

Vermillion County Commissioners
Meeting Memorandum

October 10, 2023

6:30 PM

Commissioner's Courtroom, 2nd Floor, Courthouse

- I. Call to Order
- II. Pledge Allegiance to the Flag
- III. Roll Call
 - All Present
- IV. Approval of Minutes
 - Luther makes a motion to approve the 9.19.23 minutes. Dunavan seconds the motion. All in favor, motion carried.
- V. Approval of Claims for 10.13.23
 - Luther makes the motion to approve the claims with his questions being answered. Dunavan seconds the motion. All in favor, motion carried.
- VI. Approval of Payroll for 10.13.23
 - Dunavan makes the motion to approve the 10.12.23 payroll. Luther seconds the motion. All in favor, motion carried.
- VII. Monthly Treasurer's Report/Interest
 - Commissioner's acknowledge the monthly treasurer's report.
- VIII. Public Comment
 - Holtkamp and Hennis come to speak about the Improvement Money Grant. Holtkamp states that he had it filled out the application but the price they had quoted is only good for so many days. Hennis also states that they have applied for another grant but they have until Friday to sign the documents and it is for \$24,000.00. He also states that this can be paid for all up front or that it can be paid yearly for five years. Luther asks what the life expectancy of the equipment is. Hennis states that the body cams are replaced at 30 months and 60 months at the end of the five years, the dash cams will be replaced in five years if we resign a contract with them, and the tasers are under warranty as long as we have the contract with the company, they will be covered 100%. If a taser were to break they would send a new one and then they would send the broken one back in. It will also cover to taser cartridges which are about \$50.00 apiece. Luther asked what happens after the five years are up. Hennis stated that the county either signs another contract with them or they just keep and own that equipment. Yocum states that basically in five years we will have to buy all new equipment all over again and Hennis states yes. Holtkamp also explains that the tasers they have currently are 15 years old and they may not need to replace them in 5 years. Hennis also states that the good thing about these body cams is that they will automatically download the videos to their website and it will eliminate overcrowding on the servers. Yocum states that after 5 years the county will have purchased the equipment. Hennis states yes and then they would just have to sign a service agreement with Axon which he doesn't believe will be the full amount. Dunavan makes a motion to approve \$268,000.00 for the sheriff's office out of the improvement fund or if the council can use other funds from a different fund to off set some of the cost. Yocum seconds the motion. Luther states that he is in favor of the project just not in the process. Yocum called for a vote, Dunavan and Yocum voted in favor, Luther votes nay.
- IX. New Issues
 - a. Asphalt Materials – Roll Over CY 23 bid through CY 24
 - Luther makes a motion to approve the 2023 liquid asphalt contract with Asphalt Materials for 2024. Dunavan seconds the motion to approve the agreement. All in favor, motion carried.

- b. 2024 Commissioners Meeting Schedule Approval
 - Luther makes a motion to approve the 2024 Commissioners meeting schedule. Dunavan seconds the motion. All in favor, motion carried.
- c. 2024 Holiday Calendar Approval
 - Luther makes the motion to approve the 2024 Holiday Calendar with the correction of taking out the Health Department having the Friday before Labor Day off due to the Little Italy Festival. Also making the Friday before the Hill Climb a county wide holiday. Dunavan seconds the motion. All in favor, motion carried.

X. Open Issues

- a. Joink Proposal – Lori Bouslog
 - Luther states that he has talked to Bouslog. He states this isn't a Commissioner issue because the buildings are owned by the 4-H and the grounds are owned by Cayuga. Luther states that he believes if they are wanting the county to pay for the internet that we need to have an interlocal agreement that will state that the county will pay for the internet.
- b. 2nd Reading Ordinance – Investigation & Certificate of Death 2023 – 06
 - Dunavan makes the motion to approve the 2023-06 Ordinance. Luther seconds the motion. All in favor, motion carried.
- c. Toshiba Printer Agreement: Larry Dull
 - Dunavan makes a motion to approve the Toshiba Printer Agreement. Luther seconds the motion. All in favor, motion carried.
- d. IT Liability Waiver & Indemnification
 - Yocum states that the IT board has asked for a waiver from the county so that we don't hold them liable for any advice they give us. Luther states they are already covered.
- e. SR 163 Bridge at Brouillets Creek – Property Acquisition
 - Luther explains that INDOT has come back with a different proposal. The first time they came their records weren't sufficient. They submitted new documents this time and they are asking if the county would sell the property to them for \$1,000.00. Luther makes a motion to take this proposal to the council for disposal to INDOT. Dunavan seconds the motion. All in favor, motion carried.
- f. County Highway – Organization
 - i. Engineer Agreement – Vermillion & Parke County
 - o Yocum states that we are still working on the agreement with Parke County. Luther states that he had forwarded an agreement that LTAP had provided from other counties. Yocum states he hasn't look at the agreement yet. Dunavan says he has and he has some changes he would like to suggest for the agreement but he isn't completely done with it yet.
- g. County Annex – John Graves
 - Graves comes to talk to the Commissioner's about the HVAC unit they were trying to save, it is broken and it needs replaced. He provided them with a quote from Layton's for a 14 SEER. Luther recommends maybe looking at 16 & 18 SEER. All Commissioner's agreed to get the unit replaced.

XI. Announcements

- a. County Festivals & Events
 - i. Vermillion County Bicentennial (February 1st 1824 – 2024)

XII. Public Comment

- Yocum brings up the CO2 Wells. Yocum asks Spurr to explain the County Resolution that he wrote up for the county. Spurr explains that right now in the laws the General Assembly isn't supposed to grant any privilege to an individual or group of individuals that aren't equally available to all citizens of the state. Right now, we have a set of laws that gives a single business in Vigo County the ability to engage in carbon sequestration which seems to be pretty profitable.

They can get profitable tax credits which they can either use or sell. It also gives the business the ability to use eminent domain and one of the things they have acknowledged in this statute is that if you own land you own the pore space underneath your land which is similar to mineral rights. The only entity that you can sell your pore space to is one business in Vigo County but if you don't want to sell your pore space, the General Assembly has given the business the ability to use eminent domain just like they were the government and basically they can just come and take it from you, now if you were to sell the land, they could come in and tell you what the price would be. Spurr states that when looking at that it looks like it could be a constitutional violation. The other troubling area is that if a Vermillion County resident would like to take this to mediation or pursue a lawsuit over selling their pore space, you would have to go to Vigo County Circuit Court not Vermillion where as a county we have elected a judge. Which Spurr believes may violate some laws within our Indiana Constitution. Spurr suggest that as a county we need to be cautious in allowing any of our resources to be used as this may violate constitutional rights. Yocum reads the proposed resolution that Spurr has prepared for the county. The Commissioner's agreed to take this under advisement and discuss it further at the next meeting.

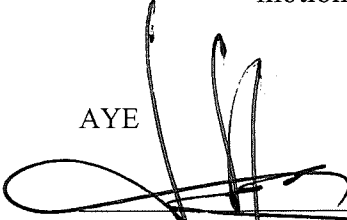
- Joe Thompson is from Vermillion, IL comes to speak about his concerns with the CO2 Wells.

XIII. Adjourn

- Luther makes the motion to adjourn. Dunavan seconds the motion. All in favor, motion carried.

AYE

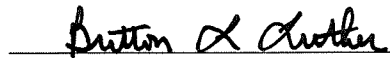
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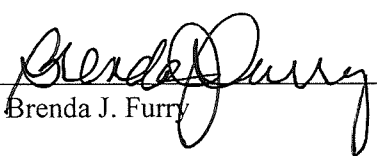
Tim Yocum



RJ Dunavan



Britton Luther

ATTEST: 
Brenda J. Furry

DATE: 10/30/23