

Hancock County Board of Commissioner's Minutes

December 16, 2014

Commissioners met in regular session. Those present were Commissioner Derek Towle, President, Commissioner Brad Armstrong, Vice President and Commissioner Tom Stevens.

Auditor Robin D. Lowder was also present.

Hancock County Board of Commissioner's meeting began at 8:04 a.m.

Attorney Ray Richardson arrived at 8:30 a.m.

Highway Department

County Engineer Gary Pool appeared before the Hancock County Board of Commissioners to discuss:

No Right-of-way – Memo stating no right-of-way will be purchased for the HSIP Sign Project #1383061 was presented to the Commissioners for signatures. Commissioner Stevens moved to execute the letter for INDOT stating the County will not be buying right-of-way for the sign project, dated December 16, 2014. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Jackson Oil Agreement – A credit application to establish a line of credit for the Highway Department was presented to the Commissioners for approval. Commissioner Stevens moved approval to execute the confidential credit application with Jackson Oil & Solvent Inc. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Bridge Inspection Report – Phase 1 of the Bridge Inspection Report was presented to the Commissioners at a prior meeting, but needs approval. Commissioner Stevens moved approval of Phase 1 of the Bridge Inspection Report received at the last meeting. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Greenfield Street Department – The Greenfield Street Department would like to purchase AE90, approximately 250 gallons from the County Highway Department. Permission is requested to sell the AE90 at the County's cost. Commissioner Stevens moved to allow the Greenfield Street Department to share the material at cost. Commissioner Armstrong seconded the motion. The motion carried 3/0.

CSX Railroad– There are problems at the railroad crossings as Gem Road, 600W and Depot Road. CSX Railroad will be installing more modern signals and repairing the crossing. The signals will be replaced in spring 2015 and the repairs should be done in the next couple of months.

ANNUAL BIDS FOR 2015

List of Bidders per category:

A1 Aggregates

IMI
New Point Stone Co., Inc.
CGS Services, Inc.
US Aggregates

A2 Liquid Asphalt Materials

Asphalt Materials, Inc.

A3 Asphalt Pavement Materials

CGS Services, Inc.
Milestone Contractors, L.P.
Harding Group

B1 Gasoline and Diesel Fuel

Section 1 – Lead Free Gasoline – Sheriff’s Dept. & Community Corrections

A – Firm Price for 2014

Harvest Land Co-op
Jackson

B – Base Price subject to escalation or de-escalation

Speedway LLC
Harvest Land Co-op
Jackson

Section 2 – Lead Free Gasoline – Highway Dept., Surveyor & Assessor’s office

A – Firm Price for 2014

Harvest Land Co-op
Jackson

B - Base Price subject to escalation or de-escalation

Harvest Land Co-op
Speedway
Jackson

Section 2 – Diesel Fuel

A – Firm Price for 2014

Harvest Land Co-op
Jackson

B – Base Price subject to escalation or de-escalation

Harvest Land Co-op
Jackson

B2 Large Equipment Rental (Including Labor)

Hoosier Pride Excavating, Inc.
A.K. Shannon Excavating, Inc. *based on schedule
Leonard Excavating, INC

B3 Tri Axle Dump Truck Rental

CGS Services, Inc.

B4 Small Equipment Rental

Hoosier Pride
Leonard Excavating, INC

Pipe

Geotextile Fabric / A2000 PVC pipe / Erosion control blanket
Civilcon (Metal Pipe Structures)
GeoGrid / HDPE pipe /corrugated Plastic Solid
Baughman Tile Co. (Plastic pipe 8-54")
Environmental (60" Plastic, BX-1100, BX-1200, Geogrid)

TIMBER BRIDGE

American Timber Bridge

GUARDRAIL

James Drew Corporation

Recommend Accepting
Accepted at previous meeting
Recommend Accepting as Quotes

Annual Bids

Commissioner Stevens accepts the 2015 Annual Bids in accordance with the County Engineer's recommendations. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Updates - Bridge #145 located at 600 W. in New Palestine, USI has completed the final inspection and it came in under budget. Bridge #59 on 200 N. has not had the final inspection done but is expected to come in under budget as well. The Highway Department is staying on top of speed limits especially where accidents have happened. Work is being done on making it safer at Fortville Pike and 234. The County is prepared for snow removal and has updated their methods for treating the roads.

Action Items

Claims and Payroll – Commissioner Armstrong moved approval of claims and payroll as presented. Commissioner Stevens seconded the motion. The motion carried 3/0.

Minutes – Commissioner Armstrong moved approval of the minutes for the December 2, 2014 meeting of the Hancock County Board of Commissioners. Commissioner Stevens seconded the motion. The motion carried 3/0.

Bridge #114 Bids

Bridge #114 Bids 8:30 a.m.– The following bids were opened for Bridge #114. 1. Duncan Robertson, Inc. in the amount of \$1,212,078.75. 2. Hoosier Pride Excavating, Inc. in the amount of \$1,247,227.93 and 3. Beaty Construction Inc. in the amount of \$1,311,672.67. Commissioner Stevens moved the three bids be turned over to the County Engineer and County Attorney for review with the recommendation later in the meeting. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Surveyor

Log jams – Surveyor Susan Bodkin appeared before the Commissioners to request permission to remove two small log jams on Brandywine behind Kroger and Darrell Jackley. Commissioner Stevens moved approval to remove the two trees down on Brandywine. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Performance Bond – R.H. of Indiana, LP established a performance bond in the amount of \$6,687.50 for Monuments in Bay Creek East, Section 3. Commissioner Armstrong moved approval of the performance bond in the amount of \$6,687.50 for Bay Creek East, Section 3 monuments. Commissioner Stevens seconded the motion. The motion carried 3/0.

Prosecutor's Office

Ordinance No 2014-12D – Prosecutor-Elect Brent Eaton requested An Ordinance Establishing The VOCA Formula Grant Fund 8903 (Victim of Crime Assistance). Commissioner Stevens introduced Ordinance No 2014-12D - An Ordinance Establishing The VOCA Formula Grant Fund 8903. Commissioner Armstrong moved to authorize adoption on the same day Ordinance 2014-12D. Commissioner Stevens seconded the motion. The motion carried 3/0. Commissioner Armstrong moved to adopt Ordinance No 2014-12D – An Ordinance Establishing The VOCA Formula Grant Fund 8903 (Victim of Crime Assistance). Commissioner Stevens seconded the motion. The motion carried 3/0.

Turning Leaf Woods Major Subdivision

Dedication – Debbie Kimberly appeared before the Commissioners for approval of the dedication of cul-de-sac right-of-way in Turning Leaf Woods Major Subdivision. Commissioner Stevens moved approval of the Secondary Plat of Turning Leaf Woods dedication. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Highway Department

Bridge #114 – Hancock County Engineer Gary Poole appeared before the Commissioners to recommend Duncan & Robertson, Inc, bid in the amount of \$1,212,078.75. Commissioner Stevens moved approval of the Engineer's recommendation of Duncan & Robertson, Inc. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Emergency Management Agency

Grant – Misty Moore appeared before the Commissioners for approval of the IDHS 2014 Emergency Management Performance Grants-Projects Sub-Grant Agreement CFDA #97-042, EDS#C44P-5-487B, in the amount of \$8,845.00 to be used for the purchase of two computers for the Emergency Operations Center and GIS and server firewall protection. Commissioner Stevens moved approval of 2014 Emergency Management Performance Grants-Projects Sub-Grant Agreement CFDA #97-042, EDS#C44P-5-487B. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Debris Management Plan – The Hancock County Debris Management Plan Promulgation was presented to the Commissioner's for signature. Commissioner Stevens moved approval of the Hancock County Promulgation document. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Hancock County Extension

Cleaning Service – Sarah Burke appeared before the Commissioners to request permission to hire a cleaning service for the extension office. She had received two quotes. Carmichael cleaning services will clean twice weekly for \$100.00 per week. Commissioner Armstrong moved authorization for the extension to pursue a contract with Carmichael cleaning services for cleaning the extension office twice weekly for \$100.00 per week which may be terminated at anytime. Commissioner Stevens seconded the motion. The motion carried 3/0.

Phones – Bernie Harris has been assisting the County Extension with purchasing new phones and connecting with NineStar. The phone cost will be \$5,300.00. Commissioner Stevens moved authorization of the expense for phone upgrades preferably out of the 2014 budget in an amount not to exceed \$5,300.00. Commissioner Armstrong seconded the motion. The motion carried 3/0.

Sheriff's Department

Reserve Lease – There are four reserves with leases and approval is requested to extend them to 2018. All terms of the leases will remain the same. Commissioner Armstrong moved to enter into a new lease with an expiration of 2018 between Hancock County and Robert Huskin, Jr. Commissioner Stevens seconded the motion. The motion carried 3/0. Commissioner Armstrong moved to enter into a new lease agreement with TBL LLC/John Lawrence with an expiration of 2018. Commissioner Stevens seconded the motion. The motion carried 3/0. Commissioner Armstrong moved to enter into a new lease agreement with an expiration of 2018 between Hancock County and Classic Hauling, Inc./Jerry Smith. Commissioner Stevens seconded the motion. The motion carried 3/0. Commissioner Armstrong moved to enter into a new lease agreement with an expiration of 2018 between Hancock County and JEEB Services LLC/Blake Wampler. Commissioner Stevens seconded the motion. The motion carried 3/0.

County Council President William Bolander calls the Hancock County Council into Session.

9:30 a.m. Council members present: William Bolander, Tom Roney, Jim Shelby, John Jessup, Debra Bledsoe, Kent Fisk and Marc Huber.

Lease of County Farm – Commissioner Tom Stevens states for the record, lots of false accusations have been made. Today is the fourth time the Commissioners have dealt with this subject as a board. The first time was in April when they approved the property north of U.S. 40 for the fair grounds. Second time was November 14, 2014 when he was appointed to the board of the not-for-profit organization and on November 19, 2014 when the Commissioners saw the comprehensive draft plan for the property developed by Triad. There have been no secret meetings. Council Member Jim Shelby of the Hancock County Council spoke stating the X-Plex group looked at three concepts on how to proceed. The first option was for the Commissioner to appoint a board. The second was the TIF & RDC which will would be a liability to the tax payers and can obligate the tax payers. The third was the not-for-profit corporation. The not-for-profit corporation is the only choice that does not obligate the public and can take from private investors. Council Member Kent Fisk of the Hancock County Council spoke stating this will need to be a total Community project and the County Commissioners, County Council and Community Leaders will need to get behind this and work together. The X-Plex will help the youth in the community and be a positive use of the property. This has been pursued for ten to twelve years and has never moved forward so we need to get it started or it may never happen.

Commissioner Towle stated the reason for this meeting is to discuss items on a possible lease. Questions need to be answered before the lease can be prepared. County Attorney Ray Richardson clarified the difference between a lease and a deed is that the deed gives away total control, the lease will allow the Commissioners to have control of the property.

The following are basic questions to be answered for preparing the lease.

1. The first lease should be a "Master Lease" without the ability for subleasing?

Comments: the master lease should be a general lease then subleases would be added as the need arises. Subleasing would be approved by a government board. The master lease would include the scope of the original project, setting up general terms of what can and can't be done and give the ability to change terms down the road.

2. Lease should be for 50 years, \$1.00 per year.

Comments: Should the lease be for 50 or 99 years for \$1 per year? Start with a 50 year lease and can amend. A trial period, if something does not happen in a certain amount of time.

3. Lease legal description. A) North side of U.S. 40 or B) entire County property.

Comments: Cut out the extension property. Lease all of the north and south side of the County farm. There are drainage issues and possible wetlands that will need addressed. Lease the north side with possible adding of the south side later.

4. Permitted uses should be identified at least in general sense, for instance it could be the uses identified on the triad drawing.

Comment: Public knowledge the general purpose and use of facilities, for instance a horse barn would not end up being a casino.

5. Default or termination of the lease.

Comment: If in a ten year period there is no activity of the not-for-profit, the lease should be revisited and possible termination of the lease. The utilities plan should be in place in two years.

6. County continue the existing insurance and name the NFP as additionally insured.

Comment: Everyone with an interest in the property should have insurance, the County as the land owner and for each interest other than that.

7. County receives all crop revenue, ground continue to be put in crops as long as possible.

Comment: Keep crops going as long as possible, may need to reduce the amount farmed down the road.

8. Neither tenant nor landlord will be obligated to pay real estate taxes.

Comment: The Commissioners will need to have the property rezoned to a P.U.D.

9. Changes in Capital improvements outside the scope of the master plan have to be approved by the leaser.

Comment: The leaser must approve any type of bond or mortgage that will be placed on the property.

Commissioner Stevens moved that the County Attorney be involved in the efforts of the Not-For-Profit Attorney to develop a proposed lease. The motion is withdrawn.

A draft of a lease will be developed from these points for review. The next Commissioner's Meeting Agenda will have an Action Item for Attorney Lease Questions.

The next step will be for the Not-for-Profit Attorney to put together a potential lease option, with input from County Attorney Ray Richardson, to present to the Hancock County Board of Commissioners.

The Hancock County Council President William Bolander adjourned the Council meeting at 11:10 a.m.

The Hancock County Board of Commissioners meeting adjourned at 11:10 a.m.

Hancock County Commissioners

Commissioner Derek Towle, President

Commissioner Brad Armstrong, Vice President

Commissioner Tom Stevens

Attest: _____

Robin D. Lowder
Hancock County Auditor

Hancock County Council

William Bolander

Kent Fisk

James Shelby

Marc Huber

Debra Bledsoe

John Jessup

Attest: _____
Robin D. Lowder, Hancock County Auditor

Tom Roney