

August 29, 2017

Commissioners' Conference Room

Vigo County Annex

Terre Haute, Indiana

Roll Call:

Present: Judith Anderson, Brad Anderson, Jon Marvel

Others Present: County Attorney Mike Wright, Chief Deputy Auditor Cheryl Loudermilk, Jeremy Snowden, Joey Lehman, Scott Whittenberg, Kylissa Miller, Dave Rarden, Bill Watson, Stacey Todd, Hans Elibracht, Howard Greninger, Kevin Gardner, Steve Barnhart, Nancy Allsup, Mike Schalberg, Tammy York-Allen, Jerry Netherlain, Bill Bryan, Channel 2 News

Agreement for Vending with the State of Indiana. County Attorney Mike Wright presented to the Board a four year contract for the vending machines until the year 2020. This contract is with Indiana Family and Social Services Administration and Division of Disability and Rehabilitative Services (the state). They agree to keep the vending machines stocked with fresh food. **Motion: Action:** Approve, **Moved by:** Jon Marvel, **Seconded by:** Brad Anderson, **Passed:** all ayes.

Deed of Easement. County Attorney Mike Wright presented to the Board a Deed of Easement. The Fontanent Tavern is in the process of trying to get state approval for their septic system. Meyers Engineering has developed a design for their septic system, they need to place a portion of the system in the public right away. They have .23 acres of room for this tank. County Commissioner Jon Marvel commented that the previous owner was grandfathered to operate with a septic cleaner coming in. When it was sold the grandfathered clause ended; this is why they are having to put a new septic tank in properly approved by the state guidelines. This is a deed of easement that grants to the owner Dan C. Slack an easement that attaches to the land. **Motion: Action:** Approve, **Moved by:** Jon Marvel, **Seconded by:** Brad Anderson, **Passed:** all ayes.

Update on Litigation. County Attorney Mike Wright presented to the Board Exhibit 1 – Class Notice that was approved back in May 19, 2017 Hearing in front of Judge Stenson. This is the class action lawsuit over the Vigo County Jail that the court approved. The County was required to develop a plan to distribute this notice in an agreement with Mr. Sutherland. They agreed this notice will become part of their electronic kiosk system at the jail for people who charged with an offense and who are taken from the booking area back to the general population. This is going to be a part of their “book out” process. Any inmate who was adversely affected in the jail such as being moved to another facility, not being able to see their attorney or family/friends is entitled under this Class Notice. People who are charged with an offense who are booked in and then released will get this notice. Mr. Sutherland will be provided with a book of addresses of everyone who was booked in the jail from October 13, 2016 to send a letter by standard mail. Anyone entered in the jail from October 13, 2016 to present will be a part of this class action suit. A copy will be provided to them when the inmate is taken back to their block. It will be given to them then to acknowledge that they have seen this notice. Dave Rarden commented that the reality of the class action suit is very high hurdle for a court to grant. The court has

decided that there is a substantial problem which the court has recognized. The decision to do this adds monumental additional and financial exposure.

Minutes. Chief Deputy Auditor Cheryl Loudermilk presented to the Board with the minutes dated 08/22/2017. **Motion: Action:** Approve, **Moved by:** Jon Marvel, **Seconded by:** Brad Anderson, **Passed:** all ayes.

Minutes. Chief Deputy Auditor Cheryl Loudermilk presented to the Board the bid minutes dated 08/22/2017. **Motion: Action:** Approve, **Moved by:** Jon Marvel, **Seconded by:** Brad Anderson, **Passed:** all ayes.

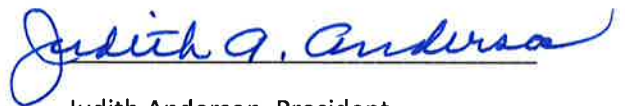
Minutes. Chief Deputy Auditor Cheryl Loudermilk presented to the Board the minutes dated 08/25/2017. **Motion: Action:** Approve, **Moved by:** Jon Marvel, **Seconded by:** Brad Anderson, **Passed:** all ayes.

Expenditures. Chief Deputy Cheryl Loudermilk presented the Board with expenditures for the period of 08/19/2017-08/25/2017 in the amount of \$393,280.10. Plus payroll in the amount of \$878,205.86 for a total amount of \$1,271,485.96. **Motion: Action:** Approve, **Moved by:** Jon Marvel, **Seconded by:** Brad Anderson, **Passed:** all ayes.

Comment from Public or other Vigo County Representatives. Jerry Netherlain commented to the Board that he did get a chance to go over the Highway Bids for Bridge No. 338 Poplar Street over Thompson Ditch. County Attorney Mike Wright commented that he would like to go over the Bids before making a decision. This is still under some consideration due to some addendum changes.

Dave Rarden commented to the Board that he toured the jail with Mike Schalberg last Thursday. He made some observations while he was there and the jail is very concerning.

There being no further business, it is now ordered the Board be recessed.



Judith Anderson, President



Brad Anderson, Secretary

Attest,



James W. Bramble, Auditor



Jon Marvel, Member