

MONROE COUNTY COMMISSIONERS MEETING
MONROE COUNTY COURTHOUSE
JUDGE NAT U. HILL MEETING ROOM
BLOOMINGTON, IN

The Monroe County Commissioners met in a regular meeting on April 27, 2007 at 9:00 a.m. With the following members present: Iris Kiesling, President; Joyce Poling, Vice President; Patrick Stoffers, Member. Also present William Steger, Monroe County Attorney; Jane Marie Lind, Commissioners Executive Director; Bill Williams, County Highway Engineer and Sandy Newmann, Monroe County Auditor.

CALL TO ORDER

(Kiesling) I would like to call to order the Commissioners meeting for April 27, 2006.

Poling moved, Stoffers seconded to amend the agenda to add a Change Order with Dave O'Mara.

Motion passed

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Poling moved, Stoffers seconded to approve the minutes from March 30th and April 13, 2007

Motion passed

APPROVAL OF PAYROLL (\$496,074.13) AND CLAIMS (\$4,117,085.37)

Poling moved, Stoffers seconded

(Newmann) A lot of that is due to the Inheritance Tax.

Motion passed

REPORTS

Poling moved, Stoffers seconded to accept the monthly report for Clerk of the Circuit Court, Treasurer's office and Weights & Measures.

Motion passed

PROCLAMATIONS

DRUG COURT MONTH

(Steve Malone, Probation) The National Drug Court Awareness commencement ceremony is the second Wednesday of every month. This year we're celebrating it on May 9th. We have several graduations going on that day. In addition to that Judge Todd is stepping down as a presiding Judge of Drug Court and Judge Diekoff is going to taking over. We will have a farewell ceremony for Judge Todd at 8:00 a.m. in room 313 at the Justice Bldg.

(Judge Diekoff) We want to call attention to the Drug Court program and how important it is and how beneficial it is. We help these individuals become better serving members of the community.

(Kiesling) I understand that you've done some research in terms of what the outcomes are and that our recidivism rate is much lower and I was hoping you would have that report available for one of our reporters here.

(Diekoff) It's my understanding that the report we got is a preliminary report. They are finishing that report and as soon as they tell us that report is final and we can publish it, we will.

(Malone) Some of the preliminary results indicate that we have saved over a million dollars as far as jail days and money for jails during the life of the program. Our recidivism rate is lower then most other drug courts throughout the nation. And we are reducing substance abuse among drug court participants in this county. We're supposed to be getting the final report in the next few days.

PINNACLE SCHOOL DAY

(Denise Lessow) On behalf of Pinnacle School we have three students with us today, Ben, Kaylan, and Nicole. We're very proud of the fact that the Commissioners and the Community recognize the contributions made by our family, students and staff to the community. Pinnacle School is one of only two such schools in the State. We will be starting kindergarten in the fall. Our school is located at 2427 East 2nd across from Rogers and Binford Elementary.

OLD BUSINESS

TEMPORARY PERSONNEL SERVICES AGREEMENT WITH ERIC DECKARD

Poling moved, Stoffers seconded.

(Poling) It is my understanding we're going to do the GPS section only.

(Kevin Enright, Surveyor) I'm here to ask approval of the contract to do the GPS work with Eric Deckard.

Motion passed

ORDINANCE 2007-18 SOLID WASTE FACILITY

Poling moved, Stoffers seconded

(Stoffers) This ordinance establishes a couple additional local controls on the establishment of solid waste management facilities in Monroe County. In Section 1 it says, "That any proposed Solid Waste Management facility that is required to obtain a state permit or registration must provide to Monroe County Board of Commissioners written certification from the Monroe County Solid Waste Management District that the proposed facility is consistent with the District Solid Waste Management Plan" And # 2 the Monroe County Board of Commissioners may at their discretion convene a public hearing to allow public review and comment regarding the information submitted under Section 1 above. The Monroe County Board of Commissioners will then within 30 days determine whether a proposed facility will promote public health, safety and general welfare of the citizens of Monroe County. As you had asked me earlier, Solid Waste Management Facilities is defined by the Indiana code and it would include landfill, transfer station, incinerator and I thought it was important to establish a couple additional local controls. And draw the Solid Waste Facility into when facilities are proposed into Monroe County.

(Dave Schilling, Legal Dept.) This ordinance is designed to give some local input on the location of Solid Waste Facilities in Monroe County. The State Legislature has given counties or Solid Waste Districts the authority to come up with a coordinated solid waste disposal plan for each county. Yet the State reserved the right to itself to make the determination of whether a local facility is needed or not. But the State has to notify the locality that, that process is under way. This sort of creates a mechanism where by the County can be brought up to date on what's proposed and find out what's going on, so if they want to make any comments to the State they'll be in a position to do so. This is designed to work closely with the zoning ordinance and other ordinances of Monroe County. I believe before any land use certificate could be issued to a Solid Waste Facility that they would need to comply with this regulation.

(Kiesling) Is this something we would send to the State also to inform them that we have done this?

(Stoffers) Once we adopt this and we record it, the next step would be to file it with the Indiana Department of Environmental Management because one of their steps in the permitting process is to ask the petitioner if they have complied with all the local

ordinances. This makes them aware that there are some additional steps beyond the pure zoning ordinance.

Motion passed

NEW BUSINESS

NATIONAL DRUG COURT AWARENESS MONTH

Poling moved, Stoffers seconded

(Malone) The reason for the National Association of Drug Court Professionals to proclaim this "National Drug Court Month" is to increase awareness among elected officials, media and community at large of the existence and how effective Drug Court's actually are and to increase the involvement of their agencies and within the community other community organizations the operating of drug courts.

Motion passed

CONTRACT WITH CHAIM JULIAN \$10.00

Poling moved, Stoffers seconded

(Sam Allison, Recorder) This contract was originally approved in February and the terms of the renewal are no different today than what they were back then. It will be \$10.00 an hour and paid entirely out of the Recorder's Perpetuation Fund.

Motion passed

SOLID WASTE/GREEN BUSINESS DISTRICT \$1,200

Poling moved, Stoffers seconded

(Kiesling) This is for Green Business to pick up our recyclables. I would like to see more recycling going on in the buildings.

Motion passed

INDOT AGREEMENT

Poling moved, Stoffers seconded to table.

(Bill Williams, Highway) This is a grant that we applied for. This would allow \$25,000 for the closure of a railroad crossing, however, State law also requires us to hold public hearings for any road closure. And if we would, in fact not close the railroad crossing it

could jeopardize close to eight million dollars worth of projects we have going on. So until we go thru the form of the road closure process I would request that this be tabled.

Motion passed

DAVE O'MARA CONTRACT

Poling moved, Stoffers seconded

(Bill Steger, Legal Dept.) Two weeks ago at your April 13th meeting you awarded bids for bituminous materials to Dave O'Mara and this is memorializing to what you did in addition it does provide for a renewal of the agreement at a price not to exceed 10% of the current materials.

Motion passed

MIDWEST MAINTENANCE CONTRACT FOR DOME REPAIR

Poling moved, Stoffers seconded

(Steger) This is a ratification of an agreement we already signed because we felt it necessary to keep the dome repair job going. As the public is aware, we've been engaged in the replacement of the topper on the dome. This additional work was recommended by the contractor and by our maintenance staff. Because at the base of the dome there is a flat area which could in fact hold water and put it back into the building, so this provides for installation of what they call a water table.

Motion passed

PITNEY BOWES CONTRACT \$124.00 MONTHLY

Poling moved, Stoffers seconded

(Steger) About ten months ago the Commissioners approved the purchase of new postage metering equipment for the Clerk's office. The vendor advised that an upgrade of this equipment was necessary in order to accommodate the new postage rates, which take effect within the next 30 days.

Motion passed

ORDINANCE 2007-16 ALL AMERICAN CLEAR CREEK OUTLINE PLAN

Poling moved, Stoffers seconded

(Gregg Zody, Planning) This is for a Planned Unit Development Outline Plan located on Old State Road 37. What the petitioner has illustrated a funeral home as the use for the

site, but has also included a list of uses permitted in GB. The Planning Commission gave this a negative recommendation for it. The conditions of approval are as follows:

1. Uses are limited to those Medium or Low Intensity Use permitted in Limited Business Zoning with the exception of Funeral Home and the accessory Crematorium which is only permitted in General Business Zoning.
2. Landscaping must be installed as illustrated on the Development Plan.
3. A complete photometric plan must be reviewed and approved by staff prior to the issuance of any ILP and that any lighting structures must use lighting shields or back plates to direct all lighting away from adjacent residential areas.
4. Commercial driveway application shall be submitted for review and approval.
5. A traffic study shall be submitted for review and its recommendations for remediation implemented to off-set the increased traffic generated from this location.
6. Construction plans for drainage and roadway improvements have been submitted for review and approval. Modifications may be required if changes are needed for the traffic study.
7. The inlets need to be configured and sized such that the 100 year runoff is conveyed to the detention pond, and a 12 inch depth of topsoil/compost mix is needed in the bottom of the detention pond. A seed mix containing native plants adapted to wet conditions shall be used for cover in the pond.

(Steve Peters, Bynam, Fanyo and Assoc) We agree with Gregg Zody's report. We feel this is a great collaborative effort to bring forth a good use for the land and to have the zoning to LB with low and medium intensity. One of the main topics of discussion other than the uses, which we limited, had to do with traffic. It was mentioned at the County Commissioners meeting that this area has a level "E" service, which was old information before the improvement of the traffic intersection so that has been improved. And then the second thing, along with the fact that the neighbors concern is the traffic onto Holland Drive, which this proposal would eliminate the possibility of that.

(Poling) I wanted people to know that's been taken care of.

(Stoffers) I think the planning staff did very good work on this. I was part of the Plan Commission that did not approve this. And having gone back and reviewed the records and looking at the Findings of Facts I regret that vote and I think the Planning Commission got this one wrong. I intend to support this today.

(Kiesling) I think having known the property and what has been there before and so forth, this looks like a good use.

Motion passed

RESOLUTION 2007-14 SURPLUS PROPERTY FOR HIGHWAY DEPT.

Poling moved, Stoffers seconded

(Steger) On May 14th at 6:00 p.m. at the Highway Garage there will be a public auction of surplus vehicles. Most of which were obtained from the Sheriff's department. There's a couple of items that were forfeiture properties thru the Prosecutor's office.

Motion passed

CHANGE ORDER WITH DAVE O'MARA

Poling moved, Stoffers seconded

(Williams) We've encountered unsuitable soil on our project and were requesting an increase in the amount of geo-grid material for the project. In the initial bid there was an undistributed quantity of 100 square yards, which has already been exhausted in the first construction phase of this project. This change order will increase that amount to 5,000 square yards. The total amount of the change order is \$2,250 of which the Federal Highway Administration will pay for 80% of the cost or \$17,000 bringing the total to \$4,562,631.26. This is located on Vernal Pike.

Motion passed

ANNOUNCEMENTS

Sheriff Kennedy and Ron Thompson will be participating in the O'Bannon Institute at Ivy Tech this afternoon.

Tonight is the Pops Concert at the Buskirk Chumley. It's going to be Oscar Night.

Tomorrow is the Celebration of Families at the Third Street Park from 12:00 to 3:00. If it is bad weather it is at the Boys and Girls Club.

There will be a Japanese Delegation in Bloomington.

We want to congratulate all those students graduating from I.U. including our own Patty Smith.

May 8th is Election Day and County buildings will be closed.

May 9th & 10th Joe and Joyce Peden will be hosting, "Farm Feast".

Our next Commissioners meeting is May 11th at 9:00 a.m.

PUBLIC COMMENT

(Judy Sharp, Assessor) As you saw in the paper today property taxes are hot and heavy again. I was at the State all day yesterday. I think there are nine counties that have sent out their tax bills. And in those nine counties I don't think the legislature or anyone was prepared for what was going to happen in those nine counties. I don't know what's going to happen in Monroe County. We put on in Monroe County \$1.9 billion new assessed evaluation. The tax rate is supposed to fall. The legislature will probably do something else to the tax system again. I think by Sunday night the legislature will do something to alleviate the tax shift that you're seeking in counties and it will probably be some sort of a credit on the homestead. I am hoping that Monroe County taxes do go down a little bit. Are there going to be increases in taxes? Of course, we increased assessed value tremendously on under assessed property. So somebody that was paying less last time because their assessment was less, then it should have been, they will see an increase and they should. Someone with close to market value will not see much of an increase. I can tell the citizens of Monroe County that, standing here among all of us, this is county government. This is just a small piece of the pie, probably the smallest pie of the property tax. And county government's piece of the pie of your tax dollar is 1.9%. That's nothing people. And that's basic needs and services that we must fund out of almost nothing. And it's not getting any better for us.

(Stoffers) I would just comment that Jeff (Espoge ?) is no innocent bystander, he's a perpetrator of this from his years as head of that committee. He's had his finger on the trigger for years in that committee in the legislature and to shrug his shoulders and say, "Geez, we didn't know", is just disingenuous.

(Kiesling) The Treasurer told me last night that Howard County had gone up about 30%.

(Poling) Well, people should remember, your assessment should be the market value of your property.

ADJOURNMENT

The meeting was adjourned at 10:10

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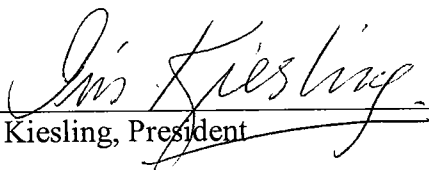
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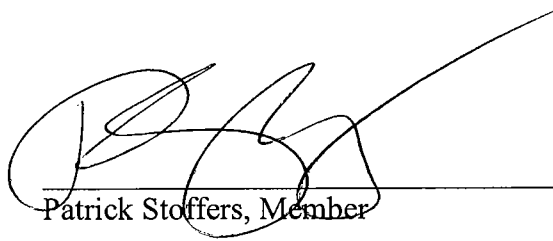
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MONROE COUNTY BOARD OF COMMISSIONERS

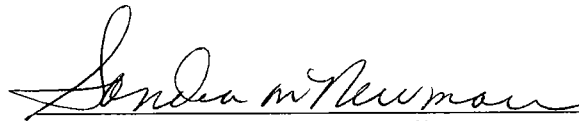


Iris Kiesling, President

Joyce Poling, Vice President



Patrick Stoffers, Member



Attest: Sandy Newmann, Auditor