

THE MORGAN COUNTY BOARD OF COMMISSIONERS MET IN A REGULAR SESSION ON MONDAY, AUGUST 15, 2016 AT 6:30 P.M.

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

NORMAN VOYLES ASKED FOR A MOMENT OF SILENT PRAYER

NORMAN VOYLES CALLED THE MEETING TO ORDER.

SYCAMORE SERVICES PRESENTATION

Lisa Kabzinski, Sycamore Services Director of Residential Services, introduced Virginia Bates and Barb Allsup and gave an update of the services they provide. There are 20 clients in the residential program and six of those hold jobs in Morgan County. Virginia Bates, Director of Day Programs, stated that they provide respite services for families of individuals that live at home. They have 13 individuals in this program. There are 47 individuals in the day program and 8 individuals in the recreational therapy program. There are 10 staff members and they are always looking for additional employees. Barb Allsup stated that in the day program, they do crafts, concerts, current events, goals, bingo, and community projects. The Board thanked them for the service they provide.

SAFE PLACE

Dawn LaPlante, Program Coordinator for Youth Connections, was present to request that the county consider hosting Safe Place locations. Ms. LaPlante stated that Safe Place is a youth outreach program that provides thousands of sites that youth can come to if they need help, whether it's something that is going on at home, being abused, drugs, or just need to cool off and have someone to talk to. There are over 100 sites in Johnson County and approximately 50 in Morgan County. Ms. LaPlante stated that over 3,500 children run away from home each day and it's getting worse. Ms. LaPlante showed a short video explaining how Safe Place works and stated that a site does not need to be open 24/7. Employees at the site would need to watch an online program in order to be trained. The site would have to have a place where the child can comfortably wait for a counselor to arrive. Rod Bray stated that it is not immediately apparent to someone walking in who the employees are and that would be a concern. Norman Voyles asked that Mr. Bray put together a list of concerns that can be discussed at the next meeting.

FORESTVIEW LANE

Ryan Matthews, Forestview Lane Homeowners Association President, stated that the last time he was before the Board of Commissioners, they requested a cost estimate for the repairs that the homeowners association wanted to make to the private road, and a list of the property owners were willing to participate. Mr. Matthews stated that there are 13 tracts in the development and presented a map of the area. Mr. Matthews stated that there is a green checkmark on the map for every property owner that is willing to participate in making improvements and an "X" on the properties that are not willing to participate. There are two lots that are exempt from paying because they have access from State Road 252 and this exemption is in the covenants. There are six homes and the rest of the lots are vacant. Mr. Matthews stated that everyone who owns a house in the development and is in favor of the project was present, except for one owner who is overseas and Mr. Matthews had an email from that owner stating that they were in favor of the project. Mr. Matthews stated that he obtained an estimate of approximately \$180,000 for the road repairs (changing a curve, replacing culverts, and paving) and has set a \$200,000 cap. Mr. Matthews asked if this was enough information to take the project to the next step, a preliminary resolution.

Ryan Dillon, an attorney representing Jay Smithey, stated that Mr. Smithey owns property on Timber Creek Lane. The area was established with a declaration of covenants and a declaration of mutual easements. Mr. Dillon stated that according to Indiana Code 36-9-36.2, counties can improve public streets, but not private drives; there is not a right of way dedicated to the county, only an ingress/egress mutual utility easement. The covenants (Book 149 Page 221) talk about maintaining a gravel drive. An amendment was made to the covenants in 1998 that exempted the owner of Lot 1 from contributing to the assessment because the property is not accessed from this road and his client is the subsequent owner of the property. Mr. Dillon stated that under 36-9-36.3, the Barrett Law cannot be used if a property contains at least 10 acres and only one building that is used for residential purposes, or is used solely for agricultural purposes. There are at least five lots that are over 10 acres. Mr. Dillon stated that there is nothing that can be done and asked that

the project be put to rest.

Brad Rozema, a property owner in the area, stated that he does not access his property from this road, he accesses it from State Road 252 and pointed it out on a map. Mr. Rozema stated that he did not feel it would be right to fund the improvements by imposing a fee on a property owner that does not use the road. Mr. Rozema stated that dues has not been collected through the homeowners association for the last eight years.

Obra Samons, a resident of Forestview Estates stated that there are covenants that each homeowner accepted when they purchased their property. She has seen Mr. Rozema access his property from Forestview Lane and his property is subject to the covenants.

Brian Goss stated that it would be best to allow Mr. Bray time to review the covenants and Indiana Code before proceeding any further. Don Adams made a motion to table the issue until it could be reviewed by the attorney. Motion seconded by Brian Goss. Motion carried 3-0.

ORDINANCE AMENDMENT

Rod Bray stated that this amendment addresses the money that the state gave the county to be used for road improvements. In order to take that money into the Rainy Day Fund, original Rainy Day Fund ordinance needed specific language stating that this was allowed. Don Adams made a motion to approve the amendment. Motion seconded by Brian Goss. Motion carried 3-0.

PROPERTY LEASE - Milhon

Norman Voyles stated that this lease is for approximately 10 acres of tillable ground located south of the Highway Department. The prior lease expired December 31, 2015 and would extend the same terms for another three years. Brian Goss made a motion to extend the lease for three years until December 31, 2018. Motion seconded by Don Adams. Motion carried 3-0.

MINUTES – 8/1/16

Brian Goss made a motion to approve the minutes of the August 1, 2016 meeting. Motion seconded by Don Adams. Motion carried 3-0.

COSTCO

Norman Voyles stated that there is a new Costco in Greenwood and they have requested time to come in and offer memberships to county employees. Rod Bray stated that he did not see any issues with the request. Don Adams stated that this could be a benefit to employees and made a motion to approve the request with a written comment from Mr. Bray regarding the request. Motion seconded by Brian Goss. Motion carried 3-0.

ANNEX UPDATE

Norman Voyles stated that Carole Kinder, Court Services Director, submitted a written update regarding the work being done at the Annex. The stairwell has been enclosed, including replacing five steps, painting the wall, adding treads, a light fixture, and switches at the top and bottom of the stairs. The funding for this came from the General Fund, Boren, Oliver, & Coffey, and a Community Corrections Grant.

The second story restrooms are being updated with new flooring, plumbing, and paint. They still need new light fixtures. The reception area has been painted and new flooring has been installed. Two offices are being painted and new flooring is on order; three offices are being cleaned. Ceiling tiles and blinds are on order. This project is being funded by a Community Corrections Grant.

Ms. Kinder is obtaining estimates on the outdoor signage and awning.

DISPATCH UPDATE

Scott Hamilton, Morgan County Dispatch Director, reported that there have been 84,982 calls since the first of the year, 15,487 of these were 911 calls and 69,495 were non-emergency calls. There have been 20,904 CAD calls.

HIGHWAY UPDATE

Jimmy Waggoner, Acting Morgan County Highway Superintendent, stated that crews are cleaning downed limbs, hot patching, installing culverts, and ditching. The boom mowers are still down and they are hand cutting some areas. They are waiting for a part for the chip seal box and will begin the chip seal program as soon as the parts are in.

SHERIFF UPDATE

Sheriff Robert Downey reported that the inmate population is at a record high of 384; there are

442 beds. Sheriff Downey stated that it is this way all over the state because of some legislative changes that were made. He will be requesting an additional appropriation from the Council for supplies, boiler repairs, and a new dishwasher. Sheriff Downey stated that 95 of the inmates are female, which is another record.

BRIDGE QUOTES

Larry Smith, Morgan County Highway Engineer, opened quotes as follows:

	Keith Henderson LLC	Conner Excavating	Trisler Construction	Duncan Robertson	CLR
Bridge 24	\$155,530	\$153,230*	\$256,606.92	\$240,931	\$241,275
Bridge 95	103,860	76,000*	158,716.40	187,820	84,250

*Bridge #24 Performance Bond add \$2,280

*Bridge #95 Performance Bond add \$4,600

Mr. Smith asked that the quote be awarded at the next meeting in order to give him time to review the quotes. Rod Bray stated that the lowest quote is slightly over the \$150,000 quote threshold but he did not see this as an issue. Brian Goss made a motion to table the award for the quotes until the next meeting. Motion seconded by Don Adams. Motion carried 3-0.

ENGINEER UPDATE

Larry Smith requested approval of the Indiana Department of Transportation County Bridge Inspection Contract Supplement Number 2. This agreement is between the county and INDOT for inspection of bridges that have a length of 20 feet or greater owned by the county. This agreement changes the total amount that INDOT will pay to \$196,160 (which is 80%). This is a result of adding additional bridges to the inspection (Bridge #53, #44, #56, #67, #144, and #253.) Brian Goss made a motion to approve the Supplemental Agreement. Motion seconded by Don Adams. Motion carried 3-0.

Mr. Smith stated that the Board agreed to increase the amount paid for the right of way purchase for Bridge #67 for the fence installation/replacement. There is a mortgage on this property and the right of way consultant stated that since the property is valued at \$336,000, which far exceeds the mortgage balance of \$100,339.99, the consultant felt the county could waive obtaining a partial release. Rod Bray stated that the county does not want to accept a property with a mortgage tied to it.

Milestone is scheduled to start the paving next week and Mr. Smith has not found a part time inspector. Brian Goss asked that Mr. Smith and Mr. Waggoner check on the project during the day.

Mr. Smith stated that the State Board of Accounts has permitted the counties to take their existing road funds (MVH, Local Road and Street, Wheel Tax and Sur Tax revenue) and move it into the Rainy Day Fund as part of the local match for the infrastructure improvement grant. This would require approval from the Council and would require separate line items for each fund. Brian Goss made a motion to approve taking contractual paving money from Local Road and Street (4361) and moving it to a new fund under the Rainy Day Fund (1301). Motion seconded by Don Adams. Motion carried 3-0.

Norman Voyles stated that INDOT has a bridge deck overlay project that will close Shupe Road over I-70 on or after August 22nd and it will reopen by October 21st.

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