

POSEY COUNTY COMMISSIONERS MONDAY, DECEMBER 16, 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 16, 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. Alsop made a motion to approve the minutes of the previous meeting, December 1st, and J. Walden seconded the motion. Motion carried with a vote of 3-0. J. Walden made a motion to approve the minutes from the Special Meeting on September 12th, and J. Alsop seconded. Motion carried with a vote of 3-0.

CLAIMS

J. Alsop made a motion to approve the claims and J. Walden 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.

HARMONY WAY BRIDGE

Mr. Schmitz: Moving on to the Harmony Bridge. We will give everyone who would like to speak a chance to speak, but we would like that if it's been brought up at a previous meeting we do not want to rehash a lot of old things, that have come up before. So we'll open up the floor, I know we have a gentleman here from Indiana Landmarks and we'll let him speak if he would like to.

Att. Weis: And if you do speak today we ask that you come up to the podium, if you could introduce yourself to the Commissioners and say if you're a Posey County Resident and if you're here to speak as a Posey County Resident, if you could say so for the record.

Marsh Davis: Good Morning Commissioners my name is Marsh Davis, I am President of Indiana Landmarks, and we are a State wide historic preservation organization with offices in and around Indiana. Our closest office is in Evansville. I am not a Posey County resident, but I did live here as a summer intern as a student and I do have very fond memories of my time in Wadesville. I'm probably not as up to date as most of the people behind me on the status of the bridge but I first want to thank you for giving hope for moving this forward and getting this project out of limbo, without your decision we wouldn't be having what I hope is a fruitful discussion. We feel so strongly about this bridge that years ago we listed it on our ten most endangered structure in Indiana, not just because of its structure itself but because of its importance to Historic New Harmony and Posey County, really to Indiana itself. I think you've heard all of that before, really what I'd like to add to the discussion, is that, one of the key pieces that of information you need is what will it take to rehabilitate this bridge and you need the study for that, and I know that the matching funds are required for that and Indiana Landmarks is pleased to offer at least \$10,000 to go towards that match as you raise funds to consider an engineering study for the bridge. Also our friends at the National Trust Historic Preservation said they'd toss in \$5,000 too. All I can say is that the organization will be committed to working with you not only to get the study done but also to find any way possible to achieve the funding to get this bridge back open to the public and I believe it would be open to vehicular traffic, but I am not the engineer, but we would make every effort to achieve that and we would offer our resources both here and Washington to help make this happen because we think it's good for the State.

Mr. Alsop: Marsh I do have one question, one of the things we have talked about is if this bridge has to come down, would your organization be willing to provide some money for the studies for that?

Mr. Davis: Funding for the demolition study?

Mr. Alsop: The demolition, actually we talked about that, there is preliminary design work, engineering studies, and environmental studies. The whole nine yards need to be done before we actually take the bridge down. Is your group also available to provide funding for that?

Mr. Davis: That's a fair question, because I know that if some of these funds can't be achieved you have a liability at the end of that. It might be a little hard sell to my Board to fund a demolition study, but it is a fair question. I'd rather commit now to do everything possible to try to move forward with the rehabilitation.

Mr. Alsop: Thank you.

Mr. Walden: Thank you.

Mr. Schmitz: Okay, is there anyone else that would like to speak at this time?

Barry Cox: Good morning my name is Barry Cox, and I live at 1218 Tam O'Shanter Drive, here in Mount Vernon. The bridge of New Harmony is a beautiful bridge, it's got a lot of history to it. And the Town of New Harmony is a historical community in Posey County that a lot of people support and love going to. But a couple years ago we voted in this County to fund taxes for the development of infrastructure in the community and my concern is that if we repair this bridge it will be a bottomless pit and will suck funds away from this County and will suck funds away from what I call infrastructure, whether it be in sewer, roads, waterways, what this community needs for the development of our future development of our community

Steve Moore: My name is Steve Moore I am a citizen of Posey County, and first of all I'd like to take the opportunity to applaud the Committee for getting off high center and trying to get something started and moving in the right direction in all this, although I somewhat think we may be on the wrong path or wrong approach. There are so many pitfalls, that, I think we may be moving so fast in taking it over, assuming taking it over because there are so many pitfalls in place. Just as soon as you take ownership of that you're going to be paying taxes to the State of Illinois, you're not getting any help from that, you're going to pay the State property taxes on that, there is property taxes being charged to that, to the White County Bridge Commission. Okay, if you're going to go in and tear down and demolish, all it takes is one call, and it may be from somebody in the State of Oregon and has concerns about the carp under the Wabash Bridge and calls the EPA, you're immediately shut down for five years in court and have to do an environmental cleanup and things of this nature to take care of it. I'm sure over the years, as old as the bridge is you're going to encounter lead based paint, asbestos based paint, and like that. You've got contractors from what I understand that are already on board that have given you a price \$10,000 for the things of steel and things of that nature, but if you're going to initiate a contract you need to be made aware also that you can't leave those open ended. You can't let a contractor go in there and work three days and go "oh my God, you didn't tell us there's a possibility of lead paint, I need another \$600,000 to adjust the cost of what I have encountered here" and it could be a bottomless pit, like what Mr. Cox said, so there needs to be concerned before you're letting contracts. If this person takes down the steel what takes place with the asphalt and the concrete that have acquired over the years on the bridge, not only that there concrete footings under there that are probably massive because they were put together years and years ago, you stick a backhoe bucket in the ground, here comes the Corp of Engineers telling you what you're going to do and what you're not going to do, in other words you're going to accept the liability, the State's not going to accept any, the Federal Government is not going to accept any, but they're going to step in and tell you what you are and are not going to do, just as soon as you assume ownership of it, Also, I think there's other approaches to this, and again I commend the Committee for getting it off high center, but I think the appropriate pressure applied to the State and Federal Government will make them eventually shake free of something like this, point being, probably thirty to thirty-five years ago, a lot of people are unaware, but the State of Illinois, the southern section of Illinois was getting ready to succeed from the upper part of Illinois, paper work was in order and everything, there wasn't going to be a State of Southern Illinois, because they weren't getting their State taxes just like southern Indiana, so in order for them to stay, you'll notice, all the four lane highways started getting built up in southern Illinois, there started to be some money spent, because they applied the

pressure and made them get off high center. Something else some may not be aware of, for years the people of Posey County have been subjected to pay toll, I believe this one is free now, but for all these years the people of Posey County pay toll and we pay our taxes too, but for all these years we have paid toll on the only two bridges that cross in and out of this State. Now I think we've done our share but I think the State owes us something. Something else too, now this may a little farfetched, but I've looked into that White County Bridge Commission situation and in a court law suit against the White County Bridge Commission it was determined that an Attorney or a Judge makes this statement, he discusses that why it was established is that it was an entity that could sue and also be sued, it was a quasi-operation of the government. It was supposed to have been, after the bonds were paid off, it was supposed to have been a free bridge but they found out that it was such a lucrative thing, and they started funneling money and that was what this suit was about, there was money being funneled through to the Carmi Commissioners, but at any rate as to the Judges decree, he says "as to the possibility of the bridge becoming free report concludes, unless certain solutions can be worked out with the States, Indiana and Illinois, the United States Bureau of Public Road owed it to the public which uses this bridge to own and operate it". I think there's possibilities of pressure allowed to the State and things like that without, I don't think the County needs the liability of this. I applaud you for your sleepless nights and things of that nature, but like I said you put a backhoe bucket in the ground, here's going to come the Corp of Engineers, here's going to come every, the only people that can afford to tear that down is the State or the Federal Government because they control those factions that's going to regulate this County.

Jim Spann: This is a follow up, my name is Jim Spann, own a business and I'm also a resident to New Harmony. Basically in response to what I'm hearing today, you can have a stethoscope but that does make you a doctor. Basically what I'm hearing is a few people who have spent a few minutes or maybe even a few hours studying the issue, coming up acting like they actually understand the legality, the money flow and the engineering issues, so everyone has a stethoscope, everyone thinks they are a doctor. You guys know that throughout United States there are millions of bridges, many of them are old they all get dealt with in intelligent, responsible ways, whether they are renovated for the purpose of cars, whether they are renovated for the purpose of tourism, I get tired of hearing everyone think that understand this issue so well that they can tell you with extreme clarity, what's right and what's wrong. You guys have already invested you're time you've already agreed to take it, you've invested time to make sure you were making the right decision to take it, I just encourage you to, while it's important to hear what everyone has to say, they may have a stethoscope but that doesn't make them doctors.

Mr. Alsop: Goes both ways.

Mr. Spann: It does.

Ryan Rapp: I want to thank everybody who has brought up the questions the very thoughtful questions that have really helped u clarify our message about why we believe the bridge is worth salvaging. I really want to thank the critics, because it really makes us answer the tough questions, to you gentlemen, to say this is what we learned, this is what we found out, so thank you everybody.

Att. Weis: Ryan, I'm sorry to interrupt, I know who you are and so I failed to ask you.

Mr. Rapp: I'm sorry, I'm Ryan Rapp. I want to just point out that the people who actually founded Posey County, the first people in this County were quite visionary. They put it all on the line and they thought maybe we can change the world and in a lot of ways they actually did. No place in the Country, or actually only a few places in the Country can point to such a proud history of New Harmony and say we were one of the first places in the world that taught boys and girls to read through public education, we were one of the first places in the world that thought all races were equally, so equal that the original people of New Harmony buried themselves with Native Americans, which was insane at the time. Their way of thinking was so different that they were actually mentioned in Don Quixote. Those visionaries didn't worry about liabilities, but in the modern world we worry about liabilities. And we have answered all the questions about liability, and the immediate liability is greater if we do nothing especially to the citizens of New Harmony who do pay taxes. Actually in the beginning hen Indiana was forming itself as a State, they borrowed money from the people of New Harmony, the people of New Harmony helped lay the foundations for all these towns of Mount Vernon and surrounding areas, because they knew, they had the frontiers mentality of shared sacrifice and shared prosperity. If the neighbors became more successful that made us more

successful, and we feel that way today in New Harmony very definitely. So in this discovery process we have dealt mainly with the liabilities of Posey County, so just to not rehash all the old things but the things that have come up most recently, the State of Indiana has committed to, if Posey County takes over the bridge they will help to take it down, they will fund the actual demolition. Now there are a few questions about the preliminary studies, the environmental study, I know New Harmony is moving forward and I know one of the things they're going to do is an environmental study, and so what I believe is that we've entered into this commitment and we can go farther today and we should really put it in writing that, this is the process we're going to use, and during that time of preparing the deed we can answer these last few questions, because every question that's come up we've done well to answer. We've pretty much eliminated the liabilities or at least made the case that the opportunity kind of merits Posey County maybe taking a step forward, instead of haggling who's going to come up with the \$10,000 there and the \$5,000 there, when in reality we are just discovering the resources available to this bridge. What makes this bridge unique, as I said in the Posey County meeting, was that no other bridge in Posey County, or that very few bridges in Posey County, are going to have the resources available to them outside of Posey County, and I would dare say that there isn't another bridge in Posey County that's as historic as this bridge. Kind of touching on the beauty and the culture of New Harmony, there's no place in this county, that can even approach the beauty and the culture that New Harmony has, there's even fewer places in the Midwest that can touch on that and as far as the rich history of New Harmony we're up there with cities like Boston and Philadelphia, because we have a lot to be proud of and I think Posey County leaders would do well to remind the people of Posey County and New Harmony that we have something that is extremely valuable and to be cherished. So I think that through this process, I think the New Harmony's mission is becoming clearer. What we learned from this letter from the Indiana Department of Transportation is that there are a few questions that we have to answer, and I think those can be answered after we enter to an agreement to go ahead and take title, that does not necessarily mean that we immediately have to assume the deed, if there's not a clear title then obviously that would be something that we need to bring up, if these things becomes unmanageable, then those are things that we have to bring up. One of the things they point out in this letter is how are they going to deal with the gas lines, well New Harmony has taken steps to deal with the gas line responsibly. Obviously if we have success in the first grant to just do the study, we know we have matching funds or very likely have all the matching funds, comes from outside Posey County to do that study so we're not here asking for a dime. When we get into that study, getting that grant will demonstrate success in our first step. If we're not successful at getting that study we will immediately understand that we might have to take another approach, and now the mission for the New Harmony Bridge Commission is clearer. The New Harmony Bridge Commission will have to look into what happens if the worst case scenario comes to pass, well like I've said we've just begun that discovery process, but it's very likely that we're going to have some success and that we're going to have to build on each other, and as we go through this we're going to have to find more and more resources for each other to repair the bridge for its original use and or one of the greater possibilities that New Harmony can find an alternative use. During that time it's going to be obvious about the gas line but maybe the alternative use for the gas line. But like I said the New Harmony Town Council, I believe, already committed to an environmental study so they're taking the steps to be a prudent leader. So what I'm hoping today the we've come her with a contract or an agreement between Posey County that just lays out how we're going to tie two pieces of real estate, one on the Illinois side, one on the Indiana side and the personal property, which is the bridge, is actually personal property, and it lays out a process so that the White County Bridge Commissioners can see that we are moving forward on this. And the first step in that process is that it is going to be to a survey, and we need someone who is licensed in Indiana and Illinois and we found out the cost on that, and we have funds and we're not asking Posey County for funds to do that. I believe it's necessary to do a deed, I believe the lawyers would agree we want a survey before we prepare the deed so the next step is going to be, is Posey County's lawyer going to prepare the deed and do the title work and if they're not then perhaps we're going to find other lawyers that are going to do that work for us, on behalf of the White County Bridge Commission. And really in a short amount of time, thirty to ninety days, the deed can be prepared. We can have answers to these questions about what's a preliminary study going to cost, well in reality we likely do have a number going to cost,

what's an environmental study going to cost, well we can come up with answers for that too, and we can have clearer pictures. How long is it going to take for the permitting process that we have to line up for all these historic entities, and I believe that if the mission is clear for the New Harmony Bridge Commission yes it can be done in three years, likely shorter than that. So, I guess, Posey County should be familiar with this agreement, I think they should have it with them today and I believe that they should make a motion to accept and be prepared to sign it today or sometime very soon. The agreement should layout how we're going to get these answers expeditiously. Kind of in summation, when the Commissioners voted on August 19th to take over the bridge, we all entered into a commitment to each other that we're going to take over that bridge, that we're going to see it to its end, because if we don't then there's a chance that it'll sit there for sixty years, a hundred years, and it's not a navigable river so it doesn't necessarily need to be removed, so one public entity can point at another public entity, and everyone can complain that no one has any money, I would just say in rebuttal to some things and they were good points that the people brought up earlier, you talked about how southern Illinois may have succeeded in order to put the pressure on the Federal Government and I would ask in retrospect was that a good move for southern Indiana to stay attached to greater Illinois, I think that's open to debate, I think they settled for federal largess. And I think they're reaping the whirlwind and I think they are stuck reaping the whirlwind, and I think New Harmony is going to be reaping the whirlwind if we back out of this commitment. So in summation, either the Commissioners are going to move forward with the August 19th vote or not. We believe in New Harmony that you and us need to uphold on the vote. We're asking that you be good stewards of Posey County, this is what you said you would do, now do it.

Mr. Schmitz: Does anyone else want to make a comment at this time?

Dan Bussler: I'm Dan Bussler and I am a resident of New Harmony and I've lived there for ten years and I moved to New Harmony because I thought it was better than Newburgh and Posey County is a really great place to live, I really enjoy it. I just wanted to say that with the bridge open we'll be able to make our lives better. We'll have more traffic coming, we'll be able to travel better, it's also a backup to interstate 64 in case there is some backup on it. I know the water is eating away on it up there too. But I just know that our lives will be better with the bridge open, thank you.

Mr. Schmitz: Does anyone else want to make a comment at this time? If not we'll close the public part of the meeting, oh okay.

Joseph Goebel: I'm Joe Goebel, Marris Township, lived here all my life. Why would we let three Commissioners decide what's going to happen to us, let's put it on a referendum and have everybody in the county vote, it would be applicable, out of all the arguments we've had today, we would all be good neighbors and live together. With respect to the man who just spoke on New Harmony, if that's the case then we need to start the assessment hire, because the assessment is considerably lower in New Harmony than it is in Marris Township and Mount Vernon that is.

Mr. Schmitz: Anyone else?

Lora Arneburg: My name is Lora Arneburg, I live in New Harmony, and I'm going to say what Marsh said, I'm sure the people behind me know more about this than I do, but that's my point, we all know that there's federal dollars out there for projects that are out there that are worthwhile. We have wonderful support from a committee that's incredibly hardworking that I think have gotten you answers to as many questions as they possibly can, and at some point you just have to move forward, and try to make something happen because as Ryan said we don't know what's going to happen if we don't do anything. We have the support of Indiana Landmarks, we all know it's not a simple question, but you've already voted to take it but I think we are all scared of what happens if we start moving backwards at this point. So I just like to thank the Bridge Committee they have worked really really hard and they have done an incredible job and so have the Commissioners and I hope that we can all move forward knowing we have the support of incredible advocates, either to find money take it down or find money to fix it, but at least we have those two choices if we move forward at this point. Thank you.

Mr. Schmitz: Anyone else want to make a comment at this time, if not we will close this public portion of the meeting and we as Commissioners will talk amongst ourselves as such. Jerry, you want to open it?

Mr. Walden: Yeah, one of the things that just came in is the Chamber of Commerce Southwest Indiana and the support, that I was not aware of and we really appreciate that, that's very important. We also have copies here, I've got a few extra ones of what is

actually spelled out from Governor Pence, from Karl Browning whose head of INDOT and so forth which removes a tremendous amount of liability that they have given us a three year window of acquiring funding for it and they will take the responsibility of taking it down. One of the things I was talking with them, I've got a hold of Karl Browning, well actually he called me in the morning because we have several conversations, and they informed me about the ERC, the employer responsible charge, under his direction I called Rusty Fowler, since Rusty is the one who scores points on projects that are put in and this bridge project would be one that would receive funding and it would be on point basis, he referred me to Laura, who said she would, I'm going to read a short part here, "please don't forget I will always be here to help in whatever resource you need, we currently don't know when our next call for projects will be, when this is decided this will be sent through our gov delivery." What this is saying is I am willing to become an ERC, we've only got one other one in the county and that is Steve Schenk and I'm sure he is standing in line wanting to do this grant for the bridge I'm sure he is standing inline wanting to do a grant for this bridge as if he has nothing else to do, it entails going to classes, not a long periods of time and then working with these people to achieve grants. Mr. Browning said that Federal grants will be necessary to rehab the bridge and put it in the condition that it needs. So I will step up to the plate and do what's necessary and follow up with that. You know I could go into long spiel about how important this is at the age of two hundred years old and I think people already know how important this is, you know I would rate it up there almost as important as signing the Constitution having everything they have done, I wouldn't want it to be a great loss. My one thing is this, the only thing you can get anything accomplished, really, is if you have collaboration among people and that is the key word in the Governor's program on the way the economic development is going to take place in Indiana. You want to go out and look under the cities, in the eight cities possible cities that are selected, with Evansville being one of them. They were encourage that we reach out to everybody within a geographical area and come together, they even have one County loaning another County money which is probably unheard of, but it does take place under this and that's why there's about twenty-five cites under study, by the Governor and partially completed and not completely and Denver, Colorado being leading city, and how in the world they got the attraction population to them, because that's at the bottom of the problem in the State of Indiana, is that we had 6 million people ten years and now we have 6.4 and the Governors goal is 9 million in ten years, and in order to do that is to make your County attractive, you have to bring it up to standards so that people want to live in it. You can do that in a variety of ways. Typically, it's making your place look beautiful, its rehabbing bridges, and putting efforts into things, so when people drive by through a city or town or something like that and the wife of the CEO says "Well do you want to live here?" And she says "I don't think so, buildings falling in and all these things going on." The purpose is to change that image and really the only way and I would like to see this happen and I'd really like Posey County work together and there's almost kind of a difference between the North and the South, the mini civil war, what's good for Mount Vernon, maybe New Harmony doesn't like this and what we're trying to do up there for a big part of the county is probably against from the standpoint of taxes and so forth. But we're trying to avoid all those problems that come forward. I'm not going to reiterate the whole program on this thing, but it's amazing when you get a chance and you get out on the Governors website and you look under the cities and what his program is and I think we're going to hear a lot more about it and I encourage you. When we were up at the Commissioners meeting a couple of weeks ago we got a little taste of it and it was almost like getting a sermon preached to you on how to behave and with that I'll let it go and yield to the other gentlemen.

Mr. Alsop: With all due respect, Jerry, that's the Regional Cities Initiative that the Governor's brought out, in the State of Indiana, Evansville, MetroVille is one of them, they're asking for a billion dollars from each city, that's not been made through the legislature yet, it's a concept, that is not yet a reality. Forty percent of that money is being funded by State and Local Governments and sixty percent of that will be funded by private individuals and endowments and what not, that's a concept, that's not actually something that's in the table that's going to happen. You know I understand there's going to be people upset with what we do, which ever decision we go with there's going to be people upset there's going to be people upset in New Harmony there going to be people upset on the other side on New Harmony in Posey County, I can't speak for them, I can speak for me, part of why its consumed me is because I live in New harmony. Fair,

unfair is that's where I live. What really frustrates me is that in 2011 the State of Indiana took a pass on this bridge, no we're not interested, we're not going to take it, that's not our issue that's your issue, then the Town of New Harmony took a pass in 2013, no we're not going to do it, there's just no way we can do it and then they come to us in August and we say yeah I think that's something we can do and then we come up with the real issues and real concerns that we have that look like there's a whole lot of negatives to us taking over this bridge and we get beat up and we get criticized, because of that, and the other two entities get a pass. It's not fair, it is what it is, but we'll deal with it. The issues that were brought to us were not something that we went out to seek and find. When our engineering group was talking to INDOT and IDOT, and the Federal Highway Bridge people in both those States, they called us they wanted to meet with us because they were concerned that we were going to get into something as the gentlemen said earlier that could be a bottomless pit, and we have to listen to those concerns. I'm the Commissioner in District Two. District Two makes up of Harmony, Lynne, Center and Marrs Townships north of Highway 62. I'm quite sure, that if the Commissioner of District Two was sitting here in August, it would have been no and we would have been done, because I'm quite sure that if the Commissioner had lived in Center, or Lynne Township or Marrs township, they would have said that it's a New Harmony issue, not a Posey County issue, whether that's true or not everyone can believe what they want to believe, and I'm reasonably sure that that is. My title says Posey County Commissioner, it doesn't New Harmony Commissioner, and it doesn't say harmony Town Commissioner and I have a responsibility to all of Posey County. Part of that is to mitigate the risks to the County, whether it's protecting County assets or spending County tax dollars wisely. My particular duty in this issue is to have reasonable assurance that County tax dollars are not being spent for the bridge and there are no long range financial issues to Posey County by owning that bridge. At this point in the process, I don't have that reasonable assurance. One of my concerns has been reasonably mitigated with this Clink study about taking these approaches down. That's a big factor, and I don't know if Linda Henning is here or not, but we I talked to Linda Henning about serving on that committee, I said 'we need to figure out how we're going to pay for the study we need to figure out how we're going to rehabilitate it, we also need to figure out how we're going to take it down if we need to take it down.' And Linda did that. She had Clink come in. I thought last Tuesday, that we were going to get a letter from INDOT to take down the bridge as a whole, I slept better Tuesday, because it was mitigated and I thought now this is something we can do, we have an exit strategy. Then I got the letter from INDOT on Friday afternoon, that letters got more outs in it than any letter I've probably ever seen. I'm in the banking business we write commitment letters for commercial loans and for mortgage loans. There's two words in those commitment letters that jump out and everyone really needs to understand and those words are "subject to", there's a lot in this letter that is "subject to". We need to get those answered, and I don't know if we can get them answered to my satisfaction. We can try or we cannot. For just one issue and I'll read the paragraph from there, "First the County must be responsible to complete and all necessary preliminary engineering, environmental, utility relocation, right of way acquisition and design work. Collectively, the preliminary work for the demolition contract IDOT satisfaction" so we have to satisfy them, "at the County's sole expense," now they do say in paragraphs, "using any funding eligible for usage by the County". Now in the Clink proposal that was provide to us, they proposed taking down the approaches, and they also gave us a cost of \$675,000 to take down the middle span of what I'm going to say is in the water, nut in that if its over \$75,000 we have to have bids and proposals, we have to have engineering work done. Their estimated costs for that work was \$125,000 to \$200,000, so that's what the State says we have to come to up with to take the bridge down, and that's on top of if we have a study done to do the load rating analysis, the plate analysis, to get the determination that we've had CHA do for us, that's \$480,000 for that study. So that's on top of the \$480,000 that's going to be spent, I just think people need to understand that. And then in another paragraph and I'll just read the first couple sentences of this paragraph, and that's the reason why I asked Mr. Davis what I did earlier, "Of particular concern is the status of the bridge as a listed property on the National Register of Historic places, in order for INDOT to proceed with any contract to demolish the bridge the County must first obtain all required permits, certificates and other clearances pertaining to the bridges historic status. If any Federal permits or actions from agencies such as US Army Corp of Engineers, US Coast Guard or Federal Highway Administration are required or if there is any Federal undertaking as defined in

43CFR137.289, with regard to the bridge, the County will be required those permits and/or engage and complete the Section 106 process before INDOT can let in contract for demolition. Even if there is no Federal undertaking of the demolition of the bridge, the County would still be required to obtain all necessary clearances under State law which would likely include obtaining a certificate of approval from Indiana Department of Natural Resources, Division of Historic Preservation and Archeology." It says "To be clear INDOT is willing to cooperate with the County to assist in completing the necessary preliminary work, but will not assume any financial or other responsibility for such work." That's part of the letter that concerns me. My concern is, we don't get it to their satisfaction, and we've got a bridge that's sitting there in the middle span. Who owns it, we do. What happens if it falls in, it's got to be cleaned up. Who pays for it, we do. There could be funding available, could not be, don't know, we'll have to wait and see if we get to that point. I'm willing to continue the process, sign agreement to purchase the bridge with conditions that have to be met. How long is that going to take? I don't think we have any idea especially when you're dealing with Federal and State governments, but I'm willing to try. I have a responsibility to New Harmony, I understand that. I have a responsibility to Posey County, I understand that. I lived there my whole life, grandparents lived there, parents lived there, I live there we got kids that live there, grandkids that live there. It's where I live, I'm not leaving, so I have a responsibility. I also have a responsibility to Posey County. I can't tell the members of the White County Bridge Commission to resign or stay on, if they feel they can't wait, when they resign and the bridge goes in limbo, we'll just have to tackle that issue then. If you want a decision today, an absolute decision, yes or no, I am going to say no. My questions have not been answered. If you're willing to let me work to get questions answered to get some reasonable assurance that it's not going to cost Posey County tax dollars and it's going to protect the assets of Posey County. I need to make myself perfectly clear, so everyone knows, if I don't get them answered to my satisfaction to where I feel like I'm protecting Posey County, the decision will be no. That's all I've got to say.

Mr. Schmitz: Okay, I guess it's my turn. In regard to the Harmony Bridge I took some time last night and wrote some thought down. John Kennedy, once said, "Leadership and learning are indispensable to each other." It's an honor for me to sit on the Board of Commissioners and serve the people of Posey County, After living in Posey County all my life and having been a dairy farmer, I never thought I would hold a public official job, but I thought it was time for a change and I took the challenge to come and serve the people of Posey County. So I don't take it lightly to sit on the Board of Commissioners, we as public officials have to have a thick hide from time to time. Because on August the 19th of this year as you know, we voted to assume ownership to take over the bridge. At that meeting I was hesitant and I wanted to abstain, because I said I did not know all the answers at the time. I went and based my decision on what information was available at the time and would have been more prudent and tabled the motion until the information was present and discovered later, maybe, but we didn't. Since August 19th I have spent over two hundred hours learning more about the bridge and what I have learned has given me reason to rethink my decision about the bridge. I have discussed the bridge with every State and Local official that will speak with me. Even this morning I spent over two hours on the phone talking with LTAP and several officials. Illinois officials, I have talked to several, I've got some answers but they have been harder to talk to. The people of White County would greatly appreciate the bridge opening but the State and Local Regional officials over there are really hard to read and they are very hesitant to talk. At the Commissioners Conference, I talked to the people of Knox County and the Wabash Cannon Ball Bridge, which I said I'd do. The Wabash Cannon Ball Bridge is owned by the Town of Saint Francisville, Illinois. Lawrence County, Illinois has nothing to do with it, the people of Saint Francisville are the only people that own that bridge. Knox County puts no funding into it, it only maintains the gravel road leading up to the bridge, as well as the city provides the road on the other side. In a way they are in a different circumstances because they don't have a State Highway on either side of the bridge. There again the budget, we can't ignore it. The County Highway budget is around three million dollars, over a third of that budget is employee compensation. We have a bridge fund which is less than two million dollars to maintain our bridges and culverts here in the County, again a third of that budget goes to employee compensation. An old study estimated that the repair of the Harmony Way Bridge would be around ten million dollars. I have since learned that the repairs may cost around fifty million or more. I have with LTAP they actually recommended that I not even walk on the bridge they were

afraid that it would fall in if I walked over the bridge itself. But that was the information. We don't even have the funding to pay the initial inspection much less do the repairs. If the funding cannot be secured for the rehabilitation, I believe that INDOT delivered the commitment letter which Jim read, I figured this would be our saving grace that we could go with, but as Jim read in this letter, of all the outs that the State put in. We have a historical bridge at Griffin, Indiana, which is closed, the State and Federal government will not let us tear it down and to replace it, we have to buy ground around the bridge and put a new one up, because we cannot replace the old bannister bridge. This is what State regulations do to us, as far as trying to get the State to work with you, as being a dairy farmer, I've worked with the State as far as KFOS and all these things, I know what permitting consists of. It's a lot of red tape, you don't get it done in two to three years, I think permitting to even destroy the bridge will take five to ten years. So, I read the letter and Jim's read part of it to you. The letter from INODT, we've got both of them over there on the table, for the news people for whoever wants to see them. The bottom sentence on it, "if there's a contractor willing to take down the bridge basically for free for scrap metal, I think it would be easier and cheaper for the existing bridge owners to facilitate it," then for us in Posey County to take it over. As I've mentioned leadership and learning are indispensable to each other, and I will continue to listen and learn, what is the best interest for Posey County, but from what I can gather, taking this bridge for me, is not in the best interest of Posey County.

Mr. Alsop: We have two choices, the choices are, we can agree to enter into a contract for the purchase of the Harmony Way Bridge, subject to the conditions of the contract or we can rescind our vote on August 19th and decide not to take ownership of the bridge. I am prepared to go either way, but with that being said, I will agree to enter into a motion, to enter into a contract for the purchase of the Harmony Way Bridge subject to the conditions listed in the contract, and if all those conditions are not met, we will not take deed and title to the bridge. I don't know how long that is going to be, I don't think anybody knows how long that is going to be and Spud if you have to resign you have to resign, I can't tell you to make that choice. But I'm willing to do that, I think we need to button up the, we need to change the commitment letter from INDOT. It really needs to be unconditional letter, and it's not in any way shape or form folks, and if you guys believe that then I've got some things I want to say because there's more outs and holes in that letter than a slice of Swiss cheese, I can tell you. They're doing that just to pacify us, and that's not any way shape or form. So I will make that into a motion that we will enter into a contract to purchase the Harmony Way Bridge from the White County Bridge Commission subject to the condition set forth, our Attorney has drawn up that contract and understand that if those conditions are not met to my satisfaction, I'll vote not to take ownership.

Mr. Schmitz: Okay, the motion has been made, is there a second?

Mr. Walden: Ill second that.

Mr. Schmitz: Right here is the contract that Jake has drawn up, it's been moved and seconded, that we accept the contract for the purchase of the Harmony Way Bridge, with all the questions to be answered that are the contract. Is there any further discussion?

Mr. Walden: This is the first time I've seen this contract, I haven't really had a chance to read through it but it breathes life into the possibility of, what I'm concerned about is whether or not this gives ample authority to start applying for grants, that's the big question in my mind.

Mr. Alsop: You can so the leg work, those are things that you can do there. But we've been told that if you don't own it, you're not eligible for grants. When the next, where is Steve Schenk, did he sneak out, when you talk to Laura Lewis at INDOT's office in Vincennes, when did you say the next call for Federal Grants was?

Steve Schenk: She said the last call was for projects for 2018, the next call is for 2020.

Mr. Alsop: For 2020, and here's the deal folks, here's what you need to understand, this letter, that we got from INDOT, and what I'd recommend to anybody from New Harmony that wants this bridge, you need to be calling INDOT and getting them, this letter says that from "INDOT's commitment to let and fund a contract to demolish the bridge shall expire on December 31st, 2017." Take into consideration what Steve just said, "to be clear, we must have all preliminary work to be completed to INDOT's satisfaction and a fully executed local agreement entered into by INDOT and the County, providing INDOT to let the contract for demolition of the bridge by December 31st, 2017." Three years, I don't think we have three years, Karl Browning may not be in that office by that time, Governor Pence may not be the Governor in 2016, so I think what

really is what we have is until December 31st, 2016, we got two years. You guys want the bridge, get on the horn, and get them to button this up so that it protects Posey County, you live in Posey County.

Mr. Schmitz: Because this letter we received there, is one of the main reasons I voted, I am opposed to accepting the bridge. It just prove to me again that the State is not going to help us, they have let us down often in the two years that I have been Commissioner, I can't accept anything from the State unless it is signed sealed and certified and this letter is far from that.

Mr. Alsop: Okay we have a motion, and a second.

Mr. Schmitz: Is there any further discussion?

J. Alsop made a motion to enter into a contract with the White Count Bridge Commission to purchase the Harmony Way Bridge provided the conditions outlined in the contract are met and J. Walden seconded. Motion carried with a vote 2-1. Commissioner President Carl Schmitz voted "No".

Steve Moore made comments pertaining to politics and applying the pressure on the government entities at higher levels such as State Senators and Congressmen. Mr. Alsop charged the public to participate in taking action.

Mr. Schmitz called a five minute recess at this time.

Meeting reconvened.

ANDY WEINTRAUT, SCHULTHEIS INSURANCE

Andy Weintraut with Schultheis Insurance appeared before the Commissioners to give an update on the County's Insurance coverage and rates. He informed that given the three year rotation for finding better insurance carries and announced that this year's insurance premiums will be \$7,600 less than last year. Changes such as requirements for earthquake coverage have contributed to the decrease. Mr. Weintraut also announced that in the County's performance in the area of Workman's Comp has also contributed to a large decrease and it shows that the County provides a safe work environment. He concluded that it is an accomplishment to achieve a \$7,600 premium reduction. Mr. Weintraut also thank the Commissioners for keeping local business.

COMMISSIONERS SCHEDULE OF MEETINGS 2015

J. Alsop made a motion to pass a Resolution 2014-12-16-01 for the Commissioners Schedule of Regular Meeting dates to be held on the first and third Tuesday of each month and J. Walden seconded. Motion carried with a vote of 3-1.

HOLIDAY SCHEDULE 2015

The Commissioners set the Holiday Schedule for 2015 as follows:
January 1st, New Year's Day, January 19th, Martin Luther King Jr., April 3rd, Good Friday, May 25th, Memorial Day, July 3rd, Independence Day, September 7th, Labor Day, November 11th, Veteran's Day, November 26th and 27th, Thanksgiving Day, and December 24th and 25th, Christmas Day, and two floating holidays in lieu of Election Days. J. Alsop made a motion to approve the Holiday Schedule for 2015 and J. Walden seconded. Motion carried with a vote of 3-0.

BOARD APPOINTMENTS FOR 2015

Health Board, Dr. Rice resigned. J. Alsop made a motion to appoint Dr. Joseph Lee pending his acceptance and J. Walden seconded. Motion carried with a vote of 3-0.

Area Plan Commission, C. Schmitz made a motion to re-appoint James Alsop and J. Walden seconded. Motion carried with a vote of 3-0.

Carnegie Library Board, J. Alsop made a motion to appoint Vicki Emge for a second term and J. Walden seconded. Motion carried with a vote of 3-0.

Drainage Board, C. Schmitz made a motion to appoint Scott Becker for a three year term, Dale Koester for a two year term and Jerry Walden for a one year term and J. Alsop seconded. Motion carried with a vote 3-0.

County Attorney, C. Schmitz made a motion to appoint William H. Bender and Jacob Weis with one year term and J. Alsop seconded. Motion carried with a vote of 3-0.

Animal Control, J. Alsop made a motion to appoint Charles Mobley and J. Walden seconded. Motion carried with a vote of 3-0.

Coliseum Board, J. Alsop made a motion to appoint Eugene McCoy provided he wants to continue to serve, Donald Renschler, Charles Seibert with one year term and J. Walden seconded. Motion carried with a vote of 3-0.

County Building Authority, J. Alsop made a motion to appoint Donald Mercer with one year term and J. Walden seconded. Motion carried with a vote of 3-0.

Veteran's Service Officer, J. Walden made a motion to appoint David Sharber with one year term and J. Alsop seconded. Motion carried with a vote of 3-0.

Posey County Redevelopment, C. Schmitz made a motion to appoint George Postlethweight, William Gillenwater, III, Terry Gottman, and Jeff Gentil as the Non-Voting member with all terms one year and J. Walden seconded. Motion carried with a vote 2-1. J. Alsop voted opposed to George Postlethweight, William Gillenwater, III and Terry Gottman.

E-911 Advisory Board, J. Alsop made a motion to appoint Wes Dixon, Charles Thompson, Greg Oeth, Ralph Weinzapfel, Tim Compton, Doug Saltzman and Larry Robb all with one terms and J. Walden seconded. Motion carried with a vote of 3-0.

Child Protection Team, J. Alsop made a motion to appoint Carl Schmitz with a one year term and J. Walden seconded. Motion carried with a vote of 3-0.

Common Construction Wage Board, J. Alsop made a motion to appoint Keith Symanski, Industry, Gary Fox, Taxpayer and Chris Thorsen, Taxpayer with one year terms and J. Walden seconded. Motion carried with a vote of 3-0.

Designate Newspaper, J. Walden made a motion to designate Posey County News and Mount Vernon Democrat for one year terms and J. Alsop seconded. Motion carried with a vote of 3-0.

ADA Compliance Committee, J. Walden made a motion to appoint Marsha Droege, Carol Redman, Ray Duncan, Ed Batteiger, David Angermeier, Jan Herron, Judy Heberer, Martha Breeze, and Nancy Hoehn with one year terms and J. Alsop seconded. Motion carried with a vote of 3-0.

Building Commissioner, J. Alsop made a motion to appoint Ed Batteiger with a one year term and J. Walden seconded. Motion carried with a vote of 3-0.

Highway Superintendent, J. Alsop made a motion to appoint Steve Schenk for a one year term and J. Walden seconded. Motion carried with a vote of 3-0.

EMA Director, J. Alsop made a motion to appoint Larry Robb for one year term and J. Walden seconded. Motion carried with a vote of 3-0.

Board of Review, J. Alsop made a motion to appoint Billy Ray Butler and Don Oeth for one year terms and J. Walden seconded. Motion carried with a vote of 3-0.

ABC Board, J. Alsop made a motion to appoint Keith Weedman for a one year term and J. Walden seconded. Motion carried with a vote of 3-0.

Workforce Investment Board, J. Alsop made a motion to appoint De Brown and Robert Stemple with one year terms and J. Walden seconded. Motion carried with a vote of 3-0.

Director of EMS, J. Walden made a motion to appoint Charles Thompson and J. Alsop seconded. Motion carried with a vote of 3-0.

Director of E-911, J. Walden made a motion to appoint Sabrina Harms with a one year term and J. Alsop seconded. Motion carried with a vote of 3-0.

Bethel Township Fire Department, J. Alsop made a motion to appoint John Fifer with a two year term and J. Walden seconded. Motion carried with a vote of 3-0.

Commissioner President, J. Alsop made a motion to appoint Carl Schmitz with a one year term and J. Walden seconded. Motion carried with a vote of 3-0.

Commissioner Vice President, J. Alsop made a motion to appoint Jerry Walden for a term of one year and J. Walden seconded. Motion carried with a vote of 3-0.

Economic Development Commission, J. Alsop made a motion to appoint Larry Williams with a four year term and J. Walden seconded. Motion carried with a vote of 3-0.

Wadesville-Blairsville Regional Sewer District, J. Alsop made a motion to appoint Dwayne Ackerman with a three year term and J. Walden seconded. Motion carried with a vote of 3-0.

EMA Advisory Board, J. Walden made a motion to appoint Jay Price with a one year term and J. Alsop seconded. Motion carried with a vote of 3-0.

Compton Ditch Drainage & Repair Unit, J. Alsop made a motion to appoint Ronald Eimer for one year term and Eric Wiseman with a term of two year and J. Walden seconded. Motion carried with a vote of 3-0.

Emergency Medical Services Oversight Committee, J. Alsop made a motion to appoint Donna Nix, Melody Oeth, Johanna Denning, and Mike Clem with terms of two years and fill the last opening before February 2015 and J. Walden seconded. Motion carried with a vote of 3-0.

Economic Coalition Development of Southwest Indiana Corporation, C. Schmitz made a motion to appoint Jerry Walden and Michelle Hudson J. Alsop seconded. Motion carried with a vote of 3-0.

Economic Coalition Development of Southwestern Indiana Corporation Executive Committee, C. Schmitz made a motion to appoint Jerry Walden with a one year term and J. Alsop seconded. Motion carried with a vote of 3-0.

Alexandrian Public Library, C. Schmitz made a motion to appoint Scott Smith and J. Alsop seconded. Motion carried with a vote of 3-0.

Economic Development Partnership, J. Walden made a motion to appoint James Alsop and C. Schmitz seconded. Motion carried with a vote of 3-0.

Conventions, Visitor's and Tourism Board, J. Alsop made a motion to appoint Connie Weinzapfel as Commissioners appointee with a two year term and J. Walden seconded. Motion carried with a vote of 3-0. Mr. Alsop asked Auditor Kyle Haney to send letters to notify the board and request contact information.

DEPARTMENTAL UPDATES

Chuck Thompson updated the Commissioners on the old ambulance and he mentioned that Henderson County would like it if the County donated it to them. He concluded that he will report more in the next meeting.

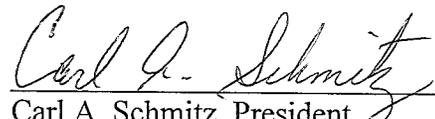
Mr. Schmitz informed that the Prosecutor requested that the surplus be destroyed as opposed to given away because the computer hardware may contain sensitive data. J. Alsop made a motion to destroy the Prosecutor's surplus and J. Walden seconded. Motion carried with a vote of 3-0.

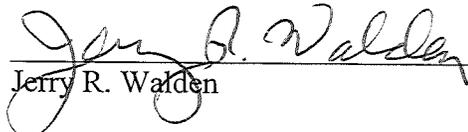
J. Alsop made a motion for Stockers Landscaping to maintain the fertilizer application for the Court House Lawn for 2015 for the amount of \$1,125.00 and J. Walden seconded. Motion carried with a vote of 2-1. C. Schmitz abstained from voting due to his disclosed relationship with Stocker's Landscaping.

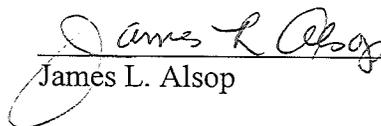
JOHN TAYLOR, ECONOMIC DEVELOPMENT PARTNERSHIP UPDATES

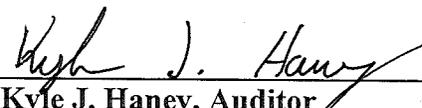
John Taylor updated the Commissioners with regard to the Economic Development Partnership. He shared with the Commissioners the Resolution that was developed by the Economic Development Partnership's Board of Directors supporting the Western Bypass. Mr. Taylor also mentioned the results of the Posey County reception Study. He reported that he will update the Commissioners with the follow up report that they intend to do. He also noted that the organization continues to work on the funding for the bypass and looks for solutions that will not impact the County's taxes.

No other business was discussed, and the meeting was adjourned until Tuesday, January 6th, 2015.


Carl A. Schmitz, President


Jerry R. Walden


James L. Alsop

ATTEST: 
Kyle J. Haney, Auditor