

February 28, 2023

Council Chambers
Vigo County Government Center
Terre Haute, Indiana

Roll Call:

Present: Mike Morris, Chris Switzer and Mark Clinkenbeard

Others Present: County Attorney Terry Modesitt, James Bramble, Cheryl Loudermilk, Tammy York-Allen, Larry Robbins, Diana Winsted-Smith, Bruce Allen, Jordynne Shelton, Josie Thompson, Leanna Moore, Bob Lawson, Kevin Gardner, Tim Cunningham, Todd Thacker, Terry Bays, Chrissy Patterson, Valerie Stapleton, Rick Long, Howard Greninger, Tony Cassiseah, and members of the public.

Pledge of Allegiance.

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

Review of Minutes/Claims. The Auditor's office presented the Board with meeting minutes for February 21, 2023 and rezoning meeting minutes for February 21, 2023, for approval. Chris Switzer made a motion to approve the minutes for February 21, 2023 and the rezoning minutes for February 21, 2023. Mark Clinkenbeard seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

The Auditor's office then presented expenditures for the period of February 18, 2023 through February 24, 2023 in the amount of \$672,393.63. Mark Clinkenbeard made a motion to approve the February 18, 2023 through February 24, 2023 claims in the amount of \$672,393.63. Chris Switzer seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

Voter Registration - Clerk's Office . Mark Clinkenbeard asked if there were any public comments. Rick Long said he had been to a couple of meetings where this was discussed and he wanted to know how many county offices do not have a department head that they report to. He said he has never seen a department operate without a department head to report to and he wondered how this department was being run and who the people answered to. He gave many reasons why he thinks the Ordinance should be passed. Mark Clinkenbeard said they have all investigated this issue and part of the problem is the vagueness in the variety of what other counties do. County Attorney Terry Modesitt said he had done a lot of research and talked to many counties and everything is still kind of a mess. There is no good law out there on how to handle this. The law is ambiguous and no one really knows the interpretation of the statutes. No one really knows how this works. There are many unanswered questions. Bob Lawson, the Democrat appointee in Voter Registration, talked about how the office had been run since he had been there and everything ran smoothly. Leanna Moore, Chief Deputy Clerk, talked about the upcoming election in two months and the fact that there is no Republican representation in Voter Registration. This means the Clerk's Office will have to pick up the slack. The Clerk's Office is ultimately responsible for the elections and they will have to find alternate poll workers, among other things, if there is not a Republican appointee. This problem will be ongoing if not taken care of this year. Bob Lawson of Voter Registration added for clarification that there is a part-time Republican individual working and he is working on getting Republican poll workers for the election. Mike Morris asked Mr. Lawson if his payroll came from the County. There was a brief discussion about payroll and placing an employee. Mark Clinkenbeard said that all the Commissioners have taken this matter very seriously and done a lot of research. He read his statement for the record as follows: "As I stated last week, I believe there is merit in making this change. I believe if we want our Clerk to give the best elections possible, we need to give him the tools to do so. As far as the argument that this makes the office more political, I don't buy that. There will still be a Republican and a Democrat in Voter Registration. And someday there will

be a Democrat in the Clerk's Office. I can guarantee that if Voter Registration was managed by either a Republican or a Democrat at this time, we won't still be waiting six months for an appointment. We have an election in two months and the fact that we have not had an appointment from the Republican chairperson is ridiculous. We have all investigated this issue, we called other Commissioners, we have had our legal counsel investigate and the consensus is that there is no definitive answer as to who makes the appointments. Several counties have the party chair and several have the clerk. Ultimately, it is this vagueness and uncertainty that is the big problem for all of us." Mike Morris said he appreciated everyone's comments. Chris Switzer thanked everyone for all the research and information they had come up with. He said he agreed with Mark. He said he can't stress enough how embarrassing it is to not have a Republican appointee in Voter Registration. It affects voters, candidates and many other things. He implored the Republican chairperson to put somebody into that office who is knowledgeable about elections and things like that so we can just move on. Chris Switzer then made a motion to deny the request from the Clerk's Office and perhaps discuss it again in a year or so if that is then desired. Mike Morris asked for clarification the Mr. Switzer wanted to vote nay on the ordinance. Mr. Switzer replied affirmatively. For lack of a second, the motion died. Mike Morris asked if there were any other motions. There were none.

National Opioid Settlement - Commissioners. The Commissioners asked Brandon Halleck to talk about this. Mr. Halleck, representing a Drug Free Vigo County and Chances and Services for Youth, said there was an opportunity from the State on the State's side of the settlement dollars. They will be distributing \$25 million to local communities that put together action plans from within. There is a list of approved prevention treatments in different categories. He said they have a collective group of folks that have been working on this to try to put together a collaborative effort that would allow \$1 million to \$1.5 million to come into our community over the next two years to continue fighting this epidemic the State is seeing. The only way they are able to apply for this assistance is for the County or the city, and the Mayor's Office is agreeing to this as well, to sign off on it. Chris Switzer said they had a document from SBOA regarding opioid settlement funding. The statute on the opioid settlements can be found at IC 4-6-15. These funds are paid to the State from pharmaceutical companies that should not be confused with federal or state grants. These funds will be reported on the SEFA and should be maintained in funds with the following number and names (which he then listed). The restrictive portion is controlled by the settlement agreement from the courts, while the unrestricted portion may be spent in the same manner as money in the general fund. Commissioners Clinkenbeard and Switzer met with Mr. Halleck last week and he has several financial commitments. Commissioners would like to make a \$75,000 commitment regarding this. Vigo County received a little over \$72,000 in unrestricted funds and \$226,000 in restricted funds. The County could use the \$72,000 unrestricted for Mr. Halleck. Under letter G of Exhibit E from the Attorney General's office of the list of opioid remediation uses, this certainly qualifies in prevention programs, leadership planning, coordination and training. Mike Clinkenbeard made a motion to approve the \$75,000. Chris Switzer seconded the motion. Upon a voice vote of 3-0, the motion passed unanimously.

Resolution regarding adjustment to maximum fire operations levy for Lost Creek Fire Protection District - Commissioners. Mark Clinkenbeard received an email from John Hendricks, Deputy Chief of the Seelyville Fire Department sending an attached Resolution. This is a necessity to allow them to continue to provide adequate response, personnel and service to the community. With the additional service area of Nevins Township residents, this will allow them to continue to merge their two response areas into one. Commissioner Clinkenbeard then read Resolution 2023-03 into the record. Chris Switzer made a motion to approve Resolution 2023-03. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

Public Comments. There were none.

Comments or other business from Commissioners or other Elected Officials. Auditor James Bramble gave each of the Commissioners a copy of the encumbrances from 2022 in the amount of \$3,513,852.14. These are for obligations that were made before year end but not yet paid.

Mike Morris gave a brief synopsis of the opioid settlement the County had been involved in. Some very good programs have been established across the County with the funds Vigo County received and the opioid matter discussed earlier in the meeting should help boost their efforts and make a difference in making our community a better place.

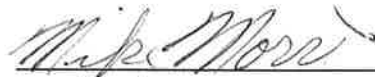
Councilman Todd Thacker everyone for all their efforts in the matter of Voter Registration.

Chris Switzer reminded everyone that they would be having another meeting, probably a final meeting, regarding Markle Mill Dam on March 1 from 6:00 – 7:30 p.m. after which they will probably be making a decision on how to proceed. There will also be a public meeting regarding the ARPA plan on Monday, March 6 from 4:00-5:00 or 5:30 p.m. They have been working with RJI Solutions and they have a document setting out their ARPA Plan. That information will be used to create an Ordinance which will be approved at next Tuesday's Commissioner meeting. Regarding Voter Registration, it has been discussed/suggested that the Commissioners be made the default to make the appointment as the Executive Body of the County. If the vacancy does not get filled, they will continue that discussion. He also suggested it might be good to have Voter Registration report to HR in some capacity but this can be addressed at a later time.

The next meeting will be March 7, 2023 at 9:00 a.m. The meeting recessed at 9:35 a.m.

Attest:


James Bramble, Auditor


Mike Morris


Chris Switzer


Mark Clinkenbeard