

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, JULY 21, 2025 AT 6:30 P.M.

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

PLEDGE

PRAYER – *Kenny Hale*

MINUTES – 7/7/25

Don Adams made a motion to approve the July 7, 2025 minutes. Motion seconded by Bryan Collier. Motion carried 3-0.

CLERK'S REPORT

Kenny Hale noted that they had received the June Clerk's Report.

COMMISSARY REPORT

Dave Rogers, Morgan County Jail Commander, and Sheriff Rich Myers were present to answer any questions regarding the quarterly Commissary Report. Mr. Rogers stated that this used to be a biannual report, but is now required to be presented quarterly. The Council approved an ordinance or resolution to clarify what expenditure items are covered in Section 9 of the report. Bryan Collier made a motion to accept the report as presented. Motion seconded by Kenny Hale. Motion carried 3-0.

PUBLIC HEARING – Petition to Vacate Alley

Bryan Collier made a motion to recess the Board of Commissioners meeting and open the Public Hearing. Motion seconded by Don Adams. Motion carried 3-0.

Cynthia Winstead and Brenda (Pinkstaff) Lawson were present to request that an alley in Eminence be vacated. Ms. (Pinkstaff) Lawson owns property bordering the alley and stated that her renters have been required to maintain the alley and this statement is included in the rental agreement. There is a neighbor to the south that has moved in vehicles, lawn mowers and other items that are spreading closer and closer to her property. The county recently repaired a hole by a culvert in the alley. The neighbor had his property surveyed and there is now a post in the alley as well as a trailer and truck parked in the alley. This prevents them from being able to use their second driveway and makes the alley too narrow. Ms. Lawson had her property surveyed and the surveyor said there is a marker from the 40s or 50s that is two feet south of his markers. Ms. Lawson had a large walnut tree and one of the renters let her know that the neighbor cut her tree down and put it in their own yard. The neighbor stated that a commissioner gave him permission to cut the tree down. Ms. Winstead stated that instead of giving half the alley to each neighbor, she would like it to be awarded to her mother, Mrs. Lawson; this will give them access to the second driveway. Ms. Lawson stated that they have been maintaining it for 46 years and the person she purchased the property from maintained it before that.

David Lopossa stated that the walnut tree was 80% on the Lawson property and grew partly to the south over the years. The sheriff deputy's report states that Mr. Danny said that one of the commissioners gave him permission to cut down the tree. Mr. Lopossa stated that damage has been done on the north side of the alley and will be a mess to clean up. He would like to see the majority of the alley go to Ms. Lawson and not split it 50/50.

Gary Danny stated that he requested permission several years ago to gravel the alley. He received a phone call from the Highway Department telling him that he could. He asked again this year and was told he could, but then got a phone call a few days later telling him that he shouldn't have been given permission to do that. He had a company come out and look at the tree and it is diseased. The tree posed a threat to his vehicles and shed. It cost \$1,000 to have it cut down. He also keeps the alley mowed. The only thing on the trailer is tires, an oil tank and fence posts. It was only parked there because he couldn't get traction on the wet grass to move it. It has since been moved. They will need a 20' right of way for utilities in the alley.

Kenny Hale noted that the Board of Commissioners can not take action on the issue because the notice of the Public Hearing was not in the paper.

Don Adams made a motion to close the Public Hearing and reopen the Commissioner meeting. Motion seconded by Bryan Collier. Motion carried 3-0.

Anne Cowgur stated that the utilities would not be extinguished even if they vacated it. Linda Pruitt noted that they follow the property, not the owner. Ms. Cowgur stated that there are some exceptions to splitting it 50/50; for example, if someone can prove that when it was first made an alley, one of the owners had more of the property than the other. Kenny Hale stated that as long as the hearing is advertised properly, they can revisit this at the next meeting. Ms. Winstead stated that to be able to have it advertised 10 days before the hearing, the hearing date would need to be the meeting after that - August 18.

BID AWARD – Small Structure Replacement (Bridge 40)

Justin Schneck, Morgan County Highway Engineer, stated that at the previous meeting, the Commissioners opened bids for the small structure replacement (Bridge 40) on Leonard Road. The bids ranged from \$641,886.20 to \$987,048.50. The Engineer's Estimate was \$859,790.92. Mr. Schneck recommended that the bid be awarded to Duncan Robertson for \$641,886.20. Completion date is November 15th. Bryan Collier made a motion to accept the bid. Motion seconded by Don Adams. Motion carried 3-0.

BRIDGE #29 FEDERAL AID CONTRACT

Mr. Schneck stated that Bridge 29 on Mahalasville is wrapping up the design phase and will go to bid this winter for construction next spring. INDOT has prepared the contract outlining the federal aid they will provide to cover both construction and construction services. They will provide 1,056,000. United Consulting was chosen as the inspector and the contract for this will need to be approved at a later date. Don Adams made a motion to approve the agreement. Motion seconded by Kenny Hale. Motion carried 3-0. Mr. Schneck stated that this will be a Docusign document.

PETERSON CONSULTING SERVICES AGREEMENT

Linda Pruitt requested approval of an agreement with Peterson Consulting Services. They assist the Auditor's Office each year with the asset report to ensure that it meets GASB 34 requirements. Don Adams made a motion to approve the agreement. Motion seconded by Kenny Hale. Motion carried 3-0.

COMMISSIONERS RECOMMENDATION TO COUNCIL FOR 2026 WAGES

Linda Pruitt stated that Indiana Code 36-2.5-4 requires that each officer, board, commission and agency file a statement listing the positions and compensation that will be requested in the annual budget for the next year. The Auditor must then present the statements to the county executive at its July meeting. The Commissioners shall review the statements and make a recommendation to the fiscal body before August 20th.

2026 PAY SCHEDULE

Ms. Pruitt stated that every 11 years, there is a 27th pay. Ms. Pruitt stated that a 27th pay would increase the General Fund budget by \$362,569. Bryan Collier stated that because there is an additional pay, it doesn't mean that there are additional hours. Mr. Collier asked if the pay amount should be divided by 27 instead of 26; each pay would be a little less. Ms. Pruitt stated that this would only be true for salaried employees, exempt and elected officials. They would still make the same annual amount. Hourly employees would still make the same hourly amount. Don Adams made a motion to approve the 2026 Pay Schedule. Motion seconded by Kenny Hale. Motion carried 3-0.

INFORMATION& RECORDS ASSOC AGREEMENT – Health Department

Tricia Runingen, Morgan County Health Department Director, was present to request approval of a MOU with Information & Records Associates. This will allow them to move forward with Phase II of their digitization project. They are about halfway through the project and 32 boxes of septic records from 1978 to 2000 are done and will soon be available to the public. Bryan Collier made a motion to approve the agreement. Motion seconded by Don Adams. Motion carried 3-0.

RIGHT OF WAY EASEMENTS

Josh Messmer stated that this right of way easement is for the Centerton property that will have a recycling center and EMS station. Bryan Collier made a motion to approve the easements. Motion seconded by Don Adams. Motion carried 3-0.

MORGAN COUNTY REGIONAL SEWER DISTRICT BOARD RESIGNATION

Kenny Hale noted that they received a notice of resignation from Terri White, a member of the Morgan County Regional Sewer District. Ms. White is a Harrison Township appointment.

CONTRACT CHANGE ORDER

Justin Schneck stated that Wallace is paving roads in Rolling Vista as part of a paving project that was awarded in February. Bids were more favorable than they anticipated and they have some paving funds left over. The Highway Department would like to take these funds (\$252,633.90) and use them to pave Vista View Parkway, Ridgeway Drive, Ridgeview Drive, Ridgeview Court

and Vista View Court. This would be an increase to the contract of 18.3%. All work would be complete by October. Anne Cowgur noted that it is under 20% and is under the original contract. Don Adams made a motion to approve the Change Order. Motion seconded by Kenny Hale. Motion carried 3-0.

ADJOURNMENT

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

Morgan County Board of Commissioners

Kenny Hale

Attest:

Bryan A. Collier

Linda Pruitt, Morgan Co. Auditor

Don Adams