



180 South Main Street
Martinsville, IN 46151
765-342-1007

MORGAN COUNTY BOARD OF COMMISSIONERS

AGENDA

November 20, 2023

6:30 p.m.

I. CALL TO ORDER

- Pledge of Allegiance
- Prayer

II. NEW BUSINESS

- Minutes – 10/16/23
- Bid Opening – *Annual Material Bids*
- Fall/Spring Road Resurfacing Bid Award
- Letter of Support – *City of Martinsville*
- Resolution Authorizing Execution of Lease Agreement – *BOT III*
- Resolution Approving Termination of Westpoint TIF Area 1
- Resolution Approving Expansion of Westpoint EDA and New TIF Area 1 and 2
- Bonds – *Allison Estates*
- Supplemental Agreement – *VS Engineering - Bridge 68*
- Farm Lease Properties

III. OLD BUSINESS/TABLED

- Lease Termination Agreement – *Centerpoint*
- Appointment *Harrison Twp Fire District*
- Proposed Road Names

IV. OTHER BUSINESS

- Request to Use Sadler Room
- Request for Unpaid Time Off
- Additional Appropriation Letter
- Take Home Vehicle Application

V. FOR THE GOOD OF THE COUNTY

VI. ADJOURNMENT

NEXT MEETING:

Monday, December 4, 2023

9:30 a.m.

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least 2 business days ahead of the scheduled meeting. Contact the ADA Coordinator at 180 S. Main Street, Martinsville, IN, 46151 , Phone (765) 342-5364, or email dfry@morgancounty.in.gov as soon as possible for accommodations.

NOTICE TO BIDDERS

Notice is hereby given by the Morgan County Board of Commissioners that they will receive sealed bids on or before 3:30 PM on November 20, 2023, in the Auditor's Office of the Administration Building at 180 S. Main Street, Martinsville, IN 46151 for supplies and materials to be used by Morgan County during the year 2024. Bids will be publicly opened and read aloud at the Board of Commissioners meeting held at 6:30 PM on November 20, 2023, in the Sadler Room of the Administration Building.

All bidders are hereby notified that the acceptance of a bid will not bind Morgan County to purchase any or all quantities advertised.

All bids will be accepted on a requirement-need basis to be determined by the County Engineer, Highway Superintendent, or County Commissioners. Once an order is placed by the proper Morgan County purchasing agent with the successful bidder, the bidder will be required to deliver materials and/or supplies ordered within 24 hours, or at any other time agreed by the purchasing agent. Should a successful bidder not meet these delivery requirements, then the purchasing agent shall have the right to place the order on the open market. The Morgan County Board of Commissioners will receive sealed bids for the following Classes and Items:

CLASS 1 Gasoline

35,000 gallons or less unleaded gasoline delivered (87 Octane Minimum) to the Morgan County Highway Department

CLASS 2 Diesel Fuel

40,000 gallons or less of On Road Diesel Fuel

20,000 gallons or less of Off Road Diesel

Fuel shall be delivered to the Morgan County Highway Department. **FUEL MUST BE PREMIUM** at bidders' pickup point with no additives added to make it premium. Minimum Cetane: On Road Diesel – 50; Off Road Diesel - 51

CLASS 2.5 Diesel Exhaust Fluid

2,000 Gallons or less of Diesel Exhaust Fluid

CLASS 3 Hot Bituminous Patch

Item A 3,200 Tons or less HMA Type A Base, Binder, Surface
FOB Venders Plant - Commissioner's District #1

Item B 3,200 Tons or less HMA Type A Base, Binder, Surface
FOB Venders Plant - Commissioner's District #2

Item C 3,200 Tons or less HMA Type A, Base, Binder, Surface
FOB Venders Plant - Commissioner's District #3

CLASS 4 Liquid Asphalt Materials

2,000 tons or less of Liquid Asphalt Material

CLASS 5 Crushed Stone

Item A -32,500 tons or less crushed stone.

Item B - 32,500 tons or less crushed stone delivered to the Morgan County Highway Department stockpile including trucking Quote.

CLASS 6 Corrugated Aluminum, Plastic or Steel Culverts; Pre-engineered Bridge Packages.

Item A - Corrugated Metal Pipe (Aluminized)

Item B - Corrugated Aluminum Structural Plate

Item C - Pre-engineered Bridge Packages

Item D - HP Pipe/Corrugate Polypropylene Pipe

Detailed specifications for all classes and items are obtainable from the Morgan County Highway Department.

Each bid must be submitted on Bid Form #96 obtainable from the Morgan County Highway Department.

Each bid must be accompanied by a bidder's bond for In-State bidders and certified check for Out-of-State bidders equal to 10% of the Bid or \$2,000, whichever is less.

Each bidder must place their bid in a sealed envelope indicating on the outside the class and the item number the enclosed bid pertains to. Should a bidder be bidding on more than one class or item, separate bids must be submitted in separate envelopes.

The bidders must include their bidder's bond or certified check with their bid that is first scheduled to be opened.

The Morgan County Board of Commissioners reserves the right to reject any or all bids and further reserves the right to waive any informality pertaining thereto.



Morgan County Board of Commissioners
180 S. Main Street Suite 112
Martinsville, IN 46151
www.MorganCounty.in.gov

November 21, 2023

To whom it may concern:

During the November 20, 2023, meeting the Morgan County Commissioners, we heard a presentation by the City of Martinsville, Indiana regarding their plans to install a stormwater sewer on Home Avenue from Morgan Street to South Street. The commissioners heartily endorse this project as it is something that we feel has been needed for many years.

This stormwater sewer will provide a safer pathway for those who travel along this street, either by vehicle or on foot. We know that when it rains, even with the smallest of amounts, this street floods and causes problems navigating the street as cars must come to an almost complete stop to get through the standing water.

We also recognize that this new stormwater sewer will help with some of the drainage issues associated with the ditch, which is maintained by the county, that runs near this street. Taking some of the flow away from the ditch will help keep the ditch from overflowing and causing additional flooding to the area.

We are most hopeful that the State will award a grant in the requested amount to the City of Martinsville so that much needed stormwater sewer may be installed.

Respectfully,

Morgan County Board of Commissioners

Bryan Collier

Don Adams

Kenny Hale

**BOARD OF COMMISSIONERS
OF MORGAN COUNTY, INDIANA**

RESOLUTION NO. 2023-11-20

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF MORGAN COUNTY,
INDIANA AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT AND
RATIFYING AND AFFIRMING CERTAIN ACTIONS OF THE COUNTY COUNCIL
OF MORGAN COUNTY, INDIANA RELATED THERETO**

WHEREAS, on November 8, 2023, the County Council (the "County Council") of Morgan County, Indiana (the "County"), after investigation and the receipt and acceptance of a taxpayer petition on behalf of the Board of Commissioners of Morgan County, Indiana (the "Board"), determined that there is a need for and is in the best interest of the County to undertake renovations, remodeling and improvements to the historic County Courthouse (the "Courthouse Project");

WHEREAS, it is anticipated that the Morgan County, Indiana Building Corporation (the "Building Corporation"), formed as a not-for-profit corporation to assist in the financing of public structures, such as the Courthouse Project, will finance the costs of the Courthouse Project, including necessary and incidental costs of issuance, with the proceeds of lease rental bonds issued for or on behalf of the County by the Building Corporation;

WHEREAS, on November 8, 2023, the County Council, after being duly advised, found and determined that there were not sufficient funds available and that it was in the best interests of the County and its citizens to enter into negotiations with the Building Corporation to enter into a lease agreement (the "Lease") with the Building Corporation, as lessor, and the County, as lessee, for all or a portion of the Courthouse Project pursuant to Indiana Code § 36-1-10 and Indiana Code § 6-1.1-20-3.5, for the purpose of financing all or a portion of the Courthouse Project, including the necessary and incidental costs related thereto, and issuance by the Building Corporation of Ad Valorem Property Tax Lease Rental Bonds of 2024, in one or more series, in an aggregate principal amount not to exceed \$26,000,000 (the "Bonds");

WHEREAS, on November 8, 2023, the County Council held a public hearing on the Lease and pledged the County's *ad valorem* property taxes to the payment of lease rental payments to the Building Corporation pursuant to the Lease, at which public hearing all interested parties were provided with the opportunity to be heard;

WHEREAS, the Board desires to: (i) affirm, approve and authorize the execution and delivery of the Lease; and (ii) ratify, approve and confirm the County Council's (a) approval the Lease, (b) pledge of the County's *ad valorem* property taxes to the payment of lease rentals pursuant to the Lease, and (c) authorization of the issuance of the Bonds and the execution of financing documents related thereto;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MORGAN COUNTY, INDIANA, AS FOLLOWS:

Section 1. Findings. The Board finds that the lease rental payments under the Lease are fair and reasonable and the use of the Courthouse Project throughout the term of the Lease will serve the public purpose of the County, is in the best interests of its residents and will produce a savings to the County by the issuance of the Bonds by the Building Corporation.

Section 2. Approval of Lease Agreement. The Board hereby approves the Lease in the form approved by counsel to the County and the County Council. The Auditor and the Commissioners are authorized and directed to execute and deliver the aforesaid Lease in substantially the form presented at that meeting with such changes in form and substance as the presiding officer of the County shall approve, such approval to be conclusively evidenced by the execution thereof.

Section 3. Acceptance of the Project. Upon the redemption or retirement of the Bonds to be issued by the Building Corporation in connection with the financing of the Courthouse Project, the County will accept all or any portion of the Courthouse Project and real estate from the Building Corporation, as existing or as constructed, free and clear of all liens and encumbrances thereon, except as otherwise provided therefor in the Lease.

Section 4. Sale of Real Estate to Building Corporation. The County is hereby authorized to sell, transfer and convey (a) Parcel No. 55-13-04-134-008.000-021 ("Tract I"), and (b) Parcel No. 55-09-33-467-001.000-021 ("Tract II") to the Building Corporation in accordance with Indiana Code § 36-1-10-11 and for the purchase price determined thereby, and, subject to appropriate appropriation by the County Council, shall apply the proceeds received by the County from the sale of all or any portion of the real property required for the Courthouse Project to the Building Corporation to the costs of all or any portion of the Courthouse Project not funded by the Building Corporation.

Section 5. Ratification and Approval of County Council Actions. The Board ratifies, approves and confirms the following actions of the County Council, acting on behalf of the Board and as the Leasing Agent for the purpose of such actions: (a) acceptance of the Taxpayer Petition submitted in accordance with Indiana Code § 36-1-10-7(a), (b) conducting the public hearing in accordance with Indiana Code § 36-1-10-13, (c) approving of the form of Lease, (d) the pledge of the County's *ad valorem* property taxes to the payment of lease rentals pursuant to the Lease, and (e) authorization of the issuance of the Bonds and the execution of financing documents related thereto.

Section 6. Notice of Execution of Lease. The Auditor of the County is hereby authorized and directed, on behalf of the County, to publish notice of the execution of the Lease as required by law.

* * * * *

ADOPTED BY THE COUNTY COMMISSIONERS OF MORGAN COUNTY,
INDIANA this 20th day of November, 2023.

Bryan Collier, Commissioner

Kenny Hale, Commissioner

Don Adams, Commissioner

ATTEST:

Linda Pruitt, County Auditor

RESOLUTION NO. _____

MORGAN COUNTY, INDIANA
BOARD OF COMMISSIONERS

WHEREAS, the Board of Commissioners ("Board") of Morgan County, Indiana created the Morgan County Redevelopment District controlled by a board of five members known as the Morgan County Redevelopment Commission ("Commission"), which Commission operates pursuant to IC 36-7-14 and IC 36-7-25;

WHEREAS, the Commission adopted a declaratory resolution on November 10, 2006 ("Declaratory Resolution") establishing the Westpoint Economic Development Area ("Area") and the Westpoint Allocation Area Number 1 located within a portion of the Area ("Allocation Area"), confirmed by a confirmatory resolution adopted on December 4, 2006 ("Confirmatory Resolution");

WHEREAS, the Allocation Area was created in accordance with IC 36-7-14-39 for purposes of capturing incremental ad valorem real property tax revenues levied and collected in the Allocation Area ("Tax Increment");

WHEREAS, the Commission has no Tax Increment funds on hand collected in the Allocation Area;

WHEREAS, all outstanding obligations of the Commission payable from Tax Increment generated in the Allocation Area have been terminated with the consent of Hendricks County, the Hendricks County Redevelopment Commission and the holder of any outstanding obligations;

WHEREAS, following a public hearing the Commission adopted Resolution No. 2023-2 on November 13, 2023 approving the termination of the Allocation Area ("Termination Resolution"); and

WHEREAS, this Board has reviewed the Termination Resolution attached hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MORGAN COUNTY, INDIANA, THAT:

Section 1. The Board hereby approves the termination of the Allocation Area pursuant to the Termination Resolution.

Section 2. This resolution shall be in full force and effect immediately upon its passage.

Passed and adopted by the Board of Commissioners of Morgan County, Indiana, this 20th day of November, 2023, by a vote of _____ ayes and _____ nays.

BOARD OF COMMISSIONERS OF MORGAN
COUNTY, INDIANA

Commissioner

Commissioner

Commissioner

ATTEST:

Auditor

EXHIBIT A

Termination Resolution

(Attached)

RESOLUTION NO. _____

A RESOLUTION OF THE MORGAN COUNTY BOARD OF COMMISSIONERS REGARDING APPROVAL OF EXPANSION OF THE WESTPOINT ECONOMIC DEVELOPMENT AREA AND CREATION OF NEW ALLOCATION AREAS

WHEREAS, the Morgan County ("County") Redevelopment Commission ("Commission") did on November 10, 2006, adopt Resolution No. 1-2006 ("Declaratory Resolution"), establishing the Westpoint Economic Development Area ("Original Area"), and the Declaratory Resolution was confirmed by a confirmatory resolution adopted on December 4, 2006 ("Confirmatory Resolution");

WHEREAS, the Declaratory Resolution and the Confirmatory Resolution are hereinafter collectively referred to as the "Area Resolution;"

WHEREAS, the Area Resolution established the Westpoint Allocation Area Number 1 ("Original Allocation Area"), in accordance with IC 36-7-14-39, for the purpose of capturing property taxes generated from the incremental assessed value of real property located in the Original Allocation Area;

WHEREAS, the Area Resolution approved the Economic Development Plan ("Original Plan") which Original Plan contained specific recommendations for economic development in the Original Area;

WHEREAS, the Board of Commissioners of the County approved the creation of the Original Area and the Original Allocation Area;

WHEREAS, on September 11, 2023, the Commission adopted its Amending Declaratory Resolution with respect to the Original Area ("Amending Declaratory Resolution"), for the purpose of: (A) creating the Westpoint Allocation Area Number 2 consisting of the parcels set forth on the map attached thereto as Exhibit A-1 ("Original Parcels") (which Original Parcels constitute the Westpoint Allocation Area Number 1 that has been terminated); (B) (i) expanding the Original Area by adding the parcels to the Original Area set forth on the maps attached thereto as Exhibit A-2 and Exhibit A-3 (the Original Area, as expanded, is set forth on Exhibit A-4); and (ii) creating the Westpoint Allocation Area Number 3 solely from the parcels set forth on Exhibit A-2 attached thereto (the parcels set forth on Exhibit A-3 shall not be an allocation area thereunder);

WHEREAS, the Amending Declaratory Resolution was confirmed by an amending confirmatory resolution adopted on November 13, 2023 (collectively with the Amending Declaratory Resolution, "Amending Area Resolution");

WHEREAS, IC 36-7-14-41(c) requires that any enlargement of the boundaries of an economic development area be approved by the Board of Commissioners of the County; and

WHEREAS, the Board of Commissioners has reviewed the Amending Area Resolution and previously approved the written order of the Morgan County Plan Commission regarding the Amending Area Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MORGAN COUNTY, INDIANA, THAT:

1. The Board of Commissioners hereby finds and determines that it will be in the best interests of the County to expand the boundaries of the Original Area and to create the Westpoint Allocation Area Number 2 and Westpoint Allocation Area Number 3 as described in the Amending Area Resolution.

2. The expansion of the Original Area and the creation of the Westpoint Allocation Area Number 2 and Westpoint Allocation Area Number 3 as described in the Amending Area Resolution are hereby approved.

3. This resolution shall be effective from and after passage.

Passed and adopted by the Board of Commissioners of Morgan County, Indiana, this 20th day of November, 2023, by a vote of _____ ayes and _____ nays.

BOARD OF COMMISSIONERS OF MORGAN
COUNTY, INDIANA

Commissioner

Commissioner

Commissioner

ATTEST:

Auditor



Morgan County Highway Dept.
5400 Blue Bluff Rd, Martinsville, IN 46151
Phone: (317) 831-7989 | Fax: (317) 831-3928

November 15, 2023

Morgan County Commissioners
180 S. Main Street
Martinsville, IN 46151

RE: Release of Performance Bond for Common Area Sidewalk and ADA Ramps – Allison Estates Section 1

Dear Commissioners,

In accordance with the Morgan County Unified Development Ordinance, the County Engineer is responsible for the inspection of the construction of subdivision infrastructure that is intended to be accepted into the jurisdiction of Morgan County. As part of the planning and construction process, developers are required to submit Performance Sureties (Bonds) in the amount of at least 120% of the costs to construct the infrastructure. These bonds are intended to be used by the County for remedial construction in the event the developer does not construct the improvements in accordance with County standards.

Once the infrastructure is inspected and approved by the County Engineer, the Performance Surety is to be released back to the Developer, with the approval of the County Commissioners.

We have inspected the common area sidewalks and ADA ramps for Allison Estates Section 1 and have found them to be constructed in a satisfactory manner. We are requesting approval to release the performance bond that covers this work, which totals \$31,210.00.

As a result of releasing this bond, the County will also accept a 2-year maintenance bond in the amount of \$6,242.00 to cover any maintenance costs that may arise over the course of the bonds term.

Thank you,

Justin Schneck, PE
Morgan County Engineer



Morgan County Highway Dept.
5400 Blue Bluff Rd, Martinsville, IN 46151
Phone: (317) 831-7989 | Fax: (317) 831-3928

November 15, 2023

Morgan County Commissioners
180 S. Main Street
Martinsville, IN 46151

RE: Bridge 68 on Ballinger Road – Contract Supplemental

Dear Commissioners,

There is a need to enter into a supplemental agreement with VS Engineering for the design of Bridge 68 on Ballinger Road. In review of the original contract dated 2/27/2018, the following items are not included but should be:

1. Hydraulic Analysis of the proposed structure and roadway configuration
2. Wetland Delineation and submittal of DNR and IDEM permits
3. Right-of-way Acquisition Services

These items are necessary in the design of the project to ensure the improvements do not detrimentally affect the safety of the surrounding property owners and the travelling public.

The attached supplemental proposal in the amount of \$51,620 would cover these services. These services do not include:

1. Any mitigation costs determined by the environmental regulatory agencies due to project impacts. Preliminary estimates show this could total \$8,000.
2. Land costs for the purchase of r/w. The supplemental only covers the costs of the services to obtain the r/w. Land costs are still unknown until we can order appraisals to determine the value.

We currently have the funds budgeted to cover the costs contained within this supplemental. With approval of this agreement, we will encumber money from the 2023 budget to the 2024 budget to cover the costs as the project progresses.

Thank you,

Justin Schneck, PE
Morgan County Engineer

Enclosed: Supplemental Proposal



Morgan County Highway Dept.
5400 Blue Bluff Rd, Martinsville, IN 46151
Phone: (317) 831-7989 | Fax: (317) 831-3928

November 13, 2023

RE: Allison Estates, Section 1

To Whom It May Concern:

This letter serves as acknowledgement of the receipt of the following bonds for Allison Estates, Section 1:

Bond #	Description	Amount
0844029	2-year Maintenance Bond for Common Area Sidewalks and ADA Ramps	\$6,242.00

And release of the following bonds:

Bond #	Description	Amount
0814346	Performance Bond for Common Area Sidewalks and ADA Ramps	\$31,210.00

If you need any further information, please contact me at 317-831-7989 during normal business hours. Thank you for your cooperation in moving this project forward.

Sincerely,

Justin Schneck, PE
Morgan County Engineer

CC: Morgan County Treasurer
Morgan County Plan Commission
Paul Claire, Pyatt Builders
file

Proposed road name list

Road Name

Aloha Way
Amhurst
Aphrodite
Apollo
Ares
Arrowwood
Athena
Bay Ridge
Bunny Trl
Cambridge
Campfire
Capicorn
Cascade
Cassidy
Checker
Chickadee
Citrus
Cottage Crest
Desert Breeze
Dovetail
Dublin
Emerald
Finchfield
Foothill
Frost
Granite
Hera
Horizon
Juniper
Kirkwood
Lola
Lucky
Mockingbird - ?
Palmer
Peral
Perch
Poseidon
Rambler Way
Raven
Rushmore
Sage
Scarlet Tanager
Shamrock
Sierra Vista
Soapstone
Twilight
Wexford
Wintergreen
Xavier
Zeus



Morgan County Board of Commissioners
180 S. Main Street Suite 112
Martinsville, IN 46151
www.MorganCounty.in.gov

November 13, 2023

Morgan County Council
180 S Main Street Suite 104
Martinsville, IN 46151

Dear Morgan County Council Members:

The Morgan County Board of Commissioners would like to request an additional appropriation of \$65,940.00 from the General Fund (1000) into Account #1000.36800.000.0068 (Juvenile Detention). This line item is currently \$43,560 short and the invoices for October, November and December have not yet been received. The attached list of payments for the year shows that we had a very large payment in February for services that were provided in 2022, but not billed until 2023 and there have been a few months with higher than average expenses.

Thank you for your attention to this request. If you have any questions, please feel free to contact us any time.

Sincerely,

Bryan Collier

Don Adams

Kenny Hale