

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, NOVEMBER 20, 2023 AT 6:30 P.M.

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

PLEDGE

PRAYER – *Kenny Hale*

MINUTES – 10/16/23

Kenny Hale made a motion to approve the minutes of the October 16, 2023 meeting. Motion seconded by Don Adams. Motion carried 3-0.

BID OPENING – *Annual Material Bids*

Justin Schneck, Morgan County Highway Engineer, and Charlie Wilson, Acting Highway Superintendent, opened annual material bids as follows:

Class 1 – 87 Gasoline	Newton Oil 2.688	CoAlliance 1.9697
Class 2 – Diesel Fuel #2	2.901	2.8467
	DEF 2.52	Offroad 2.8497
Class 3 - Hot Bituminous (5,000 tons or less)	Milestone	
Base	62.10	62.10
Binder	71.00	71.00
Surface	79.00	79.00
Class 4 - Liquid Asphalt (per ton)	Asphalt Materials FOB Plant	Marathon Delivery
RS2 AE90	625.92	RS2 246.00
AE90S	676.32	AE90 279.00
AEF	558.72	
Class 5 – Crushed Stone (per ton)	US Aggregates Cloverdale	Rogers Group
11	16.50	16.50
53	9.25	11.85
RIP RAP	12.75	16.95
Class 6 – Culverts	E 3 Bridge	
16 ga alum 12” per foot	17.94	

Mr. Schneck stated that they will review the bids and take them under advisement.

LETTER OF SUPPORT – *City of Martinsville*

Gary Oakes, City of Martinsville, stated that they are working on several grant projects, one of which is an OCRA (Office of Community and Rural Development) grant for a stormwater collection project on Home Avenue. There are three schools that feed off of the avenue that collect water from the west that ultimately ends up in the county’s Sartor Ditch. There are drainage issues and children that are walking to the nearby schools get splashed by the cars and school buses as they pass by. Bryan Collier stated that there are always puddles on this route and

he always felt sorry for the kids that got a second shower before they got to school. In the winter the water turns to ice and Mr. Collier thanked the city for attempting to remedy this long overdue issue.

Mr. Oakes stated that there are two different phases of the REDI Grant, one of which is a \$15 million 10-acre campus on Artesian Ave. for 38 Workforce Development housing units, a childcare center and six Habitat for Humanity Homes. They have purchased the property and the project will be submitted next July. The second REDI project is developing the Henderson Ford Interchange. He has worked with a developer in the past that is interested, and is working with the property owner and an engineer. Mr. Oakes would like to review the plans with the Commissioners at some point.

Kenny Hale made a motion to approve the letter of support for the stormwater project on Home Ave. Motion seconded by Don Adams. Motion carried 3-0.

FALL/SPRING ROAD RESURFACING BID AWARD

Justin Schneck stated that the bids for the 2023 Fall and 2024 Spring Roadway Resurfacing were opened at the previous meeting. They have reviewed the bids and found Howard Companies to be the lowest responsive and responsible bidder in the amount of \$342,665.20. Mr. Schneck requested approval to award the contract. Don Adams made a motion to approve the recommendation of the Engineer and award the bid to the Howard Companies. Motion seconded by Kenny Hale. Motion carried 3-0.

RESOLUTION AUTHORIZING EXECUTION OF LEASE AGREEMENT – BOT III

Zach Klutz, Taft, stated that they are at the final step in authorizing the financing for the Courthouse renovation project (BOT III). Mr. Klutz stated that the County Council has conducted two public hearings, one on September 13, and one on October 2. The Building Corporation for Morgan County met on November 8 and approved the form of lease, the issuance of bonds for the project and executed the lease. The Council conducted a third public hearing on November 8 focused on the terms of the lease. The Council adopted Ordinance #2023-22, which approved the project and pledged property tax revenues for the payment of the lease rental. For consideration before the Board of Commissioners is Resolution #2023-11-20 that is a finding by the Board that the lease rental payments set forth in the lease are fair and reasonable, it approves the execution and delivery of the lease, accepts the project back to the county once the bonds are paid for, approves the sale and transfer of the real estate to the Building Corporation during the project, ratifies and confirms that prior actions of the Council (acceptance of the taxpayer petition, conduction the public hearing, approving the form of the lease and pledge of the payment of the lease), authorizes Auditor to publish notice of the execution of the lease. This triggers a 30-day period following which the county would be free to market and sell the bonds. The sale and closing of the bonds is expected to occur sometime in February. Don Adams made a motion to approve Resolution #2023-11-20. Motion seconded by Kenny Hale. Motion carried 3-0.

RESOLUTION APPROVING TERMINATION OF WESTPOINT TIF AREA 1

Josh Messmer stated that there are two resolutions, one for the Westpoint TIF and one for the White River Valley Allocation Area. The law firm (Ice Miller) has asked that the Board of Commissioners approve everything that the underlying units have done. The first resolution is to accept and confirm the termination of the original allocation area and the termination of the obligations that the county pledged to the original allocation area. The second resolution is to approve the reestablishment of what is now called TIF area 2 and the expansion of that area. The Redevelopment Corporation has approved it, the Plan Commission has approved it and the Board of Commissioners needs to affirm it. Kenny Hale made a motion to approve the resolution terminating the Westpoint TIF Area 1. Motion seconded by Don Adams. Motion carried 3-0.

RESOLUTION APPROVING EXPANSION OF WESTPOINT EDA AND NEW TIF AREA 1 AND 2

Don Adams made a motion to approve the resolution expanding TIF area 1 and 2. Motion seconded by Kenny Hale. Motion carried 3-0

BONDS – Allison Estates

Justin Schneck stated that construction on the subdivision Allison Estates, Section 1 has progressed so that the contractor is now finished with the common area sidewalks and ADA ramps. Mr. Schneck requested approval to release the performance bond in the amount of \$31,210 and to accept a two-year maintenance bond in the amount of \$6,242. Per the UDO, Board of Commissioner approval is required to accept the maintenance bond and release the performance bond. Don Adams made a motion to release the performance bond and accept the maintenance bond. Motion seconded by Kenny Hale. Motion carried 3-0.

SUPPLEMENTAL AGREEMENT – *VS Engineering Bridge #68*

Justin Schneck stated that Bridge #68 is a locally funded bridge replacement project that has been in the works since 2018. Upon review of the contract and in talking with the engineering consultant, there were three things that were omitted from the original contract; the hydraulic analysis of the proposed structure, wetland delineation and submittal of environmental permits and right-of-way acquisition services. VS Engineering has provided a supplemental agreement for \$51,620. Mr. Schneck stated that these are important services for safety and liability reasons and requested approval of the supplemental agreement. Kenny Hale made a motion to approve the supplemental agreement not to exceed \$51,620. Motion seconded by Don Adams. Motion carried 3-0.

BRIDGE #107

Mr. Schneck stated that at the previous meeting, he requested approval for funding Bridge #107, which is a federal aid project. INDOT required some additional information and cost estimates and Mr. Schneck requested approval of an updated financial commitment letter to INDOT so they could submit the application. Don Adams made a motion to approve the letter. Motion seconded by Kenny Hale. Motion carried 3-0.

FARM LEASE PROPERTIES

Josh Messmer stated that the county has a number of parcels acquired through FEMA that are small farm fields that have been leased out on three-year terms. Because of the size of the parcels (some less than half an acre) and the cost to do appraisals, the county passed a resolution several years ago stating that the cost to obtain appraisals would exceed the cost of leasing them. Mr. Messmer asked that they continue with that approach and not pass another resolution. Bryan Collier stated that as long as the process is working, there is no need to reinvent the wheel. Kenny Hale made a motion to approve the process used in the past and lease the FEMA parcels. The properties will be advertised on November 29 and December 6 and bids would be opened December 18th. Mr. Hale noted that there is one property that has not been included before, but upon inspection, was being used as farm ground. Mr. Hale amended his motion to approve the properties for lease including the property he just mentioned and to approve the timeline as mentioned for opening bids. Motion seconded by Don Adams. Motion carried 3-0.

LEASE TERMINATION AGREEMENT - *Centerpoint*

Josh Messmer stated that they are waiting for comments from legal counsel before proceeding with this item. Don Adams made a motion to table the agreement. Motion seconded by Bryan Collier. Motion carried 3-0

APPOINTMENT – *Harrison Twp Fire District*

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

PROPOSED ROAD NAME LIST

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

REQUEST TO USE SADLER ROOM

An employee has requested the use of the Sadler Room on December 3rd. Kenny Hale made a motion to accept the Waiver and Release of Liability and approve the request. Motion seconded by Don Adams. Motion carried 3-0.

REQUEST FOR UNPAID TIME OFF

Daree Fry, Morgan County HR Director, stated that there is an employee that is the source of transportation for a family member to therapy sessions and medical appointments. The employee has run out of PTO and is requesting unpaid time. An employee has offered to donate two days. The request from the department head is to allow the unpaid time, up to 10 days, and then allow donations if needed. The employee will earn more time in April. Bryan Collier asked if 10 days will be sufficient between now and April. Ms. Fry did not know if this would be enough. Don Adams noted that there is a program called Morgan County Connect that will offer transportation. Mr. Collier stated that in the past, they have approved blocks of time due to a family member's illness, but it is documented. Mr. Collier asked how this would be tracked. Ms. Fry advised the department head to request documentation; however, they would prefer not to do that. Mr. Collier said that if the department head would go to bat for the employee and track the usage, that's their job, not the Commissioners. Kenny Hale made a motion to allow the donation of two days (comp time, PTO) to the employee. Motion seconded by Don Adams. Motion carried 3-0

ADDITIONAL APPROPRIATION LETTER

Josh Messmer stated that the line item for juvenile detention has quite a few extra expenses this year and has fallen short. Kenny Hale made a motion to approve sending the additional appropriation letter to the Council. Motion seconded by Don Adams. Motion carried 3-0.

TAKE HOME VEHICLE APPLICATION

Josh Messmer stated that the board has traditionally let public safety positions have a take-home vehicle. Kenny Hale made a motion to approve the take-home vehicle application for the EMA Director. Motion seconded by Don Adams. Motion carried 3-0.

LEONARD ROAD HOUSE

Kenny Hale stated that the county took over the old Warner landfill several years ago and capped it per IDEM and EPA requirements. The house has been used for SWAT training for several years and the last training blew part of the wall off when they blew open the door. The house needs to be demolished. Bryan Collier stated that he was in full support of removing the house. Don Adams made a motion to approve removing the house. Motion seconded by Bryan Collier. Motion carried 3-0.

COUNTY ATTORNEY

Bryan Collier stated that the Board is in search of legal counsel, but first must remove the current appointment. Kenny Hale made a motion to terminate the appointment for the county attorney. Motion seconded by Don Adams. Motion carried 3-0.

FOR THE GOOD OF THE COUNTY

Bryan Collier stated that he was sitting by the river last Friday night and was amazed at the number of stars that were in the sky. The county is having growing pains, but with good leadership, good communication and discussion, they will have proper management of the growth. There are still areas where you can take time to just get out and look at the stars.

Kenny Hale stated that Santa will be at the Old Town Waverly Park December 9 from 11 to 2. Don Adams stated that he is the lone male with the carolers at the park and asked for other carolers to help him out.

ADJOURNMENT

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

Morgan County Board of Commissioners

Bryan Collier

Don Adams

Attest:

Linda Pruitt, Morgan Co. Auditor

Kenny Hale