

**THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, DECEMBER 20, 2021 AT 6:30 P.M.**

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

**PLEDGE – *Daree Fry, HR Director – in honor of her cousin, David McWilliams, an Army veteran***

**PRAYER – *Kenny Hale***

**REZONE REQUEST – 7769 E Hadley Rd**

Laura Parker, Plan Commission Director, stated that all three requests were given a unanimous favorable recommendation from the Plan Commission. Kenny Hale made a motion to approve the request. Motion seconded by Don Adams. Motion carried 2-0.

**REZONE REQUEST – 7437 N Gray Rd**

Don Adams made a motion to approve the rezone request as presented. Motion seconded by Kenny Hale. Motion carried 2-0.

**REZONE REQUEST – Skunk Hollow Rd**

Don Adams made a motion to approve the rezone. Motion seconded by Kenny Hale. Motion carried 2-0.

**CONFLICT OF INTEREST**

Don Adams stated that the Conflict of Interest Statement is from Chip Keller as he is on the Morgan County Council and also owns and operates a office supply store that supplies goods and services to the county. Don Adams made a motion to approve the disclosure statement. Motion seconded by Kenny Hale. Motion carried 2-0.

**ORDINANCE TO AMEND PERSONNEL POLICY HANDBOOK – *Unpaid Leave 1<sup>st</sup> Reading***

Daree Fry, Morgan County HR Director, stated that in the FMLA section of the Personnel Policy Handbook, there is a paragraph that states that department heads and elected officials may grant up to 10 unpaid days of leave. This has been abused by several departments and is not being used for FMLA (Family Medical Leave Act) purposes so it is being removed from the handbook and unpaid leave must be approved by the Board of Commissioners. Dan Adams made a motion to approve the Ordinance to Amend the Morgan County Personnel Policy Handbook. Motion seconded by Kenny Hale. Motion carried 2-0.

**ORDINANCE TO AMEND PERSONNEL POLICY HANDBOOK – *PTO 1<sup>st</sup> Reading***

Ms. Fry stated that the Sheriff's Department road deputies will be going to 12 hour shifts. They will have one week with three 12 hour shifts and one week with three 12 hour shifts and one additional 8 hour shift for a total of 80 hours. A formula for PTO has been devised of 75% for 12 hours and 12% for 8 hours. Don Adams made a motion to approve the Ordinance to Amend the Morgan County Personnel Policy Handbook. Motion seconded by Kenny Hale. Motion carried 2-0.

**AMENDED TITLE VI IMPLEMENTATION PLAN & AGREEMENT**

Ms. Fry stated that in order to qualify for the Community Crossings Grant, the county needed a few more documents on file. One of the requirements was to have an examination of all the county's public buildings as well as adding an organizational chart, a language card, a nondisclosure agreement and a grievance procedure for the ADA plan. Kenny Hale made a motion to amend the Title VI Implementation Plan as well as approving the Morgan County Organizational Chart. Mr. Hale amended his motion to include approving the nondisclosure agreement and grievance procedure. Motion seconded by Don Adams. Motion carried 2-0.

**DLZ AGREEMENT**

Kenny Hale made a motion to approve the agreement with DLZ to examine the facilities for ADA deficiencies. Motion seconded by Don Adams. Motion carried 2-0.

**CONSULTING SERVICES PROPOSAL – *WIS***

Josh Messmer stated that WIS (Waggoner Irwin & Scheele & Associates) compiled job descriptions and provided a salary study and the study now need to be updated. WIS has provided

a quote for this update. Don Adams stated that this does open up questions as to how up-to-date is the information and what other counties are used for comparisons. Mr. Adams would like to discuss with representatives from the Council what they would like to see accomplished from the study before beginning the process. Mr. Adams stated that he would volunteer to be on the committee to represent the Commissioners.

#### **CURVE CORRECTIONS – Bottom Road**

Tony Hinkle, Morgan County Highway Engineer, stated that Bottom Road, north of Centerton, has a safety issue with the curve. It is difficult for EMS or semi traffic to negotiate the narrow passage on the curve. Mr. Hinkle presented a proposal from Resolution Group, Inc. and Mr. Wisco has drafted a letter to submit to the property owner. He would like plans to submit with the letter. The proposal is for two alternate alignment concept designs. The designs will be completed some time early next year. Don Adams made a motion to proceed with the contract. Motion seconded by Kenny Hale. Motion carried 2-0.

#### **AGREEMENT FOR SERVICES – Bridge #112**

Mr. Hinkle presented an Agreement for Services for Bridge #112. They have an interview January 6<sup>th</sup> to talk about this project with INDOT. This will be paid from the 2022 budget. Kenny Hale made a motion to approve the agreement. Motion seconded by Don Adams. Motion carried 2-0.

#### **PETITION TO VACATE ALLEY**

Jim Wisco stated that there are some edits for this item. Don Adams made a motion to table until the edits are done. Motion seconded by Kenny Hale. Motion carried 2-0.

#### **CHAPLAIN AGREEMENT**

Don Adams stated that this agreement is the same as the previous agreement. Don Adams made a motion to approve the agreement for the next year. Motion seconded by Kenny Hale. Motion carried 2-0.

#### **ORDINANCE ESTABLISHING COMMISSIONER & COUNCIL DISTRICTS – 1<sup>st</sup> Reading**

Josh Messmer stated that after the public hearing and public feedback, they modified Council Districts 1 and 2. District 1 now includes all of Washington Township and District 2 now includes Jackson Township. Don Adams stated that the feedback from the public was very positive. Don Adams made a motion to approve the Ordinance Establishing Commissioner and Council Districts for Morgan County. Kenny Hale stated that this change increases the road mileage in Commissioner District 2, which already had 46% of the roads. Adding Clay and Baker Township will hurt funding, but he will second the motion. Don Adams stated that they are working on a plan with the Highway Department to take care of the roads and not rely on each Commissioner to approve work in their district. The statues are based on population and not miles of road. Motion carried 2-0. This ordinance will be on the December 29<sup>th</sup> agenda for a second reading.

#### **ORDINANCE ESTABLISHING PRECINCTS – 1<sup>st</sup> Reading**

Josh Messmer stated that along with redistricting, they updated the precincts. This ordinance updates the legal descriptions. Banning Engineering updated the boundaries so they reflect the new precincts. The Indiana Election Commission required an order, which was approved at the December 6<sup>th</sup> Commissioner meeting. Don Adams made a motion to approve the Ordinance Establishing Precincts. Motion seconded by Kenny Hale. Motion carried 2-0. This ordinance will be on the December 29<sup>th</sup> agenda for a second reading.

Don Adams noted that there will be fewer precincts. The current precinct committeemen will retain their seats and will not be replaced until the election.

#### **ORDINANCE TO ADOPT ADDITIONAL TRAFFIC REGULATIONS – Foxcliff Estates S**

Mike Hinshaw, representing Foxcliff Estates South, was present to request that the agreement to enforce traffic regulations be renewed. Mr. Hinshaw stated that this agreement has been in effect for quite a while. The Foxcliff community desires consistency with respect to law enforcement. They do not expect any additional patrolling. Mr. Hinshaw presented an updated agreement for approval. Jim Wisco stated that statute was revised in 2021 regarding traffic enforcement on private property that requires the adoption of an ordinance that gives the Sheriff authority to enter into such a contract. Mr. Wisco stated that he could have an ordinance ready for the next meeting. Kenny Hale made a motion to table the agreement until the next meeting. Motion seconded by Don Adams. Motion carried 3-0.

#### **CONTRACT – ADVANCED LIFE SUPPORT**

Josh Messmer stated that as a result of I-69, the Commissioners entered into an agreement with Madison Township to provide ALS support through the corridor if construction traffic proved to be an issue. Currently, Harrison Township is in negotiations with the Commissioners to make a

joint fire district. As part of moving this direction, it makes sense to enter into a contract to allow Bargersville Fire District to respond with transport services. Morgan County EMS will still respond and provide service, but Bargersville will be a good back-up. The contract with Madison was \$48,000 and the one with Bargersville is \$30,000. Kenny Hale made a motion to approve the ALS contract with Bargersville for the Harrison Township area. Motion seconded by Don Adams. Motion carried 2-0.

### **APPOINTMENTS**

Kenny Hale made a motion to make the following appointments:

County Attorney	Jim Wisco
Highway Superintendent	Grant Collinsworth
Maintenance Director	Michelle Cooley
Highway Engineer	Anthony Hinkle
EMS Director	Keenan Blair
Public Safety Dispatch Director	Scott Hamilton
Weights & Measures	Scotty Manley
HR Director	Daree Fry
County Administrator	Josh Messmer
Veterans Service Officer	Lindsay Smith
IU Health Foundation Board	Ryan Goodwin

Motion seconded by Don Adams. Motion carried 2-0.

### **ANNUAL BIDS**

Tony Hinkle stated that annual bids were opened at the first meeting in December and after review, Mr. Hinkle recommended that all bids be approved. They did not receive any gasoline bids, but asked that this be on the January agenda. Don Adams made a motion to accept all bids. Motion seconded by Kenny Hale. Motion carried 2-0.

### **TORT CLAIM**

Kenny Hale made a motion to submit the Spider Graphix tort claim to the insurance carrier. Don Adams seconded the motion. Motion carried 2-0.

### **MORGAN COUNTY LEADERSHIP ACADEMY**

Don Adams made a motion to submit the application for Daree Fry to enroll in the Morgan County Leadership Academy for 2022. Motion seconded by Kenny Hale. Motion carried 2-0.

### **CORRESPONDENCE – BUFFER ZONES**

Don Adams noted that there were a couple of letters in the meeting packet regarding buffer zones. Mr. Adams stated that all members of the board should be present for discussion of this topic and made a motion to table this item. Motion seconded by Kenny Hale. Motion carried 2-0.

### **TRANSFER LETTERS**

Kenny Hale stated that there are two transfer letters and both are for expenses regarding work at the Wilbur Community Center. One is a total of \$2,700 and one is \$3,415. Don Adams made a motion to approve the letters. Motion seconded by Kenny Hale. Motion carried 2-0.

### **FOR THE GOOD OF THE COUNTY**

Kenny Hale stated that he was glad they had dodged the snow so far and wished everyone a Merry Christmas. Don Adams stated that I-69 is moving along.

### **ADJOURNMENT**

Kenny Hale made a motion to adjourn the meeting. Motion seconded by Don Adams. Motion carried 2-0.

Morgan County Board of Commissioners

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Don Adams

Attest:

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Kenny Hale

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Dan Bastin, Morgan Co. Auditor

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Bryan Collier