

September 11, 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, Dave Reeves, Nancy Allsup, Dave Crockett, John Hilderbrand, Howard Greninger, members of the public and news media.

Cobblestone Concerns. County Attorney Mike Wright opened the meeting to the citizens of Woodgate to speak.

Mike Poinsett – 31 Ridgecrest Court.

- Asking for a stop - work order.
- Not being unreasonable.
- Just want to get other side to table.

Mike Wright – County Attorney.

Stop- Work Order.

Mike read the attached Stop –Work Order into record.

STATEMENT

The Board of Commissioners of Vigo County recently learned that one of the members of the Vigo County Area Plan Commission, who participated in the approval of the development at Cobblestone Crossing, has a direct or indirect financial interest in Cobblestone Crossing. State statute and the Vigo County Unified Zoning Ordinance prohibit an area plan commission member from participating in a decision in which the commission member has a direct or indirect financial interest.

Given this new development, the Board of Commissioners of Vigo County are directing the Vigo County Area Plan Department to issue a stop Work order for the current development at Cobblestone Crossing, effective at 6:00 a.m. on Thursday, September 13, 2012. This stop work order will remain in place until the petitioners for the current phase at Cobblestone Crossing are able to resubmit the required information for consideration by the Area Plan Commissioner and the Board of Commissioners of Vigo County. This new process will take place without the input, or vote, of any person who has a direct or indirect financial interest in Cobblestone Crossing. In the alternative, the stop work order shall be removed if all parties involved are able to reach a mutually acceptable resolution.

September 11, 2012 cont'd

Motion was made to direct Area Plan to issue a Stop – Work order effective at 6:00 a.m. on Thursday, September 13, 2012.

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

Mike Poinsett – 31 Ridgecrest Court.

- Questioned if this would be back in front of the Area Plan Commission meeting in October.

Mike Wright – County Attorney.

- Stated if the proper paper work was submitted by the October deadline then it would be the November meeting.
- However, the Area Plan Commission is their own body and if they choose to have a Special Call meeting they can, but the residents would have plenty of notice.

Mike Poinsett – 31 Ridgecrest Court.

- How long has Norm Froderman had an interest?
- Does this go back to the 2004 – 2005 approval?

Mike Wright – County Attorney.

- The Commissioners are basing this decision on Mr. Froderman's own admission to the public last week.
- He made the motion in 2004 for the re-plat, so that's what we are looking at.

Mike Poinsett – 31 Ridgecrest Court.

- Then the decision in 2008 would have to come in to play.

Mike Wright – County Attorney.

- Not sure if he was a share holder in 2007 and 2008.
- Your legal counsel as well as all involved will try to address all your issues and concerns.
- Would rather not negotiate this in a public meeting.
- Your counsel as well as Cobblestone's counsel will have to look into when he was a shareholder.

Mike Poinsett – 31 Ridgecrest Court.

- He represents the county.

Judith Anderson – County Commissioner.

- He represents Riley and Honey Creek Township area.
- Would it make a difference if the majority vote wouldn't change?

Mike Wright – County Attorney.

- Statute is clear regarding an area plan commission member from participating in a decision in which the commission member has a direct or indirect financial interest.
- Not many court cases.

September 11, 2012 cont'd

Mike Poinsett – 31 Ridgecrest Court.

- Thanks the board knows it's a tough decision for Stop-Work order.
- Hope this helps to move toward some agreement.

Charlie Williams – 51 Longridge Road.

- Positive step for Vigo County. "Thank you."
- Still not sure if Area Planning has the right to issue stop-work order.
- "Mike Wright thank you."
- Hope Area Plan will move forward with stricter actions.

FEMA Quotes – Demolition of 3818 E Tuttle. The Board of Commissioners was presented with quotes for the demolition of 3818 E Tuttle Ave.

1. Joy Excavating	\$9,700.00
2. Bell & Bell Trucking	\$9,885.00
3. Dennis Trucking	\$20,700.00
4. S & G Excavating	\$9,330.00
5. Dick McCalister & Sons, Inc	\$19,500.00

County Attorney will review and the Board will make a decision at next week's meeting.

Expenditures. County Auditor Tim Seprodi presented the Board with expenditures for 9/4/12 – 9/7/12 in the amount of \$2,288,905.76.

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

Minutes 8/28/12. The Board was presented with the Board of Commissioner meeting minutes for 8/28/12.

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

Minutes 9/4/12 – Road Hearing. The Board was presented with the Board of Commissioner meeting minutes for a road hearing held 9/4/12.

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

Minutes 9/4/12. The Board was presented with the Board of Commissioner meeting minutes for 8/28/12.

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

Budget Certification Map. County Auditor Tim Seprodi informed the Board that we are now one (1) of five (5) counties that have yet to submit our sales ratio study that was due May 1st. Commissioner Judith Anderson commented she had received a return call from the President of the Assessor's Association who had spoke with DLGF and they have expressed their concern and disappointment. County Auditor Tim Seprodi stated his concerns again that we are moving closer to provisional billing which will double the costs.

September 11, 2012 cont'd

John Hilderbrand – Taxpayers Association.

- Mr. Hilderbrand commented he had gone to the last Area Plan Commission meeting and they had discussed changing the Issue of Notice within the By-laws. He asked if the Board of Commissioners were going to be involved in any of the changes made.

Mike Wright – County Attorney.

- Stated the Board of Commissioners does not ever want to see a situation where someone doesn't get notice.
- Area Plan Commission is responsible for own by-laws.

Mike Ciolli – County Commissioner.

- We have offered some recommendations that we would like to see included.

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