

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, MARCH 21, 2016 AT 9:30 A.M.

MEMBERS PRESENT WERE NORMAN VOYLES, BRIAN GOSS, AND DON ADAMS. DAN BASTIN, AUDITOR; DEB VERLEY, ADMINISTRATIVE ASSISTANT; AND ROD BRAY, COUNTY ATTORNEY, WERE ALSO PRESENT.

NORMAN VOYLES ASKED FOR A MOMENT OF SILENT PRAYER

NORMAN VOYLES CALLED THE MEETING TO ORDER.

PUBLIC HEARING – *Tax Sale Certificate Donation*

Norman Voyles stated that there were two certificates that did not sell in the recent tax certificate sale and it was proposed that these parcels be donated to Habitat for Humanity. One parcel is on Mellady Lane, and the other parcel is at 969 S. Colfax. Norman Voyles opened the public hearing. Rod Bray stated that the parcels did not sell at the tax sale in October and were on the list for the Tax Certificate sale, but were removed because they were of interest to Habitat for Humanity. The law allows this donation to a non-profit entity, but requires a public hearing. Mr. Bray stated that if there were any comments about whether this should be done or should not be done, now is the time to comment. Norman Voyles invited anyone wishing to make a comment to come forward. There were no comments. Norman Voyles closed the public hearing. Don Adams made a motion to approve the resolution assigning the tax sale certificates to Habitat for Humanity. Motion seconded by Brian Goss. Motion carried 3-0.

RESOLUTIONS – *Tax Sale Certificates*

Norman Voyles stated that the following resolutions are to donate a tax sale certificates to governmental entities as follows: The Town of Mooresville for vacant property on Bridge Street. Brian Goss made a motion to approve the resolution. Motion seconded by Don Adams. Motion carried 3-0.

Don Adams made a motion to approve a resolution approving donation of a tax sale certificate to the City of Martinsville for property at 335 Crestwood Drive. Motion seconded by Brian Goss. Motion carried 3-0.

Brian Goss made a motion to approve a resolution approving donation of tax sale certificates to the State of Indiana for three properties, 30 E Southview Dr., 150 E Southview Dr., and 20 W Southview Dr. Motion seconded by Don Adams. Rod Bray stated that he has had numerous communications with the state and even though he feels that they will, they have not given official notification that they will accept the properties. Motion carried 3-0.

EMA DIRECTOR

Norman Voyles stated that he received a resignation from Jeff Neal, the Morgan County EMA Director and has already received several resumes from people who are interested in the position.

DARK FIBER AGREEMENT

Rod Bray stated that he has been working with PDS (Precision Data Services) for months on an agreement to allow PDS to use half of the county's 48 strands of fiber and in exchange, PDS will install, repair, and maintain the fiber and boxes and document the fiber network. This is a 20 year contract. Joel Johnson, Morgan County Data Administration, stated that the agreement allows PDS to use space in the conduit in exchange for fiber. Scott Hamilton, Morgan County Public Safety Dispatch Director, stated that PDS will then maintain the fiber. Don Adams made a motion to approve the agreement. Motion seconded by Brian Goss. Motion carried 3-0.

RESOLUTION ESTABLISHING POLLING LOCATIONS

Norman Voyles stated that this was discussed at the last meeting and a motion was made to approve the concept, but the resolution itself was not approved. The resolution states that Washington 9 and 14 shall use the Kendall Room at the Morgan County Fairgrounds. Washington 4 and 11 vote in the same building, but in a different room. This location is just across the street from the armory. Brian Goss made a motion to approve the resolution. Motion seconded by Don Adams. Motion carried 3-0.

AGREEMENTS – *Dispatch Center*

Scott Hamilton presented an inspection agreement for the annual fire alarm inspection at the dispatch center. Mr. Hamilton stated that this agreement with Tech Electronics is for an annual fee of \$336.00. Mr. Hamilton also presented a preventative maintenance agreement for the access

control for \$47.00 per month. Don Adams asked if there is a county-wide program. Mr. Hamilton stated that he has talked with Koorsen Fire & Security about taking over this item. Rod Bray stated that the agreements are for a three-year term with an automatic renewal. Norman Voyles asked if the next meeting would be soon enough to take action on this item so they could obtain a quote from Koorsen. Mr. Hamilton stated that he would work on this and report back.

PUD PLAN AMENDMENT

Dale Koons, Banning Engineering on behalf of Cedar Run Limited, was present to request approval of a PUD (Planned Unit Development) amendment. Mr. Koons stated that the Plan Commission approved the request at their last meeting and gave some background on the plan. A few years ago there was confusion over the zoning classification of the property; the PUD ordinance recorded in 1996 lists the zoning as PUD instead of R1. In 1994, Cedar Run bought the IU Foundation property that was located not only in Morgan County, but in Hendricks County and Marion County. In 1995 the site was zoned R1 and in 1996 a PUD was filed for the Morgan County portion except the portion that was given to the county on the south side of Landersdale Road. Most of the development occurred in Heartland Crossing from 1996 to 2002. County records for this development were destroyed in the 2008 flood and the property still sits as farmland. In the last year or so Cedar Run was approached by Ryan Homes, the builder that took over for C. P. Morgan in Marion County, about developing the land. Banning Engineering took the amended PUD plan before the Plan Commission in January and the Plan Commission tabled the approval process until April. There was opposition to the 330 single family lots planned for this area. The Senior Care Campus was not opposed and the Plan Commission gave permission to separate the two projects. The Senior Care Campus proposal was before the Plan Commission on March 14th and was given a favorable recommendation with a 6-0 vote. Mr. Koons requested approval of the PUD amendment for the Senior Care Campus only.

Kenny Hale, Morgan County Plan Commission Director, stated that the 2008 flood damaged many records and he is assuming that the Cedar Run records were among those.

Rod Bray asked if there was a consensus as to how the property is zoned. Mr. Hale stated that they have records in the minutes that show the area as PUD and this is not in question. The issue is the original PUD plan that cannot be located. This plan contains setback lines, landscaping requirements along the roads, development standards, etc. Mr. Koons stated that the way the PUD Ordinance reads, once the final plan is approved, things can go forward unless there is a substantial change to the PUD plan. Based on the records they **do** have, this is a substantial change because they are going from 239 lots to 340 lots with a Senior Care Campus. The Senior Care Campus was split off as a separate project (Area B) and the Plan Commission gave a favorable recommendation.

Brian Goss asked if there was a drawing of the building and asked about the 5% masonry requirement. Mr. Goss expressed concern that if only 5% is required to be masonry, then the rest could be low-grade vinyl siding and suggested a 75% masonry requirement so it looks nice in the long term. Mr. Koons stated that he understood the concern. Mr. Hale suggested tabling the issue until the next meeting so Mr. Koons could talk to the developer. Don Adams made a motion to table the issue. Motion seconded by Brian Goss. Motion carried 3-0.

APPOINTMENT – *Aerovision Board*

Norman Voyles stated that Kenny Hale has been serving on the Aerovision Committee at the airport as an alternate. Jeff Quyle is the regular member but has not been able to attend meetings. Don Adams made a motion to appoint Kenny Hale to the Aerovision Committee. Motion seconded by Brian Goss. Motion carried 3-0.

REQUESTS TO USE COURTHOUSE SQUARE

Norman Voyles stated that the Farmers Market had requested the use of the Courthouse Square on Saturdays from May 7th to September 24th. They have also requested use of electricity. Mr. Voyles stated that the Chamber of Commerce regulates this. Bob Elliott, Morgan County Farmers Market stated that he will also provide a certificate of insurance. Brian Goss made a motion to approve the request. Don Adams seconded the motion. Motion carried 3-0.

Norman Voyles stated that the Morgan County Humane Society has also requested the use of the Courthouse Square for the 2nd Annual Feline Frolic. A spokesperson from the Humane Society was present and stated that there will be portable restrooms and the colored powder will be cleaned up. They will also provide a certificate of insurance. This event will be held on April 23rd. Don Adams made a motion to approve the request. Motion seconded by Brian Goss. Motion carried 3-0.

MINUTES – 3/7/16

Brian Goss made a motion to approve the March 7, 2016 minutes. Motion seconded by Don Adams. Motion carried 3-0.

TORT CLAIM

Don Adams made a motion to send the Gendig tort claim to the insurance company. Motion seconded by Brian Goss. Motion carried 3-0.

HIGHWAY UPDATE

Jimmy Waggoner, Acting Highway Superintendent, stated that there are three crews ditching today, a crew is cold patching, and another is stockpiling. When the weather warms up they will start hot patching.

ENGINEER UPDATE

Larry Smith, Morgan County Highway Engineer, stated that the Morgantown and Teeters Road bridges are both open but they have not been paved. Vectren is installing a 16” gas line to the power plant and will be boring under several county roads. There is not enough room to bore into the plant so they will open cut Blue Bluff Road. Mr. Smith stated that this is not a good thing, but there aren’t other options. They hope to do this in one day and blacktop over it. Mr. Smith is working on a list for paving roads.

SHERIFF UPDATE

David Rogers, Morgan County Jail Commander, stated that the Sheriff had a meeting and was not able to attend. The inmate population is at 349. The female population is increasing and this seems to be a trend across the United States. There are 6 DOC inmates, 13 inmates on the work release program, and 20 jail corrections workers. There have been 4,454 CSD calls year to date.

The jail inspection was last Monday and they received a perfect inspection; he will forward a copy of the report to the Board.

DISPATCH UPDATE

Scott Hamilton, Morgan County Dispatch Director, reported that there have been 27,695 calls since the first of the year, 4,740 911 calls and 22,955 non-emergency calls. There have been 6,743 CAD calls including fire departments and the Sheriff’s Department.

ADJOURNMENT

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

Morgan County Board of Commissioners

Norman Voyles

Brian Goss

Attest:

Dan Bastin, Morgan Co. Auditor

Don Adams