

**THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, JULY 17, 2017 AT 6:00 P.M.**

MEMBERS PRESENT WERE NORMAN VOYLES, BRIAN GOSS, AND RYAN GOODWIN. DAN BASTIN, AUDITOR; DEB VERLEY, ADMINISTRATIVE ASSISTANT; AND ROD BRAY, COUNTY ATTORNEY, WERE ALSO PRESENT.

NORMAN VOYLES ASKED FOR A MOMENT OF SILENT PRAYER.

NORMAN VOYLES CALLED THE MEETING TO ORDER.

**ARAMARK CONTRACT**

Dave Rogers, Morgan County Jail Commander, stated that the county attorney reviewed the contract and made changes. Aramark was open to the changes. Rod Bray stated that there were a number of issues, such as penalties for late payments, no ability for a response from the county in case of a violation, etc. Ryan Goodwin made a motion to accept the contract with the changes that have been made and agreed to between Morgan County and Aramark for the operation of the food service in the Morgan County jail. Motion seconded by Brian Goss. Motion carried 3-0. The effective date will begin when the contract is signed. There will be a transition meeting on the 19<sup>th</sup>. Mr. Rogers will obtain a clean copy of the contract for signatures as soon as possible.

**GRANT APPLICATION - VSO**

Rick Baum, Veterans Service Officer, stated that this is a two-part grant from the Indiana Department of Veterans Affairs. IDVA will reimburse \$500 for a signature pad for electronic signatures and the second part is a \$1,200 reimbursement for a computer and accessories. Ryan Goodwin made a motion to approve Mr. Baum's efforts to pursue the grants as outlined. Motion seconded by Brian Goss. Motion carried 3-0.

**CONFLICT OF INTEREST POLICY – PERSONNEL POLICY AMENDMENT**

Norman Voyles stated that this policy was discussed at the last meeting and a Conflict of Interest Ordinance was approved. This ordinance amends the Personnel Policy once the ordinance is approved by both the Board of Commissioners and County Council. Rod Bray stated that the language in the ordinance is added to the Conflict of Interest section of the current Personnel Policy. The ordinance states that an employee or official cannot accept or solicit any type of gift in excess of \$250. This amount aligns with Indiana statutes. Ryan Goodwin made a motion to adopt the Ordinance Amending Morgan County Personnel Policy to Incorporate its New Conflict of Interest Policy, which would set a dollar amount of \$250, as well as add paragraphs to the Personnel Policy, and waive a second reading of the ordinance. Motion seconded by Brian Goss. Motion carried 3-0.

**REAL ESTATE PURCHASE**

Norman Voyles stated that the Board made an offer to purchase real estate at the corner of Morgan Street and Park Ave. The seller submitted a counteroffer and the Board must respond. Ryan Goodwin made a motion to hold the offer as last presented to the buyer. Motion seconded by Brian Goss. Motion carried 3-0.

**DISPATCH CENTER SOPs**

Scott Hamilton, Morgan County Dispatch Director, stated that he submitted SOPs (Standard Operating Procedures) some time ago and made a few changes. Mr. Hamilton asked that the SOPs be approved by the Board of Commissioners. Mr. Hamilton reviewed the changes that were made. Ryan Goodwin made a motion to approve the SOPs for the dispatch center as presented in the 2016 version with Sections 260, 300, 310, 321, and 401 amended and as part of the motion, Mr. Goodwin implored the 911 Board to convene a meeting and adopt the SOPs as well. Motion seconded by Brian Goss. Motion carried 3-0.

**DISPATCH CENTER 911 AGREEMENT**

Mr. Hamilton stated that there have been some changes in the draft of the 911 agreement and felt that everyone was in agreement. Rod Bray stated that there were some changes to Section 5 regarding staffing. Ryan Goodwin made a motion to approve the Interlocal Cooperation Agreement by and Between Morgan County, Indiana and the City of Martinsville, Indiana Regarding Public Safety Answering Point Consolidation and forward it to the city. Motion seconded by Brian Goss. Motion carried 3-0.

**MORGANTOWN FIRE DEPARTMENT LEASE**

Donnie Warren, Morgan County EMS Director, stated that these agreements are still being negotiated. Morgantown Fire Department would like to turn over their facility to the county and

lease the building for \$1 per year. Rod Bray stated that he had not seen a lease and does not have one prepared; he will work on this. Mr. Warren stated that they have requested that the county continue to pay their employees \$9.50 per hour for 12 hour shifts until the service is in place. Mr. Bray stated that they will need something in writing before moving forward.

### **RECRUITING PROCESS PERSONNEL POLICY AMENDMENT**

Ryan Goodwin stated that he drafted a proposed amendment to the Personnel Policy that would require that departments create job descriptions, and that job postings be advertised for three days, posted for a minimum of 14 days, and all departments are notified of the opening, to encourage as many applicants as possible from both external sources as well as internal. The amendment does not take away any authority or ability of an elected official to hire the candidate of their choice after they have conducted the hiring process. This is a minimum standard, advertising may also be done in trade publications. This amendment would not go into force until September 1<sup>st</sup>. Brian Goss expressed his concern for the time factor with public safety employment requirements. Norman Voyles stated that he felt it put a restriction on elected officials and department heads and could not support it. After discussion with the jail commander, Sheriff, and EMS director, Brian Goss made a motion to table the amendment until they are able to review the amendment with office holders. Motion seconded by Norman Voyles. Motion carried 3-0.

### **MINUTES**

Ryan Goodwin made a motion to approve the minutes of the June 19 and June 30, 2017 meetings and the July 5, 2017 joint meeting. Motion seconded by Brian Goss. Motion carried 3-0 with Mr. Goss abstaining from voting on the June 19<sup>th</sup> meeting since he was not present.

### **TORT CLAIMS / INCIDENT CLAIM**

Brian Goss made a motion to send the Smith Incident Claim and Benham, Ford, and Asher tort claims to the insurance company. Motion seconded by Ryan Goodwin. Motion carried 3-0.

### **DISPATCH UPDATE**

Scott Hamilton reported that there have been 65,488 calls so far this year. There have been 12,545 911 calls and 52,943 non-emergency calls. There have been 19,882 CAD calls. Mr. Hamilton stated that 90% of the calls are wireless.

### **SHERIFF/JAIL UPDATE**

Sheriff Robert Downey stated that the inmate population at the jail is 322, this includes 1 DOC inmate, 11 inmates on the work release program, and 29 jail corrections workers. There have been 6,465 law enforcement calls so far this year.

### **ENGINEER UPDATE**

Larry Smith, Morgan County Highway Engineer, stated that the Community Crossing Grants have been submitted with 16 projects.

The contractors have not started on the bridge projects (Bridge #67 and Bridge #26) but they have moved the telephone line for Bridge #67.

The paving has started on Spring Lake Road. The contractor will be on other projects until the end of the week and then will start in District III. The Line striping is out for bid.

Mr. Smith is working on RFPs (Request for Proposal) for the Bridge Inspection 2018-2021 and Bridge #75 on Bowen Road.

Ryan Goodwin thanked Mr. Smith, Mr. Whaley, and the highway crews for their prompt response regarding some calls he made about drainage and pothole issues.

### **PUBLIC HEARING**

- *Triple Crown Lane*

Rod Bray stated that the Public Hearing was advertised in the newspaper and notice was sent to all residents in the Triple Crown Lane area. Mr. Bray asked that Dick Robertson, SJCA, and Andrew Mouser, Umbaugh & Associates present information regarding engineering plans and financing before starting the public comments.

Mr. Robertson stated that this project started in 2015 they completed a survey and a preliminary design to bring the road to an acceptable standard. Mr. Robertson noted that many times the roads in private subdivisions are not built to county standards. There are buried utilities in the 50' easement. The road length for the project is 2,480' and there are several pipes in the road that should be replaced. The plans call for 8" of asphalt (4" of base, 2 -1/2" of binder, and 1-1/2" of

surface). A 1" stone shoulder will be installed to help hold the edge of the pavement and keep the water off the road. This will also minimize construction damage to yards. There will be some drainage work on the north end. The 10'-12' road going to the north will stay as it is. The construction estimate is \$345,000. The estimate includes all construction materials, a 10% contingency, engineering cost, bid process and review, and construction inspection. It does not include financing.

Andrew Mouser, Umbaugh & Associates, handed out information regarding financing. They have discussed a loan with First Merchants Bank including financing costs and construction costs, the loan would be \$426,000. Since this is a private road and there would be private payments, the loan would be taxable and the interest rate for 10 years is estimated to be 4.67%. The loan would have two payments per year of \$27,000, one in July after the spring taxes are collected and one in January after the fall tax collections. The amount assessed per lot, based on 26 lots, is estimated to be \$2,070 annually. Ryan Goodwin asked if the road were to become part of the county highway system, would the project be eligible for a tax exempt interest rate. Rod Bray stated that it would not. Mr. Mouser stated that it might be possible to refinance the project at that point.

Mr. Bray opened the public hearing.

Jim Miles, Madison Township Advisory Board, spoke on behalf of two residents that were not able to attend. Robert and Ann Griffin sent a letter stating that they were in favor of using the Barrett Law to improve the road. Mr. Miles also read a letter from Jason and Cary Horsley stating that they were in favor of using the Barrett Law to improve the road.

Residents who spoke in favor of using the Barrett Law to improve the road were:

Kelly Alcala (stating safety issues and asking that the county take over the road)

Marjorie Money

Sandra Lay (concerned about expense)

Jerry Hacker (in favor if the county takes over the road)

Barbara Elkins (in favor if the county takes over the road)

Robert Hill (representing Linda Godwin - in favor if the county takes over the road) Mr. Hill

stated that if the Board would table the issue, his firm would put up \$26,000 to take care of the worst of the road

Gary Hughes (in favor if the county takes over the road)

Julia Pierce (in favor if the county takes over the road)

Dewey Collins (in favor if the county takes over the road)

Gordon Peel (in favor if county takes over the road)

Mark Phelps (in favor if county takes over the road)

Speaking against improving the road were:

Pam Albertson (expense)

Robert Jones (expense, not an improvement to lot)

Kevin Albertson

Angela Moore

Howard Hopkins (drainage concerns)

Ryan Goodwin stated that this project has been going on for a long time and no matter what the outcome, it was important that the neighborhood had the opportunity to come together in the same room and voice their opinion. Mr. Goodwin stated that it makes no sense to blacktop the road without addressing the drainage problems; whether the county assists or the residents do it on their own, the drainage problems that are eroding the road need to be addressed. The Barrett Law is traditionally used on public projects, and the Board needs to make a decision to take in the road or not.

Norman Voyles asked Larry Smith if the drainage issues were addressed in the engineering proposal. Mr. Smith stated that there is a least one area where raising the roadway would cause water to pond on a property. Mr. Robertson stated that they would address those issues in the final design. The cost of this is included in the estimate. Mr. Smith advised proceeding with caution in accepting the road, which is on private property, into the county system unless each property owner grants enough property to the county to construct the roadway. Rob Bray stated that the land would need to be deeded to the county as part of the road and drainage.

Mr. Goodwin asked if the Board would be interested in taking the road into the county road system if the road were repaired to the specifications prepared by the engineer. Brian Goss stated that he would not be interested unless the drainage issues were solved; there could be even more costs once the County Surveyor inspects the drainage.

After several comments from the public regarding the length of time the project has taken, the county's responsibility, and the expense, Mr. Goodwin stated that the Board has put a lot of effort into putting a solution on the table; however, there are several residents that don't want to accept the solution. The Board must decide if they want to assess all the residents or not. The Board cannot take the road in as a county road, assume the liability for maintaining it, blacktop it, and have it fall apart in a few years. The project would have to be completed at a high standard. Mr. Goodwin could understand the frustration, but the road is a private drive. There is some concern amongst the Board whether the plans are effective in addressing the drainage. Norman Voyles stated that he would be in favor of the county taking in the roadway if it was put in correctly and all the drainage issues were addressed; this could add even more cost to the proposal. Brian Goss stated that if the road were brought up to county standards, he would agree to accept the road into the county road system. Dick Robertson stated that there are drainage issues not related to the road. Ryan Goodwin stated that there are some stipulations to address before giving assurance that the county would take the road in and made a motion to table the issue until the August 7<sup>th</sup> meeting. The County Surveyor and SJCA will work together during that time to come to an agreement as to whether the drainage issues will be satisfactorily addressed. Motion seconded by Brian Goss. Motion carried 3-0. Norman Voyles thanked the residents for their comments.

**ADJOURNMENT**

Ryan Goodwin made a motion to adjourn the meeting. Motion seconded by Brian Goss. Motion carried 3-0.

Morgan County Board of Commissioners

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Norman Voyles

Attest:

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Ryan Goodwin

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Dan Bastin, Morgan Co. Auditor

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Brian Goss