

Hancock County Board of Commissioner's Minutes

September 20, 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 8:24am.

In The Matter of Hancock County Highway

Engineer Joe Copeland appeared before the Hancock County Board of Commissioners to discuss the following:

Spice Testing - Joe Copeland asked the Commissioners if the Spice test needs to be done when under suspicion and/or non-DOT employees. It was determined by the Commissioners that testing for spice will be on both suspicion and non-DOT.

Culvert Replacement - on 600W North of US 52 change order #1 was presented to the Commissioners for sod, backfill etc in the amount of \$11,156.21. Commissioner Stevens moved approval of Change Order #1 on the 600W culvert ditch improvement project which increases the amount of the contract by \$11,156.21. Commissioner Towle seconded the motion. The motion carried 3-0.

Legal Services - Attorney Ray Richardson presented to the Commissioners a contract for legal services for condemnation work on properties at 600W and 300N with Yasmin L. Stump Law Group, P.C. Commissioner Stevens moved approval of the contract for legal services with Yasmin L. Stump Law Group P.C. for possible condemnation proceedings for property at the 600W and 300N project. Commissioner Towle seconded the motion. The motion carried 3-0. The rate was set at the amount of \$200.00 per hour for Yasmin Stump, \$165.00 per hour for Associate work and \$60.00 per hour for paralegal work

Right-of-Way - Joe Copeland informed the Commissioners the Highway Department has four appraisals and review appraisals for property needed for right-of-way for the project at 600W and 300N. He is requesting approval to send to the owners of the property an offer to purchase. Commissioner Stevens moved for approval on parcels #2 Ecoff Trucking AV of \$11,000.00, #5 Duane E. Bullock & Helen V. Bullock AV of \$149,800.00, #6 Burr Oak Properties, LLC AV of \$51,700.00 and #7 MCLC, LLC AV of \$4,900.00 to make an offer to purchase right-of-way property in accordance with the appropriate appraised value. Commissioner Towle seconded the motion. The motion carried 3-0.

Credit Application - Joe Hollis appeared before the Commissioners to request approval for a credit application with Batteries Plus. Commissioner Towle moved to authorize the signature for the Batteries Plus Credit Application. Commissioner Stevens seconded the motion. The motion carried 3-0.

Speed Study - It was estimated that the percentage of roads that have had a speed study done is 20%. Commissioner Stevens stated that he would like to see that number at 100% and requested that Joe Copeland provide a schedule of how speed studies can be done to reach the goal of 100%. This will need to be done on any road with a speed limit of less than 55 mph including school zones. Engineer Joe Copeland informed the Commissioners that the speed study is done by road segment and not the entire road.

Bridge#60 Update – All but last three beams have been pulled, and those will be pulled today.

In The Matter of Hancock County Surplus

SRI Auction - Jeff Kemper of SRI appeared before the Commissioners to report on the online auction of surplus items. He stated that approximately 100 items were sold to eight to nine bidders. Only 30% to 40% of items were sold with an approximate dollar amount at \$724.50. The remaining items should either be declared salvage or donated.

In The Matter of Hancock County Planning Department

Ordinance 2011-9C - Mike Dale appeared before the Commissioners to update them on the re-zoning of property in Charlottesville. The Planning Commission gave a unanimous favorable recommendation to rezone Lots 16, 29, 30, 38, 39, 42, 43 and Part of Lot 49 and 50 in Original Charlottesville from R5.0 (residential) to CC (Commercial Community). Lot 17 is not included in the rezoning. Commissioner Stevens moved approval of Ordinance 2011-9C, An Ordinance Amending The Hancock County, Indiana Zoning Ordinance. Commissioner Towle seconded the motion. The motion carried 3-0.

Ordinance 2011-9D - An Ordinance Amending Title XV, Chapter 156 of the Hancock County Code, An Ordinance Regulating Home Occupations. This ordinance amends the matrix to add special exception option for all zoning districts in the County. Planning gave a favorable recommendation with two no votes. Commissioner Stevens moved for approval of Ordinance 2011-9D, An Ordinance Amending Title XV, Chapter 156 of the Hancock County Code, An Ordinance Regulating Home Occupations. Commissioner Towle seconded the motion. The motion carried 3-0.

Complaint - Mike Dale reported to the Commissioners a resident has complained about an ongoing garage/yard sale. Section 156.063 of the Hancock County Code states garage/yard sales are limited to four occurrences per calendar year for a maximum of thirty days per calendar year. Commissioner Armstrong stated there should be no reason for items to sit for more than thirty days. Commissioner Stevens agreed and stated being open for 365 days would be considered more of a business. Mike Dale will speak to the individual to see if he would like to pursue the matter.

Agri-business - Mike Dale gave a report on the progress on the Agri-business Ordinance and meetings with the Farm Community and Planning Commission.

In The Matter of Hancock County Election Office

Polling Locations - Janice Jones and Robin Spille of the Election Office appeared before the Commissioners for approval of polling locations. The locations are the same as last year. Commissioner Stevens moved approval of the polling locations as recommended by the election office. Commissioner Towle seconded the motion. The motion carried 3-0.

In The Matter of Alternatives Inc.

Domestic Awareness - Kelly Buzan of Alternatives, Inc. appeared before the Commissioners to request permission to place crosses on the Courthouse lawn after Riley day clean up and to be removed early November to represent the month of October as domestic violence awareness month. Commissioner Towle moved to authorize placement of crosses on the Courthouse lawn for the duration as specified for the month of October and to be removed early November. Commissioner Stevens seconded the motion. The motion carried 3-0.

In The Matter of Itinerant Merchants Ordinance

Ordinance 2011-9A - An Ordinance Amending The Licensing of Itinerant Merchants. Commissioner Stevens moved for approval of Ordinance 2011-9A An Ordinance Amending The Licensing of Itinerant Merchants. Commissioner Towle seconded the motion. The motion carried 3-0.

In The Matter of Spice Ordinance

Ordinance 2011-9E - An Ordinance Repealing The Spice Ordinance. Commissioner Stevens moved for approval of Ordinance 2011-9E, An Ordinance Repealing The Spice Ordinance. Commissioner Towle seconded the motion. The motion carried 3-0.

This ordinance is being repealed as the State has adopted a Spice Ordinance.

In The Matter of Commissioner's Minutes

Commissioner's Minutes concerning the Tourism Commission - Commissioner Stevens moved to approve the Hancock County Board of Commissioner's minutes for August 11, 2011 concerning the Tourism Commission. Commissioner Towle seconded the motion. The motion carried 3-0.

Commissioner's Minutes - Commissioner Stevens moved to approve the Hancock County Board of Commissioner's minutes for August 22, 2011, joint meeting with Hancock County Council. Commissioner Towle seconded the motion. The motion carried 3-0.

Commissioner's Minutes - Commissioner Stevens moved to approve the Hancock County Board of Commissioner's minutes for August 30, 2011. Commissioner Towle seconded the motion. The motion carried 3-0.

Commissioner's Minutes - Commissioner Stevens moved to approve the Hancock County Board of Commissioner's minutes for September 6, 2011. Commissioner Towle seconded the motion. The motion carried 3-0.

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

In The Matter of Action Items

Heating and Cooling Contract - Commissioner Armstrong reported that Trane has proprietary software and they will have to provide access to the County as property owners. However, we are not ready at this time to make a change due to the software issue. The Trane service contract was amended by Attorney Ray Richardson. Commissioner Towle moved for approval of the contract with Trane as amended, in an amount not to exceed \$31,260.00. Commissioner Stevens seconded the motion. The motion carried 3-0.

In The Matter of Curfew - There was discussion among the Commissioners and Attorney Ray Richardson, if an Ordinance is necessary in regards to curfew. It was agreed that the County does not need an Ordinance and will go by the State Statute.

Quit Now Indiana Contest - Mary Bowmer sent a request to the Commissioner’s for approval to send all County employees the Quit Now Indiana Contest to assist with quitting smoking. The Commissioners gave their permission for the document to be sent out to employees.

Retention Areas - Attorney Ray Richardson informed the Commissioners there will need to be a public hearing to transfer the retention areas from Hancock County to the City of Greenfield.

Bond -Attorney Ray Richardson stated there is a meeting set up with Ice Miller, Ray Richardson, Greg Guerrettaz and Robin Lowder to begin the bond process. Before that meeting a letter from Bill Bolander of the Hancock County Council asking for the bond to include property tax software for the Auditor’s Office in the amount of \$170,000.00 needs to be decided upon.

The Commissioners declined the request to include the additional item in the bond.

The meeting was adjourned at 10:03am.

Hancock County Commissioners

Commissioner Brad Armstrong, President

Commissioner Derek Towle, Vice President

Commissioner Tom Stevens

Attest: _____

Robin D. Lowder
Hancock County Auditor