

**THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, FEBRUARY 6, 2023 AT 9:30 A.M.**

MEMBERS PRESENT WERE BRYAN COLLIER, DON ADAMS, AND KENNY HALE. DEB VERLEY, EXECUTIVE ASSISTANT; JOSH MESSMER, COUNTY ADMINISTRATOR; LINDA PRUITT, COUNTY AUDITOR AND JIM WISCO, COUNTY ATTORNEY, WERE ALSO PRESENT.

PLEDGE

PRAYER – *Don Adams*

**CLAIMS**

Kenny Hale made a motion to approve the January 6, and 20, 2023 payroll claims of \$794,603.79 and \$760,687.30; and January 13, Comp Buy Out and January 27 Uniform claims of \$124,905.93, \$70,400.00; PERF \$70,116.96 and \$68,099.71 and \$3,572.80; FICA \$58,069.94, \$55,438.06 and \$9,555.28 and \$5,385.89; and monthly claims of \$2,020,835.66. Motion seconded by Don Adams. Motion carried 3-0.

**MINUTES** – 12/19/22, 12/30/22, 1/3/23, 1/17/23

Don Adams made a motion to approve the minutes of the December 19 and December 20, 2022 meetings and the January 3 and January 17, 2023 meeting minutes. Motion seconded by Kenny Hale. Motion carried 3-0.

**ANNUAL SOIL & WATER AGREEMENT**

Lisa MacPhee was present to request approval of the 2023 agreement between the Morgan County Board of Commissioners and the Morgan County Soil and Water Conservation District. The agreement states that MCSWCD will assist the county and landowners with technical assistance, educational assistance, and sometimes financial assistance when grant funds are available, to help implement conservation. They also work with the Partnership for Water Quality and the Recycling Department on educational outreach events. Ms. MacPhee stated that SWCD would like to work with the Park & Recreation Department in providing assistance in maintaining the parks and educational programs for the public. Ms. MacPhee introduced David Mow, a contractual employee who helps residents with invasive species and plant identification, and Doug Peine, the SWCD Board Chairman. Don Adams made a motion to approve the agreement. Motion seconded by Kenny Hale. Motion carried 3-0.

**ADA PLAN ADOPTION RESOLUTION**

Josh Messmer stated that they started updating this plan a year ago and as well as being good stewards of the community and its citizens, it is a requirement in order to receive funds from INDOT. A grievance procedure was adopted at a prior meeting and the plan adoption is the last step in the process. DLZ has done a study of all county facilities and make recommendations for improvements. The current Judicial Campus project will address many of the issues. Don Adams stated that this is something that should be done and made a motion to approve Resolution No. 2023-2-6e, a Resolution Adopting Accessible Design Standards for Buildings and Facilities Owned and Maintained by Morgan County. Motion seconded by Bryan Collier. Motion carried 3-0.

**SURVEYOR CONTRACT EMPLOYEE**

Terry Brock, Morgan County Surveyor, stated that the Stormwater Coordinator, Bill Dials, has been with the county for 15 years. Mr. Dials is eligible for retirement, but would not be able to keep working for the county if he retires. Mr. Brock stated that it would take two employees to replace Mr. Dials and he would like to enter into a contract with him to provide his services. They have been working with two attorneys to address the issues the Council had with the contract when it was broached in November. Jim Wisco stated that the prior draft had inadvertently included some language from the job description and this has been removed to ensure that the relationship is viewed as that of a contractor and not an employee. Kenny Hale stated that he did not want to lose the knowledge and experience that this employee has. Mr. Dials has 40 years of experience, he assists cities and towns with drainage issues, as well as citizens, and he runs the MS4 program. The MS4 program is a requirement and officials could be arrested for not having a program. The budget for Hendricks County is \$500,000 a year for this program. Morgan County has the cost of one salary. Bryan Collier suggested having an MS4 Workshop after April. Kenny Hale stated that this is on the Council agenda. Don Adams made a motion to approve the request and send it to the Council. Motion carried 3-0.

### **WSI AGREEMENT – 911 Dispatch**

Kenny Hale made a motion to table this item. Motion seconded by Don Adams. Motion carried 3-0.

### **ORDINANCE 2023-1 – Zoning Map Amendment**

Josh Messmer stated that the county started the process of terminating the buffer zones last year. The Plan Commission has been working with the four entities that use buffer zones and the county is pleased with the cooperation that Martinsville, Mooresville, Monrovia and Morgantown have given the Plan Commission.

Laura Parker, Morgan County Plan Commission Director, stated that the Plan Commission met on January 9, 2023 to review the zoning map amendment that would be necessary to convert those properties that are currently in the buffer zone to Morgan County zoning. They held a public hearing and no one spoke for or against this change. The eight members voted to send a favorable recommendation to the Board of Commissioners. Don Adams stated that he appreciated the way this has been handled and the collaboration between the municipalities and the county. Kenny Hale made a motion to approve Ordinance #2023-1 An Ordinance to Amend the Morgan County Unified Development Ordinance to Incorporate the Municipal Buffer Zone Areas and to waive a second reading. Motion seconded by Don Adams. Motion carried 3-0.

### **ORDINANCE 2023-4 -Terminating Municipal Extraterritorial Planning & Zoning Jurisdiction**

Josh Messmer stated that this ordinance terminates the buffer zones, effective February 7, 2023. Kenny Hale made a motion to approve Ordinance 2023-4 An Ordinance of the Board of Commissioners of Morgan County, Indiana Terminating Municipal Extraterritorial Planning and Zoning Jurisdiction and waiving a second reading. Motion seconded by Don Adams. Motion carried 3-0.

### **RESOLUTIONS**

Josh Messmer stated that there are four resolutions, one each for Martinsville, Mooresville, Monrovia, and Morgantown, that end the interlocal agreements regarding the buffer zones. Don Adams made a motion to approve resolutions 2023-2-6a A Joint Resolution of the Morgan County Board of Commissioners and Morgan County Council Terminating an Interlocal Agreement Between Morgan County and the City of Martinsville; 2023-2-6b A Joint Resolution of the Morgan County Board of Commissioners and Morgan County Council Terminating an Interlocal Agreement Between Morgan County and the Town of Monrovia; 2023-2-6c A Joint Resolution of the Morgan County Board of Commissioners and Morgan County Council Terminating an Interlocal Agreement Between Morgan County and the Town of Mooresville; and 2023-2-6d A Joint Resolution of the Morgan County Board of Commissioners and Morgan County Council Terminating an Interlocal Agreement Between Morgan County and the Town of Morgantown. Motion seconded by Kenny Hale. Motion carried 3-0. Mr. Messmer thanked Mayor Costin and the City of Martinsville, and the towns of Monrovia, Mooresville and Morgantown for their work and cooperation. Mr. Messmer stated that Morgan County is the first county to go through this and a few other counties have inquired about the process.

### **FINANCIAL COMMITMENT LETTERS**

Josh Messmer stated that these letters are for the READI Grant. One project, Huggin Hollow Regional Lift Station is pledging \$609,895 in ARPA funds and \$1,279,167 in READI funds for a total of \$1,889,062; and the other project is pledging \$25,000 in LIT funds and \$75,000 in READI funds for a total of \$100,000 for a Morgan County Master Trail Plan. Kenny Hale made a motion to approve the Financial Commitment Letters and authorize Bryan Collier as the signatory. Motion seconded by Don Adams. Motion carried 3-0.

### **ORDINANCE 2023-5 – Repealing Ordinance 2020-1 and 2020-2**

Josh Messmer stated that the Board voted to repeal Ordinance 2020-1 and 2020-2 on December 30, 2022. These ordinances regarded allowing employees extra time off for COVID related issues due to the pandemic. Kenny Hale made a motion to approve Ordinance 2023-5 An Ordinance Repealing Ordinance No. 2020-1 and Ordinance 2020-2 and waiving a second reading. Motion seconded by Don Adams. Motion seconded by Don Adams. Motion carried 3-0.

### **MKL CORPORATION AGREEMENT (Schooley Mitchell)**

Josh Messmer stated that there are some questions regarding the language in this agreement and asked that it be tabled. Kenny Hale made a motion to table the agreement. Motion seconded by Don Adams. Motion carried 3-0.

### **OPIOID SETTLEMENT DISCUSSION**

Jim Wisco stated that he circulated several emails regarding this settlement and the Board will need to take action on a new settlement, that should be ready by April.

## **APPOINTMENTS**

*Board of Zoning Appeals* – Kenny Hale made a motion to appoint Jason Maxwell. Motion seconded by Bryan Collier. Motion carried 3-0.

*Harrison Township Fire District* – Kenny Hale stated that Mike Jackson can no longer serve on the Board since he is now Township Trustee and made a motion to appoint John Kennedy to fill the remainder of the term. Motion seconded by Don Adams. Motion carried 3-0.

*Convention, Visitors and Tourism Commission* – Kenny Hale made a motion to appoint Michelle Keller to the position vacated by Bob Nelson. Motion seconded by Don Adams. Motion carried 3-0. Kenny Hale made a motion to reappoint Ann Lankford. Motion seconded by Don Adams. Motion carried 3-0.

*Weed Control Board* – Kenny Hale made a motion to reappoint the members of the board as follows: Jim Lankford, Pat Clark, Ron Burnett, Michele Jones (non-voting member). Motion seconded by Don Adams. Motion carried 3-0.

*Morgan County Regional Sewer District* – Kenny Hale made a motion to reappoint Ashley Wright. Motion seconded by Bryan Collier. Motion carried 3-0.

Kenny Hale noted that Ryan Goodwin submitted his resignation on the Morgan County Regional Sewer District Board. There is a candidate that has shown an interest. Don Adams stated that he would contact the person.

## **REQUEST TO USE COURTHOUSE SQUARE**

Don Adams stated that the request is to use the square every Thursday from April through October, excluding Artie Fest and Fall Foliage, for a car show. Mr. Adams was concerned that there could be other activities during this time that would not be able to use the square. Bryan Collier stated that this group has been hosting this activity for several years and they will work with them if something comes up. Don Adams made a motion to approve the request. Motion seconded by Kenny Hale. Motion carried 3-0.

## **REQUEST FOR UNPAID TIME OFF**

Daree Fry, Morgan County HR Director stated that an employee needed to take time off without pay for medically related purposes, but does not have the PTO time required. They will earn additional time in approximately two weeks. Kenny Hale made a motion to approve the unpaid time off request for the Treasurer's Office employee. Motion seconded by Bryan Collier. Motion carried 3-0.

## **ADDITIONAL APPROPRIATION LETTER**

Kenny Hale made a motion to send the additional appropriation letter in the amount of \$25,000 for training overlap to the Council. Bryan Collier stated that people leave positions and this will allow the replacement some training time. Motion seconded by Don Adams. Motion carried 3-0.

## **MONROE TOWNSHIP FIRE DISTRICT**

Mike Wagner, Monroe Township Fire District Chairman, and Chief Chris Mills, were present to request funds from ARPA to pay for some gear that is to be delivered in October and some concerns about an ambulance that is running to Hendricks County. Chief Mills stated that the medic truck is stationed at their fire house and running to Hendricks County and he is concerned about it because their run load is up by 33% over last year. They have had 58 runs so far this year compared to 39 last year. Seventy percent of the runs are EMS, 5% fire, and the other 25% is false alarms and things like that. There is a 10-minute delay between Morgan County 911 Dispatch and Hendricks County. The medic truck is doing three runs a day between Monroe, Brooklyn, Gregg Twp., and A&A Volunteer Fire Department. Brown Twp. medic truck is averaging 7 to 8 runs per day and 60% of the time they have two ALS trucks. Brown Twp. is also running to Madison Twp. two to three times a day because Madison is short staffed. If the county takes away the medic truck in Monroe, they will be short-changing everyone in that part of the county. There are plans to construct an additional 178 homes in the area. Don Adams asked why there is a delay. Chief Mills stated that Hendricks must call Morgan County via a phone call. Mr. Adams asked if there was a solution. Chief Mills stated that they would need to put Hendricks County alerting in the firehouse, which would be expensive. Bryan Collier stated that they are sending an ambulance to Hendricks County through mutual aid, so they are looking into a way to fund this service. Morgan County has also been sending an ambulance into Monroe County everyday and Monroe County just funded four more buses. Hendricks County is also looking into this, but they aren't there yet. This agreement would be a short-term good-will fix for what they are already covering with mutual aid. Kenny Hale stated that they are looking for ways to help fund EMS. Chief Mills stated that he had concerns about the crew sitting at the intersection of State Road 142 and 39.

They sometimes are there for hours without a restroom or place to eat and that isn't fair to that crew. Mr. Hale stated that they would look into that.

**CORONER UPDATE**

Mike Ellis, Morgan County Coroner, handed out the report for 2022. There were 165 calls compared to 2021 with 121 calls this is a 37% increase. Of these, 25 were overdoses and 15 were suicides. Mr. Ellis stated that the Coroner is tasked with investigating deaths that are suspicious, unexpected, unexplained, violent, homicide and criminal investigations. He does not go on calls every time a person dies, but he does go on calls because there is no family, no resources and no funeral home and the deceased must be put somewhere until a funeral home is engaged or there is an order issued for destruction of human remains. Mr. Ellis is happy to provide this service; however, he does not feel that there is support from a high level. He is unable to get a part time position for the office and paperwork requirements are increasing, he ordered equipment last year, but the order has been lost. The Coroner's Office has been run as a "mom & pop" for years, but the need has changed. Josh Messmer has been working to obtain a vehicle, but the order placed in 2021 was cancelled. The Indiana Department of Health has increased paperwork requirements so they can obtain grant funds, but those funds are not passed on to the Coroner's Office. Mr. Ellis asked for support in requesting assistance from the Council.

**FOR THE GOOD OF THE COUNTY**

Sheriff Rich Myers stated that the Eminence Lady Eels won the Sectional Championship and are moving on to regionals.

Don Adams stated that Deb Verley brought an article to the Commissioners attention about high school students that were junior commissioners. Mr. Adams stated that he would like to take that a step further and have a job shadow program that allows students to follow a position for a day. Mr. Adams asked that if anyone was interested in setting up a program of this type and get in touch with him.

Bryan Collier stated that sometimes they make decisions that aren't very popular and these decisions might happen more often as the community grows faster than the tax base. The community needs to stick together to guide the growth. He hears the requests, but with limited funds, they need to work together to grow in the right direction.

**ADJOURNMENT**

Kenny Hale made a motion to adjourn the meeting. Motion seconded by Don Adams. Motion carried 3-0.

Morgan County Board of Commissioners

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Bryan Collier

Attest: \_\_\_\_\_  
Don Adams

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Linda Pruitt, Morgan Co. Auditor

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Kenny Hale