

November 23, 2021

Council Chambers
Vigo County Annex
Terre Haute, Indiana

Roll Call:

Present: Mike Morris, Chris Switzer and Brendan Kearns.

Others Present: County Attorney Jared Modesitt, County Attorney Michael Wright, Chief Deputy Auditor Cheryl Loudermilk, Tammy York-Allen, Tim Cunningham, Diana Winsted-Smith, Kevin Gardner, Kara Wright, Scott Barber, Todd Thacker, Jeannette Yates, Elizabeth Stiverson, Joey Lehman, Howard Greninger, Channel 10 News, Channel 2 News, and several members of the public.

Pledge of Allegiance.

Mike Morris called the meeting to order and led the Pledge of Allegiance.

Review of Minutes/Claims. Chief Deputy Auditor Cheryl Loudermilk presented the minutes for the meeting held November 16, 2021. Chris Switzer made a motion to approve the November 16, 2021 minutes. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

Ms. Loudermilk then presented the Board with expenditures for the period of November 13, 2021 through November 19, 2021 in the amount of \$12,196,043.46. Brendan Kearns asked Ms. Loudermilk if encumbrances needed to be turned in before the end of the year. Ms. Loudermilk said that she was preparing to send an email indicating that they should be in to the Auditor's Office by December 15. Mr. Kearns indicated that he would not be attending meetings in person after the December 17 meeting. Brendan Kearns made a motion to approve the November 13, 2021 through November 19, 2021 claims. Chris Switzer seconded the motion. Mike Morris asked what was included in the claims that caused the amount to be so high. Ms. Loudermilk noted that it included the \$10,000,000.00 for the jail bond. Upon a voice vote of 3-0, the motion unanimously passed.

Proposals for the old jail - Commissioners. Chris Switzer indicated the Commissioners had been discussing the fact that the new jail should be done in 4 months and they are 6-7 months away from getting inmates moved in. The next step is to decide whether to repair, remodel, move offices into, or, if it is too structurally unsafe, tear down the old jail. They are looking for proposals from some companies to go inside and investigate pipes, electrical, structural, find out what issues the building may have, and guide the Commissioners in the direction they need to go. Brendan Kearns asked if they would be doing an official RFP or RFQ or were we just inviting proposals/quotes this way. This was briefly discussed and it was decided to do an official RFP/RFQ so that there would be no issues with various companies/businesses/contractors claiming they were not aware of the chance to participate. Michael Wright will prepare a request and have it published. Mr. Kearns said that 911 would definitely be relocating whether it was a different location in the building or somewhere else.

Comment from Commissioners or other Elected Officials. Mike Morris said that the County Engineer advised that the last paving for the Community Crossings project would be done Wednesday. Brendan Kearns said that he had been informed Lakewood would also be done on Wednesday.

County Councilman Todd Thacker was present to address some of the comments made at last week's meeting. He said he tried to attend some of the Commissioners meetings and he wanted to work with the Commissioners to ensure a smoother relationship. He did note that he does have a problem with signing

things that he feels are not properly handled to go unaddressed. The Commissioners expressed appreciation for his remarks. There was a short discussion. Mr. Thacker did address the issue of his vote on the employee bonuses. He was in favor of the employee bonuses but he didn't feel that it was procedurally executed correctly so he voted nay for that reason only. He just wanted to make sure it was done right.

Chris Switzer noted that Manna from Seven is having a giveaway on Black Friday at 215 North 7th Street from 9:00 a.m. to noon. It is not a food giveaway this time. It is for personal hygiene, toys, household cleaners, cosmetics, batteries, etc. for those in need. Brendan Kearns said that he had been receiving inquiries about where people can donate clothes. He highly recommended Bethany House because people know that they can go there during their open hours and be provided with items they need. Donations of **new** underwear, **new** socks, and boots in good repair are the main things needed right now. They have plenty of coats, comforters, blankets. Personal hygiene items are much needed, especially feminine hygiene products.

Chris Switzer wanted to commend Boot City for their donation to the Loyal Veterans Battalion of over 50 pairs of good, used boots.

Mike Morris noted that the freezer went out at the jail. He was able to locate a refrigerated trailer that has been placed at the jail to keep the food supplies in good shape while repairs are being made to the freezer.

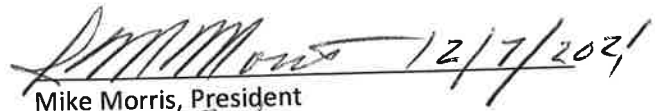
Public Comments. Cindy Rothrock wanted to ask some questions and make some comments regarding the Otter Creek project. She asked where she could find the information/documentation clarifying that Vigo County owns Otter Creek. Michael Wright said that nobody was asserting ownership of Otter Creek. The point made regarding public access was that Otter Creek is a recognized waterway of Indiana. Points were made by property owners what they felt their rights were. Mr. Wright said that he had not found anything in conflict with what Ms. Rothrock had previously said concerning the property line extending to the middle of Otter Creek. It is being assessed from a usability standpoint and eventually a decision will be made for a long term prospect for that project. She then asked if there is any documentation showing any attempt or process being done to change Otter Creek's navigability status. Mr. Wright does not believe that has been initiated although he is not the best source of information about that. A lengthy discussion took place with regard to property owner rights, trespass issues, designation of waterways for public use, harm to the ecosystem and the taking away of property from landowners. Mr. Wright stated that there is no attempt by the County or any other entity, to his knowledge, to try and take any land. What had been discussed is establishing a parking lot in a recognized right-of-way that the County has because of the bridge going over Otter Creek and allowing the public to access that waterway. Brendan Kearns said that he had met with the DNR about this. He said that people can legally paddle Otter Creek without any issues. The trespass issue would only arise if someone touched the bottom of the creek bed. This was also discussed at length. Ultimately it was noted that the Commissioners will keep Ms. Rothrock and other property owners informed as the project progresses, or stalls, either way so that they will be aware of what is taking place. Ms. Rothrock's last question was if the Commissioners were saying they were not looking at changing the status of Otter Creek. Mr. Kearns said the he absolutely was looking at changing the status. In talking with the DNR, he learned there was a new designation called "recreational waterways" and that was what he was pursuing. To make it official. Discussion continued.

Chris Switzer announced there would be no Commissioners Meeting next week due to the fact that they would all be attending the annual conference for Indiana Commissioners. He also noted, after consulting with the County Attorney to be sure, and it is illegal to hunt on county owned property.

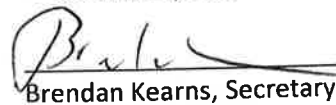
Evelyn Davis asked if it would be possible to have a "fee forgiveness" day, possibly in early January or at least after Christmas, where people could bring their televisions to recycle without having to pay a fee. She felt that it might alleviate the dumping of televisions around the county of old televisions that were replaced as

holiday gifts. The Commissioners felt this was a good idea but noted that the County has to pay to have the items recycled at a pretty hefty cost. There was a lengthy discussion. However, they would definitely look into it and have a discussion with Solid Waste. Brendan Kearns asked Ms. Davis if she had reviewed the Ordinance draft they had recently forwarded to her. She replied affirmatively and there was a short discussion about it. Mr. Kearns asked how this would get moved forward for passage? Michael Wright noted that an Ordinance that contained a fine had to be published 30 days before it takes effect to give the public notice. Jared Modesitt said he felt in this case that since the fine provisions were already built in, and it would just be the same fines it is for other violations, and they are not actually written in to the new ordinance, he didn't think publication and the 30-day waiting period would apply in this instance. Mr. Kearns asked if it could be ready to vote on by December 7 and that was affirmative.

Today's meeting recessed at 9:50 a.m. with a reminder that the next meeting would be on December 7.

 12/7/2021
Mike Morris, President


Chris Switzer, Vice President


Brendan Kearns, Secretary

Attest:


James Bramble, Auditor