

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
EMERGENCY MEETING
November 24, 2020**

The Vanderburgh County Board of Commissioners met in session this 24th day of November, 2020 at 3:00 p.m. in Exhibit Hall A of the Old National Events Plaza with President Jeff Hatfield presiding.

Reconvening of Meeting

President Hatfield: I'm going to call to order the Vanderburgh County Board of Commissioners November 24, 2020 emergency meeting, basically call that back into session. We're reconvening this meeting.

Attendance Roll Call

President Hatfield: Madelyn, please call attendance.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Here.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Here.

Madelyn Grayson: President Hatfield?

President Hatfield: I'm here as well.

Pledge of Allegiance

President Hatfield: If we could all stand for the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

**Economic Development Coalition of SW Indiana:
Reading of Applicants for Rural Broadband RFP**

President Hatfield: Our first action item is the Economic Development Coalition of Southwest Indiana list of applicants for rural broadband RFP. Is Audrie in the audience or on WebEx?

Audrie Burkett: I am, Commissioner Hatfield. Thank you. Thank you again, Commissioners. I'm giving you a quick update today. I wanted to share with you the Vanderburgh County Rural Broadband RFP process and where we are with that. We had two applicants, and as part of that process I will simply read the names of those that have applied. The first applicant we received was Beam Longest Neff with a service provider outlined further in the response, and the second response was Watch Communications. So, our next steps, the Evaluation Committee will work with the scoring process and we'll keep the Commissioners updated over the course of your next few meetings on how the evaluation progress is progressing. So, thank you again to each of you, Commissioners, for supporting rural broadband, and helping Vanderburgh County residents to receive access.

President Hatfield: Okay, do the Commissioners have any questions for Audrie?

Commissioner Musgrave: No, just a big thank you for the work you continue to do to help the Commissioners and the Redevelopment Commission improve broadband in rural Vanderburgh County.

Commissioner Shoulders: I'll echo Commissioner Musgrave's comments there, Audrie. Thank you, as usual. You guys have just done a great job in staying ahead of this, and keeping everyone informed.

President Hatfield: Thanks, Audrie.

Audrie Burkett: Thank you very much.

**Computer Services: WOW WAN Connectivity Agreement:
Prosecutor Adult Protective Services**

President Hatfield: The next item, B, is Computer Services, connectivity for Adult Protective Services. This service order will add the Adult Protective Services new office to the Wide Area Network under the WOW master agreement. Hi, Mark.

Mark Uhrin: Mark Uhrin, Chief Information Officer. This is a new location for the Prosecutor's Office, and we're asking to add this to the contract.

President Hatfield: Okay, do the Commissioners have any questions for Mark?

Commissioner Musgrave: I'll make a motion to approve.

Commissioner Shoulders: I'll second.

President Hatfield: Okay, we have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

President Hatfield: Thank you, Mark.

Mark Uhrin: Thank you.

Scheduling of Special Meeting for December 8, 2020

President Hatfield: Item C is scheduling a special meeting for consideration of Resolution number APC-2-2020: A Resolution of the Evansville-Vanderburgh County Area Plan Commission Regarding Resolution Number 2020-VCRC-02. This is establishing a certain area as an Economic Development Area and Allocation Area for purposes of Tax Increment Financing. What should be, in the future, known as the St. Joe Industrial Economic Development Area. APC will consider the TIF on 12/3. If approved by APC, the Board of Commissioners needs to approve the establishment of the TIF. If the Board of Commissioners approve, then it goes back to RDC for a public hearing, which requires a ten-day notice by publication. In order to comply with deadlines to establish the TIF for tax year 2021 pay 2022, the process has to be completed by the end of the year 2020.

Commissioner Musgrave: Commissioner Hatfield, may I add a second item for that special meeting? And, that would be the potential broadband grant funding.

President Hatfield: Okay, so are you making a motion to schedule the special meeting? Or to add broadband?

Commissioner Musgrave: I am making a motion to schedule the special meeting, as you read, and to add broadband.

President Hatfield: Okay, no objection from Legal to add the two together? Okay, I just need a second.

Commissioner Shoulders: I'll second the motion to have the special meeting on December 8th.

President Hatfield: Okay. We have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

Commissioner Musgrave: Can I clarify that that meeting is for December 8th at 3:00.

Commissioner Shoulders: Yeah.

President Hatfield: So, December 8th, at 3:00 p.m. in this room, there will be a special meeting for those purposes.

Commissioner Musgrave: Yes, that was my motion.

President Hatfield: Okay.

Health Dept: WIC Grant Administrative Aid Agreement with Vicki Fulton

President Hatfield: D, moving on, Health Department, WIC Grant Administrative Aid agreement with Vicki Fulton. This contract is part of the Women Infant and Children's Grant and will provide administrative aid services. This contract runs through the WIC fiscal year of 10/1/2020 through 9/30/2021.

Commissioner Musgrave: I'll make a motion to approve.

Commissioner Shoulders: I will second the motion.

President Hatfield: Okay, Madelyn, we have a motion and a second. Please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

2021 ARC of Evansville Grant Agreement

President Hatfield: Item E is 2021 ARC of Evansville grant agreement. Yeah, you know, this is a routine commitment to ARC of Evansville. It's a yearly renewal of that. I can't remember the amount, but I think it's a pretty good contribution to their operating. I know that, of course, it takes—

Madelyn Grayson: It's \$200,000.

President Hatfield: Yeah, \$200,000, it takes millions to operate ARC of Evansville, and we consider, or at least I consider their purpose and mission to be worthy of support.

Commissioner Musgrave: I'm proud to make a motion to approve.

Commissioner Shoulders: I'll second the motion for ARC.

President Hatfield: Okay, we have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

**Superior Court: Contract with Total Court Services:
Juvenile House Arrest GPS Products & Services**

President Hatfield: The next item is Superior Court, juvenile house arrest GPS products and services contract. This contract for GPS products and services for juveniles ordered to house arrest. This contract will bring significant financial savings to the county by changing vendors and discontinuing its current contract. This three-year contract beginning 1/1/21, and it will be paid out from line item 1000 1370-305400.

Commissioner Musgrave: I'll make a motion to approve.

Commissioner Shoulders: Second.

President Hatfield: We have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

County Assessor: Professional Services Agreement with X-Soft, Inc.

President Hatfield: The next item is the Assessor's Office professional services agreement with X-Soft, Inc. The beginning date on this is 11/24/2020, for \$38,000, paid from line 1224 1090-353000.

Commissioner Musgrave: I see the Assessor here, perhaps he can tell us what this contract will do?

President Hatfield: Can everyone hear us alright? Okay. What did you say?

Don Gibbs: A lot of echoing.

President Hatfield: A lot of echo? Yeah.

Don Gibbs: But, I can hear you.

President Hatfield: Okay.

Bill Fluty: Bill Fluty, County Assessor. Currently support for our website has been, we go out to outside vendors. It's been a little tedious over the years and years. We're currently asking for X-Soft to handle this. X-Soft also handles our INcama system, and will currently be, is going to be doing INtax for the Auditor and the Treasurer. Engage will also facilitate payments for the Treasurer through their credit card payments, up to five million. So, with this, we're kind of bundling all this to get this done. Our website is going to be pretty much what you've seen, but we're going to have that stand by guy to be able to do that. We've spent, and over the time, I think we'll save a little money, but it's pretty cost neutral over what we've been spending in the past.

Commissioner Musgrave: So, it's going to look the same, pretty much?

Bill Fluty: I'm having a little trouble hearing you.

Commissioner Musgrave: Will it look the same?

Bill Fluty: I just can't pick that up, Cheryl, I'm sorry.

Commissioner Musgrave: Will the web interface look the same?

Bill Fluty: Yes.

Commissioner Musgrave: And, the same data as present?

Bill Fluty: Yes.

Commissioner Musgrave: What's the refresh? Every day?

Bill Fluty: We have it at least once a week, and we could negotiate to be a little tighter than that.

Commissioner Musgrave: I would really prefer if you do it more often than that. So, the more frequent you can get it, that would be better.

Bill Fluty: The number one thing that refreshes on a weekly basis is ownership change, the transfer of property. The other stuff is stagnant for the year end roll, as you know. So, but we could try to do that.

Commissioner Musgrave: Okay, I would appreciate it if you would. I think that ownership change is the one thing that people, they really are looking for that.

Bill Fluty: Okay.

Commissioner Musgrave: Okay, so, I'll make a motion to approve.

Commissioner Shoulders: I'll second the motion.

President Hatfield: Okay, Madelyn, we have a motion and a second. Please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

President Hatfield: Thank you.

Bill Fluty: Thank you all. Appreciate it.

**Superintendent of County Buildings:
OCH Lease Renewal: Alex Morgan & OCH Lease: Corey Greenfield**

President Hatfield: Superintendent of County Buildings, we have an Old Courthouse lease agreement with Alex Morgan Imaging, LLC. This is for Suite 304 at the Old Courthouse. It is a three-year lease running December 1, 2020 through November 30, 2023. The rent will be \$450 per month, which is ten dollars per square foot. This is an increase over their previous amount, which was \$370.60 a month.

Commissioner Musgrave: I'm going to make a motion to approve this one and, when we get to it, the next one, but I would like to say that I know that we have a real estate company that manages our leasing, helps manage our leasing, and I would like them to do an analysis of rental prices in the downtown and competitive areas. I think that should be part of their service, but I think we need to understand whether we're charging the right amount for these offices. The Old Courthouse is a wonderful place to lease, and I want to make sure that the tax payers are being compensated for the use of that building. But, I'll make a motion to approve the lease agreement with Alex Morgan Imaging.

Commissioner Shoulders: I'll second the motion.

President Hatfield: Madelyn, we have a motion and a second. Please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

President Hatfield: The next one is Old Courthouse lease agreement with Corey Greenfield. A one-year lease for a new tenant at the Old Courthouse in Suite B5. This is basement space that was previously used as storage space. The term is December 1, 2020 through November 30, 2021. Rent will be \$300 per month.

Commissioner Musgrave: Motion to approve.

Commissioner Shoulders: Second.

President Hatfield: We have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well. Those both pass.

(Motion approved 3-0)

County Engineer

President Hatfield: Next, County Engineer. John Stoll is here, I think. Okay. The first one is a request to award contract number VC20-09-01, concrete street repairs to River Town Construction, Inc. John, do you want to take it from there?

John Stoll: Yes, River Town provided the low bid on the project. So, that's why we're requesting the contract be awarded to them.

President Hatfield: So, this is a contract for \$328,483.50.

John Stoll: And, it covers street repairs on Wind Circle, Whispering Tree, Walnut Lane, Eastbrooke, Longacre and Red Bud.

President Hatfield: And, then did we determine that that would be started right away, or in the spring, or when?

John Stoll: It will be the spring.

President Hatfield: In the spring?

John Stoll: Yes.

President Hatfield: So, could they expect in April?

John Stoll: The completion—

President Hatfield: Or, how is that start date determined?

John Stoll: We'll send them a notice to proceed immediately, and then if they have any suitable weather to work in, they might get started, but they've got until the end of May to complete the project.

President Hatfield: Okay, so, it's possible, you know, our weather around here is sometimes very mild, they could get started in January.

John Stoll: If the weather—

Commissioner Musgrave: Since you said that, that's over.

President Hatfield: December, you know what I'm saying?

John Stoll: Yeah.

President Hatfield: You know, it's very possible. There's no guarantee we get bad weather anymore, yeah.

John Stoll: They told me that they didn't anticipate getting any work done yet in 2020, but they said anything is possible, depending on how the weather plays out.

President Hatfield: Okay. Very good. Alright, any questions for John?

Commissioner Musgrave: Motion to approve.

Commissioner Shoulders: I will second.

President Hatfield: We have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

President Shetler: Thank you, John. Number two is a request for approval of Bergdolt Road drainage design contract with RQAW. Tell us about that, John.

John Stoll: The design fee on that is \$57,500, and this would cover drainage design between the city limits and Oak Hill Road. That area has had chronic drainage problems for years, and this consulting contract would provide a design to try to alleviate some of the flooding problems that are out there. We would anticipate a combination of storm sewers and open ditches, but until we get the survey and the design work done, we don't know exactly what all would be involved in the solution, and what the cost would be. But, this at least allows us to get started, and once we, excuse me, once we have a design, there's always a possibility that we could maybe pursue grant funds, because it sounded like OCRA funds, that a project like this may be eligible for OCRA funding.

President Hatfield: Okay, I would just like to personally say that I've fielded a couple of complaints from people that live down Bergdolt. I know the other Commissioners have as well. This is just the first step in a process of trying to fix the drainage issues that go along that road, that have been there for decades, from what I understand. Right, John?

John Stoll: Correct.

President Hatfield: Anybody have anything else they want to add?

Commissioner Musgrave: Yes, I want to commend you, Commissioner Hatfield, for leaving no stone unturned looking for the funding to pay for the engineering for this project, and I want to say that that's, engineering money is the hardest money to find.

Commissioner Shoulders: It is.

Commissioner Musgrave: And, Vanderburgh County misses out on lots of grant opportunities, because those grant opportunities look for projects which are already engineered. And, so by making the engineering money available, we put ourselves in a position to seek grants. So, I'm really happy to make the motion to approve this, and I hope we can do this kind of thing a lot more often.

Commissioner Shoulders: I agree with that. I mean, kudos to you, Commissioner Hatfield, for earmarking this, and, John, for staying on this logistically. So, I believe that a motion was made, so I second the motion.

President Hatfield: Okay, Madelyn, we have a motion and a second, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

President Hatfield: Thank you. The next item is a time extension request for construction of Nurrenbern Road Bridge.

John Stoll: One thing on the previous one I didn't mention was, that that would be paid off the Riverboat funds. I don't think—

President Hatfield: Right.

John Stoll: -- that was stated. I just wanted to get that on the record. On the Nurrenbern Road Bridge, the project got started a little bit late. We received a donation of the right-of-way from USI, since USI owned the property on both sides of the project. We had to wait for them to have their board meetings in order for the donation to be finalized. Which, unfortunately, the way everything's played out with the Corona Virus this year, that meeting got delayed until September, which delayed the start of our project. So, the contractor got started later than they anticipated, and now with some bad weather it's necessitated this time extension. The time extension would take it to April 1st of 2021. The

primary reason why it's going out so far is the INDOT specifications don't charge work days between December and March, so this is in accordance with the INDOT specs, and that's the way the project was bid. That being said, Blankenberger Brothers continues to work on the project, and the goal is still to get it opened up before winter sets in.

Commissioner Musgrave: I'll make a motion to approve, and also thank USI for their partnership in the repairs to this bridge.

Commissioner Shoulders: I will second the motion.

President Hatfield: Okay, we have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

President Hatfield: The next one is Boonville-New Harmony Road contract amendment with Lochmueller Group.

John Stoll: This is an increase of \$87,460 on the existing design contract for the reconstruction of Boonville-New Harmony between Petersburg and State Road 57. This contract will cover some redesign work at the intersection of Petersburg and Boonville-New Harmony. The way the project was initially designed we couldn't get a three-lane cross section through there between the gas station and the Hornet's Nest. Now, the gas station has a plan that they're moving forward with to reconstruct their site further north, which then will leave some vacant ground that the county can acquire right-of-way on, which then would allow a three-lane road to be built through there. So, we need to redesign to accommodate that, and then also this will provide some geotechnical work in order to get the soils information for the project, and then we also have to do a sanitary sewer extension, because there's a septic system that's being eliminated by the project. So, this covers all three of those tasks.

Commissioner Musgrave: I'm so excited to make a motion to approve this contract amendment. It makes so much sense to have that be a three-lane road there, and, as you said, we weren't able to initially design it that way because the gas station was in the way. And, then the happy day arrived when the gas station announced it was moving. So, I'm truly excited to make this motion.

Commissioner Shoulders: Second.

President Hatfield: You know, I wanted to get it on the record, there is a lady out there, and I can't remember her name, she's contacted me several times, and I forwarded her email to you, and then COVID hit. We were going to all meet out there, if you remember. And, so, that kind of got put off, the meeting. Is any part of this can be used to maybe contact her and try to hear through her concerns?

John Stoll: The Commissioners have already authorized the right-of-way offer on her property, and I'll follow up with Lochmueller Group to find out the status of that right-of-way offer.

President Hatfield: Okay, you know who I'm talking about?

John Stoll: Yes.

President Hatfield: Yeah.

John Stoll: Yeah, the road gets close to the front of—

President Hatfield: Do you remember her name?

John Stoll: I was thinking the first name was Jessica.

President Hatfield: Yeah.

John Stoll: I can't remember her last name.

President Hatfield: Regardless—

John Stoll: I've got her email. The emails you forwarded me, plus I have emails from her as well.

President Hatfield: Yeah, I don't want us to forget her. You know, these are big deals that happen in front of people's homes, and, you know, progress is great if, you know, you live far away and it doesn't affect you personally, but when it's right, you know, up against your porch, it doesn't look so progressive. So, if there's anything that we can do to hear her out, hear if her concerns are legitimate and valid, and if there's anything we can do to minimize her anxiety over this.

John Stoll: Typically, the right-of-way offer is made, and then any kind of counter offer or any other issues that might have been missed through the appraisal process, that's all relayed through the right-of-way buyer, who then contacts us, and then I pass that information on to you and the County Attorney to see if there is any grounds to increase the offer.

President Hatfield: I didn't think it was over money.

John Stoll: I know it's the proximity of the house and then the damages—

President Hatfield: Yeah.

John Stoll: --associated with the appraisal for those, bringing the road closer to her house.

President Hatfield: Right.

Commissioner Musgrave: Just to make it clear, this contract amendment is not near her property.

President Hatfield: I understand that, but it's the closest contract to her property, and it reminded me that, before COVID, she was, you know, very active in trying to get you and I to go see her, and then COVID hit, and I told her once COVID was over, not realizing it was going to take, you know, forever, if you could remind us both...I'm just trying to, you know, get it on the record that she has called us, she has emailed us, she wants to be heard, we need to hear her. This contract is right near her home, and so, anyway. We have a motion and a second. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

President Hatfield: The next one is a change order number six for Creamery Road lift station and force main.

John Stoll: This change order provides us the completion date to July 28th of 2020, which was when the final as-built drawings were submitted for final Evansville Water & Sewer

Utility acceptance of the project, and it also will assess liquidated damages in the amount of \$41,598.20. This does close out the project in its entirety.

Commissioner Musgrave: Motion to approve.

Commissioner Shoulders: I will second the motion.

President Hatfield: Yeah, I want to thank you, John, and legal for the dozens of phone calls and emails working this problem out. Madelyn, we have a motion and a second, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

President Hatfield: Next item is Mill Road Bridge. John, you sent us a very nice timeline of Mill Road Bridge. Why don't you go over the highlights, for the public, to talk about when this Mill Road Bridge endeavor to add a bridge on Mill Road, over the railroad tracks, near Kratzville. So, that's the vicinity. Why don't you talk a little bit about the grant application, when that occurred, and then moving forward the events that have taken place.

John Stoll: The grant application was through INDOT's program, which was called Local TRAX, and this was a one-time grant process they set up back in the summer of 2018. The county, like you said, submitted an application to put a railroad bridge across Mill Road off of Kratzville. This is off the north leg of Kratzville and Mill, since the two legs of Kratzville and Mill are offset from one another. This is, this was all set up on the, like I said, the north leg and the estimate that was provided in the application was \$7,487,500, of which one million, I can't find the number, \$1.2 million roughly was the county's share of that project cost. Those applications were due on August 31st of 2018, and then in December of 2018, INDOT selected the Mill Road project as one that they were going to fund with their TRAX funds. At that time, INDOT obligated \$5 million in INDOT funding towards the project. Once the project was selected, between January of 2019 and October of 2019, INDOT had hired consultants to begin the process of putting together alternatives and cost estimates for the project. And, as it turned out, they came back with costs that were substantially higher than what I had put in the original estimate. In doing the alternatives, they came up with really two main options; one was to put the bridge where it was shown in the application that was submitted, which is across the tracks down at the base of the hill on Mill Road, and the other was to extend due west off of the south Mill and Kratzville intersection, go on a new alignment and cross the tracks on a new section of road to be built in conjunction with the project. The two alternatives on that, they had cost estimates of roughly \$10.1 million and \$12.1 million for those project costs. October of last year is when they first presented all those figures to me. We had a meeting over at the Seymour District of INDOT. At that time, all these alternatives were presented, and we had to make a decision on which alternative to go with. The consultants had concerns about staying on the existing alignment because they were concerned that even though they had a \$10.1 million estimate, they were concerned that there would be still significantly more utility relocation costs, but they wouldn't know all those details until later on in the process. So, the new alignment project seemed to make more sense at that time, because there were fewer opportunities to have utility conflicts, and other unknowns like that. So, that's kind of what pushed it towards the \$12.1 million option. And, in February of this year, that's when INDOT came back to the county and said we need you to sign a funding commitment letter. Well, in conjunction with all their reviews, they had come up with a higher cost for the county, the county share at that point back in February

of 2020 was estimated to be about \$2.9 million. Since that was significantly higher than what the county's obligation was on the basis of the application we submitted, then it was up to the county to try to figure out how to fund that, and in meeting with the Commissioners and the County Auditor's Office, we were all exploring all kinds of different options as far as trying to figure out how to fund the three-million-dollar county share. At that point it was determined that a loan would be the best option, and the Commissioners did sign the funding commitment letter in June of 2020. Since then we have gotten some increases on the INDOT cost estimates, and the most recent estimate that they provided in October was, the county's share would be \$7.7 million. So, that kind of gets us to where we are today, relative to we still have a significantly higher cost that the county has to fund, and that's where the county has to come up with the funding in order to make the project move forward.

President Hatfield: So, to condense that, thank you for that, number one, to condense that, a very worthy project was applied for, a grant, and the railroad, building a bridge over the railroad tracks near Kratzville. This pre-dates me, the previous Commissioners did this, very worthy, and they were very successful. They received the grant, and that's when it was a very controllable project, and we had the money, our portion (Inaudible) celebrated. Then, of course, we get a letter a year later saying that it was going to be four million of what we would have to put in. County Council Finance Chair Raben and County Auditor Brian Gerth were very intent on helping to make this work, and looked into a loan program and it was affordable. Then, a month later, you get another letter and the project was still going up, and just for the audience's sake, the State decides who the engineers are that design it, they kind of control the project, and they just, they kept designing a project that got a little bigger and bigger. Is that correct?

John Stoll: Yes, we've tried to limit the scope and tried to control the costs as much as possible, and we set the design speed in at 30 miles an hour to try to minimize the amount of road work that would have to be done. So, there have been, the design parameters have been thrown into the mix to try to control the costs, but the cost has continued to go up.

President Hatfield: Okay, and so to summarize a little bit, we have a worthy project that's going to solve a lot of issues, number one, public safety. We've talked to the Sheriff's Department, we've talked to EMS, we've talked to all the volunteer Fire Departments, they're all excited about this because it gets them from one....if you think about St. Joe Avenue and Kratzville and Darmstadt Road, it is one of the few places that would be unimpeded by railroad tracks slowing down emergency vehicles, getting people across that area safer. I do know that at that railroad track, and Noah's in the audience, he might have been on the force at a time where there have been people killed at that railroad tracks intersection, there have been accidents there. So, this was a worthy project that was going to solve some issues. Not to mention the fact that it's safer for the citizens that do go east to west. Also, the City of Evansville, that whole area, and people on the north side heading west, it's another way to get west instead of going all the way down to Diamond Avenue. So, it's a worthy project, and it was very manageable, and it still could be very manageable, but there's some issues that have to be worked out, and from what I understand, we'll have to, just like we did the \$3 million loan issue. The Commissioners will have to decide which options that we're going to be taking in the coming weeks. Then I would like to give it to my colleagues here to talk about too, but from my standpoint what also has to happen is Council will eventually have to sign off on this. And, so, I know that my fellow Commissioners and I are looking into ways that we can afford this project, and I'm willing to give my colleagues an opportunity to talk about their efforts of what they're doing to create a better financial picture on this. I know you want to comment.

Commissioner Musgrave: Well, we have contacted Representative Holli Sullivan, who is the Representative of this area, and, I'm happy to say that she is committed to helping us work out this issue. She is going to be diligently looking for some financial relief for the county on this. That may take some time. While that is pending, what I would like to ask is for the County Attorney to call INDOT's attorney and discuss this contract, this is the document that INDOT wants us to sign. It's a lengthy document, and it wants us to commit to this \$7,712,665.01 as an open-ended commitment. I would like the County Attorney to call, and see if we can't replace that open-ended commitment with a hard stop. If this is

the number that they feel will be our portion, then I want it to stop there. As Engineer Stoll has just relayed, it has grown from \$1.2 million on the county commitment, to this \$7.7 million figure. A factor of six times in growth. Even if we do, are successful in putting that \$7.7 million figure there, Representative Sullivan is still going to look for relief for that, in order to try to bring that match number down. But, we don't want that number to grow any more, and we want to go in the other direction, with State help as brokered by Representative Sullivan. So, I'm going to make that as a motion today to direct the County Attorney to take this action, if that's alright with you, President Hatfield?

President Hatfield: Yes, but what, I did talk to Dave Jones about that idea, and basically, you're okay with working with John Stoll towards that goal. There are some fine details that they would, between the two of them, need to kind of coordinate with, but otherwise you're good on that.

David Jones: I have a better chance of having a cure for COVID than I do getting an INDOT attorney to change their contract.

President Hatfield: Well, we'll see, let's try.

David Jones: We're going to have to go through John and go through the engineers on this, and then they hand it to the attorney. I'll do whatever you're requesting me to do.

President Hatfield: Right.

Commissioner Shoulders: And, (Inaudible) too, Commissioner Hatfield. I think, you know, going back to both my fellow Commissioners' points are, we're asking for kind of a hard, or at least some number, whether it's soft or not, because those numbers keep going up. Right, John? I mean, \$1.2 to three to seven to \$7.7, and so, you know, what this, it's hard to discuss something when you don't know the cost of it, right, because it keeps changing? So, I think we feel like if we put a number to it, at least that's a start. Going back to also President Hatfield's points on the finance structure and everything else, you know, taking my Commissioner hat off and putting my banker hat on, (Inaudible) and rates now are extremely low, and I know that you've talked with Councilman Raben about this too, Commissioner, south of two, hopefully in the mid one's, so that's a good time, whether it's to bond something or whatever the case may be. So, I know that if we can pull that number of some sort, and, you know, I didn't know it was going to be that hard, but it sounds like it is. Then we can kind of back track and work backwards on what the debt service is, what the annual payments are, the monthly payments, all that stuff, but it's hard to do that when you don't know what the cost is. Is that fair to say?

President Hatfield: Absolutely.

Commissioner Shoulders: So, I'll second the motion, but we're going to do our very best to, one, have our attorney, Dave Jones, coupled with John Stoll, work with INDOT, but then also on the back-end work with State Rep Holli Sullivan to hopefully find some additional monetary resources.

David Jones: Could I just point out one thing that you've got, that I think John can tell you, he sees it in all their contracts, and that is, "The remainder of the project costs, including all cost overruns, change orders and price increases are borne by LBA.", which is the county, and those are not in any estimate. And have you ever seen a project of this dimension that didn't have overruns, change orders or price increases for materials?

John Stoll: It happens all the time.

President Hatfield: (Inaudible), this is very important. We have a very worthy project. Normally it would just be a usual project. I mean, normally when the county applies for grants, they get the money, things work out well, the county has already worked out its portion, and things happen. In this particular case, what's different, is the estimating price tag of what the county is committed to put in, it's an unusual situation. Wouldn't you agree, John?

John Stoll: Yes, the, in this case, my initial estimates in the grant application were off. I assumed that we could build a single span bridge, and I assumed shorter project limits

than what the consultants came back with. So, my initial estimate of the county's share being \$1.2 million was off. So, that is part of the problem right at the start. Then when INDOT's consultants came in and came up with the other alternatives and put the bridge and the road on the new alignment, that made up for the initial jump from going to \$1.2 million to the \$2.9 million. So, that explains how those two numbers affected where we are today. It's the jumps since then that keep causing the problems, because they've been so substantial.

President Hatfield: Right, so we get notice every month or so that, hey, your portion now is going to be "x" more than it was a month or two ago. That's actually what's been happening here in 2020. And, so what the Commissioners are doing about it, is we, through Commissioner Musgrave, contacted Representative Holli Sullivan, this project is in her district. She is an influential Legislator, and to solicit her help to relieve on a couple of fronts, so that's happening. We have a motion from Commissioner Musgrave to have Legal and your office try to negotiate a different contract with the State. That's number two. Number three is we will try to get some financing information to Council leadership as to what loans might be available that we could present to them that they might find acceptable on this project. Is that it in a nutshell?

Commissioner Shoulders: Yeah.

Commissioner Musgrave: That's a great summary.

Commissioner Shoulders: I have some additional information for that. We can email, I'll email you post meeting.

President Hatfield: So, the goal is a worthy project, the goal is to save the project. We have an unusual experience with this. It doesn't happen every day. We are used to knowing where this project stands, and so forth. I believe we've accomplished that goal, and we have a game plan, an action plan to try to save it. Correct?

Commissioner Shoulders: That's fair to say.

President Hatfield: Okay, wonderful. There was a motion, he seconded it. Madelyn, please call the roll. This is a motion about asking Legal to work with the Engineer's Office to contact INDOT and their legal reps to renegotiate a contract. Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

President Hatfield: Thank you, John.

John Stoll: Sure.

New Business/Old Business

President Hatfield: Okay, department head reports. Is there anyone on WebEx, department head? Okay. Any new business by the Commissioners? Hearing none, any old business?

Commissioner Musgrave: Commissioner Hatfield, I didn't bring the exact numbers with me today, but I understand that our jail bond refunding was very well received by the market, and that we are saving even more money than we anticipated. And, if the legal counsel has those numbers, it would be great if you could read them into the record, but

I understand it's quite a nice amount of money that we're going to save, and we got a really super bond rating for it. So, I just wanted to say well done to everyone who worked on that project.

Commissioner Shoulders: Absolutely, and I'll also say, switching gears to another old business here, and I saw this on social media, Commissioner Musgrave, I think you shared it, but, anyway, congrats to our own Lilly King for breaking her own world record in swimming last weekend. And, also congrats to all the fall sports teams who won through the tournament. I know Evansville Mater Dei and Castle made it to semi-State in football, and there were a lot of other boy and girl sports who went far. So, congrats to all of them, and let's hope that we can attend sporting events at some time, eventually this school year. So, congrats to all of our teams locally.

President Hatfield: Awesome. Thank you both.

Consent Items

President Hatfield: We have, the next item is consent items.

Commissioner Musgrave: Motion to approve the consent agenda.

Commissioner Shoulders: I will second the motion.

President Hatfield: Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

First Reading of Rezoning Ordinance VC-10-2020 Petitioners: James H. & Tonya M. Hall Address: 3903 Old Henderson Road Request: Change from Ag to W-1 Action: Approved 3-0 to Send to APC

President Hatfield: The next item is a rezoning, and what this is, is all this will be, and just so everyone knows what a first reading is, we're not rezoning a piece of property, we're actually referring it to the Area Plan Commission for consideration. This is a first reading of rezoning ordinance VC-10-2020. The petitioner is James H. and Tonya M. Hall. The address is 3903 Old Henderson Road. The request is change from Ag to W-1. I just need a motion to approve rezoning ordinance VC-10-2020 to send to the Area Plan Commission.

Commissioner Musgrave: So moved.

Commissioner Shoulders: Second.

President Hatfield: Madelyn, please call the roll.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Shoulders?

Commissioner Shoulders: Yes.

Madelyn Grayson: President Hatfield?

President Hatfield: I am a yes as well.

(Motion approved 3-0)

Public Comment

President Hatfield: Next item is public comment. Is there anyone online or in the room who would like to address the Commissioners? Seeing none and hearing nothing.

Recessing of Meeting

President Hatfield: I just need a motion to recess the meeting.

Commissioner Musgrave: So moved.

Commissioner Shoulders: I'll second the motion.

President Hatfield: So, we are going to recess this meeting until this very same time, 3:00 p.m. one week from today on Tuesday, December—

Commissioner Shoulders: 1st.

President Hatfield: --1st, in this very room one week from today. Thank you.

(The meeting was recessed at 3:46 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the November 10, 2020 Emergency Commission Meeting Minutes.

ONEP: MOU Deferment of ASM Global Fees and Repayment Plan.

Weights & Measures: Monthly Report:10/16-11/15/2020.

ONEP: Special Leave of Absence Request: M. Eldridge.

Employment Changes:

Health Dept. (2)

Sheriff (3)

Circuit Court (3)

Co. Hwy. (1)

Prosecutor (1)

Superior Court (4)

Co. Clerk (1)

Election Office (3)

Public Defender (2)

County Engineer: Department Report.

Surplus Request Letters:

County Assessor: Various Office Furniture.

County Highway: Various Vehicles & Vehicle Equipment.

County Auditor: Claims Voucher Reports: 11/9-11/13/2020 & 11/16-11/20/2020.

County Clerk: October 2020 Monthly Report.

Those in Attendance:

Jeff Hatfield

Brian Gerth

Craig Emig

Bill Fluty

Others Unidentified

Ben Shoulders

David Jones

Audrie Burkett

John Stoll

Members of Media

Cheryl Musgrave

Madelyn Grayson

Mark Uhrin

Don Gibbs

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Jeff Hatfield, President

Ben Shoulders, Vice President

Cheryl A.W. Musgrave, Member

(Recorded and transcribed by Madelyn Grayson.)