearing we can figure out exactly which projects we want to bid, and then get them out sooner than later. We've got a couple of different options depending on what we get from the road hearing comments. There's a couple of projects that were really out of Scot's hands for the County Highway, because they involve milling. So, we've got a couple of different options, but once we get through the road hearing then I can let you know what we're thinking and see what kind of funds we have available and what kind of appropriation we need.

President Ungethiem: Okay, very good. Thanks, John.

John Stoll: Thanks.

Introduction of Students in the Audience

President Ungethiem: It has been pointed out to me that I was remiss at the beginning of the meeting in recognizing some special guests that we have in the audience. I would like to have them come forward and let them introduce themselves. I think we have some students here. Could you come forward, and please let us know who you are.

Axil Raeber: My name is Axil Raeber. I'm from North High School.

President Ungethiem: Thank you.

Brennan Van Allen: Brennan Van Allen from North High School.

President Ungethiem: Two from North.

Caleb Stinson: My name is Caleb Stinson, I'm also from North.

President Ungethiem: Three from North. Are you going to change the trend? No?

Kennady Schapker: I'm Kennady Schapker. I'm from North as well.

President Ungethiem: Alright, we have four from North High School.

Commissioner Shoulders: Thank you all for being here.

President Ungethiem: Thank you for attending. Welcome, and I apologize for not recognizing you sooner.

New Business

President Ungethiem: Okay, as we move on to new business, the only thing we have on there is just a notation that we've received a press release from the Honor Flight of Southern Indiana. The next Honor Flight leaving Dress Regional Airport...or, I guess, it's Evansville Regional Airport at this point in time.

Commissioner Musgrave: Kind of a throw back there.

President Ungethiem: That was an old slip there. Is Saturday, May the 5th, and our finest generation is going to be taking off on the 5th, I think, at like 5:15 a.m., and they'll be back that evening. If you have not attended one of these, it is an event to go see. I was at the first one, and saw the faces of the veterans as they left, and then as they came back, and it was truly a blessing to see the looks on their faces that somebody would remember them and so honor them to send them to Washington, D.C. for the day. So, I just wanted to let you all know that that will be on Saturday, May the 5th. The send off is at 5:15 a.m., and they will come home about 9:00 that evening.

Old Business

President Ungethiem: Okay, old business, another notice that we talked about previously, but we'll reiterate it here, is that the road hearing for this year will be tomorrow, February 28th from 11:00 to 1:00 in the Central Library Browning Room. You'll get to hear more information about the road plan, and you'll have the ability to give us information on roads that need to be fixed throughout the county. We will take that information under advisement, and, as John said, be putting together the 2018 plan for repair, patch and repaving throughout Vanderburgh County. Any other old business? Seeing none.

Public Comment

President Ungethiem: Any public comment? Quiet crowd today.

Consent Items

President Ungethiem: Okay, we'll move on to consent items, and I would entertain a motion to approve the consent items as listed on the agenda.

Commissioner Shoulders: So moved.

Commissioner Shoulders: Oh, go ahead. So moved.

Commissioner Musgrave: Second.

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

All Commissioners: Aye.

President Ungethiem: Opposed?

(None opposed)

President Ungethiem: The consent items are approved.

(Motion approved 3-0)

Final Reading of Rezoning Ordinance VC-3-2018
Petitioner: Dianna Miller
Address: 10108 Schaeffer Road
Request: Change from Ag to C-4 with UDC
Action: Approved 3-0

Commissioner Shoulders: Motion to adjourn.

President Ungethiem: Whoa, we've got a rezoning.

Commissioner Shoulders: We have a rezoning? I didn't see that.

President Ungethiem: We'll let you do that in just a minute.

Commissioner Shoulders: I jumped the gun. Sorry about that.

President Ungethiem: We have one rezoning ordinance, it's a final reading of rezoning ordinance VC-3-2018. The petitioner is Dianna Miller. The address is 10108 Schaeffer Road. It's a request to change from Ag to C-4 with a use and development. We have Donna here to give us some more information.

Donna Holderfield: Donna Holderfield with Area Plan Commission. Dianna Miller is requesting to rezone the property located at 10108 Schaeffer Road from Agriculture to C-4 with a use and development commitment. This is an 18.38 acre parcel located on the west side of Schaeffer Road between Kissel Road and Orchard Road. The petitioner proposes to rezone 2.017 acres of this 18.38 acre parcel to C-4 with a use and development commitment to allow the parking of commercial food trucks at this location. The use and development commitment limits the use to the C-4 area to the parking of the food trucks; mobile food establishments. The Area Plan Commission recommended approval with ten affirmative votes and one abstention.

President Ungethiem: Okay. Is the petitioner here? Okay. Are there any comments that you would like to add to this?

Dianna Miller: If needed.

Commissioner Musgrave: No, it's not.

President Ungethiem: Okay.

Dianna Miller: If there are any questions.

President Ungethiem: Are there any remonstrators here on this petition?

Joe Harrison, Jr.: I was going to say, if anyone wishes to speak they can raise their right hand, but if no one is going to speak, then move forward.

Commissioner Musgrave: I'll move approval.

Commissioner Shoulders: I will second the motion.

President Ungethiem: We have a second, a motion and a second to approve the final reading of rezoning ordinance VC-3-2018. Any further comments on this issue? Seeing none. Roll call vote please.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: President Ungethiem?

President Ungethiem: Yes, and the rezoning ordinance is approved by a 3-0 vote.

(Motion approved 3-0)

Adjournment

President Ungethiem: Anything else to come before this Board today?

Commissioner Musgrave: Now it's your turn.

Commissioner Shoulders: Now, motion to adjourn.

Commissioner Musgrave: Second.

President Ungethiem: Alright, we are adjourned. Thank you very much for coming.

Commissioner Shoulders: Thanks.

(The meeting was adjourned at 3:43 p.m.)

CONSENT ITEMS:

Contracts-Agreements & Leases:

County Clerk: VR Systems EVID System License Rental Agreement.

Health Dept.: Advertising Commitment with Evansville Courier & Press.

Commissioners:

Approval of the February 13, 2018 Commission Meeting Minutes.

Supt. Of Co. Bldgs: Amended OCH Foundation By-Laws.

Teamsters CBA Letter of Understanding.

Burdette Park:

Quote for Aquatic Center Exterior Lockers.

Quote for Security Vehicle.

County Treasurer: January 2018 Monthly Report.

Employment Changes:

Health Dept. (4)

Area Plan (2)

Circuit Court (2)

Co. Hwy. (3)

Surveyor (1)

Superior Court (2)

Burdette Park (1)

Prosecutor (1)

County Engineer:

Department Report.

Pay Request No. 34: U.S. 41 Expansion TIF: \$7,890.

Claims.

Weights & Measures: January 16-February 15, 2018 Monthly Report.

Those in Attendance:

Bruce Ungethiem

Brian Gerth

Madelyn Grayson

Jordan Kuester

Clint Stanton

Axil Raeber

Kennady Schapker

Others Unidentified

Cheryl Musgrave

Joe Harrison, Jr.

John Strange

Michael Brown

Ken Olson

Brennan Van Allen

Donna Holderfield

Members of Media

Ben Shoulders

Kristin Comer

Chelsea Trail

Jared Zwilling

John Stoll

Caleb Stinson

Dianna Miller

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS**

Bruce Ungethiem, President

Cheryl A.W. Musgrave, Vice President

Ben Shoulders, Member

(Recorded and transcribed by Madelyn Grayson.)