

**VANDERBURGH COUNTY
BOARD OF COMMISSIONERS
EMERGENCY MEETING
February 2, 2021**

The Vanderburgh County Board of Commissioners met in session this 2nd day of February, 2021 at 3:00 p.m. in Exhibit Hall A of the Old National Events Plaza with President Ben Shoulders presiding.

Reconvening of Meeting

President Shoulders: Good afternoon, and welcome as we reconvene the emergency meeting of the Vanderburgh County Commissioners on February 2, 2021 here at the Old National Events Plaza.

Attendance Roll Call

President Shoulders: Madelyn, the attendance please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Here.¹

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Here.

Madelyn Grayson: President Shoulders?

President Shoulders: Here as well.

Pledge of Allegiance

President Shoulders: At this time, if you could join me in the Pledge of Allegiance.

(The Pledge of Allegiance was given.)

President Shoulders: Thank you. Any students with us here today? Students? Going once, no? Alright.

Rural Broadband Consulting Agreement with Morley

President Shoulders: Our first item of business is a rural broadband update. I know that the last few months we've talked much about potential for broadband here in Vanderburgh County. So, we have two, I believe, huge steps, and that's progress. So, number one, I believe, Jim Morley, Jr. is here to speak about the Morley project management services agreement. Jim, are you here today?

Commissioner Hatfield: You might want to introduce Audrie.

President Shoulders: Oh, Audrie will be, Audrie will be next, I think. Well, Jim and Audrie. Audrie Burkett is also here from the Economic Development Coalition. I guess, ladies first.

Audrie Burkett: Test, test, thank you. Good afternoon, Commissioners. Thank you for the time today. I just wanted to give you a quick update before introducing Mr. Jim Morley. With the Vanderburgh County rural RFP award, the motion was to execute a contract that included key deliverables, a marketing strategy to new and existing customers, service level agreements, and an engineering firm to determine the final broadband availability based on the network design. And, so, working with Warrick County and some of their

¹ Commissioner Musgrave left the meeting at 4:00 p.m.

recommendations with their broadband project, we pursued who might be a professional service to fulfill the needs that were set forth in the motion. And, so, with that, I would like to introduce Mr. Jim Morley.

Jim Morley, Jr.: Hi, Jim Morley, Jr., President of Morley. Thank you for the opportunity to work with Vanderburgh County on this project. This is, the project management is the same type of thing that we've done for Warrick County on their fiber broadband and their aerial broadband. So, we look forward to the opportunity to work with Vanderburgh County on that.

President Shoulders: Thank you both for being here. And, Audrie, if you could just speak real quick to where we are as it relates to kind of current steps and next steps in, hopefully and potentially, making our county fully high speed internet friendly for us please.

Audrie Burkett: Sure, I would be happy to do so. We are at a key next step where we need to set forth what those key deliverables will be, based on the recommendation from both the review committee and from the Commissioners as well, within priority area A is where we're really focusing. That's the northern portion of the county. And, so, we are working with Watch Communications, and this contract would allow us to have that, those key deliverables inserted into the agreement. We're working with Mr. Jones on a first draft of what that contract looks like. And, so, a next step is to get, what are those key deliverables that Vanderburgh County feels comfortable with, in order to move forward with a broadband project with Watch Communications.

President Shoulders: Wonderful, thank you. And, also, about, approximately how many households do we look to potentially service that have either no or slow internet in northern Vanderburgh County? Have we—

Audrie Burkett: Sure, sure. I believe the number is under 2,000. I do not have that number with me today. I would be happy to email that to the Commissioners and make sure you have that full correct number.

President Shoulders: Commissioner, do you want to add anything?

Commissioner Musgrave: When do you expect the final contract to be brought forward for our approval?

Audrie Burkett: Within the agreement, Morley is looking to have this executed within a month, correct? That is what was outlined in the proposal.

President Shoulders: Well, I just want to add to that, you know, Commissioner Musgrave has worked very closely, serving as our appointee on the Economic Development Coalition Board, hand in hand with Audrie, hand in hand with Greg Wathen and others. Again, I think this is another huge step in getting there with our county. Congrats to Jim Morley and his firm for this contract. We look forward to working with you. Commissioner Musgrave, thanks again for all your help on this. Commissioner Hatfield, anything to add?

Commissioner Hatfield: No, just I'm glad that the ball is rolling on it. I mean, there's a lot of people that they're just shut out, and hopefully this will help them.

Audrie Burkett: Absolutely. This is a key next step to make sure that Watch Communications is held accountable to the standards that Vanderburgh County would like to pursue.

President Shoulders: Absolutely. I ask for a motion to approve, first the, well, the Morley contract, first and foremost.

Commissioner Hatfield: I'll make a motion.

Commissioner Musgrave: So moved. I'll second.

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

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: And, I am a yes as well. The motion passes.

(Motion approved 3-0)

President Shoulders: Look forward to working with you, Jim.

Letter of Support of HB1426: Rural Broadband Access

President Shoulders: Do we need legal to make a motion on the letter of support? I believe that one has already been, that's more of a discussion, isn't it? The letter, we don't need to vote on the letter, correct?

Commissioner Musgrave: (Inaudible. Microphone not on.)

President Shoulders: Sure. Okay, but we're not acting on that (Inaudible)? We are? Okay. I ask for a motion to approve the letter of support by HB1426 rural broadband access.

Commissioner Musgrave: I'll make the motion, but I would Audrie to discuss and to read it as well.

Audrie Burkett: Sure, I would be happy to. Part of the reason we came forward with the rural broadband RFP is because Vanderburgh County was, unfortunately, not able to move forward due to some legislative requirements in the Next Level Connections Program. And, so, Vanderburgh County, in order to be eligible for future grant funding, or future opportunities within the county, a House Bill number 1426 has outlined some changes that would be very beneficial to the county. And, so, I'm going to highlight a couple of those changes for the Commissioners, and what the Commission has done to support this. Vanderburgh County is already a broadband ready community, and you've streamlined the process for carriers to make investment here. You've established an infrastructure development zone. You have met with carriers to understand the obstacles. You've pushed forward with a rural broadband RFP project. You have done great work in order to have this moving forward, but Vanderburgh County has also seen firsthand some of the challenges that needs to be changed with the Next Level Connections Broadband Grant to support Vanderburgh County. So, we are in support of House Bill number 1426, which changes the criteria for eligibility of broadband grants for rural areas. In the last round of Next Level Connection grants, 86% of Vanderburgh County was challenged, while overall 42% of census blocks were challenged throughout the rest of the State. The strong competition near the City of Evansville effectively hurts our rural area expansions. Vanderburgh County Commissioners are supportive of House Bill number 1426, with key changes that includes; raising Indiana's definition of broadband to the federal minimum standard; allowing federally funded and CAF and CAF II census blocks to be considered for grant funding, which you're currently not eligible; and to evaluate the challenge process within the Next Level Connections Broadband Grant, further allowing additional areas to be eligible for grant funding. Thank you, Commissioners, for your work on broadband, and truly appreciate the support to help get rural Vanderburgh County residents' access to internet.

Commissioner Musgrave: Well, thank you for your work, Audrie.

Commissioner Hatfield: Thank you, Audrie.

President Shoulders: Thank you, Audrie.

Commissioner Musgrave: But, I do want to make it clear that this Bill will correct Indiana statute to allow Vanderburgh County to apply for the funding that the State has made available. So, stated another way, it was illegal for Vanderburgh County, we were not eligible under the current standard for the State's statutes. So, that was a terrible miscarriage of justice for Vanderburgh County rural residents. And, I want to thank

Representative Holli Sullivan, who is the author of this Bill, for making the effort to get State law changed, so that Vanderburgh County will be eligible for State funding to expand rural broadband. I know that we need at least \$8 million to cure the problems that we have for our rural residents. We need State funding to be able to approach this.

President Shoulders: Well said, Commissioner Musgrave. Thank you again to Representative Sullivan for her hard work here as well. And, Audrie, we look forward, again, to working with you, Greg and certainly Jim. So, on that note, I ask for a motion to—

Commissioner Musgrave: I already did.

President Shoulders: Okay, I ask for a second please.

Commissioner Hatfield: Second.

President Shoulders: Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes.

(Motion approved 3-0)

President Shoulders: Thank you both.

Audrie Burkett: Thank you, Commissioners. We'll keep you updated on broadband progress. Appreciate the support.

Commissioner Hatfield: Thanks, Audrie, Jim.

President Shoulders: Thank you.

OCH Lease Renewal: Artwork Unlimited

President Shoulders: Our next item is a couple different items within one. It's our Superintendent of County Buildings, Kristin Sandefur², is here, and I know our first item is the Old Courthouse lease with Artwork Unlimited. It was a three-year lease to operate the annual haunted house at the Old Courthouse Catacombs. The annual rent amount of \$8,000. Kristin, anything to add on that?

Kristin Comer: I don't have anything to add. The lease actually limits him to September through November, or through the first of November. So, he's not occupying that space year-round, it's just that specific timeframe.

President Shoulders: Okay.

Commissioner Musgrave: Motion to approve.

President Shoulders: I have a motion on the floor.

Commissioner Hatfield: Second.

President Shoulders: And a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

² Kristin Comer.

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: And, I am a yes as well. The motion passes.

(Motion approved 3-0)

OCH Lease Renewal: New Visions Counseling

President Shoulders: The other item underneath the Superintendent of County Buildings is another lease with New Visions Counseling. This is a renewal lease from Room 107 of the Old Courthouse. It's a two-year lease, from December 1, 2020 to November 30, 2022. This rent will be \$771.37 per month, which is an increase from their previous rental amount of \$700. Anything to add, Kristin? Okay.

Commissioner Musgrave: Motion to approve.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: And I am a yes as well. The motion passes.

(Motion approved 3-0)

Health Dept: COVID-19 Vaccination Report & Update

President Shoulders: Our next item is an update from our Vanderburgh County Health Department. Mr. Joe Gries is here with us today.

Joe Gries: Good afternoon, Commissioners. Is it alright if I take the mask off?

President Shoulders: Sure.

Joe Gries: No?

President Shoulders: No, I said sure, yeah.

Joe Gries: Okay. Appreciate the time to be here. Wanted to provide some information on our vaccine efforts here locally. The big thing that was announced Sunday, the Governor lowered the age, minimum age of who is eligible for the vaccine to 65 and up. So, as of yesterday, it was reported to us by the State that 96,000 people in the range from 65-69 signed up for an appointment at, from the morning until 5:00. So, almost a hundred thousand people in that age range signed up yesterday. So, still making great strides there. As far as our report, just some highlights, some information that we've gotten from the State, we do know that the State will be contracting with local Walmart's, Meijer's and Kroger pharmacies, to provide vaccine, in other locations where people can receive the vaccine. So, we don't know when that will happen. It's still in the works, but here in the near future we hope that continues. We know our local Meijer on the northside of town, I believe on North Green River Road has already reached out to us, we've pointed them to the State. So, hopefully they can receive vaccine as well, and continue to get it out to

those eligible. We are moving our clinics from the Health Department to here at the Old National Events Plaza, we'll be just right next door, starting February 9th. Obviously, a room like this size allows for a lot more social distancing, more people to come through, so we're really happy about that. We appreciate not only the Old National Events staff, but the Commissioners allowing us to utilize this location. A lot of good parking, and I think will allow us, when we get into February here, we'll be doing second and first doses, so that will allow us our expansion of that as well. So, good news there. To date we've vaccinated with the Health Department, or at the Health Department, over 1,600 individuals. So, within the three weeks, you're looking about 540 a week. Right now we've ramped up to close to 800 we're doing a week. So, making sure we get through our vaccine that we're allotted. Also, we learned this morning that they are going to be increasing our allotment by about 16%. Again, we don't know when that is, but that's about a hundred doses a week that we will continue to see here at the Health Department. We're working with Leadership Everyone to continue to get out the message to our minority populations and make sure our brown and black populations are, also have access to the vaccine, make sure they don't have any barriers, reaching out to those groups. David Jones informed me last week that the Veterans Administration is now able to vaccinate any veteran, regardless of their medical status with the VA. Is that, that's right, David, right?

David Jones: (Inaudible. Microphone not on.)

Joe Gries: So, that's good news. Again, expanding those reaches. And, then we're also working with a local organization called Missing Pieces to try to secure some transportation for those that may have disabilities or maybe the elderly that don't have access to certain types of transportation, so that they can also get to the clinics as well. So, that's kind of an update on the vaccination efforts here. If you have any questions, then I can—

President Shoulders: Yeah, thanks, Joe. We've seen kind of a downward trend here in COVID cases recently. You know, I want to be careful and knock on wood before I ask this, but do you see that continuing? Do you see that as being a fluke? Is that a spike? What, or a spike coming? What do you think that, nothing to read into? I mean, what do you think?

Joe Gries: Well, other than the numbers are looking really good. We have been on a downward trend since a little after the holidays. And, it continues to drop quite a bit, really significantly over the last several weeks. It's difficult to say why that's happening. So, that's the hard part. We believe or hope that it's part of the vaccination efforts. We hope that it's part of people being responsible, you know, doing their, following those safety protocols. You know, so, really a little bit of everything is going to help. We hope the numbers continue, and this is, you know, maybe the beginning of the end, as far as, you know, hundreds and hundreds of cases daily here locally, and throughout the State. The State of Indiana, I think it was reported today or yesterday that the State had a 25% reduction from the week before. So, really the State is going in the right direction as well. You know, hopefully that does continue. It's just difficult, I don't know what to say about going forward.

President Shoulders: Sure.

Joe Gries: Hopefully it does.

President Shoulders: And, my only other question on my end is are we, as of today, in the red as a county?

Joe Gries: We are in the orange actually.

President Shoulders: In orange now?

Joe Gries: We have been the last two weeks.

President Shoulders: Sure.

Joe Gries: Two Wednesdays, they change that on Wednesday of each week.

President Shoulders: Yeah.

Joe Gries: I actually received an email from the State today, letting us know that we'll be in the orange again this week.

President Shoulders: This week we're in orange? Good.

Joe Gries: But, if you look at kind of the math of it, there's a possibility we could go to the yellow if our numbers continue to stay about where they're at. So, good news there.

President Shoulders: Very nice.

Commissioner Musgrave: I like the picture that you're painting, but I want to ask you about this, because I've heard concerns about the Brazil and South African variants that are coming. And, some of the national reports are labeling them as the hurricane on its way.

Joe Gries: Right.

Commissioner Musgrave: What are you hearing about these?

Joe Gries: What are I....Cheryl, say that last part? I didn't—

Commissioner Musgrave: What are you hearing about these variants, and are they going to derail the beautiful progress we've made so far?

Joe Gries: The variants are a concern. And, we have here locally seen cases of the B117, which they have dubbed the UK variant, here locally. They have been seen, now, again, this is very early on. They haven't been able to study this very long. Still the Corona Virus is still very new and young, and it's, you know, still needs to be a lot of study done. But, there is information that shows it is more contagious, so it can be more transmissible from one person to the next, and it could possibly be deadlier for people, you know, over the age of 65. They've seen that. Again, very early on. I think what we have to do, as far as a local health community and our community in general, is make sure that we aren't being complacent with what we are doing as far as our protocols; social distancing, stay out of large crowds, wear your masks, you know, when you're around people and you can't social distance in certain work settings and other things, protect yourself, protect others. If you're not feeling well, stay home. All those things that we've been preaching, good hand hygiene from the beginning of this, all of that stops the spread of these new variants as well, we just have to continue on. Even though we're vaccinating people, we're telling people still wear your masks, still social distance. They don't have enough information right now to know if I'm fully vaccinated and I am exposed if I can transmit that to others, even though I'm fully vaccinated. Right now, they know that if I'm fully vaccinated, the effects of the virus are greatly, greatly reduced, and there's a possibility I can't contract it. So, it just depends on, you know, again, studying this further and getting a lot more data about all of this new, these new variants. So, it's a good point. And, then as far as just kind of to update you all as far as enforcement with the Health Department, I know there's been a lot that we've been dealing with as far as complaints and concerns at not only bars/restaurants, but we, I received an email today about a doctor's office that their waiting room was crowded and they weren't adhering to social distancing. Those are the kind of things we continue to reach out, provide education. I know we've gotten a lot less complaints about a lot of the bars and restaurants here locally, so we've seen a drop in that, which is good. Some of those crowds that may have been a lot larger and people not adhering to those protocols have dwindled. So, we hope that continues as well. So, that's kind of where things are.

President Shoulders: Thanks, Joe.

Health Dept: Patoka Lake Water Testing Contract
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President Shoulders: I know you had a couple other items on there as well.

Joe Gries: So, the second item is the Patoka Lake contract for water testing. We'll be testing water for Patoka Lake, and this contract is for \$650 to pay us to do that testing.

President Shoulders: Okay, I ask for a motion to—

Commissioner Musgrave: Move approval.

President Shoulders: Go ahead. Is that a motion, Commissioner?

Commissioner Musgrave: Yes.

President Shoulders: Okay.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: And, I am a yes as well.

(Motion approved 3-0)

<p>Health Dept: Volunteer Nurse Contracts: Vaccination Clinics: Elizabeth Arrick, Celia Rizen & Charlene Spear</p>

President Shoulders: I think you had one other item.

Joe Gries: The third item, yes, is we have three contracts with three different individuals, local nurses here, to volunteer at some of our clinics. So, to give maybe some of our staff some relief there, but these contracts, they will not, they're volunteer only. We will not be paying them, but they do fall under our insurance policies.

President Shoulders: Policies?

Joe Gries: Yes.

Commissioner Musgrave: I just ask the attorneys; do you need three separate motions? Or will one do?

David Jones: (Inaudible. Microphone not on.)

Commissioner Musgrave: Okay, motion to approve the volunteer contracts with Arrick, Rizen and Spear.

Commissioner Hatfield: Second.

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

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: And, I am a yes as well. That motion passes.

(Motion approved 3-0)

President Shoulders: Anything else, Joe?

Joe Gries: I think that's it. Thanks, Commissioners.

President Shoulders: Thank you for coming today.

Commissioner Hatfield: Thanks, Joe.

President Shoulders: And, thanks for all the updates.

Joe Gries: Absolutely.

County Engineer

President Shoulders: Next we have our County Engineer, John Stoll, with some updates and requests. You've got to do your mic, John.

John Stoll: It's on? Okay.

President Shoulders: There you go, yeah.

John Stoll: The first item I have is a notice to bidders for VC21-02-01, concrete street repairs in Brookview Heights Subdivision. This is the paving contract, one of the two paving contracts we got Community Crossings money on. The notice to bidders will be advertised on the next two Friday's and we would open bids on March 2nd.

President Shoulders: Okay.

Commissioner Musgrave: Motion to approve.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well.

(Motion approved 3-0)

President Shoulders: What else you got, John?

John Stoll: I've got a notice of intent for Kansas Road, Phase 1. This is the section between the Firlick Creek Bridge and Green River Road. This IDEM notice has to be sent out since we'll begin land disturbing activities here very shortly.

Commissioner Musgrave: Motion to approve.

Commissioner Hatfield: Second.

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

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well.

(Motion approved 3-0)

President Shoulders: Next, John.

John Stoll: I've got a supplemental agreement with Lochmueller Group on the Franklin Street Bridge design. The increase is \$35,500, and this covers handling a public meeting with, an online public meeting, due to the pandemic, and it also covers photo documentation of the bridge, before and after the project, because the State Historic Preservation Officer is going to require that, and that wasn't anticipated at the time of the original contract was signed.

Commissioner Musgrave: Motion to approve.

Commissioner Hatfield: Second.

President Shoulders: I have a motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well.

(Motion approved 3-0)

President Shoulders: John, any other items?

John Stoll: One last thing, it's a railroad permit for Green River Road, Phase VII. We were recently notified that we need another permit, due to storm sewer construction on railroad right-of-way on the Phase VII of the Green River Road project between Boonville-New Harmony and State Road 57. This permit application also has a \$4,500 fee associated with it, and I just added that claim for that fee on the consent agenda. So, I'm just asking approval for the permit application, as well as payment of the fee.

President Shoulders: Okay.

Commissioner Musgrave: Motion to approve.

Commissioner Hatfield: Second.

President Shoulders: A motion and a second. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Musgrave?

Commissioner Musgrave: Yes.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well.

(Motion approved 3-0)

President Shoulders: John, anything else?

John Stoll: That's it.

President Shoulders: Okay.

Commissioner Hatfield: Thanks, John.

President Shoulders: Thanks very much, John. Any other department heads with us today who would like to report on anything? Department heads with us today? Okay. Madelyn, do we have that list from people?

New Business

President Shoulders: Next is new business, and I know that some folks signed up to speak, both under new business and some under public comment. We're going to start with new business, and I believe, as it relates to new business, I ask Mr. Dwight Owen to come forward and speak. Provide your name and address and the floor is yours, sir.

Dwight Owen: My name is Dwight Owen. I live at 5345 Kiowa Circle on the southeast side of Evansville in Indian Woods. I'm here because I made a call one morning because my neighbor was getting a fence put up, and all of our utilities are underground, and we're required to have a 15' easement. And, he was building out into the easement, or Mr. Fence was getting ready to. So, I called the Area Plan Commission and asked if they could have somebody call Mr. Fence and inform them that there was an easement. And, his man in charge measured with me, and it was three or four foot into the easement. And, he called his boss, his boss came out and I stood on the other side of my fence and heard the boss tell him just get the fence in and let's get out of here. So, I called down and talked to Zach two or three times and said they're getting ready to put this fence in, and I don't believe my neighbor realized what they were doing, and could you not call and say something. Well, he said, basically, no. They were busy, he couldn't get out. If you build it in the wrong place, they need to get in there then they would just knock it out of the way if they needed to. So, that was it. The neighbor got his fence put up, I was cool with that, it looked fine, I don't have a problem with him putting the fence up. But, a week or so later, on the 17th of November, 46 homeowners received a letter informing us we were breaking the covenant and the rules, and that within two weeks if we hadn't done something we would start at \$500 a day fine, and it would progress up to a \$7,500 fine. Now, the problem with this is, these are old communities, Beaver Trail and Kiowa Circle. Well, we had, that was under the Schall Corporation, which was Alan and Charlie Braun. So, when they got all the lots sold, they had a meeting with us, and they informed us that they were no longer responsible for anything to do with, we had 22 street lights that they had put in Kiowa Circle, and he said we will no longer be responsible for that, anything you want to do, you do it as your own neighborhood and, and you police yourselves and do that. Okay, we got, I talked to Commissioner Shoulders, I talked to Commissioner Hatfield, and mentioned it to them and they said they would look at it. They did. It went back and forth, and we got another letter sent to us on the 20th that told us they weren't going to do anything basically right away, but that we had to do site plans and you had to take them downtown and go through a bunch of headaches is what it boiled down to. And, we kind of went through Christmas and then here in January we got another letter, and this letter told us that you can have the out buildings now, you're not going to be in violation, but you have to do site plans of every one of the houses out of the 46 homes, and pay a \$50 permit fee. I have no problem with that. I mean, the government is what the government is. What my problem was, me trying to save a problem ended up turning into a nightmare for the Commissioners, for the people at the Area Plan Commission. It's just been one thing after the other. And, my whole problem was, when we had that meeting and he told us we would police ourselves, we took it to heart. If you were to come into our Kiowa Circle in our neighborhood, the houses are nice, the lawns are mowed, everything is nice as can be. Our lights weren't working, we collected over \$15,000 from 25 homeowners in Kiowa Circle and we now have 22 lights that work and light up our neighborhood, and a lot of people walk down Shoshoni and our circle is a quarter mile around. So, people bring their kids, they ride their bikes, so it was just a good thing to do. We all did it, no problem. But, now, I'm looking at them telling me I need to do all this work when I have had, I've lived there 30 years and I've had my yard barn 28 years, and Charlie Braun told me to go ahead and put it in when I told him where I was going to put it. And, I don't think that 30 some odd years later, there's a lady back here right now that had her building for 35 years. Now, we've wasted a lot of time, lot of energy and a lot of money on something that should have been done, to me, easily just say we're going to grandfather the people in, the 46 people that have been brought up, and from this point forward anybody who wants to do any kind of building, out buildings or yard barns, will

have to do the site plans and go through the Area Plan Commission. So, I'm here throwing myself at the mercy of the Commissioners that I did vote for all three of you, and I just—

President Shoulders: Thank you.

Dwight Owen: -- I think that it would, this isn't the way we do politics in Evansville. You may do this kind of stuff in Chicago, but for me trying to get them to help a man out, and within a week or two, 46 homes are told they're violating statutes and going to have to pay major fines, that is not the way we do in Evansville. I've lived here, grown up here, went to school, got my degree from the University of Evansville, raised four kids, got ten grandkids, and I love this town. And, this is not fair, and it's not the way it should be done, but before I finish, I want to tell you that Shannon at the Area Plan Commission, Mr. Shoulders and Mr. Hatfield, everybody involved was as good as could be. We didn't have anything, but we have in Kiowa Circle probably 15 of those homes are retired people, including me, and they freaked completely out, because they started looking at letters telling them you're in violation, you're going to pay all this money, and that is not the way it should have ever been approached. And, all I'm asking is that you would look at it from a little different perspective, and when things like this happen, you would give the good citizens, taxpayers, and we don't ask for anything. We pay our own trash pick up and there's never been anything done, except for we've had a few patches in the road where the concrete had broken real bad. That's it. And, I don't think that we should be held up for money for permits or anything else for something that was okayed and something that the Braun's told us we were responsible for our own. And, we have been, and we've never had complaints, I don't think ever from anybody. And, it just did not seem right to me and I wanted to bring it to your attention and see if possibly the 46 homes, we could be grandfathered in, and from this point forward then we'll do it the way they want it done. But, in, me, in 28 years I've added on to my house, I've put fences up, I've had building inspectors out, I've had everybody, and not one person said a word. And, I'm pretty sure if I pulled out my taxes I've been paying taxes on the outbuilding on my property for quite a while. So, if this, if there's a problem, our government should be better than to go back 30, like the one lady, 35 years, and tell you, oh, you've been breaking the rules for 35 years. We're all good people, and I don't think that's the way we do in Evansville. We're a small, overgrown farm town, and that's not the principles and stuff that I was raised and grew up in Evansville. I would like to thank you for your time.

President Shoulders: Well, Mr. Owen, thank you so much for your time, for bringing this to our attention. I know you and I have spoken a couple different times. I know you spoke at least once to Commissioner Hatfield, might be your first personal encounter with Commissioner Musgrave, but I want to, you know, kind of at this time open it up to any additional comments from either Commissioner, because this was brought to my attention, as Mr. Owen said about, I don't know, seven-eight weeks ago, something like that, and then brought back to my attention again about three weeks ago. Just for the record too, that subdivision was built in roughly 35 years ago?

Dwight Owen: Well, in that range.

President Shoulders: In that range, so this isn't a new subdivision, this isn't, I don't think any new homes have been built there for quite some time.

Dwight Owen: No, well, in 1995 the Braun's had sold all the property in Kiowa Circle, and that's when he had a meeting and they told us they were done and weren't responsible for anything, to take care of it ourselves.

President Shoulders: And that was in '95, which was 26 years ago. So, I know you were about to say something, Commissioner Musgrave.

Commissioner Musgrave: I am so sorry that this happened to you.

President Shoulders: I am too.

Commissioner Musgrave: And, I would like the Commissioners to go beyond what you've asked, which is to grandfather in Kiowa Circle's yard barns. I don't understand why we have essentially and effectively a \$50 tax on yard barns. I would like to see that eliminated. I would like to see the requirement for a site plan eliminated. I do not know

why yard barns are viewed with bureaucratic horror, that you have to pay a fee and issue a site plan. I think there's another way to address it, and I would ask the Commission to take another approach to it.

Dwight Owen: One other thing I forgot to mention. A lot of the older people who were scared to death, we have still never received a letter that would tell these people, okay, this has been settled, like if you would go the way I would like to see, which is you're grandfathered in, from this point forward you have to follow the rules and do the site plan drawings, so that we have some documentation, so years down the road somebody doesn't get into the Area Plan Commission or a different party or different people and we bring this up and rehash it all again. So, if we all are given letters, we'll have documentation. That's part of the reason why I came here to talk today, because I wanted it on the record, so that we can get it done, and hopefully get some letters sent out to the people, and sort of just kill this.

President Shoulders: And, you know, Mr. Owen, not only if things change in an office from a governmental side, but also if home ownership changes. You know, if you sell your home, or someone else sells your home, the new homeowner is going to run into the same thing. So, it's on both sides.

Dwight Owen: Yeah.

President Shoulders: It looked like you were going to add to something, Commissioner.

Commissioner Hatfield: You know, I have a bunch of questions, but the first one I have is, you know, maybe we should either have the County Attorneys get a hold of the APC staff and investigate this a little bit deeper so we have a full understanding of what the laws may have been back in 1995. I know that, you know, codes change over time. I would like to know if this requirement is an actual part of our code, of if, Mr. Owen, you had mentioned covenants and restrictions. My understanding of county law is, if it was a covenant and restriction, government really would not be the avenue to enforce that. That would be a civil matter. Am I right on that? Yeah, and, so, you know, when you say covenant and restriction, I doubt if APC staff looked up your covenants and restrictions, but I would like to know if that's the case, and so that's a question I have.

Dwight Owen: Well, I do want to say this, Shannon and the people have been excellent in dealing with this after the fact.

Commissioner Hatfield: Sure.

Dwight Owen: I think they now have seen that getting on Google Earth and going around and picking all this out—

Commissioner Hatfield: Right.

Dwight Owen: --to bring 46 people under fault—

Commissioner Hatfield: Right.

Dwight Owen: -- was taking it too far. And, when the people called in, everybody was fired up and wanted to know who the you know what was? Well, it was me. And, it was not, and I did not call in in a vindictive way, I didn't call in to tell them I didn't want the guy to have a fence, all I tried to do was save him from having a problem down the road. And, to me, that's when they should have said, we will call Mr. Fence, and let them know there is an easement in the covenant, and Zach and I think Shannon did look at the covenant or whatever, and said that, no, you're fine, but you're right the neighbor's wrong. Well, when we get all the way full circle, the neighbor was so scared, he had two buildings removed from his property, had them go ahead and finish the fence, and then the bottom line his fence is still three or four foot in the easement. So, what I tried to accomplish was to help a veteran who didn't know what was going on, and had only lived there about a year and half or two years, so that they would be aware and this wouldn't happen. But, instead of that happening, we get letters threatening us and you scared the hell out of a lot of old retired people, who you know how it is with money.

Commissioner Hatfield: Right.

Dwight Owen: And, that is not the way we do government.

Commissioner Hatfield: Well, here's what I would like to see. And, I'm quite certain that, if we ask them, that, you know, they could hear what you have to say. The Area Plan Commission, the body of the Area Plan Commission, they meet this Thursday, and I think at 3:00. I think.

Dwight Owen: Okay.

Commissioner Hatfield: I'll confirm that, over across the street on the third floor in the Civic Center.

Dwight Owen: Right.

Commissioner Hatfield: And, what I would like to see you do is come to that meeting—

Dwight Owen: I don't have a problem with that.

Commissioner Hatfield: --call the APC staff tomorrow, ask them if you could be on the agenda, and come down and explain this to the Area Plan Commission. Because, a couple of things are going on here, and I don't know anything but what you've told me.

Dwight Owen: Right.

Commissioner Hatfield: So, if there's other information out there, I would like to know it.

Dwight Owen: Yes.

Commissioner Hatfield: Okay? But, on the surface, you have a subdivision here in Vanderburgh County, right outside the City of Evansville.

Dwight Owen: Right.

Commissioner Hatfield: 35-year-old subdivision, 26 years old at a minimum. You have a lot of good tax paying citizens in there, they have their homes, they have their yard barns, it's never been on anyone's radar, until you think that you called down there to talk about the fence.

Dwight Owen: Yes.

Commissioner Hatfield: But, you don't know that. It could have been something totally different than that. Meaning, it may not have been your phone call to talk about the fence that precipitated a letter from the APC. So, we don't know that, and that might be revealed to us, and it might be something that we weren't thinking about.

Dwight Owen: Right.

Commissioner Hatfield: But, regardless, I would love for you to go to that APC meeting.

Dwight Owen: I have no problem with that.

Commissioner Hatfield: I'll be on it in Zoom. Okay? I will, you know, tell the APC members that you have come to our meeting, you have come with sincerity, that you somewhat are speaking on behalf of these 46 people?

Dwight Owen: Well, I have two people here with me. One of them representing Kiowa Circle, and the lady represented Beaver Trail.

Commissioner Hatfield: Okay, I will tell you that I do not believe that most citizens, because they're not in the business of land planning, land development, construction, they're not really aware of a lot of things.

Dwight Owen: That's what scared all of them so bad.

Commissioner Hatfield: And, so, you know, you have to look at it from their perspective. They get a letter saying do this, do that, and quite frankly I'm not sure, most people would

know really who to go see to get those things done. But, regardless, if they're on limited income, where you have to get an engineer involved to draw your site plan of your home and where the yard barn sits, that's a minimum \$500, maybe more. Then you may have to have an attorney maybe help you fill out the forms, I don't know. What I'm after is if you appeal to the APC, you describe what we've got going on here, maybe the APC staff will somehow help this subdivision comply with whatever rules they've got for the minimum amount of effort and dollars involved. Because, quite frankly, most people just want to be left alone.

Dwight Owen: Bingo. You just hit it on the head.

Commissioner Hatfield: They just want to go home and be left alone. And, if we're, all we're talking about are yard barns, you know, we have to pick our battles in our community of what we really care about. And, if I find out that what really precipitated staff to come out to this subdivision was the fence call, and in so doing they saw all these yard barns and knew that, for some reason, they weren't, I would like to know that. I would also like to know if it were something completely different that we're not thinking about—

Dwight Owen: Right.

Commissioner Hatfield: --that matters. Yard barns in drainage swales that's catching drainage and making a mess, who knows? I'm just making that up. There could be another explanation that's truly causing a problem.

Dwight Owen: Well, what I think I'm trying to do also, is to eliminate, like if you went out to Eagle Valley, I'm sure they're not doing the covenant they had when they put all those houses out on the golf course. And, I'm sure there's other areas of the town that if you can address this once and for all in the county, and this will not happen again to another community, somewhere in our city or in our county of Evansville. So, I'm hoping I can try and eliminate this ever happening again.

Commissioner Hatfield: Well, will you—

Dwight Owen: Because these covenants, when they're that old—

Commissioner Hatfield: Will you agree though to come to APC Thursday?

Dwight Owen: Yes, yes.

Commissioner Hatfield: Okay.

Dwight Owen: I'll be there.

Commissioner Hatfield: And, I'll call—

Dwight Owen: I'm not going to get on Shannon—

Commissioner Hatfield: No, no.

Dwight Owen: --because —

Commissioner Hatfield: We shouldn't be getting on anybody.

Dwight Owen: -- as this progressed—

Commissioner Hatfield: Absolutely.

Dwight Owen: -- she—

Commissioner Hatfield: No, this isn't about any one person.

Dwight Owen: No, but she volunteered and said she would help do the site plans.

Commissioner Hatfield: Okay.

Dwight Owen: For the people so they could, all they would have to do is pay the \$50 permit. And, so they have tried to bend and work with us.

Commissioner Hatfield: Okay. Well, I think what I'd like is for this issue to go to the proper place.

Dwight Owen: Yes.

Commissioner Hatfield: I think the very proper place initially is at the Area Plan Commission. I think that it can be resolved. I really do believe that.

Dwight Owen: Right.

Commissioner Hatfield: I just really believe that the APC, the Area Plan Commission in a public meeting should hear your testimony.

Dwight Owen: Right.

Commissioner Hatfield: Staff will be there to explain what's going on. The APC members will be there to, I'm hoping see things like I see things, and try to help these 46 folks to get, to whatever needs to be done, for the least amount of effort and cost, because, you know, we deal with a lot of important things, right?

Dwight Owen: Right, and you don't need—

Commissioner Hatfield: And, we're worried about a lot of important things, like COVID and all these other things, but I'm not sure yard barns is on my list.

Dwight Owen: I agree with you a thousand percent.

Commissioner Hatfield: I think it's at 3:00, and—

President Shoulders: It's 3:00, and I wanted to tell you, Dwight, or Mr. Owen, it's at the Civic Center though, not here.

Commissioner Hatfield: Across the street.

President Shoulders: It's in the big room on the third floor of the Civic Center, and just for the record folks, because I know you've heard some streets and stuff, this is the Indian Woods Subdivision. So, in other words, those two street Kiowa Circle and, I believe it was Beaver Trail are the same subdivision.

Dwight Owen: Yeah, they were the ones that—

President Shoulders: It's within Indian Woods, yes.

Dwight Owen: -- because that was his—

President Shoulders: But, I am in full agreement with both my fellow Commissioners, Mr. Owen, and I just want to say I'm sorry this has happened, and I feel like there's a collective fix to this. I feel like we'll do our best to get there, and we'll lean on our legal, and I think that's wise to perhaps attend the APC meeting, but in the meantime, they were aware you were attending today. I let them know this, and we need to do our best to mitigate this.

Dwight Owen: Well, Mr. Hatfield hit it exactly. There's a whole lot of things to worry about in this city other than yard barns that have been there 35 years, in somebody's back yard, when they had never been enforced, never had anybody say anything, and all of a sudden, we get a letter. That's not the way you do it. And, I hate to take your time up—

President Shoulders: No, you're not.

Dwight Owen: --because you have too many important things you do.

Commissioner Hatfield: Well, this is no less important. Dwight, this isn't any less important, I don't want you to get that impression. What I'm saying is, I would like for us, you and I'll be on Zoom, the room they meet in is not near as big, can't fit as many people, so do, come a little early so you can get in the room.

Dwight Owen: Okay.

Commissioner Hatfield: I want the APC, the official Area Plan Commission to hear what you have to say.

Dwight Owen: Okay.

Commissioner Hatfield: Staff will be there to help us sort through some facts.

Dwight Owen: Okay.

Commissioner Hatfield: And, I'm really hoping that this Area Plan Commission, which is made up of homeowners, just like you, will see the predicament that you've all been placed in.

President Shoulders: And, on top of that, you know, Dwight, Jeff is our, Commissioner Hatfield is our appointment this year on that board.

Commissioner Hatfield: Yeah.

President Shoulders: So, he will be up there.

Commissioner Hatfield: I will be there by Zoom.

President Shoulders: Well, via Zoom, but yeah, he's our appointee.

Dwight Owen: No, that's fine. I have no problem doing that.

President Shoulders: Yeah.

Commissioner Hatfield: Okay.

Dwight Owen: I just, for the good of the City of Evansville, I think that this needs to be somehow put to rest, to where it does not come up again and you don't have to talk to anybody, and it does not become a problem anymore at any time in any other subdivision in Evansville.

Commissioner Hatfield: Great.

Commissioner Musgrave: I just want to make one point about procedure and how that rule came to be. At some point in time, the Area Plan Commission voted that rule into place and that rule was then subsequently voted by the Commission and City Council into place. Alright? So, I just wanted to let you know, that's why he's sending you to Area Plan—

Dwight Owen: Right.

Commissioner Musgrave: --so that the rule makers can hear your complaint.

Dwight Owen: Well, one of my other things was, I live in the county, I don't live in the city. The Area Plan stuff is basically, I think, more set up to do the City of Evansville than it is almost a suburb of Evansville. And, so, that's why I came to the County Commissioners, because it's a county problem. I live in the county, and that's why I was hoping we could get people grandfathered in and a letter to let people know, from this point forward, you have to meet these conditions. But, everybody that's been sort of targeted knows that they're grandfathered in, they don't have to pay any money to anybody, and it will be done.

Commissioner Musgrave: Well, we cannot take that action by ourselves.

President Shoulders: Right.

Commissioner Musgrave: The Area Plan would also have to take that action, and it's actually faster if they propose it to us.

Dwight Owen: Okay. Well, that's fine, whatever I need to do. I'll go to that meeting.

President Shoulders: That's a good point, and like I said, Mr. Owen, Thursday at 3:00 at the Civic Center, Room 301, and Jeff will be Zoomed in and he's a part of that board as well. So, I might Zoom in myself. So, thank you for being here.

Dwight Owen: Okay, well, thank you for the time.

Commissioner Hatfield: Absolutely.

President Shoulders: Thank you. Okay, the other item we have under new business is Mr. Bill Pedtke from SIBA is here, I believe to speak also to some other items as it relates to subdivisions and so forth. Mr. Pedtke, your name and association.

Bill Pedtke: Okay, hey, thank you. My name is Bill Pedtke. I represent the Southwestern Indiana Builders Association. And, I'm here because we are having an issue and a problem with something that involves residential development, and development overall. But, Cheryl and Ben and Jeff, individually as Commissioners, you've been very helpful to us. And, as a Board of Commissioners, you've been very helpful to our industry. And, so, that's why I'm bringing this problem to you. The problem is regarding letters of credit and having them released. This is something that developers put forth to financially guarantee that what they have to do for their subdivision actually gets done. And, when this, these arranged ordinances got put together, they were done by very honorable people, developers and regulators, government officials. But, things have changed. The developers are all new people, resources at the county level and city level are at different levels also, and developers are having trouble with getting the letters of credit released in a timely fashion. And, so, I'm here to ask for help, and offer any assistance the developers can provide. If it's opening a discussion, or if it's trying to do any research, that's fine, but we would like to have a solution to our problem of getting letters of credit released on a more timely manner.

President Shoulders: Well, thank you for being here, Mr. Pedtke, and I know both of the fellow Commissioners probably have some comments to speak about on this matter. But, first, I want to thank you for taking your time here in addressing this and bringing this to our attention.

Commissioner Hatfield: Bill, thank you. This is an issue that I'm very aware of. I've spent 36 years in construction and development. The first 19 in home building, then in the last 20 years in commercial contracting. But, I want to express why I think you're having a problem. To basically help us understand the frustration that your members are feeling. I think 15 years of property tax caps, ten years plus of hiring freezes here in our county have depleted the effectiveness of our offices to do all the things that our offices are expected to do. To give you an example, the County Engineer's Office, ten years ago, had six and a half employees. Today they have four and a half.

Bill Pedtke: Right.

Commissioner Hatfield: I'm sure that all the other offices could give us stories about how many people they had in their offices ten years ago, 15 or 20, but, you know, we demand of our government all the same things, but, let's face it, none of us really want to pay for it. And, so, through property tax caps, it has limited our resources. So, that's why I think we're here talking about this. In the last, you know, 24 hours, because you told me last week you were having this, and Ben invited you to come and speak, I've talked to John Stoll, Ron London, Linda Freeman, our County Surveyor, we've talked through this problem, and quite frankly, the letter of credit system that we have today is not keeping up with what we should be doing. There is a much better way to do two things. Number one is, as a county we are asked by developers to take over for maintenance their product, their streets, their drainage swales. And, in return, during construction, we've asked them to put up a letter of credit, in the event that they don't put it in right. The problem with that system is, it depends heavily on our staff, our engineers, our surveying crews going out to do inspections. In the world I live in in commercial construction, that is not how it goes. When an owner, if you could just compare Vanderburgh County as the owner, let's say in private industry if we talk about our banks or our major corporations, they would go, they would hire an architect to draw up the plans and specs, they would tell the contractors to bid those and within those documents are requirements for self-inspections and providing paperwork to the owners, in real time, on complying with those

specs. Alright, let me tell you how that relates to what we're doing here. I believe that we have to move to a system where developers are doing their own inspections, providing information, verified by third party inspector, engineering companies that verify the work they're doing is in compliance with our code. I've talk to Engineering about this, I've talked to the Surveyor, I've talked to APC, this is an area they believe can work. John Stoll even mentioned to me that he believes INDOT is already doing this on State highway projects. I think we have to go in that direction. I think developers will be a lot happier with the speed at which their letters of credit could get released, if there are deliverables and measurables that they have to provide, in real time, as the project is going. So, I would like permission, or at least support from the Commission to get with John Stoll, Ron London, Linda Freeman and work on this issue and bring it back to this Board to eventually vote on it.

Bill Pedtke: Are you saying that there would be a proposal that we would then review?

Commissioner Hatfield: Yes.

Bill Pedtke: Okay. Okay.

Commissioner Hatfield: You know, we're not going to be able to keep up.

Bill Pedtke: I don't know what the solution is going to look like.

Commissioner Hatfield: Yeah, I don't either. And, it's just an idea, but I can tell you what we're doing today is not working, right?

Bill Pedtke: Well, most, yeah, right. The answer is yes.

Commissioner Hatfield: And, it's not working because there's just not enough resources and people to make it work.

Bill Pedtke: Okay.

Commissioner Hatfield: I believe the private sector's already figured this out. And, I believe, based on what John Stoll told me, INDOT's figured this out.

Bill Pedtke: If we can be part of it, the discussion—

Commissioner Hatfield: Yes, absolutely.

Bill Pedtke: --or, if we can help do research or whatever it takes.

Commissioner Hatfield: Absolutely.

Bill Pedtke: We would be glad to help.

Commissioner Hatfield: I think the first important thing is to make sure whatever we propose is legal.

Bill Pedtke: Okay.

Commissioner Hatfield: Number one. And, then second, whatever we propose is going to protect the citizens of Vanderburgh County. Because once we take on that development for maintenance, we've bought it. In the utility they call it booking it. We booked it.

Bill Pedtke: Right.

Commissioner Hatfield: As an asset, and there is a better way to allow the developer to have a lot more control over the time that these things need to take place, these inspections, and that are acceptable to the Engineer's Department, and I think, you know, engineer driven inspections is something that's going to be acceptable.

Bill Pedtke: Okay.

Commissioner Hatfield: The whole goal is to shorten the time frame—

Bill Pedtke: Absolutely.

Commissioner Hatfield: --to get the process moving quicker.

Bill Pedtke: That's what we need.

Commissioner Hatfield: And, time limits on letters of credit have to be discussed. They can't be indefinite year over year over year. There has to be an end.

Bill Pedtke: Okay.

Commissioner Hatfield: So, those are some of my ideas. I would like for you to be a part of that.

Bill Pedtke: Okay, absolutely. We would be glad to.

Commissioner Hatfield: But, I have to first start with staff.

Bill Pedtke: Sure. Okay.

Commissioner Hatfield: And, then legal—

Bill Pedtke: Yep.

Commissioner Hatfield: --to see what is legal and what the staff thinks that they can do.

Bill Pedtke: Well, the homebuilders will stand ready to help--

Commissioner Hatfield: Yeah.

Bill Pedtke: --wherever we can. Thank you.

Commissioner Hatfield: Thank you, Bill.

Commissioner Hatfield: Thank you, Bill, and I, again, thank you, Commissioner Hatfield, for speaking more in depth to that. But, that's something I think we need to dig into and really look at hard, hope to mitigate that as well.

Old Business

President Shoulders: On old business, anything else on new business? I know Commissioner Musgrave had to take off. She had an emergency or something. On to old business, I ask at this time for Chris Maynard to come up, with Shepherd Insurance, is he here...there he is, to discuss an addendum please. Chris, your name and who you're with and subject please.

Chris Maynard: Good afternoon. Chris Maynard with Shepherd Insurance. We are the consultant for the health plan for Vanderburgh County. So, I'm here, back in November the Commissioners approved a new one-year contract with Tri-State Community Clinics. And, during the process of the execution of this contract, it was submitted to Ascension Health's attorneys in Indianapolis. So, Tri-State Community Clinics is owned by Ascension Health. The attorneys in Indianapolis changed a couple of things on the agreement. So, I was consulting with the legal team here, going back and forth with the attorneys in Indianapolis. One of the things that they had originally changed was the length of the contract. So, we agreed to a contract ending on December 31, 2021. So, a one-year contract essentially. They had changed the contract. We, in fact, went back to them and said, no, this is what we agreed upon, pricing and length, and they have since sent back the contract with the agreed upon terms of pricing and of length. There are a couple of immaterial changes to the contract. Really nothing that's material to the county, but in speaking with the attorneys here, we are under the agreement that it has to be executed again. So, it's basically an addendum to the contract. No material changes to the county, it just needs to be resigned, essentially.

Commissioner Hatfield: Okay. I guess, legal has looked at this? Yep? I'll make a motion.

President Shoulders: Okay. I will second the motion. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes.

(Motion approved 2-0)

President Shoulders: Chris, thanks for being here, and thanks for providing the addendum with the Community Clinics.

Madelyn Grayson: Do you have the document today?

Chris Maynard: Not with me, but I'll get it to you.

Madelyn Grayson: Okay.

Chris Maynard: And, Mr. Emig has it as well. So, thank you.

President Shoulders: Thanks, Chris.

Commissioner Hatfield: Thanks, Chris.

Consent Items

President Shoulders: The only other thing I have, unless Commissioner Hatfield has, under old business, is just, you know, sound like a broken record, but just please continue to, you know, to do the three W's; wash your hands, watch your distance and wear a mask. We all need to stay safe and stay healthy at this time.

President Shoulders: At that note, unless Commissioner Hatfield has anything else, I will ask for a motion to approve the consent items. Now, keep in mind, letter F was moved under the action items under broadband. So, actually it's A through E and then G.

Commissioner Hatfield: So moved.

President Shoulders: Okay, I will second the motion. Madelyn, the roll call please.

Madelyn Grayson: Commissioner Hatfield?

Commissioner Hatfield: Yes.

Madelyn Grayson: President Shoulders?

President Shoulders: I am a yes as well. The motion passes.

(Motion approved 2-0)

Public Comment

President Shoulders: Now it's time for public comment. I know Mr. Owen and Mr. Pedtke spoke under new business. I believe, and so did Audrie, I'm sorry, and so did Mr. Morley. So, I think there is just one person that signed up, is that correct, other than the three that already spoke. Apologies if I didn't pronounce your name right. Steven Cadet? Steven Cadet? If you could come forward, your name, your address and your subject please.

Steven Cadet: Good evening to you all officials, first off. I apologize for my appearance and my attire. You know, I don't have a way to get freshened up or anything. I don't have a university or college degree, so I may not be seen as intelligent, I guess, but I appreciate that you just touched on that subject. You just said there, sir, Mr. Commissioner, because one of my concerns is the public restrooms, which CDC and the Health Department, which the gentleman that just actually left, stated that one of the main safety guidelines for the citizens of the community of this county is to make sure that we have our hands washed and to stay sanitary. And, how would we be able to do that when you guys have most of

the, a majority of the public restrooms closed, especially the one besides the Magic Kingdom by the river. I've already addressed it to the county and I've addressed to Parks & Recreation, and I've gotten no assistance, none whatsoever. The only excuse that they gave me was COVID-19, which I remember Mayor Lloyd Winnecke stating that we're in stage four of the COVID-19, meaning that we're back in full access, and to me, I honestly don't agree with none of it, because why everything that garners revenue is open, everything that doesn't garner revenue is, that is free, was closed. Because the public libraries was also closed, and they was only doing drive ups, until I brought that to their attention and they just opened the public library, I think as couple of days ago, a week ago or so. Because I explained to them, that is unfair to a lot of people in the community. And, I'm not going to stay too much on that subject, because I just wanted to address it to you guys where you can go ahead and do your own investigation or whatever you all have to do, but I would appreciate that you guys have the public restrooms open, so that we can be able to utilize them, and we can stay sanitary, as we should be able to. We are taxpayers, actually I am a taxpayer, not at this moment, but I was, and I am a taxpayer, and I believe that's it's only fair that we can be able to use the public restrooms. My second subject I would like to touch on, which was brought to my attention because I tried to get a file of my own, which is my own file, of police brutality that happened to me back in 2004. Which I filed with Internal Affairs and several other agencies, like the NAACP, the Governor, the Mayor of the City and several other agencies. So, I have files and I have records of it, but the only thing that I took was a little bit. You know, disturbing to me was that they told me, from the Internal Affairs Office, that they destroy all those complaints after five years. Now, how do you destroy any complaints from any police brutality, which all officers are, I'm sure, are aware of that, so that only puts a target on your back as the one that put the complaint. Because, now, after five years, once it's destroyed they look at it like you can never go back and find that anyways. So, now that puts a situation on the person that put the complaint, and that makes them more fearful, because why? The system that is set up to protect the citizens, is actually putting in place to protect the Police Officers to at least abuse the citizens, and abuse their power, which I don't believe is sensible, because let's be quite honest, out of all the Police Officers I can guarantee you 60% of them did not pass their mental health assessment. 60%, because I've done my research, trust me. 60% of them, which you have to take a mental health assessment, did not pass their mental health assessment. So, that means at least 60% of your law enforcement has somewhat of a mental issue, from school or something. And, the problem with that is, with them being in some type of source of power and you do not hold them accountable, that puts the citizens in a vigorous situation, because now after five years that complaint is gone. And, the reason why I bring this up as well, because let a citizen that gets arrested by a charge, but goes to trial and gets found not guilty, you know what happens, they get pulled over, but that charge is still on the system, because you was arrested. That charge was never destroyed. So, 10, 15, 20 years down the line, you can always see that person, although not guilty, was arrested for a charge that they was not guilty. But, five years after a Police Officer does a police brutality or anything that you complain to Internal Affairs, is destroyed and you cannot find that file anymore? How can that be any justice to anyone in the system of justice and the citizens, you know, in the community? That makes no sense to me at all. And, to be honest, I've been realizing a lot of the laws contradict the consensus of helping the community and the citizens, and it only, pretty much, barricades and protects a lot of the law enforcement and politicians. Because, trust me, I've known a lot of politicians, that's why I've learned and tried to study the I.C. codes, because you know why, I've told police officers, trust me, you come to me in a certain way and all I have to do, because pleading the Fifth does not help a citizen. I hope they know that now. The only thing that actually naturally will help you, is when that Police Officer comes to you and you tell him under I.C. code dash certain codes, you are not allowed, and guess what, now they have to upload, because that is the bar. All lawyers, judges, prosecutors and law enforcement, governors are sworn, under oath, which are under the bar. And, if I can address you with the I.C. code, which is the Indiana Code, or the F.C. code, Florida Code, then you have to upload that bar. That's why you have the Fraternal of Police. You guys are under, all of a fraternity. And, you have family members that fall under that fraternity, because of you being in that fraternity. So, that actually affects a lot of other people in the community. I will just hope that you guys take that into consideration and hold yourselves accountable and other law enforcement officers accountable, not only on the State level, but on the federal level as

well, because you guys have meetings with the Senators, who are a part of the Congress. You have meetings with the Representatives, who are a part of the House of Representatives, and I would appreciate that you guys bring that to their attention, and maybe, hopefully, in the future, can get that addressed, because you will never be able to correct none of these situations that you are having if you cannot hold any of these Police Officers accountable. And, I just appreciate your time. Thank you.

President Shoulders: Well, Steven, thank you for your time here.

Steven Cadet: Yes, sir.

President Shoulders: And, for attending and speaking of things you're concerned about.

Steven Cadet: I appreciate your time. Thank you.

President Shoulders: No problem. Alright, any other public comment we have here today? I don't believe anyone else has signed up, but that doesn't mean necessarily someone else wants to speak. Okay.

Recessing of Meeting

President Shoulders: On that note, I ask for a motion to recess this emergency meeting of the Vanderburgh County Commissioners.

Commissioner Hatfield: So moved.

President Shoulders: I will second the motion. Meeting adjourned.

(The meeting was recessed at 4:14 p.m.)

CONSENT ITEMS:

Commissioners:

Approval of the January 19, 2021 Emergency Commission Meeting Minutes.
Letter of Support for HB1426: Rural Broadband Access.

Employment Changes:

Co. Hwy. (1)	County Clerk (2)	Auditor (1)
Treasurer (1)	Sheriff (2)	Coroner (1)
Assessor (1)	Area Plan (1)	Circuit Court (2)
Superior Court (4)		

Burdette Park: Vehicle Surplus Request

County Auditor: Claims Voucher Reports: 1/18-1/22/2021 & 1/25-1/29/2021.

Health Department: Request to Rollover Accrued Time from 2020.

County Engineer:

Department Report & Claims.
Vehicle Surplus Request.

Those in Attendance:

Ben Shoulders	Jeff Hatfield	Cheryl Musgrave
David Jones	Craig Emig	Madelyn Grayson
Audrie Burkett	Jim Morley, Jr.	Joe Gries
John Stoll	Dwight Owen	Bill Pedtke
Steven Cadet	Others Unidentified	Members of Media

VANDERBURGH COUNTY
BOARD OF COMMISSIONERS

Ben Shoulders, President

Jeff Hatfield, Vice President

Cheryl A.W. Musgrave, Member

(Recorded and transcribed by Madelyn Grayson.)