

POSEY COUNTY COMMISSIONERS TUESDAY, JANUARY 6, 2015

The Board of Commissioners met in regular session in the Commissioners' room at the Hovey House, 330 Walnut Street, in Mt. Vernon on Tuesday, January 6, 2015 at 9:00 a.m. Members present: Commissioner President Carl A. Schmitz, Jerry R. Walden, James L. Alsop, Attorney Jacob Weis and Auditor Kyle J. Haney.

Commissioner President Carl A. Schmitz opened the meeting by leading the Pledge of Allegiance.

MINUTES

J. Walden made a motion to approve the minutes of the previous meeting with corrections and J. Alsop seconded the motion. Motion carried with a vote of 3-0.

CLAIMS

J. Alsop made a motion to approve the claims with the exception to the claims for WTH GIS. It was requested that EMS and the Sheriff's Department verify that the claim is not for AVL. J. Walden seconded the motion. Motion carried with a vote of 3-0.

TREASURER'S REPORT

J. Walden made a motion to accept the Treasurers Report for November 2014 and J. Alsop seconded. Motion carried with a vote of 3-0.

HARMONY WAY BRIDGE

Mr. Walden provided an update on the bridge. He stated that he has prepared a handout on some preliminary guidelines of what has to be done and what is available provided the bridge is in the name of Indiana.

2015 BOARD APPOINTMENTS

J. Alsop made a motion to appoint the Dr. Joseph Lee to the Health Board and J. Walden seconded. Motion carried with a vote of 3-0.

Vicki Emge on the Poseyville Library Board has served her maximum time on the Board and it was stated that a replacement was necessary. Kim Wassmer was recommended by another member on the board. The Commissioners will continue to find potential candidates and make their appointment at their next meeting.

It was noted that the District Board under Larry Robb was missing an appointment. It was noted that the EMS Board also needed an appointment, and that appointment requires an Attorney that lives in Posey County.

Mr. Schmitz stated that they will keep searching for appointments.

HOLIDAY SCHEDULE 2015

The Commissioners set the Holiday Schedule for 2015 in a previous meeting without consideration to the 2015 City Elections that will be held in the Hovey House. The election days, May 5th, 2015 and November 3rd, 2015 have been added to the Holiday Schedule. J. Alsop made a motion to move the Commissioners meeting to the Monday, May 4th, 2015 and Monday, November 2nd, 2015 and J. Walden seconded. Motion carried with a vote of 3-0. J. Alsop made a motion to make the Primary Election Day, Tuesday May 5th and General Election Day, Tuesday, November 3rd, holidays as opposed to two floating holidays and J. Walden seconded. Motion carried with a vote of 3-0.

AMERICAN STRUCTURE POINT

Greg Kicinski Road Group Leader with American Structure Point, appeared before the Commissioners, as well as Tyler Price, Brian Cummins and Mark Tooley who were all from the Evansville office. Mr. Kicinski discussed the Western Bypass and how to move

forward. He stated that the Western Bypass project appears to be a 42 month long project that will go into the late summer of 2018. He stated that opening the bypass prior to the fertilizer plant opening or beginning construction soon was ideal in consideration of the projected truck traffic created by the fertilizer plant construction. Mr. Kicinski noted that purposes of the bypass were not only to move traffic out, but to also open up areas for economic growth and development, building off the momentum of the fertilizer plant. He added that the purchase of right of way takes the longest amount of time in the design process and that the right of way has not been determined yet. He proposed to move forward with a startup contract to begin the survey and to begin the design to determine the right of way limits that will be needed. He stated that previously a corridor was established and that a final design process will define the exact limits of the right of way and the right of way purchasing process could begin. He proposed that moving forward with a startup contract prior to the crops being planted would be ideal in order to move things forward quickly and more cost effectively, also, ground surveys would be needed before any design could start. In addition to design, he stated that they would move forward with utility coordination to establish locations of where the utilities are. He also stated that they would also be working with the railroad and requirements for the bridge. Mr. Kicinski proposed to the Commissioners that would start a schedule that would have the survey completed and the design started by the end of this month in time to have a ground breaking at the end of this year to begin construction on the railway bridge for the overpass. He stated the following spring they could begin construction on the roadway itself and traffic passage could begin late summer of 2017, approximately one year earlier than when the plant would be completed. He noted that the most effective way to construct the roadway is to build it in phases. He explained that the alternative if they wait is to start the process when 100% of the funding is in place and would set the construction timeline back, due to the seasons, approximately one year and the opening of the bypass projected to August of 2018 which will be close to the opening of the fertilizer plant. Mr. Kicinski added that there would also need to be some coordination with the railroad that would need to start early to ensure successful coordination. Mr. Kicinski stated that he would have a contract prepared and ready to present within the next two days. Mr. Schmitz stated that he would appreciate an email to all three Commissioners when the draft was completed and Mr. Zielinski agreed.

LARRY ROBB, EMA, GRANT SIGNATURES

Larry Robb, EMA Director, requested the Commissioners signatures of acceptance for the Homeland Security Grant. He stated that the grant is \$15,000 and it will be used for an emergency generator at the Poseyville Community Center. The building is used for an emergency center. Mr. Robb stated that there were no matching funds. J. Alsop made a motion to accept and sign the grant and J. Walden seconded. Motion carried with a vote of 3-0

HOLLY MITCHELL, COMMUNITY CORRECTIONS, GRANT SIGNATURES & LETTER OF APPROVAL

Holly Mitchell, Community Corrections, requested the Commissioners for grant approval for the 2015/2017 grant applications and signatures as well as the budget for the coming fiscal year in the amount of \$277,264, all State funds. It was noted that there are two positions left to be filled on the Board, one is a lay person and one is a Director of Family Resources or their designee. It was also noted that the budget was approved by the Board. J. Alsop made a motion to approve the budget and sign the letter to the Department of Corrections and J. Walden seconded. Motion carried with a vote of 3-0. Mr. Alsop requested Mrs. Mitchell to write a letter to the Division of Family Resources and send the letter to the Commissioners as well, and he addressed the newspapers to assist the Commissioners in notifying the public of the position that is available on the Board.

NANCY HOEHN, ASSESSOR, ADA COMPLIANCE

Nancy Hoehn, Assessor, spoke about this year's ADA Compliance and transitional plan. She stated that this is the final stage of ADA Compliance and putting together the transitional plan to complete the tasks that need to be brought into compliance for the

State. It was stated that the cost was about \$5,400, and it was the final stage of a \$15,000 plan. She stated that the work has been done to discover what needed to be brought to compliance and that the final plan creates a timeline for completing the specific items needed to be addressed and finding the funding to do those compliance items. It was stated that it was similar to a business plan or a schedule of what needed to be done. Attorney Weis asked if there was a deadline to the transitional plan and Mrs. Hoehn responded that there is not a deadline date per say but the possibility of the State revoking grant funding. She stated that last year the Commissioners approved Lochmueller Group to do the work, however the funding has not been established. Auditor Kyle Haney stated that in Consulting Services there was about \$20,000 budgeted for the year, and that Contractual Repair had \$50,000 and was a source for funding as well. It was stated that part of the plan includes monetary values and cost figures and that information is basically what the plan identifies. It was noted that the plan cost cannot come from Cum Cap, however the improvements can come from Cum Cap. Mr. Alsop stated that between now and the next meeting, find out what is committed from Contractual Services. It was noted that the State could revoke grants because of non-compliance. Mrs. Hoehn stated that it was important to continue working toward compliance. Mr. Walden asked if there would be bidding and Mr. Alsop replied that Lochmueller had completed all the work. It is clarified that the transitional plan will identify buildings and what needs to be done first and that Mr. Batteiger may have started on some of the small issues. Mrs. Hoehn gave an example that the plan will identify what they will have to do this year and what it is going to cost, then what they have next year and so on. Mr. Alsop made a comment to make sure they had the funding in place. Mrs. Hoehn and the Commissioners reached the resolve that Mr. Haney can send everyone an email when he located the funds and Mrs. Hoehn could get started. J. Alsop made a motion to proceed with the ADA Compliance Transitional Plan when the funding was established and J. Walden seconded. Motion carried with a vote of 3-0.

**DEBBIE BENNETT-STEARSMAN, ECONOMIC DEVELOPMENT
COALITION, BLIGHT ELIMINATION PROGRAM**

Debbie Bennett-Stearnsman, Economic Development Coalition, presented the Commissioners with the details of the Blight Elimination Program. She notified them that the County was awarded \$560,000 to demolish thirty homes. She presented a copy of her organizations contract to do the administration on the program. She advised that there is \$750 per home over a period of three years, which is \$250 per year to do the administration on the homes and that comes out of the funding that is set aside for the homes and that the administration for the home is canceled should the home be sold within that three years as well as payment. Mrs. Bennett-Stearnsman passed the contract to the Attorney for the Commissioners review. She advised that they are able to do the administration for the homes in the event they have someone in-house who could do the administration of the program. She also reviewed with the Commissioners the Partnership Agreement, which is between the Indiana Housing Community Authority, the funding agent and the County as well as the program partner. The program partner is defined as the owner of the home at the time the house is demolished, not necessarily the current owner. The five program partners are Mount Vernon Redevelopment Authority, Smith Township Fire Department, Dale Reuger, James Welsh Jr., Katrina Wagner, and Beverly Stone. She stated that to get the program moving, all the program partners that were proposed in the applications must sign the agreements and be sent to the State. The deadline was January 9th and she stated she asked for an extension to January 30th. She stated that the required public hearing for the list of houses proposed in the application was held on December 22nd, 2014 and she stated that those minutes will be transcribed and sent to the Commissioners to put on file. She advised that the documents pertaining to the program partners have to be submitted to the State by the 30th of January and that the State has ten days to review all the documents, partnership agreements as well as the public hearing minutes and then they will decide which houses are permitted to move forward with demolition. She informed that in exchange for participating in the program the program partners have to enter into a mortgage, demand note and a promissory note and she gave the Commissioners copies for their review. She explained a lien goes on the property of up to \$25,000 or \$15,000 to demolish the house, and is a forgivable lien with no repayment until December 2017, all partners are aware and are in agreement to signing the documents. The mortgages and the notes are in favor of Indiana Housing and

Community Development because that is where the money is coming from and they will be responsible for releasing the liens when it is time. She also stated that she forwarded the list of properties that stated who the current owner is, who the proposed program partner is going to be and how much was set aside for that particular home based on if the home had a basement or not. She also provided information on the local match commitment for each home which met more than the 10% requirement for each home. Mrs. Bennett-Stearsman explained the waiver form that allowed for removal or change of the program partner, removal or change of a property as well as if there is money left over to add a property. She stated that in the event the waiver form is used they will present the waiver to the Commissioners and get approval before going forward. She advised that the County must open a separate checking account that is non-interest and that is only for Blight Elimination Program funds per the requirements of the US Treasury. She stated that the management of funds is monitored via online and includes permission levels that include the editor, who submits invoices and documentation into the system, the administrator, who sets permissions for access users, a reviewer, who view activities in the system and are restricted to viewing, lastly, the submitter or approver, who look at claims and validate the approval and submission. It was noted that the State have subjected the homes to environmental assessments, and does not include asbestos removal and the environmental assessments will be included in the bid packets for each individual home. She stated it will a public bidding with a bonding process. Mrs. Bennett-Stearsman suggested prioritizing homes for bidding purposes. Attorney Weis questioned the contract for Mrs. Bennett-Stearsman and the services of her organization, it was agreed that permitting two weeks for the Commissioners to review and sign was acceptable. Attorney Weis also questioned deadlines for January 30th, and Mrs. Bennett-Stearsman stated that the checking account needs to be open and set up in order for the account for the program to be initiated, as well as assigning the permission levels. She added that she would be assisting the Commissioners and demonstrating how to access the system and each will have their own individual password and user name. Mr. Schmitz asked if Posey County Economic Redevelopment Commission could be assigned as a program partner, she stated that it would entail adding another property for them to sponsor, or they could partner with a property already on the list in lieu of the current property program partner. It was clarified that another property could be added at any time as well as a program partner and could be done through the waiver process at a later date. Mrs. Bennett-Stearsman noted that the program has been flexible in the past as far as extending time. She also informed that the County did receive their transit plan, and was awarded a \$10,000 grant and the County has a \$2,500 match. The plan is for the initial transit study.

TREASURER JUSTIN WHITE, TREASURER'S YEAR END INTEREST EARNED REPORT

Treasurer Justin White reported to the Commissioner's on the Year End Interest Earned Report. He mentioned that there may be a minor typo concerning an interest rate quote with Congressional School Certificate Deposit, Community State Bank, which is marked as 50% and the correction was .50%. It was noted that the report was a breakdown of the actual interest earned in 2014 and was \$63,974.77. There were no questions or concerns.

ANIMAL CONTROL MONTHLY REPORT

Mr. Schmitz reported on behalf on the Animal Control for the month of December, that there were 42 complaints, 11 animals picked up, no animals euthanized, and no bites or rabies reported.

EMS REPORTS

Auditor Kyle Haney gave an update on the EMS Report received by the State and that the Commissioners would need to sign and return. Sabrina Harms, Dispatch Director stated she had a form to fill out. J. Alsop made a motion to approve the E911 signing and J. Walden seconded. Motion carried with a vote of 3-0.

HIGHWAY DEPARTMENT UPDATE, STEVE SCHENK, HIGHWAY SUPERINTENDENT

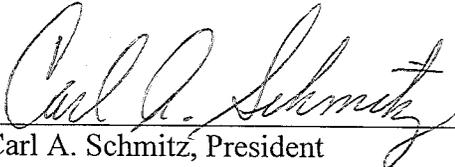
Steve Schenk, Highway Superintendent, provide the Commissioners with a report on the pavement of the chip and seal roads that were done last year. It was reported that they had put down three miles of new chip and seal for a cost of around \$120,000. The next item was chip and seal spots, and was eleven miles, that came in around \$311,649. He stated that recycled roads total twenty-six miles at \$949,475. The overlay on existing blacktop, 19.24 miles, and 14.6 miles was applied to the \$1,000,000 loan and that the overlay on chip and seal, eight miles at a cost of \$907,273. Mr. Schenk reported that the total road improvements were 67.05 miles at a cost of \$3,655,414.05. He stated that weight limit signs needed language adjustments to match new ordinance, such as including chip and seal, and increase in fines or simplify the sign altogether, and only include the weight limit. He made notification that he will be posting roads soon. Attorney Weis stated that he and Mr. Schenk should get together to finalize the new road ordinance as well work on the language. Mr. Schenk informed that the Indiana Department of Transportation will have a hearing on the January 7th at 6pm at the South Terrace Elementary School Library for a turning lane at intersection of Highway 66 and Rexing Road.

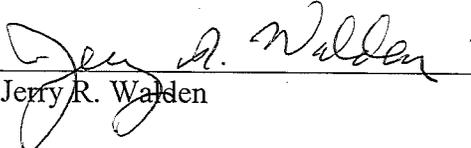
DEPARTMENTAL UPDATES

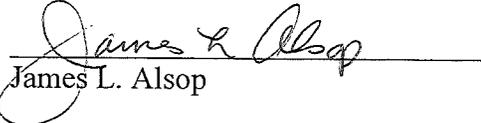
Betty Postlethweight, Clerk, thanked the Commissioners for closing the offices for elections.

David Sharber, Veteran's Services Officer, thanked the Commissioners for his being re-appointed. He added that he would like to create therapy groups for Veterans. He mentioned holding satellite sessions in Poseyville and New Harmony, and Griffin for Veterans who do not wish to travel to Mount Vernon. Mr. Sharber informed that the State of Indiana is moving towards electronic filing for Veteran's claims and with that he mentioned that he would like to obtain a laptop computer for use outside the office and that there may be some State funding for that. He added that he has worked with Mary Rhoades about the Honor Rewards program where Veterans are encouraged to record their DD214's in the Recorder Office and will give discounts for local businesses.

No other business was discussed, and the meeting was adjourned until Tuesday, January 20th, 2015.


Carl A. Schmitz, President


Jerry R. Warden


James L. Alsop

ATTEST: 
Kyle J. Haney, Auditor