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## ***Vermillion County Commissioners Meeting Agenda***

April 19, 2016

8:15 a.m.

Commissioners Courtroom, Courthouse, Newport, Indiana

- I. Call to order. North Vermillion Senior, Kevin Byrum, assisted the Commissioners in calling the meeting to order on Tuesday, April 19, 2016 at 8:15 a.m.
- 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 from last meeting. Crossley made a motion to allow, seconded by Yocum. Motion carried.
- IV. Examination of claims and payroll. Crossley made a motion to approve the claims and the payroll, seconded by Yocum. Motion carried.
- V. Monthly Financial Report. Wilson acknowledged receipt of the March 2016 Treasurers report.
- VI. Open issues
  - a) Property for walking trail, Spurr said he is working with the Auditor's office to get a legal description. He will prepare a deed once he has gathered all the needed information. Eric Shideler with Soil and Water explained how they would like to utilize some county property and abandoned railbed to create a walking trail. It will lead to, with the cooperation and partnership of the Reuse Authority at Vermillion Rise, a walking and biking trail that will go from 450 S. (O.P.D.) near the river, all the way to Dana's Ernie Pyle Museum. It will be about 10 miles of trail. Shideler presented some maps of the property and brochures of the total plan. He said by using the abandoned rail bed they have basically the base and all they will need to do is clean it up and top coat it. He said the initial phase is going to be 0.6 miles into county property. He said the time frame has been adjusted because now they are partnering with the Reuse Authority. The Reuse Authority has created an open space committee and they are planning, in conjunction with this initial 10 mile trail, to add another 5.5 mile of trail within Vermillion Rise. Shideler said, in total they could end up with about 16 miles of walking and biking trail. He said the most challenging piece will be to connect the eastern end of this trail that comes out at 450 S. to the proposed Montezuma walking bridge project that Yocum just spoke about. That portion will involve working with various land owners. Yocum said one thing he thinks is very important is the opportunity to partner with Parke County. He said Parke County Commissioner Jim Meece will be at the next

meeting to discuss this. Yocum said he feels the project will be much more attractive by partnering with Parke County. He said currently the railroad bridge is owned by the State. He said Parke County has done some engineering studies on the bridge and it will require some major work. He said if they do not try to secure this property then it will end up being a bridge to nowhere. Yocum said Mr. Little has agreed to donate the railroad grade to the county as long as it is used for the walking trail. He said everything is falling in to place.

- b) Building inspector job description. Spurr made the changes as requested at the last meeting. Crossley made a motion to allow, seconded by Yocum. Motion carried.
- c) Hog Slat. Noise complaint filed by Tim Houser. Adam Parkinson, General Manager of Hog Slat, provided the Commissioners with drawings of the Hog Slat property. The drawings presented two separate readings that they conducted at two different times. The readings represented several different scenarios. He said one reading included both vibrating tables running and all the doors open and the reading was 76. He said that is the loudest it will ever be. He said the houses are 150-200 feet across the road. He doesn't know what else there is to discuss. Crossley said he went out to Mr. Houser's house at 6 a.m. one morning and stayed there for an hour. He said the noise level was tolerable at that time. Houser told him that that was the quietest it had been for many years. Crossley asked Houser if the noise was any worse or better now and Houser said last week it went from very quiet all day until 5 p.m. The noise level increased from 5 p.m. to 10 p.m. He said it was as loud as he ever heard it. He said it vibrates his windows and his neighbor's windows. He said yesterday the noise level was perfect, that is how it goes, changes from day to day. He said last week it was terrible and that the noise decibel had to be in the 80 to 85's. Houser said the noise is ruining his quality of life. It typically starts at 6:15 a.m. and runs until 5 p.m. He said now that the weather is better, the doors will remain open which will make it even louder. Houser said the noise goes right through the house and you can't sit outside or inside. Parkinson said he had other readings from 2006, when Jim Low was at the plant and it shows that the readings today are not much different from back then. Yocum said he doesn't know much about noise levels and limits but asked if there were requirements from the State that have to be met. Parkinson said not that he knows of. He said when the company first moved in there was an engineer from the State that inspected and conducted readings. They were in compliant and the readings were where they should be according to the engineer. Parkinson said the readings today are almost the same as the readings from 2006 and there hasn't been many changes in their equipment over the years. The only changes were adding insulation to the building and the doors to help deaden the noise. He said they installed a new kind of roof last year that is made of very thick foam so that should also help deaden the noise. He said the tables have springs on them as well. Houser asked Parkinson if he was familiar with Doug Leman from North Carolina. Parkinson said he was. Houser said Leman came to his house 6 or 7 years ago when the noise was really bad and Leman assured him that the doors would be shut at all times, year round. Houser said it lasted about a month. Parkinson said they have to get the product out of the building so the doors can't be shut all the time. Houser said the noise is so bad that he would not be able to sell or rent his home. Houser said he knows there is no noise law in Vermillion County but said something needs to be done. He said somedays things run like they did yesterday, no problems at all but others days the noise lasts until 9 or 10 o'clock at night and it is unbearable. Crossley asked why it is quiet one day and not the next and Parkinson said yesterday there was a machine not running. Houser said it depends on what product they are making. Crossley asked Building Inspector/Zoning Administrator Penney Barton if there were any ordinances that pertain to this noise issue. Barton said not to her knowledge. Spurr suggested doing some landscaping to help deaden the noise. Parkinson said they have planted trees all the way along the fence down to the houses. Houser said there weren't any trees by his house. Parkinson said in the yard they even stack old molds to help deaden the noise. Parkinson said the readings show that the decibels have been at the same level for years and nothing has changed. Crossley said Houser told them in a prior meeting that he used a friend's noise decibel reader to measure the noise. Houser said it was OSHA issued and the readings were in the high 80's at his house. He said it was like that last week. He said he knows they have a product to make and business to run but we shouldn't have to deal with this kind of noise all the time. Houser said that is not even counting the semi traffic they have to deal with. He said everything is supposed to go in and out of the south gate but now that has been changed. Houser said the noise and vibrations are wearing him and his wife out. Wilson said it appears that the noise decimal level is consistent over the years. Parkinson said there may be slight variations from the use of different instruments. Houser said there is an agreement Hog Slat made with the Board of Zoning Appeals back in the mid '90's which address the noise levels. Houser said he knows the plant can operate quieter. Yocum asked if others have filed complaints. Houser said Mr. & Ms. Smith have but there was no record of that in the Auditor's office. Houser said he has been dealing with this for years. Wilson asked Barton to research sound decibel level requirements from the State. Tabled.
- d) Downed tree ordinance. Wilson said the ordinance has been circulating for the last two meetings and if there were no objections he would like to entertain a motion to allow or disallow. Crossley made a motion to allow, seconded by Yocum. Motion carried.

- e) Reuse Authority & Economic Development update. Wilson said Bill Laubernds sent a letter apologizing that he could not make the meeting today but will be at future meetings. Wilson said Laubernds also sent a letter explaining the revenues from the farm property at Vermillion Rise. Spurr read the letter :



April 13, 2016

Mr. Tim Wilson  
County Commissioners  
PO Box 190  
Newport, Indiana 47966

Dear Mr. Wilson:

The books and records of Newport Chemical Depot Reuse Authority disclose the following agricultural revenues for the year 2010 through the first nine months of 2011, **during which time the leases were owned by the United States Army; thus the Reuse Authority did not receive any of the following revenues: 2010- \$715,953.11; 2011 (January through September – \$534,221.04).**

Beginning in October 2011, the date of the transfer of the property from the Army, Newport Chemical Depot Reuse Authority was required to pay down the \$3,000,000.00 debt on the transfer of the property from the Army by a percentage of the agricultural revenues, as well as \$3,000.00 per acre of land sold. This figure based on agricultural income was 20% of those revenues for the years 2011 through 2014; it was increased to 25% for the years 2015 through 2017; and will increase to 30% for the years 2018 through 2021. Further, the agricultural leases are managed by Farmers National Company, and in addition to payment of the Army debt, the Reuse Authority must remit to Farmers National each year commissions and insurance costs totaling 6.34% of gross revenues. This yields **net revenues** for the following periods: October 2011 through December 2011 - \$131,169.07; 2012 – \$687,750.46; 2013 - \$884,930.98; 2014 - \$913,074.52; 2015 - \$740,521.79; and 2016 - \$682,874.78.

The Reuse Authority also has incurred significant costs in land improvements related to the agricultural leases since the transfer of property from the Army.

Should there be any questions regarding the above, please contact the Reuse Authority at 765-245-2415.

Sincerely,

A handwritten signature in dark ink, appearing to read "William Laubernds".

William Laubernds, Executive Director

Office & Mailing Address  
1051 W. Indiana Ave.  
Hillsdale, IN 47854

765 245 2415 (phone)  
765 245 2434 (fax)

[vermillionrise.com](http://vermillionrise.com)

Tom Milligan, Reuse Authority Board Member, said he was available if they had questions. Yocum asked for an update on the water, water line, and tower, asking if it was complete. Milligan said, from what he understands, they have built a 7 million gallon reservoir with the new water line. He said they are doing some testing on that. He said as far as exactly where the bypass from the 7 million gallon reservoir to the water tank and the water tank upgrades, they are working on them. He said the question you probably want to know is when we are going to send chlorinated water to the jail and the answer is, we are working on it. It is one of the goals of this project. He said they are taking the necessary steps to enable that to happen. There are steps to be completed and it is quite a process to make all this happen but they are spending millions of dollars to have a pure, clean, and neat water system for Vermillion Rise and the surrounding communities. Yocum asked if the ground breaking for the Spec Building is still set for May 9<sup>th</sup> at 11:30 and Milligan said yes it was. Yocum asked when the building would be completed and Milligan said the target is October or November 2016. Mark Swingle, Vermillion County Economic Development Council Board President, said he was available for questioning as well. Yocum said he would just like an update on what Economic Development is doing as far as goals and vision. Swingle said they are working in tandem with the Reuse Authority and Vermillion Rise on the new Spec Building tax abatement and the sale of that building. He said Economic Development Director Dylan Riggen, Reuse Authority Executive Director Bill Laubernds, and the Reuse Authority Director Elizabeth Burroughs are working hard to market the facility. He said they are also working with other small businesses to help them acquire a USDA loan that will give them some startup money. He said it is a small budget that will allow them to offer micro loans to new small businesses. He said there are

currently a couple of businesses' going through the loan process. He said, so we are working on selling the \$4.3 million dollar Spec Building with Garmong and the Reuse Authority as well as working on other small projects. Yocum asked how much contact they have with the State's Economic Development leads and Swingle said Riggen is in constant contact with the state and goes through many programs and training offered by them. Swingle said they are part of West Central Economic Development and they do Workforce Development with the school systems to get kids to stay here and work locally. He said not everyone is going to go to a 4 year college. We need workforce here in Vermillion County. Yocum asked if they receive a monthly report from Riggen and Swingle said they distribute a newsletter monthly. Swingle said it is very important that Garmong is given the tax abatement on the Spec Building. He said there is no point in having a \$4.3 million dollar building that they can't sell because there was no tax abatement. Crossley said the news reported last night that Vermillion County has the highest unemployment rate of 8.4% so they need to get something going in the county to change that. Swingle agreed and said Vermillion County also has the 2<sup>nd</sup> lowest for money spent on Economic Development by the county. He said Economic Development's budget is only \$400,000 per year. Yocum asked if they could receive a monthly report to inform them of what is going on. Swingle said yes and that he or Riggen would attend future meetings and provide updates. He also stated that one of the Commissioners has a seat on the board so they can come to the meetings to see what is going on. Swingle said they are all about involvement but their hands are tied when they are 91 out of 92 counties for what is spent on Economic Development. Milligan, who also sits on the Economic Development Board, asked the Commissioners if they had a copy of the Ball State study that provides direction for Economic Development. He said they paid to have the study done and everyone should have a copy. He said it details a plan of work that they are diligently trying to follow. Swingle said they had town hall meetings with all communities and that the study encompasses all of that. Swingle said they hired people that are professionals at doing this and they had a plan of work. We are trying to follow that plan. Milligan told the commissioners that if they did not have a copy they need to get one so they can see that they are following the plan to make the community a better place to live, work, and enjoy life. He said "Quality of Life" is the new buzzword. He said for them to understand where Economic Development is going, they need to read the plan.

- f) Water pressure-Jail. Tabled.
- g) Insurance coverage for significant other. Wilson made a motion to deny the insurance coverage for significant others, seconded by Crossley. Motion carried.
- h) Indiana Family and Social Services Administration. Sheriff Phelps and Attorney Spurr reviewed the contract and saw no problems with it. Wilson made a motion to allow, seconded by Crossley. Motion carried.

## VII. New business

- a) Bidding Ordinance. Clinton resident John Moore was present representing the Wabash Valley Building and Trades. He said they would like the county to consider establishing a responsible bidding ordinance for projects over a certain dollar amount. He said they are requesting this because the organization believes in apprenticeships and job training for the construction trade. He said they feel that if a project does exceed a certain amount there will be federal funds involved. He said it is an opportunity for some of the money being spent for that project to actually be utilized to help educate and train local people. Moore said this is in regards to public work projects throughout the county that are \$150,000 or whatever minimum amount the Commissioners choose to set. Moore said the problem with some of the people that are construction workers is that they tend to circumvent the system as far as payroll is concerned. They hire subcontractors and are not actually paying them wages. They are just paying them a flat rate and at the end of the year those people are responsible for the taxes. This will give you a tool to combat payroll fraud and to make sure the people doing work in this county are abiding by the laws of the state and federal government. Yocum asked Spurr if we already had this in effect and Spurr said they have to follow state statutes in regards to bidding and proposals. Spurr suggested they take it under advisement for research and public comment. Tabled.
- b) Sheriff vehicles. Phelps presented the Commissioners with quotes for police vehicles. One Ford Explorer from Clinton Ford at \$26,000.00 and one Dodge Pickup truck from Fletcher in Franklin, IN at \$25,304.00. Crossley made a motion to accept the bids, seconded by Yocum. Motion carried. Clerk Florinda Pruitt asked Phelps if he had looked at the safety ratings for the Dodge Trucks and Phelps said he has not. He said the state police use them as well as all the other states so why would he change from what 49 other states use. Phelps was able to negotiate a cheaper price from Mike's Motors in Clinton for a Dodge Pickup truck at a price of \$24,507.99.
- c) Geo-thermal system-Jail. Phelps said during the sewer project the horizontal loop of the geo-thermal system got drilled into which allows a lot of dirt and rocks to enter the system and is destroying the pumps. He said the pumps have been repaired once and now no one will touch them. The pressure should be around 50-55 psi but is running around 40. He said he has Energy Systems Group here this evening to discuss this problem and also energy savings at the jail.
- d) Energy Savings Group-Jail. Mark Falaher with Energy Systems Group gave a brief overview of the company and explained that they just completed a similar project in Boone County. He said they

prepared an energy feasibility study for the Vermillion County Jail. The study suggests a new geo-thermal system, new heat pumps, new interior and exterior lighting, new toilet flush controls, new public restroom over flow fixtures, new domestic hot water solar UV system and re-commission/verification of HVAC controls. He said they can provide detailed costs with a more detailed study at a later date but estimate the cost to be around \$730,000 to \$930,000 with an annual energy savings of \$35,000 to \$50,000. Steve McGowan with Ground Loop Solutions, said he has been involved with the jail for several years. He explained how the system is outdated and stated that if he tried to clean out the current system it would more than likely blow up. Falaher said they have worked with McGowan before and they know the end result will be a robust system that will do what it is supposed to do. He said the energy savings will identify and quantify with a guaranteed savings. He suggested they put together a workshop with the Commissioners and Council to offer more details. He said they follow all the state requirements for bids and proposals. He said Phelps has a good handle on it but there is a sense of urgency with what the summer will bring. Phelps said they need to talk serious about moving forward before a problem arises. Phelps will set up the workshops.

- e) Internal Controls. Spurr said it is mandated by the State Board of Accounts that they county adopt a certain minimal standards in regards to internal controls. He said the State Board of Accounts website sets forth those minimal standards. He suggested the Commissioners either adopt the minimum or they start work on developing their own because this must be in place by June 30, 2016. He said they can adopt what the state set forth or they expand from there. Tabled.
- f) Newport Covered Bridge Historical Marker. Yocum asked how to get the historical marker re-painted. Vermillion County Historical Society President Tim Axtell said they have to go through the National Landmarks Foundation before they do anything. He said there are several markers in the county that need painted. He said they tried to get the Art Teachers involved to have students volunteer to paint them. He said he would try again. Courthouse Maintenance Supervisor, Terry Carrera, said that had a company redo the historical marker at the Courthouse for \$200 and it looks brand new. The Commissioners said they would look into that if they can't get the Art teachers and students involved. Crossley said a group at Eli Lilly does volunteer work and that could be an option as well. Tabled.
- g) Board Appointee requirements. Yocum said he would like to create a list of standard requirements for those that the Commissioners appoint to various boards. It was agreed that he and Spurr would work on it. Tabled.
- h) INDOT, issues at State Road 63 and I-74. Traffic Engineer, Gary Bouser, from the Crawfordsville District was present to listen to comments and answer questions about the on-going traffic problems at the State Road 63 an I-74 intersection. Wilson said there has been numerous issues with this area and numerous fatalities, one which happened a few days ago. He said there are major problems which include the posted speed limit of 45 mph which no one follows. He said if you need to get on I-74 you have to cross 3 lanes of traffic. If you are coming off of I-74 to get on 63 you have to cross 3 lanes of traffic. Wilson suggested reducing the speed limit, installing rumble strips and improving signage. Bouser said they have heard about and read the report on the recent fatality. He said they are going to investigate the entire area including the truck stop area. Wilson said if it saves 1 life it will be worth it. Wilson also suggested that if they are going to do construction in that area to no set the cones up so far in advance as it confuses people. He also mentioned that INDOT tore up a road off of 63 going into Gessie on a Friday and left it tore up all weekend. Bouser said he would let the construction department know. Phelps said that INDOT should notify them of any road closures ahead of time. Bouser said he will take care of that as well. Vermillion County EMS Supervisor, Roger Lewis, suggested they look at the turn lanes stating that semi's do not have enough time to slow down and make those turns without the advance notice. Barton asked what kind of time frame Bouser was looking at before the investigation was completed and Bouser said probably 2 months. He said he would report back to the Commissioners his findings.
- i) Clark-Dietz. Kevin Loiselle with Clark-Dietz Engineering gave the commissioners the final phase 1 bridge inspection report for the inspections that were done last fall. He also provided them with a list of bridges that need repaired for the states call on projects.
- j) Eugene Covered Bridge. Axtell suggested the commissioners look at the abutment north of the Eugene Covered Bridge, stating it needed some attention.
- k) Clinton City sub-lease. Spurr reviewed the contract. The sub-lease is for the Prosecutor and he has signed the lease. Crossley motion to allow, seconded by Yocum. Motion carried.
- l) Clark-Dietz Contract-Ron Shepard. Spurr said he has not had time to review it. Tabled.

VIII. Adjournment. The meeting was adjourned at 9:49 a.m.

Read in full and approved by the Vermillion County Commissioners on the 2<sup>nd</sup> day of May, 2016.

\_\_\_\_\_  
Tim Wilson

\_\_\_\_\_  
Harry Crossley

\_\_\_\_\_  
Tim Yocum

Attest: \_\_\_\_\_  
Phyllis Orman, Auditor