

POSEY COUNTY COMMISSIONERS TUESDAY, SEPTEMBER 21, 2021.

The Board of Commissioners met in a regularly scheduled meeting at the Hovey House, 330 Walnut Street, in Mt. Vernon on Tuesday, September 21, 2021. Commissioners Bill Collins and Randy Thornburg were in attendance. Chief Deputy Auditor Shelley Hargrove and County Attorney Joe Harrison were also in attendance. Commissioner Carl Schmitz was absent.

Pastor Wayne Nall led the Commissioners in prayer.

MINUTES

R. Thornburg made a motion to approve the September 8, 2021 Commissioners minutes; B. Collins seconded. The motion carried with a vote of 2-0.

CLAIMS

R. Thornburg made a motion to approve the claims as presented; B. Collins seconded. The motion carried with a vote of 2-0.

TREASURER'S REPORT

R. Thornburg made a motion to approve the August Treasurer's report; B. Collins seconded. The motion carried with a vote of 2-0.

VETERAN'S SERVICE OFFICER

B. Collins introduced the new Posey County Veterans Service Officer, John Dike. Mr. Dike stated he would have office hours posted on the County Website and on his office door.

REZONE REQUEST

Becky Wolfe, with Area Plan, addressed the Commissioners regarding a rezoning request for 2280 Curtis Road. Mrs. Wolfe stated the applicant was Steve Noelle, and the owners are Kenneth Ray and Jodi Gross. Mrs. Wolfe stated this request is to rezone from agriculture zoning to residential single-family zoning. Mrs. Wolfe stated this request was heard by Area Plan and passed with a 6-0 vote.

R. Thornburg made a motion to approve this request; B. Collins seconded. The motion carried with a vote of 2-0.

MOTOR VEHICLE AND TRAFFIC ORDINANCE

B. Collins stated the Commissioners received a request to place a stop sign at the intersection of Old Highway 62 and Blount Road. Posey County Highway Superintendent, Steve Schenk, stated this intersection needs a stop sign. Mr. Schenk stated they had trimmed the trees, but it still needs attention from the State. County Attorney, Joe Harrison, stated this ordinance would require a second reading at the next Commissioners meeting. Mr. Harrison stated this would be published after the final reading. R. Thornburg made a motion to approve this request; B. Collins seconded. The motion carried with a vote of 2-0.

HOVEY HOUSE USAGE AGREEMENT

B. Collins stated the City has requested to use the Hovey House for their City Council meetings for the remainder of 2021. Mr. Collins stated the City had provided the Auditors office with the dates requested. Mr. Collins stated the City will pay \$1.00 per year for the use, will set up and clean up as needed, and will provide their own security.

R. Thornburg made a motion to approve this request; B. Collins seconded. The motion carried with a vote of 2-0.

MORLEY CONTRACT

Jim Morley Jr, with Morley, addressed the Commissioners regarding the contract before the Commissioners for project management of the broadband project with Mainstream. B. Collins stated this contract had had some adjustments in the price, with the negotiated price being \$117,800.00, and the funds will come from ARP funds. Mr. Morley stated Morley has worked with Mainstream in the past. R. Thornburg made a motion to approve this request; B. Collins seconded. The motion carried with a vote of 2-0.

2ND AMENDMENT ORDINANCE PROPOSAL

Rusty Levings, Posey County Resident and Mt. Vernon City Council member, addressed the Commissioners regarding a proposal to designate Posey County as a 2nd Amendment Sanctuary County. Mr. Levings states this ordinance would tell the Federal and State governments that Posey County will not enforce infringements on the 2nd Amendment even if it becomes law. Mr. Levings read the following letter:

Good morning. My name is Rusty Levings. I am a resident of Mount Vernon, a deacon at my church here in town, and I'm also on the Mount Vernon City Council Board as well.

This morning, the topic I have before is to make Posey County a 2nd amendment sanctuary county.

What that entails is this ordinance tells the state and federal government that this County does not support gun control and that it will not be enforced even if it becomes law.

This ordinance, while making our community a 2nd amendment sanctuary, also allows for our community to fine or punish those officials that break the ordinance under section 4.

This addition would make our 2nd amendment sanctuary ordinance much more meaningful and turns it into something impactful. This ordinance creates legal parameters and guidelines that the locality follows as law, allowing them to be enforced in ways that resolutions are not.

With those in higher political positions amping up more and more heat on gun owners. I believe this board should pass this ordinance and protect this great County we live in.

I have spoken with Sheriff Latham, and he agrees with the way this ordinance is exactly written. He believes this ordinance does a good job of sticking to the intent of the 2nd Amendment of the US Constitution. He informed me that he has no objection to the ordinance; it doesn't stand against anything they do as a constitutional office.

Our Sheriff has read other counties' ordinances and believes the wording on this one is better written.

I say that simply to show that our constitutional sheriff agrees with this and fully supports it. The last number I was able to find on this topic was as of 06/21/2021, about 1,930 counties, cities, and towns have passed 2nd amendment protection ordinances or sanctuary resolutions in over 40 separate states.

Posey County should be added to that number as well. We have a Republican county Commissioner's board that I hope supports this ordinance. To me, this is a topic worth having this board discuss.

For the reasons I have previously stated, plus the many more that could be stated, the adoption of this ordinance is a method of safeguarding our rights, and it sends a message to both the State and Federal representatives of a State that their citizens will not support those who violate their rights and attempt to dismantle the Second Amendment.

I thank you for this time to be able to speak and share my thoughts on this. I look forward to hearing this board's stance on this ordinance. God bless.

Posey County Sheriff, Tom Latham, stated he has no objection or contradiction to this ordinance. R. Thornburg stated he is in favor of the constitution and the 2nd Amendment. Mr. Thornburg stated the Commissioners would let the County Attorney review, and the Commissioners will consider this. B. Collins made a motion to table this ordinance and allow the Commissioners to compare thoughts; R. Thornburg seconded. The motion carried with a vote of 2-0.

ONI- BRIAN HANCOCK

Brain Hancock, with EPIC Insurance, addressed the Commissioners regarding liability insurance for Posey County. Mr. Hancock stated their company is now operating under the name EPIC instead of ONI.

Mr. Hancock stated he would like the opportunity to work with the Commissioners in brokering and trying to find the lowest cost liability insurance for the County.

B. Collins asked what Mr. Hancock would need from the Commissioners to allow an apple to apple comparison of the current policy. Mr. Hancock stated he would need full copies of all the County policies, 3-5 year loss history reports, and experience modification rating worksheets.

DAVID DAUSMAN

Posey County Resident, David Dausman, addressed the Commissioners regarding the need for a hydrological study in regards to the Solar Farm project. Mr. Dausman stated on July 29th at the APC meeting; it was discussed that a hydrological study would be done. Mr. Dausman stated seven weeks later, and nothing has been disclosed further. Mr. Dausman asked if Tanaska had provided that study yet, and would it be provided to the public for review. Mr. Dausman is

suggesting the Commissioners form a three-person committee to either complete this study or to overlook the study on behalf of the County.

R. Thornburg asked if Mr. Dausman would serve on a three-person board to accomplish this task. Mr. Dausman stated yes. Mr. Thornburg asked if Mr. Dausman knew of anyone else who would serve? Mr. Dausman stated off the top of his head, possibly Barry Tanner.

Mr. Thornburg stated he is in favor of creating a board to study this issue. Mr. Dausman stated Tanaska would need to pay for the study, not the County.

R. Thornburg made a motion to create a three-person board to oversee a hydrological study and appointing David Dausman and Barry Tanner; there was no second, and the motion failed to pass.

B. Collins stated he did not second this motion because he feels this should be left to Area Plan to create.

Mr. Dausman stated the Commissioners own the problems that may arise, not Area Plan. R.

Thornburg stated this should come from the Commissioners, not APC.

Posey County Resident, Kathy Weinzapfel, showed Commissioners photos of flooding along Highway 62 at the intersection of Caborn and the Highway.

GLOBE LIFE- MATTHEW ZIELSKE

Matthew Zielske, with Globe Life, addressed the Commissioners regarding his company Globe Life Liberty National. Mr. Zielske is offering a worksite advantage policy for Posey County.

Mr. Zielske stated this plan would not cost the County any funds and would provide employees of Posey County to elect policies that would protect themselves and their families. Mr. Zielske stated his company would come in and meet with employees and perform a risk assessment with the employee, and they can select if they want policies or not. Mr. Zielske stated Globe Life would provide life insurance for every employee that is no cost to the employee and employer. Mr. Zielske stated his company has worked with various Counties in Indiana and Kentucky.

B. Collins asked Mr. Zielske to get with the Auditor's office so the Commissioners could look at this.

STRUCTURE POINT

Posey County Economic Development Director, Jeanna Richardt, presented the Commissioners with an engineering agreement with American Structure Point to perform studies for the construction of Lamont Road, with work being from Highway 62 to Lower Mt. Vernon Road. Mrs. Richardt stated this area has presented itself as an issue when recruiting projects for Posey County. Mrs. Richardt stated this road is crucial for access to the Port of Indiana. Mrs. Richardt stated these studies would allow the County to move forward with addressing this issue along this road.

Mrs. Richardt stated this would be completed in two phases, one being State Road 62 to Lower Mt. Vernon road and phase two being Lower Mt. Vernon Road to Bluff Road. Mrs. Richardt stated phase two could be looked at in partnership with the Port of Indiana. Mr. Harrison stated TIF funds could be used to pay American Structure Point. B. Collins made a motion to approve the start of phase 1 and return for approval to begin phase 2; R. Thornburg seconded. The motion carried with a vote of 2-0.

TAX SALE CERTIFICATE APPOINTMENT

B. Collins stated the Commissioners had been asked by the City of Mt. Vernon to assign the following tax sale certificates to the City as opposed to going to tax sale. Mr. Collins stated these are properties that the City has torn structures down on and would like to sell:

137 West 9th Street

718 Mill Street

628 West 6th Street

613 Wolflin Street

417 West 4th Street

421 East 9th Street

431 Vine Street

B. Collins made a motion to assign these properties to the City; R. Thornburg seconded. The motion carried with a vote of 2-0.

COVID SICK LEAVE POLICY

B. Collins stated the Commissioners spoke at the last meeting regarding the COVID Sick Leave Policy being reinstated. Mr. Collins stated the Commissioners are reinstating the policy with a few changes, and it will be backdated to September 1, 2021. Mr. Collins stated the Auditor's office would provide a copy of the signed policy to employees. R. Thornburg made a motion to approve the policy; B. Collins seconded. The motion carried with a vote of 2-0.

DEPARTMENT UPDATES

Posey County Sheriff, Tom Latham, gave the following inmate housing update:

- 15 DOC
- 34 Vanderburgh County
- 89 Posey County
- 138 Total inmates

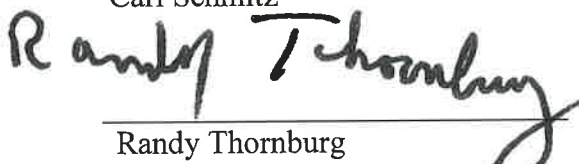
Posey County Highway Superintendent, Steve Schenk, stated the Community Crossing Grant funds were appropriated, and the paving for this project can begin. Mr. Schenk stated flooding along Highway 62 is a problem, and the last time the State cleaned out those ditches would have been in the 1980s. Mr. Schenk stated INDOT came down and looked at this with his foreman.

No other business was discussed, and the meeting was adjourned.




Bill Collins

Carl Schmitz



Randy Thornburg


Attest: Maegen L. Greenwell
Shelley Hargrove
Chief Deputy