

Hancock County Board of Commissioner's Minutes

July 19, 2011

Commissioners met in regular session. Those present were Commissioner Brad Armstrong, President, Commissioner Derek Towle, Vice President, and Commissioner Tom Stevens. Auditor Robin D. Lowder was also present.

The meeting began at 8:00am.

Attorney Ray Richardson arrived at 8:21am.

In The Matter of Hancock County Highway

Engineer Joe Copeland of the Hancock County Highway Department appeared before the Commissioners to discuss the following business:

United Consulting- Steve Jones representing United Consulting reviewed Supplemental Agreement No. 1 between Hancock County and United Consulting for the project at 600W and 300N, Intersection Improvement Project. The increase is in the amount of \$100,500.00 and is broken down as follows: 1) Field Survey \$2,500.00. 2). Road design and Plans \$49,500.00. 3) Lighting Design and Plans \$10,800.00. 4) Detention Design and Plans \$12,100.00. and 5) Storm Sewer Pump Design and Plans \$25,600.00. Commissioner Stevens ask that in the future all changes be brought to the Commissioners before the work starts. Commissioner Stevens moved for the approval of Supplement #1 to the Engineering Agreement for the Intersection Improvement Project at 300N and Mt. Comfort Road in the amount of \$100,500.00. Commissioner Towle seconded the motion. The motion carried 2-1. Commissioner Armstrong voted Nay.

Town of Cumberland - Dave Kirkland of the Town of Cumberland appeared before the Commissioners to request that Hancock County Highway Department sell liquid asphalt emulsion in the amount of 50 gallons at a time. The Town of Cumberland does not have the ability to store the asphalt material. Joe Copeland stated he will figure a price based on what we pay and our costs. The Commissioners agree to Cooperate with the Town of Cumberland as long as Joe Copeland gives a courtesy call to our supplier to be sure they have no problem with the agreement.

Temporary Driveway - Larry Bowmer of the Highway Department appeared before the Commissioners to request, on behalf of Kenneth Langhams, a temporary driveway at Lot 14 of Mt. Comfort Industrial Park. The drive will be used for sandwich trailers available to the construction workers in the area for approximately two years. The county will require a renewal after one year. Commissioner Stevens moved to approve the permit for a temporary driveway to Kenneth Langhams, subject to attached requirements. Commissioner Towle seconded the motion. The motion carried 3-0.

Major Subdivision - Larry Bowmer informs the Commissioners about a major subdivision that is on the Board of Zoning Commission for July 2011. Located at 100N just East of 100W involving 74 acres. There will be six lots with the back four lots requiring a common drive to access 100N. This will leave the remaining acreage land locked. The Commissioner's agree there will be many obstacles to overcome based on the information given to the commissioners.

Sugar Creek Valley Estates Road Signs - An agreement by and between The Sugar Creek Valley Estates Homeowners' Association and The Hancock County Board of Commissioner's for decorative road and street signs to be installed. All cost and maintenance will be funded by the Homeowners' Association. This will not include stop signs and they will use our green sign blades. The company the Homeowners' Association will be using is Street Scapes. Agreement will be revised and presented to the Commissioners for approval.

Quote for Pipe Slip line - at 500W south of 300S. The only quote received was from Indiana Reline, Inc. In the amount of \$27,500.00. Engineer Joe Copeland recommends accepting this quote. Commissioner Stevens moved to accept the quote from Indiana Reline, Inc. for slip lining of existing pipe in the amount not to exceed \$27,500.00. Commissioner Towle seconded the motion. The motion carried 3-0.

Bridge #60 Bids - The quotes received were as follows: 1) Duncan Robertson, Inc. in the amount of \$213,256.50. 2) HIS Constructors, Inc. in the amount of \$227,800.00. 3) Hoosier Pride Excavating, Inc. in the amount of \$230,857.41. Engineer Joe Copeland recommends the low bid from Duncan Robertson, Inc. Commissioner Stevens moved to accept the quote from Duncan Robertson, Inc. For Bridge #60 in the amount not to exceed \$213,256.50. Commissioner Towle seconded the motion. The motion carried 3-0.

In The Matter of Patient Assistance Cards

Lola Materna - from PatientAssistance.com appeared before the Commissioners to request permission to place prescription discount cards in the Auditor's Office. Commissioner Towle made a motion to allow the patient assistance cards in the info area outside the Auditor's Office. Commissioner Stevens seconded the motion. Commissioner Towle voted yes, Commissioner Stevens and Commissioner Armstrong voted Nay. Vote was 1-2. Motion does not carry.

In The Matter of Midwest Presort

County Mail - Kirt Boxell representative of Midwest Presort, strategic mailing solutions, appeared before the Commissioners to present a proposal to lower the County postage cost. Due to their high volume of outgoing mail, they can pass on a lower cost to their customers. There is no charge to the County and they would pick up mail on a daily basis. Mr. Boxell asked permission to review the County mail to see the volume and if his company would be able to help lower our cost and report back to the Commissioners. The Commissioners agreed.

In The Matter of Donation of Land

Wollenweber Road - Jeff Cruise appeared before the Commissioners regarding a cul-de-sac in Doe Creek Estates, Section 2. The legal description for the cul-de-sac was not part of the original plat. Mr. Cruise informed the Commissioners that he would like to donate the land to the County who has been maintaining it for approximately 40 years. The other property owners are willing to sign off on the affidavit also. Attorney Ray Richardson agreed to prepare the legal documents for this to be done.

In The Matter of Charlottesville Zoning

Commercial Zoning - Daniel Coomer appeared before the Commissioners representing three land owners in Charlottesville. In 2007 an ordinance revising the zoning for Hancock County rezoned the properties in Charlottesville to residential. Mr. Coomer is asking for the County to change the zoning back to commercial for the three businesses located on US 40. Commissioner Stevens made a motion to consider rezoning of the five parcels/three owners on the North side of US 40 in Charlottesville to be rezoned to Commercial and Daniel Coomer be refunded the fee to petition to rezone for Lot #1. Commissioner Towle seconded the motion. The motion carried 3-0.

In The Matter of Planning Commission

Shelby South Farm, LLC - The Commitment Concerning the Use and Development of Real Estate Made in Connection with a Petition for Rezoning. This ordinance was approved February of 2011 and not signed. Mike Dale of the Planning Committee requested the Commissioners sign the document.

Precedent Commercial Development, LLC - The Commitment Concerning the Use and Development of Real Estate made in Connection with A Petition for Rezoning by Precedent Commercial Development, LLC. This Ordinance was passed a few years ago and not signed. Mike Dale of the Planning Committee requested the Commissioners sign the document. Commissioner Stevens made a motion to accept The Commitment Concerning the Use and Development of Real Estate made in Connection with A Petition for Rezoning by Precedent Commercial Development, LLC. agreed upon by the previous Board of Commissioner's. Commissioner Towle seconded the motion. The motion carried 3-0.

In The Matter of Minutes for July 5, 2011

July 5, 2011 minutes - Commissioner Towle made a motion to approve the minutes from the July 5, 2011 meeting. Commissioner Stevens seconded the motion. The motion carried 3-0.

June 21, 2011 minutes - Commissioner Stevens made a motion to approve the minutes from the June 21, 2011 meeting. Commissioner Armstrong seconded the motion. The motion carried 2-0. Commissioner Towle abstained.

Claims – Commissioner Armstrong, Commissioner Towle and Commissioner Stevens signed claims presented to them.

In The Matter of Gallahue

Settlement - Attorney Ray Richardson informed the Commissioners that the Hancock County Council approved the settlement with Community Hospital of Indiana Inc. Commissioner Towle made a motion to enter into the settlement agreement with Community Hospital of Indiana, Inc., in the amount of \$315,000.00 to settle Hamilton Circuit Court Cause #2-C01-1011-CC-2652. Commissioner Stevens seconded the motion. The motion carried 3-0.

In The Matter of Sheriff's Department

Retirement Plan - Elaine Beaty of McCreedy & Keene appeared before the Commissioners to present the 457 Plan on behalf of the Indiana sheriffs Association. Ms. Beaty asked the Commissioners to consider giving individuals in the Sheriff's Department another tool to save for retirement. The County already has two deferred Comp programs. The Commissioners ask for the Sheriff's Department to show how a third deferred comp program will be a benefit.

Surplus - The Sheriff's Department has purchased new kitchen Equipment for the jail. The Commissioners direct that the old items be declared surplus for the County to sell at auction. Commissioner Towle made a motion to declare surplus, the kitchen equipment as designated by the Sheriff. Commissioner Stevens seconded the motion. The motion carried 3-0.

Trees Trimmed -Major Burkhart informed the Commissioners that the tree limbs are hanging on the roof and may be contributing to the roof leak. Commissioners ask Major Burkhart to get quotes to trim the tree.

Maintenance - Major Burkhart presented the Commissioners with the monthly report of the maintenance man for May and June. Both the Commissioners and the Sheriff's Department have had no complaints and everyone is happy with his work.

In The Matter of Tourism Commission

Appointments - The City has appointed David Dellacca and Beth Vahle to the Tourism Commission. The Commissioners proposed appointments are Jean Wilfong Howell and Joni Romel-Cox. The Commissioners have two others and would like to discuss before appointments.

-Commissioner Stevens stated that the Visitors Bureau and Tourism Commission are interchangeable and consist of good people that have worked hard. There have been problems, but can continue with direction. He is not willing to set aside the three current members and start over.

-Commissioner Towle stated that based upon his conversations with the State Board of Accounts and Attorney Ray Richardson, we need a separation between the Tourism Commission and the Visitors Bureau. Using the same people or a different group may need to be reviewed.

Commissioner Stevens moved that Greg Carwein, Bill Keeleher and Mark Lee (all currently on the Visitors Bureau) be appointed to the Tourism Commission for the balance of their existing terms which will end December 31, 2011.

Attorney Ray Richardson states two of the qualifications for the Tourism Commission as follows, 1) if available, at least two must be in the business of renting rooms, lodging or accommodations 2) Not more than one member may be associated with the same business.

Commissioner Armstrong seconded the motion . The motion carried 2-1. Commissioner Towle voted Nay, he disagrees to the reappointment at this time.

Commissioner Towle made a motion to appoint Jean Wilfong Howell to the Tourism Commission for a term ending December 31, 2012.

Attorney Sarah Wolfe questioned the appointment since Jean Wilfong Howell and David Dellacca are both associated with Main Street. Jean is a paid employee and David Dellacca is the President of Main Street. Due to this qualification (2001-10-A) that not more than one member may be associated with the same business entity. The question arose at that point is the Visitors Bureau, being a 501C nonprofit, a business and if so can we have three members from that business? Commissioner Towle feels the Visitors Bureau is a business and therefore cannot have three members from the Visitors Bureau.

Commissioner Stevens moved to rescind the three board appointments. Commissioner Towle seconded the motion. The motion carried 3-0. It must now be determined which member from the Visitors Bureau, of the three will be the one to serve on the Tourism Commission.

The Commissioners request the Tourism Commission be on the agenda for the next meeting at 10:00am.

In The Matter of AT&T Bond

Financials - Attorney Ray Richardson and the Commissioners discussed two possible options for paying off the judgment, with Gallahue, and other items. The Commissioners agree they will need hard figures to determine how to proceed.

In The Matter of Senior Services

Quarterly Expenses - Linda Hart provided to the Commissioners the Second Quarter billing in the amount of \$76,700.00. Commissioner Towle made a motion to make payment pass through in the amount of \$76,700.00 on the second quarterly expense of Senior Services. Commissioner Stevens seconded the motion. The motion carried 3-0.

In the Matter of State Election Board

Precinct Boundaries - The state sent Notice of the Hancock County Commissioners Precinct Boundaries. Commissioner Stevens moved to sign the notice of errors with Precinct Boundaries. This states that the Commissioners find errors in the precinct boundaries and will set their precincts by January 1, 2012. Commissioner Towle seconded the motion. The motion carried 3-0.

The Matter of Memorandum of Understanding Excellence Through Lean

Training - Memorandum of Understanding, Excellence Through Lean, LLC with Hancock County Government approved by the Hancock County Council and now presented to the Commissioners for approval. Commissioner Stevens made a motion to allow payment of Memorandum of Understanding, Excellence Through Lean, LLC with Hancock County Government for training of department heads in an amount not to exceed \$10,800.00. Commissioner Towle seconded the motion. The motion carried 3-0.

In The Matter of Bond

Texmi, LLC - Bond with Texmi, LLC for \$8,437.50 for Geist Woods, Section 2 monuments was presented to the Commissioners for approval. Commissioner Towle made a motion to accept the Bond for Texmi, LLC in the amount of \$8,437.50 for Geist Woods, Section 2 for installation of monuments. Commissioner Stevens seconded the motion. The motion carried 3-0.

Commissioner Armstrong stated that the action items for this week will be addressed at the next Commissioners meeting.

The meeting was adjourned at 12:40pm.

Hancock County Commissioners

Commissioner Brad Armstrong, President

Commissioner Derek Towle, Vice President

Commissioner Tom Stevens

Attest: _____

Robin D. Lowder
Hancock County Auditor