

August 28, 2012

Commissioners' Conference Room
Vigo County Annex
Terre Haute, Indiana

Roll Call:

Present: Mike Ciolli, Judith Anderson and Paul Mason.

Absent: None.

Others Present: County Attorney Mike Wright, County Auditor Tim Seprodi, Ryan Oilar, Nancy Allsup, Dave Crockett, John Hilderbrand, Howard Greninger, members of the public and news media.

CSI Contract / Community Corrections. Mike Wright informed the Board he had reviewed the CSI Software contract for Community Corrections. This is the same software the courts and probation use so it only makes sense Community Corrections use the same. The cost is \$8,709.00 to be paid out of the Community Corrections budget. Mike would recommend for approval.

Motion: , **Action:** Approve, **Moved by** Paul Mason, **Seconded by** Judith Anderson, **Passed** all ayes.

Expenditures. County Auditor Tim Seprodi presented the Board with expenditures for 8/20/12 – 8/24/12 in the amount of \$694,148.81.

Motion: , **Action:** Approve, **Moved by** Paul Mason, **Seconded by** Judith Anderson, **Passed** all ayes.

Minutes 8/21/12. The Board was presented with the Board of Commissioner meeting minutes for 8/16/12.

Motion: , **Action:** Approve, **Moved by** Judith Anderson, **Seconded by** Paul Mason, **Passed** all ayes.

Budget Certification Map. County Auditor Tim Seprodi informed the Board that we are now one (1) of ten (10) counties that have yet to submit our sales ratio study that was due May 1st. Commissioner Ciolli commented he had been advised by the County Assessor there was not a deadline. But he does see on the timeline there is. County Auditor Tim Seprodi stated the farther behind we fall, the closer we come to provisional billing which could double the costs by the time you include mailings and interest for anyone who may over pay.

Cobblestone Concerns.

Charlie Williams – 51 Longridge Road.

- Thanks the Board for the denial for the recent permit requested by Cobblestone.
- The attorney for Cobblestone has missed three (3) deadlines to get something in writing to our attorney for a proposed buffer.
- Frustrated since the buildings are moving closer to occupancy.
- Hope you see we have been patient and worked in good faith.

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- Don't know if you the Commissioners are aware that the Area Plan Director stated off the record to a reporter – those crazy's at Woodgate are not going to get a wall. It won't be approved. "That's one of your paid officials."

Mike Ciolli – County Commissioner.

- Haven't heard that comment and it did not come from us.
- The Commissioners have been out there 2 or 3 times and I believe Commissioner Mason has directly ask for a wall.
- "I will speak to Jeremy personally"

Charlie Williams – 51 Longridge Road.

- Trees and shrubs will not address safety and security concerns.
- There attorney has stated there will be no wall.

Mike Poinsett – 31 Ridgecrest Court.

- We have been portrayed as being unreasonable and it becomes offensive.
- The development and administering of this PUD has been poorly handled by Jeremy.
- Only 13 acres rezoned correctly.
- Don't want a landscape buffer, shrubbery; it won't be enough for security.
- We appreciate the denial of the building permits, but what about future permits? It's not enough to get Jimm Nidlinger to the table.
- Ponder a question: "We know that huge part of our issue is with Jeremy, is it possible there is too cozy of a relationship between Jeremy and Cobblestone?" "Shouldn't he be the one to issue the stop work order?"
- We have two (2) requests:
 1. Reconsider the stop work order?
 - only way we will get to Jimm Nidlinger and it won't help mine or my neighbor's property now.
 2. County Commissioners facilitate an emergency meeting with Area Plan Commission with us, we can bring our lawyer if need be.

Mike Wright – County Attorney.

- "I will talk with the Commissioners about your requests and get back with you."

Mike Ciolli – County Commissioner.

- "Are you on the Agenda for the September 5th Area Plan Commission meeting?"

Mike Poinsett – 31 Ridgecrest Court.

- "Yes we are."

Rick Wheeler – 15 Gateway Drive.

- "No offense to the attorney present, but I know when we bring attorneys in, it does get drawn out for reasons, to make sure all I's are dotted and T's crossed.
- Where do we need to go or where do we need to be? Frustrated.

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- My Assessed value went up by \$3,000.00, but when they came back out it went down by \$16,000.00. "That's all loss of tax revenue for the county. Jimm Nidlinger took a hit when the economy went, but he should have that's a chance he took."
- I took photographs of my property with the graffiti and I think you thought I put that there Commissioner Mason.
Commissioner Mason – "No I didn't."
I took the photographs to the Management of Cobblestone and they said it was not any of their people.
- Only way to get them to listen to us is for you to put teeth in this.
- Five (5) years from now what will we have?
- The economy will come back and we will have two-story apartments on prime property.
- I will remind you of the meeting May 22nd when I was here and you said you couldn't do anything.
- Thank you.

Darleen Vaeth – 98 Southgate Court.

- Proud of my home, I pay taxes, and keep integrity of neighborhood.
- Do not have problem with apartments, I have friends that live in the apartments up front in Cobblestone.
- We own our houses and pay taxes, they pay rent.
- I have personally had trespassers – teenage kids.
- If I'm abiding by all the laws then why aren't they?
- My husband questioned the drainage, have they addressed this yet? The SE corner of Woodgate already has flooding.
- They have started working at 6:00 a.m. and on weekends to get these buildings built.
- Thanks for stopping permits.
- I already have mature trees behind my house and don't know if they are going to tear them down.
- How many permits does he have? What have been issued and not? Am I Safe?
- Asking for a stone wall that's it.
- Looked at apartment complexes in Carmel, Indiana, they have to be 300 ft. from development and have walls and shrubbery.
- What if that happened behind you?
- I have two teenage daughters, if I have two – story apartments I will have more peeping Toms.
- They have lights, music and people screaming until 2:00 a.m.
- Mr. Nidlinger has already said he is not building a wall; it will be at our expense.
- "Didn't want to bring this up but my daughter is a waitress and he offered her a job and to pay her \$100.00 more trying to buy her – how disgusting."
- He did this in a sneaky manner.
- Why can't he be stopped?
- Take off the top level of the apartments.

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Stephen Mc Cain – 32 Ridgecrest Court.

- This was set up right to start with, and then walked into Jeremy's office and with a strike of a pen it changed.
- Raced in and started building without septic and water and no drainage.
- If we get 11" of rain like we did in 2008, Woodgate will flood, and then there will be a bunch of lawsuits against Nidlinger.
- Bringing in Section 8 people.
- Thank you.

Mike Wright – County Attorney.

- The question regarding building permits- you can go to Building Inspection Department and they can tell you. Not sure if there have been any issued behind you, think the farthest south is behind Poinsett's house.
- A drainage plan has been conducted.

Rick Wheeler – 15 Gateway Drive.

- "We were sitting here in August now; do you really understand what we asked in May? Allowing him to continue. Purpose to get him to table."

Mike Wright – County Attorney.

- "If you wanted injunction to go to court" if you wanted him stopped.

Charlie Williams – 51 Longridge Road.

- "Just asking, coming to you this morning, do we have to go to court of law?"
- Thank you.

Mike Wright – County Attorney.

- "Your attorney's opinion – procedural matter is just opinion, not binding."
- Tried to bring both sides to the table.

Rick Wheeler – 15 Gateway Drive.

- "Will County refund our \$200,000.00 if we win because you didn't stop him?"
- "Jeremy Weir can't bring a study that shows Vigo County needed 100 acres of apartments."

Mike Wright – County Attorney.

- I acknowledge you have legitimate concerns. "Gottardi having someone drunk stumbling into his yard and domestic concerns."

Charlie Williams – 51 Longridge Road.

- "Advise what can we do more? Are you advising us to go to court?"

Mike Wright – County Attorney.

- "Need to talk to your attorney about that."

Lisa Shahar – 50 Southbrook Court.

- "Huge Fiasco, this will go down in history in Terre Haute."
- "Can you say whether you agree with our attorney?"

Mike Wright – County Attorney.

- "I don't think your attorney is right"
- "Has anyone looked at original PUD? Don't want to litigate here in a public meeting."
- "You asked me a question I gave you a direct answer."
- "We have and Commissioners has done everything to get him to the table. We have to look out for the County's best interest too."

Darlene Vaeth – 98 Southgate.

- To Mike Wright – "Do you represent him?"

Mike Wright – County Attorney.

- "I Don't Represent Him."

Rick Wheeler – 15 Gateway Drive.

- Bring him to the bargaining table; maybe push him to the table.
- Occupancy permit to only be granted by Commissioners, not area planning, maybe he would come to table.

Dorothy Drummond – Condo owner in Woodgate.

- Understands you have to look out for the interest of all Vigo County
- If assessed values go down then you lose tax revenue.

Charlie Williams – 51 Longridge Road.

- "Should we come back next week?"

Short break while Residents leave.

Warren F Maners – Barnhart Rd.

- Oppressed by the County Court Systems.
- Suing Judge, denied trial in civil case.
- Vehicle stolen on his property this morning.
- Deputy to his house yesterday.
- They towed his car, Called Sheriff's Department, Gill's towing wants \$90.00.
- That's my property, Destitute and disabled
- Ignorance of the law is no excuse.
- Taken advantage of for several years.
- Domestic Terrorism is a misdemeanor
- "Need some help, I want my car back"
- It has all my paper work and tools in it.

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Mike Ciolli – Commissioner.

- Do you have a phone number?

Warren Maners – 812-841-2308

- I will ask Mr. Ewing or Mr. Clark Cottom to call you.

Software Assurance Contract / Gibson Teldata. Sean Stepp here to present the board with a proposed agreement with Gibson Teldata for the Software Assurance Program. The current agreement expires September 4, 2012. Mike Wright will review.

There being no further business, it is now ordered the Board be recessed.

ATTEST;

Timothy M. Seprodi, Auditor

Mike Ciolli, President

Judith Anderson, Secretary

Paul Mason, Member