

POSEY COUNTY COMMISSIONERS TUESDAY, MAY 16, 2023.

The Board of Commissioners met in a regularly scheduled meeting at the Hovey House, 330 Walnut Street, in Mt. Vernon, on Tuesday, May 16, 2023. Commissioners Bill Collins, Bryan Schorr, and Greg Newman were in attendance. Auditor Maegen Greenwell and County Attorney Joe Harrison were also in attendance.

Posey County Prosecutor, Thomas Clowers, led the Commissioners in prayer.

MINUTES

B. Schorr stated that there needed to be a change under the Administrative Settlement on Parcel #44. B. Schorr stated that the May 3 minutes showed the motion carried with a vote of 3-0, and it should have been 2-1 with B. Schorr voting against it. B. Schorr made a motion to approve the minutes from May 3, 2023, with the one exception; G. Newman seconded. The motion carried with a vote of 3-0.

CLAIMS

G. Newman made a motion to approve the claims as presented; B. Schorr seconded. The motion carried with a vote of 3-0.

TREASURER'S REPORT

B. Schorr made a motion to approve the Treasurer's Report for April; G. Newman seconded. The motion carried with a vote of 3-0.

FARMERSVILLE ROAD NUISANCE COMPLAINT

Posey County Building Commissioner, Ed Battienger, stated that 1775 Farmersville Road had been cleaned up to standards. Mr. Battienger stated that 1825 Farmersville Road was not touched and that it will be torn down and cleaned up within the next few weeks. B. Collins stated that the owner of 1775 Farmersville Road had taken possession of 1825 Farmersville Road and is waiting on CenterPoint to turn everything off before it is able to get torn down. Joe Harrison stated that he believes that it will all be taken care of by the next meeting. B. Collins made a motion to table this conversation until the June 6, 2023, meeting; G. Newman seconded. The motion carried with a vote of 3-0.

E-911 AT&T CONTRACT

Posey County Dispatch Direct, Jamie Bradford, stated that in the last meeting, the Commissioners signed a temporary contract for the fiber connection for the phone lines at the Dispatch building. Alex Piggins from AT&T stated that AT&T has an initiative to get switch as many fiber connections to copper services out of the network as possible. Mr. Piggins stated that the dispatch center currently has copper phone lines. Mr. Piggins stated that reliability would improve by switching from copper phone lines to fiber phone lines. Mr. Piggins stated that if an issue were to arise with the copper phone lines, a service truck would get here when they are able to; with the fiber phone lines, there is a four-hour median time to repair the issue. Mr. Piggins stated that neither fiber nor copper phone lines are redundant unless there is a fiber ring. Mr. Piggins stated that fiber rings are no longer available. Mr. Piggins stated that the monthly cost for the fiber phone lines is \$677. The difference between what Posey County currently pays for copper phone lines and getting fiber phone lines is around an additional \$200 per month. Mrs. Bradford stated that she has spoken with Dave from AT&T that currently does all of the repairs for the phone lines at the dispatch center, and he recommends the switch from the copper phone lines to the fiber phone lines. Mrs. Bradford stated that Posey County is due for a Vesta upgrade as part of the contract that Posey County has with AT&T. Mrs. Bradford stated that with the Vesta upgrade, the dispatch center is currently in the process of getting a new phone system for free. B. Schorr questioned if there would be any downtime for the phones at dispatch with this switch, Mr. Piggins stated the downtime would be minimal and should last a mere seconds. G. Newman questioned how soon the conversion could be completed, Mr. Piggins stated that the conversion could be completed within the next thirty to sixty days. G. Newman made a motion to approve the AT&T contract and switch to a fiber phone line; B. Schorr seconded. The motion carried with a vote of 3-0.

ASTOUND CONTRACT

G. Newman stated that he does not believe that the County knows enough to move forward with the contract. B. Schorr questioned if the County was going to look into other providers. Maegen Greenwell stated that she had reached out to Spectrum in order to get a quote and still has not received one. B. Schorr stated that he has not heard of any complaints from department heads regarding Astound aside from when the conversion from WOW to Astound took place. Steve Kalesia, with Astound, stated that fiber is currently in place at the coliseum and the jail. Mr. Kalesia stated that the fiber in place is only for the phone service, and there is a point-to-point connectivity between the coliseum and the jail. Mr. Kalesia stated that Astound is going to be moving the internet at the coliseum from a cable modem-type service to a fiber connection. Mr. Kalesia stated that dispatch is currently on a fiber internet connection but Astound will be upgrading the speed from twenty megabytes to one gig. Mr. Kalesia stated that the contract provides updates for all departments in Posey County. Mr. Kalesia stated that increasing the internet speed has not been done at any locations currently except for the dispatch center. G. Newman made a motion to approve the Astound contract; B. Schorr seconded. The motion carried with a vote of 3-0.

REZONING REQUEST

Posey County Area Plan Director, Mindy Bourne, stated that the owners Zachary and Nicole Meny have requested for .275 acres located at 11331 Water Tank Road, Cynthiana, Indiana be rezoned from Agricultural Land to Commercial High Intensity Land. Mrs. Bourne stated that the owners previously requested 1.5 acres to be rezoned from Agricultural Land to Commercial High Intensity Land within the past couple of months. Mrs. Bourne stated that the owners are requesting to rezone the portion of the property that has a building located on it in order to store items. Mrs. Bourne stated that the owner's request went before the Area Plan Commission on May 11, 2023 and the Commission has made a motion to recommend approval with a vote of 8-0 in favor of the rezoning. B. Collins made a motion to approve the rezoning request of .275 acres from Agricultural Land to Commercial High Intensity Land; B. Schorr seconded. The motion carried with a vote of 3-0.

UNSAFE BUILDING NUISANCE REPORT

Posey County Building Commissioner, Ed Batteiger, stated that there has been a structure that has collapsed on 4515 Caborn Road, Mount Vernon, Indiana. Mr. Batteiger stated that paperwork was sent out around 60 days prior to the meeting with no response from the owners. B. Collins questioned if the structure was the house that was being rebuilt on Caborn Road and Mr. Battieger stated that it was not that house and that it is across the railroad tracks on Caborn Road. B. Schorr stated that something clearly needed to be done with the structure. Mr. Batteiger stated that the structure had been collapsing for quite a while until it finally fell down. There was no owner present at the meeting. Mr. Batteiger is asking if Joe Harrison could send a letter to the owners and give the owners by the next meeting to respond. B. Collins questioned if the letter was sent out on February 16 and the owners had until May 15 to get corrected, Mr. Batteiger stated that was correct and it still hadn't been corrected. B. Collins questioned what the next action would be. Joe Harrison stated that the order would need to be approved and it may have to go to court. G. Newman questioned if the owner lived in the adjacent house. Mr. Batteiger stated that it was possible. Mr. Batteiger stated that the letter was sent via certified mail, however, the card did not return to the county. B. Collins stated that there was no proof of service due to the card not returning to Posey County. B. Schorr suggested that the Sheriff serve the letter. Mr. Batteiger stated that the letter was mailed to 4515 Caborn Road. B. Schorr made a motion to have the Sheriff complete the order to make contact with the homeowner with a response from the owner by June 20, 2023; G. Newman seconded. The motion carried with a vote of 3-0.

ADA TRANSITION PLAN

Posey County Assessor, Nancy Hoehn, stated that an ADA Transition Plan is a way for Posey County to identify if anything in regard to the County buildings need to be updated in order to be ADA Compliant. Mrs. Hoehn stated that the ADA Transition Plan must be up to date in order to qualify for state and federal funding. Mrs. Hoehn stated that the plan has to be updated every three to five years. Mrs. Hoehn stated that the plan has not been updated since 2016 due to Covid-19. Mrs. Hoehn stated that the ADA Transition Plan has been updated and Posey County has become more compliant. Mrs. Hoehn stated that the ADA Transition Plan Team would like for the new plan to be approved. B. Collins stated that Lochmueller Group has helped in redoing the ADA Transition Plan. Joe Harrison stated that if the Commissioners are inclined and would like to move forward with the amended or updated ADA Transition Plan, there will be a

resolution for the Commissioners to approve. Joe Harrison stated that the appendix information as well as the County ADA Transition Plan will need to be put on the County website. Posey County Auditor, Maegen Greenwell stated that there will be a separate page built on the front page of the website. G. Newman questioned if something was safe harbored due to being installed in order to comply with ADA in years prior but no longer did when ADA changed. Mrs. Hoehn stated that she would extend G. Newman's question to Lochmueller Group and copy G. Newman on the email thread. B. Schorr questioned if the ADA Transition Plan complied with all public buildings or county wide for all buildings. Mrs. Hoehn stated that the ADA Transition Plan that is being presented is only for county owned property (ex. Sidewalks, curbs, buildings, doors, entryways, etc.). Posey County Building Commissioner, Ed Batteiger, stated that when businesses do any construction on their property, the company ADA Transition Plan is required. Mrs. Hoehn stated that if a entry door gets changed, anything affecting the entrance including the ramps had to be brought up to become ADA Compliant.

CONGRESSIONAL SCHOOL FUND

Posey County Auditor, Maegen Greenwell, stated that Joe Harrison completed an ordinance for Posey County in 2022 in order to send back the \$44,500.07. Mrs. Greenwell stated that the interest has been paid to the schools and the remaining money has been sent back to the Auditor of State. G. Newman made a motion to approve the Congressional School Fund Report; B. Schorr seconded. The motion carried with a vote of 3-0.

DEPARTMENT UPDATES

Posey County Health Department representative, Donnie Martin, stated that the Health Department has a new intern from Wabash College that is working with Kelli Goedde.

Mr. Martin stated that the Health Department has a hearing in Superior Court approaching due to a septic tank not being filled and flowing into a county ditch. Mr. Martin stated that many letters were sent with no response. Mr. Martin stated that the Vanderburgh County Sheriff Office delivered paperwork successfully. Mr. Martin stated that Joe Harrison has filed a suit in Posey County Superior Court. Mr. Martin stated that court is scheduled for June 2, 2023 at 2:00pm.

Mr. Martin stated that an avian flu outbreak happened in Posey County in a small flock of privately owned chickens. Mr. Martin stated that the State of Indiana collected the twelve to fourteen chickens affected and destroyed the animals. Mr. Martin stated that the crossover between humans and chickens for the avian flu can be made but it is rare. Mr. Martin stated that a specific follow-up is required with the state in regard to people exposed to the chickens. Mr. Martin stated that the people that came in contact with the chickens are nearing the end of the ten days of checking the people's symptoms.

Mr. Martin stated that the state bill has passed. Mr. Martin stated that Posey County is unsure of the number, but he was assuming it is going to be around \$500,000. Mr. Martin stated that originally it was believed to be around \$625,000-\$655,000. Mr. Martin said the county is currently already matching more than the amount needed. Mr. Martin stated that this bill will give Posey County Health Department to opportunity to help the northern part of Posey County as well as in Mount Vernon and Black Township areas. Mr. Martin stated that the state does not tell the Health Department specifically what to do but gives Posey County a perimeter that needs to be worked. Mr. Martin stated that the state is wanting Posey County to focus on protecting against lead, tobacco, food protection, school health, environmental health and child healthcare. Mr. Martin stated that Key Performance Indicators (KPI) are things that the Health Department does to tell the State how Posey County is doing. Mr. Martin stated that the Health Board, Health Officer and entire Health Department have strongly suggested that the Council and Commissioners move forward with the \$500,000. Mr. Martin stated that the Health Department is not looking to hire people due to not knowing how long this program will be active in Posey County. B. Collins stated that this program will have to be a long-term commitment in order to hire new employees outside of a contract. Mr. Martin stated that the state suggested that the Health Department partner with organizations. Mr. Martin stated that the Health Department plans on partnering with the community paramedic and the Learning Center. B. Collins stated that the Commissioners still have questions and believe it would be beneficial to have a one-on-one meeting with an employee from the State of Indiana Health Department that is able to answer questions. B. Schorr stated that the program stated that Posey County would need to submit a budget of where the funding would go and how it would be used, and it would then

need to be approved by the State. B. Schorr stated that the process is a concern due to Posey County losing control if the State says Posey County is unable to do something. B. Schorr stated that he believes this program is a good idea as long as it is defined up front what the money is needing to be used for. Mr. Martin stated that Posey County is able to keep any money that is not used from the program. G. Newman stated that Posey County can either opt out of the program and get the same amount of funding that is normally given to Posey County or opt in and get an enhanced amount of money. G. Newman stated that there is a September 1, 2023 deadline for the Commissioner's to decide. Mr. Martin stated that currently \$9.75 million is split between 92 counties, following this program, \$75 million will be divided between up to 92 counties.

Posey County Sheriff, Tom Latham, gave the following housing update:
30 Vanderburgh
9 DOC
98 Posey County
137 total

Sheriff Latham stated that the April billing from Vanderburgh County was \$30,525. Sheriff Latham stated that Posey County has an interlocal contract with Vanderburgh County to house up to 50 Vanderburgh County inmates. Sheriff Latham stated that the contract needs to be renewed with the updates to the Commissioners and Vanderburgh County Sheriff made. Sheriff Latham stated that the Posey County jail can house up to 50 Vanderburgh County inmates if fully staffed. Sheriff Latham stated that he is hiring a new jailer with ten years of experience. B. Schorr suggested Sheriff Latham send the contract to Vanderburgh County for signatures from their Commissioners and Sheriff and Posey County will approve the contract in the next meeting.

Sheriff Latham stated that there is a deputy that wishes to work Part-time for the New Harmony Police Department. Sheriff Latham stated that there was a previous agreement that was drafted by Joe Harrison that would only need the names changed and signatures.

Paul Micheletti, EMS Director, stated that the ambulance that was rear ended is currently at Southern Indiana Bodyworks and is going to be there for approximately three to four more weeks. Mr. Micheletti stated that he believes it is time for Posey County to start looking at bids for a remount. Mr. Micheletti stated that the remount that is coming from Crossroads in Northern Indiana was supposed to be out now but will not be back until November or December. Mr. Micheletti stated that it is taking about eighteen to twenty-four months to receive a remount back. Mr. Micheletti believes that following that, it would be a good idea for Posey County to order a new ambulance. Mr. Micheletti said that after speaking with the ambulance manufacturer, it was mentioned that if an ambulance was ordered now, it would not be received around September 2025 – May 2026. Mr. Micheletti stated that he would like to start in the next couple of months with the remount bid and move onto ordering a new ambulance after the remount bid gets approved. Mr. Micheletti stated that once Posey County gets a contract, the remount bid can be pushed back another 6 months without losing the eighteen to twenty-four-month window. B. Collins stated that he would like to see an inventory of EMS Vehicles with the milage and age of the vehicles. B. Schorr made a motion to receive bids for a remount and new ambulance; G. Newman seconded. The motion carried with a vote of 3-0.

Cody Simpson, with Morley, addressed the Commissioners regarding the Posey County Broadband project. Mr. Simpson stated that segments 1, 3 and 4 have had fiber installed across the entire segments. Mr. Simpson stated that Morley has not done a punch list to ensure that everything has been done properly and that yards have been cleaned up. Mr. Simpson stated that Morley is meeting with Mainstream this week in order to close segments 1, 3 and 4 out. Mr. Simpson stated that Segments 5, 6 and 7 that were approved earlier this year, are underway and have had a lot of underground work completed. Mr. Simpson stated that there is still pole work and fiber installation on existing poles that is being completed on segments 5, 6 and 7. Mr. Simpson stated that segment 8 has been approved but he has not seen the county rite-of-way in order to start any work. Mr. Simpson stated that a review letter from their initial engineering plan has been sent for segment 9 but Morley has not received a revision. Mr. Simpson stated that there is one remaining segment to be submitted for engineering review.

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

Bill Collins

Bill Collins

Bryan Schorr

Bryan Schorr

Greg Newman

Greg Newman

Maegen L. Greenwell

Attest: Maegen L. Greenwell