

July 16, 2024

Council Chambers  
Vigo County Government Center  
Terre Haute, Indiana

**Roll Call:**

**Present:** Chris Switzer, Mike Morris and Mark Clinkenbeard

**Others Present:** County Attorney Terry Modesitt, Auditor James Bramble, Cheryl Loudermilk, Josie Thompson, Tona Bean, Diana Winstead-Smith, Chris Eldridge, Amanda Bales-Puller, Vickie Albright, Ricky Hammond, Kara Wright, Jordynne Shelton, Larry Robbins, Kevin Gardner, Norm Loudermilk, Bill Watson, Brendan Kearns, Rhonda Coombs, Laura Tohill, Beth Tevlin, Todd Thacker, Tony Cassiseah, and several members of the public.

**Pledge of Allegiance.**

Chris Switzer called the meeting to order at 9:00 a.m. and Larry Robbins led the Pledge of Allegiance.

**Review of Minutes/Claims.** Auditor James Bramble presented the Board with minutes for the regular meeting for July 9, 2024 and the rezoning meeting for July 9, 2024 for approval. Mark Clinkenbeard responded to a comment made the prior week about the Commissioners saying a lot of "yes" votes to various matters. He wanted all to be aware that the Commissioners receive the documents on the agenda the day before the meeting and the Commissioners do look through and go over everything that they vote on. He wanted that noted on the record. Mr. Clinkenbeard then made a motion to approve July 9, 2024 minutes and July 9, 2024 rezoning minutes as presented. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

Mr. Bramble then presented the Board with payroll for July 3, 2024 in the amount of \$1,346,848.17 for approval. Mike Morris made a motion to approve the July 3, 2024 payroll. Mark Clinkenbeard 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 July 6, 2024 through July 12, 2024 in the amount of \$845,226.98. Mark Clinkenbeard made a motion to approve the July 6, 2024 through July 12, 2024 claims in the amount of \$845,226.98. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

**ARPA Agreement – Seelyville Fire Department - \$12,500.** Chris Switzer said they had four separate ARPA agreements for four different fire departments. It was decided that each should be approved separately. The first agreement was for the Seelyville Fire Department, second was Otter Creek Fire Department, third was Riley Fire Department, and fourth was New Goshen Fire Department with each agreement being for \$12,500. Mark Clinkenbeard noted that there would be five more agreements for fire departments at a later date. Mark Clinkenbeard made a motion to approve the agreement for Seelyville Fire Department for \$12,500. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed. Auditor James Bramble said there would still be a couple more steps before a check could be written to the various fire departments. The departments will need to submit what they want to spend the money for and that will need to be sent to Baker Tilly. Baker Tilly will then categorize it and prepare a written justification for it.

**ARPA Agreement – Otter Creek Fire Department - \$12,500.** Mike Morris made a motion to approve the agreement for Otter Creek Fire Department for \$12,500. Mark Clinkenbeard seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

**ARPA Agreement – Riley Fire Department - \$12,500.** Mike Morris made a motion to approve the agreement for Riley Fire Department for \$12,500. Mark Clinkenbeard seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

**ARPA Agreement – New Goshen Fire Department - \$12,500.** Mike Morris made a motion to approve the agreement for New Goshen Fire Department for \$12,500. Mark Clinkenbeard seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

**2 Contracts for Kone- Decommissioning Elevators at Old Jail – Ricky Hammond.** Chris Switzer said that as a part of the jail demolition process at 201 Cherry Street, Indiana Department of Homeland Security requires a decommissioning of elevators because they are hydraulic and all the fluid has to be drained. Those elevators have not been usable for almost a year. There are two contracts to get this accomplished. This cost for the proposal for draining the oil for all four units is \$11,162.48 and the second proposal is for \$2,776.72 to bolt the elevator doors shut, disconnect the power, and provide state inspection for the completion of the decommissioning. The cost for this comes from the project for demolition of the jail. Funds were included in the budget and are already in place. Mark Clinkenbeard made a motion to approve the complete decommissioning contract in the amount of \$2,776.72. Mike Morris seconded the motion. Before a vote was taken, Chris Switzer noted that one change was going to be required to the contract to make the change for dispute resolution from Rock Island, Illinois to Vigo County, Indiana. Mark Clinkenbeard withdrew his motion. Mr. Clinkenbeard then made a motion to approve the decommissioning contract subject to the change from Rock Island, Illinois to Vigo County, Indiana for dispute resolution. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed. Mark Clinkenbeard then made a motion to approve the contract for draining of the oil in the amount of \$11,162.48 subject to the change from Rock Island Illinois to Vigo County, Indiana for dispute resolution. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

**Legitimate Use Permit Application – Commissioners.** Chris Switzer said the City of Terre Haute has a project going on to upgrade their sewer system down behind The Mill on Prairieton Road. They need to get rid of the fill material that was removed and move it elsewhere. Upon doing so and after having a conversation with Tim Drake, the owner of The Mill, Mr. Drake had requested that he receive that fill to expand his venue. Since the County owns the property, Indiana Department of Environmental Management is asking to sign off since the soil is potentially contaminated. Mr. Drake has used some of the soil in about 10-15 foot area. It was noted that if a surface is put on top of the fill, it is okay. The Commissioners felt that they would like to look into this further. Mike Morris made a motion to table this matter. Mark Clinkenbeard seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.

**Greg Zoeller – WVR.** Greg Zoeller of Wabash Valley Resources addressed the meeting. He said WVR would be announcing today the name of the company that was going to be the provider of services that people are focused on. He also addressed the issue of community benefits and how they planned to move forward. He apologized to the Commissioners for inadvertently placing them in a position where it was perceived that they would be designating where the funds would go. WVR will be putting the funds into the Wabash Valley Community Foundation with it being segregated from the funds that are more public. WVR will still be coming to the Commissioners regarding road improvements, public safety, and fire departments because they will be manufacturing anhydrous ammonia and realize the inherent risks of that. These are funds that are already in their budget that they will be paying for. There are also funds they will be giving to the Wabash Valley Community Foundation for handling. They want to designate what they are calling "Justice 40" for areas of the County that may have less population but are more impacted by previous environmental problems and have issues in terms of economic problems. These people may not be the most prepared to provide an application for grants. He indicated the Commissioners may still want to informally participate to

help provide some support for people in those areas to make sure that they apply for and are awarded grants in the way that WVR intends. WVR intends to stay focused on making sure that the funds they put into the Community Foundation go to the areas where they will have some impact on the local communities. He submitted a letter from the Wabash Valley Community Foundation explaining how the funds will be bifurcated. The non-profit funds will flow through the Community Foundation. Beth Tevlin, President of the Wabash Valley Community Foundation, explained how the foundation works and talked about how the process will work for the funds. Mr. Zoeller said the WVR will create the donor advised fund. The company is not going to make the decisions on where these funds need to be placed for the best interests of the community. WVR has already made initial contact with the local fire departments regarding a safety plan. The plant will not be operational until 2027 so there is time to develop such a plan. There was a lengthy discussion.




**Public Comments.** Janet Strole Cianteo asked if they would be able to view the comments made to the Commissioners before yesterday's deadline about the benefits agreement and also commented about the WVR benefits agreement and dissatisfaction with lack of response and meetings with residents. She asked that this matter be tabled. Chris Switzer clarified that there was nothing up for a vote by the Commissioners. WVR was going to be working directly with Wabash Valley Community Foundation. Mr. Switzer also said they would put the comments received about the benefits agreement on line for viewing. Mr. Zoeller clarified that the community benefits plan is not a document that will be approved/signed by the Commissioners. This is an item in their budget for the project. This is a non-profit commitment WVR makes to the community.

**Comments from the Commissioners or Other Elected Officials.** Councilman Todd Thacker thanked WVR for being at the meeting today and added several comments regarding communication being very important. Norm Loudermilk, Executive Director of the Juvenile Center, advised that there will be some construction at the west end of the Juvenile Center later this year. About one-third of the parking lot will be used for construction. It was requested that some type of signage be placed in that area to indicate parking was not allowed for safety purposes. Mark Clinkenbeard noted that the sealing and striping of the parking lot was complete (but they would take care of Mr. Loudermilk's request) and that it was paid for with ARPA funds. The Courthouse dome project funded by ARPA funds has also been started. Chris Switzer also indicated that the ARPA funding for Rose-Hulman was moving forward with rezoning having been approved earlier this week. Construction should start there later this Fall.

The meeting recessed at 9:36 a.m.

Attest:

  
James Bramble, Auditor

  
Chris Switzer  
  
Mike Morris  
  
Mark Clinkenbeard