

September 28, 2021

Council Chambers
Vigo County Annex
Terre Haute, Indiana

Roll Call:

Present: Mike Morris, Chris Switzer and Brendan Kearns.

Others Present: County Attorney Jared Modesitt, County Attorney Michael Wright, Auditor James Bramble, Tammy York-Allen, Tim Cunningham, Diana Winsted-Smith, Kevin Gardner, Terry Modesitt, Sarah Holbert, Kara Wright, Josie Thompson, Bruce Allen, Terry Bays, Dave Patterson, Larry Robbins, Kylissa Miller, Howard Greninger, and several members of the public.

Pledge of Allegiance.

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

Review of Minutes/Claims. Auditor James Bramble presented the minutes for September 7, 2021. Chris Switzer made a motion to approve the September 7, 2021 minutes. Brendan Kearns 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 4, 2021 through September 10, 2021 in the amount of \$380,034.98; the period September 11, 2021 through September 17, 2021 in the amount of \$3,136,026.93 plus payroll in the amount of \$1,036,169.53 for a total amount of \$4,172,196.46; and the period September 18, 2021 through September 24, 2021 in the amount of \$528,012.12. Brendan Kearns made a motion to approve the September 4, 2021 through September 10, 2021 claims. Chris Switzer seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed. Chris Switzer made a motion to approve the September 11, 2021 through September 17, 2021 claims. Brendan Kearns seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed. Brendan Kearns made a motion to approve the September 18, 2021 through September 24, 2021 claims. Chris Switzer seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

Baker Tilly engagement letter agreement related to services - Auditor. James Bramble, Vigo County Auditor, stated that we previously signed an agreement with Baker Tilly to assist with the American Rescue Plan ("ARP") as needed. This is an amendment to that previous letter putting a "not to exceed \$25,000" amount in it. The previous letter only set forth an hourly rate and this amendment puts a limit on it that services will not exceed the amount of \$25,000 which is a requirement with the ARP regulations. After a short discussion, Chris Switzer made a motion to approve this letter. Brendan Kearns seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

Short form agreement between owner and engineer for professional services – Engineer. Larry Robbins, County Engineer, presented a short form agreement for Bridge 205 replacement, which is Hasselburger Bridge. This is just design services for that replacement. It was reviewed by County legal and changes were made and it is now in satisfactory form. Total contract price is \$165,820. Brendan Kearns commented that there is a goal of putting public access sites along Otter Creek. They are going to try to incorporate, pretty much at no cost, putting a kayak launch at the base of this bridge on Otter Creek. Brendan Kearns made a motion to approve this agreement. Chris Switzer seconded the motion. After some additional comments by Mike Morris, a voice vote of 3-0 unanimously approved the motion.

Stop Signs at Idle Creek – Engineer. Larry Robbins, County Engineer, said he had received a request about changing some intersections in Idle Creek to all-way stops. The intersections of Ironwood and Golf Bag, Ironwood and there's a dead end section with a cul-de-sac and Ironwood to the west are currently controlled by one stop sign. These areas are requested to be changed to all stops due to vehicles going onto a private road and almost hitting children. The signage will help the situation. County Attorney Michael Wright noted that an Ordinance had been prepared pursuant to IC 9-21-1-2 which gives authority to do this in order to enhance the safety, health and welfare of residents of Idle Creek. Brendan Kearns made a motion to approve the Ordinance. Chris Switzer seconded the motion. Upon a voice vote of 3-0, the motion was unanimously passed.

Fee Permits and emergency disconnects – Building Inspection. Terry Bays, Building Inspector, advised that they are requesting requiring safety disconnects on residential services. The City has already adopted this. He has talked with the utility companies and local fire departments and all are in favor of this requirement. It is a safety issue in an emergency situation. It will allow firefighters to shut off power before the utility company arrives. The cost would be in the \$100-\$150 range. There was discussion about this. Mr. Bays stated that this was already in the 2020 National Electrical Code although the State has not adopted it but the City has. The question was raised that since this requires a fee, does this have a 30-day waiting period before a vote can be taken and the Ordinance adopted. County Attorney Joel Modesitt said advised that the 30-day period should be required which will also allow time to draft the Ordinance and that way there will be paperwork documenting that proper procedures were followed. Mr. Bays noted that they had also submitted some price increases on inspections. A mechanical fee on any projects has never been charged. After reviewing the procedures/requirements of other counties who do charge for this, he has submitted a revised sheet adding that in. It was noted that this will also follow the 30-day notice period and then an Ordinance signed approving same. Lastly, he also asked about clean-up of some property in West Terre Haute owned by Joseph Montgomery. At the County Attorney's suggestion, they have tried to contact Mr. Montgomery for permission to go on the property for cleanup but have been unsuccessful. Michael Wright said they would also discuss the County's options for this situation when they review the other matters from today's meeting.

Comment from Commissioners or other Elected Officials. Karrum Nasser, Executive Director of Solid Waste Management District, was present with an update of their program. They are still trying on a weekly basis to find someplace that will accept glass for recycling but have been unsuccessful so far. They will keep trying. He also talked about their goals for this year that have been resoundingly successful and the goals they have for next year that will far exceed their success for this year. He also noted that on November 12 they will be launching an app that will give people information about dates for township cleanups and E-Waste Days and also inform people of non-profits that might take the item which should help people dispose of items responsibly.

Brendan Kearns noted that on July 20, the Commissioners heard about concerns of the Sullivan-Vigo Rural Water District. Recently, the Water District commented in a Tribune-Star article that they pretty much expected the Commissioners to give them \$1.8 million towards their water project. We still really don't know exactly what we can spend the ARP money on. It was learned at a conference the Commissioners attended last week, that we can use the money for infrastructure within our own County government house....not private utilities coming to us for money and expecting us to give it to them because the ARP language states that it can be used for infrastructure improvements. He would like the County Attorneys to draft a question to Baker Tilly for their opinion on whether the ARP funds can be used for the Sullivan-Vigo Rural Water District improvement. If we cannot do it, we need to know so that it can either be taken off the table or discussed further if it is a viable option.


Chris Switzer asked Larry Robbins to speak about the major roadway the County is taking over. Larry Robbins noted that as of 12:01 a.m., October 1, 2021, Vigo County will be taking over U.S. 40 from Dennis Lane up to Illiana Drive as a county road. This was tied in with the construction of 641.

Mr. Switzer then gave an update on the new jail. The building is completely weathered-in, paint, carpet and tile (including cabinets) are being installed in the administration side. Painting is going on throughout with some offices completely done. All jail cells are installed and in place and getting hooked up. Site curbing is complete, the first 3 inches of asphalt is down, underground conduits installed and the building will have internet by December. Topsoil and seeding is ongoing. Project still remains on time for March of 2022 and the project is running under budget with plenty of construction contingency. New flagpoles have been installed and the building is lit up at night.

Public Comments. James Kmetz of 2000 Blueridge Drive said a home near him had recently burned down and owners replaced it with a small modular and outfitted it as a daycare. It is operating at 2101 East Eaton Drive. It is not a home daycare. No one is living there. Mr. Kmetz went to Area Plan and was told they can't investigate it because they don't work after 4:00. They told him to contact Keith Frederick at Building Inspection but Mr. Kmetz said he wasn't complaining about a building problem but a zoning violation. Area Plan refused to look into it. When Mr. Kmetz investigated further, he discovered that the new daycare is located adjacent to an already established daycare that had been there for years and the owner for both daycares was the same. The already established daycare is operating out of a garage located behind the home and the garage and the new daycare are connected by a path. They are being operated as a commercially run business in a residentially zoned area. Mr. Kmetz wanted to know why he could not get Area Plan to look into this. Chris Switzer noted that Mr. Kmetz was not the first one to complain about the situation. Mr. Switzer will follow up with Area Plan. The County Assessor is also going to check his records on the assessment status for these locations.

Mr. Kmetz also about the panhandlers that are seemingly everywhere but especially in the south end of town. There was a lengthy discussion about the situation. Most of the individuals are doing this on private roadways where the only remedy is for the property owner to have them removed for trespassing but most property owners will not cooperate. Discussion continued. Basically, there is nothing that can be done. This has been an issue for a long time.

Today's meeting recessed at 9:45 a.m.


Mike Morris, President

Chris Switzer, Vice President


Brendan Kearns, Secretary

Attest:


James Bramble, Auditor