

**POSEY COUNTY COMMISSIONERS MONDAY, DECEMBER 1, 2014**

The Board of Commissioners met in regular session in the Commissioners' room at the Hovey House, 330 Walnut Street, in Mt. Vernon on Monday, December 1, 2014 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 and J. Alsop seconded the motion. Motion carried with a vote of 3-0.

**CLAIMS**

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

**CLERK'S REPORT**

J. Alsop made a motion to approve the Clerk's Report and J. Walden seconded. Motion carried with a vote of 3-0.

**TREASURER'S REPORT**

J. Alsop made a motion to approve the Treasurer's Report and J. Walden seconded. Motion carried with a vote of 3-0.

**TREASURER JUSTIN WHITE, THOMSON REUTERS, TAX BILL PRINTING**

Auditor Kyle Haney presented a letter of authorization to permit Thomson Reuters to continue printing and sending the tax bills for the County. Treasurer Justin White was unable to attend the meeting. J. Alsop made a motion to approve the letter of authorization to continue using Thomson Reuters for tax bill printing services and J. Walden seconded. Motion carried with a vote of 3-0.

**EMA GRANT SIGNATURES, LARRY ROBB, EMA DIRECTOR**

Larry Robb, EMA Director requested the Commissioners signatures of approval for the 2014 Emergency Management Performance Grant. He stated that this was a competitive grant for a little less than \$8,500. EMA was awarded the grant for meeting and exceeding standards evaluated by the State of Indiana. He stated it will be used to purchase traffic cones for traffic lanes in emergency drive through operations, equipment for radios, and generator light trailers. J. Alsop made a motion to approve signing the grant and J. Walden seconded. Motion carried with a vote of 3-0. Mr. Robb also mentioned that they received a \$15,000 grant to put in an emergency generator in the Community Center in Poseyville.

**AUTOMATED OFFICE SOLUTIONS, MANAGED SERVICE AGREEMENT,  
JUSTIN FAITH**

Justin Faith, Automated Office Solutions, presented the Service Agreement for 2015 IT Services to the Commissioners. He stated that it included Help Desk and Tech Level II Support from Bill Flick at the rate of \$60 per hour at 1,992 hours for the year, with total contract coming to \$119,520 for a period of 12 months. He stated that this provides 24/7 emergency support for EMS and Dispatch, 8 hour daily on-site Technician, remote management systems with antivirus, and Service Level Critical Down for emergency 2 hour site response in the event of a systems emergency. He added a 12% discount has been extended to Posey County for the year 2015. There is also a clause that prevents the County from hiring Bill Flick during the year of 2015 and for a year following. J.

Walden made a motion to approve the Contract for Automated Office Solutions for 2015 and J. Alsop seconded. Motion carried with a vote of 3-0.

**AMENDMENT TO ZONING ORDINANCE, MINDY BOURNE, AREA PLAN DIRECTOR**

Mindy Bourne, Area Plan Director, proposed to the Commissioners an Amendment to the Zoning Ordinance, Section 153.183J, for parking surface requirements. She stated that the Zoning Ordinance, as it states now, only exempts Agricultural District from the requirement of all-weather material for parking lot surface. The amendment serves the purpose to address the incorporated areas and the unincorporated areas. The Amendment to the Zoning Ordinance states that all unincorporated county districts will exclude the all-weather surface requirements for new parking areas for Residential Zoning District, Commercial Districts and Office Districts, and Manufacturing Districts with exception to the office building areas around Manufacturing Districts. In the incorporated areas, the all-weather requirement applies to Residential Districts, and a variance is available for Residential Districts, and the requirements applies to Commercial Districts as well, and Manufacturing Districts are excluded. She stated that the proposal went before the Area Plan Commission and it was approved 7-0. The amendment also includes paved roads as well. J. Alsop made a motion to amend the Ordinance for the County areas and J. Walden seconded. Motion carried with a vote of 3-0.

**POSEY COUNTY CONVENTION, VISITOR'S AND TOURISM BUREAU, COMMISSIONERS' APPOINTMENT**

The Commissioners selected Patty Wilson from Cynthiana. C. Schmitz made a motion to appoint Patty Wilson for the Conventions, Visitor's and Tourism Bureau, provided she meets the criteria and J. Walden seconded. Motion carried with a vote 3-0. Mr. Alsop mentioned that some of the members do not meet the criteria, which are very specific. He noted that it was important to establish that all members meet the criteria.

**YEARLY BIDS, HIGHWAY DEPARTMENT**

Steve Schenk, Highway Superintendent, presented to the Commissioners, recommendations to accept the following yearly bids: Section I, Gasoline, recommended Wabash Valley 10,000 gallons; Section II, Diesel Fuel, recommended Wabash Valley, clear 25,000 gallons and dyed 25,000. J. Alsop made a motion to approve the recommendation and accept the fuel bid for Wabash Valley and J. Walden seconded. Motion carried with a vote of 3-0. Section III, Tires and Tubes, recommended Reiss Tire. J. Walden made a motion to approve the recommendation for Reiss Tires and J. Alsop seconded. Motion carried with a vote of 3-0. Section IV, Plastic Pipe and Aluminized Type II Metal Pipe, recommended Ohio Valley Drainage for plastic and Southern Indiana Drainage as a backup and recommended C.P.I. Supply for metal and drainage structure. J. Alsop made a motion to approve the recommendations for plastic pipe, metal and drainage structures and J. Walden seconded. Motion carried with a vote 3-0. Section V, Gravel, recommended Mulzer Crushed Stone. J. Alsop made a motion to approve the recommendation for gravel and J. Walden seconded. Motion carried with a vote of 3-0. Section VI, Crushed Stone, recommended Mulzer Crushed Stone. J. Walden made a motion to approve the recommendation and J. Alsop seconded. Motion carried with a vote of 3-0. Mr. Schenk stated that he skipped Section XII and Section XIII for Asphalt and Chip and Seal because those will be bid on in the spring. Section IX, Use of Labor and Construction Rates, recommended Russell's Excavating, D.K. Parker Co. and Jerry Chastain Excavating. J. Walden made a motion to accept the recommendation for all three and J. Alsop seconded. Motion carried with a vote of 3-0. Mr. Schenk gave the update for the Highway Department and stated that he contracted two hundred ton of salt from Posey County Co-Op.

**SHERIFF'S DEPARTMENT, FUEL BIDS**

Sheriff Greg Oeth made the recommendation to accept the firm bid with Wabash Valley at \$2.15 for all fuel. J. Alsop made a motion to accept the recommendation for Wabash Valley for the fuel bid and J. Walden seconded. Motion carried with a vote of 3-0.

## EMS, FUEL BIDS

Chuck Thompson, EMS Director, recommended Wabash Valley for the gasoline and Medic Five and Country Mark for diesel and for trucks in Poseyville, New Harmony and Mount Vernon with the card service at the pump. It is clarified that Country Mark is SynEnergy. J. Walden made a motion to accept the recommendations for EMS fuel bids and J. Alsop seconded. Motion carried with a vote of 3-0.

## HARMONY WAY BRIDGE DISCUSSION

Mr. Schmitz: Ok, now before we go to the department, we're back to the Harmony Way Bridge. As you know we appointed a Committee to do the study and they are to report back in two weeks from now and until their study is returned to the Commissioners we can't really do a whole lot, we need to give them time to act.

Mr. Alsop: Do you have the ninth member?

Mr. Walden: Yes, and I think just about everybody is present here and we've come to just about as far as we can go and if we have time we need to outline what some of the members have to say here.

Mr. Alsop: Okay, let's take this in steps, who is the ninth member?

Mr. Walden: Aaron Wilson.

Mr. Alsop: That was the eighth member.

Mr. Walden: Bill Wilson. I'd like to have them bring us up to date on where we're at on this thing because of the time crunch.

Mr. Alsop: Need to approve the ninth member.

J. Walden made a motion to accept Bill Wilson as the ninth member of the Harmony way Bridge Committee and J. Alsop seconded. Motion carried with a vote of 2-1. J. Alsop voted "Nay".

Mr. Schmitz: Okay, we'll open it up for discussion, or whoever wants to speak at this time, but with the understanding that there will be nothing put in concrete at this meeting. It will be done at the next meeting. That will be December 16<sup>th</sup>, because that is when the Committee is to report back on their findings at that time.

Ryan Rapp: Is there a scheduled Committee meeting?

Mr. Schmitz: That's up to your Committee.

Mr. Walden: We're at a point right now where we've got enough information that we need to bring forward to show you where we're at with it. And one of reasons for that, is the possibilities, is tearing down the bridge. Finding out where it's going to go in limbo and making that aware of what some of the options are. I know Spud has traveled a long way, he is coming from Illinois, as have others, Andrew is one of the spokespersons here, Linda Henning also is, and that's for Channel 14 or whatever, they're designated public speakers to set things forward, not necessarily in a Commissioners meeting.

Mr. Alsop: It's a public meeting, if they want to talk they can talk.

Mr. Schmitz: We'll open it up, if you want to share any information at this time.

Attny Weis: If anyone does want to come forward we just ask that you state your name and if you're not a resident of Posey County, what organization you are with, probably the Bridge Study Committee, but just so we can clarify for the record for those of us who are here and present.

Mr. Walden: Spud, do you want to come forward.

Michael "Spud" Egbert: I think me and Dr. Rice have been very patient with this council. None of you three would stay on a Commission when you had no insurance what so ever. You guys voted, I talked to the Attorney after the meeting, I emailed him the Deed for Illinois, and I didn't have yours Jim, I've emailed Carl and Jerry on a monthly basis and it seems like nothing is happening, and so I sent the email saying that we was going to resign on December 15<sup>th</sup>, because, we're, this is just stupid. In those emails, I've asked for a bill of sale, which would basically transfer ownership, why the deeds, the surveys and everything that's required to being done. I could have done that as a Commissioner, Dr. Rice has told me I could, but why spend money twice for your Attorney to turn around and review it again. You're going to get all the money we have. Personally, I could leave today and resign, the liability is unbearable. And you guys voted, otherwise I would have already resigned, it's not like I haven't asked and asked and asked. I've got a bill of sale that I've prepared today that I would like for you to act

on. I mean you've already voted to take it over, and that would relieve me of liability, from my understanding from talking with an attorney, because you guys would assume ownership guys. And from my understanding your insurance carrier is not going to charge you any more to take that bridge under your policy. The questions I seen from your Attorney were the questions that were answered here at the meeting when you voted, so I don't understand, I really don't. I mean you've got misinformation that it's going to cost \$500,000 to have the studies done that's got to be done. I've got a proposal for \$137,000 that's from a national firm that has an office in Chicago and an office in Indianapolis. And so it's, just, I don't live in Indiana, did you just do it for politics, all three of you? Is that all you did it for? And then no action? I'm talking both sides, Democrats and Republicans. The people of New Harmony, this region, deserves a chance for this bridge to be taken over and to try to apply for grants and have it reopened. And if you guys don't want to do that, that's fine. That's all I need to know, because I'll go and resign. I was asked if I would serve on your little Commission and I don't care to help. I told you that day I was over that I'd help. But, you know, I guarantee you that none of you three would do what we've already done and sit here and wait and wait and wait with no liability insurance.

Mr. Walden: Okay, who would like to speak next?

Mr. Rapp: My name is Ryan Rapp, I am from New Harmony, Indiana. I do want to thank you gentlemen, it is a thankless job to be a public servant. I want to thank Carl, not Carl, excuse me, Spud Michael Egbert, Dr. Rice and Clark, anyone who served on that Board, again it is a thankless job. I just want to start by reminding everybody that this is a difficult decision. I mean it is a difficult decision, it's a big deal. What I want to for my short time here is demonstrate that the risk of doing nothing in this meeting is greater than the risk of something, by executing a bill of sale on a Harmony Way Bridge. We see that there is a necessity of a reasonable agreement on the survey, which can be paid for by funds that the White County Bridge Commission has. It can be done by Taylor Brothers or by Umbach and Associates, those things can be put together as any prudent seller would do who had likely been in negotiation with those. Reasonably clean title, it's my understanding that there have been some title searches done and that it's reasonably clean and if that needs to be done, it can be delivered in two days, again we can execute a bill of sale based on reasonable agreement on the survey, reasonably clean title that any prudent seller, any prudent buyer would approve. Again, there was a decision made on August 19<sup>th</sup>, there was a vote taken, 3-0, in favor of the New Harmony Way Bridge being taken over by Posey County. At that same meeting, prudent people stood up, and said 'maybe there should be a Commission' and then nothing was done on that Commission, and in the meantime, we've spent an exorbitant amount of time putting our precious Bridge Commission together, that Commission means nothing if we do not take title. So my question is, was the vote that was unanimous on the 19<sup>th</sup> done to placate the people of New Harmony, done to placate the Commissioners on the White County Bridge Commission? Cause if it was, that's fine, but it's unreasonable to expect that the Wabash Valley Bridge Commission would continue to exist, as we dithered and we were feckless in doing what a reasonable buyer should do. So there's a laundry list of questions and answers, you know, I do want to add one more thank you. I want to thank the people who have actually come out and spoken against the bridge being taken over, because those people are helping the advocates of the bridge to clarify and communicate more effectively. If you're a public servant or you're in a marriage, communication is the key to success. And so I'm going to walk through these questions and answers and again I'm going to demonstrate, that doing nothing today, not acting on the bill of sale, pursuant to reasonable agreement on the survey and reasonably clean title, is more wrought with danger for the people of New Harmony and the people of Posey County, then acting on that bill of sale, agreeing on executing it today. So the first one was, where are the funds coming from to pay for the required inspection of \$480,000? Well the County doesn't have those funds available and as soon as we take ownership we are required to have an inspection. That's a reasonable question. The fact of the matter is, legally we are not required to have the inspection immediately, but just to demonstrate that the bridge does have its advocates. Carl Browning at the Indiana Department of Transportation, said, you know, about six months ago, 'I think we can get these companies to do this bridge pro bono, by those companies that want to be vendors to Indiana', well unfortunately it wasn't pro bono, but Robert J. Baker did give a proposal, which Spud referenced, to do the critical fracture inspection for \$137,000, so immediately people were like where are those funds. So this is where I am going to

thank the people who do not want the bridge, I'm going to say thank you because we need to more clearly explain where those funds are going to come from. Those funds are going to have to be gotten or received through a grant, a Federal grant, a State grant, a private grant, such as Historic Landmarks, these are private, quasi-private public foundations that are advocates. New Harmony, it is in New Harmony's interest to come up with matching funds, of say 20% of \$137,000, because whose going to benefit more than anyone. I want you gentlemen to know the County is not isolated, Posey County is not alone, New Harmony is here to help you, the State of Indiana is here to help you, and any community in White County will be willing to help you. Public private foundations that are advocates for keeping this landmark, they're all places that we can work together to get these funds. That \$137,000 bid is just an indication of the fact that the bridge has advocates, you are not alone. So, let's move on, do we have the correct legal description of the real estate in Illinois and Indiana, I guess the last anyone has heard is that there is a discrepancy on the Indiana side. I think we just got the survey from our County Surveyor maybe a month ago. But it isn't valid because he is only licensed in Indiana. Ok, there's Taylor Brothers, Umbach and Associates, can be easily taken care of, they're both respected. They're both likely to be licensed on both sides of the States. The cost of that at the high end would be \$10,000 and I think it's reasonable to expect the White County Bridge Commission can pay for that. Because the responsibility of a seller is to present a deed, to present a bill of sale. The responsibility of the buyer is to execute the deed, to execute the sale. And on August 19<sup>th</sup>, Posey County entered into a verbal contract, where they agreed 3-0 to take that responsibility. And as I said obviously Spud and the Commissioners on the White County Bridge Commission made their decision based on your assurances that Posey County had full intent to take over ownership of that bridge. I know that the voters of New Harmony based their decisions on who they would support based on the commitment by the Posey County Commissioners to take ownership of the bridge. As I walk through ownership institutions, let's just say taverns in Posey County, they think the deed is done, we voted 3-0 to take the bridge but we have some questions so let's answer some questions. Have there been title searches performed on each piece of real estate to ensure there is clear title? Where are the funds coming to pay for those searches? So I'm going to ask the Commissioners, has a title search been executed? On the Indiana side or Illinois side?

Mr. Alsop: Not to my knowledge.

Mr. Walden: Not to my knowledge.

Mr. Rapp: No, so we go into election with a commitment by the Commissioners to act as prudent buyers, we spent a lot of time forming a committee to make a decision. That committee is not necessary, the committee gives political cover. The image that we are doing something when in fact nothing is being done. And today if we don't act that's a vote against the bridge. Are we as certain as we can be that we are going to be able to secure the 80% in grant funds to repair the bridge to open it up to vehicle traffic? That's a reasonable question. Are we as certain as we can reasonably be to open up the western bypass? Are we as certain as we can be when make decisions to start a fertilizer plant? No we're not, and I don't disparage those things because what that shows me is leadership. New Harmony doesn't disparage Mount Vernon's efforts to improve the County, because it's going to help Posey County. We are asking reasonable support to help our endeavors. Are we able to collect tolls to offset maintenance, administrative and operational costs? There is some doubt that we can. Well obviously when the bridge was operational there were funds from those tolls approximately 1500 cars a day went across that bridge. The same approximate number is used for that western bypass, and we made a decision on that western bypass, that western bypass is a great asset. But were we as sure as we can be that we would have funds available to pay off that western bypass when we made that decision. Are we as sure as we can be that we had funds available for the eastern bypass. No, and in fact, Posey County spent \$68,000 to do a survey on the eastern bypass, were there funds available for that bypass, were there tolls available for that bypass, is that going to be paid for, is the future of the fertilizer plant certain? No its not, we're trying to be leaders today, we're trying to do what's best, but we can't let hypotheticals leave us paralyzed. And so we don't act, because in fact, this is kind of common sense, we said that we were going to take title to the bridge on August 19<sup>th</sup>, there's no reason that we can't, so if that title goes into limbo, that bridge may be destined to sit there for thirty years and fall into the water and becomes the responsibility of the Indiana Department of transportation and in fact they have already said that they will remove it if it falls into the water. In fact advocates of Indiana Department of

Transportation have already committed to the fact that they will take down the bridge if Posey County takes title and cannot find the funds for the repairs. The Governor himself gave assurances to Dr. George Rapp on Friday that he would call the Indiana Department of Transportation and advocate for those funds to be available to Posey County. Immediately upon that, George Rapp asked him, can we get that in writing? Yes, he said. So everybody knows it's time to act on that, not to quibble over can we take over the bridge. If we take over the bridge and there are high cost options, the \$480,000 for the critical fracture study, there are low cost options, \$137,000 for the critical fracture study and there are no cost options out there, Carl Schmitz himself, mentioned that Clink, a company in Illinois, offered to take down the approaches to the bridge for nothing. They would take the approaches so that it is non-operational but it is still sitting there in the middle of the river, that's actually something we can do to even alleviate the burden on New Harmony to even move the gas line perhaps. The gas line can still be there, New Harmony doesn't have to pay two, five million, whatever, move the gas line under the river. We could have a bird sanctuary there, we could have Bald Eagles that would be awesome. So these options are out there, but you know what, that zero cost option is not an option unless Posey County acts on the bill of sale today. Posey County has more risk when it goes out and buys a dump truck than when it buys a one dollar bridge. That bridge is on the National Register for historic places. It was on the Ten County Landmarks that are endangered and Marge Davis, on Friday, had a conversation with George Rapp and he spoke that, "Hey, we're going to remove Posey County Bridge from the Ten Endangered Landmarks because, good news, Posey County is taking over the bridge". No, they haven't taken over the bridge, they represented that they are committed to take over the bridge three months before the election, in less than one month after the election, my question is, is the baby going to die in the crib? Because a vote to not act today is a vote no. We're in the exact same situation we were in on August 19<sup>th</sup> that compelled us to act. There was an August 19<sup>th</sup> news article in the Courier and Press, 'Posey County to assume ownership of closed New Harmony Bridge'. A lot of people thought that was the end of the case. Jim Alsop commented, "Our backs were against the wall, in was the end of the line for the White County Bridge Commission, so we decided, ok, let's give it a chance". Well today we're here, we're at the end of the line all over again. So, what is our responsibility, our responsibility is to communicate effectively to those people in New Harmony, not New Harmony, Mount Vernon, other parts of the County, why it was the right thing to do, why the assets of the County are not at risk, or at a reasonable level of risk for leaders to move. When we built the bridge next to Wesselmans, it was only natural for people who were not going to use that bridge to not be supportive of it. People of Poseyville, people of New Harmony, why are we going to spend \$460,000 on a bridge next to Wesselmans, we're not going to see the benefit of that, but leadership was taken because we needed that bridge. It came in at \$460,000 and I think the original cost was a million. I am here today because I support you gentleman, I support the endeavor, New Harmony supports the endeavor for the Eastern Bypass, New Harmony supports the endeavor for the fertilizer plant. When the bridge ownership comes to Posey County, it will not put those endeavors at risk, we support those endeavors, they're going to give us jobs. Again, as far as the gas line is concerned, I understand it is more than reasonable for the Posey County Commissioners to say that New Harmony has had plenty of time to secure an alternative but have failed to do so, I don't believe that is an issue that Posey County should have to solve. Well, if Posey County doesn't take ownership of the bridge than it is a problem that New Harmony will have to solve. I can appreciate when people say that it is very irresponsible for Posey County to take ownership of the bridge and then to be saddled with removing it. I think we've addressed the costs of removing it, we've got assurances from the Governor, although they're not black and white, and that's one of the things I want to act on. We know that we wouldn't necessarily have to remove it because we know that we can take away the approaches which eliminates liability. So there are options, but we don't act today on the title, there are no options. So, finally, I am just going to say, the Council to the Committee had five questions. How much and where will the money come from to pay for the land survey? Well, the survey should be paid for from the White County Bridge Commission that is not an exorbitant amount of money. It would not even be unreasonable for us to even take that, I am sure New Harmony would be a willing partner in that, I am sure Crossville would be a willing partner in that. How much and where will the money come from to pay for the initial inspection? Well, like I said we are going to apply for grants for that, and if we never get a grant for that that is the indicator that we

haven't been successful, so now let's go to plan B which is a zero cost option. How much and where will the money come from to pay for bridge repair? Well obviously we are going to rely on grants, we are going to rely on the partnership of the Federal and State government, we're going to rely on the advocates of New Harmony, but again if those do not come through in a reasonable amount of time 2-5 years than we'll have to move to making sure the bridge comes down. But at that point New Harmony will control its destiny, New Harmony won't be saddled with a decaying bridge. Say, New Harmony wants to do a river front, they can't do anything right now with that bridge there. I'd say every time we make a decision on doing something with the levy or building something, that bridge comes into consideration. How much and where will the money come from to pay for the annual inspections? That's a prudent question. Were these questions asked before we decided to fix the bridge next to Wesslemans, were they asked before we decide to spend \$68,000 on a study of the Eastern Bypass? Which I think is the second time in two years we did a study on the Eastern Bypass. Were these questions asked before we decided to move on the fertilizer plant? No, but we don't disparage any of those, we support those endeavors. What these questions ask, is that, without perfect knowledge to these questions, what has to happen? Well, leadership has to happen. Posey County, New Harmony, me especially, has been an advocate for Jim Alsop, Carl Schmitz, and Jerry Walden, those guys came through for us, I thought, on August 19<sup>th</sup>. I know I sent emails, and I've made phone calls, where are we moving on the bridge committee? Immediately after the vote, where is the bridge committee? Because these things need to be answered, we're in a relationship. So saying that we have to wait to act until we get the answers is basically a vote to let the bridge die with some political coverage. The Commissioners need to focus on legal counsel, determining under what legal conditions the bridge can be transferred. In other words, is it legal to take ownership of the bridge? Yes it is. So, again in summation, the risk of doing nothing is less than the risk of Posey County politicians executing their commitments. Any questions?

Mr. Walden: No, thank you.

Mr. Schmitz: One thing Ryan, I did not, I proposed to you on Saturday about taking the approaches down, I have not found or talked to anyone.

Mr. Rapp: Clink, the company, Linda Henning, emailed us the Clink proposal, where they would take down the approaches over land, for the scrap, no cost.

Mr. Schmitz: Because I have not seen that, and that was one of the proposals I shot at you on Saturday night.

Jim Spann: My name is Jim Spann, resident and business owner, living in New Harmony, Indiana. I think Ryan has done a good job of addressing the list of concerns. On August 19<sup>th</sup>, a vote was made, it was unanimously agreed to take ownership of the bridge, there were no caveats to that motion, there was discussion prior and there was discussion after, there were no caveats in the motion, "we'll take the bridge if", it was "we're taking ownership of the bridge". It's a hundred days, we know that the Bridge Commission is about to disintegrate, we know that the title will be difficult, if not near impossible to obtain. And we know that the owner of the bridge, or the representative owner of the bridge, is here today with a deed or at least bill of sale. So I want to ask you, based on the motion that was approved, the only right thing to do is to carry out the motion, not wait until a Committee comes back with additional information, because as good as the questions are, we all know that they will never be fully answered, they will never be perfectly answered. And Ryan probably gave you as close to perfect answers as you would get two weeks from now if you were to wait. But if you wait, the title may not even exist. The bill of sale is here, the transaction can occur, so I'm asking, Mr. Alsop, Mr. Schmitz, Mr. Walden, please put a motion forward now to take the bill of sale.

Mr. Walden: Andrew, do you want to say something about New Harmony.

Andrew Wilson: I'm Andrew Wilson, I am a member of the Town Council of New Harmony. I am here primarily in regard as an individual, as you heard Ryan, we don't have any other option but to be a partner with you on this as the way I see it. We certainly haven't made any commitments yet, but our gas line runs right across that. I was up on the bridge on Friday and pointed that out, we don't have any other option but to be a partner. And to that effect, in rural government, around the world, you can't accomplish anything without having partners, so don't feel isolated in this decision.

Mr. Schmitz: One thing I have asked the Town of New Harmony, is if they could take ownership of the bridge, so they could own the piers and stuff to run their gas line. Because what I have learned from the State of Indiana is that the bridge will never open,

or that they will not allow us to open, or that the State of Illinois will not open it on that side either, is what I was told, because they got a weight limit on the bridge on the other side, Route 14, that will probably close with a three ton weight limit.

Mr. Rapp: Again, if the bridge is repaired and maintained and passes inspection, the State of Indiana, the State of Illinois can be compelled in a Federal Court to make the approaches accessible. And even if Illinois completely faltered on their execution, we'd have to take down the bridge wouldn't we? Not with Posey County funds, we'd have to execute the promises made by advocates for it and we'd have to get the money from grants and New Harmony, Crossville, and other partners with Posey County would come up with funds to make sure we got that taken care of. And in reality, if the bridge just sits there, where's the cost in that, because when it falls in the river, ultimately, it becomes the Indiana Department of Transportation's responsibility, that was covered a long time ago.

Mr. Spann: And I'd like to also bring up another point with that, so Mr. Schmitz, assuming that were to be true, for some reason even if the bridge addressed all of its structural and safety concerns, that for some strange reason, the Indiana Department of Transportation said we're not going to open the bridge, which sounds strange, but for let's just say they do that, or maybe they say, 'we'll do it but the weight limit is considerably lower, three ton', that's still a bridge that is useful for Posey County. If it were only a bridge that bicyclists, joggers, walkers and possibly golf carts could use that would be high value to tourism to this county. Ideally this bridge is reopened to vehicular traffic, cars, commenters, safety vehicles, EMS vehicles, that's ideal, but if by some chance INDOT is not willing to allow this bridge to ever be used again for that purpose, there is certainly another good purpose for this bridge, and its plenty strong enough for people to walk on, its plenty strong enough for people to bicycle on. And there's also sources of funding different than you would go to if you were pursuing it for highway use. If you wanted to turn it into a trail, there's other sources of funding you would pursue for that. So please don't think of this bridge as one dimensional, or having only one use. It has an optimal use, but it has other uses that can be extremely important to this County and to the tourism initiatives just being started in this County.

Mr. Walden: Jim, you've seen this before.

Mr. Alsop: No.

Mr. Walden: I've got a copy here. "It says demolition of the over land portion of the bridge, zero cost to owner, sufficient revenue exist in the steel components of the bridge to mitigate the cost of the Illinois and Indiana portions of the bridge over land." So that's a very recent acquisition here and it goes on to show, if it doesn't or whatever how they could demolish the concrete pillars with dynamite and so forth. And I can get you copies of it.

Mr. Schmitz: But that's something I have not received either.

Mr. Walden: I can definitely get that to you and get copies of it.

Mr. Alsop: Anyone else.

David Flanders: Good morning, my name is David Flanders. I'm a business owner in New Harmony also the President of the New Harmony Business Associates. On August 19<sup>th</sup> we presented to you a resolution the business associates had adopted in support of the bridge and reopening the bridge. This morning I would just like to reiterate and bring to your attention to the business owners who are here in the audience, taking time out of their schedule again to reiterate their interest in this issue. We have the Red Geranium Enterprises that's represented, Annette Buckland from The Muse in New Harmony, The Wilson's from Wilson Auction Realty, Jim Spann, who spoke, is the incoming President of the Business Associates and the owner of the New Harmony Soap Company, Laura Nickelson from LFM Textiles, Zach Weinzapfel from the Yellow Tavern, Jeff Smotherman from Firehouse Antiques, David Brown from Sarah's Harmony Way. Again, I'd just like to bring to your attention and just asking you to note the business owners who were here this morning taking time out to follow your actions and support for the New Harmony Bridge.

Mr. Walden: This hasn't been recently looked at but I was digging on the internet the other night and I noticed that there was an investment firm to finance the Wabash Valley, it says "the new Wabash Valley" this is several years old.

Mr. Alsop: It's 2012 and that investment firm is no longer interested. Anybody that wants to speak, speak.

Jeff Smotherman: My name is Jeff Smotherman, Firehouse Antiques, New Harmony, eleven year resident and business owner. I think everybody's covered everything. I just

wanted to speak to the Town of New Harmony, we moved there from Tennessee eleven years ago as I said. Found it a very appealing place to raise a family, to have a small business, we thought about, maybe doing it out east, the little town of New Harmony struck us a great tourist site. We bought a historic building restored it, put a lot of money into it, love it. The biggest thing I wanted to say about New Harmony, as you guys sit here and possibly feeling that everything is on the county as far as this bridge and redoing the bridge and taking responsibility for this bridge or however you want to put it. I think if you look at New Harmony and all the historic structures in New Harmony, I think you're going to find that the Town of New Harmony didn't pay to restore all of those, didn't pay to upkeep on all those buildings, I would say and I don't know exactly as a fact, most of those buildings have been restored privately or through grants, stuff from State, Federal government, whatever, but I don't want you to think that you'd be going at it alone with this bridge. The Town of New Harmony takes pride in all of its facilities and structures. The old grocery store next to me has just been redone, upwards of hundreds of thousands of dollars, that I'm sure that was all a private grant and stuff. I feel that there is a lot of backing for this bridge other than just looking at the County or even the State to restore this wonderful structure, it is a historical structure. People over and over coming into our shop that are tourists wishing it was open, wishing they could have just drove across it the way they used to coming into town, into New Harmony, that's part of the history of New Harmony. That's really all I had to say.

Mr. Alsop: Everybody else done.

Mr. Schmitz: Anyone else got anything to say. I scheduled a meeting with several of the INDOT people tomorrow afternoon and this was going to be one of our topics. That is why I thought we had to the 16<sup>th</sup>, and that is why I said at the beginning, I want to get INDOT's feel because originally they told us the minute we sign it we have to pay for the bridge study, no questions asked, a hundred percent,

Mr. Rapp: Is that the City or State?

Mr. Schmitz: That is from the State.

Mr. Rapp: Is that in writing? I'd like to see it in writing.

Mr. Schmitz: It's in as much writing as,

Mr. Rapp: I am completely willing to accept that, as long as you are willing to accept the representations just the same way.

Mr. Schmitz: But we need to get some stuff in writing one from the Governor, and I want to get it in writing from INDOT, because I want to,

Mr. Rapp: So my question is, was the vote on August 19<sup>th</sup> just to give us political cover to get us through that election.

Mr. Alsop: No.

Mr. Rapp: Okay, exactly, it wasn't, so its common sense right now, I say we propose right now to execute the bill of sale. I think we know we can take it, I think we know we can execute it, I think when you get in that meeting, INDOT is going to be happy that you made it and you're going to find that there are people within the State that, all the way up to Senators, that are willing to jump on board. But every time we try to do something in the last ten years, it's all come down to, it has to be owned by a public entity.

Mr. Alsop: You're exactly right, it has to be owned by a public entity, in order to get grant funds, and INDOT's walked away, IDOT's walked away, every time.

Mr. Rapp: Every time. They walk away

Mr. Alsop: And you're expecting them to step up to the table now?

Mr. Rapp: I'm expecting them to step up when it's owned by a public entity. Let's not get distracted, today we're here to execute a bill of sale, so that the title is in the hands of a public entity. Until then everything is hypothetical.

Mr. Schmitz: Because I want it in writing from INDOT, what is our obligation the minute we sign?

Mr. Rapp: I'll tell you what was in writing, in the minutes of an August 19<sup>th</sup> meeting, before the people of New Harmony voted, and that was a commitment from the Commissioners to take ownership of title.

Mr. Alsop: Alright, let's just, go, alright you can talk.

Aaron Wilson: My name is Aaron Wilson, resident of New Harmony, and was just made fund raising chair of the commission that was put together. I have spoken privately, which is not in writing, with multiple people who have financial resources that are residents of this County or former residents of the Town of New Harmony and they are willing to step up financially as well, so we are talking about things that are in writing

and things that are not in writing, so that's something that's not in writing. It's been made clear to me that if we don't take ownership of this bridge, and the Commission resigns then the State's Attorney Generals take ownership of the bridge, is that correct?  
Mr. Schmitz: From what I understand.

Mr. Wilson: So for the past ten years we have had multiple times when the State of Indiana has said "we are willing to do something but it has to be owned by a public entity first". That's what they have said over and over again, is that correct?

Mr. Alsop: Yes but they have also said that a public entity, not them,

Mr. Wilson: Okay, so if it's owned by a public entity like the County, then there is a possibility for them to step up and actually do that, what they said they are going to do. Whereas if we don't do anything today, now we're dealing with the State of Illinois who has done virtually nothing, and said virtually nothing of good will towards this bridge. So now we're going to have half a bridge, the landing on the side of Illinois, owned by a State that is broke, and a State that does not give a crap about his bridge. Thank you.

Zach Weinzapfel: Hi, I'm Zach Weinzapfel, a resident of New Harmony, my parents and I own and operate the Yellow Tavern in New Harmony. At the meeting on August 19<sup>th</sup>, you guys voted to take ownership of the bridge, and during that meeting the Commissioner Spud made it well known that they were going to resign, and after that the title would no longer be clean, and you guys realized that and you voted on it and you guys know this information already. It's been hammered many times, it's like we're talking to a brick wall. There's nothing else to be said.

Mr. Egbert: INDOT and IDOT can tell you what they want. IDOT still has that road coming to the bridge on their five year plan. That road right coming to the bridge is in that five year plan to be replaced. In their Capital Bill last year that the Illinois legislators passed, they was going to repave that road and after that bill was introduced it was amended to take that road off that Capital Bill, so for them to tell you that they are not going to do anything to it is not realistic. Secondly, let's just assume that the bridge is torn down, by Illinois statute, they have to maintain that road or bring it up to standards they have to bring it up to current standards before they can bring it up to the county. So IDOT has a responsibility for that road that will be there because there's people that live out there so they'll have to keep that road maintained or bring it up to standards, which means still replacing that last bridge right before our bridge, before they can even turn it over to the county. So for IDOT to say that they won't do anything with that road is not realistic. When we was shut down before because of the pier, INDOT and IDOT made those same threats that they would not reopen and we said "no, you have the authority to approve the plan to put the new pier in" which we did and they have a legal obligation to reopen the road at that point unless there's other deficiencies that's got to be fixed. And we told them, if you don't open we will take you to Federal Court, because we meet the minimum standards for it to be open and they knew, they trembled because they knew we was right. So for them to tell them a whole bunch of stuff, I've heard it all since I've been on the Bridge Commission. It boils down to a public entity owning it and getting money. So for fifteen years maybe, they have never said that to us. And I disagree with Illinois, Illinois has never come to the Bridge Commissioners and said we're not going to support anything, they have always been open minded. Now the one time they did say is whenever the \$10 million for a new bridge they said "there's no way", that's the only time I have ever heard them say anything negative. There are bureaucrats within INDOT that would love for that bridge to disappear. And that's not the top people, its people advising people, because they have said it to us. INDOT's paid for four studies on that bridge already and they've all come in with some motive to shut it down, but because of Bridge Commissioners as good advocates that's never happened. I know you guys are in a tough position but as a Bridge Commissioner, the Federal highway is going to own that bridge if I resign and Dr. Rice resigns, their legal department is already working on that if that happens. And I apologize to the people of New Harmony, but part of that process is, you're probably going to get a legal notice to remove your gas line in three months, six months because they're probably going to tell us to do that before we resign, that way they don't have to be the bad guys. The reality is that gas line is probably going to have to come off if we resign and somebody doesn't take title. And that's reality, and I've got the email this week that tells me exactly what to do, and Dr. Rice needs to do before we resign. Our letters are already printed, well they're in the computer, not printed, just need a date on them. We're going to work with Federal Highway because we don't want to leave them in a bind, but I guarantee their going to tell INDOT and IDOT with the Corp of Engineers, to take it down ASAP, and why are they going to do that, that way

politically no one can put pressure on them to transfer ownership or do anything else with it. And Federal Highway, in Indiana, first name is Keith and I'm not going to say his last name, he wants the bridge taken down like yesterday, like ten years ago. The Federal Highway in Illinois, the people we send our reports to, he's never been that way. Dan is a whole different person, they both work for the same Regional Administrator, but two different attitudes. So I appeal you to act of the bill of sale today. I would stand here and say ok I'll give you until the 16th meeting, but you know I thought I did what we had to do August 19<sup>th</sup>, that's the whole deal, now I've been very patient, you know, it's time for me to wash my liability one way or the other, either with you guys or Federal Highway telling me what I need to do and they do what they do. I guarantee you, they will take the bridge down in short order. And then the village of New Harmony is going to be in a real pickle. Thank you.

Attny Weis: Hey, Spud before you sit down, do you have a contact at Federal Highway I could speak to?

Mr. Alsop: We've got numbers.

Mr. Egbert: Do you have Dan Brittle's?

Mr. Alsop: We've got Dan Brittle and Keith, Keith is in Indiana,

Mr. Egbert: Dan's in Illinois.

Attny Weis: I commend you and Dr. Rice for everything that you have done and I appreciate your patience but I have a question as to the December 15<sup>th</sup> deadline does something expire on the 15<sup>th</sup>? Or?

Mr. Egbert: No, because of your inaction, including yours, because I talked to you after the meeting and said 'what do I need to do for you to make it happen' and you sent me an email back and said you have to get with these guys. The whole thing is, what it boils down to is should I have even did that or should me and Dr. Rice just contacted Federal Highway and said hey we're done, we're ready to resign and I did both at the same time. I sent the deadline December 15<sup>th</sup> and I contacted federal highway about what we needed to do. 15<sup>th</sup> or 16<sup>th</sup>, I'm not going to drag on forever. If that gas line blew up today I would own nothing, I would have liens against me unbelievably because damage to houses or whatever in New Harmony, or if some (one) got up there and jumped off the bridge. Like I said, no one you three would have did this, and it's a shame on your part, you voted and you should have taken the thing over.

David Brown: My name is David Brown, resident of White County, an owner and tax payer in New Harmony, business owner of Sarah's Harmony Way. When you meet with INDOT, and I mentioned this earlier, is anybody familiar with Wabash Cannon Ball Bridge of St. Francisville, south of Vincennes, that's a much stranger situation than this. It's owned by St. Francisville and it's an old railroad bridge, and obviously INDOT and IDOT give its approval to be opened. State routes do not lead to it, its county roads, I am sure, in Illinois I don't even know what county it is and Vincennes the same way, how can they give approval to that, which is owned by the small village of St. Francisville.

Mr. Alsop: How can who give approval?

Mr. Brown: How can INDOT and IDOT give approval for that bridge to be opened when INDOT and IDOT act like they can't give approval for this bridge to be opened?

Mr. Alsop: I don't know, because if they don't have a State road,

Mr. Brown: That would be my guess, but when I talked to them they said INDOT and IDOT had to give their approval for it to open. An engineering firm from one State approved it and the other State would accept and vice versa.

Mr. Alsop: Unless they got funds from those entities is the only thing I can think of.

Mr. Brown: But my question is, just ask them if there are any similarities between this bridge and that bridge. As a resident of a dysfunctional State, which I kind of feel like I am, IDOT has to be a little dysfunctional because how can they spent God only knows how much money getting the Mount Vernon Bridge to an automated system, then they turn around and as a grain hauler across that bridge and appreciate it greatly, but then they turn around and do away with that system after they spend the money to do it and they say "well we didn't realize that just so few vehicles went across it". They knew what the toll count was from day one, but for some reason, that seems a little dysfunctional, so when INDOT makes a statement and says, this, this, this, that was just completely idiotic.

Mr. Alsop: And when they make a statement to us and when they make a statement to you, you got to take it with a grain of salt.

Mr. Brown: And that's what I'm saying, when they make a statement, and the press I read at the time said, "we didn't realize so few a vehicles went across it and now it's not

going to pay for the system”, well they knew, they owned it. So what INDOT says I don’t buy into what they say.

Mr. Walden: I asked Rick Hall that question, and he absolutely, didn’t think there was any way that they could stop us from executing a bill of sale there’s nothing in there that says that you can or that you can’t. He didn’t go in and research directly but in all his years of being an attorney and a sharp one that was his opinion to me.

Mr. Alsop: Annette, do you want to speak.

Annette Buckland: Annette Buckland, owner of The Muse in New Harmony. I thank you for your attention to this issue. I have been a twenty four year business owner in New Harmony, paying property and sales tax in New Harmony for twenty four years. We are the largest building and business in the Downtown area. We’ve been through a couple of recessions, we’ve been through ups and downs. Twenty four years, I’ve kind of seen a lot of it. I saw the impact of the bridge come to a double digit drop in sales. After twenty four years, I was surprised by the impact of the bridge. Our economic relationship goes west, I wish it went east and west, but it does go west. As a sole proprietor, I take risks every day, you hope and you work hard but nothing is certain. So basically I make a simple appeal to you to try and move forward in a positive way on the bridge. Thank you.

Laura Nickelson: My name is Laura Foster Nickleson, I am a business owner in New Harmony and I have been a resident there for eight and a half years. I’m just simply here to appeal to your sense of honor. I think a deal is a deal. I am ashamed that you would now ask these questions, when you could have asked them before then. And I really take Ryan’s call to leadership very seriously, actually show some courage, step forward, step a little bit into the unknown and I guarantee we’ll take care of it. That’s all have to say, thank you.

Mr. Schmitz: Anyone else.

Bill Wilson: I have a question, is there a name that you could quote from INDOT, who told you it would definitely not be opened by INDOT? Who told you, who said it would not be reopened regardless?

Mr. Schmitz: It is the Director of the Southern Region.

Mr. Wilson: Do you have his name?

Mr. Schmitz: I’ve got it on my ice box, I met with so many of them, Rusty could probably tell you better, I was with Rusty Fallor that one day when I met with him.

Mr. Alsop: Is everybody all done, nobody else has to speak? Don’t start scratching your head, I think you’re raising your hand. Ok, Spud and Ryan, and such, and I appreciate your passion and I appreciate you coming and a lot of the comments were directed to me, and I understand that. I was the one who was up for election and for you to make political insinuations that this was political cover for me to win an election you’re totally wrong and it’s unbelievable. That this group would do that for political cover is wrong, ok? Now we agreed to take the bridge on August 19<sup>th</sup>, it’s there, it’s in the minutes, it’s in the newspaper, and you’re a hundred percent true. The questions that you were asking were questions that you asked me, I sent you ten questions and you failed to answer the one question that I asked, is Illinois, is the two bridges on the west side of the bridge going to remain open?

Mr. Rapp: They have to.

Mr. Alsop: No, they don’t. Okay, here is what we’ve done, since the August 29<sup>th</sup>, we’ve talked to our engineering folks about the scope of the inspection, gives us a price of what the inspections going to be, the scope, how much is it going to cost, what not, so they were doing it, they were putting stuff together, they were talking to people in Indiana and Illinois to make sure they had as a compressed comprehensive inspection done on this bridge as they could have, we didn’t want any surprises. During that time they were talking, and Steve correct me if I’m wrong because you had a lot more conversations with them than I did, they were talking to people in Illinois and Indiana, the bridge people, the Federal Highway bridge people from both States, during those conversations those people said we need to talk to the Bridge Commissioners, no we need to talk to the County Commissioners, we need to let them know what’s going on and make sure they have full understanding of what they’re doing. We said, okay, so a meeting was set up that they called in Vincennes on the 15<sup>th</sup> day of October and we went up there that afternoon. We had a meeting with two people from t CHA, the engineering firm, Andrew Arinc, Grant Dederling, David, I don’t know District Nine, IDOT something, I can’t read his last name, Carl Puszi, Dan Briddle, Muhamed Hzaiger, Keith Herzinager, I can’t pronounce his last name, Patrick Clausin, Steve Hildengard, with the Illinois Department, Carl was there,

Jerry was there, Steve Schenk was there and I was there. First thing out of their mouth, the bridges to the west of the toll booth were scheduled to be replaced, once the New Harmony Bridge closed those bridges were taken off. That's what they told us, and I don't know if that's true or not, but that's what they told us. That money was taken out of the budget and used somewhere else, and the chances of that money coming back to fix those bridges were slim. They also told us that those bridges are opened today to oil field traffic and farm traffic, because they don't have as much traffic going back and forth so that's the reason they're open. So we're sitting there thinking, okay, so we could conceivably have the bridge to nowhere, because if there's barricades just moved from the toll booth west, to that first bridge, all we have is a bridge cutoff island, that's all we have. That's the first thing that came to mind, to me, that was a concern, because the last thing you want to do is put thirty, forty million, twenty million dollars, whatever, to a bridge that only goes to one place, so that's a concern that sets up a red flag. Second thing that happened, we talked about grant funding, they said grant funding is competitive, and we understand that, they said most of its 80% some of its 50%, most of its 80%, and we understand that. So we said, what do you think in your mind the possibility of us getting grant funds? "Slim", why is it slim? "Because you won't score enough points", so okay, I don't know, but this is something that they're telling us, so I am only going based on their information and these are people that deal with it every day. Next question we asked is can we collect tolls on this bridge because it's not a by-state bridge, it's a County owned bridge? "We're not for sure you can because it's going to be owned by the County and not by the State". And that is a Federal government requirement, Federal government is the one that determines if you can't collect tolls. If you can't collect tolls, you can't fund the bridge, you can't fund the maintenance, you can't fund anything on the bridge, so that's a concern. That's one of the questions I asked. We also asked about removing the bridge, if we take it over and nothing happens we understand that the Federal Highway is going to remove the bridge, or DNR or somebody will remove the bridge. And two or three of them looked at each other and said that's not true, you own the bridge, you get it, and you own it. So and part of that has been answered, and then we asked about it being a historic structure, can it even be removed if it's a historic structure. They weren't for sure about that. So those are some questions that we have to know, or would like to know to have a reasonable assurance, yeah I understand we need to take a step, but I don't want to take a step off into an abyss. The other thing that we looked at, and we ran some numbers, and I looked at tolls from '09, '10 and '11, Spud, you'd know more of this, was there 1500 cars a day in '09, '10, '11 or did it get down to eight or nine hundred. Okay, so nine hundred cars a day, and you have to raise tolls if this can happen, you had net tolls, well average for the three years income was \$13,500, total income from miscellaneous stuff was \$319,500, your average net income per year for that is \$13,700, now maintenance cost average \$35,000 that's probably gone, salaries \$181,000 that's probably not going to be gone, but there are also some salaries that can be reduced or taken out of there, taxes of \$38,000, so that's gone, so you're looking at probably, in best estimates, \$100,000 net income coming off this bridge a year. So, whenever you say what's it going to cost for the bridge, the estimate that they've told us is fifty million dollars, their concern, and they said, you don't know what you're getting into, the Illinois approaches alone is a sixteen million dollar project just on the Illinois side, and these are people that do bridges that told us that, the Illinois approaches alone are sixteen million dollars. Now, again, I know you're smiling over there, but that's the information we've been given too. Okay, so it's a fifty million dollar bridge, their concern is that this thing will get to a point that you're never going to get enough funding to do it. They also said was this is the caveat, it's your decision you have got to make up your mind, we can't tell you what to do. So, say it's a fifty million dollar bridge, 80/20 match, we've got to come up with ten million dollars, okay, we get grant funding, we got to come up with ten million dollars, ten million dollar annual payment for forty years is \$480,000, thirty years, \$559,000, twenty years, \$711,000. Now I know that there can be some offset with that, we may not have to borrow that much money, but that doesn't cash flow, then who has to pay for it is the tax payers of Posey County. That's a difficult decision to make. Now, you mentioned to the fact of the Commission, on the 23<sup>rd</sup> of September there was motion made, let me rephrase that, the ninth, that was the first meeting after the 19th, on the ninth it was determined that we need a survey and boundary lines need to be located and established, because of the discrepancies in the legal description, we need to have a committee of five to seven members, Ryan was an interested member, Linda was an interested member,

Jerry was going to be a member, going to have a representative from Council, the Town Council and County Council. I made the motion to establish the committee at the next meeting, the next meeting was the 23<sup>rd</sup> of September, it was, the motion was made by me, to put Linda Henning, Ryan Rapp and Zach Weinzapfel and David Brown on the Board, it was also asked that because of the knowledge and connections of Spud that he be involved in that, okay, I made the motion to approve the names, Jerry didn't want to do it at that time, he wanted to hold off, he wanted to discuss it. That was on the 23<sup>rd</sup> of September, the committee could have been in place the 23<sup>rd</sup> of September, they could have been doing the work. Committee didn't finally get in place until last month and then we had to go from seven members which we approved to nine members. So the Committee has done some work, but it's taken some time to get there. I'll go back and talk about our meeting in Vincennes, I understand that we have an engineer's proposal for \$136,000, it's not as comprehensive as the one we've got, and it doesn't include some of the things we got in there, but we wanted to make sure it was comprehensive enough. Some of the comments in this from Dan Briddle, "section loss is so bad in some areas, it can be pushed through with a hammer, it's not safe, you've got to get something down, the load bearing from the bridge it cannot support its own weight" that's from Dan. "Approach bands are bad, you'd be chasing your tail, details and load repairs, hard to judge" There was a gentleman that sat up there that was really concerned that we would do this because he said "you really need to take a look at everything that you're doing". So I understand on the 19<sup>th</sup> that we agreed to do it, I understand that, these are the thing that come after that that make you want to pause and make sure you have more questions to be answered. I'm flipping through the notes. Load ratings they were concerned about the load ratings, they actually said that if this had been a bridge that had been inspected by them, it would have been closed years before it was actually closed, it should have been closed years before it did. So this has been an ongoing issue, an ongoing issue longer than eight years ago, it's been an ongoing issue for a long time. I still have questions.

Mr. Walden: I'd like to speak to that because I was there, the representative from Illinois said that they'd be hard pressed if Indiana repaired the bridge that they would reopen it. In other words the pressure would be there they would have to do it basically. That was one of the things that they said at the meeting. And I've never sat in a more negative meeting in my entire life and I've never sat in one where when I ask them questions, what are the alternatives or what are some of the things that they could come up with, the only thing they could come with is nothing at all positive was said in that meeting. Period. There was nothing at all positive, it was unanimous to trash the bridge, that's what I got when I walked out of there period.

Mr. Alsop: And I want to speak to Ryan's comments made about the fertilizer plant, about the Western Bypass. The Western Bypass, there's a funding mechanism in place, it will be paid for, 95% to 100% we have the funds to pay for it, it's going to come through, but we don't have it for the bridge in New Harmony. The bridge out by Wesselmans, took us four years before we could open that bridge up before we could make sure we accumulated that money, enough money to do that. That's a whole different animal than this one, we are over a by-state waterway, and it's a boundary line. INDOT and IDOT is going to tell you a lot of things because if you put pressure on Posey County, the pressure is off them. It's a bridge over a boundary line, that's what they're doing, they get the pressure off them. What I would like to ask, is Spud, you've got December 15<sup>th</sup> is the date, if you feel like you need to resign, you need to resign, I can't tell you what not to do and what to do. That's a decision you have to make for you and your family. I don't know what the bill of sale looks like, I don't know what it has in it, I will tell you that I will not agree to just blindly take over a bridge, to blindly take over a bill of sale. However, I will say, give us a bill of sale, let Jacob review it, let's go through it, let's see what it looks like and I would like to propose that we meet again next Wednesday, which will be the 10<sup>th</sup>. It will also give you an opportunity to make a presentation to the County Council, they have a meeting on the 9<sup>th</sup>, right here at 9 a.m. Because, we can say that we are going to do something but if they can't provide any funding we can't do it anyway.

Mr. Schmitz: Because there is nothing in the budget, the State allows a two percent increase each year.

Mr. Alsop: You brought up the study of the Western Bypass, and the Eastern Bypass was a State Highway project, the County wasn't out any money, we weren't involved in that at all. The way it is right now is the Western Bypass is going to be a County project

because the State don't want anything to do with it. There are through TIF financing we feel like there is enough money there, through reasonable assurance we feel like there is enough money that we will be able to do that. That's a whole different animal than this, but I would be willing to give Carl sometime, we have a Commissioners' Conference this week, they're leaving this afternoon, I'm not leaving until tomorrow afternoon. Give them some time to talk to some people, see where we are. And when it comes down to it we can do one of two things today, we can decide to give it until the 10<sup>th</sup>, or we can make another decision.

Mr. Schmitz: Could I ask, that bridge in St. Francisville is that Knox County that it joins? Because I will hunt the Knox County Commissioner down and talk to them.

Bill Wilson: On the Indiana side it is, and you've got a movie of it showing it has a wood plank floor.

Jeff Smother man: It really should be a tourist attraction. I called St. Francisville and I really couldn't get very many answers, it was actually owned by an individual at one time, and a similar situation, when they shut down this bridge St. Francisville took it over and what they said is that whenever it was inspected whatever one State agrees to, the other State accepts it.

Mr. Schmitz: But if it leaves Knox County, Knox County has to be involved in it, if it leaves Knox County.

Jeff Smotherman: Yeah they collect a toll, and if you go by there a certain time of night there is a bucket sitting there.

Mr. Schmitz: But I will bring that up.

Mr. Smotherman: It actually has a State sign.

Mr. Schmitz: (Answers a question about the INDOT meeting and if media will be present) No, it's a one on one, and in fact we can't even have two Commissioners there due to the open door policy. If something comes out of it then, I'll try to get them to meet with these two or at different times, that's the way we have to do business.

Mr. Alsop: Well, what I'm saying on the 10<sup>th</sup> we'll have a special meeting, and that will allow us time, and it's up to these two guys whether they want have a special meeting too, I'm willing to do that, but it's up to them too, yeah its long enough to advertise it,

Mr. Walden: Is it long enough to advertise it?

Mr. Schmitz: Being Spud's got the 15<sup>th</sup> out there, this would be before the 15<sup>th</sup>,

Mr. Egbert: When is your next scheduled meeting?

Mr. Alsop: The 16<sup>th</sup>, is our next regular meeting,

Mr. Egbert: I can give you until the 16<sup>th</sup>.

Mr. Schmitz: The 16<sup>th</sup> is going to be a long one, we've got committee meetings and everything else.

Mr. Egbert: I won't be here on the 10<sup>th</sup>

Mr. Schmitz: So what is the pleasure of the Commissioners?

Mr. Alsop: It makes me no difference. But if Spud wants to be there,

Mr. Walden: Well it could be a marathon thing, that's fine with me, I'd like Spud to be able to attend it, and if he's going to be out of town, so the 16<sup>th</sup>? Spud?

Mr. Alsop: Because the people we talked to in Vincennes, the Federal Highway's Counsel told them, because we asked them too, that it reversed back to both State's Attorney General, again,

Mr. Egbert: My resignation goes to Federal Highway, it doesn't go to INDOT, IDOT.

Mr. Alsop: And I'll give you Dan, Keith's phone numbers, you can contact them, we'll have an answer on them, and they'll have time to do research and get back with us to make sure that we have a definite answer on what happens to that bridge if it doesn't get fixed.

Mr. Schmitz: And I would like to charge the Town of New Harmony for an answer, if it looks like we tear down approaches, would the Town of New Harmony still accept the structures that are still standing there? To run their gas line on? And I'd like an answer back on the 16<sup>th</sup> on that too?

Bill Wilson: If the approaches are going to be gone, it does touch the gas line, because the gas line goes down.

Mr. Schmitz: Ok, but would the Town of New Harmony take the old bridge that sets on the piers out in the middle?

Bill Wilson: Only half of it belongs to the State.

Mr. Schmitz: Not if we take title and assign it to you.

Mr. Walden: I think we looked at that, I don't think New Harmony can take title,

Mr. Schmitz: Not if we take title and assign it to them, you would own the whole works then, the ground on both sides,

Mr. Rapp: That would be the zero cost option. I think it would be reasonable.

Mr. Schmitz: I'm asking, but the 16<sup>th</sup> I would like an answer.

Mr. Rapp: We're not saying,

Mr. Alsop: The gas line is on the span of the bridge over the water.

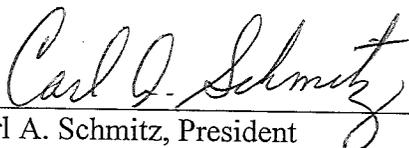
Mr. Rapp: We'd like to get the bridge open, but it would be reasonable over a certain amount of time for the no cost option.

Mr. Schmitz: Ok, so the 16<sup>th</sup>.

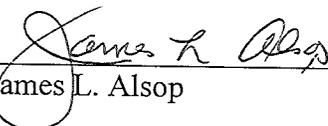
**LEASE AGREEMENT, SABRINA HARMS, DISPATCH DIRECTOR**

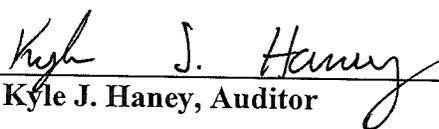
Sabrina Harms, Dispatch Director, presented the lease agreement for the tower rental, the rate will increase from \$505 per month to \$1,005 per month. J. Walden made a motion to approve the lease agreement for the tower rental and J. Alsop seconded. Motion carried with a vote of 3-0.

No other business was discussed, and the meeting was adjourned until Tuesday, December 16<sup>th</sup>, 2014.

  
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Carl A. Schmitz, President

  
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Jerry R. Walden

  
\_\_\_\_\_  
James L. Alsop

ATTEST:   
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Kyle J. Haney, Auditor