

# County official plans meeting

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A county council member called a public meeting with state officials, hoping to get more information about a proposed toll road so county officials can take a stand.

John Price orchestrated the meeting for local officials so they can ask questions about the project and get the most up-to-date information, he said.

Landowners are invited so they can hear the same information as officials, Price said.

The meeting will begin at 5 p.m. Monday in Beeson Hall at the Franklin Cultural Arts and Recreation Center, 396 Branigin Blvd.

At least one representative from the governor's office and the Indiana Department of Transportation will attend, said Gary Abell, spokesman for the department.

If council members get enough information about the project, they could decide to take a stand for or against the issue, Price said.

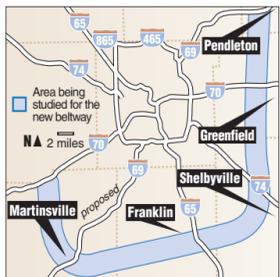
Price has said before that council members should discuss the issue and collect information so they can take a stand for or against the project. The council will conduct its monthly meeting Monday night at the courthouse annex, 86 W. Court St. in Franklin.

The meeting was set up for county commissioners and council members but is open to the public.

County officials also will be able to build a relationship with the state and continue discussions as the proposed Indiana Commerce Connector is studied, Price said.

## THE ROUTE

Gov. Mitch Daniels has proposed a tollway that would pass south of Franklin and be built somewhere in the area marked in blue below.



SOURCE: GOVERNOR'S OFFICE STAFF GRAPHIC

# Lawmaker misses votes to play golf

By RICK CALLAHAN  
THE ASSOCIATED PRESS

## INDIANAPOLIS

U.S. Rep. Dan Burton missed 19 votes in the House last month, including a measure on financial aid for college students, because he was in California playing in the Bob Hope Chrysler Classic, a charity event he's attended 17 times since 1988.



BURTON

The Indiana Republican, who represents portions of Johnson County, missed the votes between Jan. 16 and Jan. 19, according to a review of a congressional vote database maintained by The Washington Post.

As those 19 measures were being debated and voted on, Burton was on the links in Palm Springs, Calif., competing in the annual winter golf tournament, according to a spokeswoman for the Bob Hope Chrysler Classic.

Over the years, Burton has missed other votes that occurred when he was competing in the tournament, including seven in late January and early February 2003, and five in January 2004.

Burton's press secretary, Clark Rehme, did not respond to repeated messages left Wednesday seeking comment.

## Feedback

(CONTINUED FROM PAGE ONE)

What the state won't do is count hands at one of the forums.

Judging a community's stance on the project just by listening at a couple of forums is difficult, said Joe Gustin, INDOT's deputy commissioner of public-private partnerships.

Here's why: Opponents of the project are loud, those who support it are not as vocal, and the state is looking for better arguments against the project than the not-in-my-back yard sentiment, Gustin said.

Johnson County residents have said they are against the project not only because of the disruption to their lifestyle it would create but also because of loss of farmland and no guarantees that the road would attract high-paying jobs.

"Everybody says we don't want it, but you're not hearing," farmer Bill Boyd said.

Concerns about cutting into farmland are legitimate but



STAFF PHOTO BY SCOTT ROBERSON

About 400 people came to voice their opinions about the governor's toll road plan Jan. 24 in the Branigin Room at Franklin College.

not uncommon with highway projects, Gustin said.

About 30 people attended the meeting Tuesday organized by Johnson County Farm Bureau, which opposes developing highways on farmland.

"Johnson County Farm Bureau is dead set against the (Commerce Connector), and we are going to do everything in our power to stop it," farmer Tracy Mabry said.

Comments from public forums are recorded, Gustin said.

But the department gathers input from other sources, as well, he said.

All of the opinions will be weighed and presented to the governor.

Daniels has said if the public doesn't want the road it won't be built, Gustin said.

"If we hear an overwhelming sentiment against it, we're not going to do it," Abell said.

Officials must look at how many acres the project could take and weigh it with how

many jobs it could provide, Gustin said. The state has to look at providing services to all people in the state, he said.

State officials believe the project would attract more jobs to the state and boost economic development, he said.

One person Tuesday asked Abell to cite an example or study that links toll roads with economic development.

Abell said he did not know of any study but cited a business in South Bend that moved there because of a road.

Abell emphasized the project is not final.

"It's an idea at this point," Abell said.

Legislative approval will allow the department of transportation to do a study to determine the exact route, how many vehicles would use the toll road, what the toll rates would need to be and how the road would fit into the community, Abell said.

The transportation department is looking at the issues presented by both sides, Abell said. Also, long-term goals of the communities are being considered, he said.

## Delay

(CONTINUED FROM PAGE ONE)

beltway's route, the type of jobs it would create and how local communities would be affected before giving the governor the go-ahead.

State lawmakers have been asked to approve a public-private partnership for the beltway, dubbed the Indiana Commerce Connector, and allow tolls to be collected. In exchange, tolls would not be collected on the new Interstate 69 extension from Indianapolis to Evansville. The money generated from the lease of the beltway would fund construction of I-69. The bill also includes the Illiana Expressway in northwest Indiana.

State Sen. Brent Waltz, R-Greenwood, opposes the beltway because of a lack of information and concerns about the effect on areas it crosses, such as southern Johnson County. He said he supports Breaux's amendment.

"We need more than just two to three months of awareness and notice," he said.

Support for the amendment came from Republican and Democratic legislators and the county's economic development group.

"There are very few of us willing to move this forward with full authority and give up legislative oversight on something not well thought out," said Sen. Vi Simpson, D-Bloomington.

The leader of Johnson County Development Corp., the organization charged with attracting and developing business in Johnson County, said this change is the answer the community and legislators have been waiting for.

"We need to look at ways to improve our infrastructure, but we really do believe that this thing has to get studied further,"

said Cheryl Morphew, executive director of the development corporation.

The development corporation's board agrees with the concept of the beltway, she said.

"But there is further study that has to take place. We are not getting any answers to questions as we attend some of these meetings with these (Indiana Department of Transportation) folks," Morphew said.

State Rep. Woody Burton, R-Greenwood, said that if the bill makes it to the House he would support conducting studies before legislative approval.

One local lawmaker said he doesn't see a point to more studies.

State Sen. Greg Walker, R-Columbus, said the bill is to allow a private company to lease the road. Walker, who represents part of the county where the route could pass, doesn't see what more studies would prove.

### Price of delay

Sen. Thomas Wyss, who proposed the bill, and a state transportation department official said the amendment would delay studies that need to be done.

The department isn't going to study the project without knowing it will be paid back by a private company. And a private company won't be interested in the road unless officials know it will be built, said Wyss, R-Fort Wayne.

Joe Gustin, deputy commissioner of public-private partnerships for the state department of transportation, wondered how long studies could be delayed.

Breaux's amendment would delay the connector at least a year and possibly more, Wyss said.

"That would help kill the Commerce Connector as a possibility in the future," he said.

The amendment would separate the Indiana Commerce

Connector and the Illiana Expressway, which now are in the same bill. Legislators have said the Illiana Expressway has received more support than the central Indiana tollway.

Removing the connector from the bill would allow legislators to approve the Illiana Expressway, a highway in northwest Indiana, which has been studied longer, Breaux said.

"We shouldn't just push things forward without at least some consideration," said Breaux, D-Indianapolis.

Today, senators will discuss Breaux's proposed change and at least six others and decide which ones should be added to the bill before voting on the legislation Monday.

The governor's office had no response.

"Many amendments to bills are filed during the legislative process," said Jane Jankowski, spokeswoman for Gov. Mitch Daniels. "It's too early to tell what amendments the legislature may consider."

### 'An idea at this point'

State officials and some local leaders have said the beltway is just an idea that needs legislative approval before studies are conducted.

The studies will determine whether the project is appropriate, if it would relieve traffic congestion, its impact on the environment and local lifestyle, and whether any companies would pay the right amount to lease the road.

State officials have said the proposed tollway is an idea and nothing is final.

In a column published in several area newspapers in November, Daniels said the project was a concept.

Gary Abell, spokesman for the state transportation department, emphasized Wednesday the project is not final.

"It's an idea at this point," Abell said.

The mayor of Franklin thought that was the whole point of the initial legislation: to study the idea.

"I've said this before: I support the concept of this, but I have the very same questions everyone else has," Brenda Jones-Matthews said.

She isn't sure what input she can have on the roadway and notes that the general sketch of the route doesn't take it through Franklin, but she knows the beltway would impact the entire county.

Jones-Matthews wants to know how soon the study will be finished and who will be a part of the studies, such as legislators, residents and business people.

"Anything that is going to a study committee means it will kill it for this legislative session," she said.

If the right mix of people are involved and a deadline is set for reporting on findings, the amendment "might not be a bad idea," Jones-Matthews said.

Charles Canary, a county council member who has been vocal about the proposed beltway, said the amendment is exactly what he's wanted.

"That's what should have been done the first time. Now they're finally doing things the way they're supposed to be done," he said.

### Other proposed changes

Breaux's proposed amendment is one of seven proposed changes that were submitted by legislators by Wednesday. Her first change takes the beltway out of the bill; she's still working on another amendment that would send the road to a study committee.

Sen. Bob Jackman, R-Milroy, has proposed three amendments that call for study of roads pro-

## AT A GLANCE

### How eminent domain works

Government is the ultimate owner of all real estate, Franklin lawyer Roger Young said at a Johnson County Farm Bureau meeting Tuesday. People have the right to occupy land, but legislators can reacquire the land. The U.S. Constitution requires due process before property can be taken, meaning the property can be taken only if it is for public use and the government must give the landowner just compensation, Young said.

If it can be proved the project is not for public use, then it is unconstitutional, he said.

Arguments that the project is not needed usually do not work when the government wants to build a road, though, Young said. If the legislature declares a need for a road, it does not violate eminent domain laws, he said.

Landowners are compensated at the fair market value for the highest best use of land. This means if an owner is using land for farming, but the best use would be commercial, then the owner will be compensated at the commercial use price, Young said.

The value of the land is considered only at the time of the taking, though, not what the land would be worth in five years or after the project, he said.

Compensation also can be awarded for lack of access to parts of the land, he said. If a project divides a farm or makes the land hard to plow, the landowner should be paid, he said.

posed in a 25-year transportation plan that the state revealed in 2003 and would prevent the road from interfering with school transportation routes or the ability of a fire department to respond to a blaze.

"These are issues that need to be studied and warrant some discussion," said Jackman, who also noted that he's been in discussions with the governor's office.

He is proposing changes based on what residents in his district have asked for. He represents parts of Shelby, Rush, Decatur, Franklin and Fayette counties.

Jackman's also concerned about the road bisecting school districts, township lines and fire districts.

No one understands where the Indiana Commerce Connector would be built, but the proposed legislation would allow the state to proceed with the study, Jackman said.

"These are things I think need to be included in the study," he said.

The third amendment would forbid construction of the road in Moral Township in the northwest corner of Shelby County.

"We protected Perry Township with I-69, so why not protect Moral Township with this?" Jackman said.

He's referring to a bill the legislature approved last year that included language that would prevent the interstate from being built through Perry Township in Marion County.

Wyss said Jackman's amendment is unconstitutional because it takes power from the governor and gives it to legislators.

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