

1 STATE OF INDIANA)
) SS:
2 COUNTY OF MONROE)
3

4 IN THE CIRCUIT COURT OF MONROE COUNTY

5 CAUSE NO. 53C06-2203-PL-000509

6 COUNTY RESIDENTS AGAINST)
7 ANNEXATION, INC., an Indiana not)
8 for profit corporation, et al.)
)
9 Remonstrators/Appellants/Petitio)
10 ners,)
11 -vs-)
12 THE COMMON COUNCIL of the City)
13 of Bloomington, Monroe County,)
14 Indiana, et al.)
15 Respondents.)

16 DEPOSITION OF DEBORAH REED
17

18 The deposition upon oral examination of
19 DEBORAH REED, a witness produced and sworn before
20 me, Colleen Brady, Notary Public in and for the
21 County of Monroe, State of Indiana, taken on behalf
22 of the Respondents, at the offices of Bloomington
23 City Hall, 401 North Morton Street, Room 225,
24 Bloomington, Monroe County, Indiana, on the
25 27th day of February 2024, at 9:00 a.m., pursuant
to the Indiana Rules of Trial Procedure with
written notice as to time and place thereof.

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APPEARANCES

FOR THE PETITIONERS:

William J. Beggs
BUNGER & ROBERTSON
211 South College Avenue
Bloomington, IN 47404
812.332.9295
wjbeggs@lawbr.com

FOR THE RESPONDENTS:

Andrew M. McNeil
BOSE MCKINNEY & EVANS LLP
111 Monument Circle
Suite 2700
Indianapolis, IN 46204
317.684.5000
amcneil@boselaw.com

ALSO PRESENT:

Margaret Clements

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1 (Time noted: 9:53 a.m.)

2 DEBORAH REED,

3 having been duly sworn to tell the truth, the whole
4 truth, and nothing but the truth relating to said
5 matter, was examined and testified as follows:

6

7 DIRECT EXAMINATION,

8 QUESTIONS BY ANDREW M. MCNEIL:

9 Q Will you state your name please?

10 A Deborah Reed.

11 Q And may I call you Debbie?

12 A Please do, yes.

13 Q Debbie, I'm Andrew McNeil, one of the attorneys
14 for the City of Bloomington in the annexation
15 remonstrance case.

16 Have you ever had a deposition taken from
17 you before?

18 A One time years ago.

19 Q I'm going to ask -- you're familiar. I'll ask
20 you a series of questions. You need to answer
21 them truthfully. You understand that?

22 A Oh, yes. Oh, yes.

23 Q If you don't understand my question, will you
24 let me know?

25 A Thank you.

1 Q The intention here is to be about 45 minutes or
2 so to try to keep on a schedule. Even so, if
3 you need to take a break for any reason, will
4 you let me know that?

5 A Thank you, yes. I appreciate that.

6 Q Especially if you don't hear my question,
7 please, ask me to speak up.

8 What is your home address?

9 A 2855 Old Myers Road, Bloomington, Indiana 47408.

10 Q And that property is not part of the annexation
11 case; correct?

12 A No.

13 Q By saying "No," you're -- let me rephrase that
14 question. It was poorly worded.

15 Is that property part of the annexation?

16 A No.

17 Q Do you own property in one of the annexation
18 areas?

19 A Yes.

20 Q What is the address of that property?

21 A Physical address is 2950 North Prow --
22 P-r-o-w -- Road, Bloomington, Indiana. And the
23 zip is 47404.

24 Q And is that in Area 1A?

25 A Yes, sir.

1 Q Is that the Reed quarry?

2 A Yes, sir.

3 Q What's the official name or the corporate name
4 of that business?

5 A Reed Quarries, Inc.

6 Q What is your role with Reed Quarries, Inc?

7 A The official title is I'm a corporate secretary,
8 but I do everything that's asked of me that's
9 halfway reasonable. So some days, you might be
10 seeing me order parts, sweep a floor. But my
11 term, you know, is corporate secretary.

12 Q Did you sign a remonstrance petition opposing
13 the annexation for Area 1A?

14 A Yes, we did.

15 Q And who signed it? You or someone else?

16 A I did.

17 Q Are you an owner of --

18 A Yes.

19 Q You have to let me finish my question. Sorry.

20 A I'm sorry.

21 Q That's okay. You know what my question is, but
22 I still have to get it out for the record.

23 A Sorry.

24 Q So are you an owner of the corporation, one of
25 them?

1 A Yes.

2 Q How long has Reed Quarries operated at that
3 location?

4 A That's a good question. It was purchased in
5 1969. But Reeds were on the property,
6 managing -- in the stone industry, we call it
7 stone operators; we don't have CEOs or things
8 like that -- in the 40's.

9 The site has been open since about the
10 1870s.

11 Q Does either you, individually, or the company
12 own any other real estate in either Annexation
13 Area 1A or Area 1B?

14 A Not -- I don't believe anything in 1B. 1A, it
15 wouldn't be the corporation.

16 Q Do you own property, personally, in Area 1A?

17 A It would you be RSD Holding.

18 Q Is that RSD Holding, LLC?

19 A Correct.

20 Q What property does RSD Holding, LLC own?

21 A There are two properties, and I apologize, I do
22 not have by memory, the street address. But
23 it's on West Arlington Road, both of them. I
24 didn't realize I'd be asked that.

25 Q Are those properties in Area 1A?

1 A Yes.

2 Q Did you sign a remonstrance petition with
3 respect to those parcels?

4 A Yes.

5 Q What are those properties? Are they commercial
6 properties, industrial, mining, residential?
7 What's on those properties?

8 A Right now, when we purchased the properties --
9 there are two. There are little bungalows on
10 one and on the other, there are some -- a few --
11 there's a garage, there's an outbuilding. And I
12 think those buildings have been there since the,
13 maybe, 40s. I'm just not sure. We'd have to go
14 on Elevate and look up. Again, I wasn't
15 prepared for a question like that.

16 Q Did you do anything specific to prepare for the
17 deposition?

18 A No, no.

19 Q From where you live on Old Myers Road, to get to
20 the Reed quarry location, what's your route of
21 travel? What roads do you take to get there?

22 A We -- Old Myers Road, and then we head south on
23 Old State Road 37. Then we turn by the fire
24 station at Whisnand Road, Whisnand, we come to
25 Business 37, we turn south to Bales. Then we go

1 Bales, which is -- we're headed west to Kinser.
2 From Kinser, we go south on Kinser until we get
3 to Acuff. Acuff to Prow, and Prow to the
4 company.

5 Q Is any part of that within the Bloomington
6 municipal limits? Or is it all unincorporated
7 area in the townships?

8 A Respectfully, you're the professional. You know
9 that better than I. But I do know that
10 Area 7 was to be annexed, and some of that was
11 Prow Road. But, again, you all are the experts
12 on that. I don't have an annexation map in
13 front of me.

14 So that's -- I do know Prow Road and Acuff
15 was some of that that was being considered, but
16 that was -- I don't know if this is the proper
17 term -- thrown out. 7A, I believe.

18 Q Right. They just didn't move forward with that
19 one. That's your understanding?

20 A Correct.

21 Q Do you ever go to restaurants in the City of
22 Bloomington?

23 A Respectfully, not very often.

24 Q Occasionally?

25 A Not very often.

1 Q Is there a difference between not very often and
2 not at all?

3 A We're north of town. I don't know if you've
4 ever heard of Dolan, Indiana?

5 Q Sure.

6 A We're out that way. We have a farm out there.
7 Respectfully to everyone sitting in the room,
8 usually, we will go to Martinsville if we're
9 going to eat out.

10 Q Do you attend any civic events in the city?

11 A No.

12 Q Plays or concerts?

13 A No.

14 Q Attend any events at Indiana University?

15 A No.

16 Q Do you have city or water utility services at
17 Reed Quarries?

18 A We have city water. We have CenterPoint -- what
19 used to be Vectren -- gas, and Duke electric.

20 Q When you say city water, does that include sewer
21 service to you?

22 A Oh, no. No.

23 Q Is it on a septic system?

24 A Yes.

25 Q Are you familiar with the organization County

1 Residents Against Annexation?

2 A Yes.

3 Q What do you understand that to be?

4 A A group of individuals that are very, very
5 concerned about the double or triple of taxes.
6 A lot -- it's my understanding from a couple
7 meetings I've gone to that some of the people
8 might lose their homes because they're on fixed
9 incomes. Lots of rules, regulations,
10 permitting, licensing that would take place that
11 a lot of people could not absorb that into their
12 daily lives, their daily budgets.

13 And so this group of individuals are trying
14 as reasonably as possible to make other
15 individuals understand the ramifications of
16 what's going to take place. This sounds a
17 little dramatic, but I compare it to what
18 happened to a lot of the Native Americans.
19 Other people came in. They wanted their land,
20 and they devised ways to take over that land.
21 That may sound a little dramatic, but that's
22 really how I feel.

23 Q I want to break that down a little bit. I asked
24 you if you were familiar with CRAA, County
25 Residents Against Annexation, and you -- one of

1 the first things you said was you had heard of
2 people's property taxes potentially doubling or
3 tripling?

4 A Yes. I'm not a mathematician -- oh, I'm sorry.

5 Q No, that's fine. Who did you hear that from?

6 A I have read articles in the newspaper of
7 projections.

8 Q And you believe you read an article in the
9 newspaper, either physical newspaper or online,
10 that said the property taxes could double or
11 triple with the annexation?

12 A From 2017, there have been quite a few articles
13 about annexation in Monroe County, and that's
14 predominantly where I have done my reading.

15 Q Have you looked at the fiscal plan that the city
16 adopted as part of its annexation process in
17 2021?

18 A No, I don't know anything about that.

19 Q Have you done any study, personally, of the
20 impact, potential impact, of annexation on
21 property tax rates in Area 1A?

22 A No, no.

23 Q Have you done any study or analysis of potential
24 property impacts from the annexation in Area 1B?

25 A No.

1 Q Do you have any personal knowledge that you are
2 specifically aware of a parcel of property that
3 would face potential property tax increase of
4 two to three times because of the annexation?

5 A I can just go on what I have read in the
6 newspapers, what other people have written.

7 Q You mentioned as part of your answer in
8 describing CRAA that you had heard of people on
9 fixed incomes who were either fearful of losing
10 their home or who --

11 A Yeah.

12 Q -- or who may lose their homes?

13 A Yes.

14 Q Who or where did you hear that from or read it?

15 A I went to two different meetings and individuals
16 either spoke to me, personally, or they were
17 part of the meeting process, and it was very,
18 very sad. Very, very sad.

19 Q Who were the people that spoke to you
20 personally?

21 A I don't have names. I don't have names.

22 Q Is that the same answer for people who spoke in
23 larger group setting?

24 A You're talking about -- if I understand your
25 question correctly, you're asking me the

1 individuals that said that they -- their budgets
2 would be strapped or they might lose their home
3 or they might not be able to absorb the prices.
4 Is that correct? Is that what you're asking?

5 Q Yes, that's my question.

6 A Again, I can't give you individual names at this
7 moment, no.

8 Q Is that because you don't rememberer? Or you
9 didn't know who they were; you just heard
10 them --

11 A Both.

12 Q -- speak?

13 A Both.

14 Q You mentioned, I think, two meetings that you
15 attended. Were those meetings organized by the
16 CRAA group?

17 A I can't answer that with 100 percent surety
18 because I don't know the answer to that, but I
19 think that would be likely.

20 Q When and where did these meetings take place?

21 A I can't give you the exact date at that given
22 moment, sir. But one was at Monroe County
23 Fairgrounds, and that was the earlier of the
24 two.

25 The second was at the -- it's a place I'm

1 not very familiar with. First time I ever been
2 there. It's out by the fairgrounds. It has
3 something to do with the veterans. I'm sorry, I
4 don't know the name because I had never been to
5 the facility. It's a very nice facility. Just
6 down the road from the fairgrounds, and they had
7 a nice meeting room there.

8 Q Do you believe those two meetings, the one at
9 fairgrounds and at the one at the veterans
10 place, were in the same calendar year, around
11 the same time?

12 A No, no.

13 Q They were spread out over different years?

14 A Again, I didn't know I was going to be asked
15 that; so, you know, I don't have it set in
16 memory. But, no, they were not in the same
17 calendar year.

18 Q Did you have an expectation of what you would be
19 asked at the deposition?

20 A I thought I would be asked more questions about
21 stone.

22 Q We'll see if we get there.

23 A I'm not a lawyer, you know, and so I just have
24 no idea what to expect.

25 Q Okay. That's fair. Have you -- you understand

1 that CRAA is a 501(c)(3) charitable
2 organization?

3 A And by that, are you saying nonprofit?

4 Q Nonprofit or tax deductible donations?

5 A I was aware of that, yes.

6 Q Have you or your company ever donated funds?

7 A Yes, yes.

8 Q Did you donate in 2023?

9 A Yes.

10 Q How much?

11 A I'd have to go back and look at my records.

12 Q Do you have an estimate or a range?

13 A The company? This is an estimate.

14 Q Understand.

15 A 2,500. Very small amount.

16 Q You believe that was from me the company? You
17 have to say "Yes."

18 A Yes, yes, sorry.

19 Q Any personally?

20 A Yes.

21 Q How much personally?

22 A Again ...

23 Q Just roughly.

24 A Approximately 2,000; 2,500. Again, I wasn't
25 prepared to deliver those figures today. Those

1 are approximate.

2 Q Understand. And you've made it clear that
3 that's an estimate.

4 A Thank you.

5 Q So we won't hold you to that exactness.

6 A Thank you. My word really means something to
7 me. It's very important to me. And so for me
8 just to toss things around without qualifying, I
9 won't do it.

10 Q No, I appreciate that. I appreciate you sharing
11 that.

12 A Thank you.

13 Q Over the course of the annexation process, have
14 you had email or text message communications
15 with other people about the annexation?

16 A I have with a couple of close friends. I
17 thought that was legal. Close friends.

18 Q Absolutely legal. The real question is in the
19 course of this case, were you asked to -- let me
20 ask it this way.

21 Did you review your communications about
22 the annexation to provide to either Margaret or
23 Mr. Beggs or his law firm as part of the
24 discovery process of the case?

25 A I don't understand your question, sir. Can you

1 rephrase that?

2 Q Yes.

3 A Because that was kind of a long -- I'm not being
4 disrespectful, but rephrase that please.

5 Q No, that's the most polite "please rephrase
6 that" I've ever received.

7 A Okay. Thank you.

8 Q During the course of a lawsuit, there's what's
9 called the discovery phase.

10 A Correct.

11 Q Where we can ask for documents and the other
12 side can ask for documents. One of the things
13 the city asked for was communications that the
14 named remonstrators had about the annexation.

15 So my question is did you look for
16 communications that you had about the annexation
17 as part of the lawsuit process?

18 A Again, I don't understand where your going with
19 that. If I had some emails, it was more of a
20 conversation of a time that, I think, it was --
21 was it not the Monroe County Fairgrounds or the
22 other building. You know, time place. Did I do
23 a lot of discussing -- no, no -- you know, on an
24 email? No, no. I wouldn't do that, no.

25 Q Okay. Did anyone ask you to provide copies of

1 your communications about the annexation as part
2 of the lawsuit?

3 A No.

4 Q Are you still -- let's see. As an owner of the
5 Reed Quarries Inc, or RSD Holdings, LLC, are you
6 still opposed to the annexation of Area 1A into
7 the City of Bloomington?

8 A Scared to death of it.

9 Q Why?

10 A Scared to death of it.

11 Q Why?

12 A Because of, again, money. We run a tight ship.
13 We don't waste money, we don't blow money. It's
14 a very, very expensive procedure, extracting
15 stone from the ground. And, again,
16 respectfully, it just seems like more and more
17 people are trying to grab onto our tailcoats.

18 We do the work. We get out in the mud and
19 the filth and sweat all day long in the
20 summertime; and all these other people are just
21 wanting to get on our coattails, and we carry
22 them. And so it is very, very scary,
23 monetarily, the increases that we would have to
24 pay.

25 Plus the fact of we have received paperwork

1 from the City of Bloomington saying what the
2 pros, the advantages, of annexation would be and
3 none of them, none of them -- I don't have my
4 list in front of me but I have the actual
5 copy -- none of them would benefit us.

6 If anything, once again, the little red hen
7 is going to have to do all the work, and then
8 feast time, everybody sitting at the table
9 grabbing in the basket. And that's exactly the
10 way we feel.

11 Q In your answer, you referred to monetary
12 increases. What monetary increases are you
13 referring to?

14 A Taxes. Higher taxes. Permitting, license, as
15 well as a lot of the regulations and rules that
16 we're aware of, and we're only aware of a tiny
17 portion. They have fees attached to them. And
18 so we go from not paying fees, to have to pay
19 all these fees. We will not be benefiting from
20 them at all but yet we're having, once again,
21 people are loading up on our coattails, and we
22 get to do the work and the other people just
23 come in and pick off the cherry tree.

24 Q Have you yourself done an analysis of what --

25 A No.

1 Q -- what the tax impact would be from the
2 annexation?

3 A No.

4 Q Have you had anyone --

5 A No.

6 Q -- do a tax impact of the annexation?

7 A No, no.

8 Q Have you done an analysis of the total increase
9 cost of licensing, permitting, rules --

10 A No.

11 Q -- rules and regulations from the annexation if
12 it were to go forward?

13 A No, sir. Because you know something, we don't
14 know. We don't know. But just to give you one
15 example, it's my understanding -- again, I'm not
16 an authority on the City of Bloomington. I'm
17 not an authority on all the rules, regulations,
18 permits, sewage all this.

19 I'm not an authority on what they charge
20 for -- whether it's free recycling or a fee for
21 sewage or pickup this or pickup that. And we
22 wouldn't be taking advantage of any of those
23 things but we would be charged for them. What a
24 great deal for the -- respectfully, what a great
25 deal for the city. Once again, you know, we're

1 doing all the work, but we're not getting
2 anything out of it. Nothing.

3 Q You have in front of you a couple of documents.
4 If you get the one that says Exhibit 28.

5 A 28. Okay.

6 Q That's the amended and supplemented answers of
7 the County Residents Against Annexation to the
8 City of Bloomington's interrogatories.

9 Do you see that?

10 A Yes, sir.

11 Q If you turn to page 5. Question 5 on page 5:
12 "Identify and list all facts and documents
13 supporting your contention in the petition that
14 Ordinance Nos. 17-09 and 17-10 fail to include
15 equitable terms and conditions," and it
16 continues.

17 Do you see that?

18 A Yes, sir, I see it.

19 Q If you turn to page 6, there's a supplemental
20 answer in bold typeface. And if you go down
21 four paragraphs, the one that starts "Thomas
22 McGhie."

23 Do you see that?

24 A I do.

25 Q It says "Thomas McGhie, John Byers, Deborah

1 Reed, Don Creek, and Rhonda Grey are anticipated
2 to testify that they were not offered an
3 in-lieu-of agreement despite the fact that other
4 property owners in Area 1A/1B were offered such
5 an agreement."

6 Do you see that?

7 A I do.

8 Q Are you familiar with the term agreement in lieu
9 of annexation?

10 A If you would ask me to explain it, I couldn't,
11 but I believe you're talking about money; right?

12 Q Well --

13 A Taxes?

14 Q A contract or agreement with someone, say, like
15 Cook, for example.

16 A Cook Incorporated, yes.

17 Q In exchange for being annexed, to pay some
18 amount of money.

19 A I'm aware of it, but am I aware of it like most
20 of you in this room would be, no. I've heard
21 enough about it that, you know, people,
22 businesses are approached to get breaks, if
23 that's a proper assessment of what you're
24 talking about.

25 Q Are you as an owner of Reed Quarries or RSD

1 Holdings willing to pay 75 percent of the city's
2 tax rate not to be annexed?

3 A We haven't even discussed anything like that.
4 Our company has not discussed anything like
5 that. No one has approached us. We have not
6 received any kind of hard copy, email, text,
7 telephone, personal visits. No one has
8 approached us. We haven't even discussed it.

9 Q If you were approached with an agreement to pay
10 fees in lieu of being annexed starting right
11 now, is that something that Reed Quarries would
12 be interested in?

13 MR. BEGGS: Object to the form and the
14 foundation to the extent it provides her with no
15 ability to know what that agreement would say or
16 contain. You may answer with that objection.

17 A Another thing too -- to add to what he just
18 said -- there are other owners. I am not going
19 to speak for the other owners on something like
20 this. We would have to go back, discuss it. We
21 would have to higher legal help to interpret
22 everything.

23 Again, anything like this, once again, we
24 would have to spend money to figure out if we'd
25 even do something like that. And by money --

1 respectfully to both of you -- you know what
2 lawyers charge an hour. So we would have to
3 spend quite a bit of money to even find out if
4 this would benefit us or not. Plus, I would
5 never ever speak for the other owners.

6 Q Do you know, with respect to the property on
7 2950 Prow Road, how it would be classified under
8 the state's property tax caps? If it would be
9 1 percent, 2 percent, or 3 percent?

10 A I don't know. You mean, if the annexation went
11 through?

12 Q Just in general. In terms of it's -- the
13 property classification?

14 A I'm sorry. We'd probably have to go to the
15 county assessor for something like that.

16 Q You don't know off the top of your head?

17 A No, uh-uh.

18 (Exhibit 32 marked.)

19 Q If you would, let me give you Exhibit 32.
20 Debbie, do you have Exhibit 32 in front of you?

21 A Yes.

22 Q Do you see the title there "Answers of Deborah
23 Reed to the City of Bloomington's First Set of
24 Requests for Admissions"?

25 A Yes, I see it.

1 Q If you would turn to page 3 and 4. I want to
2 get you oriented to what this document has in
3 it. You see the heading where it says "Requests
4 for admissions"?

5 A Yes.

6 Q And if you look on page 4, you'll see there are
7 five requests for admissions.

8 A I'm sorry. On page 4, what number?

9 Q Page 4, you see there are a total of five
10 requests for admissions?

11 A Yes, yes. I see that.

12 Q You see where the answer to each of them is "See
13 the response of County Residents Against
14 Annexation served on or about August 4, 2023"?

15 A Do I see?

16 Q Yes.

17 A Yes.

18 (Exhibit 27 previously marked.)

19 Q If you would look at Exhibit 27, which is to
20 your right. You see the title of that document
21 is "Answers of County Residents Against
22 Annexations, Inc. to the City of Bloomington's
23 First Set of Requests for Admissions"?

24 A Yes.

25 Q If you turn to page 3 and 4, you see there are

1 the same five requests for admissions.

2 Do you see that?

3 A Yes, sir.

4 Q Number 2 denied that Bloomington has developed
5 and adopted a written fiscal plan and
6 established definite policy for each annexation
7 territory by resolution and cites to the Indiana
8 code.

9 Do you see that?

10 A I do. Again, you're talking Number 2, at the
11 bottom?

12 Q Yes.

13 A Uh-huh.

14 Q Do you have any facts or knowledge about
15 Bloomington's fiscal plan sufficient to talk
16 about why this was denied?

17 A First of all, by Bloomington, you mean the City
18 of Bloomington government; right?

19 Q Correct.

20 A I really have zero knowledge of anything
21 definite. The only knowledge that I would have
22 is an occasional reading of a newspaper. But,
23 again, this is not my area, and I -- I don't
24 know.

25 Q So is it fair to say that you've never looked at

1 the City of Bloomington's fiscal plan adopted in
2 2021?

3 A No -- pardon me. Yes, I think that's fair. But
4 I will add this, I'm not sure if a lot of laymen
5 would be doing that. Once again, you know, this
6 sounds a little colloquial and trite, but it's
7 out of my pay scale.

8 Q No, I --

9 A I would have to hire someone to be able to look
10 at this and digest this in regards to the
11 ramifications of our company.

12 Q Just for a little insight into why I ask some of
13 these questions is when the trial happens in
14 this matter and if you're call as a witness to
15 testify, I want to have an understanding of what
16 your testimony may be.

17 A Yes.

18 Q Which is what this process is for.

19 A Correct.

20 Q So if you are not familiar with the fiscal plan,
21 that's fine. I won't ask you about the fiscal
22 plans at trial if you're not testifying about
23 the fiscal plan. Does that maintenance sense?

24 A Sure.

25 Q Request Number 5 asked that the "Admit that the

1 annexation will not have significant financial
2 impact on you," and then it refers to a section
3 in the Indiana code. Is it your -- let me ask
4 it this way.

5 Have you quantified or reduced to a number
6 the financial impact of the annexation either on
7 Reed Quarries or RSD Holdings, LLC?

8 A No. No, we have not. Again, we would have to
9 hire people who are versed in this area to do
10 something like that to weigh all the different
11 factors. It's putting the burden on us to come
12 up with something like that. That's pretty
13 significant.

14 But I can tell you, from a layman
15 standpoint, someone who is working at the
16 property Monday through Friday and I have for
17 years -- my husband, my son -- it would -- the
18 annexation by City of Bloomington would have a
19 significant impact.

20 Do we know the absolute dollar? No. I
21 think we're scared to find out. Quite frankly,
22 I think we are scared to find out. We're
23 holding on. Holding on and, again, we're
24 getting regulated, permitted to death, and it
25 just seems like the utilities -- everyone is

1 just trying to get a piece of the action, piece
2 of action, piece of the action.

3 THE WITNESS: I'm getting a little off
4 here, Mr. Beggs. So you stop me if you want.

5 Q Let me --

6 A May I say one other thing?

7 Q Oh, go ahead. Please, yes.

8 A Okay. In 1956, '57, three counties make up the
9 Indiana limestone belt. Not district but belt.
10 Owen County, Monroe County, and Lawrence County.

11 In 1956, '57 we had 67 quarries and mills.
12 Now we're down, in 2024, to approximately eight
13 quarries and a sprinkling of mills. This is so
14 much bigger than one owner or one group that
15 might own a company out of, you know, where ever
16 they live. This is the nation's building stone.
17 And, again, we feel -- right or wrong -- this
18 huge greedy, grabby effort to take control. Add
19 more taxes. Add unbelievable rules,
20 regulations, permitting. They just -- honestly,
21 we feel they don't realize what they're doing.
22 It's so much bigger. So much bigger than an
23 individual like me. I'll be dead and gone.
24 I'll be dead and gone. But if they ruin one of
25 the last quarries in three counties -- that's

1 eight in three counties not eight in each
2 county -- it's just an absolute crime against
3 nature.

4 Q So why --

5 A A crime against nature.

6 Q What rules and regulations from the City of
7 Bloomington, specifically, will impact the
8 operations of the quarry at the Prow Road
9 property?

10 A Respectfully, sir, you asked me that very, very
11 early and I don't know. And I admitted I don't
12 know the list of all the rules and regulations.
13 I've never lived in the city. I've never had a
14 business in the city. So I don't know.

15 But I do know the things that have been
16 listed, again, that I have seen in the
17 newspapers and things like that, that it would
18 be very, very difficult for us to continue to
19 operate. And, again, it's not us. It's not us.
20 It's not about our family. It's not about our
21 ownership.

22 You've got to realize what you're doing by
23 trying to take control of this -- if you will --
24 approximately 100 acres. It's one of the last
25 quarries in three counties.

1 Here's another thing too -- and I'm sorry,
2 I'm getting a little carried away.

3 MR. BEGGS: You're fine.

4 THE WITNESS: You stop me if you want.

5 Q Technically, there's no question pending. But,
6 please, go ahead.

7 A Okay. All right. You have limestone -- I don't
8 know if any of you in this room are aware of
9 this. You have limestone in Texas. You have it
10 in Arkansas. You have it in Canada. You have
11 it in Europe -- and this isn't a sales pitch.

12 We've got, again, the limestone belt: Owen
13 County, Monroe County, and Lawrence County.
14 It's approximately 28 to 30 miles long; 1 to 2,
15 10 miles wide, and it's the finest limestone in
16 the world. In the world. That's not Debbie
17 Reed saying it. That's architects. That's
18 geologists. That's historians. And it goes
19 back years and years and years. It's not just
20 me sitting here saying that.

21 That being said, again, we -- you can't
22 find anything like it in Texas, in Arkansas, in
23 England, in Italy, Canada. They have limestone
24 but nothing, nothing, the quality of this. So
25 then, again, we're down to approximately eight

1 quarries left -- eight quarries left. And the
2 idea of people wanting to take control of this
3 100 acres -- it's approximate 100 acres -- and
4 make all these rules, regulations, changes.
5 They are going to kill it.

6 (Exhibit 28 previously marked.)

7 BY MR. MCNEIL

8 Q Let me try to tie this all together. If you go
9 to Exhibit 28, it's the one we looked at
10 earlier. It's the longer one. That one.

11 If you go to page 11, this is the
12 supplemented answers to the interrogatories from
13 CRAA. It's page 11. Question 12. The question
14 refers to the facts and documents supporting the
15 contention in the petition that the annexation
16 will have a significant financial impact upon
17 residents or owners of land in the territory.

18 Do you see that?

19 A I see it.

20 Q If you turn to page 12 and the supplement
21 answer, do you see where your name is identified
22 there?

23 A Yes.

24 Q If you look at Question 13 on page 12 "Identify
25 and list the facts and documents supporting the

1 contention in the petition that the annexation
2 is not in the best interest of the owners of
3 land in the annexation territory."

4 Do you see that?

5 A I do.

6 Q If you flip over to page 13, as part of the
7 supplement answer, do you see your name
8 identified there at the end of the third line?

9 A Yes.

10 Q Is there anything beyond what you already
11 testified to that from your perspective the
12 annexation would cause a significant financial
13 impact on you or Reed Quarries or RSD Holdings,
14 or is not in your best interest -- you, being
15 you or the companies?

16 You don't have repeat what you already
17 said. Is there anything new or different that
18 you would add to the significant financial
19 impact or best interest question?

20 A I could -- I could come up with lots and lots of
21 things right now of how it would impact the
22 company, the operation.

23 If we were all standing at what we call the
24 quarry site -- we call it the ledge, that is a
25 colloquial term used in the limestone industry.

1 The ledge is where you're working. If we were
2 all standing there -- because I did this last
3 week and I was thinking about annexation because
4 I'm up there a lot, I'm up there a lot. Am I
5 drilling, no. Am I running a crane, no. But
6 I'm up there three, four, five times a week. Of
7 course my husband, son, they're up there all day
8 long, all day long, with the other wonderful men
9 that help us there. But if you would look up
10 and you would see the entire -- as much as you
11 can, I say entire -- as much as you can, the
12 scope of it, you -- maybe some of this would be
13 clearer to you.

14 When you are dealing with 8, 10, 15, 17 ton
15 blocks and you're moving them all day long,
16 different places on the property, you can't have
17 five acres to operate on.

18 The equipment that you see on highway
19 construction -- for example, like I-69 -- as you
20 go up to Indianapolis, respectfully, most of
21 that equipment is like tinker toys compared to
22 what is running in the quarries every day.
23 These big, big, loaders: 988Bs, you've got
24 excavators, big excavators, we've got two
25 150-ton cranes, one 60-ton crane, you cannot

1 operate on a tiny area. And --

2 Q Is it your testimony that the annexation would
3 somehow interfere with those operations?

4 A Absolutely.

5 Q How?

6 A Absolutely. We have heard rumblings before,
7 where they tried to put roads through our
8 property.

9 Q The City of Bloomington tried to put road, or
10 the state?

11 A The government, period. State, federal, local.
12 All three levels. State, federal, and local.

13 Q Do you understand that roads can be put on your
14 property through eminent domain --

15 A Sure I do.

16 Q -- separate from annexation?

17 A Sure I do.

18 Q Sorry, I'm trying to --

19 A That's why I'm here today to try -- to try to
20 make -- pardon me -- to try to convince you
21 people what you're doing. You have a deposit of
22 limestone. It has nothing to do with our
23 family. It has nothing to do with the present
24 ownership. It's a crime against nature what you
25 all are trying to do by this greedy, grabby

1 takeover of this 100 acres.

2 Q And I'm simply trying to understand how the
3 annexation --

4 MR. BEGGS: Excuse me, counsel --

5 MR. MCNEIL: No, we're running out --

6 MR. BEGGS: She was in the middle of her
7 answer.

8 THE WITNESS: I'm trying to --

9 MR. MCNEIL: It's not responsive.

10 MR. BEGGS: It is responsive. She gets to
11 testify, counsel. Let her finish her answer.

12 BY MR. MCNEIL

13 Q The question is --

14 A 330 --

15 Q The question is how --

16 A 330 million years --

17 Q -- how will the annexation impact Reed Quarries?
18 That's the question.

19 A By curtailing our activities. Again, we have --

20 Q How will the activities be curtailed? Through
21 rules and regulations and licensing?

22 A Yeah, I think I already said that several times.

23 Q Right. That's why my question is: Is there
24 anything else beyond what you already said?

25 A Yeah, I'm trying to say as far as operating on a

1 smaller area, it's almost impossible. The size
2 of the blocks, the size of quarry, and here's
3 another thing too --

4 Q Why would it be a smaller area --

5 MR. BEGGS: Wait a minute, counsel --

6 Q Why would it be -- Bill, why would it be a
7 smaller area?

8 MR. BEGGS: Excuse me.

9 Q The question is why would it be a smaller area?

10 MR. BEGGS: The witness is entitled to
11 finish her answer. You have interrupted now
12 twice.

13 MR. MCNEIL: The rambling is nonresponsive.

14 MR. BEGGS: I get to make my record, Andy.

15 MR. MCNEIL: It's Andrew, by the way.

16 MR. BEGGS: Sorry, Andrew, I apologize for
17 that. She has been in the middle of two answers
18 that you just interrupted. Now nonresponsive is
19 the court's province. Not yours. Kindly let
20 the witness finish her answer.

21 BY MR. MCNEIL

22 Q I've given the witness a lot of latitude. I'm
23 trying to stay on a schedule. And I want to
24 understand how the annexation will result in a
25 smaller area for Reed Quarries to work. That's

1 part of your answer and I don't understand why
2 one follows the other.

3 A We have to have space. We have to have the
4 property to operate these big machines.

5 Q How is the annexation reducing the space?
6 That's what I don't understand.

7 A Because we're going -- if we have to pay out
8 more money in taxes, we have to live within all
9 these different rules and regulations. And the
10 fact too that, if you would look on Elevate
11 right now or a topo map, to the, respectfully,
12 the amateur, you would look and you would see
13 all this area and you would think, "Well, that's
14 quarried out. That's quarried out," that's a
15 colloquial term, again, for the extractions
16 done. This is a building. Here's a building --
17 so the common assessment would be "Well, they're
18 done with this. They're done with this. Then
19 we can do this or that or whatever." But
20 there's stone there. There's stone there.

21 When you get, again, Elevate, you look at a
22 topo map, there are areas that look like we're
23 finished and we're not. We have -- so that's
24 what would hurt us too.

25 Q But how does the annexation impact that? That's

1 what I don't understand.

2 A We're afraid -- we're afraid with this
3 annexation that it's a land grab.

4 Q So are you saying you would have to sell
5 property to pay the increase taxes on other
6 parcels?

7 A Well, could be. Could be. I have seen that
8 happen in Monroe County many, many, times where
9 people have property and they can't afford the
10 increase in taxes or the rules or the
11 regulations. They can't live within that and
12 still have a, you know, bottom line and it not
13 go in the red.

14 Q And if I understand your testimony from today,
15 the analysis of how that would impact Reed
16 Quarries has not occurred, but you are afraid of
17 what may happen.

18 A We have not made that assessment. Once again,
19 we would have to hire other people to come in
20 and do something like that. That is not our
21 area of expertise -- if you will allow me the
22 colloquial term here -- crunching figures like
23 that. We would have to go spend a ton of money.

24 We don't have attorneys at our beck and
25 call all the time. We don't have accountants at

1 our beck and call. We would have to have these
2 people do that.

3 I would like to say this, once again, and
4 I'm sorry it may not have come clear. That 100
5 acres, there's stone. There's good stone.
6 330 million years ago -- between 330 million
7 years ago and 340 million years ago, that's when
8 that stuff -- if you will, that stone -- the
9 nations building stone, was formed.

10 So when you look at that piece of property,
11 it's not like we're finished with that. We're
12 finished with that. We go different parts of
13 the property because of a job, quality, color.
14 And, again, to try to have to live with all
15 this, it would be very, very difficult.

16 Q So if the annexation goes forward tomorrow, you
17 still own all of the same real estate that you
18 own today; correct?

19 A I would assume so. You're the experts. I would
20 assume so. I don't think they can steal it from
21 us.

22 Q Right. They are not taking your property in the
23 annexation. It's just --

24 A Well, in essence, they are.

25 Q -- changing the relationship between governing

1 authority.

2 A In essence they are. In essence they are.

3 MR. MCNEIL: I have no further questions.

4 A Sorry. I respect you greatly, but I just don't
5 feel this is anything but they are trying to --
6 a big grab of land. And the way they've done --
7 not City of Bloomington but historically -- is
8 you drive the natives out by raising taxes,
9 raising taxes, rules, regulations. And then
10 they get so discouraged, they get so worn out
11 that they give up. And then they have to go to
12 some other state. Some other county. Again,
13 it's much like what's happened historically.

14 Q I did say I have no further questions. I do
15 have one more. Is the quarry property for sale
16 right now?

17 A Oh, no, no. We have -- we are a small outfit.
18 We're not big like a couple of the others. It's
19 family owned. We're not greedy. We're not
20 grabby. We have family members that are coming
21 up.

22 Q You have no current intention to sell?

23 MR. BEGGS: Wait a minute, counsel --

24 MR. MCNEIL: The question is -- Bill, the
25 question was: Is the property for sale? And

1 she answered that question "No, it is not."

2 MR. BEGGS: She was in the middle of an
3 answer. Once again you've interrupted her. You
4 think it's not responsive. That may be your
5 perspective, but that's not your decision to
6 make.

7 MR. MCNEIL: Respectfully, it is my
8 decision to make.

9 MR. BEGGS: If we need to get the court on
10 the phone --

11 MR. MCNEIL: Call them.

12 MR. BEGGS: -- to solve this repeated
13 interpreting of both the witnesses and me when
14 I'm making my record, we'll do that. If that's
15 what you normally want to do, we can get the
16 court involved.

17 MR. MCNEIL: By the way, your speaking
18 objections are inappropriate. Particularly when
19 the witness says "in addition to what he said."

20 MR. BEGGS: You know exactly what I'm
21 talking about here, Andrew.

22 MR. MCNEIL: Your speaking objections are
23 inappropriate. The witness has answered the
24 question.

25 MR. BEGGS: The witness was in the middle

1 of her answer. And you didn't like it or
2 something.

3 MR. MCNEIL: You know exactly, Bill, what's
4 going on.

5 MR. BEGGS: Something prompted you to
6 interrupt her.

7 MR. MCNEIL: She had answered my question,
8 and I am trying to be respectful of the other
9 witnesses who are coming in.

10 MR. BEGGS: Look, I've been patient. I let
11 you do it multiple times. If you want to get
12 the court involved, we can.

13 MR. MCNEIL: Bill, if you are going to
14 threaten to call the court, call the court.

15 MR. BEGGS: Okay. You want to right now?

16 MR. MCNEIL: It's up to you.

17 MR. BEGGS: Okay. Let's just do that.
18 Are you finished, Debbie?

19 THE WITNESS: Yes, sir.

20 MR. BEGGS: Are you finished, Andrew?

21 MR. MCNEIL: What was my last question?

22 (Off the record.)

23 (The text was read by the reporter.)

24 BY MR. MCNEIL

25 Q Do you have any current intention to sell the

1 property at Reed Quarries?

2 A So are you asking me again?

3 Q It's a different question. One was is the
4 property for sale. And the next question
5 is: Is there any present intention to sell?
6 And that's just a "Yes" or "No."

7 A Respectfully, it's not a "Yes" or "No" for me.
8 Okay.

9 MR. MCNEIL: I will withdraw the question.
10 I have no further --

11 THE WITNESS: No, please. You asked --

12 MR. MCNEIL: I'm withdrawing the
13 question --

14 THE WITNESS: You asked --

15 MR. MCNEIL: -- I have no further
16 questions.

17 THE WITNESS: You asked.

18 MR. MCNEIL: The question is withdrawn.

19 THE WITNESS: At this given moment, no,
20 unless this whole annexation thing paralyzes our
21 company where we are forced to, forced to.

22 MR. MCNEIL: I have no further questions.

23 MR. BEGGS: No questions. Thank you very
24 much.

25 (Time noted: 10:51 a.m.)

1 AND FURTHER THE DEPONENT SAITH NOT.
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5 DEBORAH REED
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1 STATE OF INDIANA)
) SS:
2 COUNTY OF MONROE)

3 I, Colleen Brady, a Notary Public in and for
4 the County of Monroe, State of Indiana at large, do
5 hereby certify that DEBORAH REED, the deponent
6 herein, was by me first duly sworn to tell the
7 truth, the whole truth, and nothing but the truth
8 in the aforementioned matter;

9 That the foregoing deposition was taken on
10 behalf of the Respondents, at the offices of
11 Bloomington City Hall, 401 North Morton Street,
12 Room 225, Indianapolis, Monroe County, Indiana, on
13 the 14th day of February 2024, commencing at the
14 hour of 9:53 a.m., pursuant to the Indiana Rules of
15 Trial Procedure;

16 That said deposition was taken down
17 stenographically and transcribed under my
18 direction, and that the typewritten transcript is a
19 true record of the testimony given by the said
20 deponent; and thereafter presented to said deponent
21 for her signature;

22 That the parties were represented by their
23 counsel as aforementioned.

24 I do further certify that I am a disinterested
25 person in this cause of action; that I am not a

1 relative or attorney of any party, or otherwise
2 interested in the event of this action, and am not
3 in the employ of the attorneys for any party.

4 IN WITNESS WHEREOF, I have hereunto set my
5 hand and affixed my notarial seal on this 15th
6 day of March 2024.

7
8 *Colleen Brady*
9

Colleen Brady

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12 Seal, Notary Public
State of Indiana

My Commission Expires:
March 8, 2029

13
14 Colleen Brady
Commission No. NP0732235

County of Residence:
Monroe

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Veritext Legal Solutions
1100 Superior Ave
Suite 1820
Cleveland, Ohio 44114
Phone: 216-523-1313

March 15, 2024

To: Mr. Beggs

Case Name: County Residents Against Annexation Et Al v. The Common
Council of the City Of Bloomington Et Al

Veritext Reference Number: 6465804

Witness: Deborah Reed Deposition Date: 2/27/2024

Dear Sir/Madam:

The deposition transcript taken in the above-referenced
matter, with the reading and signing having not been
expressly waived, has been completed and is available
for review and signature. Please call our office to
make arrangements for a convenient location to
accomplish this or if you prefer a certified transcript
can be purchased.

If the errata is not returned within thirty days of your
receipt of this letter, the reading and signing will be
deemed waived.

Sincerely,

Production Department

NO NOTARY REQUIRED IN CA

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DEPOSITION REVIEW
CERTIFICATION OF WITNESS

ASSIGNMENT REFERENCE NO: 6465804

CASE NAME: County Residents Against Annexation Et Al v. The
Common Council of the City Of Bloomington Et Al

DATE OF DEPOSITION: 2/27/2024

WITNESS' NAME: Deborah Reed

In accordance with the Rules of Civil
Procedure, I have read the entire transcript of
my testimony or it has been read to me.

I have made no changes to the testimony
as transcribed by the court reporter.

Date Deborah Reed

Sworn to and subscribed before me, a
Notary Public in and for the State and County,
the referenced witness did personally appear
and acknowledge that:

They have read the transcript;
They signed the foregoing Sworn
Statement; and
Their execution of this Statement is of
their free act and deed.

I have affixed my name and official seal
this _____ day of _____, 20____.

Notary Public

Commission Expiration Date

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DEPOSITION REVIEW
CERTIFICATION OF WITNESS

ASSIGNMENT REFERENCE NO: 6465804

CASE NAME: County Residents Against Annexation Et Al v. The
Common Council of the City Of Bloomington Et Al

DATE OF DEPOSITION: 2/27/2024

WITNESS' NAME: Deborah Reed

In accordance with the Rules of Civil
Procedure, I have read the entire transcript of
my testimony or it has been read to me.

I have listed my changes on the attached
Errata Sheet, listing page and line numbers as
well as the reason(s) for the change(s).

I request that these changes be entered
as part of the record of my testimony.

I have executed the Errata Sheet, as well
as this Certificate, and request and authorize
that both be appended to the transcript of my
testimony and be incorporated therein.

Date Deborah Reed

Sworn to and subscribed before me, a
Notary Public in and for the State and County,
the referenced witness did personally appear
and acknowledge that:

- They have read the transcript;
- They have listed all of their corrections
in the appended Errata Sheet;
- They signed the foregoing Sworn
Statement; and
- Their execution of this Statement is of
their free act and deed.

I have affixed my name and official seal
this _____ day of _____, 20____.

Notary Public

Commission Expiration Date

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Indiana Rules of Trial Procedure
Depositions Upon Oral Examination

Rule 30

(e) Submission to witness--Changes--Signing.

(1) When the testimony is fully transcribed, the deposition shall be submitted to the witness for reading and signing and shall be read to or by him, unless such reading and signing have been waived by the witness and by each party. "Submitted to the witness" as used in this subsection shall mean (a) mailing of written notification by registered or certified mail to the witness and each attorney attending the deposition that the deposition can be read and examined in the office of the officer before whom the deposition was taken, or (b), mailing the original deposition, by registered or certified mail, to the witness at an address designated by the witness or his attorney, if requested to do so by the witness, his attorney, or the party taking the deposition.

(2) If the witness desires to change any answer in the deposition submitted to him, each change, with a statement of the reason therefor, shall be made

by the witness on a separate form provided by the officer, shall be signed by the witness and affixed to the original deposition by the officer. A copy of such changes shall be furnished by the officer to each party.

(3) If the reading and signing have not been waived by the witness and by each party the deposition shall be signed by the witness and returned by him to the officer within thirty (30) days after it is submitted to the witness. If the deposition has been returned to the officer and has not been signed by the witness, the officer shall execute a certificate of that fact, attach it to the original deposition and deliver it to the party taking it. In such event, the deposition may be used by any party with the same force and effect as though it had been signed by the witness.

(4) In the event the deposition is not returned to the officer within thirty (30) days after it has been submitted to the witness, the reporter shall execute a certificate of that fact and cause the certificate to be delivered to the party taking it. In such event, any party may use a copy of the

deposition with the same force and effect as though
the original had been signed by the witness.

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ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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