

Cordry-Sweetwater Conservancy District
Board of Directors Special Session
October 11th, 2022 @ 6pm

1. **Board Members Present:** Herb Benshoof, Matt Petersen, Pat Sherman, Aaron Parris (virtually), Mark Rasdall, Josh Edwards, and Ted Adolay
2. **Board Members Absent:** None
3. **Also, Present:**
 - a. **Staff:** Brittany Bay and Nick Johann
 - b. **CSCD Attorney:** Roger Young
 - c. 30 freeholders in attendance & numerous online viewers
4. **Welcome:** Mr. Benshoof called the meeting to order at 6:03 PM
5. **Interlocal Agreement with Brown County Sheriff's Department**
 - a. Mr. Benshoof turned the meeting over to Mr. Petersen. Mr. Petersen announced that this special session was taking place instead of the security commission meeting because the CSCD attorney Roger Young received a proposed interlocal agreement from Brown County's attorney.
 - b. Mr. Young started by saying that we are currently providing security through a 1998 interlocal agreement with Brown County. Mr. Young noted that changing the current arrangement is not what the CSCD wanted, this came from and was initiated by Brown County but agreed there are some changes that need to be made to the 1998 agreement. Roger gave a synopsis of the proposed interlocal agreement. He said in the current agreement the officers are District employees and listed as special deputies, the new agreement would propose to provide up to 4 deputies that are merit deputies, and they would report to the Sheriff and the merit board; meaning the District would have no say in hiring, firing, discipline, or reassignment. Mr. Young also noted that the District would have 24/7 coverage but stated nothing regarding officer presence in the District. Mr. Young also pointed out that each year on or before August 31 what the fee will be for the next year. Another issue he found from reading through the agreement is that the District would be purchasing a new police vehicle to lease over to Brown County annually, on top of leasing our current police vehicles to Brown County for \$1. These are the major issues with the agreement that Mr. Young saw from reading through the proposed interlocal agreement.
 - c. Mr. Young turned the meeting over to Mr. Petersen. Mr. Petersen started by saying that the new sheriff Brad Stogsdill is not going to continue with the 1998 interlocal agreement, at the end of this year. Mr. Petersen noted he has been asking for this document for a little over two weeks and the Board just received the document Monday morning. Since Mr. Petersen knew this was coming but was unsure of the details, he came up with a few options that could best benefit the District. They are as follows:
 - i. Option 1 the District agrees to the proposed interlocal agreement and agrees to disburse \$456,982 to the Brown County Sheriff's Department January 1. In this contract it states we will have 24/7 coverage but does not say anything about police presence in this

area, lease all current deputy cruisers to the County for \$1 and agree to purchase and donate a deputy cruiser each year, the deputies will not be allowed to enforce CSCD ordinances/rules they can only follow the state and county laws and Brown County Ordinances. Mr. Petersen noted that they are not going to give us anything more than what they are already giving us and that the freeholders property taxes are paying for, the Sheriff never said they would be hiring 4 more officers.

- ii. Option 2 we accept the standard Brown County Sheriff's department coverage that the freeholder's property taxes are paying for. Mr. Petersen noted there is good and bad with that the good would be we are reducing our budget by \$500,000 and it would lower the user fees.
 - iii. Option 3 would be to hire a Private Security Company; this would give the District someone patrolling 24/7. The Security Company would not have arrest powers and they would have to call Brown County Sheriff's Department.
 - iv. Option 4 would be to go back to a gated community.
 - v. Option 5 would be to have Mr. Young try to acquire from the State that would allow the District to obtain and manage Conservancy Marshalls. This would give the District 24/7 coverage, the ability to choose who is patrolling the area, and they would be able to enforce District Rules and Ordinances.
- d. Brian Shrader introduced himself and said he was there on behalf of the Brown County Sheriff's Department. He said one of the problems is the District Officers are special deputies and that Marion County was trying to send special deputies to the academy, and they were turning them away, they cannot send special deputies to the academy. Mr. Young said that is incorrect they can send them and it's at the discretion of the academy to accept them. Mr. Shrader said he agreed with Mr. Young, but the academy is not allowing them to send them. Mr. Shrader said that is a major problem right now.
- e. Amy Sherman introduced herself as a beach attendant here in the District and said when they have unruly people at the beach having an officer is very beneficial. Mrs. Sherman then asked if we go the Town Marshall route how would that work? Mr. Young answered by saying that changing the legislature would take approximately 6-8 months to do.
- f. Melissa Swineford then asked the Board which ever route they took what would happen to Jimmy Green and Zacc Sheppard? Mr. Petersen answered by saying that they are still Brown County Sheriff's Deputies and Brown County needed officers. Mr. Shrader said in January they would have 2 merit deputy positions available so 2 of the 3 deputies we currently have could go to Brown County.
- g. Denise Caudill asked if it would be beneficial for the District to hire a reputable lawyer like Barnes & Thornburg to work with Roger to negotiate this or look into changing the Town Marshall legislature. Mr. Young stated the District was free to hire whoever they wanted.
- h. Mr. Petersen said there will be a survey to go over the options discussed tonight as well as a give your idea option if it wasn't discussed tonight to rank the options. It will be available in a couple days for the freeholders to take. Mr. Petersen also noted that this meeting will be available online to hear the discussion that happened tonight and the proposed interlocal agreement will also be available.
- i. John Dotts said he isn't here 6 months out of the year, and he likes knowing these guys drive down his driveway.
- j. Judy Hamilton introduced herself and asked if we went with Town Marshalls, would they be able to attend the Sheriff Departments training they have locally. Mr. Petersen said he would think with professional courtesy that training would be offered. Mr. Shrader said he believes the training would happen and it's free. Mr. Shrader said his only concern with the Town Marshall option is that most Marshalls Office's not even in just Indiana are having trouble with hiring.

- k. Mark Beckham wants to know if we're paying taxes already with our property taxes why is Brown County asking for an additional \$500,000 when they aren't putting any deputies in this area anyways. Mr. Shrader said this would provide 24/7 coverage here. Mr. Young stated that may be the Sheriff's intention, but the contract does not say that.
- l. Elaina Deiner wanted to know why there isn't more time to make this change. Mrs. Deiner felt that Brown County is putting the District in a really hard position to go over these options in a short amount of time. Mr. Petersen said the reason for this is because the new sheriff doesn't want to go in starting his term with an agreement that is not right.
- m. Jimmy Green asked if he could say something, and he didn't want any Board Members to hold it against him if it made them mad and that he is a freeholder here too. He said the Sheriff department said what the District will get is 24/7 coverage, he said the Marshall thing will take a long time. Mr. Young said that was excellent to hear but the agreement that was sent does not state that. Mr. Green said that document we can't go by. Mr. Petersen said the document is all we have to go by. Mr. Shrader said that he would agree with the Board in that matter that the document doesn't say what it should, and he said he believes the Sheriff and the Sheriff elect would agree this document needs to be changed.
- n. Randy Brumfield asked how many CSCD deputies we currently have. Mr. Petersen answered 3 and Mr. Brumfield noted we do not have 24/7 coverage. Mr. Petersen said we do not have CSCD employee coverage 24/7. Mr. Brumfield then noted that each Board Member has their own specialty, and it is hard to hire someone outside of that realm and the Sheriff would be more qualified for that. Mr. Petersen noted that Sheriff Southerland sends applicants to District, that their applications go to the Brown County Sheriff's Department and then the Sheriff decides if they want to endorse that applicant.
- o. Mr. Young mentioned that the Board should create a negotiations committee that consists of three Board Members.

MOTION: Mr. Petersen made a motion to create a negotiations committee consisting of Matt Petersen, Herb Benshoof, and Pat Sherman to work with the Brown County Sheriffs Department, Insurance Company, and Counsel, seconded by Mr. Rasdall. Motion passed unanimously.

6. Adjourn (8:15 PM)

MOTION: Mr. Petersen moved to adjourn, seconded by Mr. Edwards. Motion passed unanimously.

Respectfully submitted,



Ted Apolay, Board Secretary
Date Submitted: