

Vermillion County Commissioners

Meeting Minutes

January 21, 2020

8:15a.m.

Commissioner's Courtroom, 2nd Floor, Courthouse

- I. **Call to Order.** The Commissioner's convened in a regular meeting on January 21, 2020 at 8:15 a.m. in the Commissioner's courtroom. The meeting was called to order by North Vermillion Senior Zoe Hillyer.
- II. **Pledge Allegiance to the Flag.**
- III. **Roll Call.** Members present were President Tim Wilson, Tim Yocum, Harry Crossley, Auditor Amy Tolbert, First Deputy Auditor Stephanie Simpson, and County Attorney Jon Spurr.
- IV. **Approval of Minutes.** A motion was made by Crossley and seconded by Yocum to approve the minutes from the January 7, 2020 meeting. All in favor, motion carried.
- V. **Approval of Claims.** A motion was made by Crossley and seconded by Yocum to approve the claims for January 24, 2020. All in favor, motion carried.
- VI. **Approval of Payroll.** A motion was made by Crossley and seconded by Yocum to approve the payroll for January 24, 2020. All in favor, motion carried.
- VII. **Treasurer's Report.** No comments.
- VIII. **Open Issues**
 - a. **Vermillion Rise.** Vermillion Rise Executive Director Bob Grewe spoke about the possibility of hiring a commercial real estate broker to help market the shell building at Vermillion Rise. Grewe said there a lot of good reasons to do this, for example a broker had helped sell a similar building at Grissom recently. Grewe stated the fee for this service would be \$200,000, and asked the Commissioners to consider allowing the Reuse Authority to repay the \$1.5 million that the county had contributed toward the building over a longer period of time to cover the fee. He said if the Commissioners agree, then when the building sells, the county would receive \$1.3 million of its funds back immediately, with the other \$200,000 paid over a period of two years, at \$100,000 per year. Grewe asked Commissioners to agree to list the building with a commercial broker for one year and see how it goes. Wilson asked Grewe to clarify that they are not asking for more money, just more time to repay the \$1.5 million, and Grewe stated that was correct. Spurr said what Grewe is proposing is legal, and it's up to the Commissioners to decide if it's a good idea. Wilson said they would take it under advisement.

County Surveyor Jared Dreher asked Grewe where Garmong comes in, they are the ones that built and owns the building. Dreher said you're doing all the work for them. Grewe said per the agreement with Garmong they are supposed to be doing some marketing, and he suspects they are, but that they were not interested in being involved with listing the building with a broker.

Dreher suggested that, since the county loaned the \$1.5 million to the Reuse Authority interest free, and Grewe is now asking for more time to pay it back, the county should profit from it, by the Reuse Authority paying back an additional amount on top the \$1.5 million that was loaned to them. Dreher said they should give the county another \$200,000 back for letting them borrow the money. Wilson said they would also take Dreher's suggestion under advisement.
 - b. **VTA (Vermillion Trails Alliance).** Tom Milligan with Vermillion Trails Alliance said there is a meeting today at 4:00 p.m. at the Newport Vermillion County Library

open to the public if anyone is interested in trails in Vermillion County and would like to attend.

- c. **Jail Renovation/Expansion.** Sanjay Patel of RQAW stated that when the footprint of the expansion was laid out, setback requirements from the highway and adjacent structures such as the county highway garage were not considered, and it has been determined that the original design intrudes on the setback line. He said that the floor plan has been modified a little to meet setback requirements, and still achieve the same goal in regard to capacity without increasing the cost of the project. Patel said he takes full responsibility for the fact that this was not addressed earlier, and apologized to the Commissioners. Yocum suggested that the Commissioners need to have another meeting about the jail before going to the Council. Crossley agreed that, if it's not right, the Council are not going to approve the money. Yocum said that everybody acts like we're in a big hurry, and we've got to do something today, but that's not true. Yocum asked Patel to have the jail property staked out to mark the footprint of the expansion, so the Commissioners can look at it, and said they would not be able to go to the Council without doing so.

Patel agreed to stake out the jail property and the Commissioners agreed to cancel the joint meeting that was scheduled for tomorrow, January 22, 2020. Kim Hawkins asked if the cost of the project would change, and if the bed count would change, and Patel said no to both. Hawkins asked what a new jail at a different location would cost, and Patel said the cost difference would be approximately \$5 million more. Hawkins suggested that, instead of building onto an old building for \$20 million, if the county built a new jail, as another county recently did for \$16 million, it might be cheaper. Hawkins said there is property and a building across the road, meaning Vermillion Rise and the shell building. Patel said that the systems at the current jail need upgraded, but there's still a lot of life left in the current building, he said it's a solid structure.

Hawkins said he thinks the jail population will go down not up, and he said he is all for the jail, because he knows what Sheriff Mike Phelps is dealing with. He asked why the county should pay more for something older when they can have something new, and cheaper for the taxpayers, or even for a comparable price. Hawkins said he does not believe the jail population will go up when the county population is going down, and steps are being taken at the federal and state levels to reduce the jail population. He asked if it was possible to do a study on the cost of a new jail. Hawkins said just think about the savings, that's all I'm here for. He said he wants to see the people save a little money. Hawkins said it would be nice if the Council and Commissioners could give a little back to the people, instead of taking more. Yocum stated that this has been an ongoing discussion for three or four years. Hawkins said the Commissioners should meet with the prosecutor and judge to find ways to reduce the jail population, and to make it so that, except for major crimes, everyone would be through the system within two months of being arrested. Yocum asked him if he realized what stage we're in on this project. Hawkins said he has not seen anything signed.

Crossley said the jail needs so much done, that we need to get moving. The Commissioners agreed to hold their special meeting Tuesday at the jail to discuss this further.

- d. **Handbook.** Spurr stated they are still working on the handbook.
- e. **Courthouse Phone System.** Paul Fouts of EAS Technology reported that he is in the process of obtaining technical specs and information on the courthouse

phone system and service, and expects to have information to present at the next meeting, so that a request for proposals can be prepared to put out for bid. Fouts also said that there was an issue with the phone system recently, and that AT&T had been notified. He said the service was working, but a technician should be at the courthouse later in the day. Fouts stated the issue was most likely caused by rain as in the past.

f. **IT Refresh – Purchase Policy.** Fouts said that at the end of the year, it was found that some officeholders had purchased equipment out of their supply budgets, that EAS (the county's IT consultant) did not know about. Fouts asked the Commissioners to establish a policy that such purchases should be coordinated with EAS, in order to make sure that equipment is secure, and compatible with the county's systems. The Commissioners asked Spurr to prepare a policy for approval, and agreed to notify officeholders not to make any tech purchases until it is in place.

g. **FEMA/MVH Grant.** No discussion.

h. **Contract with Historical Society.** Yocum asked if it would be possible for someone from Vermillion County Historical Society to attend the next meeting for some open communication. Tolbert said she would ask someone to attend.

i. **Highway Engineer.** No discussion.

j. **Ambulance Service Contract.** The Commissioners at a previous meeting approved a 5-year extension to the current contract with Illiana EMS. The Council voted down the additional appropriation, expressing concerns about the idea of extending the contract 5 years without soliciting bids. Spurr said that the current contract allows it to be extended up to 3 years without going to the Council, if no changes are made. He said since additional funding is needed, the Council's approval is still required.

Eric Shaughnessy of Illiana EMS stated that the third crew is needed to improve response times, and that he has been providing it for most of 2019, at no cost to the county. Clinton Mayor Jack Gilfoy said he feels the county needs to look at the extension again, because it affects everyone in the county. He said when he speaks to city residents, everyone has been very happy with the service from Illiana EMS. There was considerable discussion on this before the Commissioners made a decision.

A motion was made by Crossley and seconded by Yocum to extend the ambulance contract for three years subject to council approval for additional funding. All in favor, motion carried.

k. **Redevelopment Commission Appointment.** It was stated that Kelli Hill does not wish to be reappointed. The Commissioners had received an application from Albert Mayes. Yocum asked if this was advertised, and Tolbert said yes, all the appointments were advertised. The Commissioners decided to re-advertise the appointment for their next meeting.

It was also stated that Daniel Strubinger, the school board representative on the Redevelopment Commission, has not attended meetings, and Redevelopment Commission member John Moore said Strubinger has not replied to emails. Moore said he is not sure what Strubinger's intention is in regard to serving on the Commission. Tolbert said she would try to contact him to find out.

l. **Newport Chemical Depot Reuse Authority Appointments.** It was stated that these appointments are three-year appointments and this position will not be open until the end of 2020. Yocum said he thought when they formed the Reuse Authority that they were to be staggered appointments, so they wouldn't all be

up at the same time. There was some discussion and Wilson asked Tolbert to look into this.

- m. Alcohol Beverage Board Appointment.** The Commissioners received two applications for the Alcohol Beverage Board appointment. One from Mindy Bush and one from Jodie Smith. Bush is the current appointment. A motion was made by Crossley and seconded by Yocum to appoint Mindy Bush to the Alcohol Beverage Board. All in favor, motion carried.
- n. E911 Board Appointment.** Peggie Parsons Palmer stated she has never represented the north end, she said she has always represented the Health Department. Wilson said then there is an opening for the north end representative. Wilson asked Penney Barton if she was still interested since she had turned in an application to be considered for the appointment. Barton said yes, she was interested in serving on the E911 Board. A motion was made by Crossley and seconded by Yocum to appoint Penney Barton to the E911 Board. All in favor, motion carried.
- o. County Property Lease Agreement.** The Commissioners received two bids on the county property for lease. The current leaser has the option to pay 1% above the highest bid if their bid isn't the high bid. The first bid opened was from Keith Hollingsworth for \$1,525, the other bid was from Dustin Dunham for \$2,000. Hollingsworth stated he wanted to pay the \$2,021. The Commissioners asked Hollingsworth to provide in writing his 1% over the highest bid. Hollingsworth stated that he has been leasing the pasture for 50 years. A motion was made by Crossley and seconded by Yocum to award the county property lease to Keith Hollingsworth. All in favor, motion carried.

IX. New Business

- a. 2020 Annual Bids for Highway.** Crossley opened two bids for Pit Run Gravel, one from Kanizer Excavating Co. for \$3.00 per ton and one from Parke County Aggregates for \$7.00 per ton Screened Pit Run, \$5.00 per ton Unscreened Pit Run, \$7.00 per ton Sub Base and Road Pack CA-06. Parke County Aggregates also bid Gravel, Sand and Stone as follows: #8 Gravel \$9.00 per ton, #9 Gravel \$9.00 per ton, #11 Gravel \$10.00 per ton, CA16 Gravel \$8.50 per ton, Ice Sand \$3.00 per ton, #53 Gravel \$7.00 per ton, #2 Limestone \$16.25 per ton, #4 Limestone \$16.50 per ton, #8 Limestone \$20.00 per ton, #11 Limestone \$20.00 per ton, #53 Limestone \$17.00 per ton, and Rip Rap Limestone \$18.00 per ton. Parke County Aggregates also bid Bituminous Material as follows: Dry mixed loaded on county trucks for \$9.00 per ton, Parke County Aggregates supplies one loader during the pugging process and highway department loads pugged material on their trucks for \$9.00 per ton, Parke County Aggregates supplies two loaders during the pugging process and the highway department leads upped material on their trucks for \$10.00 per ton, and Parke County Aggregates supplies two loaders during the pugging process and also loads highway department trucks for \$10.50 per ton. A motion was made by Crossley and seconded by Yocum to accept all bids. All in favor, motion carried.
- b. Community Crossings Grant Bids.** Yocum stated that the county is preparing to apply for \$1 million in Community Crossings grant money for the year, with \$333,000 matching funds provided by the county. He said the deadline to submit the grant is in February, and Yocum said that once asphalt bids are received, it can be submitted. It was stated during the discussion that the notice soliciting bids for the project had not yet been published, and they agreed to attempt to have the notice published immediately in order to meet the deadline.

- c. **Gate on North Side of Vermillion Rise.** Yocum stated that he intends to remove a gate that was previously placed across a county road at the north end of Vermillion Rise. He said local people had asked him about it, and since it is in his district, he said he is going to take it down.
- Jerry Downs told the Commissioners that the road in question is a dead end, and the gate was put up because people were using it as a dumping ground. Downs said the county does not maintain the road, the property owners along it do, and that all of the property along the road is private with no trespassing signs. Downs said anyone who has permission to be on the property has a key to the gate, and that it is an inconvenience, but they deal with it, because it keeps trash off the property, and that the residents would like to see the gate stay.
- Grewe asked whose gate it is, and Yocum said, that as far as he knew, it's the county's. Downs said the Army put the gate up because of the dumping issues, and that it is a dirt road that gets badly rutted without maintenance, and almost impassible. Downs said he doesn't see where the gate causes any issue to hurt anybody. Newt Uplinger said that Vermillion Rise does not own the road in question. Uplinger said if he wants to walk that road, he ought to be able to walk it because it's a county road. He said if he wants to go back to the creek fishing, he should be able to go back there fishing. He said it's kind of like it's blocked off for just whoever lives down there.
- Yocum said he has had people come to him and he thinks they have the right since it's a county road. He said it's his decision and he's going to take it down. Yocum stated that the gate will be taken down, and if there are problems as a result, it may be put back. When asked if the county was going to maintain the road, Yocum said that the county will do whatever it takes to make it halfway decent. A motion was made by Yocum and seconded by Crossley to remove the gate. Wilson voted no, motion carried.
- d. **E911 Signs.** Some discussion took place that some residences in the county do not have 911 address signs at the end of their driveways. Shaughnessy said he has noticed that there are fewer signs just over the last 2 years. He said it is helpful to emergency responders to have them in place, so addresses can be easily identified. Yocum stated that the county has the equipment to make them, but does not have the blank signs or the vinyl. It was stated that some fire departments may still have blank signs. Emergency Management Director Mark O'Heir said he would reach out to the fire departments and see who still has blank signs. Wilson asked Spurr to draft an ordinance that would make the signs mandatory, and specify the size requirements, with a fine for those who do not. It was stated that the cost per sign is approximately \$8.50, so with 5,000 residences in the county, it would cost nearly \$50,000 to place signs at every residence.
- e. **Tax Sale Service Agreement and Resolution.** The Tax Sale Service Agreement and Resolution are for the Commissioners' Certificate Sale to be held on March 31, 2020 at 10:00 a.m. in the Commissioners' Courtroom. A motion was made by Wilson and seconded by Crossley to approve and sign the Tax Sale Service Agreement and Resolution 2020-1 Establishing the Intent to Conduct a Commissioners' Sale to Sell Tax Sale Certificates for Properties that are Severely Delinquent in Payment of Property Taxes. All in favor, motion carried.
- f. **Area Plan Commission – Change in Zoning.** The Commissioners received a request from Steve Lubovich of Lubovich Excavating, for property at State Road 163 and Rangeline Road, from agriculture to suburban residential, in order to divide the property into a 5-lot subdivision. Barton said the Zoning board had

no objections. A motion was made by Crossley and seconded by Yocum to approve the change in zoning. All in favor, motion carried.

- g. Area Plan Commission – A-2 Intensive Agriculture District.** The Commissioners received a request from the Area Plan Commission to add an amendment to the zoning ordinance that would establish an A-2 intensive agriculture zoning classification, to regulate confined feeding operations. Barton explained that without such a classification, any property zoned agriculture could be used for a confined feeding operation. The amendment had received a favorable recommendation from the Area Plan Commission last week. Barton explained that, in spite of misinformation on Facebook, the amendment has nothing to do with Vermillion Rise, but is intended to make sure there is some local control over where such operations are placed. Barton said in order to change to the A-2 zoning, any property owner would have to receive approval from the Area Plan Commission and then the Commissioners. She said this would also apply at Vermillion Rise. Several residents spoke against a confined feeding operation at Vermillion Rise. Wilson asked Barton if the Area Plan had received anything from Vermillion Rise, Barton said no, but Grewe had asked to be on their agenda for their next meeting.

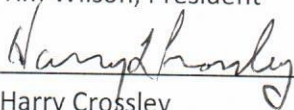
A motion was made by Crossley and seconded by Wilson to approve the amendment to the zoning ordinance. All in favor, motion carried.

- h. Harry Crossley.** Harry Crossley announced that he will not seek re-election as a Commissioner this year. Crossley said this is an election year, and after 28 years, I will not be a candidate this year. Wilson and Yocum thanked Crossley for his years of service.
- X. Adjourn.** A motion was made by Crossley and seconded by Yocum to adjourn. All in favor, motion carried.

Read in full and approved by the Vermillion County Commissioners on the 4th day of February, 2020.

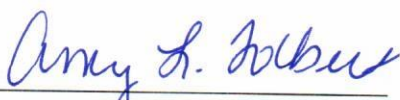


Tim Wilson, President



Harry Crossley

Tim Yocum

Attest: 

Amy Tolbert, Auditor