

VIGO COUNTY COUNCIL
Sunshine Meeting Minutes
Tuesday, June 4, 2024 at 5:00 P.M.
Council Chambers, Vigo County Government Center

Pledge of Allegiance

President Todd Thacker called the meeting to order at 5:00.

Calling of the roll

Aaron Loudermilk – present; Nancy Allsup – present; Vicki Weger – present; Marie Theisz – present; Travis Norris – present; David Thompson – present; and Todd Thacker – present.

Communications from elected officials, other officials or agencies of the County

None.

Reports from committees

There were none.

OLD BUSINESS:

- i. Additional Appropriation Ordinance 2024-51i: Commissioners - Legal Expenses.

Commissioner Mark Clinkenbeard reviewed this tabled request from last month for an additional appropriation of \$75,000 in legal expenses. \$62,576.56 was spent last year in legal fees. \$88,820.19 has been spent so far this year with \$40,376.67 going to Bose McKinney for services regarding Churchill Downs. Their expertise in these negotiations has been invaluable. He believes the matter is close to being finished. President Thacker said he understood that there was a possibility that the casino may pay the legal expenses. Mr. Clinkenbeard said they would work on that. He thought that was originally part of the deal and he will check on that further. Marie Theisz asked if this appropriation was just specifically for the casino project legal fees or if it would be used for other legal expenses throughout the year. Commissioner Mike Morris noted that they were also having some additional legal expenses due to animal control issues in the County. There was a short discussion about casino negotiations. President Thacker said the Council had felt that they had been left out of every step of the negotiations and had no representation in the matter even though a non-governmental person was on the committee. There was discussion about efforts to change that situation. Mr. Clinkenbeard also talked about the possibility of grants from the Foundation.

Resolutions and Ordinances other than appropriations.

- i. **Resolution 2024-07 –Tax Abatement for Personal Property – ZINKPOWER – Terre Haute, LLC**

Attorney Eddie Felling gave a brief synopsis of the purpose behind the requested tax abatements for ZINKPOWER. ZINKPOWER is in the process of acquiring 20 acres in the northern part of the county next to Great Dane and plans to build a facility for zinc galvanizing. This is a process that is applied to steel that keeps it from rusting. They are ready to start building as soon as possible. The total real property improvements will be \$25.7 million along with \$21.5 million for personal property. Approximately 100 on-site construction jobs are anticipated for an 18-month project. After completed, they anticipate 90 full time jobs which would be about \$5.4 million in annual salaries plus \$600,000 in other benefits for those individuals. They believe this will serve local industry along with outside industry as well. President Thacker asked about the general contractor and Mr. Felling said it would be Winter Construction out of Illinois. They are currently conducting the bidding process and encourage all local businesses to bid. It was also noted that the abatement request had been amended last month to a traditional 10-year abatement.

ii. Resolution 2024-08 – Tax Abatement for Real Property – ZINKPOWER – Terre Haute, LLC

See prior paragraph.

iii. Resolution of Reallocation of Existing Appropriation 2024-10 – Local Public Health Services

Joni Wise, Health Department Administrator, explained that they are trying to enhance departments in the County with HFI funds to help with core services. She, Adam Grossman and Rich Moore had conversations about a program at Griffin Bike Park. Ms. Wise had identified some funding that would not be used in 2024 making it available in 2025. She would like these funds to be considered for reallocation now for this bike program. It has been written into the 2025 budget but with funding could be available now with this reallocation. Rich Moore of Griffin Bike Park talked about the planned improvements and programs to the bike park along with who they would be partnering with to accomplish things. Programs to benefit children are the first goal. Adult programming, including heart healthy activities, clean eating, exercise programs, and winter programming are some future plans. Further into the future, he would like to expand into after school programs and summertime programs.

iv. Resolution of Reallocation of Existing Appropriation 2024-11 - Reassessment

Kevin Gardner, Vigo County Assessor, talked about the workload of both the Harrison Township Assessor and the County Assessor. He gave statistics about the number of parcels that have to be physically examined each year by both departments and all the details that go along with that. In conjunction with that, they also have to do permit verifications and the processes necessary to get them completed. Reassessment and permitting both require the physical presence of an employee. In order to get the statutorily required reassessment done, the permitting process usually suffers. The assessors and chief deputies of both offices negotiated a solution where Harrison Township, who was in the process of hiring a new staff member to fill an open position, would hire someone whose main job would strictly be permits and would perform that

work for both offices. If/when they get the permitting caught up and under control, they would then assist Harrison Township with reassessment and, if that gets caught up, then they would assist Vigo County with their reassessment. Ultimately, this individual would be an employee of Harrison Township Assessor but would be shared with the Vigo County Assessor. All of these duties will mean that person will need a vehicle. Mr. Gardner has enough funding available to be transferred to cover the purchase. He is requesting \$34,000 but he has a proposed purchase agreement in the amount of \$32,650.25 with Toyota of Terre Haute. President Thacker asked if there would be a need for a MOU between the two departments to memorialize this agreement in the event in the future there might be a different elected official in either office. This would document that it was a Harrison Township Assessor employee being shared with the Vigo County Assessor and the Vigo County Assessor would be providing the vehicle for that employee. Council Attorney Michael Wright said that should be done and he would put an MOU together.

Ordinances relating to appropriations.

i. Additional Appropriation 2024-53: Seelyville Fire Protection District – Special Cum Fire – Capital Outlay

Seelyville Fire Department Deputy Chief John Hendricks and Jason Parker, Fire District Board Member, were present for this request. They are asking for this additional appropriation to facilitate installation of a station generator. The current station was built in 1996 without a generator backup. They have a portable generator but it can only power certain things. They need a generator that will automatically power up the building when needed. There was a brief discussion about looking into solar power and the availability of possible grants. Deputy Chief Hendricks also talked about some of the growth and improvements they had recently experienced.

ii. Additional Appropriation 2024-54: Local Health Maintenance – School Health Liaison and Peer Recovery Coach

Joni Wise, Molly Isles and Chelsea Willis of the Vigo County Health Department were present for this request. Ms. Wise explained that they still have Local Health Maintenance funds in the trust but those accounts were no more after last year. The State is telling them to spend them down and gave them guidance on how they could be used in January of this year. A school health liaison is mandated under the HFI. The Vigo County School Health Coordinator said they were not going to this. Chelsea Willis worked with the VCSC Director of Nursing and came up with a plan that will solve the problem. VCSC does not have people to help with immunization compliance, with in-school support especially with CHIRP (the Indiana database for immunizations). A school liaison can help with health and hygiene education issues, and lice issues. This will bring together all the areas as a whole. Molly Isles talked about the peer recovery coaching program being conducted in the Vigo County Jail. One person has proven to not be enough and they need a second person. This helps deal with jail overcrowding. Joni Wise said salary for both positions will come out of Local Health Maintenance for the rest of this year but will be covered under an already existing budget for 2025 (which had already been submitted and approved by the State Department of Health). Aaron Loudermilk asked what kind of results they were seeing from peer recovery in the jail.

Ms. Isles indicated this had only been in operation for 6 months so she didn't have much comparative information but so far, it has been very successful. She will get some information together and email it to the Council members. There was a short discussion about all the help being contributed by the Health Department.

iii. Salary Ordinance 2024-54A: Local Health Maintenance – School Health Liaison

This was covered in prior paragraph ii.

iv. Salary Ordinance 2024-54A1: Local Health Maintenance – Peer Recovery Coach

This was covered in prior paragraph ii.

v. Additional Appropriation 2024-55: Courts – Supplement to Work Release/Indigent

Hon. Sarah Mullican and Bill Watson with Court Services presented this request. This is funding for jail inmates in the Community Corrections program who go to work release or home detention. These funds are used to pay for indigent for home detention or work release for a period of time until they become employed. This has been a successful program. Judge Mullican gave a short history of the program and the amount of funding expended. Mr. Watson gave a short synopsis of the program and the increasing numbers being served. Aaron Loudermilk point out how successful this program has been and noted that other surrounding counties ask about the program and its success.

vi. Additional Appropriation 2024-56: ARPA Grant Fund – Park Improvements

Brian Gilbert, Assistant Superintendent of Vigo County Parks, said they were requesting these funds to allow them to expand on their rental capabilities at Fowler, Hawthorne, and Prairie Creek Parks. They plan to purchase two new cabins and one covered wagon for rentals. After a lot of research, the return on the investment appears to be good. It is hoped to help with some of the losses experienced during Covid. The cabin they currently have at Fowler Park is in constant use during the summer. There was a short discussion about rental fees.

vii. Additional Appropriation 2024-57: ARPA Grant Fund – Pool Renovation

Commissioner Mark Clinkenbeard explained that they are asking for \$50,000 in ARPA funds for the local YMCA to be used for pool repairs. He introduced Sam Albrecht, Director and Branch Manager of the Terre Haute YMCA. Nicole Frey, former YMCA director, and Curtis DeBaun, YMCA Advisory Council member and City Councilman, were also present. The primary repair needed for the pool is the Dectron unit, which is an air handling unit. It handles all the air conditioning, humidity control, and heats the pool water. They have estimated it will cost close to \$300,000 to replace the unit. It does need to be replaced in order for the pool to function. Mr. Albrecht gave a brief history and background of the local YMCA. The pool is used to teach children to swim, lap swim, family swim, for aqua fitness classes, and adult open swim. A lot of local groups,

including child care facilities, use this pool. He has also reached out to other potential partners for contributions for this repair including the City of Terre Haute, County Commissioners, Vigo County Health Department, Y Makes Waves (a not-for profit group made up of Y members and swimmers), and the United Way. Curtis DeBaun made several comments and said that it is his understanding that the City of Terre Haute has applied for a grant to be put toward the YMCA (the building itself and the pool). He is unaware if any ARPA funding will be requested from the City at this time although he sees it as a possibility. There was a short discussion about the stability of the building and future plans.

viii. Additional Appropriation 2024-58: ARPA Grant Fund – Sheriff’s Department Insurance Fund

Commissioner Mark Clinkenbeard said that the Commissioners were asking for \$350,000 from ARPA funds to be used as seed money for the Vigo County Sheriff’s Department deputies future retiree health insurance fund. Chief of Operations Derek Fell said this had been requested in their 2024 budget but it was felt that it should be delayed in order to get some actuary numbers first. To summarize this request, they are looking for retirement insurance for merit deputies. They would be eligible at the age of 52 if they have 20 years of service. That would carry on until they reached the age of 65 at which point they would have to go on Medicare. The numbers are based on predictions. It is impossible to say how many are going to retire at any given time but they have done projections for the next 20 years using the maximum eligible number based on age and years of service. Most years the number would be 5-9 with a few years having 10-13 but that is only if every single person left at 52. Aaron Loudermilk asked if the actuary information was available. Chief Deputy Auditor Cheryl Loudermilk said that the information had just been received. She believed all would be better served to have a sit-down with Mr. Bramble and herself with a couple of Council members at a time to be able to explain it properly in an understandable way. The actuary was done based on cost and then the Auditor’s Office did an estimate based on the seed money and maybe what you would want to put towards it every year. \$200,000 had been used but she felt that would still be over what would be needed each budget year. This appropriation is the seed money. The ordinance would actually come from the Commissioners to state that this is something they would want to do and offer to the deputies. This appropriation was requested to see if the Council wanted to actually fund the seed before any further steps were taken. Ms. Loudermilk said a meeting to explain the information would not take long. Vicki Weger asked Chief Fell if this would attract more applicants. Officer Fell said at times it would but the younger candidates were not really focused on retirement. However, in recent years, older age groups have been applying and this would probably be attractive to them. There was a short discussion.

ix. Additional Appropriation 2024-59: ARPA Grant Fund – Riley FPD

Commissioner Mark Clinkenbeard then discussed this and the next 8 additional appropriation requests as one. The Commissioners are requesting \$12,500 in ARPA funding for the following County fire districts: Riley, Pierson, Seelyville/Nevins, Prairie Creek/Prairieton, Honey Creek, Otter Creek, Sugar Creek, New Goshen, and

Shepardsville for a total request of \$112,500. The pandemic was hard on all the local departments and the effects continue to be felt today with higher equipment supply costs. These departments rely on fish fries and other fundraisers to help fill the gaps. This will help fill those gaps and show appreciation to the first responders. Commissioner Mike Morris said there was a broad range of services provided by these departments. Mr. Morris said the Council had done quite a bit for relief funds and this will finish up disbursable money for those kinds of things. Aaron Loudermilk asked if Seelyville and Nevins were combined just for the purposes of this request. Mr. Clinkenbeard said that Nevins Township had been struggling for the last couple of years. They basically have no fire protection so Seelyville has taken it over. He added that John Hanley had recently been caucused in for Nevins Township and is getting things in order but Seelyville will continue to service Nevins Township. Mr. Loudermilk then asked if there were any restrictions for these funds. Mr. Clinkenbeard said they had not asked for any restrictions because the departments all have various needs. Mr. Loudermilk suggested that if any additional ARPA funds became available, it might be good to consider giving additional monies to these groups. They can use all the help they can get.

x. Additional Appropriation 2024-60: ARPA Grant Fund – Pierson FPD

See discussion in paragraph ix.

xi. Additional Appropriation 2024-61: ARPA Grant Fund – Seelyville FPD

See discussion in paragraph ix.

xii. Additional Appropriation 2024-62: ARPA Grant Fund – Prairieton/Prairie Creek FPD

See discussion in paragraph ix.

xiii. Additional Appropriation 2024-63: ARPA Grant Fund – Honey Creek FPD

See discussion in paragraph ix.

xiv. Additional Appropriation 2024-64: ARPA Grant Fund – Otter Creek FPD

See discussion in paragraph ix.

xv. Additional Appropriation 2024-65: ARPA Grant Fund – Sugar Creek FPD

See discussion in paragraph ix.

xvi. Additional Appropriation 2024-66: ARPA Grant Fund – New Goshen FPD

See discussion in paragraph ix.

**xvii. Additional Appropriation 2024-67: ARPA Grant Fund –
Shepardsville FPD**

See discussion in paragraph ix.

**xviii. Salary Ordinance 2024-68A: Public Defender – Add PT High
Level Felony Position (1)**

Public Defender Gretchen Etling was requesting a part time high level felony position. This has been anticipated for several years. 4 years ago, the American Bar Association had partnered with the Indiana Public Defender Commission to review outdated weights through higher level felony cases. They wanted to implement those in January of 2022 but a 2-year extension was granted to get a gauge of what would be needed to come into compliance. The number and pure quantity of higher level cases had not been anticipated. Positions will be requested at budget hearings as the case levels continue to increase. This position would start with a zero FTE and the goal would be to contact the other public defenders with the higher level felonies that could spread some of the cases out to that individual to help move some of the cases that have been dropped off their FTE. Since this position is part of the high level felony, they would be reimbursed at the 40% rate for the salary. Todd Thacker ask when the expected start date would be if this request is granted. Ms. Etling said it would be immediately, not waiting until the new budget year. There was a short discussion about the reimbursable portion of the salary.

xix. Salary Ordinance 2024-69A: Courts – Amend Staff Salaries

Hon. Sarah Mullican and Hon. Charles Johnson presented this request. Judge Johnson said the Judges had a discussion and felt their staff was undervalued by the Baker Tilly report in comparison to departments. Each Judge reviewed their own staff and made recommendations which was included in the request. He further elaborated on the reasoning behind why it was felt that these individuals deserved to be compensated at a higher level. They do believe that these requests are appropriate and reasonable to fully compensate their staff. Court Reporter Bridget Kelsheimer gave a history of her career for the county and the duties of a court reporter. Once an individual becomes a court reporter, they do not leave that position. Marie Theisz asked if there was comp time or overtime for the extra hours worked during trials. Ms. Kelsheimer said they accumulate comp time to be used whenever possible. However it is not easy to find time to be able to use the comp time due to busy schedules. Judge Mullican agreed with that assessment. Ms. Theisz asked if court reporters were compensated for doing transcripts on their personal time. Ms. Kelsheimer said they do not have the flow of transcripts like they did in the past. However, she does receive compensation for transcripts done on her personal time. Ms. Theisz then asked about the fact that not all court reporters are being proposed to receive the same compensation under this request and asked for the reasoning behind that. Judge Johnson said that each judge had reviewed their own staff and rated them according to the extra responsibilities it was felt that they undertook. There was lengthy discussion about why some court reporters were being rated at different levels. Judge Reddy also explained why she rated her staff at different levels for the same position. President Thacker asked if a court reporter handbook had been created since discussions last year. Judge Mullican indicated that they had a pretty good agreement about what they want in it but it just needs to be put together. It is voluminous. She thinks it will be

done this summer. Court Reporter Tracy Richards talked about her career for the county which has spanned nearly 40 years and her duties. Judge Mullican talked about all the programs that have been started to help individuals and noted that all of those additional programs put a burden on the courts and requires extra training. Marie Theisz said she wanted to be sure that the positions were equitable across the courts as far as ranking them and consistency. Judge Mullican felt that the rankings were correct. Judge Johnson commented that if a level 12 were to leave that they probably wouldn't ask that a new person be hired as a 12 but probably as an 11. Vicki Weger asked if there was the possibility of a magistrate to help with the Juvenile Court. Judge Mullican said they were going to ask for an additional court and also ask to change the jurisdiction of a juvenile magistrate to a general magistrate who could address other things. Discussion then turned to what it would take as far as staffing if an additional court came into play. Council Attorney Michael Wright said that the total estimated cost for a seventh court, and this includes the county portion of the judge, 2 court reporters, PERF, insurance, transcript, office supplies, office furniture, copier, printer, systems hardware, would be \$247,158. These are costs that the Court put together for the Council's benefit. Cheryl Loudermilk asked Judge Mullican what was being budgeted for the court reporters for the possible new court. After brief discussion, it was found to have been put in as a 9.

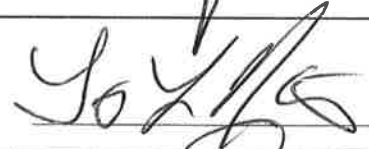
Public Comments

There were none.

Travis Norris made a motion to adjourn the meeting. Vicki Weger seconded the motion. Upon a voice vote of 7-0, the motion unanimously passed and the meeting was adjourned at 6:45 p.m.

MINUTES OF THE VIGO COUNTY COUNCIL
SUNSHINE MEETING
JUNE 4, 2024

Presented to the Vigo County Council, read in full and adopted as written this 13th day of August, 2024.

Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	David Thompson	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Travis Norris	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Marie Theisz	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input type="checkbox"/>	Absent <input type="checkbox"/>	R. Todd Thacker, President	
Nay <input type="checkbox"/>	Abstain <input checked="" type="checkbox"/>		
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Vicki Weger	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Nancy Allsup	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		
Aye <input checked="" type="checkbox"/>	Absent <input type="checkbox"/>	Aaron Loudermilk	
Nay <input type="checkbox"/>	Abstain <input type="checkbox"/>		

Attest:



James W. Bramble
Vigo Auditor