



# The Brown County Voter

June 14, 2015

## CALENDAR

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|---------------------|--|
| June 16             | Indiana Supreme Court hears appeal on Fire District<br>See article page 2  |
| June 25, 6:00       | County meeting among the Area Plan Commission, Board of Zoning Appeals and Commissioners to discuss issues under the zoning ordinance, at County Annex Salmon Room |
| July 9, 4-6:00      | Volunteer Fair at the Seasons just before the BCCF Annual Meeting<br>Volunteers needed for the League table.   |
| July 9-12           | Seneca Falls, NY, State 95th Celebration<br>See article page 6   |
| July 13, 10 a.m.    | Board Meeting at the Library<br>Everyone is welcome!   |
| July 23, 6:30       | Community Conversation on Wellness & Heritage Tourism: Vision 2020 Revisited, at the Library<br><b>NOTE: This is changed from June 25</b>                          |
| July 27 to August 1 | Brown County Fair<br>Volunteers needed to staff the League booth<br>Contact Julie Winn at <a href="mailto:jmbwinn@hotmail.com">jmbwinn@hotmail.com</a>             |
| August 13, 6:30     | Community Conversation on State Park Centennial, Trails and Old Town Nashville, at the Library   |
| Sept. 24, 6:30      | Community Conversation on Arts, Music & History, at the Library  |

## **BC Fire Protection District Litigation to be heard by IN Supreme Court**

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*by Susanne Gaudin*

On Tuesday, June 16, at 9:45 a.m. the Indiana Supreme Court will hear the Brown County Fire Protection District case brought before two lower courts, first at a local level (Judge Corydon in Columbus) and then through transfer to the Indiana Court of Appeals.

In both cases the lower Courts ruled in favor of plaintiffs Susanne Gaudin, Ruth Reichmann, and Janet Kramer.

This “chapter” of litigation deals with the County Commissioners’ amended Ordinance which both lower Courts agreed was a “back door” attempt to gut the original Ordinance and to sidestep all previous mediation agreements and Court decisions.

The defendants requested the Appellate decision be transferred to the Indiana Supreme Court. At that time the Supreme Court could either accept or decline the transfer. If the transfer was declined, the Appellate Court ruling would stand.

In accepting the transfer, Indiana’s highest Court would be looking to accomplish one of several things:

- Overturn the decisions of the lower Courts, or
- Add emphasis to the decision of the Appellate Court, or
- Clarify the decisions of the lower courts.

Since our last visit to the Indiana Supreme Court, two justices have retired. Of those three remaining, two voted in favor of the plaintiffs’ argument, and one against. This will be the first time the two recently appointed judges have seen the Fire District “issue.”

The first time the Indiana Supreme Court ruled on the Fire Protection District, the issue was the correct procedure for dissolution of a district. Chief Justice Randall Shepard was asked by the defense to recuse himself from the proceedings because, as co-author of the Kernan-Shepard Report, he had stated within that document his support for consolidation of emergency services within counties through countywide emergency/fire districts.

That left four justices to hear the case. The result was a 2-2 decision which meant the Appellate Court decision would hold...again in favor of Gaudin/Reichmann/Kramer.

When we leave the Court on Tuesday we will not have a decision – that usually follows within the month. If the last time is any indicator of how the judges will vote, we all agreed the two judges on our left would vote “for” us, the two on the right would vote “against.” When the vote came in, it was a 2-2 vote, but we had it totally wrong! The two “for” were against and the two “against” were for!!

This time there will be no early predictions.

## Observer Report

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by Pam Raider

Government meetings continue to be civil and short, while many issues are covered. The *Democrat* does a good job of reporting the issues.

**May 18th County Council:** County Jail Matron salary compensation has been paid for 2015 – vote passes to make retroactive back three years (her hire date). Council viewed and heard presentation from Mark Lindenlaub and Betsy Lease on wrap up of Vision 2020. They stressed need for public/private partnerships and cooperation among town groups and with other counties or regional areas. I asked if they would still be point organization on project and they said no – after presentations to governmental agencies, it is posted on BCCF website and people can plug in where they want. Motion passes to transfer funds to Sheriff CAGIT fund to buy new vehicles. SB 1472 passes - will help county recoup lost bridge fund money. Budget hearings set for August 17,18,19 and 20th will start at 6 pm. Budgets to be in to Auditor by July 1st. Dave Critser tells audience that Opry will open “before snow flies.”

**May 20th County Commissioners meeting:** Accepted Health Board applications. Sheriff got 3 new vehicles. Salt Creek Trail project moved back a year so can receive 20% matching funds. Health septic ordinance was improperly passed and thus unenforceable, referred back to Health Board. Request will be made of town to vacate alley next to old log jail to alleviate water run off damage to jail. Recommendation from Planning and Zoning to raise violation fines from \$500 a day to \$10,000. Do not want to hurt small people but those who have large concerts in violation and pay \$500 a day as cost of doing business. Dave Woods is retiring. Highway has begun repairing

county roads. Fire District case will be argued in Indiana Supreme Court on June 16. Budget training with Dan Eggerman to be June 14th 6 pm. Commissioners’ five budgets to be presented on August 19 at end of regular meeting. Budgets due in Auditor’s Office by July 1st.

**May 21st Nashville Town Council:** Diana Biddle presents request to vacate alleyway by old log Jail – vote will happen next meeting. Dr. Glass presents slide show on historical buildings in Nashville. His full report is available at BCCF website. Local veterans group Elderheart is trying to raise funds for national monument – go to mission22.com for more info. Real America request to create economic revitalization area and tax abatement for Hawthorne Hills Senior Housing Project (Tax abatement would be for 10 years in lieu of TIF which would have lasted 20 years) – passes with one negative vote. Construction to begin in July. Scott Rudd seeks approval to file application for Revolving Loan Fund grant. Dak Kelp reports that annexation hurts fire department and that adding senior citizens will complicate their job. They need new truck which costs \$188,000 and \$10,000 a year to certify. Dak suggest a “user impact fees” starting with commercial buildings to help Nashville Fire Dept. All alleys will soon be one way. Town Marshall now has office staff; moving violation citations are now staying in town coffers.

**June 3rd Commissioners:** Linda Bauer appointed to county Health Board. Brown County partnership (Mark and Betsy) present Vision 2020 report wrap up. Can be viewed at browncountygives.org. Thrive Alliance (formerly Area on Aging) request reinstatement of \$12,000 in funding; growing aging

population expected to be 26.9% by 2020 and 33.6% by 2040. Highway superintendent reports public hearing on Eel River bridge (Salt Creek Trail) in Clay County – letter of support to delay trail project until 2018 to receive funding. Waiting for completion SR 135 bridge before starting Valley Branch. Repaving of SR 135 through town has been delayed until 2017. Delays on SR 45 bridge project. Pleased with Yellowwood conversation. Mark Cagle thanks Commissioners and urges stay on top of the work and work together. Old equipment being advertised on GovDeals.com – up to \$14,000. Found replacement product for asphalt – cheaper and holds up. Planning and Zoning meeting June 25 to discuss ordinance amendment 6 pm (to raise daily fines). July 1st meeting moved to June 30 at 10 am. Barn Raising for Mothers Cupboard scheduled for June 6th. Supreme Court fire district case will be June 16, 9:45.

**Budget Hearings August 17-20.** I asked if Commissioners would be budgeting money to do security and ADA on courthouse. They responded there was money in budget for that but building really needs overhaul or addition to do right. If we build addition we can raise taxes for security people and salaries. They suggest that League may want to have community conversation on Courthouse as beginning to new plan.

The League continues to have its work cut out for it. Due to recent success with Yellowwood Conversation and past experience we have definitely gained the respect of governmental bodies as a respected organization for leading controversial community conversations. This is real beginnings of democracy in action.

**League of Women Voters of Brown County**

**Annual Meeting Minutes**

*by Pam Raider*

May 27, 2015

Most of our members and several guests attended this year’s annual meeting held at Hotel Nashville. Before the dinner Susanne Gaudin treated us to a U tube Lady Gaga suffragette video routine to mark the 95<sup>th</sup> anniversary of the founding of League of Women Voters. The Dorothy Stewart Scholarship was not awarded this year since no one applying met our criteria.

After guest introductions and dinner, our key note speaker Abbie Oliver, Principal of Sprunica Elementary School, addressed those present. Sprunica received national recognition as a 2014 Blue Ribbon school and has received state 4 star recognition again this year. She spoke about her love of teaching and the special things the staff does to help children be prepared for learning. After her speech she fielded questions from the audience. She made important comments on the unique and financial needs of rural schools. Rural schools have maintenance issues and busing expenses which city and charter schools do not.



**Abbie Oliver**

Kindergarten costs and issues were also discussed.

The annual business meeting began. Quorum was established and rules of meeting were read. Julie Winn, President, read the long list of highlights of our last year. Minutes from 2014 Annual meeting were accepted. Treasurer’s report and proposed budget were discussed and passed with slight increase for *Who’s Where* printing. The slate for

nominations of officers and board was read. New nominations were called for from membership and seeing none – slate was accepted as presented:

**Officers:**

President Julie Winn (term expires 2017)

Vice President and Secretary Pam Raider (term expires 2017)

Treasurer Marge Cook (term expires 2016).

Directors: Mary Perez, Robyn Rosenberg-Bowman and Ruth Reichmann continue their term (expires 2016) as board directors.

New directors include Judy East, Janet Kramer and Jan Swigert (terms to expire 2017).

Appointed directors: Cathy Rountree and Shari Frank continue (terms expires 2016). New members Joanne Heimbaugh and Jeanne Lager agreed to serve (terms expires 2017)

**Portfolios:**

Newsletter: Judy East

Website: Robyn Rosenberg-Bowman

Voter service: Shari Frank, Janet Kramer and Mary Perez

Membership: Pam Raider and Susanne Gaudin  
Partnership B.C.: Janet Kramer and Shari Frank

Vision 2020 Initiatives and follow up: Ruth Reichmann, Julie Winn, Susanne Gaudin

Fiscal Study: Julie Winn and Susanne Gaudin

Health: Judy East and Cathy Rountree

Youth Leadership: Claire Dannelley and Tanner Bowman

The National and State programs for 2015-2016 were read followed by our local program and local positions on Health, Planning and Lake Monroe Watershed, Fire and Emergency Services.

The membership approved the following local programs:

1. Study the fiscal viability of Brown County, with particular focus on the accountability, transparency and coordination of elected governmental

bodies in financial and development decision making. This initiative which has just begun, will seek to achieve member consensus later in 2015 and concurrence in 2016.

2. Build on the work already done by the League to advance the Brown County Wellness and Heritage initiative. Hold at least three Community Conversations on next steps and how best to implement this vision for our county.
3. Explore and partner with other likeminded organizations in a project to make Indiana's Bicentennial in 2016.
4. Follow up to ensure that County defines and implements a plan to correct identified deficiencies in space, security, ADA and other problems for our Historic Courthouse.
5. Plan for and celebrate locally the League of Women Voters' 95<sup>th</sup> birthday.
6. Support the Vision 2020 project and Leading Brown County by supporting the BC Partnership, sponsoring community conversations to implement Vision 2020 and partner with other groups as needed, and desirable to further this project.
7. Revisit and update our position on emergency services.
8. Revisit and update the LWVBC Bylaws as needed.
9. Sponsor primary candidates' forums in advance of the 2016 general election.
10. Support the Dorothy Stewart Memorial Scholarship Fund.
11. Attend and participate in the B.C. Partnership.
12. Voter Services: Sponsor annual Meet Your Legislators – Third House Meeting.
13. Increase membership and visibility in the League and observers for County

meetings, including through creation of a Membership Handbook and by further enhancing our Website.

Discussion of the above was followed by directives to the board.

Julie Winn clarified the direction of the fiscal study which is to produce visual aids and flow charts to distribute to elected officials as well as recommendations for training. Keith Baker commented that we need a longer range plan as a second tier to this study. Ruth Reichmann suggested the study should be expanded from county to town and schools plus appointed boards such as planning and zoning and health department. In the end questions will be framed "...How can we be confident that...."

Wellness and Heritage conversations for economic development should help clarify direction Brown County needs to go. Ruth suggested more local people need to be involved and partnering with like-minded groups and organizations is key to this process.

Courthouse repairs need to be included in Commissioners budget to be submitted by July 1<sup>st</sup>.

Under Emergency services we should add water. Susanne Gaudin reminded us that Brown County actually has three watersheds so we need to do further study including Indian Creek and Bean Blossom to our previous study.

Members approved the program and directives to board.

Meeting adjourned at 8:45

## Seneca Falls 95th Celebration

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Greetings!

We are so excited about our upcoming "Go See Seneca Falls" Trip July 9-12!! Barb Reed from Cass County is co-chair of our trip. Barb has a dear friend who lives in Seneca Falls who has been exceedingly helpful.

Highlights include Susan B. Anthony's House, Women's Rights National Historical Park, Wesleyan Chapel (site of 1848 Women's Rights Convention), Elizabeth Cady Stanton's Home, National Women's Hall of Fame, and the McClintock Home in Waterloo. We will be adding an additional attraction in Rochester.

Please send \$100 deposit fee to me by June 20 (Gail Pebworth, 1308 E. Main; Crawfordsville, IN 47933). This will cover entrance into all the attractions, lunch at Susan B. Anthony's House, and help with transportation costs. July 1 is deadline for cancellations at Susan B. Anthony's house, so it is important that we have firm count. Cost for motel rooms for the three nights will total \$160.50/person.

Do let me know if you have any questions. Dress will be casual throughout. This should be so inspirational and such fun!!

Gail Pebworth, State Board member, Montgomery County

**Editor's Note: Please contact Gail at [pebworthg@sbcglobal.net](mailto:pebworthg@sbcglobal.net) if interested in attending.**