

October 4, 2022

Council Chambers  
Vigo County Government Center  
Terre Haute, Indiana

**Roll Call:**

**Present:** Chris Switzer, Mike Morris and Brendan Kearns

**Others Present:** County Attorney Terry Modesitt, Cheryl Loudermilk, Hon. Chris Newton, Larry Robbins, Kevin Gardner, Tim Cunningham, Diana Winsted-Smith, Chris Eldridge, Josie Thompson, Bill Watson, Bruce Allen, Tony Cassiseah, Bob Murray, Channel 2 News, and several members of the public.

**Pledge of Allegiance.**

Chris Switzer called the meeting to order and led the Pledge of Allegiance.

**Review of Minutes/Claims.** Auditor James Bramble presented regular meeting minutes and rezoning minutes for September 20, 2022 for approval. Brendan Kearns made a motion to approve both sets of minutes dated September 20, 2022. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

Mr. Bramble then presented the Board with expenditures for the period of September 17, 2022 through September 23, 2022 in the amount of \$639,008.25. Brendan Kearns made a motion to approve the September 17, 2022 through September 23, 2022 claims in the amount of \$639,008.25. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed. Next, claims were presented to the Board with expenditures for the period of September 24, 2022 through September 30, 2022 in the amount of \$995,361.13 plus payroll in the amount of \$1,107,159.70 for a total amount of \$2,102,520.83. Mike Morris made a motion to approve the September 24, 2022 through September 30, 2022 claims in the total amount of \$995,361.13 plus payroll in the amount of \$1,107,159.70 for a total amount of \$2,102,520.83. Brendan Kearns seconded the motion on the floor. Upon a voice vote of 3-0, the motion unanimously passed.

**Resolution for Division 7 Court - Attorney.** Hon. Chris Newton said that there had been good response from the Commissioners, the Mayor, the prosecutor, private attorneys, and from the Terre Haute Bar Association about the necessity of a seventh court. Vigo County currently has either the second or third highest caseload of courts in the State of Indiana. It is hoped that an additional court will allow a quicker resolution to disputes. They also hope it will have an effect on the jail population. He was here today to ask for the Commissioners' support for the proposal by approving a Resolution in support. There is a senate committee that is going to meet next week with the State. If this clears that committee, it would then be up to the legislature to pass. Senator Ford indicated that the earliest that this could be put into place would be July 1, 2023 or possibly the end of the year. There were some brief comments from Commissioners Morris and Kearns. Brendan Kearns made a motion to approve Resolution 2022-09. Mike Morris seconded the motion. Before the vote was taken, Chris Switzer read the Resolution into record as follows:

"A RESOLUTION OF THE BOARD OF COMMISSIONERS OF VIGO COUNTY.

WHEREAS, the Judges of Vigo County have presented a proposal, statistics, and an estimation of expenses to the Vigo County Commissioners concerning proposed legislation to create a new Judge and Court (i.e. Vigo County Superior/Circuit No. 7) in Vigo County, Indiana.

WHEREAS, the members of the Board of Commissioners of Vigo County have reviewed and considered such proposal.

IT IS THEREBY RESOLVED by the members of the Board of Commissioners of Vigo County as follows:

1. The Board of Commissioners of Vigo County hereby requests the Commission on Courts to favorably consider the establishment of a new Judge and Court.
2. The Auditor of Vigo County shall forward a copy of this Resolution, including the positive and negative votes of the members of the Board, to the Chairman, Commission of Courts.

ALL OF WHICH IS RESOLVED this 4<sup>th</sup> day of October, 2022."

The motion to approve had been made by Commissioner Kearns and seconded by Commissioner Morris. Upon a voice vote of 3-0, the motion unanimously passed.

**Agreements for Engineering Services – Larry Robbins.** Larry Robbins said the first agreement was from DLZ for professional engineering services to evaluate the eight traffic signals of the County. The signals are all in various stages of age. This is a good opportunity to evaluate all of the signals with some new technology and make sure we are up to date and that the signals are functioning properly. County Attorney Terry Modesitt said he had reviewed the agreement and suggested some changes which have been incorporated and he is fine with the agreement. The cost of the evaluation is \$19,300. It was pointed out that the eight signals had been maintained by the City under an old maintenance agreement that dates back many years and is no longer adequate for the services needed to maintain the signals. This will allow for improved maintenance going forward with either the City or however it is decided. Mike Morris said that this had been in the works for several months. Mr. Morris then made a motion to approve the agreement. Brendan Kearns seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

The second agreement was with HWC Engineering amending the Clinton Road contract. The first phase was originally planned to stop at Hasselburger Road with a traffic signal at that location. The gas station located on the northeast corner of Hasselburger Road has expressed an interest in making improvements to their site, so in order to accommodate them, we are extending the road to 1,000 feet north of there to incorporate their improvements into the first Phase so they don't have to wait for the second Phase. The first phase right now will probably be in construction in fiscal year 2026 with the second phase at least 2-3 years after that. Commissioners will need to approve the contract amendment, the numbers, and the increase of \$185,798 in the design contract. Mike Morris made a motion to approve. Brendan Kearns 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.** Assessor Kevin Gardner said he had been approached by multiple people who are concerned about the Air B&Bs popping up around the county. There is really no way to monitor them to make sure they are following the same guidelines as other hotels and things of that nature. It was suggested that perhaps some sort of permitting should be implemented so they would have to comply with the Innkeepers' Tax and follow the same guidelines that other hotels and operations are required to follow. Chris Switzer noted that Dave Patterson had raised this same issue about a year ago. It was felt there would be more and more of these popping up with the growth being experienced in the City and County. Jim Bramble noted that unless they are operating independently, the Innkeepers' tax is collected by Air B&B or VRBO or whoever they are renting the place through. Air B&B or VRBO subsequently pay the tax collected to the Indiana Department of Revenue and the IDR distributes it

back to us once a month. Discussion continued. Mr. Bramble noted that Georgia requires these types of operations to buy a permit from the local area of operation along with reporting to Air B&B.

The Commissioners also commented on the celebration and dedication of the Wabashiki Wetlands and the recognition of key individuals who were instrumental in implementing the project, including former Commissioner Judy Anderson.

Larry Robbins also commented on the paving of roads for 2022. Most paving is complete for the year. The one area left to pave this year is 36<sup>th</sup> and Oakdale which is a very short distance. They will be microsealing Hunt and Harrison Woods Subdivision in the next few weeks. Microsealing is a surface treatment on roads that are structurally intact and will extend the life of the pavement.

Chris Switzer said there are 35 days left before the election and urged people to get out and vote. Less than 25% of registered voters voted in the last election.

Next meeting will be October 18, 2022 at 9:00 a.m. in the Commissioners' Conference Room due to early voting. The meeting recessed at 9:25 a.m.

Attest:

  
James Bramble, Auditor

  
Chris Switzer, President

  
Mike Morris, Vice President

  
Brendan Kearns, Secretary