

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, FEBRUARY 21, 2022 AT 6:30 P.M.

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

PLEDGE

PRAYER – *Kenny Hale*

MINUTES – 9/3/21

Don Adams made a motion to approve the September 3, 2021 minutes. Motion seconded by Bryan Collier. Motion carried 3-0.

GRANT APPLICATIONS - *Sheriff*

Sheriff Rich Myers requested approval of two grant applications, one for \$15,000 from the Morgan County Substance Abuse Council for the purchase of two drug interdiction dogs and one for \$14,400 from the Indiana Criminal Justice Institute for body cameras. All deputies and cars now have cameras. Don Adams made a motion to approve the grant applications. Motion seconded by Bryan Collier. Motion carried 3-0. Mr. Adams noted that he approved of the special badges for the county's bicentennial.

BOT AGREEMENT/DISBURSEMENT AGREEMENT

Josh Messmer stated that this agreement lays out the conditions between the county and the developer for the BOT (Build Operate Transfer) project. The agreement references the disbursement agreement. Mr. Messmer recommend approving the agreement, but not the actual disbursement request, and asked that the Board appoint an individual to sign the disbursement requests as they come in. Don Adams made a motion to approve both the BOT Agreement and Disbursement Agreement. Motion seconded by Bryan Collier. Motion carried 3-0. Don Adams made a motion to authorize Bryan Collier as the signatory for the disbursement requests. Motion seconded by Kenny Hale. Motion carried 3-0.

BOND FUNDING

Josh Messmer stated that the document titled "Findings and Recommendations of the Board of Commissioners of the County of Morgan, Indiana" kicks off the process to move forward with bonding for the BOT project. It does not obligate the county to anything, it is just the first step and starts the timeline. Bryan Collier made a motion to approve the findings document. Motion seconded by Don Adams. Motion carried 3-0.

Mr. Messmer noted that on the 28th, he and Mr. Collier will go before the Martinsville City Council to request the vacation of a portion of the alley at the Administration Building. The planned security vestibule will be built across the alley.

EQUIPMENT USE AGREEMENT

Kenny Hale stated that this Equipment Use Agreement is for Green Township to use and store the decon trailer. Bryan Collier made a motion to approve the agreement between EMA and Green Township. Motion seconded by Kenny Hale. Motion carried 3-0.

ORDINANCE 2022-4 – *Disposal of Personal Property*

Josh Messmer stated that the Highway Department plans on hosting an online auction at the end of the month or start of next month. This ordinance lists the items that will go into the sale, items that will be disposed of, and items that will be recycled. Kenny Hale asked if an item could be pulled off the list, Jim Wisco stated that since they are making public notice that these are the items that will be for sale, it is best practice not to remove an item. Don Adams made a motion to approve the ordinance with the exception that items can be withdrawn before the sale. Motion seconded by Kenny Hale. Bryan Collier asked if the list would have to be re-advertised if something is removed. Mr. Wisco stated that re-advertising would be proper, although cumbersome. Mr. Collier stated that he wouldn't want someone to see something listed, make a special trip, and then the item isn't on the list. Grant Collinsworth stated that the sale is March 3rd and it is an online sale. Motion carried 3-0.

LEGAL SERVICE CONTRACT

Kenny Hale noted that this is the contract with the county attorney, Jim Wisco, for 2022. Don Adams made a motion to approve the contract. Motion seconded by Kenny Hale. Motion carried 3-0.

BLOOMINGTON BALLOON RIDES

Kenny Hale stated that the Park & Rec Department has a contract that was signed to provide a service. They were a couple of hours late, inflated the hot air balloon, went up to tree top height with the pilot and co-pilot, came down and put the balloon away. The company said they would give them a refund, but that was in September and Mr. Hale has not heard anything since. Jim Wisco stated that he has also reached out by email and certified letter and has not had a response. Mr. Wisco provide a small claims notice to file with the courts. Bryan Collier made a motion to move forward with the claim against Bloomington Balloon Rides. Motion seconded by Don Adams. Motion carried 3-0.

ORDINANCE 2022-5 – EMS Comp Time AND 2022-6 – PTO

Daree Fry stated that at the last meeting, they discussed an issue with excessive PTO for EMS. Ordinance #2022-5 addresses this. If approved by the Board of Commissioners, both ordinances will go before the County Council for approval. The ordinance also clarifies how PTO is figured for the Sheriff's Department.

The EMS Director, Keenan Blair, requested pay raises and that comp time be allowed to accrue up to 240 hours or ten shifts. Ordinance #2022-6 addresses the additional comp time. Don Adams made a motion to approve both ordinances and to waive a second reading. Motion seconded by Bryan Collier. Motion carried 2-0-1. Kenny Hale abstained.

TAX CERTIFICATE DONATION

Kenny Hale stated that the county recently held a tax certificate sale for properties that haven't sold at a tax sale. There were four parcels in the city limits of Martinsville that did not sell at the tax certificate sale that could be transferred to the city. Josh Messmer stated that he spoke with Mayor Costin and he indicated his interest in taking the properties. Following state code, this letter would be sent to the city and they have 20 days to respond. If they respond that they are interested, Mr. Wisco will prepare the appropriate resolutions. Bryan Collier made a motion to send the letter to the City of Martinsville. Motion seconded by Don Adams. Motion carried 3-0.

CUMULATIVE CAPITAL DEVELOPMENT FUND RATE DISCUSSION

Dan Bastin stated that the Board has the option to reestablish the Cumulative Capital Development Fund rate. This is something the Board can do at any time or any year. It must be submitted to the Department of Local Government Finance before June 1st. The fund was set at the maximum rate several years ago and has decreased over time because the rate is adjusted for increases in net assessed value. The maximum rate is now .0333 and the current rate is .0287. The rate generates \$1,086,782 million in property taxes; at the maximum rate, it would generate \$1,260,970. It is not required that the Board increase it to the maximum rate, and if increased, the Council does not have to charge the maximum rate. Once the Council sets the rate, that is the ceiling until the Board of Commissioners establishes the rate again. The process to reestablish the rate is to advertise a hearing twice, one week apart and at least 10 days before hearing, then if/when an ordinance is adopted to reestablish the rate, the Auditor will publish the adopted rate. There is then a 30-day remonstrance period; if a remonstrance is filed, the Department of Local Government Finance will hold a hearing. The Commissioners' public hearings must all be done by May 31st.

AGREEMENT FOR TEMPORARY USE OF EMERGENCY RESPONSE VEHICLE

Kenny Hale stated that they were contacted last week regarding Parke County being down to one ambulance county-wide. Keenan Blair stated that Parke County suffered a fire last week that took out their equipment. Mr. Blair requested approval to help them out by lending an ambulance for a week. Bryan Collier made a motion to approve the request and agreement. Motion seconded by Kenny Hale. Motion carried 3-0.

LEASE AGREEMENT

Grant Collinsworth stated that this lease purchase was in process before he took the Superintendent position. He has reviewed the agreement and everything looks correct; it must be signed online. The agreement is for two dump trucks there will be another lease agreement for two do-all trucks later. Kenny Hale noted that the agreement states one and this needs to be corrected. Don Adams made a motion to approve the agreement. Motion seconded by Bryan Collier. Motion carried 3-0. Don Adams noted that the Auditor's Office will need a copy once it is signed.

DEED OF DEDICATION – Hadley's Corner

Tony Hinkle, Morgan County Highway Engineer, stated that there are four deeds that dedicate roads in Hadley's Corner to the county. There is one small area in Donald Court that is excluded. Mr. Hinkle recommended that the deeds be accepted. Bryan Collier made a motion to accept the

four Deeds of Dedication as presented. Motion seconded by Don Adams. Motion carried 3-0.

PAVING LIST

Mr. Hinkle requested approval of the paving advertisement for the 2022 HMA overlay paving. This project consists of 45 miles of paving that will be paid by local funds and not the Community Crossings Grant. Bids will be opened at the March 21st meeting and will be completed by August 1st. Mr. Hinkle stated that he would like to present a 10 to 15 year schedule to the Board by the end of the year. He will develop a paving matrix based on traffic counts, safety, money spent on road, location, etc. that will produce a score that tells them what roads need to be paved. Don Adams stated that he would like to see roads preserved and not just paved. Mr. Hinkle stated that they plan on starting this in different areas in the county in order to extend the life of the roads. Mr. Hinkle stated that the end goal is to reduce the amount of money spent on paving. Every road has a life cycle and as the PASER rating drops, preservation activities should occur to bring the rating back up. Don Adams made a motion to approve the advertisement. Motion seconded by Bryan Collier. Motion carried 3-0.

LOCAL ROAD STANDARDS

Mr. Hinkle stated that with the recent passage of the Uniform Development Ordinance, he would like to update the roads standards through a new ordinance. As Developers come forward with plans for subdivisions, they will be able to use this document. Mr. Hinkle would also like to update the overall standards to take effect January 1, 2023. Mr. Hinkle asked that the Board review the proposed ordinance and give him their comments.

LPA CONTRACTS

Mr. Hinkle has corrections for four of the five LPA agreements so they are not ready for signatures; however one agreement, USI is ready to be signed. This agreement is for an inspection for Bridge #41 on Liberty Loop and the on-call for subdivision inspection. Bryan Collier made a motion to approve the agreement with USI. Motion seconded by Kenny Hale. Motion carried 3-0.

HIGHWAY ENGINEER INTERN

Mr. Hinkle stated that he would like to have an intern to begin a traffic count project. This will take a Salary Ordinance amendment and he would like a salary range of \$18 to \$20. Mr. Hinkle asked for approval to approach the Council with this request. Bryan Collier made a motion to approve the request to approach the Council. Motion seconded by Don Adams. Motion carried 3-0.

INDOT

Mr. Hinkle stated that at the intersection of SR 144 and I-69, there are decorative lights that are not INDOT's standards on the Johnson County side. There will be three of these lights in Morgan County's jurisdiction. INDOT is asking if the county would like these three lights to match the Johnson County lights for a cohesive look. Mr. Hinkle stated that he has asked for information for light bulb and replacement costs but has not received it yet. There will be 21 lights in Johnson County and three in Morgan County. Bryan Collier asked that this item be placed on the agenda for next month.

APPOINTMENT

Morgan County Fair Board – Don Adams stated that he has worked with the Fair Board and Rena Sheldon in Purdue Extension and Kaydi Towell-Crook was recommended as a candidate to fill the vacant position on the Fair Board. Don Adams made a motion to appoint Kaydi Towell-Crook. Motion seconded by Bryan Collier. Motion carried 3-0.

ORDINANCE 2022-7 – Emergency Health Orders

Josh Messmer stated that this item has been tabled on the agenda for quite some time and there have been many modifications to the ordinance. This is in response to 2021's Senate Enrolled Act 5. Jim Wisco stated that the ordinance was mandated last year and puts in place an appellate process for things that come as a result of a local order from a public health emergency and the enforcement action that goes along with it. Kenny Hale stated that they would consider this a first reading and have it on the next agenda for a vote.

ADDITIONAL LETTER

Josh Messmer stated that this additional appropriation regards COVID test kits. The Board had approved submitting this request to the Council a month ago, but the Council requested that the additional come from the ARPA Funds, so that has been added as an option. Don Adams made a motion to approve sending the amended letter to the Council. Motion seconded by Bryan Collier. Motion carried 3-0.

TRANSFER LETTER

Josh Messmer stated that this transfer is to clear up some items that were in more generic accounts and put them in more specific accounts for tracking purposes, for example: GeoTabs and UKG. Bryan Collier made a motion to approve the letter to the Council. Motion seconded by Don Adams. Motion carried 3-0.

FOR THE GOOD OF THE COUNTY

Don Adams stated that they are still missing the plaque, but appreciated everybody that was able to attend the birthday kickoff for the Bicentennial on February 15th. The Bicentennial FaceBook page will list activities that will be coming up. If anyone is interested in being on the committee, they may contact Mr. Adams.

Bryan Collier stated that things are happening in the county and encouraged people to get involved; their input is needed.

ADJOURNMENT

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

Morgan County Board of Commissioners

Kenny Hale

Attest:

Bryan Collier

Dan Bastin, Morgan Co. Auditor

Don Adams