

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

IN THE CIRCUIT COURT OF MONROE COUNTY

CAUSE NO. 53C06-2203-PL-000509

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

DEPOSITION OF THOMAS MCGHIE

16 The deposition upon oral examination of THOMAS
 17 MCGHIE, a witness produced and sworn before me,
 18 Colleen Brady, Notary Public in and for the County
 19 of Monroe, State of Indiana, taken on behalf of the
 Respondents, at the offices of Bloomington City
 20 Hall, 401 North Morton Street, Room 225,
 Bloomington, Monroe County, Indiana, on the
 21 27th day of February 2024, at 2:38 p.m., pursuant
 to the Indiana Rules of Trial Procedure with
 22 written notice as to time and place thereof.
 23
 24
 25

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1 APPEARANCES

2 FOR THE PETITIONERS:

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9

10 FOR THE RESPONDENTS:

11 Andrew M. McNeil

12 BOSE MCKINNEY & EVANS LLP

13 111 Monument Circle

14 Suite 2700

15 Indianapolis, IN 46204

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17 amcneil@boselaw.com

18

19 ALSO PRESENT:

20 Margaret Clements

21

22

23

24

25

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1 INDEX OF EXHIBITS

2 Page

3 Deposition Exhibit No.:

4 Exhibit 44 - Monroe County property26

5 information document,

6 Bloomington_199222-229

7

8 Exhibit 45 - Monroe County Low TaxInfo28

9 document,

10 Bloomington_199219-221

11

12 Exhibit 46 - Answers of Richard Peach to35

13 City of Bloomington First Set

14 of Requests for Admissions

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16 INDEX OF EXHIBITS

17 Page

18 Previously Marked Exhibits:

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20 Exhibit 27 - Answers of County Residents34

21 Against Annexation Inc., to

22 City of Bloomington's First Set

23 of Request for Admissions

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25 Exhibit 28 - Amended and Supplemented32

Answers of County Residents

Against Annexation Inc. to City

of Bloomington's

Interrogatories

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1 INDEX OF EXAMINATION

2 Page

3 DIRECT EXAMINATION 5

4 Questions by Andrew M. McNeil

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Page 5

1 (Time noted: 2:38 p.m.)

2 THOMAS MCGHIE,

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 Please state your name for the record.

10 A Thomas Wayne McGhie.

11 Q Mr. McGhie, we met once before, at least

12 formally in a deposition, and I know we've seen

13 each other in court from time to time. My name

14 is Andrew McNeil, and I'm one of the attorneys

15 for the city of Bloomington in the remonstrance

16 trial case.

17 Other than the time when we took your

18 deposition a year and a half or so ago, have you

19 been part of any other depositions?

20 A No.

21 Q If you remember, some of the ground rules, I'm

22 going to ask you a series of questions and your

23 job is to answer them as completely and

24 truthfully as you can. Do you understand that?

25 A I do.

<p style="text-align: right;">Page 6</p> <p>1 Q If you don't understand my question, will you 2 let me know? 3 A I certainly will. 4 Q If I need to rephrase something, will you let me 5 know that too? 6 A Will do. 7 Q We're trying to keep these on a tight 45-minute 8 schedule, 45 minutes to an hour. Even so, if 9 you need to take a break for any reason, will 10 you let me know that? 11 A Will do. 12 Q What is your address? 13 A 4175 South Purple Finch Drive. 14 Q Is that in Annexation Area 1B? 15 A Yes. 16 Q How long have you lived at that address? 17 A Since 2017. 18 Q Do you own any other real estate in Annexation 19 Area 1A or 1B? 20 A I do not. 21 Q Who lives at that address with you? 22 A My wife and two children. 23 Q What is your wife's name? 24 A Alyson McGhie. 25 Q How old are your children?</p>	<p style="text-align: right;">Page 8</p> <p>1 remonstrate against the annexation? 2 A I did. 3 Q Do you and your family ever eat within the city 4 limits of Bloomington at a restaurant? 5 A We do. 6 Q Do you ever drive through the City of 7 Bloomington for any reason whatsoever? 8 A I do. 9 Q How often, would you say, in the course of a 10 week do you drive into the city limits? 11 A So I came into the city today. Last time I 12 would have done so, I can't remember. A few 13 months ago. Maybe a month ago -- no, I -- I'm 14 not sure where my younger son goes to school. I 15 go there about once a week. So if that's in the 16 city limits, Sherwood Oaks Christian Church. I 17 can't say if it is or isn't. 18 Q Does your 9-year-old attend a public school or a 19 private school somewhere else? 20 A A private school. 21 Q Inside or outside the city? 22 A I assume it's outside the city limits. I don't 23 know for sure. 24 Q Do you attend a church within the city limits? 25 A I do not.</p>
<p style="text-align: right;">Page 7</p> <p>1 A 9 and 6. 2 Q Do you have any plans to move? 3 A No. 4 Q Where do you work? 5 A I work for Cook Medical. 6 Q Do you know the street address, the building 7 where you work? 8 A 750 Daniels Way. 9 Q What do you do there? 10 A I'm an engineer. 11 Q How long have you worked for Cook Medical? 12 A Since 2008. 13 Q Do you know a person -- I know it's a big 14 organization. Do you know a person there named 15 Scott Snyder? 16 A I do not. 17 Q Does your wife work outside of the home? 18 A She does not. 19 Q To get from your house to your place of 20 employment, what is the route of travel you 21 take? 22 A I typically work from home. When I do go into 23 the office, I would take Highway 69. I'd exit 24 on 3rd Street, and take that to Daniels Way. 25 Q Did you or your spouse sign a petition to</p>	<p style="text-align: right;">Page 9</p> <p>1 Q Do you ever use the city parks for any reason? 2 A I do. 3 Q For what purpose? 4 A I have taken my kids there a few times a year. 5 Q Do your children participate in any programs 6 offered by the city parks department? 7 A No. 8 Q Do you attend any civic events within the city 9 limits, like, concerts or plays or other 10 performances? 11 A Not very often. 12 (Off the record.) 13 BY MR. MCNEIL 14 Q When was the last time, if you can remember, 15 attending some kind of civic event within the 16 city limits? 17 A When I proposed to my wife in 2012, we were at a 18 Indiana University event. I'm sure I have been 19 to something since then, but I can't think of a 20 lot. 21 Q You mentioned IU. Do you ever go to basketball 22 or football, or other sporting events there? 23 A Yes, I did go to a Indiana University basketball 24 game about a month ago. So that was maybe 25 another time I've been into the town.</p>

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1 Q Would you be willing to pay a fee, a user fee,
 2 for the use of City of Bloomington's streets and
 3 roads?
 4 A I wouldn't pay anything that wouldn't be
 5 assessed to other visitors.
 6 Q You would not pay anything, is that what you
 7 said? Would not?
 8 A Not if I was singled out. If it was something
 9 for all visitors coming to visit. If there was
 10 a fee to enter the city, I would certainly
 11 consider paying that or not visiting the city.
 12 Q If you had to call fire services, what's your
 13 understanding of who the primary responder would
 14 be to your home on Purple Finch.
 15 A I believe it would be Monroe County Fire
 16 Protection District, Station 22.
 17 Q How far is that from your house, if you know?
 18 A 2 miles. I'm not very good at that.
 19 Q If there were, say, a fire at your residence or
 20 on your property and the City of Bloomington
 21 Fire Department was the first responder -- and
 22 there's no annexation so you're still in the
 23 township -- would you be willing to pay a fee if
 24 one was charged?
 25 A Certainly.

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1 Q Are you on the city sewer and water service?
 2 A I am.
 3 Q Did you understand that your property has an
 4 annexation waiver that attached to it that's
 5 been voided by General Assembly's 2019 law?
 6 A I don't know under what conditions it would or
 7 wouldn't apply, but the auditor of Monroe County
 8 said it did not stand, and I agree with her.
 9 Q You understand that there, at least, is a waiver
 10 attached to your property for sewer services in
 11 exchange for waiving the right to remonstrate?
 12 A I would need a lawyer to explain the details of
 13 what there is or isn't there.
 14 Q Have you seen the waiver document?
 15 A I remember seeing a document before that I had
 16 signed. I can't understand the legalese of it.
 17 But as I said, the Monroe County auditor did not
 18 believe that it prevented me from remonstrating,
 19 and I agree with that too.
 20 Q Why do you agree with that?
 21 A I have not entered a contract with the city when
 22 I purchased this house. And I don't understand
 23 the legalese of this so I will -- I will say
 24 that, I think, it was Smith at the time who said
 25 it didn't apply.

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1 Q Would you be agreeable to disconnecting your
 2 home from city water and sewer service if the
 3 annexation does not go forward?
 4 A If some other organization took over those
 5 lines, I would be happy with another service.
 6 But I would not want to have no water and sewer.
 7 Q Do you believe it's in your best interest to
 8 continue to have the City of Bloomington provide
 9 the water and sewer service to your residence?
 10 A I have no opinion who provides the service.
 11 Q Do you believe it's in your best interest to
 12 continue to have water and sewer services
 13 provided to your residence?
 14 A I do.
 15 Q County Residents Against Annexation, you're
 16 familiar with that organization?
 17 A I am.
 18 Q Are you on the board of advisors?
 19 A I am not.
 20 Q Have you ever been?
 21 A I have never been on the board of advisors.
 22 Q Have you ever been on the board of directors?
 23 A No.
 24 Q Are you currently -- okay. Have you ever held
 25 an office or tile within CRAA?

Page 13

1 A I have not.
 2 Q You have attended meetings from time to time?
 3 A I have.
 4 Q Over the course of the time where the annexation
 5 has been out there, have you communicated with
 6 others, either by email or text message, about
 7 the annexation?
 8 A I think I have, yes.
 9 Q In the last six months, have you done a search
 10 or undertaken any effort to find your electronic
 11 communications related to the annexation?
 12 A Yes, I have.
 13 Q How did you execute that search?
 14 A I looked through contacts that I have on my
 15 phone or my email of people that I have spoken
 16 to and collected all the messages I received or
 17 sent to them.
 18 Q Did you find any?
 19 A I did.
 20 Q What did you do with them when you found them?
 21 A I provided them to somebody. I don't remember
 22 right now who.
 23 Q Were you asked to do this search for
 24 communications?
 25 A Yes, I was.

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1 Q Do you remember who asked you?
 2 A It may have been Margaret. I can't remember.
 3 Honestly, I don't remember for sure.
 4 Q Your recollection is whatever you found, you
 5 gave to somebody whether it was Margaret or
 6 somebody at the law firm?
 7 A Correct, yes.
 8 Q Have you ever donated to County Residents
 9 Against Annexation?
 10 A I have.
 11 Q How much over the course of time have you
 12 donated to CRAA?
 13 A Less than \$5,000 I'd say for sure. More than
 14 500. Somewhere between those two numbers.
 15 Q When you signed the remonstrance petition back
 16 in 2021, where you signifying your opposition to
 17 the annexation?
 18 A Yes.
 19 Q Do you remain opposed to the annexation today?
 20 A I do.
 21 Q Why? Tell me all the reason why you're opposed
 22 to the annexation?
 23 A I do not believe it is in my best interest. The
 24 services that I have provided right now, being
 25 outside of the city, are better than and cheaper

Page 15

1 than the services I would receive if I was in
 2 the city. I also am free from all the
 3 ordinances of the city that would restrict my
 4 freedoms.
 5 Q Any other reasons you're opposed to the
 6 annexation?
 7 A My taxes would increase, and the services that
 8 the city would provide are less than that of the
 9 cost of the taxes.
 10 Q Can you say that last part again? The services
 11 that city provides are less than the cost of the
 12 taxes. What do you mean by that?
 13 A The city will tax me a dollar and they will
 14 provide me with less than a dollar of services.
 15 Q Understood. Thank you for that clarification.
 16 We'll go back over these in more detail, but I
 17 want to first ask, is there anything else, any
 18 other reasons why you are opposed to the
 19 annexation besides the ones you've given me so
 20 far?
 21 A I mentioned freedom of ordinances. I mentioned
 22 the services I have meet all my needs and are
 23 better than what I would get. And I mentioned
 24 the financial burden. That's all the reasons I
 25 can think of right now.

Page 16

1 Q What services do you receive now that are better
 2 and cheaper than what the city would provide if
 3 you were annexed?
 4 A The Monroe County Sheriff provides better
 5 service than the city does, the city police
 6 does. The Monroe County solid waste Management
 7 District -- I think they have changed their name
 8 a few times. They used to be The District. I
 9 think they are now The waste reduction District,
 10 I can use their services for practically nothing
 11 to get rid of solid waste.
 12 I have multiple companies, perhaps four or
 13 five different private companies vying for my
 14 business for waste collection, and they do so at
 15 competitive prices. I'm free to select no
 16 service if I want.
 17 Could you repeat the question?
 18 Q Yes. When you say that the services that you
 19 now receive are better and cheaper than the
 20 services you would receive if annexed, what do
 21 you mean? What services are you talking about?
 22 You've identified Monroe County Sheriff,
 23 Monroe County Solid Waste District, four to five
 24 businesses vying for your waste collection
 25 business. Any other services that come to mind?

Page 17

1 A I believe Monroe County Public Library would
 2 lose funding if I were annexed. That's a
 3 service that myself and my family enjoy. Our
 4 fire department would lose funding, I believe,
 5 if we were annexed, which would further
 6 jeopardize my property and my safety.
 7 Q What township are you in?
 8 A Perry.
 9 Q Any other services?
 10 A The county does a great job with snow removal,
 11 with road maintenance.
 12 Q Any others that come to mind?
 13 A I can't think of any at the moment. If I think
 14 of some, I may come back to them.
 15 Q That would be fine. You mentioned the Monroe
 16 County Sheriff provides better service than the
 17 Bloomington police department. What do you base
 18 that on?
 19 A They have more officers per population. They
 20 spend more dollars per population. They have
 21 adequate capital facilities right now. The city
 22 is struggling in finding appropriate home for
 23 the police department. The city is struggling
 24 with hiring and retaining officers.
 25 I know in 2021, there was a report that the

Page 18

1 city commissioned to say that they should have,
 2 I believe, 121 officers, and at the time they
 3 had just over 90. And there's a report that
 4 somewhere only around 75 or 76 were available.
 5 I don't know quite what that means between the
 6 92 number and the 75 number of available.
 7 Q Is that the Novak report you're referring to?
 8 A I do not know the name of it. But it was a --
 9 it may have been.
 10 Q Did you ever read that report, or did you just
 11 read about it?
 12 A I -- what --
 13 Q Or hear about it?
 14 A What I just spoke to was from something I had
 15 read in a -- I don't know if it was a
 16 resolution, something that was presented by the
 17 common council in a motion that, I believe, that
 18 the council is making to suggest that the city
 19 change its compensation package to police that
 20 those numbers came out.
 21 Q You mentioned too that you thought the county
 22 sheriff had more officers per population. What
 23 are you basing that on?
 24 A There's a website I went to that provided those
 25 numbers.

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1 Q Do you remember what website?
 2 A I cannot think of the name of the website right
 3 now.
 4 Q Was it a website specific to opposing the
 5 annexation?
 6 A No.
 7 Q Was it a government supported website?
 8 A It did not seem to be. It seemed to be some
 9 private organization that was rating police and
 10 sheriff departments across the country.
 11 Q Are you familiar with CALEA as it pertains to
 12 the rating of police departments, law
 13 enforcement agencies?
 14 A No, I am not.
 15 Q Do you know what the City of Bloomington's
 16 police department rating is under CALEA?
 17 A I do not.
 18 Q You mentioned that one of your concerns was that
 19 the Monroe County Public Library would lose
 20 funding if the annexation went forward. What do
 21 you base that statement on?
 22 A I have seen a number of articles in various, I
 23 believe, Hoosier Times, I think it's called B
 24 Squared, and the Indiana Public Media -- that's
 25 like WFIU -- throwing out various reports. Two

Page 20

1 different reports. One produced by the city and
 2 one produced by the county, which had different
 3 numbers but both of them showed the library
 4 district losing funding.
 5 Q Did you understand it to be the library district
 6 was losing funding in the sense that it would
 7 have less funding than before, or that it's
 8 funding would increase less than it would
 9 otherwise without the annexation?
 10 A I'm not sure I understand the difference.
 11 Q When congress cuts spending, it means they
 12 appropriate more than they did the year before
 13 but less than somebody asked for. So it's kind
 14 of a similar concept that I'm getting at here.
 15 Is it your understanding that the library
 16 budget would decrease, or that it would increase
 17 but at a rate less than it would without
 18 annexation?
 19 A My understanding is that the library would have
 20 less money if the annexation went forward than
 21 the library would have if the annexation does
 22 not go forward.
 23 Q But do you have any understanding of how that
 24 amount of money available, with or without
 25 annexation, compares against a baseline budget

Page 21

1 for the library?
 2 A I do not.
 3 Q You mentioned the tax impact. I think you said
 4 your taxes would increase. Have you done
 5 anything to determine by how much your property
 6 taxes would increase if the annexation went
 7 forward?
 8 A Yes.
 9 Q What have you done?
 10 A In 2021, I believe, the City of Bloomington had
 11 a web page. You could type in an address and
 12 get some numbers from there. I also looked at a
 13 packet that was presented to the common council
 14 by the city listing tax rates. And from what I
 15 could see in there, it looked like my tax rate
 16 would increase by 48 percent.
 17 I don't remember what the number was from
 18 the city web page, but it was something in that
 19 order of magnitude.
 20 Q And when you say "tax rate," you mean the
 21 percentage rate that would apply against the
 22 assessed value would increase 48 percent? Or
 23 are you saying that your property taxes
 24 themselves would increase 48 percent?
 25 Do you understand what I'm asking?

Page 22

1 A No, I don't.

2 Q When any taxing authority, city or county, they

3 have a tax rate. Let's just say it's 2 percent.

4 And you multiply your assessed value by that tax

5 rate to determine -- there's many other things

6 that go into it, but as a rough rule of thumb,

7 that's the starting point.

8 So if the tax rate of \$100,000 assessed

9 value is 2 percent, it's a \$2,000 tax. Are you

10 with me there?

11 A Yes.

12 Q Were you saying that the 48 percent applied

13 to -- increase applied to that 2 percent or to

14 the \$2,000?

15 A To the percent.

16 Q So your tax rate percent, you understood from

17 some material presented through the city, would

18 increase around 48 percent?

19 A Yes. And the city web page agreed that my taxes

20 would be going up significantly. I don't

21 remember the percent that it calculated out to

22 be.

23 Q Do you have a mortgage on your property?

24 A I do not.

25 Q Have you filed for the homestead exemption?

Page 23

1 A I have.

2 Q What is your understanding of that the homestead

3 exemption does?

4 A It lowers my taxes.

5 Q Any other exemptions that apply to your property

6 besides the homestead exemption?

7 A Yes.

8 Q What other exemptions do you have?

9 A I believe I get an exemption for having a home

10 line of credit on my house.

11 Q You have no mortgage but you have a home line of

12 credit?

13 A Correct.

14 Q So is that the home line of credit is secured by

15 your house? Like, when the bank gave you the

16 home line of credit, did they require you to put

17 your house as collateral?

18 A I think so.

19 Q So is it your understanding that you get an

20 exemption, a \$3,000 exemption based on that?

21 A I do not know what the amount is.

22 Q Any other exemptions aside from the home line of

23 credit and the homestead?

24 A Not that I understand or remember.

25 Q Do you understand that the charges you pay for

Page 24

1 the city water and sewer have an out-of-city

2 surcharge?

3 A I do.

4 Q Is it about 11 percent?

5 A I thought it was around 12 percent.

6 Q Do you understand if the annexation occurs, that

7 surcharge goes away?

8 A I do.

9 Q Do you have any understanding about whether your

10 homeowner's insurance premium would go up, down,

11 or stay the same in the event the annexation

12 went forward?

13 A One of the big factors would be fire protect.

14 And my understanding is that I would not receive

15 the City of Bloomington Fire Protection if we

16 were annexation right now.

17 Q Is that understanding based on state law that

18 the fire district would continue being the

19 provider?

20 A I don't understand why, but it was in a packet

21 that I read presented to common council, I

22 believe, dated from 2021. It was a pretty thick

23 packet, and it described in there that the city

24 was willing to provide but it would not,

25 somehow, end up providing. I would continue to

Page 25

1 receive the prior protection that I have now.

2 But if annexation moved forward, it also

3 reported that that fire district would have less

4 funding, which would mean that my home

5 protection would be even further declined by

6 annexation.

7 Q In this packet you're referring to, did it also

8 report that, if the annexation went forward, the

9 amount of the tax percentage that makes up the

10 fire protection portion of the overall tax rate

11 would go down if you were able to apply the

12 city's fire tax rate?

13 A Yes.

14 Q Do you know how the City of Bloomington's

15 municipal tax rate compares to other cities in

16 Indiana?

17 A I have seen some material presented by the City

18 of Bloomington pointing out how wonderful their

19 taxes are compared to other cities of their

20 selection.

21 Q Do you recall that report showing that the City

22 of Bloomington's municipal tax rate was the

23 second lowest among 21 cities that were being

24 compared?

25 A I don't remember where it fell.

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1 Q Do you remember it being on the lower end of the
2 cities that were presented?
3 A The city presented it as such, yes.
4 Q Did you do anything to verify that?
5 A I did not.
6 MR. MCNEIL: I'm going to hand you some
7 exhibits here. This one will be 44. That one
8 is for Bill.
9 (Exhibit 44 marked.)
10 Q Mr. McGhie do you have Exhibit 44 in front of
11 you?
12 A I do.
13 Q At the top of the page, it says "Monroe County
14 Indiana," and then there's an address there. Is
15 that your address? 4175 South Purple Finch
16 Drive?
17 A Correct.
18 Q Are those pictures, pictures of your home?
19 A They are.
20 Q If you turn to the second page, the number in
21 the right-hand corner is 223. Ends 223.
22 A Yes.
23 Q Do you see the taxing district there, it says
24 Perry Township?
25 A Correct.

Page 27

1 Q The corporation, Monroe County Community. Is
2 that the school corporation that you're in?
3 A I think so. It says so.
4 Q If you go to the next page, page 224, do you see
5 the transfer of ownership section at the top of
6 the page that shows Thomas W. and Alyson M.
7 McGhie purchasing the property or at least
8 having a transfer of ownership?
9 A I do see that.
10 Q September 18, 2017. Does that sound about right
11 in terms of the date you bought the property?
12 A It does.
13 Q Sales price is identified as \$365,000. Does
14 that sound about right to you?
15 A Seems about right.
16 Q If you look at the valuation record data, that
17 table there. The second line from the top,
18 2022-04-08. Do you see that?
19 A I do.
20 Q You see that the total valuation as of April 8,
21 2022, was \$420,900?
22 A I see that line.
23 Q Do you know who or which agency at Monroe County
24 does the assessed value?
25 A I do not.

Page 28

1 Q Have you ever spoken with the county assessor's
2 office about the valuation of your property?
3 A I have not.
4 (Exhibit 45 marked.)
5 Q I'm going to give you also Exhibit 45. One for
6 you. One for Bill. You get the one with the
7 sticker. You can keep that one in front. Keep
8 that open if you would please.
9 On Exhibit Number 45, do you see at the top
10 of the page the 4175 South Purple Finch address,
11 and then your name and your wife's name to the
12 right?
13 A I do.
14 Q If you turn to the second page, ends in
15 page 220?
16 A Yes.
17 Q There's a tax history section in the both third
18 of the page. Do you see that?
19 A I do.
20 Q It shows for 2023, a spring tax installment of
21 \$1,734.92?
22 A I see that.
23 Q And then a fall installment of the same amount.
24 Do you see that?
25 A I do.

Page 29

1 Q The total tax of \$3,556.58. Do you see that?
2 A I do.
3 Q Do you pay your taxes -- without a mortgage, do
4 you pay your taxes directly to the county? Or
5 is there an escrow company that pays your taxes?
6 A We pay those directly to the county.
7 Q Looking at that number, that line or row in the
8 tax history or 2023, does that represent the
9 amount of property tax you paid last year?
10 A I believe it does.
11 Q What understanding do you have about how the
12 Indiana property tax caps work on a residential
13 property, if any?
14 A I think, pretty much, nothing. What you just
15 said didn't make -- couldn't quite follow what
16 it would really mean.
17 Q Not the first time in my life or my day. Are
18 you aware or familiar with a proposition under
19 Indiana law that says a homeowner won't have to
20 pay more than 1 percent of the assessed value of
21 their property in property taxes subject to some
22 limited exceptions?
23 A I'm not familiar with that rule.
24 Q If you look at Exhibit 44, which is the one with
25 the valuation record in it. We looked at 2022.

Page 30

1 If you look at the line for 2018, do you see
 2 that one, 3-21-2018?
 3 A Yes.
 4 Q Total valuation of \$357,400?
 5 A I do.
 6 Q And then looking back at Exhibit 45, if you look
 7 at the tax history for 2019, do you see where
 8 the total tax is \$2,654.52?
 9 A Are we on the second page again?
 10 Q Yeah, tax history for 2019. Do you see where
 11 the total tax is \$2,654.52?
 12 A I see that.
 13 Q Do you perceive that the tax increase on your
 14 property from the assessed value alone from 2018
 15 to 2022 is approximately a 34 percent increase?
 16 A There's an increase there. I wouldn't want to
 17 wager on the percentage there. I would not
 18 argue with what you said as being reasonable.
 19 Q Simple calculator would confirm it; right?
 20 A Yes. In that report from the city, they also
 21 anticipated that my home value would further
 22 increase if annexed, which would increase my
 23 liability even more so.
 24 Q Did that report you're referring to assume, if
 25 you remember, a 3 percent increase in assessed

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1 value per year?
 2 A I didn't see that. It just said annexed
 3 residents would enjoy increased home values or
 4 something to that extent. Which I read as would
 5 enjoy increase in tax liability. I would not
 6 enjoy that.
 7 Q Well, you've enjoyed an increase in tax
 8 liability while living in the county just based
 9 on the growth and assessed value; correct?
 10 A Increase in assessed value, yes.
 11 Q And you've paid your taxes every year in full;
 12 right?
 13 A I believe there's a delinquency showing there of
 14 \$86.74.
 15 Q Which you've since paid; correct?
 16 A My wife pays the bill. I'm not sure how that
 17 happened.
 18 Q Fair. To your knowledge, your household has
 19 paid the property taxes due on your property
 20 every year?
 21 A Yes.
 22 Q You have been able to afford those tax payments;
 23 correct?
 24 A We have been able to pay those bills. There are
 25 a lot of other things I could have done with

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1 that money.
 2 (Exhibit 28 previously marked.)
 3 Q If I didn't have to pay income tax, I would be
 4 wealthy. There's a document -- you can put
 5 those documents aside. We're done with those.
 6 There's a document up further from you,
 7 Exhibit 28. If you would get that in front of
 8 you please. We'll look at in a second.
 9 Are you familiar with what's known as an
 10 agreement in lieu of annexation?
 11 A No.
 12 Q Have you ever heard that term before?
 13 A There is an agreement that Cook Medical has with
 14 the City of Bloomington that might be something
 15 to that extent. They pay, I believe, \$100,000 a
 16 year for the privilege of not being annexed.
 17 Q How do you have that knowledge? How do you know
 18 that?
 19 A I read about it in B Squared.
 20 Q Something you learned about as part of this
 21 whole annexation process?
 22 A Yeah, it's been -- annexation has been a big
 23 part of the news for the last -- since 2017.
 24 Q Sure. If you look at Exhibit 28. The title is
 25 "Amended and Supplemented Answers of County

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1 Residents Against Annexation to City of
 2 Bloomington's Interrogatories."
 3 Do you see that?
 4 A Yes.
 5 Q If you turn to page 5 please, Question five.
 6 A Question 5.
 7 Q Yes. "Identify and list all facts and documents
 8 supporting your contention in the petition that
 9 Ordinance Nos. 17-09 and 17-10 fail to include
 10 equitable terms and conditions required by," and
 11 then there's an Indiana Code citation.
 12 Do you see that?
 13 A I see that.
 14 Q If you turn the page to page 6 please. The
 15 fourth paragraph down, the one that starts with
 16 your name, do you see that?
 17 A Yes.
 18 Q And I'm going to skip the names that aren't you.
 19 It says "Thomas McGhie is anticipated to testify
 20 that he was not offered an in-lieu-of agreement
 21 despite the fact that other property owners in
 22 Area 1A and 1B were offered such an agreement."
 23 Do you see that?
 24 A I see that.
 25 Q Do you have any knowledge or information about

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1 whether you would be open to an in-lieu
 2 agreement on the same relative terms that Cook
 3 Medical has?
 4 A I could not afford \$100,000 to avoid annexation.
 5 Q No, I understand that. That's what I meant by
 6 same relative terms. So something that's scaled
 7 to your personal property. Have you ever spoken
 8 to anybody at the city about an agreement in
 9 lieu of annexation?
 10 A No, I have not.
 11 Q Would you be willing to pay 75 percent of the
 12 Bloomington tax rate not to be annexed?
 13 A That would require quite a bit of thought on my
 14 part. I never considered a particular percent.
 15 It would feel sort of like a blackmail.
 16 Q So before I asked this question just now, had
 17 you ever thought about potentially paying a fee
 18 in lieu of being annexed?
 19 A No.
 20 (Exhibit 27 previously marked.)
 21 Q If you could set 28 aside, we'll come back to
 22 that in a moment. If you could get Exhibit 27
 23 in front of you, and I want to give you
 24 Exhibit 46 to go along with 27.
 25 All right. So Exhibit 46, the title of

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1 which is "Answers of Thomas McGhie to the City
 2 of Bloomington's First Set of Requests for
 3 Admissions."
 4 Do you see that?
 5 (Exhibit 46 marked.)
 6 A Yes.
 7 Q If you turn to page 3 and 4, you will see that
 8 there were five separate requests for
 9 admissions.
 10 A Say that again. Five separate what?
 11 Q On pages 3 and 4, there are five separate
 12 statements.
 13 A Yes, that I see. Numbers 1 through 5.
 14 Q And you were asked to either admit or deny or
 15 otherwise respond to those requests. And you
 16 say the answers given are "See response of
 17 County Residents Against Annexation severed on
 18 or about August 4, 2023," to all five of them?
 19 A I do.
 20 Q Now if you look at Exhibit 27 please. Those are
 21 the answers of the County Residents Against
 22 Annexation --
 23 A Which pages were you saying?
 24 Q Right now the first page.
 25 A Okay.

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1 Q Do you see that Exhibit 27 is the CRAA's answers
 2 to the requests for admissions?
 3 A Yes.
 4 Q Now if you turn to pages 3 and 4 please. Do you
 5 see there, where there are the same five
 6 requests for admissions that were on Exhibit 46?
 7 A Yes.
 8 Q And Number 2 on page 3, says "Admit that
 9 Bloomington has developed and adopted a written
 10 fiscal plan and established a definite policy
 11 for each annexation territory by resolution as
 12 set forth in," and an Indiana Code cite.
 13 Do you see that?
 14 A I see that.
 15 Q The answer from CRAA is a denial. Do you see
 16 that? It says "Deny."
 17 A I see that.
 18 Q What information, if any, do you have that
 19 Bloomington has not developed or adopted a
 20 written fiscal plan and established a definite
 21 policy for each annexation territory as required
 22 by the Indiana Code?
 23 A Please say your question again.
 24 MR. MCNEIL: Can you read that back,
 25 please, Colleen?

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1 (Requested text was read by the reporter.)
 2 A The Indiana Code is quite long and has some very
 3 detailed requirements for that fiscal plan.
 4 There is, I believe, some question as to whether
 5 any plans that the city has presented meet all
 6 of those requirements.
 7 Q We'll come back to that answer in a second.
 8 Look at page 4, if you would, please. Number 3.
 9 Admit that the plan complies with Indiana Code
 10 Section 36-4-3-13(d), as in "David," for each
 11 annexation territory. And that's denied.
 12 Do you see that?
 13 A I see that.
 14 Q Now going back to your prior answer, what
 15 information do you possess that the fiscal plan
 16 adopted by the City of Bloomington does not
 17 comply with the requirements of the Indiana Code
 18 provision cited there?
 19 A I would have to look through those codes in
 20 detail. I cannot remember the specifics, what
 21 36-4-3-13(d) covered.
 22 Q Did you at some point in time review the fiscal
 23 plan and compare it against the requirements
 24 under Indiana law, you personally?
 25 A Me, personally, no.

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1 Q Do you know of anyone who has done that on
 2 behalf of the CRAA group or the remonstrators to
 3 the annexation?
 4 A Personally, no.
 5 Q So an answer to a few questions ago, and I'm not
 6 going to be able to quote you, but I'm going to
 7 paraphrase or try to convey the gist of your
 8 response was that there was information out
 9 there that questioned whether the fiscal plan
 10 from the city complied with the requirements of
 11 the law. Did I get that, generally, right?
 12 A Yes.
 13 Q What are you referring to when you gave that
 14 answer specifically?
 15 A I believe that is based on material prepared by
 16 my counsel.
 17 Q Is this material that you have seen in the last
 18 60 days?
 19 A No.
 20 Q Longer ago than that? Let me -- poor question.
 21 A I may not be quite understanding your questions.
 22 Q Is it your belief that there are deficiencies in
 23 the city's fiscal plan?
 24 A Yes.
 25 Q What do you believe is deficient in the city's

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1 fiscal plan?
 2 A One of the things I noticed in a plan that was
 3 presented that they said they would need 800
 4 garbage and recycling bins for all the annexed
 5 areas, which would come out to, like, one pair
 6 of garbage and recycling for every 35 1/2 -- 35
 7 residents. Which doesn't seem like it would be
 8 adequate.
 9 Q Was that specific to a particular annexation
 10 territory or was that being applied to all
 11 seven?
 12 A That was, at the time, being applied to all
 13 seven of them.
 14 Q Any other ways in which you believe the fiscal
 15 plan is deficient.
 16 A I don't know any other details personally.
 17 Q This is a longer question that I'm going to read
 18 because I need to make sure I get it right. So
 19 I'll just ask you to indulge me and listen to
 20 this question, and then let me know if you can
 21 answer it or if you need it rephrased or
 22 anything.
 23 "Do you have any information to suggest
 24 that the fiscal plan from the City of
 25 Bloomington does not represent a credible

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1 commitment by the city to provide noncapital
 2 services to Areas 1A and 1B -- noncapital
 3 services being things like sidewalk,
 4 streetlights, police services -- in a manner
 5 that's equivalent to the standard and scope of
 6 those services that are provided to the areas
 7 within the city limits within one year of the
 8 effective date of the annexation?"
 9 MR. BEGGS: Object to form. Foundation.
 10 You may answer.
 11 A The city said it would take four years to hire
 12 the police officers necessary for annexing the
 13 areas. I believe that would be considered
 14 noncapital.
 15 Q So with police services, there's the hiring
 16 question that you've identified. But are you
 17 aware of any information that says the city
 18 would not provide police patrols in the
 19 annexation area with its current staffing for
 20 four years?
 21 A I don't remember them explicitly saying that.
 22 How they would deal with shortfall. It neither
 23 said that they would or would not do it in
 24 particular areas.
 25 Q Any other information you have with respect to

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1 the commitment in the fiscal plan to provide
 2 noncapital services on the same scope and
 3 equivalent standard as applied in city limits?
 4 MR. BEGGS: Object to form and foundation.
 5 A Parks would be considered capital I believe.
 6 I'm not sure on the definition of what's capital
 7 services.
 8 The city plan said they would not be
 9 planning to put in any parks into Area 1B, where
 10 I live. Yet they have many parks dozens of
 11 parks in other areas.
 12 Q And as a city resident, you would be -- if
 13 annexed -- you would be able to utilize those
 14 city parks on the same terms as any other city
 15 resident; correct?
 16 A They wouldn't be near my home. That's the big
 17 part of the park, walking your kids over to the
 18 park and enjoy the park. It would require quite
 19 a bit of an ordeal to get to them, yes.
 20 Q Of course a precursor to establishing a new park
 21 is available land and space; correct?
 22 A I've never planned a park. I couldn't confirm
 23 that.
 24 Q Any other information to suggest the city's
 25 fiscal plan somehow falls short of a credible

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1 commitment to provide noncapital -- and I'm
 2 going to add -- or capital services to the
 3 annexation areas following the annexation?
 4 MR. BEGGS: Same objection. Form and
 5 foundation.
 6 A The fire protection, I would not receive the
 7 same fire protection that other residents of the
 8 City of Bloomington would or that was proposed
 9 to be offered to other areas being annexed.
 10 Q Is that because you would still be under the
 11 fire district's service territory?
 12 A The Monroe County Fire Protection District.
 13 Q Would still be your provider?
 14 A Yes. And so I would have a worse service than
 15 what is available to other city residents.
 16 Q I think I asked you this, but do you understand
 17 that that's a function of state law?
 18 A I don't understand the functions of things
 19 there.
 20 Another things is the city said in it's
 21 plan it would be spending somewhere in the range
 22 of 59 cents in services provided to me for every
 23 dollar in taxes I would receive, which makes me
 24 wonder where is the remaining 41 cents going
 25 other than to provide additional services and

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1 capital to other areas besides mine.
 2 Q You wonder but you don't know. Is that a fair
 3 statement?
 4 A The city would have to be spending that money on
 5 somewhere else.
 6 Q Are you familiar with what's called an
 7 impoundment fund?
 8 A I read about an impoundment fund in this packet
 9 that was presented to the common council.
 10 Q What do you understand an impoundment fund to
 11 be?
 12 A For a limited number of years, the money, the
 13 taxes collected in the area would go to this
 14 impoundment fund. The impoundment fund would
 15 have, I believe, seven members that would
 16 control it. And four of those members would be
 17 appointed by the mayor or the city council,
 18 giving them the majority control over that
 19 impoundment fund.
 20 At the conclusion of that impoundment fund
 21 or that impoundment period, my taxes -- again,
 22 that full dollar of taxes -- I would only be
 23 receiving something like 59 cents per dollar
 24 back on it.
 25 Q In the materials that you read about the

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1 impoundment fund, did it describe the dedicated
 2 uses, the permissible uses of dollars in the
 3 impoundment fund?
 4 A For the period that the fund was engaged, yes.
 5 Q What was your understanding of those limitations
 6 or restrictions on use?
 7 A They would be spent in the area.
 8 Q The annexation from which the taxes came;
 9 correct?
 10 A Correct. That I would pay increased. Today I
 11 have full freedom in how I spend my money. In
 12 this case, my money would be collected and spent
 13 on my behalf by a group of people who were not
 14 elected by me or by my fellow residents, and
 15 would be controlled by the city.
 16 I would prefer to have a the freedom to
 17 spend that money for my own interests on my own.
 18 Q But we're talking about property tax dollars
 19 that you're going to pay whether you're in the
 20 county or the city, right, you're going to pay
 21 some amount of property taxes to some taxing
 22 authority.
 23 Are you saying you have a direct say in how
 24 your property taxes are spent by the county?
 25 A I can vote for people in the county, yes.

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1 Q If you were within the city limits, you could
 2 vote in city elections too; right?
 3 A It seems every time that they would annex me
 4 shortly after holding their elections. That's
 5 been a pattern twice now.
 6 The impoundment period, I don't remember
 7 what it was, perhaps three years, and city
 8 elections happen, like, for mayor, once every
 9 five years. So most likely, this impoundment
 10 period would be over before I even was able to
 11 vote for someone indirectly to control this
 12 impoundment fund.
 13 Q Do you have any information on population
 14 density on a persons per square acre in Area 1A
 15 or 1B?
 16 A I believe I've seen those numbers. I don't
 17 remember those numbers.
 18 Q Have you done any study or calculation of the
 19 population density in 1A or 1B, yourself
 20 personally?
 21 A No.
 22 Q Do you have any information on the percentage of
 23 zoning classifications in Area 1A or 1B between
 24 residential, commercial, industrial?
 25 A The percentage, no.

<p style="text-align: right;">Page 46</p> <p>1 Q Do you have any information on the percentages 2 by which Areas 1A or 1B are subdivided? 3 A Subdivided between what or among what? 4 Q Subdivide into smaller parcels. 5 A Can you say the question again? 6 Q Yes. Do you know what the percentage of 7 subdivided parcels is in Area 1A or 1B, or have 8 you done anything to evaluate that? 9 A I have seen numbers. I don't remember what 10 those numbers were. 11 Q The numbers that you've seen, did you prepare 12 those or they were prepared by someone other 13 than yourself? 14 A I would have -- if I saw them, they would have 15 been probably reported by Indiana Public Media. 16 I can't remember. 17 Q In Exhibit 28, the interrogatory answers, 18 Interrogatory Number 3 on page 2 says "Identify 19 each fact witness you plan to call to testify in 20 the lawsuit and provide a summary of their 21 anticipated testimony." 22 If you look ahead to page 4, the answer 23 about center -- almost dead center of the 24 page -- you see your name listed? 25 A I see my name.</p>	<p style="text-align: right;">Page 48</p> <p>1 annexation territory." Do you see that? 2 A I see that. 3 Q Turn to page 12. In the answer, do you see your 4 name on the second to last line of that first 5 paragraph? 6 A I see my name. 7 Q Other than the property tax issue that we've 8 talked about, are there other financial impacts 9 that you foresee to you if the annexation goes 10 forward? 11 A Other than property taxes, we've talked about 12 funding for services provided by the county. 13 Q Right. Which is paid for through property 14 taxes. 15 A Through property taxes. 16 Q Right. Any other financial impacts outside of 17 property tax increases or additional costs to 18 some services? 19 A There may be food and beverage taxes that are 20 affected. Other things besides property taxes. 21 Q Have you done an analysis of the impact of the 22 annexation on you from food and beverage taxes? 23 A I have not. 24 Q Any other financial impacts from the annexation 25 on you or your household?</p>
<p style="text-align: right;">Page 47</p> <p>1 Q Says "If called, Mr. McGhie would be asked to 2 testify as landowner about his opposition to 3 annexation, city services versus otherwise 4 provided services, and the impact of annexation 5 upon him." 6 Thinking back over the testimony that 7 you've provided during the course of this 8 deposition, have we covered everything that you 9 would said in response to those categories? 10 A I believe one of your first questions was what 11 were the reasons. 12 Q Right. 13 A I gave you several reasons. 14 Q Do you believe you have given me all the reasons 15 as far as you're able to recall? 16 A The ones I can remember, we've spoken of. 17 Q Is there any other reason why you're opposed to 18 annexation that you don't believe you've told me 19 about? 20 A None I can remember. 21 Q If you go to page 11 of Exhibit 28, Question 12. 22 "Identify and list all facts and documents 23 supporting your contention in the petition that 24 the annexation will have significant financial 25 impact upon residents or owners of land in the</p>	<p style="text-align: right;">Page 49</p> <p>1 A I would have to buy garbage services, which as 2 it is right now, I can use the Monroe County 3 Solid Waste Management District or the Waste 4 Reduction District, I believe they are now 5 called. 6 Q You mentioned that earlier. Anything you have 7 not mentioned that you can think of in terms of 8 be financial impact? 9 A None I can think of. 10 Q Look on page 12, Question 13. It says "Identify 11 and list all facts and documents supporting your 12 contention in petition that the annexation is 13 not in the best interest of the owners of land 14 in the annexation territory." 15 Do you see that? 16 A Say it again. 17 Q Page 12. 18 A I was on the wrong page. 19 Q Sorry. Page 12; Question 13. You might have 20 been on -- 21 A Yes, I was on page 13, looking for Question 12. 22 Q So just read 13 to yourself, let me know when 23 you've finished reading it. 24 A I have read the question. 25 Q Now if you turn the page to page 13 and look at</p>

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1 the answer, do you see your name listed as
 2 potential witness to testify about the impact of
 3 the annexation in response to question that the
 4 annexation is not in the best interest of the
 5 landowners?
 6 A Yes, I do.
 7 Q I don't want to retread what you already said,
 8 but I take it that you believe the annexation is
 9 not in the best interest of the landowners
 10 including yourself.
 11 Is there anything about that belief or that
 12 position that we haven't talked about in this
 13 deposition?
 14 A No.
 15 MR. MCNEIL: Mr. McGhie, those are all the
 16 questions I have for you at this time. Thank
 17 you for your time.
 18 MR. BEGGS: No questions. Thank you very
 19 much. We'd like signature.
 20 (Time noted: 3:40 p.m.)
 21 AND FURTHER THE DEPONENT SAITH NOT.
 22
 23
 24
 25 _____
 THOMAS MCGHIE

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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 THOMAS MCGHIE, 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, Bloomington, Monroe County, Indiana, on
 13 the 27th day of February 2024, commencing at the
 14 hour of 2:38 p.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 his 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

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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
 10
 11 Seal, Notary Public My Commission Expires:
 12 State of Indiana March 8, 2029
 13
 14 Colleen Brady County of Residence:
 15 Commission No. NP0732235 Monroe
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

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1 Veritext Legal Solutions
 2 1100 Superior Ave
 3 Suite 1820
 4 Cleveland, Ohio 44114
 5 Phone: 216-523-1313
 6 March 15, 2024
 7 To: Mr. Beggs
 8 Case Name: County Residents Against Annexation Et Al v. The Common
 9 Council of the City Of Bloomington Et Al
 10 Veritext Reference Number: 6465804
 11 Witness: Thomas McGhie Deposition Date: 2/27/2024
 12 Dear Sir/Madam:
 13 The deposition transcript taken in the above-referenced
 14 matter, with the reading and signing having not been
 15 expressly waived, has been completed and is available
 16 for review and signature. Please call our office to
 17 make arrangements for a convenient location to
 18 accomplish this or if you prefer a certified transcript
 19 can be purchased.
 20 If the errata is not returned within thirty days of your
 21 receipt of this letter, the reading and signing will be
 22 deemed waived.
 23 Sincerely,
 24 Production Department
 25 NO NOTARY REQUIRED IN CA

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1 DEPOSITION REVIEW
CERTIFICATION OF WITNESS

2

3 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
4 WITNESS' NAME: Thomas McGhie
5 In accordance with the Rules of Civil
Procedure, I have read the entire transcript of
6 my testimony or it has been read to me.
7 I have made no changes to the testimony
as transcribed by the court reporter.
8

9 _____
Date Thomas McGhie
10 Sworn to and subscribed before me, a
Notary Public in and for the State and County,
11 the referenced witness did personally appear
and acknowledge that:
12 They have read the transcript;
13 They signed the foregoing Sworn
Statement; and
14 Their execution of this Statement is of
their free act and deed.
15 I have affixed my name and official seal
16 this _____ day of _____, 20____.
17 _____
18 Notary Public
19 _____
Commission Expiration Date
20
21
22
23
24
25

Page 56

1 ERRATA SHEET
VERITEXT LEGAL SOLUTIONS MIDWEST
2 ASSIGNMENT NO: 2/27/2024
3 PAGE/LINE(S) / CHANGE /REASON
4 _____
5 _____
6 _____
7 _____
8 _____
9 _____
10 _____
11 _____
12 _____
13 _____
14 _____
15 _____
16 _____
17 _____
18 _____
19 _____

20 Date Thomas McGhie
21 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____
22 DAY OF _____, 20____.
23 _____
Notary Public
24 _____
25 Commission Expiration Date

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1 DEPOSITION REVIEW
CERTIFICATION OF WITNESS

2

3 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
4 WITNESS' NAME: Thomas McGhie
5 In accordance with the Rules of Civil
Procedure, I have read the entire transcript of
6 my testimony or it has been read to me.
7 I have listed my changes on the attached
Errata Sheet, listing page and line numbers as
8 well as the reason(s) for the change(s).
9 I request that these changes be entered
as part of the record of my testimony.
10

11 I have executed the Errata Sheet, as well
as this Certificate, and request and authorize
that both be appended to the transcript of my
12 testimony and be incorporated therein.
13 _____
Date Thomas McGhie
14

15 Sworn to and subscribed before me, a
Notary Public in and for the State and County,
the referenced witness did personally appear
16 and acknowledge that:
17 They have read the transcript;
They have listed all of their corrections
18 in the appended Errata Sheet;
They signed the foregoing Sworn
19 Statement; and
Their execution of this Statement is of
20 their free act and deed.
21 I have affixed my name and official seal
22 this _____ day of _____, 20____.
23 _____
Notary Public
24 _____
25 Commission Expiration Date

&	2	22 10:16	3rd 7:24
& 2:3,9	2 10:18 22:3,9	220 28:15	4
0	22:13 36:8	223 26:21,21	4 35:7,11,18
000509 1:4	46:18	224 27:4	36:4 37:8
1	2,000 22:9,14	225 1:20 51:12	46:22
1 29:20 35:13	2,654.52 30:8	25563 52:9	401 1:20 51:11
1,734.92 28:21	30:11	26 4:3	41 42:24
1/2 39:6	2/27/2024 53:8	27 4:13 34:20	4175 6:13
100,000 22:8	54:3 55:3 56:2	34:22,24 35:20	26:15 28:10
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11 24:4 47:21	56:22	2700 2:10	44 4:3 26:7,9
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12 24:5 47:21	2017 6:17	32:7,24 34:21	45 4:5 6:7,8
48:3 49:10,17	27:10 32:23	46:17 47:21	28:4,5,9 30:6
49:19,21	2018 30:1,14	2:38 1:21 5:1	46 4:7 34:24,25
121 18:2	2019 11:5 30:7	51:14	35:5 36:6
13 49:10,19,21	30:10	3	46204 2:10
49:22,25	2021 14:16	3 30:25 35:7,11	47404 2:4
15 53:4	17:25 21:10	36:4,8 37:8	48 21:16,22,24
15th 52:5	24:22	46:18	22:12,18
17-09 33:9	2022 27:21	3,000 23:20	5
17-10 33:9	29:25 30:15	3,556.58. 29:1	5 3:3 33:5,6
18 27:10	2022-04-08	3-21-2018 30:2	35:13
1820 53:2	27:18	317.684.5000	5,000 14:13
199219-221 4:6	2023 28:20	2:11	500 14:14
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1a 6:19 33:22	2024 1:21	34 4:13 30:15	59 42:22 43:23
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45:23 46:2,7	53:4	357,400 30:4	6 7:1 33:14
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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.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
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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