

Bridge 122
Feasibility Study
Walking Trail Property
Cayuga Precinct Polling Place
Inmate Medical Care Ordinance

Vermillion County Commissioners Meeting Agenda/Minutes

Tuesday February 9, 2016

6:00 p.m.

Commissioners Courtroom, Courthouse, Newport, Indiana

- I. **CALL TO ORDER.** The Vermillion County Commissioner's convened in a regular meeting on Tuesday, February 9, 2016
- II. **ROLL CALL.** Members present were President Tim Wilson, Vice-President Harry Crossley, Tim Yocum, Auditor Phyllis Orman, Chief Deputy Auditor Amy Tolbert and Attorney Jon Spurr.
- III. **APPROVAL OF MINUTES.** The minutes from January 29, 2016 were approved on a motion made by Harry Crossley and seconded by Tim Yocum. The motion carried.
- IV. **EXAMINATION OF CLAIMS.** After reviewing the claims docket, the claims were approved for release on February 12, 2016 on a motion by Harry Crossley and seconded by Tim Yocum. The motion carried.
- V. **EXAMINATION OF PAYROLL.** After reviewing the payroll docket, the payroll was approved for release on February 12, 2016 on a motion by Harry Crossley and seconded by Tim Yocum. The motion carried.
- VI. **MONTHLY FINANCIAL REPORT.** Wilson acknowledged receipt of the Treasurer's monthly financial report.
- VII. **OPEN ISSUES:**
 - Bridge 122. Yocum said that the engineer and a representative from the railroad company will meet at the site on Thursday at 1 p.m. He said he is trying to get help from the railroad company to take care of the erosion to the bridge. He said if they can get them involved then maybe they can save the county some money. He said he hopes to have more information at the next meeting. Crossley said the railroad would probably benefit more from the repairs because if a train would derail, it would take out the entire bridge. Yocum said it may take a little longer but it is the wise thing to do.
 - Feasibility Study. Wilson said it is in the Council's hands now so it can be removed from the agenda. Tolbert said it is the Commissioner's decision whether to move forward. If they decide to pursue it then they would need to take the request to the council for approval. Wilson asked if the Council expressed how they feel about the project at their meeting last night and Orman said they did not. Wilson said to leave it on the agenda.
- VIII. **NEW BUSINESS:**
 - Property for Walking Trail. Yocum said he talked to the property owner, Keith Little. Little expressed that he did not see any problem with donating his portion to the county for the walking trail. Wilson asked where the property was located. Yocum said from the railroad bridge all the way across the bottoms out to the road. Crossley said it is in Montezuma, the old Hillsdale railroad bed. Yocum said they have to secure this property for the project to work. Yocum said Little had no problems but he also said he was not sure where the property lines were. Yocum said he talked to Surveyor Jared Dreher and they are going to try to get those lines defined. He said once they get them figured out then they should be able to secure the property. He also said they could go a different route and ask the DNR if they

would like to be involved. He said that would lessen the liability on the county. Yocum again reiterated that they need this property to make the project complete. He said he hopes to have more information by the next meeting. Crossley said it is all part of the walking trail that will be behind the Vermillion County Jail. Yocum said it is a very positive thing and he hopes Dreher can locate some of the adjoining owners. He said he wasn't sure but he thought the property would revert back to the adjoining owners 50/50. Spurr said that was correct.

- Cayuga Precinct Polling Location. Clerk Florinda Pruitt said the Cayuga and Eugene precincts are so close together and in the same township so it would make sense to move Cayuga to the Eugene location. She said they would still be separate precincts, separate poll workers but they would be in the same building. She said they have the money from a grant to update the American Legion but not enough to complete Cayuga Firehouse. She said from a liability standpoint, having them both in the same building would cover them under the American's with disabilities act for voting. Dwayne Osborne, resident of Cayuga, stated the Cayuga Firehouse is already that way. The building is already up to speed on the disability act. Pruitt asked if they have door openers and Osborne said no, and that they were not required to because of the way the building is designed. He said there is more than enough people on hand to assist voters into the building. Pruitt said according to her interpretation of the statute, the voter has to be able to enter the building by themselves, without assistance. Yocum asked if that was required for all polling places. Pruitt said it has always been that way. She said there have been grants available and she applies for them every time. She said once they receive this final draw they will have received almost \$80,000. She said they are federal monies that the state distributes. She said that this final draw is the last of the grant money, there will be no more. Yocum asked if this is something we would be required to do regardless of grant money. Pruitt said it should be but is it really the county's responsibility to update a building, probably not. She said it is their responsibility to hold the election in a building that is accessible. Wilson said he talked to the State Fire Marshall and found out that there has not been any complaints filed on the Cayuga location. He said until a complaint is filed, they can proceed with having the elections as they have always been done. Wilson said several people have stated that they don't want the polling place moved this year because it is a Presidential election. He said maybe they could look at it on a non-election year. Pruitt said it is entirely up to the commissioners. Wilson said the State Fire Marshall said they have nothing to do with it but it is his understanding that a complaint would have to be filed to start with. He said he inspected the building and it was ADA compliant at that time. Pruitt said, so basically the county will get sued first. Wilson said a complaint would have to be filed first and stated that they get less than 20% turnout as it is. Spurr said he thinks both Wilson and Pruitt are correct. He said the county is responsible for making sure the voting requirements are met. He said there are also general building requirements that have to be met. He said that with the handicap accessibility there is an exception under the general rule requirements that if there is sufficient staff to help someone in then you don't have to have an automatic door opener. He said it is a different rule if it is a polling place because they have to be able to enter and leave without assistance. He said it is part of the freedom to go there and vote without someone being able to say that they were discriminated against because of political party status. Pruitt said they had bells donated that they can put outside that the poll workers can hear from the inside. Spurr said Wilson is correct in saying that waiting until someone files a complaint it won't be an issue. He said the problem is that the complaint will come at some point when it's least convenient to make changes. He said it is a good idea to stay on top of it as much as possible. Wilson said that with the major election this year he would vote to leave things as they are and then re-visit it on a non-election year. Pruitt said last year Clinton precinct 2 moved to Clinton precinct 1 without issue. She said they sent letters to every registered voter and also put signs on the doors. She said there is only so much you can do. Wilson said he would be willing to look at it next year but right now he would not want to turn anyone away by moving. Osborne said they have had no problem with anyone coming in to the firehouse in a wheelchair or with a cane. He said one of the poll workers would make sure they were able to enter and exit the building. Pruitt said the firehouse is very close to being compliant. Osborne

said he is afraid that if they put a post out in front of the building that it would get tore up. Pruitt said it does not have to be on a post. Yocum asked if they could just put it out for one day and Crossley said no, it would be a permanent fixture. Osborne asked if the American Legion was ADA compliant. Pruitt said it will be when they get the doors installed. Osborne said he does not think it is. He said the restrooms are not ADA compliant. Pruitt said she is not sure they have to be concerned with that. She said they have to make the building accessible for the voters to enter, vote, and exit. Osborne said if you are to make the building handicap accessible then you would have to update the bathrooms. Wilson suggested they move on and re-visit it on a non-election year. Pruitt said you don't have to decide now, that it can wait until closer to election time. Dreher asked how many of the polling locations were compliant. Pruitt said that 11 of the 17 would be compliant after the update to Cayuga American Legion and Perrysville American Legion. She said as soon as the weather breaks they will get those doors installed. She said City of Clinton and Sacred Heart gym are compliant now. She said she knows people do not like change but sometimes it is inevitable. Yocum asked if it would save the county the cost of one polling place and how much would that savings be. Pruitt said they only thing they would save on would be the equipment at a cost of around \$1,000. She said the \$50 they pay to the Cayuga Firehouse would be paid to the American Legion if switched. Dreher said that Pruitt is concerned about the liability. Pruitt said that is correct and that it is entirely up to the commissioners. Yocum asked what the Cayuga and Eugene precinct committeemen thought about changing Cayuga to the American Legion. Pruitt said Wilson is one of them and the other is Bob Mark. Mark stated at the last meeting he had no problems with moving. Yocum asked what Rick Weir thought about it and Pruitt said she has not talked to him. Yocum asked who the democrat precinct committeemen were and Pruitt said Wilson and Mark. She said Anna Lou Fultz is Eugene Township. Yocum asked when the doors would be put in and Pruitt said as soon as the weather breaks. He then asked if the bids have been let and Pruitt said it's all been done. Crossley said Professional Glass is installing the doors. Yocum asked how much the doors cost and Pruitt said around \$11,000. Crossley said it was grant money. Crossley asked Wilson, as a precinct committeeman, what he preferred to do. Wilson said his people do not want to move. Yocum said that Mark had said at the last meeting that it did not matter to him. Pruitt said that is true and he also told her at a different meeting the very same thing. Yocum asked how many complaints were received when Clinton City moved locations and Pruitt said none. Wilson made a motion to leave the Cayuga polling precinct at the Cayuga Firehouse and to re-visit it on a non-election year. Crossley seconded the motion. Motion carried.

- Inmate Medical Care Ordinance. Spurr said he updated the Inmate Medical Care Ordinance in regards to the amount of co-pay the county can charge. He said the ordinance states that the money is to go into the County General Fund but it actually need to go into a separate Inmate Medical Care Fund. He said he will make the changes and the commissioners can sign it at their next meeting. Wilson made a motion to accept the ordinance with the changes mentioned above, seconded by Crossley. Motion carried.

VIII. ADJOURNMENT

Read in full and approved by the Vermillion County Commissioners on the 23rd day of February, 2016.

Tim Wilson

Harry Crossley

Tim Yocum

Attest: _____
Phyllis Orman, Auditor