

**VIGO COUNTY COUNCIL**  
**Sunshine Meeting Minutes**  
**Tuesday, August 2, 2022 at 5:00 P.M.**  
**Council Chambers, Vigo County Government Center**

**Pledge of Allegiance**

President Aaron Loudermilk called the meeting to order at 5:00.

**Calling of the roll**

R. Todd Thacker – present, Vicki Weger - present, Marie Theisz - present, Travis Norris – present, Brenda Wilson - present, David Thompson – absent, and Aaron Loudermilk - present. It was noted that David Thompson was unable to attend due to a work obligation.

**Public Comments**

Don Lark, with Troop 434 out of the Krietenstein Post, was in attendance with four boy scouts, namely, Max, Chase, Cole and Pacie, who were working on earning their Citizenship for the Community badges. All are working towards becoming an Eagle Scout.

**Communications from elected officials, other officials or agencies of the County**

There were none.

**First reading by summary reference of proposed ordinances and resolutions**

- i. ROC 2022-29, Additional Appropriation 2022-22 – Public Defender – Legal Services
- ii. ROC 2022-31, Additional Appropriation 2022-23: Vigo County Health Department – repair equipment and freight
- iii. ROC 2022-32, Resolution 2022-10: Courts – Council Support to Expand Courts
- iv. ROC 2022-33, Reduction of Appropriation Ordinance 2022-01: Supplemental Juvenile Probation and Reduction of Appropriation 2022-02: Drug Court – budget reduction
- v. ROC 2022-34, Additional Appropriation 2022-24: Commissioners/ARPA Fund – building renovation and capital improvements
- vi. ROC 2022-35, Resolution 2022-09 Modifying Local Income Tax Rates, Annual Allocation to Township Fire Safety Agencies
- vii. ROC 2022-36: Additional Appropriations for gasoline – Council
- viii. ROC 2022-37, Review of Estimated Property Tax Limits and Circuit Breakers for 2023 – Council
- ix. ROC 2022-28, Resolution 2022-11: Resolution Terminating a Real Property Tax Abatement – Midwest Investments, Inc. and

Resolution 2022-12: Resolution Terminating a Personal Property Tax Abatement for D&D Automation, Inc.

**Reports from committees**

There were none.

**Resolutions and Ordinances other than appropriations.**

**i. Resolution 2022-11: Resolution Terminating a Real Property Tax Abatement – Midwest Investments, LLC and Resolution 2022-12: Resolution Terminating a Personal Property Tax Abatement for D&D Automation, Inc.; ROC 2022-28**

Jeff Lind, attorney representing Midwest Investments, LLC/D&D Automation, Inc., was present to address this matter. This is a joint entity with one business owning the real estate and the other owning the operating company. While they have not hired the 3 employees shown on their Statement of Benefits, they hired 2 employees but lost one of them to a competitor. They are currently trying to fill that position. The position is a seasoned machinist but, as everyone is aware, it is hard to find employees at all, and seasoned employees are even harder to come by. Since the tax abatement was granted, there was a change in the certification needed to qualify working for the Department of Defense, which is the position for the third employee to be hired. The lab has been built and is waiting for the quality control employee who is diligently working to comply with the new certification qualifications. It is hoped that they will have the certification by the end of the year. These are circumstances out of the control of the business and they are still trying their best to fulfill their abatement requirements. There was a brief discussion.

**ii. Resolution 2022-09 Modifying Local Income Tax Rates, Annual Allocation to Township Fire Safety Agencies; ROC 2022-35**

President Loudermilk reminded that this had been discussed previously and this is something that is handled each year at this time. The distributions, as they historically have been, were made with the 65%/35% split. Council members had no questions or objections.

**iii. Resolution to Consider the Funding of an Additional Court; ROC 2022-10**

Hon. Chris Newton, Judge of Vigo Superior Court Division 4, spoke on this matter. He was joined by Hon. Sarah Mullican, Hon. Michael Lewis, and Noah Gambill, President of the Terre Haute Bar Association, and Senator Jon Ford in support of this request. He said that in talking with the State Representatives, he feels that they will be committed to this endeavor as well. Vigo County ranks third out of 92 counties as far as need for a new court. There has been an explosion of cases in the Juvenile system. All of the Judges have taken on some of the cases to assist in handling the caseload but the system is overloaded and they need an additional court. They are here asking for a letter of support so they can move ahead. They have included in their proposal salaries for a bailiff and two court reporters but he believes that they could get by with one court

reporter. They are not asking for an appropriation at this time, just a commitment from the Council that they are supportive. There was discussion among the Council and Judges Newton and Mullican about the types of cases handled and the length of time it takes to get them heard. Noah Gambill added some comments and also said that the Terre Haute Bar Association considers this request a need, not a want. They are in full support of this request. Senator Ford also explained the process of creating this additional court. It was noted that the a representative from the Courts need not be present at next week's voting meeting. Kylissa Miller, Council Administrator, advised Judge Newton that a Resolution had been prepared for this matter and asked if that would suffice rather than a letter. Judge Newton confirmed that a resolution would be sufficient.

**iv. Review of Estimated Property Tax Limits and Circuit Breakers for 2023; ROC 2022-37**

Brenda Wilson commented that the numbers were a little alarming and even more of a reason that the budget be fine-tuned for next year. Vicki Weger said she thought that County Assessor Kevin Gardner had some information that might clarify matters a little better. Mr. Gardner said that he had contacted the DLGF about the formula used for their projection. Using their formula, he used information from 2018 through 2022 and formulated numbers the same way as DLGF and created a somewhat more accurate forecast since he had used additional expanded information. He explained the process he used in great detail. Even using a worst case scenario, his figures show around \$8.4 million. He projects that the levy will be about \$3 million more than last year. He said these were projections, which is the same thing DLGF does with the data they have. He had a little bit more data so he went a step further using the current gross assessed values. There was further discussion. Kylissa Miller said she had concerns that there are too many unknowns with any of the gross assessed values to determine what the tax cap loss is and explained her reasoning on this. She believes that you cannot look at gross assessed value and say they went up so automatically our net assessed value went up. There was a lengthy discussion. President Loudermilk asked that it be reflected that the Council had discussed the calculations on the estimated maximum levy for 2023 and the information reviewed.

**Ordinances relating to appropriations.**

**i. Additional Appropriation 2022-22; ROC 2022-29: Public Defender, Legal Services**

Gretchen Etling said that they are asking for an additional appropriation of \$20,000 that would come out of the Public Defender Fee Fund which is the supplemental, not under the general fund. They have many expenses they pay out of this fund. This should get them through the rest of the year. Their 2023 budget request reflects a higher amount than this year's adopted budget so that they will hopefully not face a similar situation next year.

**ii. Additional Appropriation 2022-23; ROC 2022-25: Vigo County Health Department, Repairs & Maintenance and Freight**

Joni Wise, Health Department Administrator, said that this would be for resourcing their machine that they use for blood testing in their case management for children with elevated blood lead levels. It is a radioactive isotope machine that they can take into homes and find out if there is lead paint, where the source is, whether it's in the paint or in the soil. It's a very important tool in their ability to do their work. The machine needs to be resourced every 2-3 years and is due for that work now.

**iii. Reduction of Appropriation Ordinance 2022-01; ROC 2022-33, Supplemental Juvenile Probation – budget reduction**

Kylissa Miller explained that during the 2023 budget review of revenue streams, it was determined in the Supplemental Juvenile Probation fund that their revenue stream was not as originally projected and they were going to have possible difficulties. They could fund this year but would not have enough to fund 2023. Part of the solution was to reduce the appropriations for 2022 that would leave funds available that were not earmarked and could be used for the 2023 budget. Kylissa had worked with the departments to determine the numbers in the accounts.

**iv. Reduction of Appropriation Ordinance 2022-02; ROC 2022-33, Drug Court – budget reduction**

Kylissa Miller said that this is a similar situation as with Supplemental Juvenile Probation just discussed. Based on historical expenditures, this particular account was over appropriated. They felt that they could reduce both 2022 and 2023 to help with the funding. The revenue stream for the Drug Court is quite a bit lower than what was originally thought. There was discussion and explanations regarding the amounts collected for user fees.

**v. Additional Appropriation 2022-24, ROC 2022-34, Commissioners/ARPA Fund – Building Renovation and Capital Improvements**

Eric Perry, Director of Government Relations with RJL Solutions, was present at the request of the Commissioners to outline the request tonight for a portion of the ARPA funds. Vittoria Meyer, Vice President of Communications of RJL Solutions, was also in attendance. Mr. Perry outlined his agenda that would be covered during the meeting. He reviewed what ARPA funds were and what they could be used for. They must be spent before December of 2026. The two steps to ensure compliance with the eligibility requirements are to identify a specific public health or economic impact that stem from the Covid-19 pandemic and then a designed response that directly addresses or responds to said impact. He pointed out the six criteria, one category of which, spending of these funds must fall under. He then gave a history of what had transpired, including meetings with the City and County, so they could decide what they wanted to do in conjunction with each other and so there would be no duplication of spending on the same kind of project. Each had now begun identifying which projects they wanted to undertake. As of today, the Commissioners have identified two projects they are presenting for

consideration. Both uniquely meet ARPA eligibility requirements and will have an immediate impact on the community. The presentation continued with other areas that the funds could be used for down the road. Interest in these areas had been expressed in various meetings with various County officials. The first project tonight deals with water and sewer infrastructure and he explained what was being entertained. Larry Robbins, County Engineer, had provided all with a booklet setting forth the various locations throughout the County that would be included in this project. The cost of this project would be \$2,104,412. Larry Robbins explained what was being proposed and had provided breakdowns of all the projects with the total costs. The booklet also set out the priority of each sub-project. Most of these projects are too large for our forces to do and would be bid out. They are labor intensive, require a lot of specialized equipment and take a lot of time. The funding source for all these replacements if ARPA funds are not used would be CUM bridge funds and would take many years to accomplish. Using ARPA funds would allow them to be completed in about a year or a little longer. There was a lengthy question and answer session among Council members and Mr. Robbins. Todd Thacker commented during the discussion that he had no interest in funding anything until he funds everything. He wants to see a plan for the entire \$20 million. It was also noted that \$10 million of the ARPA funds are designated for lost public sector revenue and is fairly unrestricted. These items be proposed tonight are things that would normally take about 10 years to accomplish using County money and County employees but using ARPA money would allow them to be accomplished in about a year or a little longer. Council members were in agreement that they wanted to see some sort of plan for at least the entire \$10 million, agreeing that the plans did not have to be set in stone but they wanted to see something and not just approve projects piecemeal and one at a time.

Discussion then turned to the second request being presented tonight. This involved a rehabilitation of the entrance to the Vigo County Government Center dealing with safety features and ADA compliancy. RQAW has established a plan that will do the following: establish a clearly defined front entryway, create a security gate/security station, meet current ADA compliancy standards, have a reception desk and enhance way-finding measures so the public knows how to get around the building easier, and light grading of the front parking lot to improve drainage. Jason Soderlund, project architect with RQAW, described the project and scope of it. The estimated cost is approximately \$1.2 million. There was a lengthy question and answer session between Council members and Mr. Soderlund, Mr. Perry and Larry Robbins about this request. Larry Robbins did note that implementing this project would bring this building into compliance with the ADA transition plan that the County currently has. The building was retrofitted to comply with ADA standards 15-20 years ago but does not meet today's standards. The question was raised if this would require adding additional employees to man the desks at the entry. Chris Switzer said that the current plan is to move Officer Childs to the front door and run the security aspect of the entrance and a current employee in the Commissioners' Office would be moved to the reception desk, so there would be no new staff added. This is currently the only County building that does not have a metal detector at the entrance and this would provide this building with the same security measures as the other County buildings. Mike Morris gave a brief history of how this project started. When the

question came up again regarding ADA compliance, Larry Robbins advised that we are in compliance because we have a plan to the effect that when we have the money available, it will be brought up to standard. We are technically not in compliance but we have a plan that says when projects happen, we will come into compliance. The plan keeps us in compliance. Discussion continued.

Kylissa Miller explained that ROC 2022-36 concerned additional appropriations for gasoline for various County departments. With the increasing cost of fuel, several departments were running short on appropriations to make it through the end of the year. She sent a notice to all departments that had a gasoline line item in their department. There were 8 departments that requested the need for additional funds for fuel. Before she received the responses, she had made a projection as to what amount might be needed for each department and the responses she received fell pretty much within her projections. All County General funds are on one ordinance and the separate departments that do not fall under County General each have their own ordinance. There was discussion about the price of gas falling and how the dollar figure for each request was reached. It was also noted that the Sheriff's Department had asked for a range between \$75,000 and \$85,000 and we advertised at the higher number. In that way, the Council could decide ultimately the figure for the additional. Aaron Loudermilk asked if these figures were designed to get each department through the end of the year and that was affirmative. It was also discussed what would happen to the funds if the entire amount was not used for fuel. Larry Robbins also addressed the Council about his request and his cost conserving measures. He tried to keep his estimate at a bare minimum. Aaron Loudermilk questioned the amount requested by the Juvenile Center. Kylissa Miller said that they had used a lot of their appropriation in the General Fund from January through April. After that, they started shifting to the non-reverting fund. They were specifically asking for the additional amount from their non-reverting fund and not County General. They still have a balance in County General and the two together should get them through the end of the year. Following is the requested amounts for each department:

**vi. Additional Appropriation 2022-25; ROC 2022-36, General Fund (Sheriff, Surveyor, EMA, Building Inspection) – gasoline**

Additional appropriation amount requested for Sheriff is \$75,000-\$85,000.

Additional appropriation amount requested for Surveyor is \$2,000.

Additional appropriation amount requested for EMA is \$2,400.

Additional appropriation amount requested for Building Inspection is \$800.

**vii. Additional Appropriation 2022-26; ROC 2022-36, Vigo County Health Department – gasoline**

Additional appropriation amount requested is \$8,500.

**viii. Additional Appropriation 2022-27; ROC 2022-36, Highway – gasoline**

Additional appropriation amount requested is \$100,000.

**ix. Additional Appropriation 2022-28; ROC 2022-36, Parks & Recreation – gasoline**

Additional appropriation amount requested is \$24,000.

**x. Additional Appropriation 2022-29; ROC 2022-36, Juvenile Justice N/R Fund - gasoline**

Additional appropriation amount requested is \$3,000.

Chris Switzer added that when considering the Juvenile Center request for gasoline that Council should keep in mind that the Juvenile Center will be driving an additional three miles three times a day as soon as the inmates transition to the new jail since he has to pick up the meals for the Juvenile Center and transport them which will cause additional driving every day.

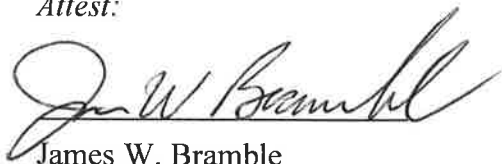
Vicki Weger made a motion to adjourn the meeting at 7:30 p.m. Todd Thacker seconded the motion. Upon a voice vote of 7-0, the motion was unanimously approved.

**MINUTES OF THE VIGO COUNTY COUNCIL**  
**SUNSHINE MEETING**  
**AUGUST 2, 2022**

*Presented to the Vigo County Council, read in full and adopted as written this 13<sup>th</sup> day of September, 2022.*

Aye <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	R. Todd Thacker
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Vicki Weger
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Marie Theisz
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	
Aye <input type="checkbox"/>	Absent <input checked="" type="checkbox"/>	Travis Norris
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Brenda Wilson
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	David Thompson
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Aaron Loudermilk,
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>	President

*Attest:*



James W. Bramble  
Vigo Auditor