



**MINUTES
MONROE COUNTY BOARD OF COMMISSIONERS'
NOVEMBER 6, 2019
NAT U HILL III MEETING ROOM
COURTHOUSE
BLOOMINGTON, IN**

The Monroe County Commissioners met in a regular meeting on November 6, 2019 at 10:00 a.m. with the following members present: Julie Thomas, President; Lee Jones, Vice President; and Penny Githens, Commissioner. Also present: Jordan Miller, Payroll Administrator; Jeff Cockerill, Attorney; Angie Purdie, Commissioners' Administrator; Lisa Ridge, Highway Director; and Anita Freeman, Deputy Auditor.

I. CALL TO ORDER

The meeting was called to order by Thomas

II. COMMISSIONERS' PUBLIC STATEMENT

Statement read by Jones

III. PUBLIC COMMENT – FOR ITEMS NOT ON THE AGENDA, LIMITED TO 3 MINUTES

- NONE

IV. APPROVAL OF MINUTES

- NONE

Motion carried by voice vote.

V. APPROVAL OF CLAIMS DOCKET

- ACCOUNTS PAYABLE – NOVEMBER 6, 2019
- PAYROLL – NOVEMBER – 8, 2019

Jones made motion to approve. Githens seconded.

(Miller) Total for Accounts Payable - \$1,788,350.59

- \$964,182.99 – Milestone Contractors LP – Community Crossing
- \$315,091.95 – Innkeepers Tax Collection
- \$166,762.49 – Anthem BC/BS

Total for Payroll - \$1,523,767.95

- 70.8% - Direct costs
- 29.2% - Indirect costs

After call for public comment, carried by voice vote.

VI. REPORTS

- **TRAFFIC/ROAD UPDATE**

- Week of November 25th paving will be finishing up on Fullerton Pike PH II. The roundabout will be open. Gordon Pike Bridge will be open 2 weeks later.

VII. NEW BUSINESS

- A. (Thomas) Our next agenda item is our conversation with Mayor Hamilton regarding the Capital Improvement Board. At the last meeting of all the elected officials we were taken a bit off track from our published agenda and were not able to provide our perspective on the benefits of an eastward expansion of the convention center rather than the north. This was also raised by some members of the County Council which we appreciate. We have heard the northern expression many times that we should be moving north into the Bunger & Robertson property but public has yet to hear the eastern perspective so that's why we wanted to present this today briefly. This expansion the space is actually a bit larger the actual footprint of the property to the east that's owned currently by the County and/or the Convention Center. There's also room for attached parking at the expanded convention center site.
- This is something that I have noticed I happened to be in Nashville at Music City Center a couple of weekends ago, it's pouring rain and we ended up parking underneath the convention center which was really great because it would have been a really messy soggy walk and on top of that the event I was going too which was a political convention they would not allow umbrellas and things like that into the hall so I would've had to pay more to coat check an umbrella which is kind of silly but I would've had to do that. So there is room for attached parking to the convention center with the eastward expansion which is really a nice thing. The bridge span if you want to span a pedestrian bridge across between the current convention center and the expanded center that length of the bridge is the same, I've measured it a few times I sometimes come out a few feet shorter crossing College Ave but it is compatible but it's not longer for sure. One of the big things and this is something Commissioner Githens has talked about quite a bit and I know she mentioned it at the charrette early on is the issue of access. How deliveries get made and how visitors find the location when they're coming to town perhaps for the first time that having access off College Ave and Walnut St is much better in terms of availability and visibility but availability to make deliveries as well. It really takes the traffic load off of 4th St. which really isn't designed for such a heavy

traffic load but College and Walnut clearly are designed for much heavier traffic loads. As Ms. Peña mentioned at the last elected officials meeting if the 4th street garage is indeed going to be a place for overflow parking it is closer to an expanded convention center that goes eastward rather than a northward expansion. So those are the reasons that we have to offer for and in support of an eastward expansion of the convention center itself.

But we are here today to talk about the Capital Improvement Board and Mayor congratulations on your election yesterday but if you'd like to have a seat or stand at the podium which ever you're more comfortable with please join us. We're grateful that you're here. So some things we know about the Capital Improvement Board is that both the City and the County do need to work together, we are equal partners, both are necessary in terms of funding and land. A narrative has been advanced that this Board of Commissioners is somehow slowing the process down and I would like to assert on behalf of the board we have not. We do have the authority to create a Capital Improvement Board and we are motivated to do so and we invited you today to get your input on appointments. We are prepared to move forward with the requisite ordinance we're prepared to go to the County Council for seed money to begin work and we could be moving forward in as little as a week which is great news. But do want to hear from our colleagues on both City Council and County Council. So with that we'd love to hear your thoughts on membership on the Capital Improvement Board if you would.

(Mayor Hamilton) Thank you very much. Thank you for scheduling this the day after our late night election, no I appreciate the chance to be here and thank you for your comments. I'll just make a few brief comments and then happy to get into any details you want. I often find myself saying to myself and also in various settings that we are "both/and" not an "either/or" community. That is we can do several things at once and indeed typically need to do several things at once. I know you feel that as well to accomplish our community goals and expanding the convention center is an important community goal that has many many steps to that process from financing, to size, to location, to design, to selecting partners, to public input, to management, to construction and operation and more and governance. We have been collaborated on those steps for really nearly four years during this most recent effort and more than 25 years as a community looking at the convention center. We've made great progress on the financing, on finding partners, on public input and site design stages. I'll come back to that in a minute. As to governance I believe the Commissioners are well aware that we've agreed and continue to agree with the consideration of a Capital Improvement Board or other governance options for well over a year including most recently very explicitly in the draft memorandum of understanding that we encouraged the Commissioners to engage with about three months ago. As we were awaiting a reply on that draft MON which we've shared we certainly appreciate the chance today to move that "CIB" Capital Improvement Board and other governance options forward.

We in the City and I've spoken with the council as well, believe that a CIB offers potential advantages and should be considered along with possibly a building corporation or other governance options. Including for example one recently recommended by our advising council Bruce Donaldson, whom you've met, which would include the option of a government sponsored 501-(c)3 as another option. Any of these governance options worth considering will require extensive discussions about membership of the body, rights and responsibilities, financing and property ownership, operational powers, what actions public entities must undertake, what rights they retain and so forth. Just for example the makeup of the governing body of any these entities whether a CIB or 501-(c)3 might reflect the relative values of property and financing that the governmental entities are providing to the body. We believe that our staffs with advice and council from these legal and financial experts can move this ball forward officially if you want to talk some today we can do that here too.

As you noted that the step to consider governance options was encouraged by the majority vote of the collected public officials, there is no official name for that I call it the group of 20, the two councils and the commissioners and the mayor, that was assembled at your request twice now and we stand ready to work together in all these details of governance immediately at a staff level. However, this being a both/and community the City feels very strongly as did a clear majority of the group of 20 that we also continue the design and build efforts previously led by our jointly appointed steering committee. I just simply don't see a reason to delay that effort further. The steering committee after extensive public input and professional counsel recommended a site plan and voted strongly overwhelmingly to recommend the expansion of 60,000 sq. ft. to the north and a hotel to the east. I appreciate your adding, I didn't know we were going to talk about this expansion option and it is good to have those views there. I simply would say there's been very extensive public input as you know through several days of intense charrettes as well as intensive recommendations from our advisors that we both selected that strongly recommended among two options that one was measurably and importantly preferable and that may be an issue we still need to discuss but certainly we would recommend that be resolved very quickly. So, as the CIB and governance discussions proceed we look forward to moving forward with that design and build effort that's been delayed for at least five months now since the recommendation back in May. And the majority of that group of 20 did recommend moving forward with the steering committee and I strongly encourage that we do so. So I would ask the Commissioners to direct your staff to work with our staff on the governance questions absolutely looking at those options which we think are good and also the both/and part I would ask the Commissioners to endorse restarting the jointly appointed steering committee that has worked very well in public with extensive engagement with the public to get us where we are today. As we all heard last week at the meeting they are eager to continue their efforts and I believe should be allowed to do so. It is true the steering committee can only make recommendations, yes, so no governing bodies can be bound by their efforts but they have been very successful and I'm confident they can do so again.

We look forward to working on the governance questions if you'd like to go into those in more detail now I'd be happy to do so and do that in parallel with the ongoing design which I think there's no question that the issues that we're going to have to work through on the governance including membership on the committee, how property gets transferred and when, the operational budgets, getting our respective governmental bodies to take a number of steps that will be needed is going to be at least months to get that operational. In the mean time we have a steering committee ready and willing to continue the design work. So I'm happy to discuss any of that with you and thank you for the chance to be here.

(Jones) I would like to address the steering committee. Which while the members of it were appointed by both bodies the meetings where the decision was actually made had only one representative from the County at it and that representative deals with financial matters rather than policy matters. So the County Commissioners feel that they really pretty much got left out of that process. It was not discussed with us. The commissioner who had initially been working with the steering committee was no longer with us when the plans for the charrette were made. We were simply informed when the dates were that the charrette would be no one checked to see if we could be there then. And unfortunately the two commissioners who were still on the Board of Commissioners at that time were both busy and unable to attend those. So we really don't feel that there's been much County input into this process at all.

(Hamilton) Well, I'm sorry you feel that way. I know there was some transition back in March and of course the steering committee met I don't know how many times, 20 times or a large number of times with extensive involvement from the four elected with occasionally one or more of us was not at the meeting. I wasn't at every meeting, Chris Sturbaum wasn't at every meeting, Cheryl wasn't at every meeting, your representative wasn't at every meeting. But I guess I would urge that the process itself you had your appointments to the committee as well, you had two appointments and then one joint appointment which were very active and I think, I don't know, I'm listening to the leadership of the steering committee and the members of the steering committee who are strongly advocating let us keep doing our work. They did a great job if the Commissioners and it's clear that you have a different view of the eastern option from that process let's get into a room with the counselors, advisors, architects the others to wrestle that through. I guess I would ask are you comfortable that if there were a CIB created would you allocate to that entity the site plan decision?

(Jones) That's actually a decision the three of us would have to make together. I suspect that we would.

(Hamilton) Sorry?

(Jones) I think we would be willing to let them make that decision.

(Hamilton) So I guess my question would be if you're comfortable allocating that decision to an external body, in fact that would have no representative directly from you, how do you feel differently that the steering committee body, which you were involved with quite directly, it's decision is different? I mean it's a similar third party that did extensive public input. And I have to say I didn't agree with everything the steering committee recommended either I think as some of you know I wasn't, I didn't agree exactly with every recommendation, but I felt the process was very good.

(Jones) I believe that it's unlikely that any form of governance would be set up that did not include representation from us. The main reason that I feel we could go forward right away to a CIB is because I want to see us move forward.

(Hamilton) Do you contemplate public officials on the CIB?

(Jones) I think that's a situation we're going to have to discuss and work out.

(Cockerill) I just want to make sure because I'm taking notes and I'm trying at the end of this be able to note. When the Mayor has said governance about this, I'm curious if the Commissioners and the Mayor are seeing governance as the same thing? To me governance would be more operational and I think maybe that we also through conversations that the Commissioners see this as also design and those kind of things as well. I just want to make sure everybody is speaking the same language and we have the same expectation there.

(Thomas) That's a good point thank you.

(Githens) I actually got to go to the charrette as a private citizen at that point and one of the things that I asked about when they were talking about the design is the traffic on 4th street. I'm very very concerned about that. That's where Wonder Lab exists, we have street level crossing of pedestrians and bicycles on that street and with a northern expansion we get deliveries into the convention center from 4th street and there's not space for big trucks to do that. It's a safety issue for me. So I asked about it at the charrette I got no answer from the designers, I asked about it again the day that the steering committee took a vote and I would point out that while people missed different meetings of the steering committee that was the day a critical vote was taken. No other critical votes as far as I know were really taken whether people were there or not. But on that day that the vote was taken I asked again about traffic on 4th street what had been done and I again got no answer. We're talking about children's safety here and for me that really makes a difference.

(Hamilton) Sure, I remember those discussions, some of them, I actually think my recollection is the architects did talk and certainly did consider the back of house location on 4th street and the ability of trucks to get in and out of that. They felt and

again these are the Convergence architects that we've together hired who work on convention centers all over-

(Githens) Right, but they don't live in Bloomington. These are the same people that recommended we turn Walnut and College into two way streets. C'mon.

(Hamilton) That's not the same people actually. These are folks who-

(Githens) Well but I mean we're people who live here and have a vested interest in a different way.

(Hamilton) Of course. And safety is absolutely fundamentally important. And I remember the architects did talk, I recollect, that they talked about the accessibility of 4th street, the back of house, on College and Walnut it's not simple either with the traffic that we have there for large trucks to negotiate the backing in and all that work, and I know they would be happy to discuss that further. That was an issue for sure in charrette's extensively looking at where the back of house could be located. And I would say we did rely significantly on the expertise of the convention center designers and being aware of what's around on that -

(Githens) But when I asked specifically about traffic volume I got no answer.

(Hamilton) I'm sure we can share that Commissioner Githens in terms of {unintelligible}. I would also just mention the vote that was taken in May was actually kind of an endorsement because I think the steering committee themselves the members understood that at the conclusion of the charrette there was a consensus reached by the steering committee that the options of size and placement were agreed upon after the conclusion of the charrette in April. At the request of the Commissioners noting there wasn't a formal vote taken there was a second consideration of that in May that you're referencing in my belief and then a formal vote was taken 5-01 to proceed with the site design. But again I think the steering committee would be a terrific venue for the continued consideration of those issues with the intense advice, I mean we as those of you who participated know we work very extensively with the professional advisors. We don't build convention centers very often we depend upon advice from people who can help us think about all of these issues and get the right resolution.

(Thomas) So for me I am again, as I have said, and I know we've said many times, grateful for the work of the steering committee and they did what they were tasked with, but it seems to me to be not a good use of their time and certainly not ours because a Capital Improvement board can act and a steering committee can recommend and I'd rather we put all of our energy into putting the Capital Improvement board together and as I said we can move very quickly. I also don't see a need if we can get the CIB done quickly, which I think we can, I don't see a need for an MOU at this point because we would have to have an Interlocal anyway and I think the

energy should be placed there. We've been disappointed with the process of the memorandum of understanding we feel that we're not seen as an equal partner and again an MOU is not needed for CIB anyway so rather than going into three different directions at once, an MOU, a steering committee and CIB let's just move forward with the CIB that can actually act and again we'd like your input on membership if you have any today.

(Hamilton) Well, I'm happy to do that. I would respectfully urge that, and I'll talk about the CIB in a minute, I think it is important to look at the options that we have beyond just a CIB. I think that we heard from our counsel you've heard some description of really three options a third new one, one is a building corporation which could move forward quickly, another is a CIB which takes statutory development and some time and a third which we've just heard about is a possibility of a 501-(c)3 which frankly may give us more flexibility in terms of makeup and powers and such for a governance option, which again, of course would require a joint appointments which we would look forward too. I do think given the length of time it's taken to develop the MOU's I don't think it will be simple to establish a CIB that has parameters around it and we look forward to discussing that but I guess I would urge to understand what the delay is in moving forward with the design phase, which we actually had a design phase ready to go in July which we had to pull back on. So as the CIB or another entity governance I mean I think there are different ways to think about governance options we probably from the City would at least urge the initial consideration of looking at who is contributing what to the new the entity, which is going have to receive if it's a full governing entity property. We'll have to be given to it by both City and County including buildings and land as well as major financial resources to do the operation. We would suggest that perhaps the governance body of such an entity should reflect the relative make up of those components of land, buildings and revenue. We're happy to discuss that but that would lean toward a kind of 6/1, 5/2 ratio, I'm not suggestion this the setting to go into all that but I think those are some of the issues that we would want to talk with you about.

(Thomas) So my understanding and Mr. Cockerill will you correct me if I'm wrong, is that again the CIB has the authority to what the steering committee cannot, but also we need a building corporation either way and we actually already have one. So that issue is settled in that sense.

(Cockerill) The building corporation, I think the term has been used as kind of when we use a lease financing mechanism to do a bond or a project. We have a convention center building corporation, clearly they're there for that financing mechanism, clearly our building corporation has a great interest in the project and so that they can discuss what they see is future expansions and things like that to the county in order to make that happen. But really they're not a ultimate decision maker upon those things, they make recommendations, they are highly valued recommendations and that's how things get put forward. I would suggest, the issue that I think when I talked with the bond

council with the building corporation model is that and the end of the day that building in order to keep the tax exempt status the property and the lease has to revert to an entity, it cannot revert to two entities. So whatever property gets put in will ultimately go to one entity. If we did capital board, the Capital Improvement Board would be that entity. I'm not sure if that kind of mechanism, and I have not talked with bond council about this, how that would work with maybe a 501-(c)3, which really isn't a governmental entity. I'm not sure how that would affect the tax exempt status and those kinds of things. So that would be something that would have to be resolved if that were a way to go forward.

(Hamilton) Yeah.

(Thomas) Thank you. So, back to membership, you've thrown out a couple of numbers 6/1, 5/2, in our memo that was sent to you via email on October 31st we had suggested that one unit, County or City gets four appointments and the other unit, County or City gets three appointments and because the makeup of the Capital Improvement Board based on state statute cannot have more than four members from any one political party. We had suggested that perhaps the unit who which makes the four appointments would make the other party appointments. That was one suggestion that was made which is a far field from 6/1. What are your thoughts on that?

(Hamilton) Well, I think it's good to talk about. I don't know if this is the right setting to discuss those. I would just mention that one advantage of a 501-(c)3, which can be a government sponsored 501-(c)3, and governments can direct and control the appointments of those and produce tax exempt financing according to the recommendations that we've got and that gives us more flexibility in some of the makeup requirements that wouldn't have to be identical to the state statute created up in Indianapolis. But you know I think this is a good item to discuss, I don't think it's a simple item to discuss, I think we would all want to be focused on making sure that this body which would have very significant powers on behalf of all of us if the resources were transferred there. We would like to talk about how that would reflect the relative contributions, ongoing roles of each of the government bodies. I mean the City respectively would be contributing substantially more, from our process through the City Council, financial resources than the County would and we would just want to talk about that.

(Thomas) Ok. So you're equating a balance of votes not to the fact that county tax payers pay into the food and beverage and visitors pay into food and beverage and that there's land involved, a lot of land, county land, buildings-

(Githens) existing Convention Center.

(Thomas) The existing center, right. But you're basing-

(Jones) Innkeepers tax.

(Thomas) Innkeepers tax for operations-

(Hamilton) Sure.

(Thomas) So again this is back to the idea of true equal partners that I feel we are missing out on and I would hope that we would get back to something a bit more equal.

(Hamilton) We absolutely look forward to collaborating on this. I mean I think it's probably accurate for both of us that the source, ultimate source of the financing, the funding, comes from for example, the Innkeepers Tax is of course paid by people who stay in hotels and that tax is paid by people who are in the hotels and pay a tax that is then allocated by the County, the County over sees that, that is the funding from those people staying in the hotels that the County has used through the building corporation or directly to purchase the land. Then the County has to decide what to do with that land that has been purchased through those revenues. Similarly the food and beverage tax which is paid by a whole range of people as you know it's only the food and beverage tax collected inside city limits that is dedicated to this and that's appropriated and controlled by the city council. And so looking at the various entities that are directing the financing is to us makes some sense in looking at how do we allocate this. But again I think this is a lot of conversation to talk about we look forward to it. We think there is a lot of different paths forward. And I'll just mention the 501-(c)3 for example wouldn't need not have the same partisan requirements in it that the CIB statute does at the state. And I think there is a lot of different paths forward, which we look forward to, I think the thing I'd simply emphasis is that if we can get this site design resolved and we're very close, and obviously you have to get comfortable with that decision because you have the vote to decide what to do with the land. We're in a really good position with our advisors and architects to move forward with a design and development which has been delayed quite a long time while we figure out this governance stuff, which I'm confident we can figure out.

(Jones) Well I think that something that always has to be remembered is that it does require both bodies to make this happen and we have equal authority.

(Hamilton) Absolutely.

(Jones) So that does not sound to me like the city should have the, well the city should not have many more appointments to whatever kind of board we have than the County does. And you know in the County we have to be comfortable-

(Hamilton) Sure.

(Jones) with this for the project to ever even happen.

(Hamilton) And we look forward to that. Again I don't know this is the most productive way to dig into these issues which are complicated they have different variance to them. I'm sure our staff and we can continue to explore them and think about them. There are different options to look at it over time and there's of course the operational question who contracts and operates for this structure. I think from my perspective as Mayor, and working with city council, I think you would probably appreciate that when we are appropriating and responsible for the vast majority of the funding that will construct the new center that that's relevant. Of course there is an existing center that needs rehabbed that would require I think in this model city funds appropriated funds to pay for the rehab of the current convention center. So I think those are all good items to discuss and absolutely welcome that. To me it just also encourages me to keep to keep encouraging you to think about how we let the design go forward which we all agree we want to get resolved, I think, which the steering committee which is a completely fair and equal of representation with four and four and one in the middle to help represent both of us to get that design settled so that we can move on with this as we work through the governance options. And there may be more governance we haven't even thought of, I don't know, but I look forward to exploring that with you.

(Githens) In thinking long term about what goes on one of the reasons that I favor an eastern expansion is that we have room 30 years from now that we can expand-

(Hamilton) I'm sorry I can't hear every word.

(Githens) Sorry I have a bad cold as well. In thinking long term about things, which we all try to do, 30 years from now if the convention center is the hit we hope it to be we may be looking at expanding further.

(Hamilton) Sure.

(Githens) We can do that if we move east with things. And so in terms of thinking long term that's also been part of what I've playing with. But I would point out too that the steering committee was put together to make recommendations we do not have to accept their recommendations.

(Hamilton) Absolutely.

(Githens) And so I think that needs to stay in the back of our minds as well because we could reconvene or some group could reconvene and we still wouldn't accept their recommendations. So I mean we've got to stop spinning our wheels on this. It comes down to governance of what it is.

(Hamilton) I agree with that point about recommendations. It's actually of course true as well for a CIB. A CIB only gets the authority that's given to it by all the bodies that need to contribute land, financing, and governance power. That all depends upon each

of us agreeing to give that authority or resources to the CIB. On the long term I'll just mention I think it's true and actually the steering committee look quite strongly at expansion down the road options. The north site has expansion options beyond the 60,000 to another 20,000 that's built into the design there. And they looked at different options for land nearby that they thought would be useful for that as well. The only other thing that I'd not is that the steering committee looked very carefully and found that that north site gave you direct access from the convention center to three different hotels which was viewed as a very positive connection to the Hyatt to the north, to the new one to the east and the existing Courtyard to the south. Which if you placed the convention center to the east in terms of future expansion may not be as good for hotels. But we certainly agree that all this takes the fiscal bodies, the governing bodies, executive bodies have to agree to the recommendations either by a steering committee or frankly by the CIB because once to get a CIB created we all have to agree the structure and the power of that CIB. Again which I think we can do, but it's not simple. But we're ready to move forward with those discussions immediately and happy to do so. I just would urge that we don't need to wait on the design. I guess I would ask what is the reason to wait for that design decision through kind of complicated governance decisions and what would the new information be that we could maybe get you immediately on that.

(Thomas) So again you mentioned designed decisions the steering committee cannot make a decision-

(Hamilton) Recommendations, yeah.

(Thomas) There's no point in having that if a CIB is still going to be needed. But the other thing here is, I appreciate that you mentioned the Innkeepers Tax comes from visitors-

(Hamilton) mm'hmm.

(Thomas) and visitors pay into the food and beverage tax as well obviously.

(Hamilton) Sure.

(Thomas) But even if the restaurants are located, you know 89% of them in the city limits and 11% outside and that's how the food and beverage-

(Hamilton) Right.

(Thomas) money is divvied up. That fact is that county residents live in the city-

(Hamilton) Sure.

(Thomas) County residents live outside the city. But also, so we have a bigger constituency to consider here. But also the fact is that county residents who live outside the city spend money in the city and contribute to the food and beverage tax-

(Hamilton) Of course.

(Thomas) so to simply make a blanket decision based on food and beverage funding as the way to determine a voting structure seems, I don't know, I'm unhappy with that. But in the meantime-

(Hamilton) I would just point out city residents spend money outside city locations too.

(Thomas) Absolutely.

(Hamilton) Now we think about 50% of the food and beverage is probably paid by people outside our county over all, but.

(Thomas) and that's why we were hoping to have a discussion today about-

(Hamilton) Yeah.

(Thomas) membership and I'm not sure why that's getting put off but to some you know it just seems like we're here for transparency sake-

(Hamilton) Sure.

(Thomas) because we do have a public meeting every week and we really wanted to have your input and to have a serious discussion about and we were hoping to do that today-

(Hamilton) I think I've tried to do that and share our views about the membership and approaches which obviously we're not ready to ink a deal right now on that but we're happy to work on that and happy to talk more of the rationales. I would respectfully ask again I don't, if we're close on the site plan decision and it seems we agree on the financing is there, we agree on the size, I think, I haven't heard concerns about that, the only decision is the recommendation from the steering committee to do to go north with the expansion as opposed of going east with the expansion. If that is the pending decision that you need to get comfortable with or we have to revisit, why don't we let that go in a process right now if we can agree to let the steering committee, I guess that's why I'm asking, if you're willing to let a CIB make that decision on site, why not let the steering committee that we can jointly create and it is ready to go let them make that decision.

(Thomas) Because they cannot make a decision. They can make a recommendation-

(Hamilton) But we could agree to let-

(Thomas) Right, but then we're going to have to come back to the legislative body the City Council, the legislative body here which is the Board of Commissioners and then we'd have to have a vote. And if that is the desire of the City Council and this Board then we can undergo that process and begin that process of taking a vote on a site. I'd be happy to entertain that next week. We could take public comment and we could entertain that. I would not make that decision without public comment.

(Hamilton) No.

(Thomas) The other thing that's missing off of the steering committee not only can they recommend they don't have to take public comment-

(Hamilton) They actually do take extensively take public comment though. They've had very very extensively public comment.

(Thomas) They're not required too.

(Hamilton) But they do because we ask them to-

(Thomas) But you've again to have the steering committee make a decision and again they cannot make a decision.

(Hamilton) I apologize.

(Thomas) Ok. I just want to make it clear-

(Hamilton) They make recommendations but I do think as public bodies we could allocate to them to say look this is a complicated final decision let's agree with them, that's what I did on the selection of architects for example let's let them agree on that. Or let's be bound by the 3 to 4 rule which is what we used on the architect, which is if the 3 of the 4 public bodies agree then we go forward even if one doesn't. It just feels we're very close on that final decision and I think most entities are ready to move forward with that and if you can identify a way to proceed with that we would very much like to do that.

(Thomas) I think we've identified a way to proceed which is to focus our efforts on one thing which is to get a Capital Improvement board created and part of that is obviously coming up with this membership split. And I think that's my focus personally I'm speaking for myself at this moment.

(Jones) Well when you talk about we need to become comfortable with the decision it kind of sounds like what you're saying is that we need to become comfortable with your decision. And I don't see why it shouldn't be the other way?

(Hamilton) Well I should make very clear that what I'm asking is that the steering committee has made a recommendation. That's the committee that we collectively created and there's some concern about steps along the way and I hear that concerned about that. But all I'm saying is we collectively created a steering committee to make these recommendations to us. They have done so and I think we need to act on it. I think 3 of the other public entities are comfortable. Although maybe the County Council wants to spend a little bit more time looking at it, which I don't think we have a date set for that. But maybe the steering committee could host that meeting. I do think it's or it's not going-

(Jones) With which decision?

(Hamilton) The recommendation. The decision to recommend to us. They decide as a steering committee to make a recommendation and if we can't get comfortable with it we collectively, then it's not going to go forward and I hope we can.

(Thomas) My sense is we've gotten as far as probably get today. Do you have anything else to add Mr. Cockerill, legally that we need to consider or need to address that we haven't?

(Cockerill) I don't think legally there are things we need to address.

(Hamilton) Well thank you and I'd encourage you to encourage your staff to work with our staff to continue these discussions and/or I'm happy to meet any time you want to talk.

(Thomas) And I appreciate that you came today, we all appreciate that you came today. And I think as many of these discussions as we can have in the light of day, in transparency, I think the better because the public needs to understand what's happening. But we do have a meeting scheduled on Tuesday the 12th during the County Council's meeting to have a presentation on a Capital Improvement Board what it is, what it isn't and how it works with the building corp, again that already exists so that's not something that needs put together.

(Hamilton) I think the City might need to create a building corporation if we go forward, so there's some question about that too.

(Thomas) We would ask if you wish to provide a recommendation from yourself from your office in writing about what you think a Capital Improvement Board should look like. That would help us if we had it in writing. And we do appreciate again coming

today giving us your input and we absolutely understand what you're saying we're just not always going to agree and that's life-

(Hamilton) Sure.

(Thomas) and that's-

(Hamilton) That's what democracies do.

(Thomas) That's exactly the beauty of democracy. But we also recognize that the City Council as the legislative body for the City of Bloomington has the sole ability to pledge food and beverage tax revenue to a Capital Improvement Board because that has to happen. So we need their input and maybe we can address the issue of membership directly with them as well.

(Hamilton) Thank you for having me here. I do think there are several different paths forward of this governance question of CIB or 501-(c)3 or other entity and we look forward to working with you on that. I would encourage you to encourage your staff to work with our staff who work very well together to explore these options including with our counsel advice from Bruce Donaldson or others about that. I just continue that time is important in this project. The delays are costing money in terms of cost of the project and all of our consultants who are kind of waiting to be told whether we're ready to move forward. So I really do strongly encourage you to consider what is the reason to delay the design decision and if the County Council and you want to take a formal vote with public hearing on whether to accept that recommendation from the steering committee, maybe that's another way to go forward that you could present this. And I would encourage to have the architects and the experts and public comment from folks encouraging of the adoption of that recommendation from the steering committee. Maybe we could move on with the site design which is, I think the public is hungry to see us move forward as they see that site design it can get exciting with the prospects ahead.

(Thomas) I guess if you asked us the question of why we want a delay, my question back to you is why would you want to delay creating a Capital Improvement Board-

(Hamilton) I do not want to delay.

(Thomas) at the earliest opportunity-

(Hamilton) I absolutely do not want to delay.

(Thomas) Ok that's great. And I am heartened to hear that. So let's focus on that let's get this done as quickly as possible. As I said we could move very quickly and we're ready to talk.

(Hamilton) I think it will take some time to do either a CLB or a 501-(c)3 or whatever, we're absolutely ready to meet this afternoon to talk about that and get that process going. I just don't see any reason to delay the decision on the site plan because we have gone through many months of public engagement on that and there is a decision to be made on whether to accept that recommendation. But let's maybe make that decision and if you reject the recommendation or anybody rejects the recommendation then we have to go back and figure out how are going to get the consensus on this. But it seems like it's teed up pretty well and we'd be happy to have more people come in and talk about the option. Because if we can agree on that recommendation then I think in parallel in both and style we can move forward with the design while we also work on the governance. Which I think would be expeditious and helpful to the project as a whole. Thanks.

(Thomas) We'll take that suggestion under advisement. Thank you.

B. MOVE TO APPROVE: RESOLUTION 2019-33; HABITAT PARTNERSHIP AGREEMENT REGARDING PROPERTY TRANSFER.

FUND NAME: LIT- SPECIAL PURPOSE FUND NUMBER: 30013 AMOUNT: \$2,400

Jones made motion to approve. Githens seconded.

(Cockerill) Yes, from one exciting topic to another. We have a partnership agreement with Habitat for the transfer of approximately 4.2 – 4.3 acres to Habitat for their Osage Place project. So we've been working with them and City Planning on the proper way to do the transfer. It's going to be in the form of a deed from the County to Habitat for that property as well as another transfer of the remaining interest back to the County. So this document gives President Thomas the authority to execute that document as well as any other documents that are necessary. I assume a sales disclosure will be necessary but this is all in accordance with that agreement and its exciting moving forward on this project.

(Thomas) It is exciting.

(Githens) It really is.

(Thomas) I'm thrilled. I'm absolutely thrilled.

(Githens) We talk about affordable housing and this is a piece that we can do.

(Jones) It is.

(Thomas) Absolutely. Do our little bit. Is someone here from Habitat to speak on this?

Angela Parker representative counsel for Habitat for Humanity.

Wendy Goodlett, CEO

Nate Ferreira I'm the director of land development and production.

(Goodlett) We are incredibly grateful to the County Commissioners for the opportunity for us to develop our third neighborhood. You are increasing the number of families that we'll be able to serve through this. We just thank you for your partnership and for moving this forward. We're super excited and hopefully a year from now we're well underway with infrastructure of that neighborhood, so thank you.

(Thomas) That's wonderful. Thank you so much for working with us and we're really excited about the location because it is near transportation and it's in the city. It's really a beautiful spot.

(Githens) Yeah.

(Thomas) It connects really well with other housing there.

(Githens) When are you going to do a women's build there?

(Goodlett) Hopefully in 2 ½ to 3 years something like that.

(Githens) Ok.

(Thomas) Try and do a Commissioners build.

(Parker) That's a great idea.

(Goodlett) We'd love to have you out.

(Githens) Maybe we could provide the afternoon snack or something.

(Thomas) We're building.

(Githens) Oh I've done it. I love it.

(Jones) Well congratulations. I'm really thrilled to see this happening at this point. I haven't been a commissioner that long but we've been discussing this the entire time I have. So I'm really pleased to see it take place.

(Goodlett) Thank you. And I know our families are excited about the location and the access to the amenities as you have mentioned, great schools, so we're really excited about the location and it's very fortuitous for us that the land that we own was adjacent to the land that you own.

(Thomas) That really works well. And I would say that as long as I've been a commissioner we've been talking about this so it's been longer than that. Thank you all for being here.

(Goodlett) Thank you.

(Thomas) And for all your hard work for the community.

After call for public comment, motion carried by voice vote.

C. MOVE TO APPROVE: RATIFICATION CONTRACT WITH SARAH BORDEN.

FUND NAME: LIT-SPECIAL PURPOSE FUND NUMBER: 30013 AMOUNT: \$2,400

Jones made motion to approve. Githens seconded.

(Cockerill) We have an employee who's transferring between departments, but that employee has done extensive training in order to get certain aspects of our certification for YSB done.

These aspects essentially include having a manual with six different parts to it. Having those in place and ready to go for the accreditation. Clearly that's the type of work that doesn't involve county property, using county equipment, on our own time and not any oversight is really required other than 'where are you at with this' and making sure they hit the milestones and deadlines. This was a way to retain that knowledge at a reasonable cost to the county as opposed to if it we did it as an employment type of situation. We'd have to worry about Fair Labor Standards Act. We went through the qualifications of what an independent contractor is and this checked all the boxes. Fairly unusual situation. But this one worked and so that's why this agreement has been in place.

(Githens) I think we're lucky to have Sarah being willing to continue with this.

(Thomas) But it speaks to the benefits of continuing cross training staff on everything we do because that would've been really hard on us if she hadn't been willing to do this. So we appreciate her.

After call for public comment, motion carried by voice vote.

D. MOVE TO APPROVE: LOW TAX INFORMATION WEBSITE QUOTE.

FUND NAME: CUMULATIVE CAPITAL FUND NUMBER: 1138 AMOUNT: \$24,000

Jones made motion to approve. Githens seconded.

I'm Treasurer **Jessica McClellan**. I have the LOW Tax info website quote for your consideration. The reason this came about is because customers have never been able to print or even see an up to date tax bill. I've been trying to find a way to make this happen for them ever since I came in to office. We have the information on the GIS and that's updated a couple times a year and that's just the payment information. I got E-billing but that also just shows a static tax bill from April and the amount that is currently due, the amount due is updated every day. Then there's our bill pay at the online website but there's nothing that shows why that tax bill is what it is. It doesn't show the current assessment and those get changed every day. Every day we have assessment changes or exemption and deduction changes, corrections, errors those are fixed every day by the Assessor, Auditor and Treasurer. And the way the world used to work we have public terminals and researchers come in and they go to our public terminals, and we still have those, but it's just not efficient anymore so we get calls every day, emails every day and that's fine. I just got off the phone right before this meeting with a call where I go through line by line telling them what's on my screen and they're you know at their screen at their desk typing it in. So this product meshes directly with LOW property. The annual maintenance pays for the daily remoting in to the county to upload all that information to the website. They continually make updates to the website software that let it mesh with the updates they make to our tax software because that is consistently being updated. Any links to our GIS or images or bill pay that also need to be updated. So it's Auditor and Treasurer mainly are going to use it

and I am requesting it out of cum cap, it's the place where I understand things of this kind of nature should maybe come out of but that's completely up to you. I'm presenting it for your consideration and Eric is here and he has looked at it and Angie's looked at it.

(Thomas) Mr. Evans do you have anything to add for us today?

(Evans) Well you know something like this that increases the transparency for the tax paying public is always a good thing. In terms of it being a software as a service that's running essentially in the cloud I think it's in keeping with our philosophy moving forward as we add new services for the tax payer. Obviously LOW is a company that we've been partnered with for some time, I think we've been fairly pleased with them so I think it's a good idea. I think it's gonna be welcomed by the tax payers and I think it will bring us that much more into new era of internet based citizens services.

(Thomas) So have you reviewed the maintenance contract?

(Evans) Yeah, I've gone through the contract and taken a look at the services. I've had discussions with Ms. Purdie about the cost, it's not insignificant. But I think Jessica brings up a good point, I mean they are going to be daily involved in this process and as a vendor company they have a cost associated with that. I don't feel that the \$14,000 is out of keeping with what they're offering.

(Thomas) Was there going to be perhaps some ability for you to have discussion with them about combining this with some of their other maintenance costs and creating a different structure?

(Evans) I think that's what we've talked about doing and I think we should definitely do that. Talk to Andy Low and see if we can combine the cost.

(Thomas) Thank you. I do agree that this is really a great step forward of transparency and I appreciate that and I think the tax payers appreciate it. But there's a couple of things. So first, there's a possibility that we could get a better deal on the maintenance and let's give that a shot. But the other thing is the County Council, we put this in the bond, they cut it from the bond, the County Council said 'We'll pay for it out of county general'. So I also want to take this back and have this come out of county general because that's what they said they were going to do rather than the Commissioners' cumulative capital development fund.

(McClellan) Do you think that means my budget? Do you know what they mean by county general?

(Thomas) No, no. I don't think that.

(McClellan) I mean I don't have a line for it so I'd have to-

(Thomas) No, I think what happened was, and they could transfer the money to somewhere else. But they had money in reserve at the end of the budget year and they said 'rather than bonding for this we'll pay for it out of cash.' So somewhere they have the cash and that's up to them to find it and move it to where ever they need to move it. So I would not expect that to come out of your already allocated budget lines. I wouldn't, but again that's something that we need to talk to the council about. But I just feel like they told us they were going to cover it, let's have them cover it.

(McClellan) Ok, I see what you're saying.

(Thomas) And if we can get a better deal on maintenance that would be even greater.

(McClellan) I did ask for one thing is a better deal. Normally they only upload one year of data and, I asked for ten years, but I got three years for the same price.

(Thomas) I'm going to go ahead and make a motion to actually continue this to a future meeting as soon as possible that we can get these two things worked out. So I'm going to make that motion.

(Githens) Second.

All in favor of motion to continue by voice vote.

(Thomas) We do support it but we want to get a couple things squared out.

(McClellan) I'm not surprised that the funding is the main question. That has been my question the entire time. I keep telling my staff as soon as we figure a way to get it funded I'm sure everybody will be on board. Thank you.

(Thomas) Thank you for all your hard work.

(Purdie) I would like to add, what I will do is get the agenda request ready for the council requesting that this be paid out of county general or rainy day. I'll get that for you guys. Because I may have caused some confusion in all of this. Because when I saw it I was oh its software, software comes out of cum, so I have some culpability in all of this and I'd like to help you fix it.

(Thomas) And the other issue was that we were told \$14,000 originally, which is what we put in the bond-

(Purdie) Correct.

(Thomas) and the bond can't be maintenance any way so we still need to work that out. And we weren't aware of that until we got the packet.

(McClellan) My apologies.

(Thomas) No that's ok. We're all communicating and that's what we need to do so we're on the right page. Thank you.

E. MOVE TO APPROVE: INDOT AGREEMENT REGARDING PAVING OF VAN BUREN SUBDIVISION.

FUND NAME: ~~CUMULATIVE BRIDGE~~

FUND NUMBER: 1169

AMOUNT: \$304,628.66

Jones made a motion to approve. Githens seconded.

(Ridge) I do have a correction on that. This project will be paid out of Local Road and Street not cum bridge that's our other project that's listed next.

(Thomas) I'm going to make a motion to amend –

(Cockerill) I understand that but I guess my feeling is when we looked at these we had a question for you about how you wanted your agenda set up. Because when this amount says \$304,000 what that means is that's how much the State is going upfront money to give us and not necessarily what we're going to be spending out of any particular fund. And so we thought we'd get guidance, I guess my recommendation would be, when we get these upfront grants in the future and the next one's the same way, we don't use the section that has fund name, fund number and amount, we just use that section above which indicates it's a grant, here's how much-

(Thomas) Oh, ok.

(Cockerill) we're going to use and things like that. Just understand this agreement and the next agreement is just talking about upfront money we're receiving for these projects-

(Thomas) It seems like it would easier just to mark this as a revenue.

(Cockerill) Yes.

(Thomas) Into Local Road and Street revenue into Cumulative Bridge.

(Ridge) Yeah, because when we do this it's just an engineer's estimate. So we will be putting it out for bid and so it might not be, this is just basically a not to exceed amount. This is what we'll get from INDOT.

(Thomas) That's good not to exceed revenue. That's ok. I think would work for us.

(Cockerill) We don't get very many upfront grants.

(Thomas) No, I know. It's unusual.

(Cockerill) It doesn't fit what our document is.

(Thomas) We don't usually talk about money coming in, we usually talk about money going out. Ok, so with that understanding let's not even amend the motion we can make the next one different. But Ms. Ridge, I'm sorry I interrupted you.

(Ridge) No, you're fine. Basically these were awarded, we submitted these in July, and so this project is to pave all the roads in Van Buren Subdivision which will be done in 2020.

(Thomas) Ok. Can you give us a sense of where that is because that's very generic?

(Ridge) Sure. It's off of Leonard Springs Road and Tapp Road.

(Thomas) Ok. Very good.

(Ridge) I believe there's, we had to do two different applications for this, but I think you're looking at actually 14 or 15 different roads.

(Thomas) So, this would be a 2020 spring, summer, fall project-

(Ridge) Well actually we were planning on preparing the bids so we could award it by the end of the year so contractors can get it into their schedule.

(Thomas) And that would be done out of house.

(Ridge) Yes. It will be hired out.

(Githens) I want to compliment Ms. Ridge for getting this for us.

(Jones) Yes.

(Githens) this is a big deal.

(Ridge) It's a team effort.

(Thomas) You have a great team then. Yes kudos because you got the max again from the State for the year.

(Ridge) Yeah, we actually got the January and the July call was just under a million which is the max.

(Thomas) Which is amazing. And this is not the first year you've done that.

(Ridge) Thank you.

(Githens) And I also want to point out that this is good employment for people. So we are doing a lot of other things other than just improving our roads, we're providing good paying jobs by doing this.

After call for public comment, motion carried by voice vote.

**F. MOVE TO APPROVE: INDOT AGREEMENT REGARDING BRIDGE ON OLD DUTCH CHURCH ROAD.
REVENUE NOT TO EXCEED \$204,000.**

Jones made motion to approve. Githens seconded.

(Ridge) This is the other project that we submitted. It is a bridge on Old Dutch Church Road that's been in our five year plan and we actually have this out for bid right now. We will be redoing this bridge in 2020 also.

(Githens) I had to look to see where this was.

(Ridge) Off of Red Hill Road.

After call for public comment, motion carried by voice vote.

VIII. APPOINTMENTS

- **NONE**

IX. ANNOUNCEMENTS

- Accepting applications for all boards and commissions. Plat Committee currently has two openings. For more information about the boards and commissions you may go to www.co.monroe.in.us.
- Congratulations to Judge Diekhoff and all those who have worked to make Drug Court effective for Twenty years. They celebrate over 450 individuals who have graduated.
- Next Commissioners' Meeting: November 13, 2019, 10am in the Nat U Hill meeting room, 3rd floor of the courthouse.

X. ADJOURNMENT

The minutes of the November 6, 2019 Board of Commissioners' meeting were approved on November 20, 2019.

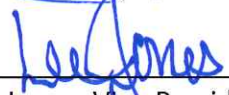
Monroe County Commissioners

Ayes:

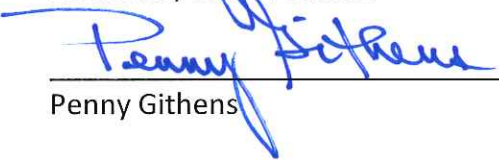
Nays:


Julie Thomas, President

Julie Thomas, President


Lee Jones, Vice President

Lee Jones, Vice President


Penny Githens

Penny Githens

Attest:


Catherine Smith, Auditor



MONROE COUNTY BOARD OF COMMISSIONERS
WORK SESSION AGENDA
MONROE COUNTY COURTHOUSE
JUDGE NAT U. HILL III MEETING ROOM
BLOOMINGTON, INDIANA
November 6, 2019

- 1. Penny Caudill – Health Administrator**
 - a. Discussion of syringe service program renewal
- 2. Lisa Ridge – Highway Director**
 - a. Miscellaneous
- 3. Legal Department**
 - a. Miscellaneous
- 4. Angela Purdie – Commissioners' Administrator**
 - a. Miscellaneous